

**Town of Ayer  
Board of Selectmen**

**Ayer Town Hall – 1<sup>st</sup> Floor Meeting Room  
Ayer, MA 01432**

**Tuesday, July 2, 2013, 7:00pm**

**OPEN SESSION MEETING AGENDA\***

1. **7:00pm Call to Order: Review, Amend & Approve the Agenda. (5 min)**
  - 1.1 Recognition of Ms. Pauline Hamel as the 2013 Ayer Fourth of July Parade Grand Marshall
2. **Approval of Meeting Minutes: (5 min)**
3. **PUBLIC INPUT (5 min)**
  - 3.1 BOS Public Input Tracking System
4. **Ms. Alicia Hersey, Department Assistant, Economic & Community Development (10 min)**
  - 4.1 Changes to the FY 2011 CDBG Grant (For Approval)
  - 4.2 Lien Subordination, 36 Nashua Street (For Approval)
5. **7:15pm PUBLIC HEARING: Class II Amendment- Mr. Partridge, 42 Littleton Rd.**  
(To Be Continued August 6, 2013, 7:15pm)
6. **7:25pm PUBLIC HEARING:** Pole Petition: NE of Pole 70 on Washington St. (10 min)
7. **7:25pm PUBLIC HEARING:** Pole Petition: 90 ft SW of Howard/Washington St. (10 min)
8. **North Central Massachusetts Habitat for Humanity (30 min)**
  - 8.1 Authorization of 76 Central Avenue for Habitat Home (For Approval)
  - 8.2 Authorization to waive the Water and Sewer Connection Fees (For Approval)
  - 8.3 Discussion on the creation of a "Ayer Habitat Home Committee"
9. **BOS Policies and Procedures Ongoing Review (15 min)**
10. **Town Administrator's Report (20 min)**
  - 10.1 Final Fire Station RFP (For Approval)
  - 10.2 Household Hazardous Waste Contract Amendment (For Approval)
  - 10.3 Appointment(s): Mr. Marty Poutry, DEC Representative Reappointment (For Approval)
11. **BOS Open Discussion (20 min/time permitting)**
  - 11.1 New Business and Future Topics - Town Hall Employee Break-Room Petition
  - 11.2 Selectmen's Questions
  - 11.3 Future Meetings Schedule:
    - July 9, 2013, 7pm: Executive Session Agenda (Multiple items requiring more than one session)
    - July 16, 2013, 7pm: Regular Meeting: Town Counsel; Building Dept. Appointments
    - July 18, 2013, 7pm: DPW Contract Negotiations
    - Items To Be Scheduled: Department Head Meetings; Properties Enforcement Update; DPW Project List Update; Management Letter Review; Code of Conduct; Other Items

**ADJOURNMENT**

*\*Note: All Open Session Meetings of the Ayer Board of Selectmen are video recorded by APAC and audio recorded by the Board of Selectmen.*

**Ayer Board of Selectmen Meeting**  
**Tuesday, July 2, 2013**

**7:00PM CALL TO ORDER IN OPEN SESSION**

**AGENDA ITEM #1**

**Call to Order: Review, Amend & Approve the Agenda (5 min)**

**1.1 Recognition of Ms. Pauline Hamel as the 2013 Ayer Fourth of July Parade Grand Marshall**

**AGENDA ITEM #2**

**APPROVAL OF MEETING MINUTES (5 min)**

- June 4, 2013 Meeting Minutes

**AGENDA ITEM #3 (5 min)**  
**PUBLIC INPUT**

## TOWN OF AYER SELECTMEN MEETING MINUTES

Tuesday, June 4, 2013

The Selectmen's Meeting can be viewed in its entirety on the Town's Website at: [www.ayer.ma.us](http://www.ayer.ma.us)

**Chairman Conley called the meeting to order at 7:05p.m. advising all to the Board of Selectmen Open Session Meeting is video recorded by APAC** Present: Chairman-Pauline Conley, Gary J. Luca- Vice-Chairman, Christopher Hillman-Clerk, Member- James M. Fay, Town Administrator Robert A.

Pontbriand, and Janet Lewis Secretary. Ms. Livingston absent

**Announcements:** Chairman Conley made the following announcements

1. Planning Board Public Hearing, 6-6-13 @7pm re Medical Marijuana Dispensary - Compassionate Care at 31 Central Ave., Ayer, and MA possible Zoning Moratorium.
2. Selectmen's Meeting-Friday, June 7, 2013 at 8:30a.m. re the finalization of the June 24, 2013 Special Town Meeting Warrant re the ASRS Assessment and possibly the Medical Marijuana Moratorium.

**Minutes**-passed upon

**Public Input**-Terrance Perham, 39 Willard St., Ayer, MA re why Town hasn't condemned house destroyed by fire three (3) years ago. (October 2010) Mr. Perham advised the Board to meeting with the Building Inspector and Board of Health without getting any results. Mr. Perham stated he has to keep his windows shut to keep the odor out that emanates from the house next door. The roof is caving in, it smells, trash/rodents, etc. and he is afraid of children getting hurt, having seen teens going in and out of the house. Ms. Spinner stated she also shares her neighbors concerns. Mr. Hillman advised Mr. Perham to Selectmen meeting with the Board of Health, the Building Commissioner, NBOH, DPW and Town Counsel in Executive Session on 6-11-13 and he would place this address on the list to be discussed as he champions the Town-wide enforcement and clean up of properties in Town.

**Michael Pattenden**-status of Town's Property Tax Work off Program (former SHAVE Program) Article 37 of 2012 ATM.

**David Maher, Director of Economic & Community Development** -The Board met with David Maher Present for the discussion Susan Provencher and Alicia Hersey.

**Lien Subordination-96 Washington St., Ayer, MA Case #06-247-09-247.** Mr. Fay moved the Board vote to approve the Lien Subordination as outline in a Memo dated 5-30-13 conditioned upon a new mortgage not to exceed \$115,400.00 and the 2nd mortgage not to exceed \$50K and authorize the Chairman's signature, 2nd by Mr. Luca VOTE: unanimous, so moved.

**Extension of Alicia Hersey's employment** - Mr. Maher requested the Board extend Ms. Hersey's employment beyond June 30, 2013 deadline. Mr. Fay moved the Board vote to extend Ms. Hersey's employment from 7-1-13 to 6-30-14, funded through Program Income at \$18.95 for 15 hours per week and Union pay scale to be incorporated for Fy-14, 2nd by Mr. Luca. VOTE: unanimous, so moved.

**Regional Application-CDG-1**-Mr. Maher requested the Board allow him to contact the Town of Shirley as part of the Town of Ayer's next CDG-1 submission advising the Board to the Town's chances would greatly increase by applying with another Town as part of a regional submission, coupled with their needs score and consideration of a length of time since their last grant and Ayer's track record of administering a very successful program would give us a better chance to be awarded in 2014.

Chairman Conley suggested inviting the Town of Shirley to a meeting to see if there is interest before engaging. Mr. Pontbriand to contact the Town of Shirley re interest and report back to the Board.

**Solicit Grant Writing Administration Company**-Mr. Maher suggested the Board solicit a grant writing/grant administration company to write and administer the grant through the grant cycle with Ms. Hersey's support which will be a lot more difficult due to the nature of a regional application. All administrative expenses funds would be funded by grant. The Board requested contact be made first with Town of Shirley re initiating discussion of interest.

**Fire Chief-re P.O. for Chief's new vehicle**-The Board met with Robert Pedrazzi. The Board approved the purchase of new Fire Chief's Vehicle per Article 18 of the 5-13-13 ATM of 2013. Chief Pedrazzi

presented P.O. #05302013FD in the amount of \$35,367.00 (with trade-in of 2003 Tahoe) without trade-in \$38,367.00 for a 2013 Chevrolet Tahoe SSV . Mr. Luca moved to approve the sum not to exceed \$38,367.00 to Mirak Automotive Group, PO #05302013FD dated 5-30-13, 2nd by Mr. Hillman, VOTE: unanimous, so moved.

**John Canney Town Clerk/Tax Collector-** Extension of Temporary Asst. Tax Collector to 7-15-13

Mr. Canney updated the Board to Ms. Shepard's last day of employment 6-11-13 and requested the Board's approval to extend Ms. Shepard's employment to 7-15-13. Mr. Luca moved to approve the temporary Tax Collector's employment to 7-15-13 subject to availability of funding, 2nd by Mr. Fay, VOTE: Mr. Luca aye, Mr. Fay aye, Mr. Hillman no, Chairman Conley no, Motion fails. The Board suggested Mr. Canney meet with the Town Accountant re funding for two weeks from Fy-13 budget and two weeks from Fy-14 new budget, and clarify funds in his budget re line item to line item transfer approval. The Board invited Mr. Canney to meet with them on Friday morning at 8:30a.m. to approve extension once funding has been validated by town Accountant may or may not need RFT.

Mr. Hillman requested if Mr. Canney had posted the newly adopted by-laws from Town Meeting with AG and advised not yet , he has thirty (30) days to do so.

**JBOS Update-**Selectman Luca updated the Board to MADev's Transition Plan looking to hiring an Administrator to be governed by JBoS and include Devens community as a member in the governing body regarding future governance of the DREZ. MADev looking at some way to evolve want to get development done. Informative White paper to be developed outlining scope, impacts for future meeting. Mr. Fay stating regretfully Disposition got in the way of the Mission Statement and Mission Statement needs to be revised. Mr. Luca stating economic growth will benefit all communities we will encounter expenses but will all share in all of this in a collaborative approach speaking to the 350 new jobs estimated between 2015-2016 with new studio during final build out; phase I (studio) opens in late summer, Phase II-Andrews Sq. Chairman Conley questioning DREZ-School Choice within stakeholder communities asking who pays for child to attend school doesn't want Devens telling ASRSD who will attend where. On another issue Mr. Luca advised to Regional Dispatch Ctr. (Lancaster, Lunenburg, Harvard & Devens) opening in late July all paid for by grants inquiring if Ayer would like to participate but not open to other towns right now.

**Board of Selectmen Policies and Procedures-**Mr. Pontbriand advised Board to copies of the Board's Policies & Procedures distributed on 5-21-13 re changes/amendments. Mr. Fay suggested adding a Mission/Vision Statement offering to draft one for Board's review to include economic strength, infrastructure, and public safety. Mr. Hillman stated need for economic analysis incorporated re marketing, resident's income, highway, businesses, schools, tax rate, traffic which could be developed by Mr. Maher. Policies have not been updated since 1999 need to review, update and revise manuals. Chairman Conley also echoing need to revise manuals adding a new section re relations with citizens, Public Input tracking system also suggesting to look at announcing votes electronically during selectmen's meetings. Mr. Luca suggesting to place communication policy in Board's revised policy/procedures. Mr. Fay suggesting future packets be replaced with IPADS should be a paperless society by now. Mr. Hillman questioning newsletter release status to be released after Town Meeting.

**Town Administrator/Board of Selectmen Goals & Objectives**

Mr. Pontbriand updated Board to compiling all of the Selectmen's Goals & objectives he received into one document which he was delighted to report spoke to for the most part to all of the same issues: policies & procedures, personnel protocols, economic development, property enforcement, and public input tracking system. Mr. Fay moved the Board vote to approve the Board's five (5) goals & objectives for July 1, 2013 to 6-30-14, 2nd by Mr. Hillman VOTE: unanimous, so moved.

Mr. Pontbriand reviewed with the Board his five Goals & Objectives for 7-1-13 to 6-30-14. administer the Policies, Procedures & directives of the BOS, Personnel Protocols, and economic development, complete Department Head Personnel Evaluations by 6-1-14, Consolidate all Town Insurance Administration, Claims & Files in BOS office, and draft proposed policy for encumbering funds by department heads. The Board reviewed the 3rd bullet -Department Head evaluations re rewarding

motivation/reprimand insubordination are included. Mr. Luca requested if all the Goals & objectives were attainable and Mr. Pontbriand responded they were. Mr. Luca moved the Board vote to approve the Town Administrators Goals & Objectives, 2nd by Mr. Hillman, VOTE: unanimous, so moved.

