

Town of Ayer
Board of Selectmen
1st Floor Meeting Room, Main Street
Ayer Massachusetts, 01432



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Board of Selectmen Minutes

Meeting date: 8-19-08

Present:

Carolyn McCreary, Chairman (Dr. McCreary)	X	Cornelius F. Sullivan, Vice-Chairman (Mr. Sullivan)	X
Mr. Gilles, Clerk (Mr. Gilles)	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 7:15 pm by Chairman.

Public Input: Chairman McCreary requested if there was anyone present wishing to meet with the Board.

1. St. Mary's Lawn Party One Day Beer & Wine License- The Board met with Robert Moore. Mr. Moore advised the Board to this request for September 5 & 6, 2008 St. Mary's 37th year holding the Lawn Party.
 - i. Selectman Sullivan moved the Board vote to approve the One Day Beer & Wine License for St. Mary's Lawn Party, 2nd by Selectman Luca, VOTE: unanimous so moved.
2. Barry O'Brien-Sandy Pond Estates, re esthetic issue-requesting the Board's assistance to have ugly chain link fence removed and replaced with new natural fence which blends in with the area. The Board advising to fence being placed at the sub-division for safety issues i.e. stormwater, wetlands, children's safety. The Board referred Mr. O'Brien to Chris Ryan and/or the Planning Board re conditions of approval of developer/sub-division and Conservation Commission re restrictions placed on plan.
3. Chairman McCreary, reminder to viewing audience to Town's Volunteer Fair being conducted on September 13, 2008 from 10-2p.m. at the Ayer Town Hall, 2nd floor Great Hall re vacancies on various Town Boards/Committees/Commissions.
4. Selectman Fay announcing the Memorial Garden Committee has re-organized and meeting on the 1st Monday of the month at the Ayer Town Hall at 7:00p.m. in the 1st floor Meeting Room, encouraging residents participation re Memorial Stone/plaque approved by Town to recognize veterans of Ayer not recognized elsewhere and who have lived in the Town for ten years. Selectman Fay advising to the next meeting scheduled for 9-8-08 at 7pm.
1. **September 16, 2008 State Primary Warrant**-Chairman McCreary read the election warrant into the record prepared by the Town Clerk.
 - i. Selectman Fay moved the Board vote to approve the Board's signature on the warrant, 2nd by Selectman Gilles, VOTE: unanimous, so moved.
2. **Proclamations-**
 1. **Silver Star Banner**-set back for next Selectmen's Meeting for further review by Selectman Fay & Veterans Agent.
 2. **Farmer's Market**-Chairman McCreary read the Proclamation into the record declaring August 17-23, 2008 as Farmer's Market Week in the Town of Ayer.
 - i. Selectman Sullivan moved motion to authorize Board's endorsement, 2nd by Selectman Fay, VOTE: unanimous, so moved.
3. **Appointment-Finance Committee (Fin-Com) Present for discussion-Brian Muldoon**
 - a. The Board met with Brendan Gallagher re his request to be appointed to the Finance Com. (Fin-Com). Mr. Gallagher gave the Board a brief back-ground, resident of the Town of Ayer for a year and a half, branch manager of Ayer Sovereign Bank, degree in Business Management/Finance and experience with handling budgets. Mr. Gallagher advising to his working closely with residents and businesses of Ayer and looking forward to working with Town.
 - i. Motion to approve appointment made by Selectman Luca, 2nd by Selectman Sullivan VOTE: unanimous, so moved.
4. **Audit/Financial Report-James Guisti and Lisa Gabree**

Discussion - Mr. Guisti opened the discussion by reviewing with the Board the Fy-07 Financial Report and Management Letter and how to interpret the 6-30-07 balance sheet footnotes re revenue/liabilities. (pages 12 & 13 of Financial Report). The Board also reviewed the Management Letter (internal controls) of 5-30-08 per the request of Selectman Sullivan. Selectman Gilles took this opportunity to address areas of concern:

