

Selectmen's Meeting
Tuesday, April 20, 2004

Ayer Town Hall, 1st Floor Meeting Room, Main Street, Ayer, MA

7:00pm Open Session

The Board met with Chairman Fay, Selectman Bresnahan, Selectman Morrison, Selectman Maxant and Selectman Sullivan.

Public Input Chairman Fay requested if there was anyone present wishing to meet with the Selectmen under Public Input:

1. Mary Spinner-status of Town signs alerting residents to Voting on 4-26-04 and Town Meeting 5-10-04.
2. Paul Bresnahan-re: Ayer Sportsmen's Club holding TIPS class on May 19th inviting local alcohol establishments to join re: training bartenders/managers.

Chairman Fay called for a motion to accept the Agenda of 4-20-04. Selectman Bresnahan moved the Board approve the Agenda of 4-20-04 as amended, 2nd by Selectman Maxant. VOTE: unanimous, so moved.

Minutes The Minutes of 4-6-04 were read and accepted with Selectman Bresnahan's edits. Motion to approve made by Selectman Morrison, 2nd by Selectman Sullivan VOTE: unanimous, so moved. Minutes of March 3-18-04 & 3-29-04 approved earlier by Board and not necessary to approve again.

Agenda Item #3. Sewer Rate Review

Present for the discussion: Lisa Gabree, Town Accountant. Ms Gabree presented the Board the updated tie-in sheet dated 4-20-04 depicting General Fund subsidy required if Fy-05 sewer rate set at 17% or 12% or 10%. No subsidy would be required if Fy-05 sewer rates set at 17%, a \$100K subsidy would be required if sewer rates set at 10%, and a \$70K subsidy would be required if sewer rates set at 12%. Ms Gabree reminding the Board at current rates the Fy-05 budget as approved by the Board does not balance. Selectman Bresnahan read into the record the recommendations of the Waste Water Public Meeting Committee's meetings of April 12th, & 15th, 2004. Selectman Bresnahan advised to alternative rate increases discussed by the Committee.

1. 17% General opinion of the group that this was too large amount to pass down to ratepayers next year.
2. 10% for Fy05 and 7% for Fy06 introduced by Joe Sampson representing the SIU's in context of spreading the increase relatively evenly over two years.
3. 12% for Fy05 and 5% plus inflation for Fy06 recommended by Selectman Bresnahan to eliminate more of the subsidy in Fy05.

Selectman Morrison moved the Board approve the 4-19-04 recommendation of the Committee of 12% sewer increase for Fy05 and 5% sewer increase plus inflation for Fy06 per report by Selectman Bresnahan, 2nd by Selectman Maxant.

Selectman Sullivan suggested a more phased in approach to self-sustaining sewer enterprise fund: 9% increase in Fy05 which would require a \$115K subsidy and allow

\$110K for stabilization. Selectman Sullivan stating this will require a subsidy again in Fy06 but a lesser one which would allow for a Fy07 fully self-funded Sewer Enterprise Fund. Selectman Sullivan moved the Board reduce the 12% sewer increase to 9% for Fy05 with a 8% sewer increase in Fy06, 2nd by Selectman Maxant, VOTE: Selectman Bresnahan no, Selectman Morrison no, Selectman Maxant no, Chairman Fay no, Selectman Sullivan aye, 1-4 motion is defeated.

The Board reverted back to the original motion 12% sewer increase for Fy05 and 5% sewer increase plus inflation for Fy06, VOTE: Selectman Bresnahan aye, Selectman Morrison aye, Selectman Maxant aye, Chairman Fay aye, Selectman Sullivan no 4-1 motion passes.

Selectman Bresnahan read into the record the Committee's recommendation re future planning and rate review process between the DPW and the SIU's. The Board scheduled this for their 5-4-04 meeting for further discussion.

Public Hearing Continuation-Class II License-David Hirsch Rt. 2 RV Inc.
Set back until later in evening.

Selectman Bresnahan requested the Board take up the Selectmen's Questions/New Business at this time, 2nd by Selectman Maxant, VOTE: unanimous, so moved.

Selectman Sullivan:

1. Mr. Parmeter-29 Harvard Rd. re pothole-scheduled for paving this spring with DPW.
2. JBoS Issue-requesting the Board revisit & reconsider their vote of 4-6-04 re Legislators meeting with JBoS and suggested Selectman Maxant meet directly with State Representative himself re: his issues, stating this should be addressed first with State reps prior to taking up with JBoS and is simply common courtesy. After a brief discussion the Board voted to approve this request. Selectman Sullivan placed this request in the form of a motion, which was 2nd by Selectman Morrison, VOTE: Selectman Sullivan aye, Selectman Bresnahan aye, Selectman Morrison aye, Chairman Fay aye, Selectman Maxant no, 4-1 motion passes.

AGENDA ITEM #4. 8:00p.m. Public Hearing Continuation-Class II License –
David Hirsch Rt. 2 RV Inc.

No show. Selectman Maxant moved the Board close the Public Hearing on the Class II License petition by David Hirsch, no action taken, 2nd by Selectman Bresnahan, VOTE: unanimous, so moved.