**Board's Open Discussion**

Mr. Fay- schedule for July Meeting-1. Transponders-need data from DPW, APD & AFD re their concerns, cost factor, Union impact, requesting a white paper from all above as well as implications use/misuse of transponders. 2. Poles & light replacement cost 3. Sidewalks for Groton School Road.

Mr. Hillman advising to 15 crosswalks from Park St. to E. main St. need to have Police Chief in re his review and advice re locations of sidewalk placement/s. 2. Contact MRPC re available grants to do Market study re encouraging CVS/Market Basket to town.

**New Business-Fy-14** Appointments scheduled for 6-18-13 the Board requesting to have all re-appointments come before Board.

Mr. Luca has a candidate-Ted Januskiewicz for NVRTS member. Mr. Pontbriand reminding the Board to need of vote of Town Moderator, School Committee re the permanent member and alternate member.

Mr. Pontbriand suggested the Board meet at 6:30p.m. on June 24, 2013 prior to the Special Town Meeting to vote this appointment/s.

Mr. Pontbriand presented the weekly warrant in the amount of \$125,557.00 for the Board's signature.

Mr. Pontbriand presented the Town Accountant's Chapter 90 reimbursements for Fy-13 in the amount of \$164,008.03 for the Board's signatures. Balance of Chapter 90 unexpended funds \$368,327.66.

9:40p.m. Mr. Luca moved to adjourn the meeting, 2nd by Mr. Hillman VOTE: unanimous, so moved.

9:40p.m. meeting adjourned.

\_\_\_\_\_  
Date: \_\_\_\_\_

Christopher R. Hillman, Clerk

**AGENDA ITEM #4**

**MS. ALICIA HERSEY, DEPARTMENT ASSISTANT ECONOMIC & COMMUNITY DEVELOPMENT (10 min)**

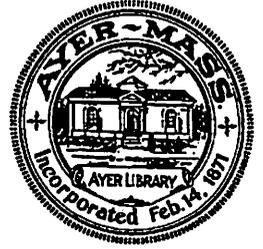
**4.1 Changes to the FY 2011 CDBG Grant (see enclosed) [FOR APPROVAL]**

**4.2 Lien Subordination for 36 Nashua Street, Ayer (see enclosed) [FOR APPROVAL]**

# Town of Ayer

## Department of Planning & Development

Town Hall ♦ One Main Street ♦ Ayer, MA 01432 ♦ 978-772-8221 ♦  
978-772-8208 (fax)



### MEMORANDUM

TO: Board of Selectmen

FR: Alicia Hersey, Administrative Assistant

DT: June 24, 2013

RE: Changes to FY 11 Grant

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At this time the Office of Community Development is seeking approval to make a change to the Ayer's FY11 CDBG grant.

We are requesting to move \$3,000 from the Grant Administration Budget into the Grant Housing Rehabilitation Budget. We are currently finishing the last 3 housing units for this Grant, and we expect all funds to be disbursed. We have an initial approval for this re-allocation from DHCD.

I need the BOS to approve a change to the CDBG FY11 Grant.

**Request the Board approve a change in the budget for the FY11 Grant.**

Massachusetts Community Development Block Grant Program  
Chapter 3 Grant Management Forms

**Budget and Program Revision Form**

<b>Community/Grantee:</b>	<b>Original Award:</b> \$900,000
<b>Program Name/Year:</b> CDF-FY11	<b>Revision #:</b>
<b>Grant #:</b> Grant #00023	P-number (program revision)
	B-number (budget revision) #2
	E-number (extensions)
<b>Contract End Date:</b> 06 / 30 / 2013	<b>Date Revision Submitted:</b> 06 /24 /2013

This request is for the following change(s). Grantee check all "Requested" that apply; DHCD will initial those that are approved in the approved column

Grantee Requested	An X in the left column indicates the item is included by the Grantee, an X in the right hand column indicates DHCD approval of the item when the form is signed.	DHCD Approved
	<b>Budget Amendment to increase the grant award to \$</b>	
	<b>Budget Revision for:</b>	
	• Change in administrative dollars	
X	• Transfer of funds from construction to non-construction or vice versa	
	• Cumulative transfers among separately budgeted activities which exceed or are expected to exceed 10% of the approved grant award if the grant award exceeds \$100,000	
	<b>Program Extension (to increase period of availability of funds/period of performance) to / /</b>	
	• This extension will extend period of performance beyond the end of the term of the current grant agreement	
	<b>Program Revision for:</b>	
	• Revision in scope or effectiveness of a project/program design or significant change in the accomplishment of the national objective or beneficiaries to be served.	
	• Changes in key personnel	
	• For non-construction projects, contracting out or subgranting or otherwise obtaining services of a third party to perform activities which are central to the purposes of the award if not specified in the application or grant award	
	• Other, specify	

This request is submitted and all relevant information specified on page 4 is provided in attachments. I understand that the revision or extension requested is not approved unless and until this form is countersigned as "approved" or "approved with revisions" by the Associate Director and returned to me.

	<b>Pauline Conley</b> <b>Chairman, Ayer Board of Selectmen</b>
<b>Authorized Signature for Grantee:</b>	<b>Date 07/ 02 /2013 Print Name &amp; Title:</b>

<b>Program Rep. initial and date:</b>	<b>Program manager signature and date:</b>
---------------------------------------	--

This request # _____ is _____ approved as requested
_____ approved with the modifications shown on the _____ denied
following pages numbered _____

<b>Authorized signature for Mass. CDBG</b>	<b>Sandra L. Hawes, Associate Director, DCS</b>
	<b>Print name, title, and date</b>

Massachusetts Community Development Block Grant Program

Chapter 3 Grant Management Forms

Include this page only if a budget revision is part of the request

**BUDGET CODE SHEET Revision #**

	Activity	Amount	Code	Activity	Amount
1	PROPERTY ACQUISITION		6A	PF/I Administration	27,688.00
2	CLEAR./DEMOLITION		6B	PF/I Streets and Sidewalks	444,093.69
3	RELOCATION		6C	PF/I Parks and Recreation	
4A	HR Program Delivery	73,839.00	6D	PF/I Neighborhood Facilities	
4B	HR Unit Development		6E	PF/I Parking	
4C	HR Rehab. Loans/Grants	305,329.31	6F	PF/I Water	
4D	HR Other		6G	PF/I Sewer	
5A	ED Administration		6H	PF/I Drainage	
5B	ED Acquisition		6I	PF/I Architectural Barriers	
5C	ED Commercial Improve.		6J	PF/I Other	
5D	ED Assist. To For-profits		7	Other/Planning	
E	ED Infrastr/Street Imprv.		8A	PSS Administration	
5F	ED Planning/Tech.Assistance		8B	PSS Program Costs	
5G	ED Downtown Partnership		9	General Administration	49,050.00
5M	ED Other				
5N	ED Microenterprise Assistance		<b>TOTAL BUDGET</b>		<b>900,000</b>

Massachusetts Community Development Block Grant Program  
Chapter 3 Grant Management Forms

<b>BUDGET REVISION</b>					
<b>From Activity:</b>	<b>Activity Code</b>	<b>Amount</b>	<b>To Activity</b>	<b>Activity Code</b>	<b>Amount</b>
HR Program Delivery	4A	\$3,000	HR Rehab.	4C	\$3,000
		\$			\$
		\$			\$
		\$			\$
		\$			\$
<b>Comments</b>					
<b>Internal DHCD Approvals</b>					
<b>Fiscal Rep Initial and Date</b>			<b>Fiscal Manager Signature and Date</b>		



# Town of Ayer

## Department of Planning & Development

Upper Town Hall ♦ One Main Street ♦ Ayer, MA 01432 ♦ 978-772-8221 ♦ Fax: 978-772-8208



### MEMORANDUM

TO: Board of Selectmen  
FR: Alicia Hersey, Administrative Assistant  
RE: Lien Subordination Request CASE# 09-336  
DT: June 26, 2013

The property owner of housing at 36 Nashua Street has requested the Town subordinate its mortgage on the property in favor of a first mortgage.

Assessed Value of Property (FY13)	\$233,600.00
Appraised Value of Property (06/13)	\$271,000.00
First Mortgage(to be paid off)	\$133,500.00
Amount of Program Assistance (liens)	\$ 19,300.00
Proposed New Mortgage Amount	\$175,700.00
Maturity Date of Program Lien	March 24, 2025

The borrower is seeking to obtain a new mortgage. He is seeking a new loan to lower his interest rate. He will be using this new loan to pay off an existing mortgage and consolidate debt. The Town's lien is in force on this property until March 24, 2025.

Based upon the subordination policy approved by the Town and state Department of Housing and Community Development, "if total of liens is more than 65% but less than 80% of the appraised valuation, a recommendation to approve, or approve with conditions, will be made to the Board of Selectmen". In the current case, the outstanding liens will be equal to 71.96% of the appraised value of the property.

**Therefore, in accordance with the Town's subordination policy, I recommend the Chairman of the Board sign the subordination of the Town's lien conditioned upon a new mortgage not to exceed \$175,700.**

**SUBORDINATION AGREEMENT**

The Town of Ayer Housing Rehabilitation Program, through the Board of Selectmen for the Town of Ayer, holder of a mortgage in the amount of \$19,300.00 from Diane E. Denmark & Edward U. Denmark dated March 24, 2010, recorded with Middlesex South District Registry of Deeds in Book 54517, Page 526, hereby agrees that said Mortgages and the obligations secured thereby shall be subordinate and junior in right to a first mortgage given by Diane E. Denmark & Edward U. Denmark to Rollstone Bank & Trust in the original principal amount of \$175,700.00, dated \_\_\_\_\_, 2013, to be recorded herewith as Instrument No. \_\_\_\_\_, to the same extent as if the last mentioned mortgage had been executed and recorded prior to said first mentioned Mortgage.

Said Mortgage regards property known and numbered as 38 Cambridge Street, Ayer, Massachusetts.

EXECUTED as a sealed instrument this 30th day of September, 2011.

**BOARD OF SELECTMEN  
TOWN OF AYER**

BY: \_\_\_\_\_  
Pauline Conley, Chairman

**COMMONWEALTH OF MASSACHUSETTS**

Middlesex, ss.

On this 30th day of September, 2011, before me, the undersigned notary public, personally appeared Pauline Conley, as Chairman, Ayer Board of Selectmen, duly authorized, proved to me through satisfactory evidence of identification, which were \_\_\_\_\_, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public  
My Commission Expires:

**AGENDA ITEM #5**  
**PUBLIC HEARING – 7:15PM**  
**CLASS II AMENDMENT – MR. PARTRIDGE, 42 LITTLETON ROAD, AYER**

This Public Hearing was continued by the BOS on June 18, 2013 so that Mr. Partridge could meet with the Building Commissioner and Fire Chief. He has done so to their satisfaction. However, the Building Commissioner has required/referred Mr. Partridge to the Planning Board which will meet on August 1, 2013.

It is respectfully requested that the BOS vote to continue the Public Hearing to Tuesday, August 6, 2013 at 7pm. [FOR APPROVAL]

Mr. Partridge has been notified of this and concurs.

