

Selectmen's Meeting
Tuesday, September 5, 2006
Ayer Town Hall-1st Floor Meeting Room, Main Street, Ayer, MA

7:00p.m. Open Session

Present

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

Agenda Item #1. Public Input-The Board met with Ayer resident-Martha Craft

Martha Craft, Community Ambassador for the American Cancer Network-re American Cancer Society's 1st national event in collaboration with Celebration on the Hill-Washington D.C. Nationwide Gathering on September 20, 2006. Ms Craft requested the Board's permission and support to allow a candle-light/luminary gathering at the Town Hall on the 20th of September in conjunction with the National Cancer Awareness event to be held in Washington D.C. advising to this being a nationwide event with communities across the nation showing solidarity towards increased cancer research funding by conducting luminary gatherings at 7:30p.m. on the 20th of September. Ms. Craft also seeking assistance/alert the Police Dept. if need to secure a gathering permit. Selectman Conley advising to Tri-Board meeting scheduled on the same date (School Committee, Board of Selectmen, and Fin-Com) re Fy-07 School Budget and requesting the Board consider moving the meeting to Town Hall and start time be delayed to accommodate event. The Board requested Mr. Suhoski contact School Com. and Fin-Com re meeting rescheduling of time & location. On a 2nd matter Ms. Craft requested the Board's support of a Proclamation for "Breast Cancer Awareness" in October when finalized. The Board approved of Ms. Craft to contact the various department heads necessary re the public gathering scheduled for the 20th at Town Hall and Mr. Suhoski to alert department heads to Ms. Craft approaching them re activities planned at Town Hall for the 20th. Mr. Suhoski authorized Ms. Craft's request to use Town Hall's Great Hall for refreshments after ceremony on the 20th.

Agenda Item #2. Conservation Commission - The Board met with Chairman Bill Daniels

1. Appointment: Mr. Daniels reviewed with the Board the Commission's recommendation of the two new members Takishi Tada and Susan Tordella Williams. Mr. Tada appointed last month. Mr. Daniels advised to Ms. Tordella being present this evening. Selectman Luca moved the Board appoint Susan Tordella Williams to the vacant three year position on the Conservation Commission 7-1-06 to 6-30-09, 2nd by Selectmen Sullivan, VOTE: unanimous, so moved.

2. Reserve Fund Transfer-\$600.00 Mr. Daniels deferred the discussion re the Commission's reserve fund transfer to David Bodurtha. Mr. Bodurtha reviewed the Commission's back-up material with the Board advising to documentation depicting overages caused by legal notices required elaborating to fees collected being directly deposited to the General Fund but charged against the Commission's budget. Mr. Bodurtha stated the Commission is now requiring a ledger sheet be maintained listing funds received from applicants to better track expenses. Selectman Luca moved the Board approve the Conservation Commission's Reserve Fund Transfer in the amount not to exceed \$600.00, 2nd by Selectman Sullivan, VOTE: unanimous. Selectman Conley requesting Mr. Bodurtha explain \$250.00 Charge to budget-Mr. Bodurtha stated when Planning Board & ZBA allowed clerk to purchase new furniture Conservation Commission's budget was also charged portion of expense.

3. Weed Control- Extension of ACT's Contract-Mr. Daniels advised to the Weed Control Program for Sandy Pond & Flannagan's Pond treatment being extended due to heavy rains this Spring which hampered treatment. The Board requested Gerry Smith of ACT (Aquatic Control Tech.) advise the Board in writing if herbicides will still be usable for Spring 07 treatment and to submit formal request to extend current contract to Spring 07.

Agenda Item #3. Town Accountant-Sewer Rate Relief Fund-The Board met with Lisa Gabree.

Ms. Gabree reviewed with the Board the Town's 2007 Application for Sewer Rate Relief Funding re long term debt service under the Federal Water Pollution Control Act re Town of Ayer wastewater collection & transportation projects for Fy -07 Sewer Fund Receipts to reduce rates in future years. Fy-07 projected at \$49,063 or 7.6% of \$645,566.50 Fy-07 debt service. (\$5.20 savings per average residential user or \$.13 per one hundred cubic feet). The Board voted to approve the Fy-07 Sewer Rate Relief Funding Application prepared by the Town Account. Motion to approve made by Selectman Conley, 2nd by Selectman McCreary VOTE: unanimous, so moved.

