

# Town of Ayer

## Board of Selectmen

### Town Hall, First Floor Meeting Room Ayer Massachusetts, 01432

**12-1-09**  
**Tuesday, December 1, 2009**



**Meeting Date: 12-1-09**

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 Session:

7:10p.m. Chairman Sullivan called the meeting to order.

Public Input- Mary Spinner-requested update re Vicksburg Square-UML Campus meeting with Chancellor Marty Meehan.

Selectman Luca –personal announcement welcoming his newest grandchild born last Saturday, Nov. 28, 2009- Luke James Ramos.

Chairman Sullivan called for a motion to approve the Agenda as amended. Selectman Fay moved to approve the Agenda of 12-1-09 as amended, 2<sup>nd</sup> by Selectman Luca, VOTE: unanimous, so moved.

Announcements: Christmas Concert on Saturday, 12-5-09 at the Ayer Town Hall @2:00p.m., Tuba Christmas Sunday, 12-5-09 at the Town Hall also at 2:00p.m. State Primary Election- Tuesday, 12-8-09, 7am-8pm at the Ayer Town Hall-2<sup>nd</sup> Floor Great Hall.

**Agenda Item #1. Ayer Library Trustees-Joint Vote of Appointment-Debbie Pedrazzi** filling unexpired term of Norma Parker. The Board met with Library Trustees: Paul McGuane, Neville Markham, Tim Holland, Joanne Quigley, Penny Kelley, Louise Bresnahan and Debbie Pedrazzi. Paul McGuane updated the Board to past practice of joint vote called to fill unexpired term of trustee. Mr. McGuane advised to the Library Trustees meeting and approving Debbie Pedrazzi as Library Trustee. Chairman Sullivan called for a vote. Paul McGuane moved the appointment of Debbie Pedrazzi to fill the unexpired term of Norma Parker until the next Town Election, 2<sup>nd</sup> by Selectman Fay, Vote unanimous, so moved. The Board congratulated Ms. Pedrazzi and welcomed her to the Library Board of Trustees.

**Agenda Item #2. Sgt. John McDonald-Ayer Police Dept. –Christmas Toy Collection-**

The Board welcomed Sgt. McDonald to the meeting publicly thanking him for his nine (9) years of community service donating his time and effort guaranteeing the work of Loaves & Fishes to make sure every child has a Christmas present from infants to teens. Sgt. McDonald advising to boxes being placed around Town (NMSB, Sovereign Bank, IC Federal Credit Union, Archer’s Mobil, Hannafords, Ayer Town Hall, Library, Post Office and Police Dept.) as well as the Ayer Middle/High/and Page Hilltop Schools to collect donations of unwrapped toys emphasizing the need for old children/teens and suggesting gift cards/DVD’s. Sgt. McDonald advising to APD accepting donations (Toys as well as monetary donations which are tax deductible and should be made out to the Ayer Police Toy Drive Fund through December 22, 2009. All toys collected will be forwarded to Loaves & Fishes to be distributed to needy families in Ayer, Devens, Shirley, Groton, Harvard and Littleton. Loaves & Fishes advising to expecting to distribute toys to over 600 families in our area. Sgt. McDonald closed by thanking the Board for giving him the opportunity to promote the Department’s Toy Drive.

**Agenda Item #3. Selectman Luca-Loaves & Fishes-**Selectman Luca introduced Patricia Stern, Executive Director of Loaves & Fishes to the Board. Ms. Stern gave a brief history of the work of Loaves & Fishes which started in Ayer over 25 years ago and pantry seeing more & more families requesting assistance due to the

present economy and loss of jobs and choices being made by families choosing medication needs over food needs; holidays always adding to the stress. Numbers growing from 500 last year to over 600 families this year. Selectman Luca stating the Post Office will be collecting non-perishable foods on Saturday, December 12, 2009. Letter carriers will pick-up food left at homes by mailboxes or items can be dropped off at the Ayer Post Office. The Post Office will deliver all their collections to Loaves & Fishes. The Board thanked Ms. Stern for coming in to meet with them and applauded her efforts.