**AGENDA ITEM #6**  
**PUBLIC HEARING – 7:25PM**  
**POLE PETITION: NE of POLE 70 on Washington Street (10 min)**

(See Enclosed) [FOR APPROVAL]

NOTE: All Abutters were notified via registered mail by the BOS Office

**AGENDA ITEM #7**  
**PUBLIC HEARING – 7:25PM**  
**POLE PEITION: 90 ft SW of Howard and Washington Street (10 min)**

(See Enclosed) [FOR APPROVAL]

NOTE: All Abutters were notified via registered mail by the BOS Office

# DEPARTMENT OF PUBLIC WORKS

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Mark L. Wetzel, P.E., Superintendent  
Pamela J. Martin, Office Manager

25 BROOK STREET  
AYER, MASSACHUSETTS 01432  
T: (978) 772-8240  
F: (978) 772-8244

## Memorandum

Date: June 25, 2013

To: Robert Pontbriand, Town Administrator

From: Mark Wetzel P.E., Public Works Superintendent *MW*

Re: National Grid Order for Pole and Wire Locations

I have reviewed the 2 requests for new pole locations from National Grid:

- Howard Street and Washington Street
- 188 Washington Street (Groton Rd)

I viewed each location and discussed with Mr. Scott Boyce from National Grid. My concern was that the location at the Washington Street/ Howard Street island must not interfere with the sidewalk. Mr. Boyce stated that it would be behind the sidewalk. Based on the discussions and site inspections, I have no issues with these two pole locations.

However, this may be an opportunity to have National Grid correct some outstanding issues. Before granting permission, I recommend that National Grid provide a commitment for relocation the pole on Cambridge Street. In addition, there are several locations ( 2 on Washington Street, Park Street) where new poles have been installed and the utility has not cleaned up around the pole. This needs to get done in a timely manner.

**A B U T T E R S      N O T I C E**

June 7, 2013

**Re:    Legal Notice  
      National Grid- Washington St.- 10' of P70 Washington St., Ayer, MA**

**TOWN OF AYER  
PUBLIC HEARING  
AYER BOARD OF SELECTMEN**

The Ayer Board of Selectmen will be conducting a Public Hearing on Tuesday, July 2, 2013 at 7:25p.m. at the Ayer Town Hall, 1<sup>st</sup> Floor Meeting Room, Main Street, Ayer, MA 01432 re the petition of National Grid seeking to locate poles, wires and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

**Washington Street install P71-1 approximately 10' NE of P70 Washington St. No. #14748957-1 dated June 5, 2013.**

There maybe attached to said poles such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

Your petitioner agrees to reserve space for one (1) cross-arm at a suitable point on each of said poles for the Fire, Police telephone and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

**Pauline Conley, Chairman  
Gary J. Luca, Vice-Chairman  
Christopher R.Hillman, Clerk  
James M. Fay, Member  
Jannice L. Livingston, Member  
AYER BOARD OF SELECTMEN**

**Please plan to attend the Public Hearing if you have questions or concerns.**

Thank you,

Janet S. Lewis, Secretary  
Selectmen's Office

A.



Return to  
Office of the  
**SELECTMEN**  
1 Main Street  
AYER, MASS. 01432

Nashoba Valley Medical Center  
Steward Family Hospital Inc.  
200 Groton Road  
Ayer, MA 01432



Return to  
Office of the  
**SELECTMEN**  
1 Main Street  
AYER, MASS. 01432

Office of the  
**SELECTMEN**  
1 Main Street  
AYER, MASS. 01432

Paula Sullivan  
191 Groton Road  
Ayer, MA 01432

Michael MacDougall  
188 Washington St.  
Ayer, MA 01432

Office of the  
**SELECTMEN**  
1 Main Street  
AYER, MASS. 01432

Kevin & Theresa Watman  
3 Madigan Lane  
Ayer, MA 01432



Return to  
Office of the  
**SELECTMEN**  
1 Main Street  
AYER, MASS. 01432

David Ellades  
189 Washington St.  
Ayer, MA 01432

David & Amy McCoy  
1187 Old Groton Rd.  
Ayer, MA 01432

Butter's letters mailed 6/10/13 /js

NASHOBA HOSPITAL

019/004.0-0000-0002.0  
200 GROTON RD  
500 BOYLSTON ST 5TH FLOOR  
NASHOBA VALLEY MEDICAL CENTER  
STEWART FAMILY HOSPITAL INC

019/004.0-0000-0005.0  
191 GROTON RD  
PAULA SULLIVAN

019/004.0-0000-0012.0  
188 WASHGINTON ST  
MICHAEL &  
PHILIPPA JC MACDOUGALL

P71-1

P71

019/004.0-0000-0007.0  
0 OLD GROTON RD  
DAVID ELIADES

019/004.0-0000-0016.0  
3 MADIGAN LN  
KEVIN & THERESA WAINMAN

019/004.0-0000-0008.0  
189 WASHGINTON ST  
DAVID ELIADES  
BARBARA ELIADES

019/004.0-0000-0040.0  
1187 OLD GROTON RD  
DAVID & AMY MCCOY



**nationalgrid**

PETITION SKETCH TO ADD 1 NEW POLE ON  
WASHINGTON ST IN AYER, MA

ENGINEER:SCOTT BOYCE  
PHONE: 508-935-1652  
DATE:05/28/2013

LEGEND



PROPOSED SO POLE



EXISTING JO POLE

FILE COPY

June 7, 2013

VIA FAX (978) 970-4700

Nashoba Publications  
Ayer, MA 01432

**Re: Legal Notice  
National Grid-Washington St.- 10' of P70 Washington St., Ayer, MA**

Please release the following notice for the period of June 14, 2013 & June 21, 2013.

TOWN OF AYER  
PUBLIC HEARING  
AYER BOARD OF SELECTMEN

The Ayer Board of Selectmen will be conducting a Public Hearing on Tuesday, July 2, 2013 at 7:15p.m. at the Ayer Town Hall, 1<sup>st</sup> Floor Meeting Room, Main Street, Ayer, MA 01432 re the petition of National Grid seeking to locate poles, wires and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

**Washington Street install P71-1 approximately 10' NE of P70 Washington Street. No.#14748957-1 dated June 5, 2013.**

There may be attached to said poles such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

Your petitioner agrees to reserve space for one (1) cross-arm at a suitable point on each of said poles for the Fire, Police telephone and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

Pauline Conley, Chairman  
Gary J. Luca, Vice-Chairman  
Christopher R. Hillman, Clerk  
James M. Fay, Member  
Jannice L. Livingston, Member  
AYER BOARD OF SELECTMEN

Thank you,

Janet S. Lewis, Secretary  
Selectmen's Office

A.

June 7, 2013

**VIA FAX (978) 970-4700**

Nashoba Publications  
Ayer, MA 01432

**Re: Legal Notice  
National Grid-Washington St.- 10' of P70 Washington St., Ayer, MA**

Please release the following notice for the period of June 14, 2013 & June 21, 2013.

TOWN OF AYER  
PUBLIC HEARING  
AYER BOARD OF SELECTMEN

The Ayer Board of Selectmen will be conducting a Public Hearing on Tuesday, July 2, 2013 at 7:15p.m. at the Ayer Town Hall, 1<sup>st</sup> Floor Meeting Room, Main Street, Ayer, MA 01432 re the petition of National Grid seeking to locate poles, wires and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

**Washington Street install P71-1 approximately 10' NE of P70 Washington Street. No.#14748957-1 dated June 5, 2013.**

There may be attached to said poles such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

Your petitioner agrees to reserve space for one (1) cross-arm at a suitable point on each of said poles for the Fire, Police telephone and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

Pauline Conley, Chairman  
Gary J. Luca, Vice-Chairman  
Christopher R. Hillman, Clerk  
James M. Fay, Member  
Jannice L. Livingston, Member  
AYER BOARD OF SELECTMEN

Thank you,

Janet S. Lewis, Secretary  
Selectmen's Office

A.

nationalgrid



May 24, 2013

Office of the Town Clerk  
1 Main St.  
Ayer, MA 01432

To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID, covering NATIONAL GRID pole location(s)

If you have any questions regarding this permit please contact:

Scott Boyce 508-935-1652

Please notify National Grid's Fortune Champlin of the hearing date / time.

If this petition meets with your approval, please return an executed copy to:

National Grid Contact: Fortune Champlin; 1101 Turnpike Street; North Andover, MA 01845

Very truly yours,

Dan Marceau  
Supervisor, Distribution Design

Enclosures

Questions contact – Scott Boyce 508-935-1652

**PETITION FOR POLE AND WIRE LOCATIONS**

North Andover, Massachusetts

To the Board of Selectmen  
Of Ayer, MA

NATIONAL GRID requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Washington St. install P71-1 approximately 10' NE of P70 Washington St.

Location approximately as shown on plan attached

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked – Washington St. Ayer, MA

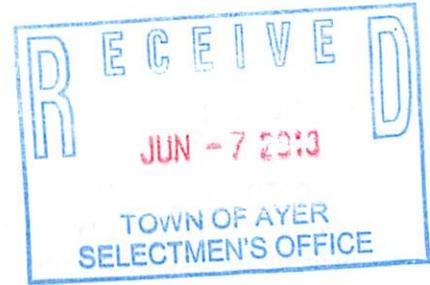
No# 14748957-1 June 5, 2013

Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

NATIONAL GRID  
BY   
Engineering Department

Town



Questions contact – Scott Boyce 508-935-1652

**ORDER FOR POLE AND WIRE LOCATIONS**

In the Town of Ayer, MA

Notice having been given and public hearing held, as provided by law,  
IT IS HEREBY ORDERED:

that NATIONAL GRID and be and it is hereby granted a location for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Company may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Company dated the 5th day of June 2013..

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – Washington St. Ayer, MA.

No# 14748957-1 Dated: June 5, 2013. Filed with this order

There may be attached to said poles such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

The following are the public ways or part of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

✓ Washington St. install P71-1 approximately 10' NE of P70 Washington St.

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City/Town of \_\_\_\_\_, Massachusetts held on the \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_.

\_\_\_\_\_  
Massachusetts City/Town Clerk. 20 \_\_\_\_\_

Received and entered in the records of location orders of the City/Town of \_\_\_\_\_  
Book \_\_\_\_\_ Page \_\_\_\_\_

Attest:  
\_\_\_\_\_  
City/Town Clerk

I hereby certify that on \_\_\_\_\_ 20 \_\_\_\_\_, at \_\_\_\_\_ o'clock, M  
at \_\_\_\_\_ a public hearing was held on the petition of \_\_\_\_\_

NATIONAL GRID

for permission to erect the poles, wires, and fixtures described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

.....  
.....  
.....  
.....

Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of hearing with notice adopted by the \_\_\_\_\_ of the City of Massachusetts, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and recorded with the records of location orders of the said City, Book \_\_\_\_\_, Page \_\_\_\_\_. This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof

Attest:  
City/Town Clerk

*Electric*

Questions contact – Scott Boyce 508-935-1652

**ORDER FOR POLE AND WIRE LOCATIONS**

In the Town of Ayer, MA

Notice having been given and public hearing held, as provided by law,  
IT IS HEREBY ORDERED:

that NATIONAL GRID and be and it is hereby granted a location for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Company may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Company dated the 5th day of June 2013..

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – Washington St. Ayer, MA.

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\_\_\_\_\_  
Massachusetts City/Town Clerk.  
20 \_\_\_\_\_

Received and entered in the records of location orders of the City/Town of \_\_\_\_\_  
Book \_\_\_\_\_ Page \_\_\_\_\_

Attest:  
\_\_\_\_\_  
City/Town Clerk

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NATIONAL GRID

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City/Town Clerk.

