

TOWN OF AYER SELECTMEN MEETING MINUTES
Tuesday, May 21, 2013

The Selectmen's Meeting can be viewed in its entirety on the Town's Website at: www.ayer.ma.us

Chairman Conley called the meeting to order at 7:07p.m. advising all to the Board of Selectmen Open Session Meeting is video recorded by APAC Present: Chairman-Pauline Conley, Gary J. Luca- Vice-Chairman, Christopher Hillman-Clerk, Members- James M. Fay and Jannice Livingston, Town Administrator Robert A. Pontbriand, and Janet Lewis Secretary.

Announcements: Chairman Conley made the following announcements

1. Memorial Day Parade-Saturday, May 25, 2013 forming at 9:30a.m. at St. Mary's Parking Lot on Shirley Street, Ayer. parade stepping off at 10:00a.m. Parade Marshalls for Memorial Day Parade- Joseph Landry of Shirley, MA and Ralph Winslow of Ayer, parade will march down Main St, stopping at Town Hall for Honorary Guest speakers' memorial and continuing on to Pirone Park for closing ceremony.
2. Re-dedication of E. Main Street Bridge in honor of William Iversen prior to parade by the American Legion.
3. Chairman Conley announced the Janice Bresnahan Road Race raising over \$28K. Congratulations extended to the Bresnahan Family.

Chairman Conley called for a motion to approve the Agenda. Mr. Luca moved the Board approve the Agenda, 2nd by Mr. Hillman, VOTE: unanimous, so moved.

Minutes: passed upon

Agenda item #1. Presentation of Certificates-Ayer Special Olympians-Chairman Conley welcomed Special Olympians: Jack Hillman, Nick Dutton, Andre Mayorga, and Josh Harris to the meeting. Ms. Conley recognized Principal Fred Deppe, and Coordinator Meg Saucier, Kristina Howard and Paula Gravelle-Para Professionals organizers of the games at Fitchburg State University on April 26, 2013. Mr. Fay presented the Certificates while Board members distributed Trophies to each of the Olympians upon their successful winning of a medal/s at the event. Flowers and Certificates of Appreciation were presented to Ms. Saucier, Ms. Howard and Ms. Gravelle from the Board. A very special thank you was sent to Jeff Thomas and the Ayer Park Commissioners for their generous donation of the trophies. Mr. Hillman expressed his deepest appreciation to all who sponsored and volunteered their assistance to this event.

7:15p.m. Public Hearing-Tross Corp.-All Alcohol License & Common Victualler's License-25 Main Street, Ayer, MA - Selectman Hillman recused himself from the discussion and left the table-Conflict of Interest -family member (cousin). Legal Notice was read in to the record published in the Nashoba Publications the weeks of 5-10-13 and 5-17-13. Chairman Conley requested if there were abutters present to speak for or against the petition, abutters' present spoke in favor of restaurant/pub. Certified mailings to abutters were presented for the record. The Board viewed architect renderings of proposed restaurant/pub, handicap accessibility, parking and advising to all employees/owners to undertake TIPS certification. Mr. Luca moved the Board vote to submit the All Alcohol License for Tross Corp. to the ABCC subject to TIPS Certification, 2nd by Mr. Fay, VOTE unanimous, so moved 4-0. The Board was advised to Kitchen in renovation process and working with Nashoba Boards of Health-(work in progress). Mr. Luca moved the Board vote to approve the Common Victualler's License for Tross Corp contingent upon Nashoba Boards of Health Approval of Food Handler's License, 2nd by Mr. Fay, VOTE unanimous, so moved. 4-0. Mr. Luca moved to close the Hearing, 2nd by Mr. Fay VOTE: unanimous, so moved.

Public Interest

1. **Proposed Dog Park**--Supt. Wetzel introduced Agnes Shannahan proponent for establishing a Dog Park in the Town under the Stanton Foundation Grant. Supt. Wetzel advising to being contacted by many residents re this proposal who are interested in developing a working group towards this effort.

Mr. Wetzel advised to site being considered is a Snakehill Road parcel. The Board suggested Ms. Shannahan & others contact the Park Commissioners to get on their agenda re this proposal as well as other potential sites. Mr. Luca expressed concern re care and clean-up responsibilities and to check other communities if they have Dog Parks to see how they are run/operated. Supt. Wetzel advising to Grant paying for 90% of construction and 5% for additional annual years.

