

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



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Board of Selectmen Minutes

Tuesday, June 3, 2008

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		X

Meeting Called to order at 7:05 pm by Chairman.

Comments: Chairman McCreary opened the meeting by announcing the 4th of July Celebration to be held on Saturday, July 5, 2008 starting at 1:00p.m. with a parade kicking off the celebration. Chairman McCreary advising to bicycle and carriage entries forming at the Sovereign Bank Parking lot and events at Pirone Park to include food & craft vendors, entertainment and ending with fireworks at dusk. Chairman McCreary took this opportunity to thank the 4th of July Committee for all their hard work organizing the event.

Public Input: Chairman McCreary requested if there was anyone present wishing to meet with the Board, no one stepped forward.

Agenda of 6-3-08: Chairman McCreary called for a motion to accept the Agenda. Selectman Luca moved the Board approve the Agenda of 6-3-08 as presented, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

Agenda Items:

1) Beer & Wine License Request-Friends of the Nashoba Valley Medical Center

Discussion: The Board met with Louise Bresnahan who requested the Board's approval for a One (1) Day Beer & Wine License for the Friends of the Nashoba Valley Medical Ctr.'s annual recognition luncheon to be held on 6-4-08 in the hospital cafeteria from 3:00p.m. to 5:00p.m..

Mr. Sullivan moved to approve the Friends of Nashoba Valley Medical Ctr's One (1) Day Beer and Wine License on 6-4-08 from 3:00-5:00p.m., 2nd by Mr. Fay, VOTE: unanimous, so moved.

- a) Discussion: Mrs. Bresnahan requested the Board's consideration of waiving the \$25.00 fee due to the Friends of NVMC being a non-profit organization, and not selling wine just serving to members.

- i) Selectman Sullivan moved the Board vote to waive the fee, 2nd by Selectman Luca, VOTE: unanimous, so moved.
Check for \$25.00 returned to Mrs. Bresnahan with License.

2) Eagle Scout-Troop 3-Ryan Dewolf -Certificate of Recognition-

- i) Discussion: Chairman McCreary welcomed Ryan and Scout Master Mark Smith to the table. The Board reviewed with Ryan his Eagle Project-restoring and replacing the Ayer High School's home-side bleachers by organizing and managing a golf tournament to fund the associated cost of the bleacher replacement. (\$7K). The Board applauded Ryan's efforts.
ii) Chairman McCreary read into the record a Certificate of Recognition presented to Ryan upon his achievement to the rank of Eagle Scout.

Scout Master Smith acknowledging to only 2% of scouts becoming Eagles and to Troop 3 promoting forty (40) Scouts to Eagle from the Town of Ayer and requesting the Town's assistance re Eagle Projects i.e. repairs needed to conservation land bridges, sewer/gutter cleanings, etc. The Board thanked Ryan & Mr. Smith for coming in to meet with

3) Kenneth Martin, Director Ayer Housing Authority, re Deed Transfer of the Pleasant Street School

Discussion: Mr. Martin opened the discussion by taking opportunity to publicly thank Mr. Suhoski for all his assistance to this project and for the Board's support for the development of senior housing at the Pleasant Street School. Mr. Martin advising to HUD very close to issuing Commitment Letter and start up of construction to begin within 4-6- weeks.

- i) Mr. Suhoski presented the Board the Release Deed and Exhibit A prepared by town counsel for the Board's endorsement.
ii) Selectman Gilles moved the Board vote to convey property and execute the deed to convey the Pleasant Street School to the Ayer Housing Authority based upon the authority granted under Article 37 of the 2005 Annual Town Meeting. The deed to include the following conditions as approved by town Meeting:
(1) A Preservation Restriction on the exterior of the building
(2) A Conservation Restriction for the passive park area (noted on attached sketch plan)
(3) A Development Restriction limiting project to senior housing units subject to a perpetual affordable housing restriction

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- (4) A right of reverter if the Housing Authority fails to obtain sufficient funding (for deed Noted @ \$mil)

- (5) Approval of the General Court of the conveyance (Chapter 89 of the Acts of 2006 approved 5-19-06)

2nd by Selectman Luca, VOTE: unanimous, so moved.