Agenda Item #4. Appointments Fy-07 (continuation)

Capital Planning Com. The Board met with Dennis Curran who expressed interest in serving on this committee. Mr. Curran stated his desire to be considered for the citizens representative position to this committee having spoken with Ms Spinner re the role and responsibilities to the position re long term planning for the Town. After a brief discussion Selectman Conley moved to appoint Denis Curran to the Citizens representative's position to the Capital Planning Com. for the term of 9-5-06 to 6-30-07, 2nd by Selectman McCreary VOTE: unanimous, so moved.

Communications Committee-The Board met again with Mr. Curran re his interest in the Communications Committee vacant positions. The Board advised to Committee lacking quorum and in need of volunteers. The Board discussed with Mr. Curran open terms: 1, 2, & 3 year positions. Selectman Conley moved the Board appoint Dennis Curran to Communications Com. for the term of 9-5-06 to 6-30-07, 2nd by Selectman Sullivan VOTE: Selectman Conley aye, Selectman Luca aye, Selectman McCreary aye, Selectman Sullivan aye, Chairman Maxant no wishing to hear recommendation from Communications Committee prior to appointment, 4-1 motion passes.

Fire Station Reuse Committee-Mr. Suhoski updated the Board to speaking with Jennifer Gibbons and of her stating her desire to stay on the Fire Station Reuse Committee. Selectman Luca moved to re-appoint Jennifer Gibbons to the Fire Station Reuse Committee for the term of July 1, 2006 to June 30, 2007, 2nd by Selectman McCreary, VOTE unanimous, so moved.

Zoning Board of Appeals-Mr. Suhoski updated the Board to Chairman Dale Taylor advising him to three members of the Zoning Board requesting to be re-appointed: Ron DeFillippo, Scott Hebb and Manny Velez as Alternate. Selectman Conley moved the Board appoint Ron DeFillippo and Scott Hebb as members and Manny Velez as Alternate to three (3) year positions effective 7-1-06 to 6-30-09, 2nd by Selectman Sullivan VOTE: unanimous, so moved.

Agenda Item #5. Consultant's By-law Mr. Suhoski presented to the Board the Planning Board's request to enact the Consultant's By-law Technical Review Agreements with Tata & Howard for Nashoba Valley Medical Ctr. and Elizabeth Estates Sub-Division Projects. Mr.Suhoski advising to Planning Board leaving Agreements on the counter and being delayed due to process not followed by Planning Board re requesting the Selectmen's approval prior to enacting.

Nashoba Valley Medical Center- Proposed Building and Parking Lot Expansion -Selectman Sullivan moved the Board approve the Planning Board's request to enact the Consultant's by Law for the Nashoba Valley Medical Center's Technical Review of the project, 2nd by Selectman Conley, VOTE: unanimous, so moved.

Elizabeth Estates Subdivision - Technical Review of Elizabeth Estates for the Planning Board-

Selectman Sullivan moved the Board approve the Planning Board's request to enact the Consultant's By Law for Elizabeth Estates Subdivision's technical review of the project, 2nd by Selectman Conley, VOTE: unanimous, so moved.

The Board requested Mr. Suhoski submit a memo to the Planning Board reminding them to policy of By-law requiring the Selectmen's signature on Consultant By-Law Agreement/s when enacted; and to request Planning Board to submit sufficient documentation accompanying future requests seeking to utilize the Consultant's By-law.

Agenda Item #6. DDEB-DEC Consolidation

The Board generally discussed status of Disposition Plan. Chairman Maxant advised to final proposed package in MOU calls for a reformed DEC withdrawing from the enterprise zone and Towns receiving municipal authority and if Selectmen wish to leave DEC must appeal to MADev. The Board requested to invite the town's DEC representatives to an upcoming meeting and explain proposal to Board of Selectmen. Selectman Conley expressing confusion with yet another version of legislation to be voted upon expressing her concern re never receiving color coded document outlining all the new changes and having nothing to compare old documentation with new. Mr. Suhoski advised that final set of Disposition Package documents were delivered to Town Hall prior to meeting.

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

1. **Fire Chief Finalist**-Mr. Suhoski updated the Board to packets including interview schedules re five finalist. Selectman Sullivan requesting the Board change Thursday date to Friday due to conflict in his schedule. Mr. Suhoski to contact individual and advise Board if alternate date is viable.

