

# Selectmen's Meeting

April 3, 2007

Ayer Town Hall, 1<sup>st</sup> Floor Meeting Room, Main Street, Ayer, MA

## Open Session

### Present

Frank F. Maxant, Chairman	X
Pauline Conley, Vice-Chairman	X
Carolyn McCreary, Clerk	Absent (surgery-recuperation)
Gary J. Luca, Member	X
Cornelius F. Sullivan, Member	X
Shaun Suhoski, Town Administrator	X
Janet Lewis, Secretary	X

### Public Input

Selectman Conley requested to amend the Agenda to take up the following under Public Input:

1. Selectman Conley requested the Board move the discussion re the Insurance Consultant from Executive Session into Open Session stating it is not closed door material, request placed in the form of a motion. Selectman Sullivan expressed his concern re the Board's strategy may be undermined and the town's position compromised not wishing to disclose information to opposing side, wishing to err on the side of caution requesting the discussion stay in Executive Session. Selectman Luca agreeing. Chairman Maxant agreeing with Selectman Conley stating nothing would undermine the Town's position and 2<sup>nd</sup> the motion. Selectman Conley requesting the minutes of the Executive Session be released within 24 hours of meeting; Chairman Maxant to take this up at the end of the meeting. Chairman Maxant called for a vote: Selectman Conley aye, Chairman Maxant aye, Selectman Sullivan no, Selectman Luca no-2 motion fails.
2. Pleasant Street School-The Board was advised to MADeV sponsoring Brownsfield Funding re remediation assessment of asbestos at the Pleasant Street School; funding in the neighborhood of \$163-183K. Selectman Conley Moved the Town Administrator submit a letter of support to MADeV to expedite funding for the Board's endorsement, 2<sup>nd</sup> by Selectman Sullivan VOTE: unanimous, so moved.

### Agenda Item #1. Reserve Fund Transfers-The Board met with Lisa Gabree, Town Accountant

1. **Computer Support**-Ms. Gabree advised the Board to need for new computer server for Town Hall. Ms. Gabree advising to upgrade of server budgeted for \$10K but the Town's previous supplier going out of business and a more expensive alternate was required. Ms. Gabree requested the Board approve \$8,400.00 to complete payment on a new computer server for Town Hall. Selectman Conley moved the Board approve the Reserve Fund Transfer for Account #01136-53041 Computer Support in the amount not to exceed \$8,400.00, 2<sup>nd</sup> by Selectman Sullivan VOTE: unanimous, so moved.
2. **Police and Fire Accident Insurance**- Mr. Suhoski advised the Board to cost associated for Police & Fire Accident Insurance need for Reserve Fund Transfer to cover small deficit advising to this account based upon estimate as well as it being the first year of McNamara Bill. Mr. Suhoski requesting the Board's approval of \$83.00 to cover shortage. Mr. Suhoski advising the Board to his inclusion of 5% benchmark included in Fy-08 Budget for Police & Fire Insurance.

**MRPC**- Mr. Suhoski advised the Board to shortfall of \$40.70 relates to Town's annual assessment for MRPC which grows by 2.5% the Town was one year behind in estimating the assessment. Mr. Sushoki advising the Board to compensating the one year lag in the Fy-08 budget.

Selectman Sullivan moved the Board approve Reserve Fund Transfers in the amount not to exceed \$83.00 for account #01195-Police/Fire Accident Ins. and \$40.70 for account # 01181 Urban Dev.-MRPC, 2<sup>nd</sup> by Selectman Conley, VOTE: unanimous, so moved.

**Phil Berry-Worthendale Parking Lease Agreement/MRPC**-Mr. Berry updated the Board to his 5 year lease with MRPC expired on March 31, 2007. Mr. Berry and the board discussed options available: closing commuter parking lot, Berry family operate the lot privately and collect fees. Mr. Berry spoke to outstanding issues/obligations with MART i.e. collection machines, drainage/repaving.

Mr. Berry advised to family willing to let lease run if MART had installed the parking fee collection machines as promised in January; fees would have been split evenly with the family & MART. Worthendale (Berry Family) let lease end when machines were not installed. Mr. Berry closed by saying the family will be doing something after the draining/repaving improvements are in place advising to not putting up the gates today or tomorrow. Mr. Berry to advise the Board to renovation construction start-up.