2. Central Ave Compassionate Care Inc.-The Board met with founder John Hillier of Shirley, MA and Atty. Chris Lilly. Mr. Hillier opened the discussion by advising the Board to his purchasing the former Sudz-it Building on 31 Central Avenue, Ayer, MA for a regulated medical marijuana facility. Mr. Hillier reviewed with the Board his project overview for a non-profit regulated marijuana dispensary for the production and dispensing of medical marijuana products to only qualified registered patients or their registered caregivers, as permitted under State Law passed in November 2012 and strictly regulated by the Dept. of Public health (DPH). Dispensary will not be open to the general public only qualified patients will be allowed into the facility by appointment who suffer from debilitating conditions, such as Lou Gehrigs disease (ALS), cancer, Multiple Sclerosis, HIV/AIDS, Crohn 's and Parkinson's disease. Mr. Hillier advised the Board to security measures that will use state of the art alarm systems, comprehensive video surveillance to secure the security of patients, employees and the general public, building and contents. Mr. Hillier updated the Board to the voters of Massachusetts voting to legalize the medical use of marijuana (Chapter 369 of the Acts of 2012) along with 2/3 of Ayer voters. The Board advised to need to hold a Public Hearing re possible moratorium re community support, non-support, urging need to take one step at a time and want Board of Health, Police Chief & Fire Chief's perspective/input. The Board advised to Planning Board conducting a Public Hearing re Zoning Moratorium on June 6, 2013 at 7pm at the Ayer Town Hall re moratorium. The State DPH Regulations are to be released this week and everyone needs to take a look at them and proceed very carefully.

Partridge Auto Class II Auto Dealer's License Amendment-The Board met with Sean Partridge. Mr. Partridge updated the Board to his request to amend his current Class II License to increase the number of cars permitted o his lot from six (6) to fifty (50). Mr. Partridge reviewed with the Board his lot size being 44,000 sq. ft and looking to utilize 21,000 sq. ft for auto sales along both sides of his building and in the back. Mr. Partridge advised the Board to meeting with Building Commissioner and zoned properly. Mr. Partridge advising to his change of use changing as well from garage to sales. The Board advised to need to conduct a Public Hearing re this request to advise abutters of change .

Fire Station Re-Use-RFP/Statement of Interest-

The Board viewed the 2012 FTM video re Article 10 for actual language proposed by Selectman Maxant per the Board's 5-7-13 Meeting, to which Selectman Maxant's amendment removed the option to raze or sell the building. The Draft RFP and Statement of Interest presented by the Reuse Committee offered limited use of the building for municipal use. Selectman Fay suggested issuing a Statement of Interest to attract more applicants. Mr. Pontbriand advised to Town Counsel opinion to amendment gave many options by creating process or disposition of property. Mr. Pontbriand suggested the Board proceed with RFP and authorize the release of the RFP per Chapter 23B. Mr. Fay stating the Committee awaits the Board's course of action. Mr. Pontbriand advising the RFP will come back to the Board re acceptance or rejection.

Board of Selectmen's Policies & Procedures-Mr. Pontbriand distributed current copies of the Board of Selectmen's Policies & Procedures advising to last review conducted in 1999. Mr. Pontbriand requested the Board review and remit their suggestions re changes/notes back to him within two weeks along with their goals & objectives for Fy-2014.

Board of Selectmen & Town Administrator's Goals & objectives 2013-2014-Mr. Pontbriand again restated the need for the Board to submit their five (5) priority Goals & Objectives to him as soon as possible then he will combine them and make a master list of the Board's combined five goals & objectives which in turn will become his Fy-2014 Goals & Objectives.

New Agenda -Chairman Conley advising Board to her incorporating a no time limit agenda for future meetings.

Reserve Fund Transfer-Mr. Pontbriand resubmitted the Fire, Casualty, & Liability Insurance Reverse Fund Transfer from the May 7, 2013 meeting which the Board required verification and confirmation from MIIA. Mr. Pontbriand confirmed that this \$2,500.00 is a legitimate claim that was filed in February 2013 from a residential sewer back-up caused in the town's public street. Mr. Luca moved the Board vote to approve the amount not to exceed \$2,486.00 to Account #01193-57430 as stated by Mr. Pontbriand, and authorize the Chairman's signature 2nd by Mr. Fay, VOTE: unanimous, so moved.

Roundtable-Future Topics

Selectman Hillman:

1. Schedule Board of Health Enforcement Meeting with Bldg. Com, APD & AFD
2. Chief Murray's input re Westford Rd. /Sandy Pond truck traffic

Selectman Luca:

1. Continue with Press packet release-Mr. Pontbriand advising to working with Cindy Knox to have the Board's packets on website.
2. Mr. Luca advised the Board to having person interested in serving on NVTHS School Committee. Mr. Pontbriand reminded Board to need for primary representative and alternate urging the Board to get names into him as soon as possible.
3. Home Rule Petition update (reducing Selectmen from 5 to 3) passed house. Mr. Pontbriand reminded board to Meeting on 5-28-13 with Supt. Wetzel in Open Session re DPW Projects and entering Executive Session re: contract strategy later.

9:15p.m. Mr. Luca moved to adjourn the meeting, 2nd by Mr. Hillman VOTE: unanimous, so moved.

9:15p.m. Meeting adjourned.

Date: _____

Christopher R. Hillman, Clerk

Gary J. Luca
Gary J. Luca
CLERK

8-19-14
BOS approval date