

RECEIVED
TOWN CLERK
TOWN OF AYER

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



2014 JUL 10 PM 1:27 *JS* Tuesday, July 15, 2014 - 7:00pm
Open Session Meeting Agenda

7:00pm

Call to Order

Review and Approve Agenda; Announcements

7:05pm*

Public Input

1. Mr. Howard Hall – Paving Issue - Mountain View Avenue

7:15pm

Mr. Scott Houde, Chairman, Finance Committee

1. Financial Policy Update

7:25pm

Ayer Gun & Sportsman's Club

1. Request for Change of Beer & Wine License

7:30pm

Appointment of Rail Advisory Committee

1. Patrick Hughes, Kathleen O'Connor, Jeremy Callahan
2. Presentation of Mission Statement and Group Objectives

7:40pm

Mr. David Maher, Economic Director Development

1. Transfer of Lien for 15-17 Main Street

7:50pm

Chief Robert Pedrazzi, Ayer Fire Department

1. Purchase Order: Physico Control, Inc.

8:00pm

Mr. Mark Wetzel, DPW Superintendent

1. SJ Mullaney Engineering, Inc. - Crabtree Development, LLC. – Proposed Street Acceptance
2. Wasterwater NPDES Update

8:15pm

Building Department Staffing Proposal

8:30pm

BOS Policies Review

1. Selectman Livingston

8:45pm

Town Administrator's Report

1. Appointments
2. Administrative Update
3. Old Groton Road Update
4. St. Mary's Parish – Beer & Wine Request
5. Correspondence from BOS to MBTA
6. Devens Wastewater Capacity Issue
7. OPEB/PRIT Update
8. Reserve Fund Transfers
9. Employee Recognition Program Update

9:15pm

New Business/Selectmen's Questions

1. Enforcement of Littering Bylaw (Selectman Hillman)
2. JBOS Update (Selectman Luca)
3. Properties Enforcement Update (Selectman Hillman)
4. GPS in Town Vehicles (Selectman Hillman)
5. Sandy Pond Traffic Update (Selectman Hillman)

9:30pm

Approval of Meeting Minutes

March 4, 2014; June 17, 2014; June 24, 2014

9:35pm

Adjournment

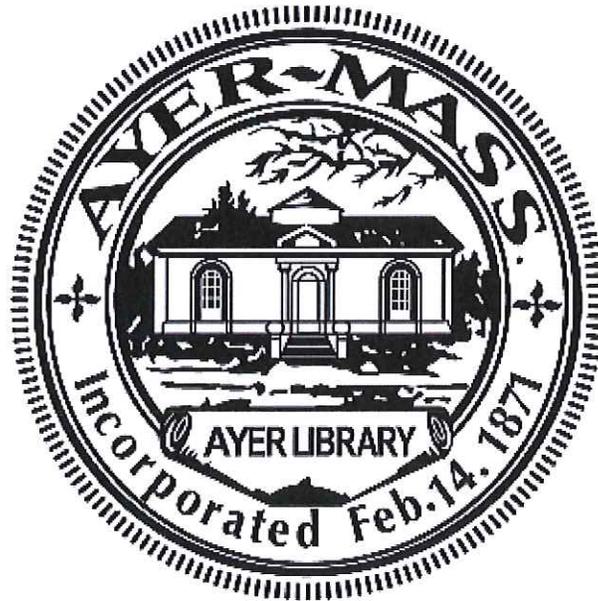
**Agenda Times are for planning purposes only and do not necessarily constitute exact times.*

TOWN OF AYER MASSACHUSETTS

Town of Ayer Financial Policies

2014 Financial Policy Update

6/24/2014



The Ayer Financial Policies were developed to guide the creation, maintenance, and use of resources for financial stability for the town of Ayer.

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Revision History

This table is used to track and changes to the Financial Policies.

Submitter	Version	Changes	Date
B.Muldoon	1.5	Financial Policies working group updates.	Summer/Fall 2013
S. Houde	1.6	Update version 1.6 to include LAG recommendations and discussion with working group	12/20/13
S. Houde	1.7	Final Update for review	1/22/14
s. Houde	2.0	Final edits approved by work group	06/24/14

Description

The Ayer Financial Policies were developed to guide the creation, maintenance, and use of resources for financial stability for the town of Ayer.

Objectives of the Financial Policies

The Finance Committee will work with the Regional School Committee, Treasurer, Tax Collector, Board of Selectman, Assessors, Benefits Manager and the Finance department to:

1. Provide full value to Ayer residents and businesses by delivering quality services on a cost effective basis.
2. Preserve the town's quality of life by providing and maintaining adequate financial resources to sustain a sufficient level of services.
3. Allow response to changes in the economy, changes in government priorities, and other changes that may affect our well-being.
4. Provide a road map for future town leaders for the well-being of Ayer's finances.

Maintenance of Financial Policies

1. The Board of Selectmen will create a subcommittee consisting of two members from the Board of Selectman, the Town Administrator, two members from the Finance Committee, the tax collector, the treasurer, the town accountant and one citizen to review the financial policies and make necessary changes to the document every other year from the date of inception. This subcommittee shall take into account all recommendations of the Massachusetts Department of Revenue Division of Local Services and the General Finance Officers Association as part of its review. Copies of the Financial Policies are available on the town website.

Restrictions of Financial Policies

1. These policies will be binding to the Town of Ayer government once accepted by a majority vote of the Board of Selectmen. In the event that the policies cannot or will not be adhered to, they can only be bypassed with majority override vote by both the Board of Selectman and Finance Committee.

Audit of Town Financials

1. The Town will utilize accounting practices that conform to generally accepted accounting principles as set forth by the Government Accounting Standards Board (GASB). The Town will comply with GASB Statement 34 and continue to track, report, and depreciate capital assets as required. The Town will follow recommended reporting and development of a funding structure for GASB Statement 45 regarding accounting for Other Post-Employment Benefits (primarily health insurance) to retired employees (see General Fund item 5).
2. An annual audit will be performed by an independent public accounting firm. Selection of the firm is subject to guidelines of MGL Chapter 30B although this service is exempt from Chapter 30B. An examination of the community's financial systems, procedures, and data will be performed by a certified public accountant (independent auditor). The auditor shall also report on the fairness of financial statements and on local compliance with statutes and regulations. The audit serves as a valuable management tool for evaluating the fiscal performance of a community.
3. The Town should enter into multiyear agreements when obtaining the services of independent auditors. Such multiyear agreements can take a variety of different forms (e.g., a series of single-year contracts), consistent with applicable legal requirements. Such agreements allow for greater continuity and help to minimize the potential for disruption in connection with the independent audit. Multiyear agreements can also help to reduce audit costs by allowing auditors to recover certain "startup" costs over several years, rather than over a single year.
4. A committee comprised of representatives from the Select Board, Finance Committee, Town Accountant, and Town Administrator will review the management letter from the audit firm. The management letter details any discrepancies found during the audit. This information will be summarized and shared with

department heads. The Finance Committee will review the recommendations and findings with the department heads and town officials in a public forum and implement changes if possible.

5. Internal audits shall be performed at the discretion and by the Town Finance Manager/Town Accountant, BOS or Finance Committee.
6. Cash shall be reconciled on a monthly basis. The Treasurer shall forward copies of the monthly cash book as well as all monthly bank/investment statements.

Balanced Budget

1. The cost of operations of the Town will be funded on a fiscal basis out of current revenues.
2. The Town shall have a goal not to defer maintenance of capital equipment and facilities or defer the costs or recognition of the costs.
3. The Town will adopt a budget based on sound business practices which relate departmental performance to actual outcomes of established goals and objectives.

Financial Forecasting

1. A five-year financial projection model shall be prepared annually and jointly by the Town Accountant, the Finance Committee, Town Administrator, Board of Selectmen, and Board of Assessors projecting revenues and expenditures for all operating funds. Representatives of the aforementioned committees or their appointed representatives may participate in this work. This projection shall be used as a planning tool in developing the following year's operating budget and capital improvements plan. Revenue forecasts for property tax, local receipts and state aid shall be conservative, using generally accepted forecasting techniques and appropriate data. Revenue deficits will be avoided at all costs.
2. The five year financial projection model will be presented to the public in an open forum prior to the beginning of the next fiscal year budget process.
3. The objective of the five year projection model shall be to create a balanced budget going out as many years as is practicable when considering various scenarios.
4. Town Budget Calendar: *See Exhibit A*

General Fund Revenue

1. The Town shall estimate its annual revenues, in detail, by use of objective analysis. The assumptions and factors through which the estimates are derived will be clearly stated and explained. The Town employs a conservative and fiscally prudent historical analysis to estimating revenues.
2. One-time revenues will be used for capital improvements, additions to reserves or as legally restricted to a specific purpose.
3. The year-to-year increase of actual revenue from the property tax levy shall generally not exceed 2.5% pursuant to the limitations of Massachusetts General Law Ch. 59 Sec. 21C.
 - a. Excluding the value gained through new construction (new growth);
 - b. Excluding expenditure increases funded outside the tax limit cap.
4. Property values shall be re-appraised or re-certified per state statutes.
 - a. Currently the town is required to maintain values at 100% of their full and fair cash value. Municipalities are audited (certified) by DOR every 3 years to insure that they remain in compliance with the market value standard. Market values are maintained during the 2 years between certifications by termed "interim-year updates"
 - b. Given the significance of property taxes to both town government and taxpayers, the Town will provide for the support and resources for the Board of Assessors to properly assess property and to defend such assessments if necessary at the Appellate Tax Board.
5. The Tax Collector and Treasurer will carefully and routinely monitor all amounts due the Town. A proactive policy of collection will be followed for all receivables, including property taxes. The Town will strive to achieve a target of 98% property tax collection rate by fiscal year. All collection activities by the Collector and Treasurer shall adhere to standard procedures jointly agreed to by the Town Accountant, Tax Collector, Treasurer, and Board of Selectmen.

