

Town of Ayer

Board of Selectmen

Town Hall, First Floor Meeting Room Ayer Massachusetts, 01432



4-6-10

Selectmen's Meeting

Ayer Town Hall, 1st Floor Meeting Room, Main Street, Ayer, MA
Tuesday, April 6, 2010

Meeting Date: 4-6-10

Present:

Cornelius F. Sullivan, Chairman (Mr. Sullivan)	X	Carolyn McCreary, Member (Ms. McCreary)	X
Richard D. Gilles, Vice-Chairman (Mr. Gilles)	X	Gary J. Luca, Member (Mr. Luca)-	X
James M. Fay, Clerk (Mr. Fay)	X	Shaun Suhoski, Town Administrator (Mr. Suhoski)	X
Janet Lewis, Secretary (Mrs. Lewis)	X		

Open 7:10p.m. **Public Input**

Chairman Sullivan requested if there was anyone present wishing to meet with the Board.

Selectman McCreary-Parking Task Force Meeting-April 15, 2010 at 7:00p.m. at Town Hall-1st Floor Meeting Room. New ideas new people urging all interested residents to attend.

Selectman Fay-Fire Station Re-Use Committee Appointment-David Maher, Director of Planning & Development. & Vineyard Wine Tasting-May 15th in parking lot of establishment-63 Park St. 5-8pm

Chairman Sullivan -Recycling Committee's Town-wide clean-up 4-1-010 from 9-12 at Depot Sq. & dance Saturday, April 10, 2010 at 7p.m. Ayer Town Hall, 2nd floor Great Hall and announcing two (2) union contracts successfully negotiated (Superior Officers & Town Hall Clerical Union) 1/yr. contracts all Town contracts now inline for 2012, 2% wage increase for all Town Hall Union Clerical workers and non-union employees.

Thanking all town employees for their cooperation.

Chairman Sullivan called for a motion to approve the Agenda as amended. Selectman Gilles moved to approve the amended Agenda of 4-6-10, 2nd by Selectman Fay, VOTE: unanimous, so moved.

Senator Jamie Eldridge-Senator Eldridge stated he was before the Board this evening to recognize Chairman Sullivan for his twelve (12) years of service on the Board of Selectmen along with Town Administrator Shaun Suhoski's eleven years of service upon their resignations. Senator Eldridge read into the record citations from the Senate, Proclamation from the House by Rep. Hargraves and a Citation from Congresswoman Nicki Tsongas for Chairman Sullivan's loyal and dedicated Public Service to the Town of Ayer. Senator Eldridge presented Mr. Suhoski the Senate Citation and wished him success upon his new position in the Town of Sturbridge, MA. Chairman Sullivan requesting Sen. Eldridge's assistance facilitating a meeting in Boston with the Governor and Secretary of Transportation with Town Officials re release of the Federal Transportation Authority funding (\$120K) for the design and planning of the Town of Ayer 's/Fitchburg Commuter Rail Facility. Selectman Fay introduced Jeffrey Gendron to Senator Eldridge who urged the Senator to pursue the Town's request for an additional all alcohol license in lieu of Devens obtaining two licenses last year. The Board thanked Senator Eldridge for coming to the meeting and meeting with the Board. Mr. Ritter to pursue meeting for Board with State House.

- Beverly Schultz re Sandas Point Rd. damaged due to severe flooding urging the Board to fix the road as soon as possible when water rescinds due to this being the only road into the homes. Fire Chief meeting on 4-7-10 will address issue.
- Beverly Schultz requesting permission for use of the Great Hall on June 10th or June 17th for the Republican Town Committees Debate re State Representative to fill Rep. Hargraves seat-advising to two candidates

running. Ms. Schultz presented her Town Hall use form and Selectman Luca offering to pay for the use of the Hall for this debate. (\$35.00)

- Selectman Fay moved the Board appoint David Maher to the Fire Station Re-use Committee, 2nd by Selectman Gilles, Vote: unanimous, so moved.
- Jeffrey Gendron-Vineyard Wine Tasting-May 15, 2010 from 12-3pm in the vacant adjacent store area (tent to be put up) at 63 Park St. No admittance fee but placing a donation basket for Ayer/Shirley Regional School Athletic Dept. Pourer's from Brewers well trained re Alcohol licensing laws.
- Chairman Sullivan announced the Treasurer's Office Health Fair on Thursday, April 8, 2010 from 12-4pm at the Ayer Town Hall-2nd Floor Great Hall for active employees and retirees.
- Chairman Sullivan announced the Town's Clean-Up Day on Saturday, April 10, 2010 urging residents to get involved and help out, a dance is planned later in the evening at 7pm at the Town Hall-2nd Floor Great Hall as thank you with light refreshments.