AGENDA ITEM #5. Annual Town Meeting Warrant & Fy-05 Budget final Review

Article 5-Solid Waste Enterprise Fund-Town Accountant Lisa Gabree requested the following amounts be inserted in Enterprise Fund Account for Solid Waste: Direct cost: \$481,936.00 of which \$109,000.00 is to come from solid waste revenue and \$372,963.00 is to come from the Tax Levy-indirect cost of \$87,700.00 as approved in the Omnibus Article to come from the Tax Levy.

Article 6.-Ambulance Enterprise Fund-Town Accountant Lisa Gabree requested the following amounts be inserted in Enterprise Fund Account for the Ambulance. Direct cost-to come from the Ambulance revenue-\$38,531.00, indirect costs of \$135,700.00 of which \$111,469.00 to come from Ambulance revenue and \$24,231.00 to come from surplus funds.

Article 7. Sewer Dept. Enterprise Fund- Town Accountant Lisa Gabree requested the following amounts be inserted in Enterprise Fund for the Sewer Dept. Direct costs-\$1,737,293.00 of which \$1,632,001.00 is to come from Sewer Revenue and \$105,292.00 to come from the Tax Levy. Indirect costs of \$160,000.00 to come from sewer revenue.

Article 8. Water Dept. Enterprise Fund –Town Accountant Lisa Gabree requested the following amounts be inserted in Enterprise Fund for the Water Dept. Direct costs of \$1,223,131.00 of which \$963,069.00 is to come from water revenue, \$92,792.00 is to come from UDAG and \$167,270.00 is to come from the Tax Levy. Indirect costs of \$119,800.00.

Article 13. Debt Exclusion-Town Accountant Lisa Gabree requested the Board rescind \$313,000.00 of Debt Exclusion Borrowing Authority and \$26,000.00 of remaining non-debt exclusion borrowing authority from Article 19 of the May 15, 2001 Annual town Meeting-Solid Waste Capping Article.

Article 14. Debt Exclusion-Town Accountant Lisa Gabree recommended the Board authorize the Treasurer to borrow contingent upon the successful passage of Debt Exclusion ballot question the sum of \$2,244,319.00 for completing the Fire Station Construction Project.

The Board approved all twenty eight (28) May 10, 2004 Annual Town Meeting Articles presented by the Town Administrator and recommended by Town Accountant for inclusion in the May 10, 2004 Annual Town Meeting Warrant as stated above. Motion to approve made by Selectman Bresnahan, 2nd by Selectman Morrison. VOTE: unanimous, so moved.

Agenda Item #6-Town Administrator's Report-

1. Winter Street Architects Change Order-The Board approved Change Orders 3 & 4 approved by Fire Station Construction Committee not to exceed \$84,058.37. Motion to approve made by Selectman Sullivan 2nd by Selectman Morrison, VOTE: unanimous, so moved.
2. Planning Board Contract Award-The Board approved contract submitted by Planning Board for Tata & Howard for review of Autumn Ridge Sub-Division in the amount not to exceed \$8,500.00. Motion to approve made by Selectman Bresnahan, 2nd by Selectman Morrison, VOTE: unanimous, so moved.

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3. DPW Contract Award-Trent Laboratories of Westfield, MA-The Board approved Supt. Madigan's recommendation to award the landfill Monitoring Analysis Services Contract in the amount not to exceed \$25,560.00 to Trent Laboratories Motion to approve made by Selectman Sullivan 2nd by Selectman Bresnahan, VOTE: unanimous, so moved.

4. MBTA Commuter Parking Facility Feasibility Study Report-The Board voted to accept the Feasibility Report completed by McMahon Associates, and request schedule of upcoming events including public hearings before moving ahead with the process of obtaining a site for the parking facility per the report recommendations. Selectman Bresnahan moved the motion, 2nd by Selectman Morrison, VOTE: unanimous, so moved.

5. Devens Disposition Professional Assistance -State Funding Request.-Ms. Scheipers updated the Board to request submitted from the Devens Disposition Study Committee to the JBoS requesting \$400K for staff support to assist the Committee with the complex tasks associated with disposition decision. Selectman Bresnahan moved the Board authorize Selectman Morrison the Board's JBoS delegate to vote in favor of the of the staff support request, 2nd by Selectman Sullivan VOTE: unanimous, so moved.

9:30pm Selectman Morrison moved the Board adjourn from Open Session to enter into Executive Session pursuant to MGL Chapter 39 Section 23b, Exemption #3 to adjourn from this Executive Session to re-enter into Open Session for the sole purpose of adjourning the meeting, 2nd by Selectman Maxant, VOTE: Selectman Bresnahan aye, Selectman Sullivan aye, Selectman Morrison aye, Selectman Maxant aye, Chairman Fay aye, unanimous, so moved.

9:30p.m. Open Session ended.

Faye L. Morrison DATE: 5/24/04
Faye L. Morrison, Clerk
AYER BOARD OF SELECTMEN