6. The Town will endeavor to review its fee structure every two years for specific services which fees are charged to assure that the full cost of providing the service or product are recovered. Town rates and fees will be reviewed by a committee appointed by the Board of Selectmen. The rate and fee review committee will consist of the town's finance professionals, one representative of the Finance Committee, and at least one business and a homeowner representative from town. The recommendations from said committee will be presented to the Board of Selectmen in a public forum.
7. Tax Rates: Residential and Commercial, Industrial and Personnel tax rates (CIP) by statute are set annually by the Board of Selectman. Tax classification is a tool that can be used to equalized annual changes in tax bills between the residential and CIP in situations where disproportionate changes in valuation occurs. Ayer is currently at a CIP shift percentage of 1.50. The town has been as high as 1.66. Approximately 30 % of the communities in Massachusetts have a split rate.
8. Meals Tax: Taxes collected from the meals tax are general fund monies, per Massachusetts Department of Revenue. However, an amount equal to the annual estimated meals tax shall be used as the minimum annual funding of the OPEB account (Post-Employment Benefits Fund) pending approval by Town Meeting.
9. The Town will appoint a Tax Increment Financing (TIF) review committee. The committee members will include the Town Administrator, Town Accountant, Economic Developer, Assessor, one member from the Finance Committee, one member from the Board of Selectmen, one member from the business community, and one citizen volunteer.
 - a. The committee will establish a base structure for TIF agreements as a guideline. However, each TIF agreement will be unique.
 - b. The committee will review TIF applications and make recommendations to the BOS and town meeting regarding approval.
 - c. The committee will review required reporting from current companies with a TIF agreement. If the TIF agreements are not being followed appropriately, the committee will recommend warrant articles reverse or rescind the agreement.
10. No committee or board will issue a license or permit to any person or business entity that is delinquent or in arrears on taxes or town fees as detailed in MGL Ch. 40 Sec 57. *See Exhibit B*

Free Cash

1. According to the DLS, "free cash" is a revenue source that results from the calculation, as of July 1, of a community's remaining, unrestricted funds from operations of the previous fiscal year, based on the balance sheet as of June 30. It typically includes actual receipts in excess of revenue estimates and unspent amounts in departmental budget line-items for the year just ending, plus unexpended free cash from the previous year. Free cash is offset by property tax receivables and certain deficits; as a result, it can be a negative number.

Free cash plays a role in sustaining a strong credit rating, and the DOR encourages the adoption of policies on its use. As a non-recurring revenue source, a prudent use of free cash would be to fund one-time expenditures, a capital purpose, or to replenish other reserves, not for reoccurring operating budget according to the DOR.

Free cash is not available for use until a balance sheet for the prior year is submitted by the accountant, auditor or comptroller and free cash is certified by the Department of Revenue. The use of free cash requires an appropriation approved by the city council on recommendation of the mayor, or the town council or town meeting, but only after it is certified by the DOR.

Free cash is "a necessary component of sound local fiscal management" and "one indicator of fiscal health" that can positively affect bond ratings and reduce borrowing costs, according to the Division of Local Services.

Employee Compensation:

1. The number one increase to the budget every year is in employee compensation, whether it's in the form of wages, steps, COLA's or insurance and healthcare.
2. The Town endeavors to compensate its employees at the prevailing market rate for wage and benefits employing objective compensation surveys every three to five years. The change in salaries, wages and

benefits from year to year shall not exceed that which can be sustained on an ongoing basis out of recurring revenues. Economic downturns will trigger a review of this policy

3. Compensation will be reviewed periodically as detailed in the Personnel Policy.

Funds

1. All current operating expenditures should be paid for with current operating revenues.
2. External borrowing will not be used to fund current operating expenditures.
3. Federal and State Mandates
 - a. As federal and state mandates come into effect over time they often have associated costs. These costs can be substantial and subsequently should be shared over time.
4. Enterprise and other similar funds
 - a. This type of fund should be established in such a way as to reasonably plan for and moderate the rate of cost increase to tax payers. Should the need for such a fund be determined, if any existing funding currently used for the purpose of the new fund is part of the general fund, then that amount should first be reallocated to the new fund before any new fees are considered or created.
 - b. Fees for the purpose of funding enterprise and other similar funds shall be established in such a way as to moderate the rate of cost increase for tax payers.
 - c. Rates and fees for sewer, water, transfer station, ambulance and other enterprise funds shall be reviewed annually with the goal to cover all direct, indirect and capital improvement costs of the systems.
 - d. Capital improvements for sewer, water, transfer station, ambulance and other enterprise funds shall be scheduled within the predictable revenue stream and scheduled to avoid major or unscheduled increases in rates.
 - e. New funds shall comply with Massachusetts DOR regulations
 - f. Enterprise Funds indirect cost: **See Exhibit C**
5. **Reserves:**
 - a. The Town will seek to adequately fund and maintain financial reserves such as the Stabilization Fund, Reserve Fund and other such formally recognized reserve accounts in order to:
 - i. Promote financial flexibility and stability
 - ii. To meet extraordinary and unforeseen events
 - iii. To have sufficient liquidity and cash flow to pay bills on time without the necessity of short term borrowing.
6. **Stabilization:** The Stabilization Fund will strive to have a balance equal to 7% of the operating revenue for a given fiscal year. Stabilization should be funded to the maximum each year to maintain the 7% balance. The minimum funding for the Stabilization fund is 10% of the calculated fund balance or such an amount that maintains the stabilization fund at 7% of the operating budget in the same fiscal year budget.
 - a. *i.e. If the operating revenue is \$22m, the calculated minimum funding balance is \$1.54m. If the current fund balance is \$800,000, the funding will be \$740,000. The minimum that shall be funded is 10% of the \$1.54m or \$154,000*
 - b. A minimum of 10% of funds in Stabilization will be invested into Capital Stabilization.
 - c. Use of the Stabilization Fund is regulated by state law. If the town draws funds from Stabilization, it will implement a plan to replenish the balance in addition to the annual funding calculation.
 - d. Stabilization and Capital Stabilization funds will be invested in interest bearing funds.
7. **OPEB:** Funding long term liabilities- The town will plan to fund long term liabilities in such a fashion as to pay down long term liabilities commensurate with the duration of the liability so as to reasonably share costs among tax payers over time.
 - a. Retirement Liabilities:
 - i. The Town will follow recommended reporting and development of a funding structure for GASB Statement 45 regarding accounting for Other Post-Employment Benefits (primarily health insurance) to retired employees.

- II. The town will fund the retirement of its current retired population as details in the actuarial report received every 2 years.
 - III. The town acknowledges its current liability as, of the August 2013 GASB 45 Actuary Valuation report, mandated by law \$11,496,545.
 - IV. The town will commit to the minimum funding of GASB 45, per the FY2013 report, in the amount of \$150,959.
 - V. The town will commence its minimum funding of GASB 45 in FY 2012.
 - VI. 100% of the Meals Tax will be used to fund OPEB and the remaining funding will come from the General Fund.
- b. MGL 32b Section 9A1/2_Reimbursement of governmental unit for healthcare premium contribution received by retiree with creditable service attributable to service in one or more other governmental units

Capital Planning

1. The Capital Planning Committee will consist of:

- 1 member of the Board of Selectmen (BOS Chairman)
- 1 member of the Finance Committee
- 5 or fewer (in an odd number) citizens

Support staff for the Capital Planning Committee will be Town Administrator, Treasurer, Town Accountant, Assessing Administrator, Economic Developer, department heads, and facilities manager.

