

-
-
-
-

Town of Ayer
 Board of Selectmen
 Town Hall, First Floor Meeting Room



Ayer Massachusetts 1432

Tuesday, August 16, 2011

7:15p.m. Open Session

Chairman Luca called the meeting to order- Selectman Conley-requesting to amend Agenda by adding Fin-

Gary J. Luca, Chairman	X	Carolyn McCreary, Member	X
James M. Fay, Vice Chairman	X	Pauline Conley, Member	X
Frank F. Maxant, Clerk	X	Robert Pontbriand, Town Administrator	X
Janet S. Lewis, Secretary	X		

Com report –Public Hearing discussion and Selectman McCreary- wishing to discuss loitering and Minutes Town Administrator-One Day Beer & Wine License Request for St. Mary’s Lawn Party-9-9-11 & 9-10-11 Selectman Fay-adding DEC Appointments to Appointment list.

Agenda Item #1. Agenda-Selectman Maxant moved to approve the Agenda as amended, 2nd by Selectman Fay, VOTE: unanimous, so moved.

Agenda Item #2. Public Input-Chairman Luca requested if there was anyone present wishing to meet with the Board under Public Input, no one stepped forward.

Chairman Luca requested the Board take up St. Mary’s One Day Beer & Wine License- Selectman Conley moved the Board vote to approve a One (1) Day Beer & Wine License for St. Mary’s Church for their Annual Lawn Party on September 9th and 10th 2011, questioning two dates and license issued for one day. Selectmen’s Secretary advising to One Day Beer & Wine License use category for event under ABCC and suggested time of event be placed on license for duration of alcohol to be served. Selectman Conley inserting 5:00p.m. Friday the 9th to 10:00p.m. Saturday the 10th, 2nd by Selectman Fay, VOTE: unanimous, so moved.

Agenda Item #3. Dan Sherman Facilities Director –re Appointment full-time custodian-The Board met with Dan Sherman Facilities Director who introduced Bruce Burns to the Board. Mr. Sherman stated he was before the Board to seek appointment of Mr. Burns to the vacant custodian’s position which is a 40 hour a week benefited position at \$15.17/per hour. This position will be responsible for custodial service for the Town Hall and Police Station and other duties assigned. Mr. Pontbriand stated the position would respond directly to Mr. Sherman and is under the Town Hall/Clerical Union Contract. Mr. Pontbriand advised to 50 candidates responding with 16 candidates interviewed. Mr. Burns’s credentials checked out and he interviewed well and passed the CORI, pre-employment physical and drug screening. Mr. Pontbriand recommended the Board appoint Mr. Burns to the custodial position effective 8-17-11 so stated above. Selectman Conley moved to appoint Mr. Burns as recommended by the Town Administrator and Mr. Sherman, 2nd by Selectman Maxant, VOTE: unanimous, so moved.

Agenda Item #4. David Maher, Director of Planning & Development –Susan Provencher, Program. Mgr.

1. Fy2011 CDBG Contract-Ms. Provencher presented the Board the Fy-11 CDBG Grant Contract in the amount of \$900K to be used to rehabilitate twelve (12) units of housing and complete the infrastructure project at Pond St. Ms. Provencher advising to this being an 18 month grant closing out on 12-31-12. Selectman Conley clarifying for the record Program Income from the Get the LeadOut Program reimbursement approved by Selectmen in July 2011 re salary and this new grant’s salary begins effective 7-1-12. Selectman Fay moved the Board vote to approve the FY-11 CDBG Contract, and authorize the Chairman’s signature 2nd by Selectman McCreary, VOTE: unanimous, so moved.