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- a. Process to be implemented with Department Heads re fixed asset management beyond historical practice that isn't working.
- b. The Town experiencing the General Fund going up and long term debt going down (\$2million).
- c. Questioning why the Ambulance & Solid Waste Accounts are combined suggesting they be separated to see performance of the four enterprise funds.
- d. Recommendations from Ms. Gabree re GASB 40 & 45 post employment benefits into liabilities and begin budget process re same requesting long term funding plan recommendations. (effect to Moody's Bond rating)
- e. Accounts receivables that are misleading assets requesting accounts be closed this year
- f. Recommendations from Ms. Gabree re policies recommended by Auditor i.e. Interest Risk, Credit Risk, Concentration of Credit Risk, and Custodial Credit Risk.
- g. Third party deposit insurance for deposits in excess of FDIC, insurance opinions from Treasurer & Ms. Gabree. Selectman Gilles feeling this being a prudent measure.

The Board thanked Mr. Guisti and Ms Gabree for coming in to meet with the Board.

5. Community Block Grant Program-The Board met with Chris Ryan, Director of Planning & Development

Discussion: Mr. Ryan reviewed with the Board the Town's FY-08 CDBG Grant Application not funded for the 2nd consecutive year. Mr. Ryan reviewed with the Board his views re program failure and his plans for short-term/long term work program to bridge the department through the next grant cycle. Mr. Ryan proposed a budget revision for the Town's FY-06 Community Development Fund I Grant to meet the departments contractual obligation re payroll and fridge for the remainder of the year (December 31, 2008). Mr. Ryan requested the Board transfer \$20K from line item 4C (HR Rehab. Loans/Grant) to line item 4A (HR Program Delivery) and line item 9 (General Administration) to cover additional program delivery costs associated with completing housing rehabilitation and downtown design for the FY06Grant. Mr. Ryan also ran through his long term goals & objectives re Application to ensure successful FY-09 funding.

- i. Selectman Gilles moved the Board vote to transfer \$20K from Construction to Program Delivery and General Administration and authorize the Chairman's signature on the program revision form, 2nd by Selectman Sullivan for discussion requesting to close out CDBG projects for FY-06, VOTE: unanimous, so moved.
- ii. Town Administrator suggesting meeting with DHCD officials, Breezeway, state legislators, Undersecretary Tina Brooks and Secretary of Housing Economic Development Dan O'Connell re 2nd denial of Town's application. Motion to approve meeting be scheduled made by Selectman Sullivan, 2nd by Selectman Fay, VOTE: unanimous, so moved.

Agenda Item #6. 43D Update & Economic Analyst Project

A. 43D

Discussion: Mr. Ryan updated the Board to 120 day clock starting on 5-9-08 and ending today 8-19-08. Mr. Ryan advising the Board to draft guidebook completed and on Website and ready for use. Mr. Ryan advising Board to Town all set and ready to go waiting on Nashoba Valley Medical Ctr. to make application. The Board requesting no expenditure of grant funding until NVMC has made application. Mr. Ryan to contact Steve Roche. Mr. Suhoski advising to need of Contract amendment to the Executive Office of Housing & Economic Development reallocating portion of \$100K FY08 maximum obligation in the amount of \$76, 131 into FY09 and also extending the present end date to 6-30-09 all other terms of the Agreement remaining in effect.

- i. Selectman Fay moved to approve the Grant amendment as stated above and authorize the Chairman's signature, 2nd by Selectmen Sullivan, VOTE: unanimous, so moved.