.4. Lisa White-Donation of baby grand piano to Ayer Town Hall-taken off Agenda per request of Lisa White

Discussion: The Board to take up at their next meeting scheduled for 6-17-08

5. Fy-09 Draft Appointments-The Board reviewed the Draft Appointments for 2009.

Discussion: Mr. Suhoski advising the Board to this being the 1st draft for the Board's review prior to finalization on 6-17-08.

- (i) Mr. Suhoski advised the Board to vacancies on many of the Board's noted.
- (ii) Selectman Gilles suggesting the Board list vacancies on Town's Web Site/local
 - 1. newspaper and suggesting a brief description of the committee/board/commissions duties,
 - 2. meeting schedule, contact person also be included on the website.
- (iii) Chairman McCreary to work with Mrs. Lewis to format such an advertisement for the
 - a. Town's Web Site.

6. Director of Planning & Development-The Board met with Chris Ryan

Discussion: Departmental Report on Current Projects

- a. **Status Update MGL43d**-Mr. Ryan suggested a Joint meeting be scheduled in June/July with the Selectmen and the Planning Board to receive briefing on the zoning project re developing procedures, project scope review, modifications, permit tracking etc.
 - i. Selectman Fay suggesting the Planning Board review first, Board agreeing.
 - ii. Selectman Sullivan suggested priority be Hospital 's 43D Application and 2nd part of grant re refresher 120 day scope, next steps re permit tracking software and zoning/development review procedural modifications/tasks take back seat and defer to Planning Board when they can fit into their schedule i.e. working discussion for middle/late June 08.
 - iii. Mr. Ryan to present back to Board on 6-17-08 time-line re spending down (\$45K) grant funding i.e. permit tracking software and zoning/development review.
- b. **Guidebook**-Mr. Ryan reviewed with the Board the final guidebook advising to the 43D Advisory Committee having reviewed and made comment re this version and having Ayer Planning Board approval.
 - i. Selectman Fay moved the Board vote to adopt the final draft of the Town of Ayer's Expedited Permitting Guidebook policies and procedures for the administration of MGL Chapter 43D-Expedited Permitting as recommended by Town Counsel and developed by the Montachusett Regional Planning Commission, 2nd by Selectman Luca, VOTE: unanimous, so moved.
- c. **Technical Review Committee**-Mr. Ryan reviewed with the Board the make-up of the Committee, members and role of the Committee to assist applicants through the development review and permit process, clarifying procedures and completeness of 43D applications.
 - i. The establishment of Technical Review Com. to be made up of Representatives from: Planning Board-(Director), Board of Health-(Health Agent), Board of Selectmen-(Town Administrator), Building Dept, Assessors, ConCom-(Agent), Fire & Police Chiefs. The Board requested the Town Administrator send letter to all above informing them to need to designate representative where not designated by Mr. Ryan, 2nd by Selectman Sullivan VOTE: unanimous, so moved.
- d. **Access & Circulation Study Update**-Mr. Ryan updated the Board to MRPC & Police Chief working together re traffic data and nearing the end of collection phase of project and engineer to begin developing preliminary designs and recommendations re installation and location of traffic calming devices.
- e. **Seed Grant \$8K Depot Sq. Transportation Study**-Mr. Ryan updated the Board to North Central MA Development Council awarding the Town of Ayer \$8K seed grant to assist the private land owner with public access to rail and ensuring good planning. Mr. Ryan taking this opportunity to publicly thank Mr. Suhoski for all his assistance with successful application.
 - i. The Board requested status of commuter parking facility release of funds. Mr. Suhoski advising to Cong. Tsongas and Sen. Resor still pursuing release from the Executive Office of Transportation and advising the Board to his discussion with Lt. Gov. Murray at Legislative Luncheon last week and told to his office following up with ETO. The Board requested another letter be sent by Town Administrator requesting a written update

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from the Executive Office of Transportation inquiring on funding transfer date including date which MART will begin the scope of service.

- f. **IT Needs Assessment-** Mr. Ryan read into the record on-site Q&A session to finalize recommendations. Selectman Gilles requesting copy of summary of recommendations be copied to Board , get draft first and comment later.