**Agenda Item #2. Veterans Agent discussion rescheduled for 4-17-07 replaced with Fire Chief –Hose Award** –The Board met with Fire Chief Robert Pedrazzi. Chief Pedrazzi updated the Board to Article 15 of the 2006 Spring Town Meeting approving \$20K for the purchase of 5” firefighting hose replacement. Chief Pedrazzi stated he was before the Board this evening to recommend the low bidder Fire Tech & Safety of N.E. be awarded the Bid for the purchase of 5” firefighting hose replacement at the low bid of \$19,055.00 per 2007 MA State Bid #FIR02. Selectman Sullivan moved the Board approve the Fire Chief recommendation and award the contract to Fire Tech & Safety for the bid award not to exceed \$19,055.00, 2<sup>nd</sup> by Selectman Conley VOTE: unanimous, so moved.

**Agenda Item #.** **Selectman Conley-Parking Facility**-Selectman Conley advised to this item on Agenda due to citizen approaching her to place alternate site/s on Selectmen’s Agenda for discussion. Selectman Conley welcomed Mark McNulty, Murray Clark, Martin Wallace and Martha Craft to the table. Mr. McNulty opened the discussion advising the Board to their forming a Committee- Citizens Committee for Alternate Sites due to efforts rebuffed by task force. Mr. McNulty requested the Selectmen intervene to look at all the options available including the West Main Street site and Sandy Pond Rd. site. Selectman Sullivan stating the Town needs to prioritize choices for commuter parking otherwise you would be looking all over the place. Selectmen Conley urged the Board to let the Committee provide a list of suitable sites in Ayer for possible relocation of the train station and parking facility. Selectman Conley stating the Board should not prioritize until they have evaluated all the possibilities. Mr. Clark stating his opposition to the whole Town accepting the downtown is the best place for a garage. Selectman Sullivan advising to misnomer that the Selectmen are looking to establish a 350-space parking garage at the rail trail site stating the plan is to look at a variety of sites near the current station and suggesting that the Spring Town Meeting Warrant be the vehicle to find out what the townspeople want. Ms. Craft objecting to Town Meeting deciding stating people have to have something to base their decision on. Selectman Conley moved the Board encourage the Citizen’s Committee for Alternate Sites to provide the Board with a list of available sites within the Town of Ayer for the possible relocation of the train station and parking facility so that the Selectmen may instruct MART to investigate available sites along with sites within ¼ mile of the current train station, 2<sup>nd</sup> by Selectman Luca, VOTE: Selectman Conley aye, Selectman Luca aye, Chairman Maxant aye, Selectman Sullivan no 3-1 motion passes.

**Agenda Item #4. Planning & Development Director**-The Board met with Chris Ryan.

1. One Day Beer & Wine License-Nashoba Valley Medical Ctr. hosting the Nashoba Valley Chamber of Commerce-Business After Hours-April 11, 2007 from 5:30-8:00p.m. in the Founder’s Room at the hospital. Selectman Sullivan moved the Board approve the one Day Beer & Wine License for NVMC on 4-11-07 from 5:30p.m. to 8:00p.m. in the Founder’s Room of the Hospital, 2<sup>nd</sup> by Selectman Conley VOTE: unanimous, so moved.
2. Nashoba Valley Chamber of Commerce-proposed TIF- The Board met with CEO Steve Roach of Nashoba Valley Medical Ctr. Mr. Roach advised the Board to hospital expansion plans and the hospital seeking relief from the Town to support a TIF arrangement to give the hospital an abatement on taxes. Mr. Ryan advised to TIF needing approval from Town Meeting to make additional capital available to expand and create more jobs. Mr. Roach stated approximately thirty (30) more jobs would be added to the already 535 in place. Mr. Roach requested the Board’s consideration to give the hospital A 100% exemption on personal property (expensive equipment) with the percentage to change after 6-7 years. Mr. Roach stated the TIF would be requested in 2010 when the new hospital opens. Mr. Suhoski advised to negotiations necessary suggesting a much lower exemption for the first few years when the majority of the expansion will take place reminding the Board to Town facing very serious financial revenue constraints suggesting a 50% abatement to the Town’s current business tax rate (\$24.00)

or approximately \$12.00 a bit more moderate. The Board scheduled a meeting for Monday, April 9, 2007 at 7:00p.m. to discuss potential models for extending a TIF Agreement to Nashoba Valley Medical Ctr. The Board requested Mr. Hogan the Assessors Assistant be requested to attend this meeting to provide technical assistance i.e. pro rata approach based upon exemption schedule for real property and dollar to dollar impact of various models presented by Nashoba Valley Medical Ctr.