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Board or Council of Town or City, Massachusetts

CERTIFICATE

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Attest:  
City/Town Clerk

NASHOBA HOSPITAL

019/004.0-0000-0002.0  
200 GROTON RD  
500 BOYLSTON ST 5TH FLOOR  
NASHOBA VALLEY MEDICAL CENTER  
STEWART FAMILY HOSPITAL INC

019/004.0-0000-0012.0  
188 WASHGINTON ST  
MICHAEL &  
PHILIPPA JC MACDOUGALL

P71-1

P71

019/004.0-0000-0008.0  
189 WASHGINTON ST  
DAVID ELIADES  
BARBARA ELIADES

WASHINGTON ST



**nationalgrid**

PETITION SKETCH TO ADD 1 NEW POLES AROUND  
NASHOBA HOSPITAL IN AYER, MA

ENGINEER:SCOTT BOYCE  
PHONE: 508-935-1652  
DATE:05/28/2013

LEGEND

- PROPOSED POLE
- X EXISTING POLE

**ABUTTERS NOTICE**

June 7, 2013

**Re: Legal Notice  
National Grid-install Washington St.- 1 SO Pole beginning at a point approximately  
90' SW of the centerline of the intersection of Howard St. #14748957**

**TOWN OF AYER  
PUBLIC HEARING  
AYER BOARD OF SELECTMEN**

The Ayer Board of Selectmen will be conducting a Public Hearing on Tuesday, July 2, 2013 at 7:25p.m. at the Ayer Town Hall, 1<sup>st</sup> Floor Meeting Room, Main Street, Ayer, MA 01432 re the petition of National Grid seeking to locate poles, wires and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

**Washington Street install 1 SO pole beginning at a point approximately 90 feet SW of the centerline of the intersection of Howard Street. No.#14748957 dated May 24, 2013.**

There maybe attached to said poles such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

Your petitioner agrees to reserve space for one (1) cross-arm at a suitable point on each of said poles for the Fire, Police telephone and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

**Pauline Conley, Chairman  
Gary J. Luca, Vice-Chairman  
Christopher R.Hillman, Clerk  
James M. Fay, Member  
Jannice L. Livingston, Member  
AYER BOARD OF SELECTMEN**

**Please plan to attend if you have questions or concerns.**

Thank you,

Janet S. Lewis, Secretary  
Selectmen's Office

A.



n to  
of the  
TMEN  
Street  
SS. 01432

*A butters mailed 6/10/13 JCL*

Keith Leighton-TE  
Scott Patterson  
83 Washington Street  
Ayer, MA 01432



to  
the  
MEN  
street  
S. 01432

Keith Leighton-TE  
James Horgan  
85 Washinton St.  
Ayer, MA 01432

Keith & Rachel Leighton  
94 Washinton St.  
Ayer, MA 01432

of the  
TMEN  
Street  
SS. 01432

Rita & Robert Casey  
92 Washington St.

FILE COPY

June 7, 2013

VIA FAX (978) 970-4700

Nashoba Publications  
Ayer, MA 01432

**Re: Legal Notice**

**National Grid-install Washington St.- 1 SO Pole beginning at a point approximately 90' SW of the centerline of the intersection of Howard St. #14748957**

Please release the following notice for the period of June 14, 2013 & June 21, 2013.

TOWN OF AYER  
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AYER BOARD OF SELECTMEN

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Gary J. Luca, Vice-Chairman  
Christopher R.Hillman, Clerk  
James M. Fay, Member  
Jannice L. Livingston, Member  
AYER BOARD OF SELECTMEN

Thank you,

Janet S. Lewis, Secretary  
Selectmen's Office

A.

nationalgrid



June 5, 2013

Town of Ayer  
1 Main St.  
Ayer, MA 01432

To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID, covering NATIONAL GRID pole location(s)

If you have any questions regarding this permit please contact:

Scott Boyce 508-935-1652

Please notify National Grid's Fortune Champlin of the hearing date / time.

If this petition meets with your approval, please return an executed copy to:

National Grid Contact: Fortune Champlin; 1101 Turnpike Street; North Andover, MA 01845

Very truly yours,

Dan Marceau  
Supervisor, Distribution Design

Enclosures

Town

Questions contact – Scott Boyce 508-935-1652

**ORDER FOR POLE AND WIRE LOCATIONS**



In the Town of Ayer, MA

Notice having been given and public hearing held, as provided by law,  
IT IS HEREBY ORDERED:

that NATIONAL GRID and be and it is hereby granted a location for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Company may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Company dated the 24th day of May, 2013..

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – Washington St. - Ayer, MA.

No # 14748957 Dated: May 24, 2013. Filed with this order

There may be attached to said poles such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

The following are the public ways or part of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

- ✓ Washington St. Install 1 SO pole beginning at a point approximately 90 feet SW of the centerline of the intersection of Howard St.

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City/Town of \_\_\_\_\_, Massachusetts held on the \_\_\_\_\_ day of \_\_\_\_\_ 20 .

Massachusetts

City/Town Clerk.

20 .

Received and entered in the records of location orders of the City/Town of \_\_\_\_\_  
Book \_\_\_\_\_ Page \_\_\_\_\_

Attest:

City/Town Clerk

I hereby certify that on  
at

20 , at o'clock, M  
a public hearing was held on the petition of

NATIONAL GRID

for permission to erect the poles, wires, and fixtures described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

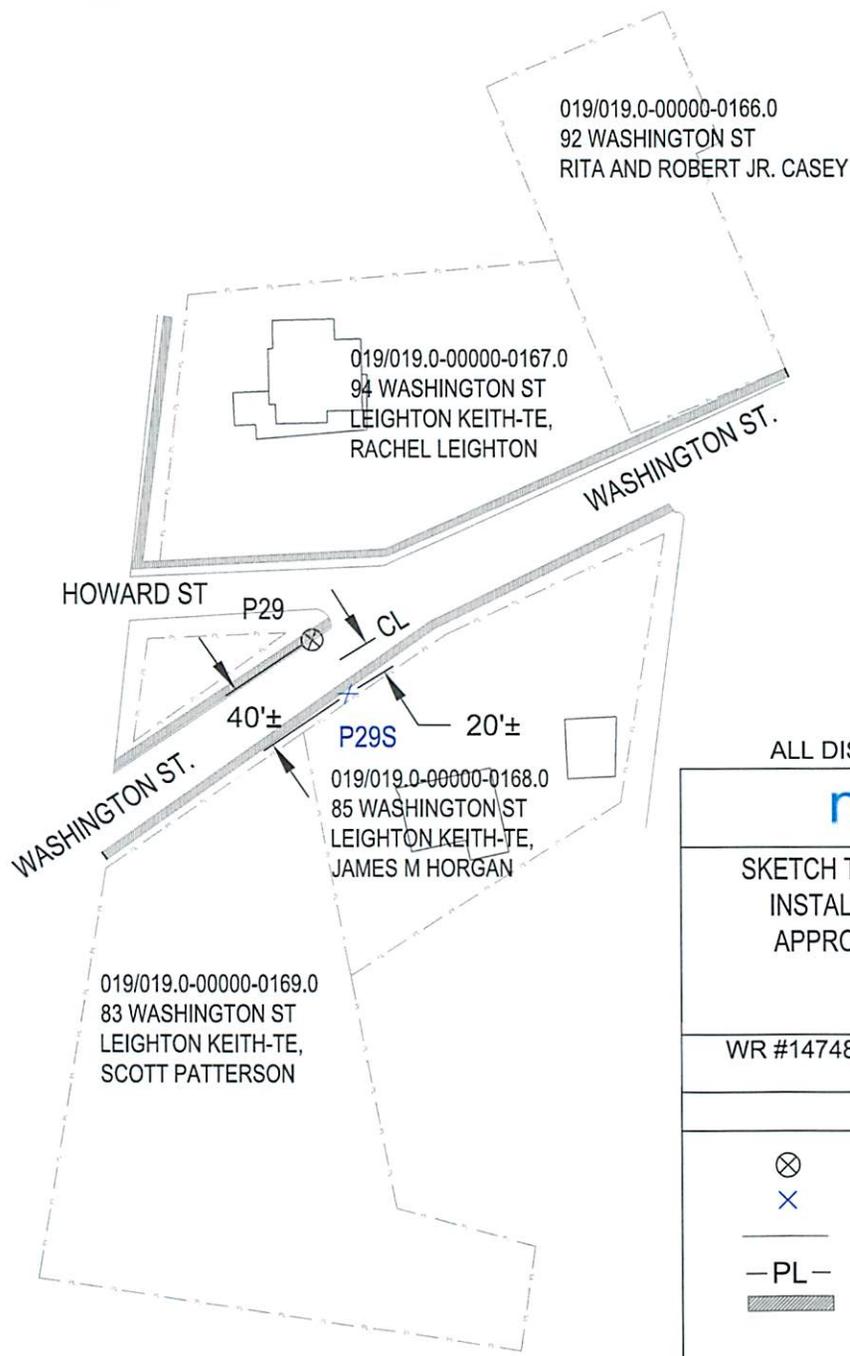
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.....  
.....

Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of hearing with notice adopted by the of the City of Massachusetts, on the day of 20 , and recorded with the records of location orders of the said City, Book , Page . This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof

Attest:  
City/Town Clerk



ALL DISTANCES ARE APPROXIMATE



SKETCH TO ACCOMPANY PETITION FOR  
INSTALLATION OF ONE STUB POLE,  
APPROXIMATELY 40' FROM P29 ON  
WASHINGTON ST. IN  
AYER, MA.

WR #14748957	DRAWN BY: BD DATE: 5-21-13
--------------	-------------------------------

LEGEND	
	EXISTING POLE
	PROPOSED STUB POLE
	ROAD
	LOT LINES
	SIDEWALK

*Electric*

Questions contact – Scott Boyce 508-935-1652

**ORDER FOR POLE AND WIRE LOCATIONS**

In the Town of Ayer, MA

Notice having been given and public hearing held, as provided by law,  
IT IS HEREBY ORDERED:

that NATIONAL GRID and be and it is hereby granted a location for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Company may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Company dated the 24th day of May, 2013..

All construction under this order shall be in accordance with the following conditions:

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No # 14748957 Dated: May 24, 2013. Filed with this order

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Massachusetts

City/Town Clerk.  
20 \_\_\_\_\_

Received and entered in the records of location orders of the City/Town of \_\_\_\_\_  
Book \_\_\_\_\_ Page \_\_\_\_\_

Attest:  
City/Town Clerk

I hereby certify that on  
at

20 , at o'clock, M  
a public hearing was held on the petition of

NATIONAL GRID

for permission to erect the poles, wires, and fixtures described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

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Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of hearing with notice adopted by the of the City of Massachusetts, on the day of 20 , and recorded with the records of location orders of the said City, Book , Page . This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof

Attest:

City/Town Clerk

**AGENDA ITEM #8**  
**NORTH CENTRAL MASSACHUSETTS HABITAT FOR HUMANITY (30 min)**

The Town Administrator and Chairman Conley have been working with Habitat for Humanity for some time regarding Habitat building a Habitat Home on the Town-owned lot located at 76 Central Avenue which is under the authority of the BOS from Town Meeting to dispose of.

The Board of Directors of the North Central Massachusetts Habitat for Humanity recently voted unanimously to approach the Town of Ayer about moving forward with this exciting project.

The benefits of the project would be the development of a vacant lot in Town which would put it back on the tax rolls. Additionally the home would count toward the Town's low-income housing inventory. Furthermore, it would be an excellent community project for Ayer and the region and would further promote the Town of Ayer.