- g. **Energy Needs** –Volunteer Committee going forward to address Town-wide needs assessment.
i. Chairman McCreary requested this new Committee be added to Volunteer Vacancy list on Web and newspapers

7. **Supt. Madigan's Report**-The Board met with Mike Madigan

- a. *Wastewater Department Appointments-*
i. Selectman Fay moved the Board vote to appoint John Loomer Wastewater Department Foreman per the recommendation of Supt. Madigan in a memo to the Board dated 5-30-08, 2nd by Selectman Sullivan , VOTE: unanimous, so moved.
Selectman Fay moved the Board vote to appoint Ken Harwood as Department Assistant Foreman per the recommendation of Supt. Madigan in a memo to the Board dated 5-30-08, 2nd by Selectman Sullivan VOTE: unanimous, so moved.
- b. *Solid Waste Department Appointment*-Taken off the Agenda per Supt. Madigan to be taken up at later date.
- c. *Upgrade of Central Ave. Sewage Pump Station-Bid Award*
i. Selectman Fay moved the Board vote to award the Contract for the upgrade to North Atlantic Coastal Region Contractors for the sum not to exceed \$873,487 for the bas bid plus bid alternate #1, 2nd by Selectman Sullivan VOTE: unanimous, so moved.
- d. *Engineering/Construction Services Award for the Upgrade of Central Ave. Sewage Pump Station*
i. Selectman Sullivan moved the Board vote to award the Agreement for Professional Engineering Services to Hoyle Tanner & Associates (HTA) for the sum not to exceed \$93,400.00 per the recommendation of Supt. Madigan dated 5-30-08, 2nd by Selectman Fay, VOTE: unanimous, so moved.
- e. *Supervisory Control & Data Acquisition (SCADA) System Upgrade (Grove Pond & Spec. Pond Water Treatment Facilities)*
i. Selectman Fay moved the Board vote to award the Contract for the SCADA System to Electrical Installations, Inc. for the sum not to exceed \$136,400.00, 2nd by Selectman Sullivan VOTE: unanimous, so moved.
ii. Selectman Gilles suggested Supt. Madigan also use SCADA re utilizing/monitoring fuel tanks re underground conduits to track fuel consumption due to increase in fuel/gas.
- f. *Re-bid Spectacle Pond #1. Chemical Cleaning & Redevelopment-Additional Insurance Requirement added to original bid (Pollution Liability)*
i. Selectman Fay moved the Board vote to award the bid for the chemical cleaning/redevelopment of Spectacle Pond #1. to Boart Longyear for the bid award of \$13,917.50, 2nd by Selectman Sullivan , VOTE: unanimous, so moved.
- g. *Backup Wastewater Sludge Agreement*
i. Selectman Fay moved the Board vote to extend Waste Stream Environmental Contract for the period of July 1, 2008 to June 30, 2009 at rates that reflect an increase to the current rates of 3.36%-the annual CPI increase, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.
- h. *Guilford Facility-* Supt. Madigan updated the Board to the 1st round of samples taken from monitoring wells, results should be back with in two weeks.
- i. *Line Painting-* Supt. Madigan updated the Board to street line painting to be done mid July.

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

- a. *Water & Sewer Permits*-The Board approved Water/Sewer Permits for 40 Fox Run & 20 Quail Run.
i. Selectman Fay moved the Board approve 1" water & sewer permits for Crabtree Development for 40 Fox Run and 20 Quail Run, 2nd by Selectman Sullivan VOTE: unanimous, so moved.
- b. *Devens Disposition Grant-Joint Boards of Selectmen*
Discussion-Mr. Suhoski updated the Board to Planning Grant for JBoS in the amount of \$106,156 approved by the Com. of MA and 1st half of funding to be released to the Town next week. Mr. Suhoski advised to \$102,000 budgets for professional consulting services through the MRPC including Grant Administration cost up to \$4,156 which includes a one (1) hour stipend to Mr. Suhoski (\$1,600.00) as the Grant Administrator through the

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closure of the grant (est. 6-30-08 – 5-15-09) with the Balance of funds for JBoS related printing, communication costs, etc. Mr. Suhoski requested the Board's approval of the one (1) hour weekly stipend payable from this grant to him.