2. Fy-09 Grant Closeout Report-Housing Rehabilitation Program-final report-Ms Provencher presented the Board the Closeout documentation. Ms. Provencher advised the Board to the grant award for the Fy-09 CDBG Grant totaled \$531,579.00 bringing eighteen (18) units of housing up to code while maintaining

-
-

8-16-11

affordability restrictions for a period of fifteen years. Ms. Provencher updating the Board to the office now starting up to qualify participants for the Fy-11 CDBG Program. Selectman McCreary moved the Board vote to approve the Fy-09 CDBG Housing Rehab Program Close-out Report and authorize the Chairman's signature, 2nd by Selectman Conley VOTE: unanimous, so moved.

3. Property at 24 Auman St. Ayer, MA (Devens-Estates at Harvard Hills)-Waiver of Right of First Refusal
 Selectman Conley moved the Board vote to waive our rights of First Refusal for sale of home at 24 Auman Street, 2nd by Selectman Fay, VOTE: unanimous, so moved.

4. Shriver Job Corp. Thank You Letter-Mr. Maher updated the Board to the Shriver Job Corp. Carpenter Construction Career Trades students under the direction of David Basilio completing their community service project. Mr. Maher advising to the bus station/shelter across from Town Hall receiving a quality service renovation which the Town might not have been able to do in this present economy. Mr. Maher applauding the Business Communities efforts i.e. Calvin Moore donating the staging for the entire roof renovation, Phil Berry and the Department of Economic Development providing lunch to the students daily. Mr. Maher stating the esthetic renovation and cost savings to the Town is yet another successful project by the Shriver Job Corp. for the \citizens of Ayer. Selectman McCreary requesting a plaque be erected on the bus station in honor of the Shriver Job Corp. Mr. Maher presented a thank you letter to Shriver Job Corps for the Board's endorsement. Selectman McCreary moved the Board endorse and thank Shriver Job Corp for taking on this wonderful service to the Town of Ayer, 2nd by Selectman Fay, VOTE: unanimous, so moved. The Board thanked Mr. Maher for all his efforts to this project.

CDBG Hiring of part-time Administrative Assistant-Mr. Maher advised with the upcoming CDBG activities and consulting with Ms. Provencher re her retirement requested the Board consider the hiring of a part-time 12 hour a week support assistant to Ms. Provencher. This position to be funded through both Town grants i.e. Fletcher Bldg, & CDBG Program which would allow to main stream a person to either remain as an assistant or received enough training to pursue upcoming (advertised) Program Mgr. Position in December 2012. Selectman McCreary moved the Board vote to approve work plan as presented by Mr. Maher, 2nd by Selectman Fay. Selectman Conley requesting Mr. Maher come back in thirty days with job description, Chairman Luca requesting position be non-benefited. Selectman Conley requesting motion be specific to two grants and predicated on grant award/s received by the Town. After a brief discussion re process –time frame before we need to have someone on board. Selectman McCreary withdrew her motion, requesting this be kept on track, take next step and develop job description, Selectman Fay withdrew his 2nd to the motion. Motion lost.

Agenda Item #6. Cindy Knox, IT Administrator- Town of Ayer Website overview

Cindy conducted an overhead presentation reviewing with the Board the recent upgrades to the Town's Website. New Functionality, containing the most current information for the community. Ms. Knox advising it is still a work in progress.

Town Administrator's Report-The Board met with Robert Pontbriand

CPC Funding-Mr. Pontbriand reminded the Board to CPC Public Hearing on September 7, 2011 at 7:15p.m. re the Town Hall envelope-i.e. generator, windows, etc.

Planning Board Lap Top-Mr. Pontbriand updated the Board to laptop currently in the Town Hall, security in place and minutes provided re ZBA & Planning Board re joint purchase.

APAC-advised to recordings of Selectmen's Meetings to be provided to Selectmen's Office as soon as possible following the meeting.

Wellman Parker-retired as Electrical Inspector 8/1/11. Mr. Pontbriand requested the Board accept Mr. Parker's resignation with regret having served the town for many years in many different capacities. Selectman Fay moved the B board accept the resignation of Wellman Parker and thank him for his many years of service to the Town, 2nd by Selectman Maxant, VOTE: unanimous, so moved.

