

Town of Ayer
Board of Selectmen
Ayer Town Hall – 1st Floor Meeting Room
Ayer, MA 01432



Tuesday March 7, 2017
Open Session Meeting Minutes

Present: Gary J. Luca, Chair; Christopher R. Hillman, Vice – Chair; Jannice L. Livingston, Clerk
Robert A. Pontbriand, Town Administrator
Carly M. Antonellis, Assistant to the Town Administrator

Call to Order: G. Luca called the meeting to order at 7:00 PM.

Pledge of Allegiance: BOS members and meeting attendees stood and recited the Pledge of Allegiance.

Review and Approve Agenda:

Motion: A motion was made by J. Livingston and seconded by G. Luca to approve the agenda. **Motion passed 3-0.**

Announcements: None

Review of Warrants: G. Luca stated that he signed the following warrants on behalf of the BOS:

- 2017-02-27 17-17 Payroll \$338,707.90
- 2017-03-07 16-17 Accounts Payable \$1,611,209.61

Public Input: Jim Fay, Chair of the Memorial Garden Committee, stated that the Committee is fundraising to erect a new veteran's monument in the Memorial Garden.

Mr. Mark Smith, Douglas Drive spoke for a group of residents on Douglas Drive, relating to a proposed solar project named "Solar P". He stated that though the abutters were notified, he and others didn't understand the scale of the project. R. Pontbriand stated that though the Town has met all the legal requirements, he will ask to meet with the Developer to discuss the issues brought forth by the neighbors.

Mr. Connie Sullivan, East Main Street stated that he had two points relative to the Commuter Rail Parking Project. He believes that the BOS should reconsider the vote to demolish the Advocates Building and use the space for bathrooms and retail space. J. Livingston stated that the BOS had discussed all options prior to taking the vote and the Town does not want to be in the position of being a landlord.

Mr. Sullivan further stated that the BOS should consider being in charge of maintenance and oversight of the parking facility/lot once the project is complete.

FY 2018 Town Budget Snapshot: R. Pontbriand and Town Accountant/Finance Manager L. Gabree gave an update on the status of FY' 18 budget. The presentation focused on the following: FY '18 general overview; FY' 18 revenue projections; FY' 18 taxes and FY '18 Capital Planning recommendations.

The Capital Planning Committee is recommending the following for FY '18:

Purchases from Capital Stabilization Fund		
<i>Department</i>	<i>Description</i>	<i>Amount</i>
Facilities	Fire Station HVAC	\$29,500
Fire	Phone System	\$11,000
	Flood Control Engineering	\$20,000
	Replace Training Room Furniture	\$16,000
Planning & Development	Railroad Fence (Materials Only)	\$15,000
Parks	Perimeter Path Survey	\$15,000
	Total	\$106,500
Purchases as Regular General Fund Borrow Articles		
DPW	Street Sweeper	\$220,000
Police	Radio Infrastructure (Phase II)	\$207,185
	Total	\$427,185
Purchases Requiring Exclusion Funding		
DPW	West Main Street Bridge Replacement	\$1,730,000
	DPW Operations Center	\$900,000
	Highway Storage Garage	\$750,000
Parks	Storage & Maintenance Building	\$600,000
	Total	\$3,980,000
Enterprise Fund Capital Requests		
Ambulance	Replace Cardiac Monitor A-2	\$32,000
Water	Barnum Road Interconnection	\$150,000
	Annual Water Main Replacements	\$150,000
	Replace Spec Pond Well #2	\$130,000
	Pleasant Street/Doug Street Main Loop	\$125,000
	Mini Excavator w/ Trailer	\$78,000
	Water Valve Maintenance Trailer w/ Vacuum Excavator	\$70,000
Wastewater	Infiltration/Inflow Improvements	\$243,000
	Wastewater Treatment Plant Upgrades	\$6,000,000
	Total	\$7,053,000

L. Gabree stated that in addition, the Capital Planning Committee recommended that the capital/debt exclusion threshold be increased from \$250,000 to \$300,000 dollars, as referenced on page 13 of the Town of Ayer's Financial Policy.

Motion: A motion was made by J. Livingston and seconded by C. Hillman to increase the capital/debt exclusion threshold to \$300,000 per recommendation of the Capital Planning Committee. **Motion passed 3-0.**

L. Gabree further stated that proceeding with a debt exclusion as opposed to a capital exclusion would have less of an impact to the average tax bill. The four questions requiring an exclusion would have to be placed on the April 24, 2017 ballot and if passed, would then be placed on the Annual Town Meeting Warrant.

Motion: A motion was made by C. Hillman and seconded by J. Livingston to place four separate questions on the April 24, 2017 ballot as debt exclusions. **Motion passed 3-0.**

Police Chief William Murray: Chief Murray was in attendance with Mr. Brent W. Davis, his recommended candidate for the position of Patrol Officer. Mr. Davis grew up in Ayer, is currently a Police Officer in

Townsend and comes highly recommended. Chief Murray is recommending an appointment at Step 2, contingent upon passing a physical and psychological exam to be effective March 27, 2017.

Motion: A motion was made by C. Hillman and seconded by J. Livingston appoint Mr. Brent Davis as Step 2 Patrol Officer contingent upon passing a physical and psychological exam to be effective March 27, 2017.

Motion passed 3-0.