- i.. Selectman Sullivan moved the Board approve Mr. Suhoski's one (1) hour weekly JBoS stipend from the Devens Disposition Grant approx. (\$1,600.00), 2nd by Selectman Luca, VOTE: unanimous, so moved.
- c. MMA Action Alert-Opposition to Section 15 of Senate Budget Bill-Mr. Suhoski requested the Board's support to oppose outside Section 15 of the Senate passed budget, which would increase the base used to calculate the annual municipal pension cost-of-living adjustment (COLA) from \$12K to \$16K increasing the municipal unfunded pension liability by at least \$2 billion advising to cities & towns having no way of paying for this under Proposition 2 ½.
 - i. Selectman Sullivan moved the Board have the Town Administrator draft a letter for their signatures stating their opposition to Section 15 of Senate Budget Bill, 2nd by Selectman Fay, VOTE: unanimous, so moved.
- d. Executive Tri-Board Committee designation- Mr. Suhoski informed the Board to designees from the Board of Selectmen necessary for the Executive Tri-Board Committee re Revenue Projections for the next 3/5 years advising to two (2) members of the Fin-Com, staff, School also on this volunteer committee. Selectman Luca moved the Board designate Selectman Gilles and Selectman Sullivan to serve on this Executive Tri-Board Committee, 2nd by Selectman Fay, VOTE: unanimous, so moved.
- e. IT Stipend- Mr. Suhoski recommended the Board give Mr. Ryan the IT Stipend previously given to former IT Supervisor Timothy Hansen, acknowledging Mr. Ryan's assuming the IT Assessment needs for the Town and implementing analysis.
 - i. Selectman Gilles moved the Board approve the IT Stipend to Chris Ryan when IT Assessment is completed from Line Item 4800 of the Omnibus Budget not to exceed \$1K, 2nd by Selectman Fay, VOTE: unanimous, so moved.

9. Town Administrator's Report

Selectmen's Questions –New Business

Selectman Sullivan

- a. Requested copy of Bond Report be given to Fin-Com and place on Town's Web Site to give residents financial picture of Town.
- b. Check with Town Treasurer re time-line establishing two-week/bi-weekly payroll. The Board to meet with Treasurer on 6-17-08 re proposal.

Selectman Gilles

- a. Selectmen's Office Goals & Objectives for staff-email, sheets emailed to Board re next twelve months projects. Reminding Board members to complete and return to Mr. Suhoski by 6-10-08 for 6-17-08 Meeting.
- b. Minutes: 5-28-08 Selectman Gilles moved the Board vote to approve the minutes, 2nd by Selectman Sullivan VOTE: unanimous, so moved.

Town Administrator

Meeting Reminder: Mr. Suhoski reminded the Board to the following meetings:

6-10-08 Working Session re Devens return of jurisdiction-the Board cancelled working session re joint meeting with Board of Assessors, Planning Board & until after MADev Meeting on 12th in order to hear presentation/projections/received information on 12th and then meet with Town Boards. The Board requested the Board of Assessors in the meantime plug in Town of Ayer Tax rates and email in advance to Board of Selectmen.

Executive Session-Tri Board 7:30a.m-6-18-08

6-4-08 North Post Meeting postponed to 6-23-08.

Selectman Fay

Shriver Job Corp. Work Based Learning MOU with Town of Ayer re Town projects i.e. computer, construction trades i.e. sidewalks, bench repair E. Main St., Bridge, Comfort Station across from Town Hall. Etc. green technology.

- 9:25p.m. Selectman Sullivan moved the Board adjourn from Open Session to enter into Executive Session pursuant to MGL Chapter Section 23B Exemption #3 to adjourn from Executive Session to re-enter Open Session for the sole purpose of adjourning the meeting, 2nd by Selectman Luca, VOTE: Selectman Sullivan aye, Selectman Luca aye, Selectman Fay aye, Selectman Gilles aye, Chairman McCreary aye, unanimous, so moved.

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9:25p.m. Open Session concluded.

Date: _____

7-1-08

Richard Gilles, Clerk

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