1. FY-12 Appointments-To be finalized tonight for distribution to all Town Departments and vacancies to be placed on Website.
Conservation Commission-Candidates: David Bodurtha and Warren Ball. Mr. Pontbriand advised the Board to recommendation of Chairman of the Conservation Commission William Daniels received and placed in Board's packets. Mr. Pontbriand read the letter into the record advising to Commission meeting Thursday, August 11, 201, and voting to recommend Warren Ball to the Conservation Commission. Selectman Fay moved the Board vote to appoint Warren Ball to the Conservation Commission upon recommendation of Conservation Commission in a letter dated 8-12-11. VOTE: Chairman Luca aye, Selectman Fay aye, Selectman Conley aye, Selectman McCreary aye, Selectman Maxant recusing, 4-0 motion passes. The Board thanked Mr. Bodurtha for his service to the Commission. Mr. Bodurtha requested to read a statement into the record he had prepared. Mr. Bodurtha in brief...stated being on the Commission is a lot of hard work, thankless job enforcing rules people don't understand. Selectman Fay requested his letter for not appointing Mr. Bodurtha be included in the record. Selectman McCreary requesting the Board not accept Selectmen's Fay letter.
Fire Station Reuse Committee-The Board voted to appoint Alene Reich, George Bacon, David Mayer, ex-officio, Selectman Fay ex-officio, with one vacancy. Selectman Conley moved the Motion, 2nd by Selectman McCreary, VOTE: unanimous, so moved.
Memorial Garden Committee-Mr. Pontbriand opened the discussion by advising the Board to Committee created by Act of Town Meeting and in 2009 mission accomplished with plaque dedication. Selectman Fay stating Committee's work on going re maintenance and updates to monument/s. Selectman Conley suggesting Committee create charge recruit new members. Chairman Luca stating Committee is still active and recommended a one year appointment, 2nd by Selectman Maxant, VOTE: unanimous, so moved. The Board appointed Selectman Fay, ex-officio, Mike Detillion, ex-officio, Robert Eldridge, Charles McKinney, Frank Harmon, Thomas Brown and Janet Lewis to the Memorial Garden Committee.
2. Sex Offender By-law-The Board met with Chief Murray- Chief Murray reviewed with the Board the City of Fitchburg's Level 2 and 3 Sex Offender By-law redacted to fit the Town of Ayer. Mr. Pontbriand advising to the proposed document is still a work in progress; a Public Hearing must be held with the intention for the By-law to be included on the Fall Town Meeting Warrant. Level 2 or 3 By-law is a much broader by-law and challenged the narrower the specifics of the by-law the better. Chief Murray stating the by-law should be based upon what the community wants. The Board requested to look over and comment back to the Chief and Town Administrator and run by Town Counsel and look at holding Public Hearing early fall. Mr. Pontbriand advising to AG's office requesting map of all housing is included with by-law.
3. TIP letter-Mr. Pontbriand reviewed with the Board his letter to Representative Sheila Harrington re her assistance accelerating the Town of Ayer's roadway Projects up on the TIP. Mr. Pontbriand advising to currently Ayer's roadway projects is not scheduled to commence until 2014, 2015, & 2016. Roadways on TIP include: reconstruction/resurfacing Park St from downtown Ayer to Shirley line, reconstruction and resurfacing Groton Harvard Rd and reconstruction and resurfacing of Groton School Rd. The Board voted to support Mr. Pontbriand's letter to Rep. Harrington.
4. 2011-2012 Town Administrator's Goals & Objectives: The Board expressed their individual goals to Mr. Pontbriand. Chairman Luca requesting revenue-which the Town is very much in need of be priority. Selectman Conley wishing to get house in order by performing evaluations, training, and getting departments to work friendly/revolving door policy. Selectman Fay stating Selectmen's goals need to be developed first. Selectman Conley requesting calendar be developed to keep everyone on track, work flows better and gets accomplished. Selectman Conley suggesting this calendar be release to website to

keep residents informed as well. Chairman Luca with the Board's permission to meet with Mr. Pontbriand next week to develop Goals & Objectives.