2. Planning and Controlling Capital Expenditures. The Capital Planning Committee has long practiced multiple-year planning and, with the support of the Finance Committee and Town Meeting, shall appropriate an amount of money that equals eight (8%) percent of the town's proposed operating budget to capital expenditures.. Implementing this practice is subtle, because the principal and interest for bonded expenditures have minimal impact on the current year but significant impact in future years.
3. Capital Planning Policy: *See Exhibit D*
4. The Capital Planning Committee will collect an annual five year capital expense request package from each department including all necessary and appropriate back up materials and justifications. Larger capital expenditures, greater than \$1M need to be presented in a longer 10 year plan. The request package will be submitted as an electronic spreadsheet. The Capital Planning Committee will establish a firm schedule for the submission and review of said rolling five year capital expense packages that will allow sufficient time to review the request and make recommendations to the Finance Committee and the Board of Selectmen in time for the Board of Selectmen to consider the recommendations for the annual town meeting.
5. Capital Expense: A Capital Expense is an asset with an initial, individual cost or in certain cases a cumulative cost of more than \$10,000 and an estimated useful life in excess of two years.
6. The Capital planning committee shall receive projected estimated maintenance costs going forward from department heads. Maintenance of each capital asset shall be assigned to a department head or facilities manager who will be responsible to assure maintenance is carried out according to the plan.
7. The Capital Planning committee will prepare a multi-year report to be given at Town Meeting.

Capital Finance

1. The Capital Planning Committee will decide the type of funding to pursue for each capital improvement and recommend this method to the Finance Committee and Board of Selectmen for incorporation in the annual budget.
2. Each request will funded in one of three categories:
 - i. **Non-exempt or regular debt** – Articles with an expense less than \$250,000 which shall be considered non-exempt or regular debt and shall be funded through the operating budget

- ii. **Exempt or Debt Exclusion Debt** – Articles with an expense equal to or greater than \$250,000 which shall be considered exempt or debt exclusion and shall be funded through debt exclusion overrides votes.
- iii. **Capital Exclusion** - Shall be funded through a onetime annual tax rate increase for the fiscal year.

Investment Policy

1. The Treasurer will follow the 1999 investment policy as adopted by the Town of Ayer. This policy will be reviewed with the Town Administrator annually and any changes will be approved by the Board of Selectmen per the policy. *See Exhibit E*
2. The Treasurer will present and review the town's investments annually with the Finance Committee in an open meeting.

Water and Sewer Shut-off Policy

1. The Town will adopt and adhere to a shut off policy for delinquent water and sewer customers
See Exhibit F

Procurement Policies

1. The Board of Selectmen will adopt policies for procurement of supplies, services and material.
See Exhibit G

Long Term Debt

1. Long Term Debt will only be used to finance capital improvements and projects. The Town will retire principal long term debt for any particular project in a period of time which is equal to or less than the useful life of the improvement or project. The Town will not use long-term debt to fund any portion of its current operations.
2. In considering and scheduling the issuance of new long term debt the Town will seek to maintain annual principal and interest payments, net of reimbursements or dedicated revenue sources, at levels which can be sustained out of recurring revenues.
3. Total debt payments within the town budget may not exceed 8% of the overall omnibus budget.

Signatures

Board of Selectman: Approved Date _____

Christopher Hillman, Chairman _____ Date _____

Jannice Livingston, Vice Chairman _____ Date _____

Gary Luca, Clerk _____ Date _____

Finance Committee: Approved Date _____

Scott Houde, Chairman _____ Date _____

John Kilcommins, Vice Chairman _____ Date _____

Marianne Zawacki, Clerk _____ Date _____

Christopher Meusel, Member _____ Date _____

Pauline Conley, Member _____ Date _____

Town of Ayer Elected Officials:

Stephanie Gintner, Treasurer _____ Date _____

Susan Copeland, Tax Collector _____ Date _____

Exhibit A - FY2015 Budget Calendar

FY2015 Budget Calendar

Sept 2, 2013 – Capital Planning Committee sends memo for capital requests to department heads

Sept 19, 2013 – Capital Planning Committee first pass is due

Sept 25, 2013 - Finance Committee discusses FY2015 budget guidance for operating expenses

Sept 26, 2013 – BiBoard meets to discuss Finance Committee guidance for FY2015 budget. Dates are set for distribution of the budget memos from the Finance Committee and Town Administrator

Oct 18, 2013 – Budget submissions are due to Town Finance Manager

Nov 5, 2013 – Nov 21, 2013 – Finance Committee meets with department heads. All departments greater than \$100,000 must meet with the committee. Any departments less than \$100,000 are not required but welcome to meet.

Dec 11, 2013 – Finance Committee reviews the department requests and begins updating the budget model.

Jan 17, 2014 – Final day for department heads to submit changes to FY2015 budget requests

Jan 27, 2014 – Governor’s budget is released. Budget model is updated with assumptions for revenue.

Feb 12, 2014 – Finance Committee reviews the first pass of the budget model using the Governor’s budget and any updated information. A request is sent to ASRSD for a first pass of their budget.

Mar 12, 2014 – Finance Committee reviews latest budget model and approves presentation to Board of Selectmen. The presentation is highlights of the budget movements and impacts.

Apr 9, 2014 – Joint session of Finance Committee and Board of Selectmen review and approve budget for Town Meeting Warrant.

May 12, 2014 – Annual Town Meeting

Exhibit B - Enterprise Fund Indirect Costs

General description – the purpose of this policy is to establish written guidelines and documentation as to how indirect costs are allocated to the various town-established enterprise funds.

Water/Sewer/Solid Waste Funds

Employee Benefits

- County Retirement – Estimate is based on the percent of total budgeted wages (exclusive of overtime) for each fund versus the total wages subject to retirement per the Treasurer’s retirement reports times the budgeted annual county retirement assessment.

- Unemployment Compensation – Estimate is based on total budgeted wages, including overtime, for each fund times the most recently published unemployment rate (rate is set by the state on a calendar year basis).
- FICA Medicare – Estimate is based on total budgeted wages, including overtime, for each fund times the FICA Medicare rate. (The rate is and has been 1.45%)
- Health Insurance – Estimate based on specific employee coverage for direct staff of enterprise fund. The employer share of each employee’s coverage is estimated using the known premium increase for the period 7/1 to 4/30. For 5/1 to 6/30 the premiums are estimated based on past actual percent increases. In addition, any HRA/FSA employer costs are prorated by employee and health insurance buyout costs are estimated based on actual costs related to the employee.
- Workers Compensation – Estimate is based on the premium breakout by fund divided by the total town premium (breakout provided by the insurance agent/provider) times the premium increase anticipated for the year.

Shared Employees

DPW Administrative Staff and Mechanic wages are allocated based on the number of departments within the public works. There have been five departments (Administrative, Highway, Water, Sewer and solid Waste). Therefore, the water, sewer and solid waste funds are each allocated 20% of the DPW administrative staff and the mechanic wages only.

Shared Expenses

DPW Fuel – The Fuel budget (net of estimates for usage of other town departments, such as Police, Fire, Parks) is also charged to each fund based on the number of departments in the public works; currently 20%.

Other expenses

Property & Liability Insurance- allocated using same method as Workers Compensation.

Administrative expenses

Since 2010 the town has charged a portion of the Accountant’s and Treasurer’s budgets to the water, sewer and solid waste enterprise funds. The amount allocated is based on the percent of operating expenses budgeted to each fund to the total operating costs of all funds (including other enterprise funds and the general fund).

Ambulance Fund

Shared Employees

The Ambulance Fund has no direct employees. Rather the operations of the Ambulance Fund are a function of the Fire Department. The Fire Department staff is therefore considered “shared employees”. The full-time firefighters generally respond to medical calls; the chief and his part-time secretary are responsible for the administration of the Ambulance Fund. The Fire Chief estimates the percent of time spent by him and his staff on Ambulance related matters. Firefighters work 24 hour shifts and the chief estimates approximately 6 hours of each 24 hour shift, or 25% of firefighter pay relates to the Ambulance Fund. Likewise, the chief estimates that he spends approximately 6 hours during his 40 hour week, or 15% of his time on Ambulance related issues; and that his part-time secretary spends about 33% of her time on the same. The percentages are reviewed by the chief on an annual basis and are applied to the total budgeted wages to estimate the amount allocated to the fund.

Share Expenses

Utilities and Building Maintenance – The chief estimated that approximately 9% of the Fire Station square footage is related to the Ambulance Fund. Total amounts budgeted specifically for Fire Department heat, electricity and building maintenance are multiplied by 9% to estimate the amount charged to the Ambulance Fund.

Fuel – Fuel is estimated based on the actual gallons used in the prior year (recorded and provided by the chief) times the average annual cost per gallon (from prior year’s actual invoices).

Administrative expenses

A share of the Accountant's and Treasurer's cost is allocated to the Ambulance Fund in the same manner as for the water, sewer and solid waste enterprise funds as indicated above.

