

Town of Ayer
Board of Selectmen
Town Hall, First Floor Meeting Room
Ayer Massachusetts, 01432



Tuesday, November 18, 2008

Meeting date: 11-18-08

Present:

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

Meeting Called to order at 7:10p.m.

Public Input-Chairman McCreary requested if there was anyone present wishing to meet with the Board. Douglas Friedrich, American Legion-re care of graves and Elizabeth Bodurtha, re Tax Rate.

- i. Selectman Sullivan moved the Board vote to approve the amended Agenda, 2nd by Selectman Fay, VOTE: unanimous, so moved.

Douglas Friedrich-presented the Board MGL Chapter 115 Handouts re Cemeteries-(Woodlawn & St. Mary's)-care of graves advising to it being the Veteran's Agent's responsibility ensuring stones/markers are maintained, which have gone into disrepair over the years.

- i. Selectman Fay requested the Board direct the Veteran's Agent to report back to the Board for their 12-2-08 meeting re the care of graves/markers, 2nd by Selectman Sullivan VOTE: unanimous, so moved. Selectman Sullivan also advising of his willingness to walk the cemeteries (2) with Mr. Friedrich and look into funding re maintenance/care of markers/stones suggesting volunteers organizations i.e. scouts, high-school students could help out.

Elizabeth Bodurtha-the Board requested Ms. Bodurtha to wait re comments until Public Hearing opens later in evening..

Agenda Item #. 1 Public Hearing-Class I License/L-3 Communications ESSCO Inc.-90 NEMCO Way

Chairman McCreary opened the Hearing by requesting the Legal Notice be read into the record. The Board met with Diane Pillari or L-3 Communications/ESSCO Inc. Chairman McCreary requested if there were any abutters present wishing to speak for or against the petition. No one stepped forward. Ms. Pillori gave the Board a brief back-ground re License Request necessary for the assembly of product (specialized broadcast, Public Safety vehicles) which the Class I License would allow the transfer of dealer's plates to pass with title when vehicles are ready for delivery. Selectman Luca moved the Board vote to approve the Class I License for L-3 Communications/ESSCO Inc., 2nd by Selectman Sullivan, VOTE: unanimous 4-0, so moved. The Board wished the company well and thanked Ms. Pillari for coming in to meet with the Board.

7:25p.m. Selectman Sullivan moved the Board close the Hearing, 2nd Selectman Luca, VOTE: unanimous 4-0, so moved.

7:25p.m. Class I Hearing closed.

7:25 p.m. Selectman Gilles entered the meeting.

Agenda item #2. Public Hearing Fy-09 Tax Classification-Chairman McCreary opened the Hearing by requesting the Legal Notice be read into the record published in the Nashoba Publications the weeks of November 7 & 14, 2008. The Board met with the Board of Assessors: Edward Cornellier, Sandi Jones, and Denis Callahan and Assessor's Clerk-Thomas Hogan. Chairman of the Board of Assessors Edward Cornellier opened the discussion by advising to MGL Ch. 40 S 56 requiring the Board of Selectmen to hold a public hearing each year for the determination of the Town's Tax Classification and turned the floor over to Mr. Hogan to present the information gathered by the Board of Assessors to assist the Selectmen in understanding the impact of their vote. Mr. Hogan reviewed with the Board information and analysis for the 2009 Fiscal Year Tax Rate Summary, Tax Levy/percentages and estimated tax rate shifts from 1.00% to 1.75%: for residential property and commercial/industrial property along with estimated tax rates associated with shifts.

Selectman Gilles, VOTE: unanimous, so moved.

Amendment to Architect's Contract-

- i. Selectman Fay moved the Board vote to approve the contract increase in the amount not to exceed \$10K (for a total of \$70K) for Mangel Architects Inc. and the Cecil Group. Funding to come from Administrative lines of the FY-06 Grant, 2nd by Selectman Gilles, VOTE: unanimous, so moved.

4. Right of First Refusal-18-C Bates Street, Ayer, MA-The Board endorsed letter submitted by the Town Administrator to the Dept. Housing & Community Development re low-income residence located on Devens declining to exercise the Town's right of first refusal and encouraging potential eligible buyers to contact Kathleen Witham at RCAP Solutions (978) 630-6696 if interested in purchasing this affordable unit as well as advertising same.

- i. Motion to approve the Board's endorsement made by Selectman Fay, 2nd by Selectman Sullivan VOTE: unanimous, so moved.

Agenda Item #5. Legislative Requests to Senator Eldredge-Chairman McCreary updated the Board to her speaking with Senator-Elect Eldredge and his request for issues that the State/Pam Resor was working on for the Town of Ayer. Mr. Suhoski to remit a short description and status/expectations of following to Senator Eldredge's Office: Pan Am, Fletcher Building, More Jobs Grant, General support of Devens-Vicksburg square. The Board discussed their disappointment with recent correspondence from STB advising to not conducting the Environmental Assessment. The Board requested to re-approach Legislators re reinforce full assessment be conducted, Request Federal assistance re monitoring as well as setting up meeting, solicit Board of Health, Littleton Water Dept., DPW re update to previous comments.