**Agenda Item #4. Supt. Nason's Report-** The Board met with Supt. Nason

1. Water/Sewer Permits- Selectman Gilles moved the Board vote to approve water & sewer permits for 37 & 51 Old Farm Way for one inch (1") cubic ft water service and 6" PVC sewer service, 2<sup>nd</sup> by Selectman Fay, VOTE: unanimous, so moved.
2. Cross Connection/Backflow- Selectman Fay moved the Board vote to approve a two-year contract with Thurber Water Technologies for the scope of services for the Cross Connection Control Program the low bidder for the cost per device survey and test of \$35.00 and authorize the Chairman's signature, 2<sup>nd</sup> by Selectman Gilles, VOTE: unanimous, so moved.
3. Spec Pond Well #1 Redevelopment Contract- Selectman Gilles moved the Board vote to approve and endorse the final version of the agreement with Maher Services, the low bidder, dated 12-1-09, for the bid award not to exceed \$14,500.00 for the redevelopment of Spec Pond Well #1, 2<sup>nd</sup> by Selectman Luca, VOTE: unanimous, so moved.
4. Central MA Recycling Center Award- Supt. Nason announced the Town of Ayer will be receiving an award on 12-10-09 at the CMRC Annual Luncheon for exceeding recycling tonnage goals.
5. Snow Plowing Contracts- Selectman Luca moved the Board vote to approve four (4) local on-call snow plowing contractors: Jeffrey Kane-Shirley, MA, Arthur Yong-Pepperell, MA, Timothy Vigers-Townsend, MA and James Paragona-Shirley, MA for the up-coming 2009-2010 winter season at \$58.00/per hour (same as last year). Supt. Nason advising to insurance coverage in compliance with businesses in Com of MA and acceptable to Town included in contract language. Selectman Luca moved the Board vote to approve the contracts as stated above recommended by Supt. Nason in a memo dated 11-25-09 to the Board, 2<sup>nd</sup> by Selectman Gilles, VOTE: unanimous, so moved.
6. EnerNOC's Demand Response- Supt. Nason reviewed with the Board the Town's proposal dated 12-1-09 in the Demand Response Program re facilities under 36/month term proposal (Wastewater Treatment Plant and Water Filtration Plant-Barnum Road & Brook St. sites) and revised agreement including 5 comments (jurisdiction changes) run by Town Counsel. Selectman Gilles moved the Board vote to approve ENERNOC Agreement as presented and recommended by Supt. Nason dated 12-1-09 including Attachment A and authorize the Chairman's signature, 2<sup>nd</sup> by Selectman Fay, VOTE: unanimous, so moved.
7. Multi-Service Tractor with Attachments Bid Award- Selectman Gilles moved the Board vote to approve the bid award to Dyar Sales & Machinery Co. as recommended by Supt. Nason outlined in two (2) separately attached Purchase Orders dated 12-1-09: P.O. #18685 to include: multi-service tractor w/integrated A/C -\$98,360.00, boom flail/brush chipper-\$15,488.00 and hydraulic angle broom/sweeper \$5,312.00 for a total of \$119,160.00 to be funded from Chapter 90 Funds and P.O. # 18686 to include: angle plow-\$3,958.00, snow-blower w/power reverse-\$11,350.00, four (4) additional tire/rims (seasonal use)-\$2,860.00 for a total of \$18,168.00 to be funded from FY-10 Snow Budget, and authorize the Chairman's signature, 2<sup>nd</sup> by Selectman Luca, VOTE: unanimous, so moved.

**Agenda Item #5 2010 License Renewals-**

The Board reviewed and approved the 2010 Renewals for Common Victualler's Licenses, Amusement Licenses, Sunday Entertainment Licenses, Class I, Class II, and Class III as depicted on the 2010 Block

Listing (see attached) presented by Mrs. Lewis contingent upon all water/sewer bills-taxes paid up to date. Motion to approve made by Selectman Fay, 2<sup>nd</sup> by Selectman Gilles, VOTE: unanimous, so moved.

**Agenda Item #6. JBoS**

Selectman Luca advised to last JBoS Meeting cancelled and JBoS to meet next Thursday, December 10, 2009 at 7:30p.m. on Devens.