**Agenda Item #5. Supt. Madigan's Report-**The Board met with Michael Madigan, Supt. of Public Works

1. ***Elizabeth Estates***-Individual Residential Sewage Pumping Units and Water Booster Pumps-Supt. Madigan advised the Board to Agreements prepared for the installation of individual sewage pumping units and residential water booster pump prepared for the developer & resident within the Elizabeth Estates development for sign off by the Developer & resident as requested and approved by the Board on 1/22/07. Selectman Conley requesting assurances are in place re Building Permits not released until Home Owner Assoc. is established. Supt. Madigan reassuring the Board to Building Dept. & DPW working closely together to ensure responsibilities of the developer & homeowner are properly documented. Supt. Madigan advising the Board to Town Counsel's review and comments included in the Agreements. Selectman Conley requesting copies of insurance be provided to the Board as well as notification of cancellation by carrier if and when should this occur, this additional language to be incorporated into agreements. The Board continued this matter for their next meeting 4-17-07.
2. ***Water & Sewer Permits***-Willows subdivision and Pond View Estates-  
Willows Subdivision-Selectman Conley moved the Board adopt the water & sewer fees for the Willows Subdivision as outlined in a memo to the Board dated 3-28-07 from Supt. Madigan pursuant to the signed and dated 6-21-05 Agreement between the Town of Ayer and Willow Rd. Development LLC, for one inch (1") services for Unit 73, 74, and 75 Willow Rd. 2<sup>nd</sup> by Selectman Sullivan VOTE: unanimous, so moved.  
Pond View Estates-The Board approved Water & Sewer Permits for one inch (1") services for 8A, 8B, 9A, 9B, 11A, 11B Turtle Hill Rd. Motion to approve made by Selectman Sullivan 2<sup>nd</sup> by Selectman Luca, VOTE: unanimous, so moved.
3. ***Phase II Storm Water Program***-Supt. Madigan advised the Board to his receiving a proposal from Comprehensive Environmental Incorporated (CEI) for professional services for the Town's 4<sup>th</sup> year Phase II Annual Report preparation & Storm water Program assistance due in May 2007 due to his workload and current DPW projects. Selectman Conley requesting if work could be kept in house advising to prior Town Administrator Anita Scheipers completing previous years reporting. Supt. Madigan advising the Board to penalty if report not submitted on time. Funding not to exceed \$4K from Public Works Administration technical service line item. Selectman Conley cautioning Supt. Madigan to Reserve Fund Transfers for his department.
4. ***MA DEP Sewer Revisions***-Supt. Madigan advised the Board to MA DEP promulgated revisions to sewer permit regulations effective Jan. 12, 2007 which includes significant changes in sanitary and industrial sewer connections. Supt. Madigan advised the Board to his coming back to the Board in the near future with a request for Engineering assistance from HTA to update the Town's 10 year old Sewer regulations re application procedures, design codes, etc.

**Agenda Item #6 Town Administrator's Report-**The Board met with Town Administrator Shaun Suhoski

1. Mr. Suhoski presented the updated Fy-08 Omnibus Article for the Board's review advising the Board to the need to update the Town Clerk's Budget due to resignation of Congressman Meehan forcing two new elections into Fy-08 budget advising the Board to forecast of approximately a \$20 million plus budget projected for Fy-08. Mr. Suhoski stating assuming use of the SBA reimbursement and Stabilization Fund a workable budget scenario is within the Town's ability for Fy-08. Mr. Suhoski reminding residents to Fy-08 Public Hearing next Tuesday, April 10, 2007 at 7pm at the Town Hall with Fy-08 Water/Sewer Rates Public Hearing to follow Budget Public Hearing.
2. 2007 Spring Annual Town Meeting Warrant Draft-Mr. Suhoski advised the Board to ATM including approximately 40+/- articles to include 5-6 Citizen Petitions.

3. Town Administrator's Performance Evaluation/Goal Setting-Mr. Suhoski presented his compensation, performance-evaluation, work plan request to the Board for Fy-07 & Fy-08. Selectman Sullivan moved the Board approve Mr. Suhoski's compensation for Fy-07 at Grade 15 Step 1 retroactive to July 1, 2006, 2<sup>nd</sup> by Selectman Luca, VOTE: Selectman Sullivan aye, Selectman Luca aye, Chairman Maxant aye, Selectman Conley not voting wishing to review contract prior to approval of compensation 3-1 motion carries. Selectman Luca stating the Board needs to review goals & objectives in the near future.
- 10:17p.m. Selectman Sullivan moved the Board adjourn from Open Session to enter into Executive Session pursuant to MGL Chapter 39 Section 23B, Exemption #3 Collective Bargaining Negotiations, 2<sup>nd</sup> by Selectman Luca, VOTE: unanimous, so moved.

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

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Selectman Luca, Acting Clerk