Agenda Item #6. JBoS Update- Mr. Suhoski updated the Board to MADEV releasing RFP for the redevelopment of the Vicksburg Square complex advising the Board to copies being distributed to the Planning Board, Board of Health, conservation Commission and Planning & Development Offices re comments. Mr. Suhoski advising the Board to the next Sub-Committee Meeting on 12-2-08 at 8:15a.m..

Agenda Item #7. 2009 License Renewals-Common Victueller's License, Entertainment/Amusement, Sunday Entertainment, Class I, Class II, & Class III (see 2009 license renewals attached)- Selectman Sullivan moved the Board vote to approve the list provided by the Selectmen's secretary -Ms. Lewis, except for McDonalds Restaurant, citing serious trash concerns along roadway and not conforming to original agreement to police area surrounding restaurant re clean -up, 2nd by Selectman Gilles, VOTE: unanimous, so moved. The Board requested McDonalds be sent a letter re litter/debris along roadway i.e. Sandy Pond Rd./E.Main St.

Agenda Item #8.-Town Administrator's Report

1. Water/Sewer Permits-Waiver of Permitting Fees-The Board voted to waive all Town fees associated with the Pleasant Street School project undertaken by the Ayer Housing Authority-non-profit service provider. Plumbing/Electrical inspectors fees to be in concurrence of the respective inspectors. Selectman Luca moved the Board vote to waive the Water/Sewer permits for the Pleasant St. School, 2nd by Selectman Sullivan VOTE: unanimous, so moved.

2. WWTP -Licensed Operator-Mr. Suhoski updated the Board to MassDEP requiring six (6) WWTP personnel (not including sewer collection personnel) to comply with the Town's Discharge Permit (NPDES #MA0100013)effective through April 2011 three licensed operators (Grade 5 or higher) are required based upon volume, strength of waste stream, age of system, nature of treatment operations and other factors. Mr. Suhoski also updated the Board to the AFSCME Agreement (DPW Union) indicated three operators would be shared on a rotating basis re weekend standby. Currently the Town has only two (2) operators who are switching week to week and the constant coverage is beginning to strain the employees. Funding for the vacant position would come from the Enterprise Budget through rates. Mr. Suhoski requested the Board's permission to bring forward to their next meeting a candidate for appointment. After a short discussion re the Town utilizing Devens flows re collection vs hiring a new person, the Board authorized Mr. Suhoski to bring a candidate forward at their next meeting. Motion made by Selectman Fay, 2nd by Selectman Luca, VOTE: Selectman Fay aye, Selectman Luca aye, Selectman Gilles aye, Chairman McCreary aye, Selectman Sullivan no 4-1, motion passes.

3. Ballast Replacement-WWTP-UV System failing to disinfect treated effluent of coliform bacteria prior to discharge into the Nashua River resulting in inadequate disinfection. Mr. Suhoski recommended the Board approve proposal from Siemens Water Technologies dated 11-6-08 to furnish (7) uv-technik Model ALP 51 ballasts with a one year warranty for

the amount not to exceed (\$10,514.00) plus shipping funding from Repairs & Maintenance line item 61447-52400. Motion to approve made by Selectman Gilles, 2nd by Selectman Sullivan VOTE: unanimous, so moved.

4. Snow Plowing Agreements-Mr. Suhoski advised the Board to four returning contractors: Curtis Womble, David Schwartz, Gerry Wood and Jeff Kane Highway foreman recommending the four returning vendors be approved at the rate of pay of \$58.00 per hour along with Giguere & Dufresne Co. be hired having two trucks available. Selectman Gilles moved the Board approve the recommendation of the Town Administrator and Highway Foreman for the Snow Plowing Agreements, 2nd by Selectman Luca, VOTE: unanimous, so moved.

5 2007 Water/Sewer Lien List-After a short discussion re establishing a policy, shutting off water, publishing the list the Board voted to approve the 2007 Water & Sewer Lien List. Motion to approve made by Selectman Gilles, 2nd by Selectman Fay, VOTE: unanimous, so moved. The Board requested the Town Administrator speak with the Town Clerk re recommendation collection of fees.

6. DPW Supt. Search- Mr. Suhoski updated the Board to the Screening Committee meeting on 11-25-08 at 6pm at the Town Hall to review candidates. Mr. Suhoski advising to all candidates sent letter advising them of possible shared position and status of search.

7. Intermunicipal Agreement Request-Mr. Suhoski requested the Board's interest upon meeting with developer re intermunicipal agreement re sewer in Harvard and being advised it not being previous developer.

8. Mr. Suhoski advised the Board to Chief Murray requesting time to meet with Board re untimely passing of dispatcher and need to replace position.

9. Mr. Suhoski advised to resident approaching him re flooding issue Nashua/Pleasant Street area. The Board requested Mr. Linde work with resident to help solve problem contact Tata & Howard if necessary.

Agenda Item #9 Selectmen's Questions/New Business

Selectman Gilles moved the Board vote to approve the minutes of 10-21-08, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

10. Chairman McCreary requested the Board consider using UDAG funds to supplement salary of Margaret Scarsdale whose hours have been reduced to twenty hours/week re Energy Proposal to look at UZDAG funding not only to preserve but utilize it as well. The Board tabled discussion.

10:25p.m. Selectman Sullivan moved the Board adjourn the meeting, 2nd by Selectman Fay VOTE: unanimous, so moved.

10:25 p.m. Meeting Adjourned.

12-23-08