Agenda Item #1. Introduction of Jeff Ritter-Interim Town Administrator-The Board met with Jeff Ritter. The Board advised to successful negotiations with Mr. Ritter. Mr. Ritter beginning his employment on 4-12-10 through 7-30-10, compensated at Grade 15 Step-8, at \$92,206.08. Mr. Ritter agreeing to early termination if Town Administrator is hired early. Mr. Ritter to meet individually with each of the Selectmen for one hour re issues facing the Town. Chairman Sullivan requesting Board to contact Janet re scheduling their appointment with Mr. Ritter.

Agenda Item #2. David Maher-Planning & Development Director-

The Board approve David Maher as Project Director for the Ayer Drug Court Grant Program, replacing Mr. Suhoski.

- Federal Drug Court Funding- Mr. Maher presented the revised administration budget for the Board to ratify. Total Funding approved \$12,212.00 remaining misc. funding available \$2,028.80. Selectman Gilles moved the Board vote to approve the Federal Drug Court Funding in the amount of \$12,212.00, through 9-30-10, 2nd by Selectman Fay, VOTE: unanimous, so moved. Grant to be amended 6-30-10.
- Ayer Housing Rehabilitation program-owners match waiver request- Case #09-328. Moderate income single family home-single parent owner qualifies for a 75% deferred payment loan with 15 year recapture lien. Selectman Fay moved the Board vote to approve a waiver of the owner's match requirements for Hous. Rehab Case #09-038 based upon representation of financial hardship detailed by the client. Said waiver shall be conditional upon client executing a fifteen year recapture lien in accordance with program guidelines, 2nd by Selectman Gilles VOTE: unanimous, so moved.
- Breezeway Farms Fy 11-CDBG-set back for next meeting.

Agenda Item #3. Rick Roper/Paul Routhier-Pingrey Hills Dev. Increase in water connection fees

Mr. Roper stated he was before the Board re the exurbanite fee increase (120%) by the Board on 3-16-10 without any notification. Mr. Roper reminding the Board to 2005 negotiated settlement agreement with Town to self impose a limit of 35 houses per year, to relocate/rebuild Snakehill Rd. over \$1 Million dollar project, design and build a one million gallon water tank again over a one million dollar project, moving of the railroad crossing light and paying for engineering, installing berms & fences along both sides of Snakehill Rd. Mr. Routhier advising to having 130 lots and unfairly shouldering the bulk of the costs stating we are trying to build attractive affordable houses and these increases put our houses out further of reach of young families or to budget & recapture. Chairman Sullivan stating the Town is getting sizable infrastructure donations i.e. water tank/begs for exemption. Selectman Fay speaking on behalf of the Water Committee stated it being the cost of doing business; Ayer has had the lowest rates in area for years (10). Selectman Gilles urging the Board to request letter from developer (Roper/Routhier) for formal request of waiver, it is important to have good documentation. Supt. Nason stated he understands where they are coming from but this infrastructure also puts additional burden on Town re maintenance, and if waiver is granted every developer in area will be in

requesting same. Selectman McCreary suggesting a Rate Study Committee be formed look at their issues and naïve committee make recommendation.

Selectman Luca recommending pushing back rate increase and keep rate where it is for this project given the infrastructure improvements. Selectman Luca moved the Board exempt Crabtree Dev. from new water connection fees effective immediately, no 2nd motion fails. Selectman Gilles stated the town needs uniform policy have to raise rates, right now it is just this one issue. Mary Spinner (Water Rate Com) stated the Board of Selectmen has not looked at rates in years. Town not charity, if Town does this for one every developer in area will be coming in for an exemption. Chairman Sullivan rebutting stating this one developer distinguishes itself-by infrastructure donated to town. The Board requested Mr. Roper/Mr. Routhier submit a letter re formal request of waiver and schedule a meeting for 4-13-10 @ 7:00p.m. for this one issue.