**8.1.** The BOS would need to vote to authorize 76 Central Avenue for a Habitat Home and authorize the Town Administrator to work with Habitat on all of the details (transfer of land, deed, etc.) **[FOR DISCUSSION/APPROVAL]**

**8.2** Authorization to waive the Water and Sewer Connection Fees for the Habitat Home. A general policy and practice for Habitat Homes throughout the country is that the municipality agrees to waive the water and sewer connection fees. Enclosed are the various water and sewer rates. The sewer connection fee would be \$1500. The water connections fees would depend on the project. **[FOR DISCUSSION/APPROVAL]**

**8.3** The success of a Habitat Home is dependent on a successful "Ayer Habitat Home Committee". This Committee is responsible for raising funds for the project, recruiting volunteers, and promoting the project. It is not a Committee of the Town of Ayer and/or BOS and anyone can be on it. We will have a brief discussion about forming this Committee. **[FOR DISCUSSION/APPROVAL]**

**AGENDA ITEM #9**  
**BOS POLICIES and PROCEDURES ONGOING REVIEW (15 min)**

As part of the BOS ongoing review of the BOS Policies and Procedures, Selectmen are respectfully asked to bring their copies of the BOS Policies and Procedures and be prepared to discuss any proposed changes/revisions/updates to the Policies. **[FOR DISCUSSION]**

Attachment A

Water and Sewer Rate Schedule and Fees

Town of Ayer, Massachusetts

WATER

FEES

Tie in Fee - 1" Service	\$3,000.00
Tie in Fee - 1 -1 /2" Service	\$4,500.00
Tie in Fee - 2" Service	\$6,750.00
Tie in Fee - 3" Service	\$10,000.00
Tie in Fee - 4" Service	\$7,250.00
Tie in Fee - 6" Service	\$10,000.00
Tie in Fee - 8" Service	\$12,500.00
Tie in Fee - 10" Service	\$15,000.00
Tie in Fee - 12" Service	\$17,500.00

Fire Service 4"	\$4,000.00
Fire Service 6"	\$6,000.00
Fire Service 8"	\$8,000.00
Fire Service 10"	\$10,000.00
Fire Service 12"	\$12,000.00

Sprinkler Systems

Annual fee fire protection 4"	\$200.00
Annual fee fire protection 6"	\$200.00
Annual fee fire protection 8"	\$200.00
Annual fee fire protection 10"	\$200.00
Annual fee fire protection 12"	\$200.00

General

ON and OFF Charge	\$25.00
Water Service Activation	\$25.00
Private Hydrants	\$100.00
Fire Flow Test with 2 Water Dept. Personnel	2 Hours Overtime per Each Employee
Back Flow Test	\$75.00
Back Flow Retest	\$50.00
Meter Removal, Testing and Replacement*	\$50.00
Meter Initial Installation and Calibration	\$50.00

\*If Meter Tests Bad,  
No Charge

Inspection Services	\$0.00		
Authorized Hydrant Use - Contractor	\$50.00		
Additional Services per Man Hour	\$50.00		
Emergency Call During Work Hours	\$50.00	per hour	
Emergency Call After Work Hours	\$100.00	per hour	
Water Lien Charge	\$25.00	per lien	
Final Reading	\$20.00		
Backhoe with Operator Charge	\$85.00	per hour	5/30/2003

## ATTACHMENT B

### APPLICATION FOR WATER CONNECTION

1. All applications for service connections and the use of Town water must be made in writing on the form furnished by the Town and available at the Department of Public Works, 25 Brook Street, Ayer, MA. There shall be an application and inspection fee for this service which is designated in Attachment A -Water and Sewer Rate Schedule.
2. Applications shall be in accordance with Attachment B - Application for Water Service
3. Service pipes shall be of a size and material approved by the Superintendent. They shall be installed by Authorized Plumbers or Contractors who meet all requirements of Section 6 of the Water System Rules and Regulations.
4. Service lines installed by a Contractor in a public way must be guaranteed for one (1) year from date of acceptance, and meet all requirements pertaining to Attachment C - Water Main Specifications.
5. All water line installed on public or private property must be inspected and approved by the Town personnel prior to backfilling.
6. No new water service will be turned on until the water meter is installed.
7. No water services shall be installed after November 1st of each year, or before April 15th of each year, or in frozen ground.
8. Prepare plans and specifications and other related permits and submit (2) copies of each to DPW for review and approval. Any changes will be marked on both sets of plans and specifications and one (1) copy will be retained by DPW, the other copy will be returned to proponent for revisions. After revisions are made, resubmit two (2) revised sets of drawings and specifications to DPW. Subdivisions, industrial and commercial drawings and specifications for water and sewer connection permits are required to be prepared by a Massachusetts Registered Professional Engineer, signed and stamped on each drawing. Excluded from the preparation of drawings by a Massachusetts Registered Professional Engineer are applications for single family housing or multi-family housing up to four (4) dwelling units and commercial connections with less than five (5) water closets and do not have industrial discharge contaminants.
9. Subdivision connections, industrial connections, commercial connections with five or more water closets and multi-family dwellings with four or more units shall submit engineer's calculations of water and sewer flows within the project and the available capacity from the project water and sewer connection tie-in at the Municipal System to the Town of Ayer Wastewater Treatment Facility and/or wells or other termination point determined by the Superintendent.

10. Submit three (3) copies of water and sewer connection application cards filled out by applicant in its entirety except for the date and signature of approval by Superintendent. On the application cards there is a blank space for a licensed utility installer or licensed plumber. If the proponent or applicant for the sewer or water project is proposing to perform any water or sewer work within or on publically owned property belonging to the Town of Ayer or another Town and/or property belonging to the Commonwealth of Massachusetts, the utility contractor or licensed plumber must be approved by the Town. The contractor must submit the proper bonds, insurance coverage and pay the proper license fee, as stated in the Water and Sewer Rules and Regulations.
11. Additional bonding may be required if in the opinion of the Superintendent that the amount of work that will be performed on publically owned property is greater than what would normally be encountered with a normal highway or road crossing. Additional minimum bonding amounts are as follows: \$200.00 per linear foot - sewer, \$150.00 per linear foot - water and \$200.00 per linear foot for road construction.
12. Submit check made payable to the Town of Ayer for the proper amount for each Water Connection Application.
13. If a portion or all of the project is proposed to be located on or across property owned or may be transferred to a new customer or customer other than the applicant, two (2) copies of an easement or right-of-way deed with book and page number showing that it has been recorded in the Registry of Deeds, must be submitted with application.
14. Submit two (2) copies along with application to the Town of an agreement between the applicant or proponent of the project and proponent shall hire a consulting engineer (as approved by the Superintendent) to perform full time construction inspection during the construction of all proposed water and sewer drainage and road installations, including any special conditions that other Town boards have put on the project. This agreement will be reviewed and approved by the Superintendent and if any changes are required the applicant or proponent must renegotiate this agreement with the Consulting Engineer and resubmit the revised agreement to the Town for review and approval. Single family dwellings, multi-family dwellings with less than 4 dwelling units and most commercial developments with less than five (5) water closets are exempt from this requirement.
15. Two (2) copies of the approved State Highway Opening Permit will be submitted with the application to connect utilities, if required. If project involves work on or along State owned right-of-ways or property, these submittals are required. The State Highway Opening Permits are issued to the Town of Ayer and not to the contractor or developer, therefore, the State Highway Opening Permit application must be signed by the Superintendent. Seven (7) copies of the State Highway Opening Permit application will be filled out in its entirety by the applicant or proponent of the project and submitted to the Superintendent for his review and approval. Any changes or modifications to this permit application will be made by the proponent or applicant to all seven copies and resubmitted to the Superintendent for his review and approval. The Superintendent will not sign the State Highway Opening Permit application until all drawings and

specifications are technically correct and the contractor proposed to perform this work has submitted the proper bond and insurance certificates, which are required by the Town and State.

16. Upon receiving the signature of the Superintendent on the State Highway Opening Permit application, the Superintendent will retain one (1) copy for his files and the applicant and/or proponent of the proposed project will send three (3) copies of the State Highway Opening Permit application to the proper address for the Commonwealth of Massachusetts Department of Public Works. The application for water or sewer connections will not be considered technically complete until the Town receives an approved copy of this State Highway Opening Permit application from the Commonwealth of Massachusetts Department of Public Works. Any conditions stated in the State Highway Opening Permit must be incorporated into the project drawings and specifications.
17. Additional submittals, applications, reviews and fees may be required in accordance with Town Board, Commissions, State and Local codes.

**AGENDA ITEM #10  
TOWN ADMINISTRATOR'S REPORT (20 MIN)**

**10.1 Final Fire Station Reuse RFP (see enclosed) [FOR FINAL REVIEW AND APPROVAL]**

Upon BOS approval of the RFP, it will be advertised for two weeks in the Lowell Sun. Additionally it will be advertised on the State's Central Register as well as the Town's various internet media. RFP responses will be sent to the BOS Office and after the deadline will be provided to the BOS for review.

**10.2 Household Hazardous Waste Contract Amendment (see enclosed) [FOR APPROVAL]**

As the BOS is aware this is the completion of the Town's second year of membership in the Household Hazardous Waste Collection Center located on Devens. This has been a highly successful program for the residents of Ayer. Last year Shirley joined and now the Town of Ashby will join. As a result, I am respectfully requesting that the BOS authorize the Chairman to sign the Amendment #2 to the contract (attached) for the inclusion of Ashby. By additional Town joining such as Ashby it lowers the annual membership cost for Ayer and the other communities (see enclosed) [FOR APPROVAL]

**10.3 Appointment: Mr. Marty Poutry to a third term (4 year term, July 1, 2013 to June 30, 2017) to the Devens Enterprise Commission (DEC) from the Town of Ayer [FOR APPROVAL]**

I am respectfully requesting that the BOS reappoint Mr. Marty Poutry to a third term (4 year term, July 1, 2013 to June 30, 2017) to the Devens Enterprise Commission (DEC) from the Town of Ayer. (see enclosed) [RECOMMENDED FOR REAPPOINTMENT]

**Fire Station Reuse RFP  
FINAL PROPOSAL DOCUMENT  
JULY 2, 2013**

**REQUEST FOR PROPOSALS PACKET**

**FOR THE REHABILITATION AND REUSE OF**

**FORMER AYER CENTRAL FIRE STATION**

**14 WASHINGTON STREET**

**TOWN OF AYER, MASSACHUSETTS**

**TABLE OF CONTENTS**

**(To be determined and inserted later)**

# REQUEST FOR PROPOSALS

## FOR REHABILITATION AND REUSE OF THE FORMER CENTRAL FIRE STATION 14 WASHINGTON STREET TOWN OF AYER, MASSACHUSETTS

### I. Introduction

The Ayer Board of Selectmen (BOS) requests proposals from qualified individuals and firms for the **proposed reuse, purchase and/or lease** of a property consisting of one parcel and a two story building with approximately 9,240 square feet overall and 6000 GSF on the first floor located on 0.23 acres.

The property is immediately adjacent to Ayer's Downtown Historic Mercantile District. While the building does not contribute to the 19<sup>th</sup> century rail and military history of the District, as Ayer's first official fulltime fire station it is historically and culturally significant. Although the Downtown Mercantile Historic District does not confer any control to the Town with regard to restrictive preservation covenants, it is the intent of the Town to require such a covenant to preserve the façade essentially unchanged. Any proposed façade changes must be done in consultation with the Ayer Historical Commission.

In 2012, the Ayer Town Meeting, through Warrant Article 10 (see attachment), authorized the Board of Selectmen to be responsible for the future use of the Central Fire Station property, which is currently vacant. The property is zoned within the Downtown Business designation area under the Ayer Zoning Bylaws.

The goal of the Town of Ayer is to utilize the building in a multi-functional way for possibly both municipal and/or community purpose uses **but not limited to commercial use**. To that end the Board of Selectmen (BOS) could potentially select one or more User Groups to partner with. **The Board of Selectmen will negotiate a preliminary agreement for use of the space subject to presentation and approval at the Ayer Fall Town Meeting in October 2013.**

**Through this Request for Proposals (RFP), the BOS is making this public offer to award the most responsive and responsible respondent for the reuse for the property.** The property may **be proposed for purchase and/or leased** to the proposer submitting the proposal that the BOS evaluates as being the most advantageous based on the evaluation criteria, both purchase price and comparative criteria, in this RFP.

### II. Goals: Buyer Responsibilities

The BOS has established the following goals for the reuse of the property:

1. To **reuse** the entire property "as is" with these contingencies: execute a lease agreement **and/or purchase and sales agreement** as soon as possible and to execute those documents based on the attached Potential Terms of the lease agreement or purchase and sales agreement. **(NOTE: The lease agreement and/or purchase and sales agreement is subject to presentation and approval by the Ayer Town Meeting (October 2013).**

2. To ensure that the use of the property minimizes disruption to the neighborhood; and,
3. To preserve the architectural façade of the building to the maximum extent feasible, particularly the area of the original fire station footprint

The **proposer** is responsible for:

1. Complying with relevant laws and regulations; and obtaining and complying with permits granted by appropriate authorities; and must comply with existing use requirements and restrictions, unless the buyer initiates and completes processes to legally change said requirements and restrictions, at the buyer's expense;
2. The cost of all proposed renovations and/or changes to the property; and for the cost of all required permits, etc.

