

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



Tuesday March 8, 2016
Meeting Minutes

Broadcast and Recorded by APAC

Present: Jannice L. Livingston, Chair; Gary J. Luca, Vice-Chair; Christopher R. Hillman, Clerk

Robert A. Pontbriand, Town Administrator
Carly M. Antonellis, Assistant to the Town Administrator

Call to Order: J. Livingston called the meeting to order at 7:00 PM.

Review and Approve Agenda: R. Pontbriand asked to amend the agenda by deleting number #5 "Building Department Hours Proposal" from the Town Administrator's Report and to add a #3 "March Meeting Date Proposal" under New Business.

Motion: A motion was made by G. Luca and seconded by C. Hillman to approve the agenda, as amended.

Motion passed 3-0.

Announcements: J. Livingston made the following announcements:

- The Department of Public Works will be conducting a public meeting on Wednesday March 16, 2016 at 7:00 PM at Ayer Town Hall relative to the East Main Street Water and Sewer project.
- Winter Parking Ban is in effect until April 15, 2016.

Public Input: None

Chief William A. Murray, Ayer Police Department: Chief Murray was in attendance to request to approval of a Reserve Fund Transfer in the amount \$12,872.00 to hire a consultant to develop a solution to the police radio system. The Chief explained that the radio system has been plagued by poor reception due to the Town's topography.

Motion: A motion was made by G. Luca and seconded by C. Hillman to approve the Reserve Fund Transfer request in the amount of \$12,872.00 to account 01210. **Motion passed 3-0.**

Superintendent Mark L. Wetzel, Department of Public Works: M. Wetzel stated that the East Main Street Water and Sewer Improvements Contract, previously approved by the BOS, has been signed by the Contractor and is now ready for the Board of Selectmen's signature. M. Wetzel advised the Board that there were 6 copies and they could be signed after the meeting.

Personnel Board Reclassification Recommendations: R. Pontbriand gave a brief explanation and history

of the four reclassification requests. Personnel Board Chairman Brian Gill was also in attendance and referenced his memo of February 10, 2016 which contained the Personnel Board's reclassification grade recommendations. If approved, the reclassifications would go into effect on July 1, 2016.

R. Pontbriand stated that he recommends the following positions be ranked at the following grade and step: DPW Superintendent Grade 16/Step 7; Director of Parks and Recreation Grade 11/Step 4; Town Engineer Grade 12/Step 8; DPW Business Manager Grade 12/Stepped Out. R. Pontbriand noted that the Personnel Board recommended a Grade 9 for the DPW Business Manager position.

R. Pontbriand stated that the Non-Union Compensation Study completed by HRS had insufficient comparable data and methodology errors for these positions, which is why they have been requested for reclassification by the employees.

After some initial general discussion, J. Livingston suggested that the Board take up each reclassification request one at a time.

DPW Superintendent – C. Hillman asked if the recommendation of Grade 16/Step of 7 was because the comparable data used in the HRS study was not truly comparable.

R. Pontbriand explained that HRS used data from other Public Works Departments that have only a Highway Department. He explained further that Ayer is unique for such a small Town having a Highway Department, Sewer Department, Wastewater Department and Solid Waste Department.

R. Pontbriand stated that with the approval of the HRS study for the non-union positions at the 2015 Fall Town Meeting, no employee lost compensation. He also stated that concerns have been raised since March of 2015 with the four positions currently in front of the BOS.

J. Livingston explained that the Personnel Board's jurisdiction is over the Grade of the position and the Board of Selectmen have jurisdiction over the Step of the position, once it has been graded. She stated that the Personnel Board used the job descriptions to Grade the four positions.

G. Luca stated that he is having issues with the DPW Superintendent's proposed Step of 7 because he should be slotted into the grid like other employees, making him a Step 4.

C. Hillman stated that most employees were slotted into the grid because the comparable data used in the HRS study was more accurate.

R. Pontbriand stated that with the HRS study had major delays both by the Consultant and because of the lack of quorum on the Personnel Board and that in the wake of those two factors, the Town and the Personnel Board "picked up the slack" in the process. He further stated that the study was far from perfect but it was passed at the 2015 Fall Town Meeting as a baseline, knowing that these four positions would have to be adjusted.

Motion: A motion was made by G. Luca to approve a Grade 16/Step 4 effective immediately. Motion seconded by J. Livingston.

C. Hillman then said that he felt the board was not being fair to the employee and that the Town Administrator's recommendation of a Grade 16 Step 7 should be considered.

Further Motion: A further motion was made by J. Livingston and seconded by C. Hillman to vacate the previous motion. **Further motion passed 2-1.**

J. Livingston suggested moving on with the other reclassification requests and the coming back to the DPW Superintendent.

Director of Parks and Recreation – R. Pontbriand explained that the current Grade is a 10. He and the Personnel Board are recommending a Grade 11 and that the Parks Commissioners are requesting a Step of 4.

Motion: A motion was made by C. Hillman and seconded by G. Luca to approve the reclassification request of the Director of Parks and Recreation to a Grade 11 Step 4. **Motion passed 3-0.**

Town Engineer – R. Pontbriand stated that the current Grade is a Grade 11 and that the comparable data used in the HRS study for this position was not adequate because it only compared the position to one other Town. He is recommending a Grade 12 Step 8.

Motion: A motion was made by C. Hillman and seconded by G. Luca to approve the reclassification request of the Town Engineer to a Grade 12 Step 8. **Motion passed 3-0.**

DPW Business Manager – R. Pontbriand stated that in his analysis of the position, he was recommending a Grade 12. He then stated that the Personnel Board came up with a Grade of 9. The position is currently graded at 8.