B. Economic Analyst Project-

Discussion: Mr. Ryan updated the Board to RFQ services re Economic Analysis for downtown Ayer with prior Board of Selectmen. Mr. Ryan stated he brought this issue again at an IDFA meeting and received consensus and requested all entities in the Town were supportive of the project. Mr. Ryan advising to the RFQ going out in Spring and three (3) responses received. The Review Group consisting of Harry Zane, Calvin Moore, Paul Bresnahan, Nick Laggis and Chris assessed the qualifications and recommended Larry Koff & Assoc. to perform the work. Mr. Ryan requested the Board authorize \$30K from UDAG Funds to perform the study to develop an economic plan & policy for Ayer that will result in a sustainable economic future for the Town. (see attached Appendix A Tasks & Services of Analysis Project)

- i. Selectman Fay moved the Board approve Larry Koff & Assoc. be awarded the RFQ in the sum not to Exceed \$30K funding to come from UDAG Funds, 2nd Selectman Luca, VOTE: unanimous, so moved.
- ii. Selectman Sullivan requested a current update of UDAG account both Principal & Interest.

Agenda Item #7. Selectman Luca, re: Community Preservation Act Committee-Selectman Luca expressed his frustration re lack of quorum and its hindering business being conducted requesting a letter be sent to the following boards requesting their

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participation (Fin-com, Parks, Housing & Planning Board). Selectman Luca also suggesting changing the By-law to omit a Fin-Com rep (not necessary in MGL) and replace seat with another Citizen At Large representative.

- i. Selectman Gilles agreeing Fin-Com not statutory requirement appoint someone else, 2nd by Selectman Luca, VOTE: unanimous, so moved. Mr. Sushoki advised to Fin-com not wanting to be removed. The Board requested Gail Berlinger and Alene Reich be contacted re interest upon serving on this Committee and invite them in to the next Selectmen's Meeting.

Agenda Item 8. Town Administrator's Report-The Board met with Shaun Suhoski

1. Water & Sewer Permits-Mr. Suhoski presented the following water/sewer permits for the Board's approval:
66 Snake Hill Rd. (Crabtree) 1" Water/Sewer service, 51 Haymeadow Lane (Crabtree) 1" Water/Sewer service, 70 Fox Run Dr. (Crabtree) 1" Water/Sewer service, 1A Bayberry Lane (Habitect) 1" Water/Sewer service, 1B Bayberry Lane (Habitect) 1" Water/Sewer service, 1C Bayberry Lane (Habitect) 1" Water/Sewer service, 3A Bayberry Lane (Habitect) 1" Water/Sewer service, 3B Bayberry Lane (Habitect) 1" Water/Sewer service, 3C Bayberry Lane (Habitect) 1" water/Sewer service. Motion to approve made by Selectman Sullivan 2nd by Selectman Luca, VOTE: unanimous, so moved.
2. October 27, 2008 Fall Town Meeting -Mr. Suhoski requested the Board open the Fall Town Meeting for articles to be submitted. Selectman Sullivan moved the Board open the 10-27-08 Fall Town Meeting, 2nd by Selectman Gilles, VOTE: unanimous, so moved.
3. Supt. of Public Works-Mr. Suhoski advised the Board to the last day of work for Supt. Michael Madigan being 8-29-08, that Supt. Madigan will be working three (3) additional shifts to assist Mr. Suhoski with transitional matters advising the Board to the next two weeks Mr. Suhoski to be discussing interim workplans and management expectations with division foremen and the office manager. Mr. Suhoski advised Board to Memo from him being distributed to all DPW employees re management expectations to be signed & dated by all DPW employees during transition period. The Board entered into a lengthy discussion re Supt. position. Establishing a Screening Committee to review resumes/qualifications of candidates, conduct interviews and screen down applicants/finalist/s for recommendation to Board. The Board moved to place Tata & Howard on retainer re Engineering service and advertise for Supt. with strong managerial skills- P.E. preferred. Motion made by Selectman Sullivan 2nd by Selectman Fay, VOTE: unanimous, so moved. Screening Committee to be composed of two Selectmen: Selectman Fay and Chairman McCreary, James Pinard Sr, Even Torlin, David Ross Engineering representative and Manny Velez.
4. Bid Opening/s Mr. Suhoski presented the following bids on behalf of Supt. Madigan
 1. Heat Controls and Steam traps at the Wastewater Treatment Plant for the upgrades of the oil-fired boilers- Selectman Gilles moved the Board award the contract to Automatic Temperature Controls of Cranston, RI, for the Bid award not to exceed \$14,498.10, 2nd by Selectman Fay VOTE: unanimous, so moved.
 2. Filter Media Replacement/Grove Pond-Selectman Gilles moved the Board vote to approve the contract for Kinsmen Corp. of Hooksett, NH for the bid award of \$61,500.00, 2nd by Selectman Sullivan, VOTE: unanimous, so moved
5. Tata & Howard's Engineering Agreement-Mr. Suhoski presented Tata & Howard's Engineering Agreement in the amount not to exceed \$5K for the Board's review & approval for technical matters on an as-needed basis with regard to the Town's Water system and other DPW issues as requested. Funding from DPW technical services line item.
 - i. Motion to approve made by Selectman Sullivan, 2nd by Selectman Gilles, VOTE: unanimous, so moved
6. Verizon Process- Selectman Luca designated as the Board's representative re Verizon's Communications.
7. The Board voted to approve the Ayer Police Dept. Masonry work in the amount not to exceed \$5,985.00 per the recommendation of Dan Sherman facilities coordinator.
8. Change Order-Boart/Longyear -Spectacle Pond Replacement Well pump-Selectman Sullivan moved the Board vote to approve the Change Order request recommended by the Water Dept. Foreman described in a memo dated 8-18-08, 2nd by Selectman Luca, VOTE: unanimous, so moved.