Agenda Item #4. DPW Report-The Board met with Supt. Dan Nason

1. Water Restriction status- Supt. Nason advised to Town to continue water restrictions-water levels remain high at our end of the spectacle Pond site and the wells will remain offline until the water recedes sufficiently to allow flushing and testing of the waters. Supt. Nason estimating a 3-4 inch drop in water levels per day under current conditions the foreman hopeful of conducting flushing and testing by weeks end. The water restriction remains in effect. SIU's have been put on notice to expect the restrictions to last through next week.

Residential users are banned from any outdoor water use and required to conserve water until further notice. Culvert repair estimated to be completed by the end of next week, then it will take some time for the water to drain sufficiently for reopening Spectacle Pond Wells. Selectman Gilles taking this opportunity to publicly thank Supt. Dan Nason and his crew for working outrageous hours during this flooding. The full board echoed Selectman Gilles's.

2. Water/Sewer Permits-none

Agenda Item #5. Town Administrator's Screening Committee-Mr. Suhoski updated the Board to seven (7) members selected to serve on this Committee, applicant resumes received to date 66. The Board voted to appoint the following individuals to the Town Administrator's Screening Committee:

- 1 Member from Fin-Com-Glen Lappierre
- 1 Member from Personnel Board-Lisa White
- 1 Former Selectman-Paul Bresnahan
- 1 2 citizen's at large James Januskiewicz & Pauline Hamel
- 1 SIU - Joe Sampson
- 1 IDFA/DBA -vacant
- 1 Bos Liaison -Selectman Gilles

Janet to coordinate packets, meetings.

Motion to approve made by Selectman Fay, 2nd by Selectman Gilles, VOTE: Selectman Fay aye, Selectman Gilles aye, Selectman McCreary aye, Chairman Sullivan aye, Selectman Luca abstained VOTE 4-1 Selectman Luca abstaining, motion passes. The Board thanked all seven individuals for stepping up and assisting the Town with this process.

Agenda Item #6. Town Administrator's Report- The Board met with Shaun Suhoski for the last time, this being Mr. Suhoski's last meeting before his departure for the Town of Sturbridge appointment.

1. Revised draft of Fy-11 Omnibus Budget-Mr. Suhoski presented the Board the two (2) changes to the revised draft. Dept. 600 Line Item 2 Transportation separate raise article \$277K for Ayer/Shirley School District Regionalization-transportation assessment and Dept. 500- Line Item 07 added \$5.00 due to math error in original trustee's budget. Selectman Gilles moved the Board vote to approve the Omnibus Budget as presented 2nd by Selectman McCreary. VOTE: unanimous, so moved.

The Board reviewed the draft Annual Town Meeting Warrant presented by the Town Administrator. Mr. Suhoski advising the Board to incomplete articles inserted that are contemplated as placeholders. The Board took the following action:

Article 3. The Board agreed to Freeze the Compensation Plan for Fy-11, **Article 4.** Assessors not taking a 2% increase. Selectman Luca Moved to approve a 2% increase to the Board of Assessors Budget for their stipends to keep in line with all the other Elected Town Officials, 2nd by Selectman Gilles. Selectman McCreary requesting to leave as requested by Assessors. Pauline Conley questioning Selectmen's authority re changing decision of the Board of Assessors. Chairman Sullivan called for a vote on Selectman Luca's motion to increase the Board of Assessors Fy-11 Budget by 2% for their stipends: Selectman Luca aye, Selectman Gilles aye, Selectman Fay aye, Chairman Sullivan aye, Selectman McCreary no 4-1 motion passes. The Board requested the Town Administrator adjust Article 4 by increasing the Assessors salaries by 2% (+\$215.00).