Storm water Fund and any other newly established funds

Newly established enterprise funds, such as Storm water, are not charged for indirect costs until such funds:

1. Have an established method of charging fees to recover the cost, and
2. Demonstrate capacity to pay for the direct costs in their entirety

Exhibit C - Capital Planning Policy

FORMATION OF THE AYER CAPITAL PLANNING COMMITTEE:

Accordingly, and in an effort to appropriately plan for the maintenance and enhancement of our town's asset base, while simultaneously managing the associated fiscal impacts, the Ayer Board of Selectmen shall establish a committee known as the Ayer Capital Planning Committee (ACPC). The ACPC shall consist of the following members:

1 member of the Board of Selectmen (BOS Chairman), 1 member of the Finance Committee 5 or fewer (in an odd number) citizens

Staff as support - Town Administrator, Town Treasurer, Town Accountant, Assistant Assessor, Development Director

MISSION STATEMENT OF THE AYER CAPITAL PLANNING COMMITTEE:

The broad vision of the ACPC shall be to:

- Provide a format under which the town's current and future capital needs can be managed given due consideration to the fiscal realities facing the Town of Ayer.
 - Make recommendations to the Board of Selectmen regarding town-wide issues that could/should be addressed to better our bond rating.
- Remain mindful of the effect that any of their recommendations would have on the tax rate in the Town of Ayer.
- Weigh the effects of each decision on the quality of life in the town.

Through this format, the ACPC shall provide the Board of Selectmen, and ultimately the voters at Town Meeting, with information to inform them about the capital needs of the town. Moreover, the ACPC shall demonstrate to the Board of Selectmen, and ultimately to the voters at Town Meeting, that it has developed a long term capital debt management plan that has as its sole purpose the provision of a cost effective and cost efficient system of budgeting for the repair, replacement, and enhancement of the town's capital asset base.

SPECIFIC CHARGES OF THE AYER CAPITAL PLANNING COMMITTEE:

The specific charges of the ACPC are as follow.

1. Five Year Capital Expense Requests- To request/require an annual rolling five year capital expense request package from each department including all necessary and appropriate backup materials and justifications.

The ACPC shall establish a firm schedule for the submission and review of said rolling five year capital expense request packages that will allow sufficient time to review the requests and make recommendations to the Board of Selectmen in time for the Board of Selectmen to consider the recommendations for annual town meeting.

Each of these requests should be broken down into two categories:

- a. Non-Exempt or Regular Debt- Articles with an expense of less than \$250,000 which shall be considered non-exempt or regular debt and shall be funded through the operating budget; and
- b. Exempt or Debt Exclusion Debt- Articles with an expense of more than \$200,000 shall be considered exempt or debt exclusion debt and shall only be funded through debt exclusion override votes.

An article with an expense of more than \$200,000 that the town is mandated to fund or that has a debt service funding source that is outside of the operating budget may, at the Selectmen's discretion, be recommended to town meeting to be funded as regular debt as per section 1.1 above.

Borrowing authorization for land purchases to preserve open space and recreation, regardless of the dollar amount shall only be considered as debt exclusions.

2. Non-Exempt or Regular Debt- To review each department's non-exempt or regular debt requests) and to make a recommendation to the Board of Selectmen regarding which non-exempt or regular debt articles, if any, should be considered for inclusion in the annual omnibus budget, but subject to the following considerations:

- 2.1 The Town shall appropriate an amount of money annually that equals eight (8%) percent of the town's proposed operating budget to a Capital Expense Fund (CEF).
- 2.2 All approved annual non-exempt debt service shall be paid from said CEF.
- 2.3 Any balance remaining in the CEF at the end of the fiscal year shall remain and be carried over and shall in no way effect or limit the 8% annual appropriation to the CEF for the following year.
- 2.4 Any balance that accrues in the CEF will be viewed favorably by the Town's bond rating agency. This will likely earn the town a higher overall bond rating. The net effect of a higher bond rating is a lower interest rate on bond issues. Lower interest rates on bond issues means lower costs to service and retire debt. Lower costs to service and retire debt means more revenue is available in the CEF to either pay down new debt, to pay down existing debt more quickly or to continue to build the fund for future use. This cycle is fiscally prudent.
- 2.5 In that the source of funding for the CEF comes from within the town's annual operating budget, debt service on articles funded through the CEF have no net effect on the tax rate or a citizen's tax bill.

3. Exempt or Debt Exclusion Debt- To review each department's exempt or debt exclusion debt request(s) and to make a recommendation to the Board of Selectmen regarding which exempt or debt exclusion debt articles should be considered, if any, for inclusion on the annual town election ballot and annual town meeting warrant for voter consideration, but subject to the following conditions:

- 3.1 Any vote to fund exempt or debt exclusion debt articles shall have the net effect of increasing the town's levy limit by the amount of the debt for the life of the debt. This will have a net effect of increasing property taxes and increasing citizen's tax bills.
- 3.2 Therefore, with any recommendation for consideration of an exempt or debt exclusion capital article, the ACPC shall be required to present to the Board of Selectmen a detailed accounting of the effect that passage of such an article would have on the town's tax rate and the effect it would have on an average tax bill in the town of Ayer.

The recommendations of the ACPC are intended to be advisory in nature and shall not be binding on the Board of Selectmen.

CONCLUSION:

Capital planning is an integral component of our budgeting responsibility for the Town of Ayer. We must remain cognizant of our town's capital infrastructure needs and plan for them accordingly. If we remain focused on this mission it will only positively impact our town's capital asset base, and it will also favorably impact our ability to have stable and predictable operating and capital budgets in the Town of Ayer.

In effect, such attention to these issues will help to unburden current operating budgets and assure that current generations pay for the current use and depreciation of our town's assets while simultaneously leaving a healthy town-wide capital asset base for the future.

When financial times are good, and even when financial times are difficult, we must continue to keep focused on this issue. It is our obligation to provide for the effective and efficient management of our capital resources not only for this generation, but also for its orderly transfer to the next.

Exhibit D - Investment Policy

Purpose

This investment policy is intended to provide guidelines for the management and investment of all Town funds under the control of the Town Treasurer and the Assistant Treasurer.

Scope

Section I of the policy statement applies only to the short term operating funds such as general funds, special revenue funds, enterprise funds, bond proceeds and capital project funds. Section II will apply to funds with special circumstances such as stabilization. Trust funds, in the custody of the Treasurer, will be handled in a separate policy. The Middlesex Retirement Board is responsible for the investment of Town pension funds. The Treasurer shall serve as the Town's representative on the Middlesex Retirement Board.

Authorization

The Treasurer has the authority to invest all municipal funds subject to the statutes of the Massachusetts General Law Chapter 44, Section 55, 55A & 55B.

All bank and investment brokerage accounts, with the exception of Library Trust accounts, shall be maintained in the name of the "Town of Ayer" and shall list the Town Treasurer as the primary signatory and the Assistant Treasurer as a secondary signatory. These two signatories shall be the only officers authorized to withdraw funds from any such account.

Objectives

Massachusetts General Laws, Chapter 44, Section 55B requires the Treasurer to invest all public funds at the highest possible rate of interest reasonably available, taking into account acceptable levels of safety, liquidity and yield while meeting the daily cash requirements for the operation of the Town's business.

- Safety - The safety of public funds must be the main objective in the investment program. Investments shall be made in a manner that seeks to preserve principal through the mitigation of credit risk and interest rate risk. Credit risk is the risk of loss due to the failure of the security issuer or depository institution. Interest rate risk

is the risk that the value of an investment will fall, resulting in a potential loss or display significant volatility due to changes in market or external interest rates. The diversification of funds, the choice of depository institution and the prudent selection of investment instruments are tools available to the Treasurer to mitigate these risks.

- **Liquidity** - The overall investment of funds shall remain sufficiently liquid to meet all operating requirements that may reasonably be anticipated. Since all possible cash demands cannot be fully anticipated, the Treasurer shall attempt to carry out investment activities in a manner that provides for meeting unusual or unexpected cash demands without requiring the liquidation of investments that may result in forfeiture of accrued interest or loss of principal.
- **Yield**- Investments shall be made to achieve a fair average market rate of return taking into account the safety and liquidity constraints mentioned above as well as any legal requirements imposed by Massachusetts General Laws or Town By-Laws.

Risk

The Treasurer will adhere to the following risk guidelines for all investments of Town funds:

Custodial Credit Risk - The custodial credit risk for deposits is the risk that, in the event of a failure of a depository institution, the Town would not be able to recover deposits or the securities used to collateralize the deposits from the institution or a third party. For investments, the risk occurs if the Town is unable to recover the value of an investment or collateral in possession of a third party.

The Treasurer will review each financial institution conducting business with the Town on a quarterly basis (see Diversification Section of policy).

All securities not held directly by the Town will be held in the Town's name and tax identification number by a third-party custodian approved by the Treasurer. The Treasurer will receive monthly safekeeping reports from the custodian as well as safekeeping receipts detailing each transaction from the account.

Interest Rate Risk - Interest rate risk is the risk that changes in interest rates will adversely affect the fair value of an investment. Short-term investments for funds covered in Section I are by statute limited to one year or less in maturity with all securities held to maturity.