5. Wastewater Heating System Upgrade Admin Contract update-.Mr. Pontbriand advised the Board to DOR invited to tour plant with Board of Selectmen. Mr. Pontbriand presented the last piece of documentation to close out project, that being the admin portion for reimbursement back to the Town. Mr. Pontbriand presented the Board documentation reflecting his time put into the grant amounting to \$1,622.40 to be deposited into the General Fund or to reimburse UDAG and reminding Board to their approving Mr. Sherman's allocation given to him directly in the amount of \$727.44. Selectman McCreary moved the Board vote to reimburse UDAG with Mr. Pontbriand's admin salary portion of the Grant in the amount of \$1,622.40, 2nd by Selectman Conley, VOTE: unanimous, so moved.

10:00p.m. . Selectman Fay moved the Board vote to extend the meeting to 10:20p.m., 2nd by Selectman Maxant, VOTE: unanimous, so moved.

Agenda Item #7. Ayer/Shirley Collaborative Efforts-Mr. Pontbriand advised the Board to Tri-Board disbanded, no longer necessary since regionalization of Ayer/Shirley. Selectman Fay requesting to get sense from Fin-Com re reestablishing a new group consisting of Ayer, Shirley. Selectman Conley questioning if representatives from the Regional School Com. will be participating in what had been Ayer's Tri-Board Budget planning. Chairman Luca stating they said they wouldn't but hopefully they will. Chairman Luca and Robert to meet with Fin-Com and come back with their recommendations.

Agenda Item #8. JBoS-Selectman Fay opened the discussion by advising the Board to his seeing no future placing Mr. Pontbriand on the Transition Sub-Committee made up of Devens, Ayer, Shirley and Harvard Town Administrators, and disagreeing with Harvard's changed focus that each town Administrator serve. Harvard doesn't think Selectmen can do the job and Committee will not be a successful effort with having Ayer's Administrator on board. Selectman McCreary disagreeing stating Town Administrators are the professionals in the area of forming intermunicipal agreements looking at things more objectively and are better suited. Selectmen Fay advised to reaching out to Selectman Dumont of Shirley to form an Ayer/Shirley Boards of Selectmen and Finance Committees to collaborate on issues to benefit both Towns. Selectman Fay stating he feels we can be more successful and so does Dumont. Selectman Fay moved the Town of Ayer does not place Robert Pontbriand on Transition Sub-Committee, 2nd by Selectman Conley VOTE: Selectman Fay aye, Selectman Conley aye, Selectman Maxant aye, Chairman Luca aye, Selectman McCreary no, 4-1 motion passes. Chairman Luca advising to Mr. Pontbriand & he are meeting with Fin-Com next week and they will run the two town bi-board concept by them. Selectman Maxant advising the Board to his solely forming a group of stakeholders, an unofficial body not subject to open meeting or public records laws. Selectman Maxant stating the group will be without formal authority but would help to get the communities working together. Selectmen Luca stating his concern if Selectman Maxant was representing this Board or Town. Selectman Conley questioning Mr. Maxant if he is representing himself as a Selectman in Ayer. Selectman Maxant stating he is a Selectmen whether you authorize it or not and not saying he is doing anything officially on behalf of the Town.

Agenda Item #9. New Business/Selectmen's Questions-Mr. Pontbriand advised to employees who attended the Nate Barkus show on August 5, 2011 used their own personal time to go. Mr. Pontbriand advising to local merchants participating i.e. Calvin Moore contributing to house. Mr. Pontbriand stating it was great event and thanked everyone for their support to the Jorge family.

10:30p.m. Selectman Fay moved to adjourn the meeting, 2nd by Selectman McCreary, VOTE: unanimous, so moved.

10:30p.m. Meeting adjourned

•

8-16-11

•

5

•

8-16-11