Agenda Item #9. New Business/Selectmen's Questions-

Selectman Sullivan- Suggesting the Town move quickly on foreclosure on property on Central Avenue, sell as soon as possible. Place on Town Meeting Warrant, and subject to vote.

Selectman Luca-Advising Board to trailer on site at the Pleasant Street School project is starting up. Selectman Luca also clarify JBoS meeting with MRPC re success criteria/Town of Harvard. Selectman Luca urging JBoS to keep moving process going. JBoS seeking position re minutes of meeting posting to be placed on Web site. Selectman Luca reminding Board to next JBoS scheduled for 8-28-08 at 7:30p.m. on Devens.

Selectman Fay-Next Selectmen's Meetings scheduled for 9-2-08 and 9-23-08. Also suggesting chairs be repaired in Selectmen's Meeting room.

Selectman Sullivan-re Bill Board removed on Park St. by Credit Union. Also requesting Town Vehicles (DPW) pick up litter when they see it when driving around Town.

Chairman McCreary suggesting to engage residents to be tidier -push Tidy Town-instill pride-to make Town of Ayer Tidy Town

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Selectman Luca –Park Street falling apart need road repairs-sidewalks.

Selectman Sullivan-reminding Board to need of sidewalk for Groton Harvard Rd. for school children walking to school do not want this matter lost in shuffle.

Selectman Gilles –re letter from resident on Pleasant St. re traffic and no sidewalks for school children. Mr. Suhoski advising to meeting with Police & resident re traffic issue satisfied safety concerns. Selectman Luca reminding residents to School eliminating bus routes encouraging students to walk and need to bring back crossing guards.

Chairman McCreary suggested Town conduct Fall Clean-Up/Beautification Day Produce Proclamations in Spring & Fall to encourage residents to clean up their property/Town property.

Chairman McCreary-advised the Board to meeting with PanAm & State representatives on Monday, August 25th at the Town Hall, 1st Floor Meeting Room at 11:00am re unloading facility construction on Ayer aquifer and site inspection tour planned. 10:00p.m. Selectman Luca moved the Board vote to adjourn the meeting, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

Date: _____

9-2-08

Richard Gilles, Clerk

AYER BOARD OF SELECTMEN