Longer term investments, other than trust funds under the direction of the Commissioners of Trust Funds, will be made for periods not longer than seven years, maintaining an average maturity no greater than three years for the portfolio.

Credit Risk - Credit risk is the risk that an issuer or other counterparty to an investment will not fulfill its obligations. Short-term investments for funds covered in Section I are by statute limited to US Treasury or Agency securities.

Longer term investments in fixed income securities, other than trust funds under the direction of the Commissioners of Trust Funds, will be made principally for capital preservation and income potential. Corporate debt must be rated "A" or better by either S&P or Moody's rating services. If a security falls below the "A" rating, the security will be monitored by the Treasurer and advisor, if applicable. The security will be noted as an exception to policy if held in the portfolio. The Treasurer and/or advisor may sell the security if a further decline in value is expected.

Concentration of Credit Risk - Concentration of credit risk is the risk of loss attributed to the magnitude of the Town's investment in a single issuer.

The Town will minimize any concentration of credit risk by diversifying the investment portfolio so that the impact of potential losses from any one type of security or issuer will be minimized. Specific investment amounts and/or issuer limitations are addressed in the Investment Instrument sections of this policy.

Foreign Currency Risk - Foreign currency risk is the risk that changes in foreign exchange rates will adversely affect the fair value of an investment or deposit.

The Town will not invest in any instrument exposed to foreign currency risk.

Ethics

The Treasurer and Assistant Treasurer shall refrain from any personal activity that may conflict with the proper execution of the investment program or which could impair or appear to impair their ability to make impartial investment decisions. The Treasurer and Assistant Treasurer shall disclose, at least annually, to the Town Clerk any material personal depository relationship in financial institutions that do business with the Town as well as any material personal financial investment positions or loans with these institutions.

Standards of Care

The standard of prudence to be used by the Treasurer shall be the "Prudent Person" standard and shall be applied in the context of managing an overall portfolio. The Treasurer, acting in accordance with written procedures and this investment policy and exercising due diligence, shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided the purchases and sale of securities is carried out in accordance with the terms of this policy.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs; not for speculation but for investment considering the probable safety of their capital as well as the probable income to be derived.

In addition this section would also apply to Massachusetts General Laws Chapter 44 Section 55A which refers to the liability of the Treasurer for losses due to bankruptcy.

Reporting Requirements

On a semi-annual basis (as of September 30th and March 31st of each fiscal year), the Treasurer shall issue a report to the Board of Selectmen and Finance Committee containing the following information:

- A listing of Total Funds (both Sections One & Two of this policy statement) on deposit by financial institution or advisor showing percentage of total deposits in each institution, type of insurance coverage or collateral and approximate value of uninsured or uncollateralized funds held by the Town.
- A listing of Total Funds (both Sections One & Two of this policy statement) on deposit by financial institution or advisor by type of deposits or investment showing percentage of total deposits in each institution.
- Summary of interest income, realized and unrealized gains and losses earned on investments on a fiscal year-to-date basis.
- Detail listing of any exceptions to policy stating reason for exception and anticipated date of correction, if applicable.

Policy Review

This policy will be reviewed annually by the Treasurer and Town Administrator. Any changes to this policy must be approved by vote of the Board of Selectmen.

Section I - Operating Funds

Scope

This section of the Investment Policy applies to short term operating funds such as general funds, special revenue funds, enterprise funds, bond proceeds and capital project funds.

Investment Instruments

The Treasurer may invest in the following instruments:

- Massachusetts State Pooled Funds

Unlimited amount

The Massachusetts Municipal Depository Trust (MMDT), an investment pool for state, local, county and other independent governmental authorities, is under the auspices of the State Treasurer. MMDT seeks to

obtain the highest possible level of current income consistent with the preservation of capital and liquidity by investing in a diversified portfolio of high quality money market instruments with an average dollar-weighted portfolio maturity of 90 days or less. MMDT investments are not guaranteed by the State, FDIC, or any other governmental agency.

- US Treasury Obligations Unlimited amount
Treasury obligations must be held to maturity. The maturity date of these securities must be no greater than one year from the date of purchase.
- US Agency Obligations Unlimited amount
Agency obligations must be held to maturity. The maturity date of these securities must be no greater than one year from the date of purchase.
- Bank accounts or Certificate of Deposit accounts (CD's) with a final maturity no greater than one year from the date of purchase may be made for unlimited amounts if the deposit is fully collateralized by a third party agreement or securities owned by a depository institution that have been segregated from the day-to-day assets of the institution in order to provide collateralization.
- Bank accounts, Certificate of Deposit accounts (CD's) and/or brokered CD's with a final maturity no greater than one year from the date of purchase up to the FDIC coverage limits. All account balances in a single depository institution are considered in the aggregate to determine FDIC coverage limits.
- Bank accounts or Certificate of Deposit accounts (CD's) with a final maturity no greater than one year from the date of purchase may be made for unlimited amounts if the depository institution is a member of the Depository Insurance Fund (DIF) or the Share Insurance Fund (SIF). These funds insure all deposits held at a member Massachusetts state chartered savings bank or co-operative bank respectively.
- Money Market Mutual Funds that are registered with the Securities & Exchange Commission that have received the highest possible rating from at least one nationally recognized statistical rating organization and as referenced in Massachusetts General Laws Chapter 44 Section 55.
- Uninsured or unsecured bank accounts or Certificate of Deposit accounts (CD's) with a final maturity no greater than one year from the date of purchase are allowed to be held by the Town subject to the following limitations:
 - The aggregate uninsured portion of deposits held at any one institution cannot exceed 5% of the institutions total deposits reflected on the bank's last filed FDIC Call Report.
 - No more than 35% of the Town's funds may be held in uninsured accounts. This percentage may be increased for no more than 30 days during times of heavy collections or in anticipation of large payments to be made by the Town such as debt service, pension expense or other expenses determined by the Treasurer as necessitating special cash handling.

Diversification

The diversification of funds between financial institutions is another important tool available to the Treasurer to ensure the safety of funds on deposit. Given the above limitations regarding investment types and dollar limits as well as insurance coverage requirements, the need to place further limitations on the funds placed in one financial institution is not necessary provided the following:

- All financial institutions with which the Town conducts business will be reviewed by the Treasurer on a quarterly basis utilizing the Veribanc ratings report. In addition, the Treasurer will review the Call Reports and/or the Uniform Bank Performance Report of any institution receiving a "Yellow" classification or receiving less than three stars on the previous quarter's Veribanc report, noting trends in capital ratios, net income, operating expenses, loan losses and loan delinquencies, or any other determining factors which may have resulted in the lower rating (see Exhibit C). The Treasurer will meet with representatives of the institution, as necessary, to further enforce the financial review.
- The Treasurer will, after conducting this review, determine the proper deposit levels to maintain at such institutions or implement an "exit" plan, if necessary, for the eventual removal of Town funds from the institution.

As a sound practice, however, the Treasurer will attempt to maintain no more than 25% of the Town's total funds in one financial institution or 35% with a single advisor. Also, in accordance with Chapter 44, Section 55 of Massachusetts General Laws, the Treasurer will not at any one time have on deposit in a bank or trust company or banking company an amount exceeding 60% of the capital and surplus of such bank or trust company or banking company unless satisfactory security is given for such excess.

Section II - Other Special Funds

Scope

This section of the Investment Policy applies to funds with special circumstances such as stabilization.

The above funds may be established as a pooled investment portfolio. The accounting of each fund will be maintained separately to ensure that each fund receives their proportionate share of interest, realized and unrealized gains or losses.

Investment Instruments

Massachusetts General Laws Chapter 44 section 54 states that money should be deposited into savings bank, trust companies incorporated under the laws of the Commonwealth, banking companies incorporated under the laws of the Commonwealth which are members of the Federal Deposit Insurance Corporation, or national banks, or invested in participation units in a combined investment fund under section thirty-eight A of chapter twenty-nine, or in a paid-up shares and accounts of and in co-operative banks, or in shares of savings and loan associations or in share or savings deposits of federal savings and loan associations doing business in the Commonwealth.

Additionally the Town may invest such funds in securities, other than mortgages or collateral loans, which are legal for the investment of funds of savings banks under the laws of the Commonwealth; provided, that not more than fifteen percent of any such trust funds shall be invested in bank stocks and insurance company stocks, nor shall more than one and one-half percent of such funds be invested in the stock of any one bank or insurance company.

Massachusetts General Law Chapter 167 Section 15A and Section 15B describes the list of legal investments for savings banks which dictates the allowable investments for municipalities.