Mr. Mark Wetzel, Superintendent, DPW: M. Wetzel was in attendance with George Gallagher from the Willows Development who is requesting a water and sewer connection fee adjustment. Mr. Gallagher explained that the Willows is in the process of building their last three units and were surprised to see the connection fees on both water and sewer go up drastically and are requesting a reduced rate. Prior DPW Superintendent Mike Madigan gave the Willows a reduced fee based on the volume of connections at the time of construction back in 2009. BOS members felt comfortable with the reduced rate as recommended by the DPW Superintendent because the project has been ongoing for nearly 10 years.

Motion: A motion was made by J. Livingston and seconded by C. Hillman to approve the following rates for the last 3 units of the Willows water and sewer connection fees: Water - \$1,250 and Sewer - \$2,135. **Motion passed 3-0.**

BOS Review of Public Input from the February 22, 2017 Public Meeting for the Proposed Concept Design(s) for the MART Commuter Rail Parking and Access Improvement Project: R. Pontbriand gave a historical overview of the project dating back to 1988. He stated that the Town has finally reached the design phase and has been presented with two conceptual plans by MART and the project architect/engineer Weston and Sampson.

Community and Economic Development Director Mr. Alan Manoian gave an overview of the concerns/questions brought up at the February 22, 2017 public information forum. These have been sent to MART and the engineer for their consideration. Mr. Manoian stated that he would like to see enhanced visual concepts from MART and Weston and Sampson. He further stated that he believes the “deck” concept is more compatible with our town and believes it will attract further economic development.

Tom Gibbons, Park Street stated that the deck doesn’t do anything for the businesses downtown. The lot, either deck or surface, is only for commuters and bike path parking. Mr. Gibbons also stated that he has security concerns with the deck concept.

Mr. Calvin Moore, Main Street is opposed to the deck concept and doesn’t trust MART with overseeing the project.

Mr. David Berry, Main Street asked if the BOS could give tax credits to the two properties on Park Street that haven’t agreed to sell.

Mr. Bob Coleman stated that because he lives in the condos behind the lot, none of the options are preferable to him. He is concerned for his children’s safety because of the large cliff that exists.

Mr. Pat Diamond, 35 Quail Run asked for more frequent communications between the Town and the A’TSAC group. He also inquired about the time schedule for the project.

Town Administrator’s Report: Due to late time, R. Pontbriand asked the BOS to take up only action items.

DPW Business Manager Reclassification Appeal – R. Pontbriand stated that this was the item that was tabled from the February 7, 2017. Since that time, Mr. Pontbriand has sent additional information to the BOS at their

request. He is recommending again that the position be graded at a 10, per the Personnel Appeals Board (Section 12, Problem Resolution Procedure). R. Pontbriand is also recommending a moratorium on all personnel appeals for further review of the process.

C. Hillman stated that he trusted R. Pontbriand's recommendation and that he was ok with the appeals process.

G. Luca stated that he feels that employees are stepping out of the grid and asking for a reclassification and does not agree with the request.

J. Livingston stated that she did not have a problem with the reclassification, since that was her recommendation when the problem came before the Board in the previous year.

Motion: A motion was made by C. Hillman and seconded by J. Livingston to reclassify the DPW Business Manager position to a Grade 10 Step 10 effective March 8, 2017. **Motion passed 2-1.**

Health Benefits Buyout Program for FY 2018 – 2020 – R. Pontbriand and Benefits and Payroll Manager Kevin Johnston briefed the BOS on the status of the Health Benefits Buyout Program and stated it is due to expire on June 30, 2017. They are recommending renewing the program for Fiscal Years 2018-2020. K. Johnston stated that the program will save the Town \$1.2 million by the end of Fiscal Year 2020.

Motion: A motion was made by C. Hillman and seconded by J. Livingston to renew the Health Benefits Buyout Program through Fiscal Year 2020 (\$2,400 for individuals and \$5,000 for families). **Motion passed 3-0.**

FY 2018 COLA Recommendation from the Personnel Board – R. Pontbriand referenced a memo sent to him by the Personnel Board recommending a 2% Cost Of Living Adjustment for Non-Union Personnel for FY' 18.

Motion: A motion was made by C. Hillman and seconded by J. Livingston to approve a 2% Cost Of Living Adjustment for non-union personnel as recommended by the Personnel Board. **Motion passed 3-0.**

New Business/Selectmen's Questions: G. Luca asked if the BOS could reschedule their March 21, 2017 BOS meeting due to a scheduling conflict. BOS members agreed to meet on March 21, 2017 at 7:00 PM.

ATISAC Committee - J. Livingston stated, in response to the earlier agenda item regarding the train station, that the ATISAC committee give the BOS the same consideration of listening to ideas and suggestions and that both sides should use respect when communicating. She stated that the BOS listens to all concerns brought before them.

Tax Status of Emmanuel Missionary Baptist Church of Ayer – C. Hillman asked for an update on a letter that was sent regarding the tax exempt status of the church. R. Pontbriand advised that Counsel and the Building Department were looking into further.

Adjournment:

Motion: A motion was made by J. Livingston and seconded by C. Hillman to adjourn at 10:22 PM. **Motion passed 3-0.**

Minutes Recorded and Submitted by Carly M. Antonellis

Date Minutes Approved by BOS: 23 March 2017

Signature Indicating Approval: 