Article 12-Fire Alarm Fund increased to \$25K from \$15K approved. Articles 17, 18, & 19 Borrow Articles- **Article 18** balances to be transferred to Grove Pond treatment Plant Expansion (\$136K) total project estimated at over \$2million. Adopt Energy Stretch Code Article taken off due to Public Hearing being required and difficult to understand as presented, the Board requested this article be placed on the Fall town Meeting Warrant. Selectman Gilles moving this removal of the **Stretch Code Article**, 2nd by Selectman Luca, VOTE: unanimous, so moved. **Article 25** By-law amendment-Flood Plain District-The board deferred to the Fall Town Meeting, **Article 26.** David Maher to pursue going forward with Article for low-income housing, .**Article 29** Pondview Acceptance taken off warrant due to drainage issues. **Article 31** adoption of Storm water utility fund left as placeholder along with **Article 28** Authorization of Solar Power Purchase Agreement.

66 Westford Rd. Town Administrator updating the Board to Treasurer informing Office to property placed in Tax Title (non payment of taxes). The Board voiced concern re someone still living there and animals on property. The Board reviewed selling property for use as farm/agriculture purposes, charging rent to property owner, possible contamination/junk-trash removal issues. Town Administrator advising to property listed under Town's insurance as in past practice re foreclosure. The Board requested Dave Maher investigate possible agriculture sale of property with conditions.

State contribution-Parking Facility (rail-trail) Mr. Suhoski advising Board to his and Selectman McCreary's meeting with Pauline Hamel, Frank Maxant, re parking facility and of letter to State Legislatures re request to meet with Governor and Transportation Director re release of funding. David Maher to follow-up.

Reserve Fund Transfer- Town Administrator advised the Board to need for Reserve Fund Transfers: one in the amount of \$10,644 to be transferred into Town Administrator Account 01122 51120 re hiring of interim Town Administrator and paying out vacation, and 3-weeks pay for Mr. Suhoski. Selectman Gilles moved the Board vote to approve the Reserve Fund Transfer so stated by Mr. Sushoski in the amount not to exceed \$10,644, 2nd by Selectman Fay, VOTE: unanimous, so moved. The other Reserve Fund Transfer for \$2K to be transferred to Selectmen other charges & expenses Account 01122 57000 re ads run for Town Administrator's position. Selectman Gilles moved the board vote to approve the Reserve Fund Transfer in the amount of \$2K so stated by Mr. Suhoski, 2nd by Selectman Luca, VOTE: unanimous, so moved.

Veterans Agent -The Board voted to appoint Michael Detillion Veterans Agent effective 3-31-10 to 3-31-11 due to Mr. Orr unable to take appointment due to Federal Funded training program he is currently enrolled in. Chairman Sullivan expressing his concern to Town having own Veterans Agent. Selectman Luca moved the Board keep extending the appointment of Mr. DeTillion, 2nd by Selectman Fay, VOTE: Selectman Fay aye,

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Selectman Gilles aye, Selectman Luca aye, Selectman McCreary aye, Chairman Sullivan no, 4-1- motion passes.

9:40p.m.

The Board ended the Business portion of the Agenda and entered into a Farewell send off for Chairman Sullivan & the Town Administrator. The room filled with many of Chairman Sullivan friends & family. Selectman Luca presented Chairman Sullivan on behalf of the Board the traditional gavel depicting his 12 years of service on the Board April 1998 through April 2010- four terms of office on the Board of Selectmen. The Board also took this opportunity to present Mr. Suhoski a Public Service Award depicting his 11 years of service with the Town. Mrs. Sullivan entered the room bearing a cake & sparkling cider for everyone. Town Administrator took this opportunity for some light levity to present his own farewell gifts to the Board: Selectman McCreary presented a totally "Green Eco Friendly" memo book made from all natural fibers, Selectman Gilles presented a "Book of Worthless Information", Selectman Fay "Military History Tag & Magic Ball", Selectman Luca "cigarette emergency equipment" and "State job application", Chairman Sullivan a book re Political Verbal Sparring to ready him for his new venue as State Representative and secretary Janet Lewis a smiley face pin and sticker denoting unfriendly people. The meeting concluded with the Board mingling with residents and friends while enjoying cake.

10:20p.m. Meeting adjourned

Date _____

James Fay, Clerk

AYER BOARD OF SELECTMEN

4-6-10