The Treasurer may invest in the following instruments:

- Massachusetts State Pooled Funds

Unlimited amount

The Massachusetts Municipal Depository Trust (MMDT), an investment pool for state, local, county and other independent governmental authorities, is under the auspices of the State Treasurer. MMDT seeks to obtain the highest possible level of current income consistent with the preservation of capital and liquidity by investing in a diversified portfolio of high quality money market instruments with an average dollar-weighted portfolio maturity of 90 days or less. MMDT investments are not guaranteed by the State, FDIC or any other governmental agency.

- U. S. Treasuries that maybe sold prior to maturity: Unlimited amounts (With maturity limits as stated in the interest rate risk section of this policy)
- U.S. Agency obligations that maybe sold prior to maturity. Unlimited amounts (With maturity limits as stated in the interest rate risk section of this policy)
- Bank accounts or Certificate of Deposit accounts (CD's) with no limit to the length of maturity from the date of purchase may be made for unlimited amounts if the depository institution is a member of the Depository Insurance Fund (DIF) or the Share Insurance Fund (SIF). These funds insure all deposits held at a member Massachusetts state chartered savings bank or co-operative bank respectively.
- Bank accounts, Certificate of Deposit accounts (CD's) and/or brokered CD's with length of maturity limits from the date of purchase, as stated in the interest rate risk section of this policy, up to the FDIC coverage limits. All account balances in a single depository institution are considered in the aggregate to determine FDIC coverage limits.
- Bank accounts or Certificate of Deposit accounts (CD's) with length of maturity limits from the date of purchase, as stated in the interest rate risk section of this policy, may be made for unlimited amounts if the deposit is fully collateralized by a

third party agreement or securities owned by a depository institution that have been segregated from the day-to-day assets of the institution in order to provide collateralization.

Uninsured or unsecured bank accounts or Certificate of Deposit accounts (CD's) with a final maturity no greater than two years from the date of purchase are allowed to be held by the Town subject to the following limitations:

- The aggregate uninsured portion of deposits held at any one institution cannot exceed 5% of the institutions total deposits reflected on the bank's last filed FDIC Call Report.
- No more than 35% of the Town's funds may be held in uninsured accounts.

The credit worthiness of the depository will be tracked by Treasurer utilizing the Veribac rating report, (see Diversification Section)

- Common and preferred stock that are listed in the List of Legal Investments.
 - Investment Funds that are listed in the List of Legal Investments.
 - All other items not separately identified here that are listed in the List of Legal Investments.
- Investments, Chapter 167 Section 15A

Exhibit E - Water Service Termination Procedures for Non-Payment

1. All Water and Sewer Bills are due by the due date printed on the bill.
2. On the 31st day after the due date, the first late notification letter will be issued. When this notice is received, the customer must either pay the entire amount due or schedule payment arrangements.
3. The second notification is issued 15 days after the first late notification (45 days overdue). It warns that water and sewer services may be shut off if the bill is not paid. Tenants of rental property will also be notified so that they may take action in accordance with Massachusetts Tenants Rights.
4. The third and final notification will be sent via certified mail after the bill is 60 days overdue. It warns that water and sewer services will be shut off if payment is not received by the specified date. In addition, a brightly colored notice will be placed on the customer's door or other easily visible location with a date and time of the termination of water service.
5. If payment is not received in full or a payment plan arranged with the Department of Public Works, the DPW Superintendent, the Town Administrator and the Board of Health will be notified regarding the termination of water service.
6. Water service termination and renewal will only occur during DPW business hours, 8:00 AM to 3:00 PM, Monday through Thursday. Water service renewal will be done after normal working hours for emergency situations authorized by the Superintendent.
7. Payment to Avoid Termination- In order to forestall termination of service to a delinquent account, payment following the issuance of a Final Notice shall be made either in cash (exact amount), money order or by a certified or a bank cashier's check. A person making a payment in person to forestall termination shall be referred to a designated Town representative. Upon receipt of payment, the designated representative shall issue a stop termination order and present the individual with a receipt.

8. Payment after Termination - A customer seeking restoration of water service after termination due to the customer's non-payment of charges must pay the past due balance on the account as well as a water service turn-on fee. Payment must be in cash (exact amount), money order or by a certified or bank cashier's check. Customers may make arrangements with the Town to pay the past due balance over time.
9. Collection Agreements - A customer who cannot pay the full amount due the Town for charges may be permitted to enter into a collection agreement with the Town. Customers shall be required to sign the agreement which will be furnished by the Town. The agreement will detail all the conditions that are required to prevent termination. Failure to adhere to the collection agreement will result in termination of the customer's water service.
10. Please note that there are Special Provisions against shut-offs related to illness and personal safety, families with infants and elderly households. The DPW and Board of Health has information available regarding these provisions.
11. Customers may appeal the shut off to the Board of Selectmen.

Exhibit F - Procurement Policy

Policy Purpose:

This policy is issued by the Ayer Board of Selectmen for the purpose of ensuring that all contracts, purchase orders, and invoices entered into by the Town of Ayer are in compliance with all applicable local, state, and federal law, including MGL Chapter 30B (the Uniform Procurement Act). In accordance with the provisions of this Act, the Chief Procurement Officer (currently, Town Administrator) for the Town shall oversee the procurement function in conformity with the Statute.

NOTE: The Chief Procurement Officer should be appointed pursuant to MGL Chapter 30B. The Town Administrator does not have to serve in this capacity. However that is the custom of most Town's and has been the historic precedent here in Ayer. Additionally, MGL Chapter 41, Section 23A provides that the Town Administrator "shall act by and for the Selectmen in any matter which they may assign to him relating to the administration of the affairs of the Town or of any Town Office or Department under their supervision and control."

Procurement Requirements:

1. Subject to the approval of the Town Administrator (Chief Procurement Officer), Department Heads and Budget Managers shall have the discretion to make purchases under \$5,000 using sound business practices. Department Heads/Budget Managers should solicit price lists and quotations from competing vendors on a regular basis to make sure the Town is getting favorable prices for all purchases.
2. The Town Administrator (Chief Procurement Officer) shall oversee procurements in the amount of \$5,000 to \$25,000. For each such procurement, it shall be the responsibility of the requesting Department Head/Budget Manager to:
 - a. Prepare a written description which includes all purchase requirements;
 - b. Obtain written and/or verbal price quotations on said written description form no less than three (3) competing vendors, which quotations shall be summarized on a form prescribed by the Town Administrator (this form will include signatory sign-off for the Department Head, Town Administrator, and

Town Accountant with a copy transmitted to the Board of Selectmen and filed with the Town Accountant); and

c. Obtain the written approval of the Town Administrator (Chief Procurement Officer) thereon to award the contract to the lowest responsible bidder. The term "lowest responsible and eligible bidder" means the bidder whose bid is of the lowest of those bidders possessing the skill, ability and integrity necessary to faithful performance of the work.

3. All procurements over \$25,000 shall be made by the Town Administrator (Chief Procurement Officer) with the requesting Department Head on the basis of an Invitation for Bids (IFB) or Request For Proposal (RFP), as set forth in MGL Chapter 30B. Written authorization to the Town Accountant stating that procurement has been met as set forth in MGL Chapter 30B, 39M and or 140 shall be issued and copied to the Board of Selectmen prior to the release of payment.

Execution of Contracts:

1. All contracts of \$5,000 or more shall be in writing, and shall be executed by the Town Administrator (Chief Procurement Officer).
2. The Board of Selectmen or other authorized awarding authority approved by Town Meeting shall enter into:
 - a. All grant agreement of any amount; and
 - b. All contracts for procurements of more than \$25,000
3. The Town Administrator (Chief Procurement Officer) is hereby authorized, pursuant to MGL Chapter 41, Section 23 to enter into contracts for procurements of \$25,000 or less.
4. Unless authorized by a majority vote by Town Meeting, the Town may not solicit or award a contract for a term greater than five years, including renewals, extensions or options.
5. The Town Accountant shall be provided with and shall maintain a copy of every contract executed by the Board of Selectmen, Town Administrator or authorized awarding authority.

Disposal of Surplus Town Owned Property/Supplies:

Any Board or Officer in charge of a department of the Town may, with the approval of the Town Administrator for property having an aggregate value of **less than \$5,000**, transfer to another Town Department or transfer by sale any personal property within the possession or control of the department which has become obsolete or is not required for further use by the department or any other department.

For supplies with a resale or salvage value of **\$5,000 or more**, the Town will use one of the alternate methods of sale: (1) sealed bids, or (2) public auction

For supplies with a resale or salvage value of **\$5,000 or more**, the Town will also post notice indicating the supply offered for sale, the location and method for inspection of the supply, the terms and conditions of the sale including the place, date, and time for the bid opening or auction, and a statement that the Town retains the right to reject any and all bids. The Town will post this notice in a conspicuous place for at least two weeks until the bid opening or auction, and will publish the notice in the local newspaper at least once not less than two weeks prior to the bid opening or auction.