2. **Letter of Support**-Mr. Suhoski presented the Board a letter of support re MADev's grant application to the Economic Development Administration \$6Million for infrastructure improvements towards Bristol Myer's 750K sq ft. bio pharmaceutical manufacturing facility at Devens. Mr. Suhoski this investment hoping to spur additional like industries to locate to area and encourage the establishment of support businesses. Chairman Maxant elaborated to attending reception and Bristol Myers stating 550 jobs would be created not the 800 letter alluded to. After discussion re source of information Selectman Sullivan moved the Board change the letter to state 550 jobs would be created, 2nd by Selectman Conley for discussion requesting the entire sentence be deleted, placed in the form of a friendly amendment. Selectman Sullivan moved the Board not vote to change the letter and approve the letter as is, 2nd by Selectman McCreary, VOTE: Selectman Sullivan aye, Selectman McCreary aye, Selectman Luca aye, Selectman Conley no, Chairman Maxant no, 3-2 motion passes.

3. **Parks Dept. Sandy Pond Beach Amendment #1. Weston & Sampson.**

Selectman Conley moved the Board approve Amendment #1 for the Sandy Pond Beach Improvements Contract with Weston & Sampson outlined in a memo from the Town Administrator dated 9-1-06 in the amount not to exceed \$1,500.00, 2nd by Selectman Luca, VOTE unanimous, so moved.

4. **September 19, 2006 State Primary Warrant**-Mr. Suhoski presented the State Election Warrant prepared by the Town Clerk for the Board's signatures. Selectman Conley moved the Board vote to endorse the September 19, 2006 State Primary Election Warrant, 2nd by Selectman McCreary, VOTE: unanimous, so moved.

5. **Cable Television- CTV 06-01 Petition**-The Board requested Mr. Suhoski prepare a letter for the Board's endorsement stating the Board's opposition to the CTV 06 -1 Petition. The Board also requested Mr. Suhoski forward letter to APAC (Ayer Public Access Corporation) attention Douglas Becker seeking his response. Motion made by Selectmen Luca for Town Administrator to prepare letter stating Board's opposition and copy APAC for Mr. Becker's response and well as requesting Mr. Suhoski prepare open letter to press stating same, 2nd by Selectman McCreary, VOTE: unanimous, so moved.

6. **Planning & Development Director**-Mr. Suhoski reminded Board to updated information left in Selectmen's mailboxes re suggested Screening Committee and process to fill this new position.

Agenda Item #8 Selectmen's Questions/New Business

1. United Nations Proclamation referred to School Dept.

2. Selectman Conley reminding Board to Citizens Petitions to go to Town Clerk re upcoming Fall Town Meeting and also stating her concern re closing FTM Warrant at 12:00 noon and not at the close of business on 15th of September.

3. Selectman Conley reminded Board to upcoming MMA meetings on 10-14-06 and 1-12 through 1-13-07 and stating her desire to attend both MMA meetings. Selectman McCreary also requesting to attend the 10-14-06 MMA Selectmen's Meeting. Selectman McCreary moved the Board approve Selectmen

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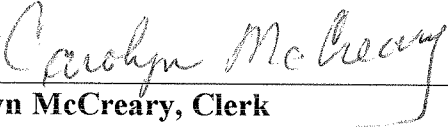
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Conley & McCreary attending the October 14, 2006 MMA meeting and authorize the payment registration fee of \$45.00 for each Selectman, 2nd by Selectman Luca, VOTE: unanimous, so moved.

4. 9-11 Service-Selectman Conley requested the Fire Department and Police Department display the Town's banners for the 5th anniversary of 9-11.
5. Selectmen Conley requested the Planning and Development Director's Screening Committee be placed on the next Selectmen's Agenda-September 19, 2006.
6. Selectman Sullivan requested the Board interest re Municipal Light Company legislation re saving on rates for residents, suggesting Town speak with Towns of Groton/Littleton re their interest. Selectman Sullivan also requested John Grady be contacted re potential source for purchase of electric. Selectman Sullivan to do more research and report back to Board.
7. Selectman Luca suggested the Board prepare list of questions for Fire Chief finalists and submit to Town Administrator to consolidate. The Board also spoke to time limitations re number of questions posed by Board members being approximately six (6) minutes each and limiting question/s to one each and a few more if time allows.

9:15p.m. Selectman Sullivan moved to adjourn the meeting, 2nd by Selectman McCreary, VOTE: unanimous, so moved.

9:15p.m. Meeting adjourned.

 DATE: _____
Carolyn McCreary, Clerk