**Agenda Item #7. Town Administrator's Report-the Board met with Shaun Suhoski**

1. CDBG-Lien Subordination Request-Case #04-248/49A Pearl Street, Ayer, MA-Mr. Suhoski presented subordination request in absence of Program Manager advising to property owner seeking to obtain a new mortgage to pay-off first mortgage to obtain a more desirable interest rate. Selectman Fay moved the Board vote to approve the subordination of the Town's liens for a first mortgage in the amount of \$125K, 2<sup>nd</sup> by Selectman Gilles, VOTE: unanimous, so moved.
2. Economic Development Director Update-Mr. Suhoski updated the Board to field of 39 applicants. The Screening Committee narrowing field down to ten (10) and will be conducting interviews with candidates tomorrow 12-2-09. The Committee to present 3-4 finalist to Board of Selectmen at their next meeting.
3. Fy-2011 Budget Update-Mr. Suhoski advising to Tri-Board balancing budget for Fy-2010 but Dept. Heads will be strongly advised to maintain level services with no planned increases for non-personnel items. Mr. Suhoski advising to Tri-Board exploring five year projection model and begin frank discussion on the need for lesser services or greater revenue enhancements for future years. The Board moved to approve the Tri-Board Minutes of 11-19-09. Selectman Gilles moved to approve 2<sup>nd</sup> by Selectman Fay, VOTE: unanimous, so moved.
4. FIOS Update-Mr. Suhoski advising to the Board adopting Issuing Authority Report to commence negotiating an additional cable television provider license with Verizon in October 2008 and the Cable Advisory Committee meeting twice with Verizon and advised recently to Verizon placing a pause on all new FIOS development to complete agreements under development, Ayer will be on the top of the list once the pause is lifted. The Board requested a letter be prepared to Verizon to continue negotiations during the pause to allow immediate implementation once the capital funding becomes available. Selectman Gilles moved the Board authorize the letter to continue negotiation, 2<sup>nd</sup> by Selectman Fay, VOTE: Selectman Fay aye, Selectman Gilles aye, Selectman McCreary aye, Chairman Sullivan aye, Selectman Luca no, 4-1, motion passes. Mr. Suhoski also presented Verizon commencement of renewal process of their contract advising to Cable Committee being advised and requesting their recommendation/s.
5. Cell Tower Lease Agreement SBA Towers LLC (ground lease Bay communications (assignee of Omni point) –rescheduled for 12-15-09.
6. UMA Lowell-Mr. Suhoski advised to initiating contact with Chancellor Meehan's Office-Executive Assistant responded and putting together list of tentative meeting dates. Pauline Hamel to participate in discussions. Mr. Suhoski to keep the Board advised.

**Agenda Item #8-New Business/Selectmen's Question s-**

1. The Board sent their sincere condolences to Peter Johnston-Planning Board Chairman upon the loss of his brother.
2. Selectman McCreary requesting to pursue further dialogue with Town of Shirley re Regional Dispatch Ctr. Feeling other communities not a good fit for Ayer. The Board pondered prior discussions re opting to be included in region or not. Selectman Gilles urging Board to stay in the loop re information resources and see what develops-stating Devens did get a grant for regional facility study. The Board took comments from the floor re public safety facility-equipment and need for more information. Selectman Fay moved to go forward with the Town of Shirley with consent of JBoS re Regional

Dispatch Ctr. and obtain current information from MADEV re services available 2<sup>nd</sup> by Selectman Luca, VOTE: unanimous, so moved.

Minutes- Selectman Fay moved the Board vote to approve the Minutes of 11-3-09 and Executive Session Minutes of 10-20-09, 2<sup>nd</sup> by Selectman Gilles, VOTE: unanimous, so moved.

9:05p.m. Selectman McCreary moved the Board adjourn, 2<sup>nd</sup> by Selectman Fay, VOTE: unanimous, so moved.

9:05 Selectmen's Meeting adjourned.

DATE: \_\_\_\_\_

James M. Fay, Clerk

AYER BOARD OF SELECTMEN