### **III. Required Submittals**

To be responsive, each prospective proposer must submit six (6) copies of the proposal, and include all of the information listed below. The six (6) copies of the use proposal must be inserted into a single sealed envelope marked RFP # \_\_\_\_\_, USE PROPOSAL FOR REUSE OF FORMER CENTRAL FIRE STATION, AYER, MASSACHUSETTS

All of the following information must be included in each copy of the use proposal in the following order (if any item is not applicable, include a statement explaining why the item is not applicable):

1. The completed proposal cover page (see attachment).
2. A table of contents with page numbers.
3. The name and address of the Proposer/ User Group, and brief description including a copy of its articles of organization, corporate bylaws, and tax status, if applicable; together with letters of interest, or other financial commitments, from financial organizations, if applicable.
4. If applicable, a certification executed by the secretary of the corporation indicating that the person signing the proposal has been authorized to do so by a vote of the board of directors. The proposal documents must be signed as follows: 1) if the proposer is an individual, by him or her personally; 2) if the proposer is a partnership, by the name of the partnership, followed by the signature of each general partner; and, 3) if the proposer is a corporation, by the authorized officer, whose signature must be attested by the clerk/secretary of the corporation, and the corporate seal affixed.
5. A fully executed copy of the Disclosure of Beneficial Interests Statement, a blank of which is attached (see MGL c. 7, s. 40J).

6. A fully executed copy of the Certificate of Non-collusion form, a blank of which is attached (see MGL c. 268A).
7. A fully executed copy of a Certificate of Tax Compliance form, a blank of which is attached (see MGL c. 62C, s. 49A).
8. The completed References form, a blank copy of which is attached.
9. A fully executed Zoning Compliance Statement, a blank copy of which is attached; together with a statement indicating that the use will comply with all applicable laws, regulations, and permits.
10. An explanation of how the proposal complies with each of the Minimum Quality Criteria listed in **Section VI**, Minimum Quality Criteria, below.
11. An explanation of the level (highly advantageous, advantageous, etc.) at which the proposer believes the proposal complies with each of the Comparative Quality Evaluation Criteria listed in **Section VII**, Comparative Quality Evaluation Criteria, below, including a clear explanation of the proposer's objectives for the use of the property, and including specific actions showing how the proposer proposes to integrate its use into the character of the surrounding neighborhood with minimal disruption.
14. A written description of how the proposer will configure the space, together with a copy of the approximate floor plan of the proposed configuration of the space.
15. As applicable, a statement indicating the hours of operation, the number of employees on the site at any time, the number of parking spaces required, and the number of visitors or customers expected by the time of the day.

#### **IV. General Procedures**

Advertisements noticing the availability of this RFP have appeared, or will appear, in the state Central Register on \_\_\_\_\_; in the Lowell Sun on \_\_\_\_\_; and in the Public Spirit on \_\_\_\_\_. In addition, notice of the availability of this RFP is conspicuously posted at the Ayer Town Hall as of \_\_\_\_\_ and can be found on the Town's website [www.ayer.ma.us](http://www.ayer.ma.us).

The Town will conduct two tours of the property on \_\_\_\_\_ and \_\_\_\_\_ and at \_\_\_\_\_. All those considering submission of a proposal are encouraged to tour the property. Contact Mr. David Maher, Director of Economic and Community Development at 978-772-8206 or [dmaher@ayer.ma.us](mailto:dmaher@ayer.ma.us) for information on touring the property.

Those wishing to submit a proposal must obtain a copy of the RFP packet. The RFP packet is available at the Board of Selectmen's Office, first floor, Ayer Town Offices, 1 Main Street, Ayer, Massachusetts 01432, between the hours of 9:00 a.m. and 5:00 p.m., Mondays through Friday, *except for holidays, when the Town Offices will be closed.*

Proposals are invited and must be received on or before 4 p.m., \_\_\_\_\_ at the Board of Selectmen's Office, First Floor, Ayer Town Offices, 1 Main Street, Ayer, Massachusetts 01432. Proposals received later than this time and date will be returned unopened as non-responsive. All times will be ascertained by reference to the clock in the Board of Selectmen's Office.

A proposer may correct, modify, or withdraw a proposal by written notice received by the Town prior to the time and date set as the submittal deadline (\_\_\_\_\_). Each modification to proposals must be submitted in a sealed envelope clearly labeled "Modification #\_\_\_\_." Each modification must be numbered in sequence, and must reference the original RFP.

After the opening of the proposals in public, a proposer may not change any provision of the proposal in a manner prejudicial to the interests of the Town or fair competition. Minor informalities will be waived, or the proposer will be allowed to correct them. Minor informalities are minor deviations, insignificant mistakes, and matters of form rather than substance, of the proposal, that can be waived or corrected without prejudice to other offerors, potential offerors, or the Town of Ayer. If a mistake and the intended proposal are clearly evident on the face of the proposal document, the mistake will be corrected to reflect the intended correct proposal, and the proposer will be notified in writing; the proposer may not withdraw the proposal. A proposer may withdraw a proposal if a mistake is clearly evident on the face of the proposal document, but the intended correct proposal is not similarly evident.

The Town may cancel this RFP, or reject in whole or in part any and all proposals, if the Town determines that cancellation or rejection serves the best interests of the Town.

The Town also reserves the right to select the winning proposal based on the evaluation of the proposer's overall submittal, and the extent to which the proposal meets the evaluation criteria set forth this RFP. **The Town reserves the right to reject any proposals that are not responsible and/or responsive to the RFP. Additionally, the Town reserves the right to reject any and all proposals if they are not in the best interests of the Town.**

If any changes are made to this RFP, an addendum will be issued. Addenda will be mailed, faxed, or emailed to all proposers on record as having picked up the RFP.

Questions concerning this RFP must be submitted in writing to: David Maher, Director of Economic Development and Fire Station Reuse Committee, Ayer Town Offices, 1 Main Street, Ayer, Massachusetts 01432. Questions may be delivered or mailed to this address; or faxed to 978-772-8208 (clearly addressed to David Maher); or emailed to dmaher@ayer.ma.us. All questions must be received by 4 p.m. on \_\_\_\_\_. Written responses will be mailed, faxed, or emailed after this deadline to all proposers on record as having picked up the RFP.

## V. Evaluation Procedures

The Town Administrator (TA) will review the proposals for completeness. Proposals deemed to be incomplete will be rejected. The TA will then review each completed proposal to ensure that it meets all of the minimum quality criteria listed in **Section VI, Minimum Quality Criteria**, below. Those proposals that meet all of the minimum quality criteria, and that are determined to be responsive, will be further reviewed using the Comparative Quality Evaluation Criteria listed in **Section VII, Comparative Quality Evaluation Criteria**, below.

An Evaluation Team will be comprised by **members of the Ayer Board of Selectmen**. The Board will rate each of the first four (4) mandatory Comparative Quality Evaluation Criteria listed below using the listed ratings. Once evaluated and rated with respect to the first four (4) mandatory Comparative Quality Evaluation Criteria, the Evaluation Team will then decide whether to conduct interviews of proposers. In either case listed immediately below, each member of the Evaluation Team shall evaluate and assign a rating to each criterion, and an overall rating to each proposal; the Evaluation Team shall then assign a team rating to each criterion, and an overall rating to each proposal.

The Board shall either:

Engage the proposer to negotiate a deal with, based on the most advantageous overall ratings of the first four (4) mandatory Comparative Quality Criteria; and/or

Conduct the Optional Interview/Presentation with the top-ranked proposers

## VI. Minimum Quality Criteria

Following are the Minimum Quality Criteria that proposers must meet. **Failure to meet these Minimum Quality Criteria will result in the immediate rejection of the proposal.** Proposers must clearly indicate, and explain in detail, compliance with these Minimum Quality Criteria in a *separate chapter of the proposal* (see **Section III, Required Submittals**, Item 12, above).

1. Proposers must meet all of the goals listed in **Section II, Goals**, above. In addition, proposers must comply with the requirements specified in **Section III, Required Submittals**, and **Section IV, General Procedures**, above;
2. Proposers must **accept and evaluate** the property “as is” with no contingencies;
3. Proposed uses of the property must comply with relevant laws, regulations, and permits granted by appropriate authorities; and must comply with existing use requirements and restrictions, unless the buyer proposes to initiate and complete processes to legally change said requirements and restrictions, at the proposer’s expense, in which case said changes must be listed and explained; and,

4. The proposer must be responsible for the cost of all proposed renovations and/or changes to the property, and for obtaining, and the cost of obtaining, all required permits, etc.

## VII. Comparative Quality Evaluation Criteria

Each of the Comparative Quality Evaluation Criteria below may contain ratings of *highly advantageous, advantageous, not advantageous, and unacceptable*. Proposers must clearly indicate, and explain in detail, the level of compliance with these Comparative Quality Evaluation Criteria in a *separate chapter of the proposal* (see **Section III**, Required Submittals, Item 13, above).

### 2. PROPOSED TERMS OF ACQUISITION CHANGES/ELIMINATIONS

Highly Advantageous – No changes/eliminations are proposed.

Advantageous – A few changes/eliminations are proposed.

Not Advantageous – Many changes/eliminations are proposed.

Unacceptable – An altogether different set of terms is proposed.

### 3. LEVEL OF NEIGHBORHOOD DISRUPTION CAUSED BY PROPOSED USE

Highly Advantageous – Other than those disruptions already caused by existing neighborhood uses, proposed use potentially causes no other disruption to the neighborhood.

Advantageous – Proposed use potentially causes limited additional disruption to the neighborhood.

Not Advantageous – Proposed use potentially causes significant additional disruption to the neighborhood.

Unacceptable – Proposed use definitely causes significant additional disruption to the neighborhood.

### 4. LEVEL OF CHANGE TO FAÇADES

Highly Advantageous – No changes to any façades are proposed.

Advantageous – A few minor changes to the side and rear façades are proposed.

Not Advantageous – A few minor changes to the front façade are proposed.

Unacceptable – Substantial changes to the front, or to the side and rear façades, are proposed.

### 5. LEVEL OF HISTORIC PRESERVATION

Highly Advantageous – Restore the complete original historic structure

Advantageous – A few minor changes to the front, side and rear facades are proposed

Not Advantageous – significant changes to the front, side and rear facades

Unacceptable – No historic preservation

6. OPTIONAL INTERVIEW/PRESENTATION

*Highly Advantageous* – Well-designed, concise, original presentation, with specific focus on, and clarification of, the written proposal, made by prospective buyer; concise, “on-point” answers to questions.

*Advantageous* – Average presentation, with general focus on, and clarification of, the written proposal, or average answers to questions.

*Not Advantageous* – Poor presentation, with very little focus on, and clarification of, the written proposal, or poor answers to questions.

**IX. Rule for Award of Property Deed**

The proposer selected for the use award of the property will be the most advantageous proposal from a proposer who is both responsive and responsible, taking into consideration all other evaluation criteria set forth in this RFP. A *responsive* proposer is one who meets all of the basic requirements as outlined in this RFP, and whose proposal contains the required information and properly executed forms; a *responsible* proposer is one who possesses the capability, integrity, and reliability to **purchase and/or lease** the reuse of the property as specified in the proposal.

The selected proposal by the Ayer Board of Selectmen is subject to presentation and approval by the Ayer Town Meeting to be held in October 2013. The final proposal may or may not be approved/accepted by the Ayer Town Meeting. The Ayer Board of Selectmen and the Town of Ayer are held harmless in the event that the Ayer Town Meeting does not approve/accept the proposal presented by the Ayer Board of Selectmen.

## Robert Pontbriand

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**From:** Tessa David [Recycle@charter.net]  
**Sent:** Wednesday, June 26, 2013 5:18 PM  
**To:** 'Robert Pontbriand'  
**Subject:** Reminder: Pls sign updated Devens HHW IMA  
**Attachments:** HHW IMA AMENDMENT #2.pdf

Hello Robert,

I wanted to make sure that you have the Devens IMA which adds the Town of Ashby on your agenda to sign. Once it's signed please email a copy of the signed page to me.