APPROVAL OF CONTRACT CHANGE ORDERS UP TO 25% OF THE CONTRACT VALUE (From Recommendation #4 of the TGSC Report)

It is respectfully recommended that the Board of Selectmen issue a policy in compliance with MGL Chapter 30B which authorizes the Town Administrator (Chief Procurement) Officer to approve contract change orders up to 25% of the contract's original value with proof of procurement and signature of the Town Accountant prior to issuance of payment.

APPOINTMENTS (NON-DEPARTMENT HEAD LEVEL POSITIONS) (From Recommendation #5 of the TGSC Report)

It is respectfully recommended that the Board of Selectmen enact a policy for appointments which states that when a vacancy occurs in a staff-level position, the Town Administrator interviews candidates and recommends no less than three individuals for interview by the Appointing Authority. If the Town Administrator opts to utilize a screening committee no member of the Appointing Authority shall serve on the screening committee.

APPOINTMENTS (BOARDS AND COMMITTEES REPORTING TO THE BOARD OF SELECTMEN) (From Recommendation #5 of the TGSC Report)

It is respectfully recommended that the Board of Selectmen enact a policy for appointment which states that when a vacancy occurs or a position is up for reappointment the Town Administrator interviews incumbents and individuals interests in appointment and makes a single recommendation to the Board of Selectmen for appointment.

CARE AND CUSTODY OF TOWN HALL (From Recommendation #5 of the TGSC Report)

It is respectfully recommended that the Board of Selectmen enact a policy regarding Town Hall which states that all functions of Town Hall, including energy use and conservation, furniture, equipment, renovations, additions, scheduling of use, etc. shall be overseen by the Town Administrator in consultation with the Facilities Manager.

Information Technology Acquisition Policy

Purpose:

The purpose of the Town of Ayer's Information Technology Acquisition Policy is to facilitate and ensure that all Town Departments are acquiring, purchasing, procuring, operating, and disposing of all information technology hardware and software in a legal, efficient, secure, eco-friendly, and financially responsible manner with the goal of maximizing the taxpayers' funding of all Town information technology.

Scope of Policy:

The Town of Ayer Information Technology Acquisition Policy covers all Boards, Commissions, Committees, Departments, Elected Officials and Employees of the Town of Ayer. The Information Technology Acquisition Policy does not supersede and/or substitute any pertinent Federal and/or State Law.

Exempt from Policy:

Due to the unique legal and security requirements of the Ayer Police Department, the Ayer Police Department is exempt from the Information Technology Acquisition Policy.

Administration of the Information Technology Acquisition Policy:

The I.T. Systems Administrator under the direction of the Town Administrator is ultimately responsible for the administration and implementation of the Information Technology Acquisition Policy.

The Information Technology Acquisition Policy may be amended by the Ayer Board of Selectmen upon recommendation by the Town Administrator in consultation with the Town's I.T. Systems Administrator and/or I.T. Committee.

Definition of Information Technology:

For the purposes of this policy, Information Technology (I.T.) includes but is not limited to the following:

- **I.T. Hardware to include (but not limited to):** CPUs; Monitors; Printers; Scanners; Faxes; Laptops; iPads; Cell Phones; Mice; Keyboards; Projectors; Servers; Tablets; Flash drives; external hard drives and other data storage devices; and/or other devices.
- **I.T. Software to include (but not limited to):** Operating System Software; Anti-virus Software; Security Software; Programs; Web-Site Software; FB Software; and/or other software.

Acquisition of I.T. Hardware and/or Software:

The acquisition of all I.T. Hardware and/or Software by any Town entity covered under the Scope of this policy shall be in accordance with MGL Chapter 30B (State Purchasing/Procurement Law) and/or Sound Business Practices.

Any and all I.T. Hardware and/or Software acquisitions must first be requested in consultation with the I.T. Systems Administrator. The I.T. Systems Administrator has the authority to approve/revise/decline any I.T. Hardware and/or Software acquisition which is not in the best interests of the Town of Ayer.

Any and all I.T. Hardware and/or Software acquisitions must be signed off on by the I.T. Systems Administrator and the Town Administrator PRIOR to submission to the Town's Accounting Office.

No I.T. Hardware and/or Software acquisitions will be processed by the Town's Accounting Office until proper authorization from the I.T. Systems Administrator and Town Administrator.

Upon acquisition of any and all I.T. Hardware and/or Software, the I.T. Systems Administrator is authorized to ensure the proper installation and use of said hardware and/or software.

Any and all I.T. Hardware and/or Software acquired by the Town of Ayer are the sole property of the Town of Ayer. Each respective Town user is required to use the I.T. Hardware and/or Software for Town purposes only and in accordance with the manufacturer's specifications and uses.

Enforcement:

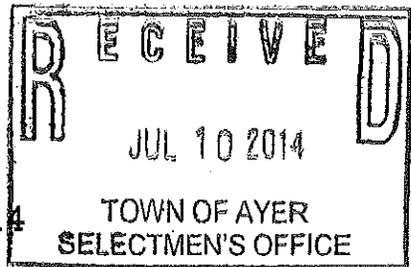
Any and all I.T. Hardware and/or Software acquired without adhering to this policy will be deemed invalid and will be sent back with all return fees; shipping fees; and/or restocking fees charged to the offending entity (Department; Board; Commission; Committee, etc.)

Disposal of all I.T. Hardware and/or Software:

The disposal of any and all I.T. Hardware and/or Software shall follow MGL Chapter 30B. Any disposals must be submitted in writing to the I.T. Systems Administrator for review and authorization. The Town Administrator (Procurement Officer) must also review and authorize the disposal of any and all I.T. Hardware and/or Software.

Disposal shall be done in a legal, responsible, secure, eco-friendly manner with any disposal costs/fees being charged to the entity disposing of the I.T. Hardware and/or Software.

Disposed I.T. Hardware and/or Software under no circumstances shall be given to any Town Employee and/or the Public.



July 9, 2014

Ayer Board of Selectmen
Ayer Town Hall
1 Main Street
Ayer, MA 01432

Ayer Gun & Sportsman's Club
255 Snake Hill Rd
Ayer, MA 01432

Dear Sirs;

The Ayer Gun & Sportsman's Club at the regular business meeting held on July 3, 2014 Voted 23 to 0 to request a change in our Club Beer & Wine license.

The change requested is as follows:

Club open for members only Sunday through Saturday 12:00 pm to 11:00pm

and up to forty functions per year.

The reason for this request is that since the club voted to go non-smoking we have been getting more requests for the rental of the club and also more members have been requesting that we stay open longer for members only.

Sincerely

A handwritten signature in black ink, appearing to read "Andrew Anderson".

Andrew Anderson
President

The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

**RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION
MONETARY TRANSMITTAL FORM**

APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE
LOCAL LICENSING AUTHORITY.

REVENUE CODE: RETA

CHECK PAYABLE TO ABCC OR COMMONWEALTH OF MA:

NO FEE

A.B.C.C. LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY):

LICENSEE NAME:

Ayer Gun & Sportsmans Club

ADDRESS:

255 Snake Hill Rd

CITY/TOWN:

Ayer

STATE MA

ZIP CODE

01432

TRANSACTION TYPE (Please check all relevant transactions):

- Change of Hours
- Change of DBA
- Charity Wine License

THE LOCAL LICENSING AUTHORITY MUST MAIL THIS TRANSMITTAL
FORM ALONG WITH THE CHECK, COMPLETED APPLICATION, AND
SUPPORTING DOCUMENTS TO:

**ALCOHOLIC BEVERAGES CONTROL COMMISSION
P. O. BOX 3396
BOSTON, MA 02241-3396**

Change of Hours Checklist

This application will be returned if the following documentation is not submitted:

Vote of Corporate Board or LLC

Note: No fee is required for this transaction as formal ABCC approval is not necessary

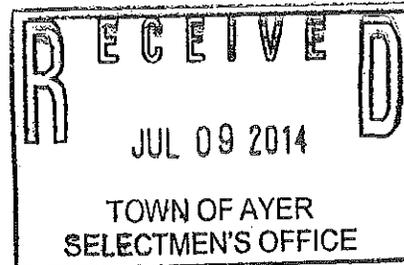
Town of Ayer

Office of Community & Economic Development

Town Hall ♦ One Main Street ♦ Ayer, MA 01432 ♦ 978-772-8206 ♦ Fax: 978-772-8208



TO: Ayer Board of Selectmen
FR: David Maher
RE: Transfer of Lien for 15-17 Main Street
Cc: Robert Pontbriand
DT: July 9, 2014



Honorable Members:

Currently the property at 15-17 Main Street is held in a trust by members of the Bresnahan and McGuane family, the ladies being sisters of Joseph and Anthony McGuane. (see attached sheet)

Joseph McGuane (original signatory on the trust) and his son Ryan, who currently has and will continue to have his business at this location, are in the process of purchasing the building from the other trust members.

Back in 2005 the family used the CDBG façade grant program and a grant of \$30,265 was used to upgrade the façade of the building. Currently \$15,889 remains on that grant.