M. Wetzel stated that he did a classification of the position and came up with a Grade 11.

J. Livingston stated that she was concerned in the discrepancies between the Personnel Board and the Town Administrator's grading.

R. Pontbriand stated that the Personnel Board all works independently to grade the positions and then convenes to compare and discuss the results and then makes the final recommendation. He stated that the Personnel Board came up with a Grade 9 for the position of DPW Business Manager.

Motion: A motion was made by C. Hillman to approve the reclassification request of the DPW Business Manager to a Grade 12 Step 3. The motion was seconded by J. Livingston. **Motion failed 1-2.**

Motion: A motion was made by G. Luca and seconded by J. Livingston to approve the reclassification request of the DPW Business Manager to a Grade 9 Stepped Out. **Motion passed 2-1.**

DPW Superintendent – J. Livingston stated that both the Town Administrator and the Personnel Board both agree to a Grade 16. R. Pontbriand stated that a Step 7 was within the parameters of the study, given the incumbent's education, experience and certifications.

Motion: A motion was made by C. Hillman and seconded by J. Livingston to approve the reclassification request of the DPW Superintendent to a Grade 16 Step 7. **Motion passed 2-1.**

Town Administrator's Report: R. Pontbriand gave a brief administrative update. He then asked the BOS if they would be amenable to changing the 2nd BOS meeting in March to March 23, 2016 instead of March 22,

2016 for a joint meeting with the Finance Committee relative to the FY' 17 budget. BOS members were in agreement.

Household Hazardous Waste Amendment: R. Pontbriand presented an amendment to the Household Hazardous Waste Agreement. He explained that the Town of Stow was joining the other Towns currently under the agreement.

Motion: A motion was made by G. Luca and seconded by C. Hillman to approve the amendment to the Household Hazardous Waste Agreement with signature by the Chair. **Motion passed 3-0.**

Municipal Modernization Bill Discussion – R. Pontbriand explained that Governor Baker had recently filed a bill the “Municipal Modernization Act” that seeks to make updates to outdated state laws that directly affect municipalities such as procurement, public hearing requirements, etc. R. Pontbriand asked the BOS if they would consider sending a letter of support to the Legislative Delegation.

Motion: A motion was made by C. Hillman and seconded by G. Luca for the Town Administrator to draft a letter of support on the municipal modernization bill. **Motion passed 3-0.**

Mass Planning Organization (MPO) Representative Discussion/Appointment: R. Pontbriand stated that the MPO has asked all towns to designate a volunteer to represent each MPO sub region. Each sub region will caucus and select an official Representative and Alternate.

Motion: A motion was made by C. Hillman and seconded by G. Luca to appoint Selectman Gary Luca as the primary volunteer and designate the Town Administrator as the alternate volunteer for the purposes of the MPO sub region. **Motion passed 3-0.**

New Business/Selectmen's Questions:

Summer Schedule (Selectman Livingston) – J. Livingston asked to discuss the upcoming summer schedule. She proposed the dates of June 14, 2016; July 12, 2016; August 9th or 16th. The BOS agreed on the July 12, 2016 meeting date. G. Luca and C. Hillman asked that the June schedule not be set yet, as they believe there will be the need for more than one meeting. J. Livingston stated that as in year's past, if there is a need for more than one meeting per month, the BOS will convene. No decision was made on the August meeting date.

Traffic Improvements to Newton Street/ Central Avenue/ Columbia Street – M. Wetzel presented several slides regarding traffic congestion/parking issues on Newton Street, Central Avenue and Columbia Street. He stated that he was planning on placing a rumble strip or painted lines at the end of Central Avenue to open the angle of the intersection.

C. Hillman then stated his concern about the number of U-Turns that are made at the end of Columbia Street.

Chief Murray stated that currently it is not illegal to make a U-Turn at the intersection of Columbia and Main Streets but that the BOS could vote to erect a “No U-Turn” sign.

Motion: A motion was made by J. Livingston and seconded by C. Hillman to install “No U-Turn” at the intersection of Main and Columbia Streets. **Motion passed 3-0.**

G. Luca wanted to thank resident Harry Zane for his hard work and time put in on the Master Plan Committee video.

Approval Meeting Minutes:

Motion: A motion was made by C. Hillman and seconded by G. Luca to approve the meeting minutes of February 9, 2016. **Motion passed 3-0.**

Motion: A motion was made by C. Hillman and seconded by G. Luca to approve the meeting minutes of February 16, 2016. **Motion passed 3-0.**

Executive Session: A motion was made by G. Luca and seconded by J. Livingston at 9:06 PM to enter into Executive Session pursuant to MGL c.30A, section 21A Exemption #3 (Litigation) Properties Enforcement Strategy Update; Exemption #6 (Strategy for the Contemplation of Acquiring Real Estate) Old Fire Station; Exemption #3 (Collective Bargaining) Contract Updates and Review, Approval of Executive Session Meeting Minutes and to adjourn from Executive Session. G. Luca further stated that to discuss these items in Open Session would be detrimental to the Town's negotiating study. **By Roll Call: J. Livingston, aye; G. Luca, aye; C. Hillman, aye. Motion passed by Roll Call 3-0.**

Minutes Recorded and Submitted by Carly M. Antonellis

Date Minutes Approved by BOS: March 23, 2016

Christopher R. Hillman, Clerk: Christopher R. Hillman