Thank you.

Tessa

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**From:** Tessa David [<mailto:Recycle@charter.net>]

**Sent:** Wednesday, May 29, 2013 11:53 AM

**To:** 'Robert Pontbriand Ayer TA'; 'Don Lowe TA Bolton'; 'Blazon, David'; 'Tom Delaney'; 'Richard Nota DPW Harvard'; 'Orlando Pacheco'; 'Jim Clyde'; 'Jack Rodriquenz'; 'Jackie Esielionis'; 'Chief Donald Klein Townsend Fire'; 'Mark Wetzel'; 'Shelly O'Toole Bolton DPW'; 'George Ramirez EVP Devens'; 'Mark Haddad'; 'Tim Bragan TA harvard'; 'Keith Bergman'; 'Bonnie Holston'; 'Kerry Speidel'; 'David Berry Shirley CAO'; 'Butch Farrar'; 'Andy Sheehan'; 'Tessa David'

**Subject:** Pls sign updated Devens HHW IMA

We are pleased the Town of Ashby has voted to join the Devens HHW collaborative!

Attached is the amended intermunicipal agreement (IMA) including the Town of Ashby. Please have the IMA signed and email a copy of the signed page to me.

Tessa

Tessa David

MassToss Coop

978-660-6130

[Recycle@charter.net](mailto:Recycle@charter.net)

[www.MassToss.com](http://www.MassToss.com)

DevensHHW

978-501-3943

[info@DevensHHW.com](mailto:info@DevensHHW.com)

[www.DevensHHW.com](http://www.DevensHHW.com)

**SECOND AMENDMENT TO  
INTERMUNICIPAL AGREEMENT**

**By and Among Communities in the Devens Region Participating in the  
Devens Regional Household Hazardous Products Collection Program**

This Second Amendment to Intermunicipal Agreement (“Amendment #2”) is dated as of the \_\_\_ day of \_\_\_\_\_, 2013, in accordance with the provisions of Massachusetts General Laws, Chapter 40, Section 4A, by and between the “Participating Communities” (as defined below). The effective date of Amendment #1 (the “Effective Date”) shall be July 1, 2013.

**RECITALS**

WHEREAS, the Massachusetts Development Finance Agency (“MassDevelopment”), acting on behalf of the Devens Regional Enterprise Zone (“Devens”), and the Towns of Ayer, Bolton, Groton, Harvard, Lancaster, Littleton, Lunenburg, Townsend, and Shirley, (the “Participating Communities”), entered into that certain Intermunicipal Agreement dated as of March 16, 2011 (the “IMA”) and First Amendment dated July 1, 2012 (“Amendment #1”), regarding the Devens Regional Household Hazardous Products Collection Program (the “Program”); and

WHEREAS, the Town of Ashby desires to participate in the Program and join the Collaborative; and

WHEREAS, in a vote taken at its meeting on April 25, 2013, the Oversight Committee voted to admit the Town of Ashby into the Collaborative; and

WHEREAS, admittance of an additional municipality into the Collaborative requires an amendment to the IMA,

NOW THEREFORE, the Participating Communities and the Town of Ashby agree as follows:

**AGREEMENT**

1. The term “Participating Communities” as set forth in the first recital of the IMA shall now be defined as: the Massachusetts Development Finance Agency (“MassDevelopment”), acting on behalf of the Devens Regional Enterprise Zone (“Devens”), and the Towns of Ayer, Bolton, Groton, Harvard, Lancaster, Littleton, Lunenburg, Townsend, Shirley, and Ashby.

2. Section 18 of the IMA (Notices) is amended as follows:

All correspondence or other notice related to this IMA shall be in writing and delivered to:

Devens Regional HHP Collection Center  
Program Manager  
99 Buena Vista Street  
Devens, MA 01434

with a copy to: Devens Director of Public Works  
99 Buena Vista Street  
Devens, MA 01434

IN WITNESS WHEREOF this Second Amendment to Intermunicipal Agreement is executed in the name of each named municipality by a duly authorized officer of such municipality as of the date written above.

**MASSACHUSETTS DEVELOPMENT FINANCE AGENCY**

BY:

\_\_\_\_\_, duly authorized

Name:

Title:

Date:

**TOWN OF AYER**

BY:

\_\_\_\_\_, duly authorized.

Name:

Title:

Date:

**TOWN OF BOLTON**

BY:

\_\_\_\_\_, duly authorized.

Name:

Title:

Date:

**TOWN OF GROTON**

BY:

\_\_\_\_\_, duly authorized.

Name:

Title:

Date:

**TOWN OF HARVARD**

BY:

\_\_\_\_\_, duly authorized.

Name:

Title:

Date:

**TOWN OF LANCASTER**

BY:

\_\_\_\_\_, duly authorized.

Name:

Title:

Date:

**TOWN OF LITTLETON**

BY:

\_\_\_\_\_, duly authorized.

Name:

Title:

Date:

**TOWN OF LUNENBURG**

BY:

\_\_\_\_\_, duly authorized.

Name:

Title:

Date:

**TOWN OF TOWNSEND**

BY:

\_\_\_\_\_, duly authorized.

Name:

Title:

Date:

**TOWN OF SHIRLEY**

BY:

\_\_\_\_\_, duly authorized.

Name:

Title:

Date:

**TOWN OF ASHBY**

BY:

\_\_\_\_\_, duly authorized.

Name:

Title:

Date:

## Robert Pontbriand

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**From:** Marty Poutry [mailto:marty.poutry@dec.state.ma.us]  
**Sent:** Thursday, June 27, 2013 9:32 AM  
**To:** Robert Pontbriand  
**Cc:** Peter Lowitt; Kate Clisham  
**Subject:** Re-nomination to Devens Enterprise Commission  
**Attachments:** Martys Resume 2012.doc

Robert,

Good to see you the other night at town meeting. Per our discussion, I am writing to request the Ayer Board of Selectmen forward my name for re-nomination to the Devens Enterprise Commission to the governor's office. This will mark my 3rd term on the DEC and I continue to enjoy my involvement in the permitting of projects on the former base.

My tenure on the commission has been informative, enlightening and maintains my commitment to doing what is right for the area of North central Mass that I have called my home for all of my life. Devens, since the Base Realignment and Closure Act of 1991, has provided both a challenge as well as an asset to our region and it has been both a pleasure and privilege to work with the people that are involved. I would welcome the opportunity to continue the work that I have been a part of and believe that both my knowledge of the recent history of the commission, coupled with my long-term commitment to the area make me an ideal candidate.

I am attaching my current resume for your reference. If the board would like me to appear, please put me on the agenda and let me know.

Should you have any comments, please feel free to contact me.

Regards,

Marty Poutry

~~253-300-1111~~

## Martin D. Poutry

~~10 South Street~~  
Ayer, Massachusetts 01432

marty.poutry@transformations-inc.com

### Summary

Established business manager with diverse background. Solid financial experience, entrepreneurial talents, comfortable in B to B settings. Strong real estate sales and customer service skills. Able to multi task and connect with a wide variety of people. Long time local resident. Expertise in:

Business Office Management	Accounting
Customer Service	Project Management
Financial Analysis	Real Estate Sales
Property Management	Event Planning
Microsoft Office Suite	Quickbooks
Political Campaigning	Aviation Operations

### Professional Experience

#### **Transformations, Inc. Townsend, MA**

**2012 to Present**

##### Business Manager

Applied business, accounting and real estate background to coordinate multiple construction projects both company owned and for others. Responsible for all office issues and meeting with potential clients for custom homes. Able to multi-task and assume different roles depending on scenario.

- Maintained books for all transactions in a manner consistent with general accepted accounting practices
- Responsible for Payroll & HR issues for entire company
- Worked with clients, sub-contractors and employees to ensure on-time and on-budget performance for all jobs
- Able to work in the field, as necessary, to resolve issues and guarantee customer satisfaction

#### **Three Rivers Arts, Groton, MA**

**2012 to 2012**

##### Office Manager

Assisted local non-profit whose goal is to promote economic development through support of the arts. Hired to work part-time as a bookkeeper, quickly identified needs and issues that were instrumental in growth of organization.

- Maintained payables/receivables, payroll and employee records
- Developed systems to coordinate background checks and ensure compliance for summer camp employees and sub-contractors
- Worked with Chairman of the Board and Treasurer to identify cash-flow issues and assure compliance with State & Federal reporting requirements

**Keller Williams Realty Boston Northwest, Concord, Massachusetts 2009 to Present**

**Associate Broker**

Affiliated with new real estate office to reactivate sales career. Was able to start off with new listing and 2 leads on first day from previous experience.

- Maintained license while working for postal service.
- Worked with select clients to facilitate sales during difficult market conditions.
- Strengthened relationships with previous clients making them aware of opportunities.

**United States Postal Service, various locations**

**2007 to 2012**

**City Carrier**

Sorted, carried and delivered all classes of mail & parcels to both residences and businesses.

- Provided transitional assistance to postal service during time of increased automation.
- Based out of Ayer, Leominster & Lowell Post offices but traveled when necessary to assist in other offices as staffing dictated.
- Able to fill in and learn routes in various locations with no direct supervision.

**Commonwealth Properties Group, Acton, Massachusetts**

**2003 – 2009**

**Associate Broker**

Worked as an agent for buyers & sellers to maximize opportunity for my clients. Used extensive local knowledge to better assist clients as to markets and locations. Able to help close deals with previous financial knowledge and comfort of dealing with tax and legal professionals.

- Grew extensive investor network which supplied steady flow of both rental and sales listings.
- Assisted in condominium conversion project including all renovation, legal compliance, sales and development work.
- Worked with developers in negotiating land deals and ensuing potential for development and marketing.
- Aided both first time & established buyers in negotiations and ensured that deals were consummated to their satisfaction.
- Assisted in managing & bookkeeping for the office to ensure smooth operation.
- Facilitated in office move and reconfiguration of telephone/data lines and systems to increase efficiency.
- Instituted office peer network and linked resources so that all employees had optimal access.

## **Adventure World R.V.; 33 Great Road; Shirley, Massachusetts**

**2003 - 2003**

### **Service Manager**

Managed staff of 5 and numerous sub-contractors for busy multi-million dollar R.V. dealership. Provided pre-delivery inspection of units as well as repair and maintenance to diverse customer base.

- Managed office and did bookkeeping for all service transactions dealing with repairs, maintenance and new unit sales.
- Worked with customers to schedule timely service work and coordinate resources.
- Communicated with manufacturers and parts suppliers for technical problems and warranty issues.
- Assisted owner in real estate decisions regarding both existing properties as well as plans for new development.
- Aided both first time & established buyers in negotiations and ensured that deals were consummated to their satisfaction.

## **The Answer, Harvard, Massachusetts 01451**

**1988 to 2002**

### **Owner/Operator**

Started a call center from concept to successful enterprise in 6 months. Provided customer service and emergency support to businesses of all types and sizes. Managed staff of 10 to provide 24/7 coverage 365 days/year.

- Drafted and presented business plan to obtain necessary financing and logistics to initially start business.
- Marketed to both traditional and non-traditional customers to ensure sustainability.
- Assisted clients in developing protocols to ensure seamless handling of issues in a timely manner.
- Managed all bookkeeping, record-keeping, legal and tax matters for company.
- Interacted with both business clients and general public to obtain customer satisfaction

## **10 Newton Street Apartments, Ayer, Massachusetts**

**1992 to 2000**

### **Owner**

Negotiated purchase of duplex apartment house in downtown area. Managed property to ensure maximum return on investment.

- Purchased distressed property with special state financing.
- Managed all legal, accounting, marketing and maintenance issues to comply with local, state and federal regulations.
- Profitable for entire term of ownership.
- Able to maximize investment through timely sale to interested party.

## **Harvard Business Services, Harvard, Massachusetts**

**1987 – 1988**

### **Accounting Clerk/Project Manager**

Supported all aspects of office operations in busy tax accounting office. Provided customer service to business accounts. Instrumental in developing new 12,000 sq. foot office complex.

- Responsible for both manual and computerized accounting for businesses both large and small.
- Maintained Accounts Payable and Receivable.
- Did payrolls for a large group of companies including all quarterly and annual tax reporting requirements.
- Managed development of 12,000 sq. ft. new office building from design to rental.

### **Education**

B.S. Aviation Management/Flight Training  
Daniel Webster College, Nashua NH

### **Other Accreditations & Affiliations**

#### **Devens Enterprise Commission**

**2004 to Present**

Nominated by Ayer Board of Selectmen and appointed by Governor Mitt Romney to serve on the permitting authority for the regional development zone of the former military base. Commission acts as Board of Health, Conservation Commission, ZBA and some Board of Selectmen powers.

- Initially appointed as alternate member, promoted to full member within a year.
- Serves on Executive Committee which oversees all personnel, contracting and fiduciary duties.

#### **Ayer Rotary Club**

**1991 - 2010**

Nominated for membership as a result of my business ownership. Assisted in many fundraising activities and vocational projects.

- Sergeant at Arms 1993
- Secretary 1994
- President 1996. Successful in achieving goal of raising & disbursing \$60,000 to local, national & international charities & groups.
- Chairman of Harvard Apple Blossom Festival for 12+ years.

**Private Pilot's License** Airplane Single Engine Land with Instrument Rating.

**Massachusetts Real Estate Brokers License** Exp. 8/20/13.

**Fort Devens Garrison Command** 2008-2009 Certificate of Excellence from Base Commander Lt. Colonel Steven Nott.

**Candidate for Ayer Town Treasurer** 2010

**AGENDA ITEM #11**  
**BOS OPEN DISCUSSION (20 min/time permitting)**

**11.1 New Business and Future Topics:**

**Town Hall Employee Break-Room Petition.** The Town Administrator received the enclosed petition initiated by the President of the AFSCME 93 Clerical Union and signed by some of the Employees at Town Hall regarding the Town Hall Break-Room located on the third floor of Town Hall behind the Great Hall Stage. Please see the enclosed petition as well as the Town Administrator's memo in response to this with input from the Facilities Maintenance Director.  
[FOR DISCUSSION]

**11.2 Selectmen's Questions**

**11.3 Future Meetings schedule:**

With many Executive Session and Open Session items requiring BOS review/input/direction, respectfully the BOS needs to establish a schedule to complete these various items. Below are some highlighted dates already but a discussion and schedule needs to be agreed upon and put into place.

- July 9, 2013, 7pm: Executive Session Agenda (Multiple items requiring more than one session)
- July 16, 2013, 7pm: Regular Meeting: Town Counsel; Building Dept. Appointments
- July 18, 2013, 7pm: DPW Contract Negotiations
- **Items To Be Scheduled:** Department Head Meetings; Properties Enforcement Update; DPW Project List Update; Management Letter Review; Code of Conduct; Other Items

**ADJOURNMENT**

# Board of Selectmen

MEETING TUESDAYS AT 7:00 P.M. • UPPER TOWN HALL • 1 MAIN STREET • AYER, MASSACHUSETTS 01432



Tel. (978) 772-8220  
Fax. (978) 772-3017

Town Administrator  
(978) 772-8210

## MEMORANDUM

**DATE:** June 28, 2013

**TO:** Ayer Board of Selectmen

**FROM:** Robert A. Pontbriand  
Town Administrator

A handwritten signature in blue ink that reads "R. A. P." with a horizontal line underneath the letters.

**SUBJECT: May 15, 2013 Employee Petition Regarding Town Hall Break-Room**

Dear Honorable Selectmen:

At the request of the Board, we will be discussing the issue(s) of the attached petition which was initiated by the President of the AFSCME 93 Clerical Union and selectively circulated to (and selectively signed) by some Employees of Town Hall and put in my mailbox on May 15, 2013 (see attached). The Board of Selectmen was also copied on this.

I have thoroughly reviewed the petition with the Director of Facilities Maintenance, Mr. Sherman who provided key insight into this Memo. Additionally, Selectman Luca has volunteered to be the Board's representative regarding this issue if needed.

I offer the following information and responses to the petition and look forward to the Board's input on this issue(s) Tuesday night.

First and foremost, I NEVER verbally agreed to any of the employment conditions and concerns stated in the petition and as stated by the AFSCME 93 Clerical Union President. In December 2012 before the New Year, I had a brief meeting with the AFSCME 93 Clerical Union President and some of the issues/ideas regarding the Employee Break-Room at Town Hall (located on the third floor of Town Hall behind the Great Hall Stage) were briefly discussed and I had suggested that in the New Year, we could have a meeting of Town Hall Employees to discuss these issues if Employees would like to. Nothing ever came forward until five months later when I received this "petition". Additionally, during that time, no Employee has issued any formal complaints regarding the Break-Room (including the majority of the "petition" signatories who see me every day, sometimes in the Break-Room, and never mentioned any of these items).

I offer the following responses to the Employee "Petition" for your consideration:

1. First and foremost, the Town Hall Break-Room has been and always will be clean and safe. It is often times that certain Employees fail to clean-up after themselves leaving the task to either other Employees and/or the Facilities Department.

2. The stove was picked up from the road at the request of Ms. Sullivan several years ago before my arrival. An Employee used his personal truck to do so. She also arranged and signed off on the electrical work to install the stove. This stove has also been used to supplement heat in the kitchen utilizing the open oven door while turned on. The kitchen was never designed for a stove; it has no ventilation system to support it. The Facilities Maintenance Director has indicated to me that in his professional opinion **it is a fire hazard and should be removed. It is too close to the plastic cabinet.** It was never part of the original building equipment or the design of that space. Mr. Sherman has further indicated to me that the maintenance department should have no responsibility for the stove since it is a hazard and was incorrectly installed.

3. The refrigerator is old and I would be willing to propose a replacement in the FY 2015 Budget subject to the availability of funds as it would be an upgrade and energy efficient. However, the employees need to take an active role in cleaning the refrigerator and removing old food items which are often left (especially in the refrigerator) indefinitely. Recently, the Town's Custodian bleached and cleaned the refrigerator's door gasket and area only to be criticized by some Employees that it smelled like bleach (the bleach smell went away in a day). Finally, with respect to refrigerators, if the Town were to replace the Break-Room refrigerator, I would require that the other five (5) refrigerators currently in various Employee offices be removed (as well as the two microwaves that are in offices).

4. The trash can/will be stored in the Great Hall. There is no room for a dumpster outside. The Town Hall only owns approximately 4 feet of land to the right of the right hand rear stairs. The Bank owns the rest including the strip of land that runs along the parking lot. The only other alternative location would be to use 1.5 parking spaces of employee parking to place the dumpster. Another solution is to have the DPW collect the trash on a daily basis in the early morning. These solutions do require additional costs and resources.

5. There are matching chairs that were purchased for the tables. Some Employees were selecting to use the discarded office chairs. The Facilities Department has removed the old office chairs and placed the original chairs back into the break room.

6. No curtains will be installed as they are not necessary, pose a potential fire risk, and there is no FY 2014 funding for such an item. Funding to paint the Break-Room will be requested in FY 2015 and/or an alternative resource. Additionally, a small TV for emergency news coverage will not be installed in that there is no FY 2014 funding for such an item and every employee has internet access, cell phones, I-Phones, I-Pads, etc. for such information. The Town has an emergency evacuation plan for Town Hall and in the event of an emergency it will be implemented.

7. No chemicals will ever be available to the Employees or the Public (as is the policy in all Federal, State, and Municipal Buildings). To do so poses a direct public safety/health risk and liability to the Town. The Facilities Department uses industrial chemicals that require training to use and there is no way the Town could be assured they would be used safely or properly (specifically by the public, i.e. children, etc.)

8. The Town does not provide extra toilet paper when the dispensers have an adequate supply. The Town has experienced pilferage when extra is left in the bathrooms at a cost to the taxpayer.
9. Disinfectant sprays or cleaning chemicals are not to be available in public restrooms because of liability. If someone were to use the materials improperly the Town is liable. Disinfectant sprays contain high VOC's and can be flammable when used with an ignition source.
10. The lighting timers in the restrooms have/will be adjusted. Additionally, the Town will have to install lighting timers in the Break-Room and Great Hall because certain Employees habitually leave the lights on (sometimes overnight) at a cost to the taxpayer.
11. The back stairwell will always be swept not vacuumed. Employees can use the elevator while the cleaning is in progress. The stairwell has been swept and is part of the regular cleaning schedule.
12. There is lighting already in place for the rear parking lot. There is signage in place on each end of the parking lot stating, "Parking for Town Hall Employees Only". The rear parking lot is highly visible, well illuminated, and well travelled. There have never been any issues.
13. The automated climate controls of Town Hall are currently set to Federal Standards for cooling comfort and will be adjusted for the heating season as well. The new system has been comfortable for the majority of employees with minimal complaints and continues to save the Town considerable energy resulting in saving the taxpayers' money.

In conclusion, I plan to put forth a funding request in the FY 2015 Budget for the replacement of the Break-Room refrigerator. Additionally, the trash in the Break-Room will be stored in an alternate manner/location. I will be instituting a "refrigerator/break room policy" which will require Employees to remove all food and beverage items from the refrigerator/freezer by 5pm every Thursday or it will be disposed of by the Facilities Department. Furthermore, with the completion of the High School Renovation Project which includes a Television Studio for APAC, all APAC equipment and the plastic storage cabinet will be removed freeing up more space in the Break-Room. Finally, the Town will request funding to paint the Break-Room in FY 2015 subject to the availability of funds.

I am not opposed (and never have been) to meeting with the Town Hall Employees and representatives from the Board of Selectmen (Selectman Luca has offered) at anytime to further discuss any questions/concerns they may have regarding the Break-Room and/or Town Hall.

I look forward to the input, ideas, and comments of the Board of Selectmen. Thank you.

Attachment: May 15, 2013 Employee Petition

Cc: Mr. Dan Sherman, Director of Facilities Maintenance  
Mr. Paul Carpenter, Town Hall Custodian  
All Town Hall Employees (via e-mail)

c.c. BOS

-We would like a staff meeting

Robert Pontbriand and BOS  
1 Main Street  
Ayer, Ma.

May 2013



Re: Employment conditions and concerns. Verbally agreed to by Mr. Pontbriand months ago.

We collectively request that the following conditions be addressed:

1. Employee lunchroom be upgraded and cleaned thoroughly. (stove was picked up from the side of the road in Shirley over 5 years ago and refrigerator a hand-me-down from the Police, is mold filled, broken and is over 20 years old!) Perhaps painted a nice color, matching tables and chairs, a small tv for emergency news coverage and curtains etc.)
2. Town Hall trash storage to be kept somewhere other than the kitchen where we eat our lunches as the smell and health risk is beyond disgusting. (perhaps place a dumpster outside?)
3. Cleaning products should be provided in bathrooms and kitchen area for anyone wishing to utilize them.
4. Bathrooms need to provide extra toilet paper and disinfectant spray.
5. Bathroom lights (timers) need to be timed for at least ten minutes...this poses a safety issue for all.
6. Back stairwell be vacuumed (not swept-too much dust) and wiped down...this has been an on-going issue with dirt, cobwebs, dead insects etc.
7. Limit "customers" to two hours. (enforceable by the Town Administrator)
8. Limit the parking lot and parking along lot on Newton Street to be utilized by "Employees only" and add security lighting for employee safety.
9. Heat/AC control (Temp)

Janet Lewis  
 Alicia Jersey  
 Susan [unclear]  
 Susan Sellma  
 Jim [unclear]  
 Dave Mah  
 Laurie Fritz  
 John C. Canney, II  
 Martha L. Kelly  
 Lisa Galree

Stephanie Gintree  
 Melisa Dool  
 Tom Hogan  
 Kelly [unclear]