Joseph and Ryan would like to transfer that lien against their new title which is a common place practice for those buildings that utilized that grant and have been since sold. The Spaulding Building and the current Century Carpet building are two examples of new owners of the property who kept the lien in place.

In this case, because the building is going to be in a new second position behind the McGuane's new loan with Middlesex Bank, they are asking the Board of Selectmen To approve this second position lien against the property which would include the current \$15,889 lien which would be decreasing monthly as the term of the grant expires which would be in 2020 (or 5 years from now)?

I would recommend approving the McGuane's request, especially in light of keeping a great family second-generation business in place on Main Street. Thank you,


David Maher
Town of Ayer
Office of Community and Economic Development

2 -
b



Bk: 44062 Pg: 453 Doc: CERT
Page: 1 of 2 11/09/2004 11:02 AM

CERTIFICATE OF LIEN

KNOW ALL MEN BY THESE PRESENTS that WHEREAS **Louise A. Bresnahan, Anthony J. McGuane, Sally M. Sloan (formerly known as Sally J. Bresnahan) and Joseph B. McGuane, Trustees of Ben and Isabel Realty Trust** u/d/t dated April 17, 1997 recorded Middlesex County Registry of Deeds in Book 27240, Page 411 have the ownership or the ownership of an interest in certain real property situated at **15-17 Main Street** in the Town of Ayer, Middlesex County, Massachusetts described as follows: A lot of land together with any improvements thereon, located at 15-17 Main Street, Ayer, Massachusetts described in a deed dated **January 16, 1975** and recorded with the Middlesex registry of Deeds in Book **12749** Page **663**

AND, WHEREAS, the said **The Ben and Isabel Realty Trust** is an applicant and/or recipient of a grant of funds for the rehabilitation of said real estate under the provisions of 24 CFR 570.202 (a)(b)(1).

Executed and sealed this 21st day of **October** 2004.

Louise A. Bresnahan
Louise A. Bresnahan - Trustee

Anthony J. McGuane
Anthony J. McGuane - Trustee

Sally M. Sloan
Sally M. Sloan - Trustee

Joseph B. McGuane
Joseph B. McGuane - Trustee

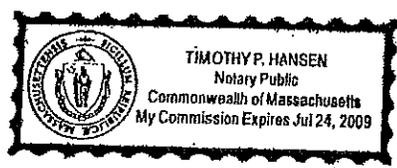
COMMONWEALTH OF MASSACHUSETTS

Middlesex County, ss

On this 21st day of October, 2004 before me, the undersigned notary public, personally appeared Louise A. Bresnahan, proved to me through satisfactory evidence of identification, which were Drivers license to be the person whose is signed on the preceding or attached document, and swore or affirmed to me that the contents of the documents of the document are truthful and accurate to best of his/her knowledge and belief and acknowledged the foregoing to be his/her/their free act and deed.

Timothy P. Hansen
Notary Public

My commission expires: July 24, 2009



ORED
Town of Ayer
One main ST
Ayer MA

July 9, 2014

Ayer Board of Selectman
1 Main Street
Ayer, MA 01432

RE: Subordination of Lien
15 Main Street

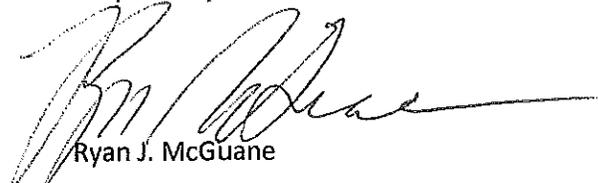
Dear Board of Selectman,

Please except this letter as a formal request to subordinate the municipal lien currently attached to 15-17 Main Street, Ayer Massachusetts. This building has been in our family since the 1950's, originally purchased by Bernard McGuane where he ran a shoe store here for many years. In 1975 he transferred ownership to his four children who have owned & maintained the property since. In 2012 Ryan McGuane moved his financial planning practice to 15 Main Street to partner with Paul Bresnahan. It is our wish to continue offering Financial Planning & Insurance services at 15 Main Street indefinitely. Joseph B. McGuane & Ryan J. McGuane are in the process of purchasing the building. Joseph B. McGuane already owns 25% of the property with his three siblings.

The building appraised for \$310,000. There will be a lien from North Middlesex Savings Bank in the amount of \$236,000 which will be utilized to buy out the other parties. In 2004 Joseph McGuane & his three siblings received grant money as part of the revitalization funds for Main Street. The total amount was roughly \$30,000 which was to be forgiven over 15 years. No amount was taken off the balance for the first 5 years with the remainder to be forgiven over the following 10 years. We're currently half way through the 10 year period with a balance of \$15,889 still outstanding.

It is our intent to remain in the building for decades to come. We have a long history of family, friends and business in the Ayer community and value having a Main Street address. Please except this request to subordinate the current municipal lien to the commercial loan being offered through North Middlesex Savings Bank.

Respectfully Submitted,



Ryan J. McGuane
Manager

CC: Joseph B. McGuane

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: July 10, 2014

TO: Ayer Board of Selectmen

FROM: Robert A. Pontbriand, Town Administrator

R.A.P.

SUBJECT: Appointment of Ayer Train Station Advisory Committee (ATSAC) Members

Dear Honorable Selectmen,

In accordance with the provisions set forth in the Mission Statement and Group Objectives of the Ayer Train Station Advisory Committee (ATSAC) as presented and adopted by the Ayer Board of Selectmen on June 24, 2014, the following individuals were selected by ATSAC and are recommended for appointment by the Ayer Board of Selectmen as official Representatives and/or Alternates of the ATSAC:

Primary Representatives:

Mr. Jeremy Callahan
Mr. Patrick Hughes
Ms. Kathleen O'Connor

Alternates:

Ms. Carolyn McCreary
Mr. Harry Zane

Thank you.

Attachment: ATSAC Press Release

Cc: State Senator James B. Eldridge
State Representative Jennifer Benson
State Representative Sheila Harrington
Congresswoman Nikki Tsongas
MART
File

Ayer Train Station Advisory Committee Selects Three Representatives and Alternates.

FOR RELEASE AT WILL

The Ayer Train Station Advisory Committee (ATSAC) has selected three representatives to meet with the government agencies, and state and local government officials who are approving and implementing the parking facility planned for the Ayer commuter rail station.

The representatives are: Jeremy Callahan, Patrick Hughes and Kathleen O'Connor. Carolyn McCreary and Harry Zane are alternates. All five are residents. O'Connor is also a daily rail commuter from Ayer.

In Mid-June, the Ayer Board of Selectmen (BOS) voted to authorize three representatives of ATSAC to attend planning and implementation meetings for the planned commuter rail project, which has received \$3.2 million in federal and state construction funds. ATSAC will strive to expedite the implementation process and serve as a conduit among the BOS, the residents of Ayer and commuters. The group will provide updates on the status of the project and work to ensure that that the facility is compatible with the character of the surrounding community, and meets resident and commuter expectations.

Planning and Implementation meetings for the project may include representatives of the Montachusett Area Regional Transit Authority (MART), the Massachusetts Bay Transportation Authority (MBTA), and the BOS, as well as relevant federal and state officials. ATSAC will report to the BOS on a regular basis.

The project was one of the recommendations in the Town of Ayer's 2005 Comprehensive Plan Update. Planning for the facility moved forward again as the focus of a 2007 town-wide workshop (called a "Charette"), which was organized by a BOS-appointed parking task force and attended by some 80 residents. Four different citizen teams presented design and location

scenarios. Following the consensus of the Charette, the task force made recommendations for a downtown commuter parking facility to the BOS, which approved them in May of 2007, as did residents at Ayer's Annual Town Meeting.

McCreary, a former selectman, was the task force chair. Hughes and Zane were also members of the task force; Callahan is a current member of the Ayer Planning Board with a degree in urban planning; and O'Connor is a daily commuter into Boston, and a former congressional aide who holds a degree in urban and environmental policy.

The formation of ATSAC followed recent complaints by commuters and residents about a lack of transparency, and lengthy implementation delays on the project.

###

Editors' Contact:
harry@zane.net
978 772 1219

Ayer Train Station Advisory Committee (ATSAC)

Mission Statement:

To act as a conduit between the Town of Ayer, commuters, government agencies and our elected officials on matters relating to the establishment of permanent, defined access in Depot Square; improved parking availability; and any future rail-station related issues that necessitate public input and advocacy on behalf of stakeholders.

Objectives:

- To create a representative group, consisting of three volunteer Ayer residents and rail transit commuters who are committed to positive progress and are familiar with the project;
- To work directly with Montachusett Area Regional Transit (MART) and Massachusetts Bay Transit Authority (MBTA) on behalf of the town to ensure the task force/charrette results are taken into consideration and that the proposed designs reflect the historic small-town character of Ayer, are appropriately sized and safety concerns are taken into consideration;
- To be the conduit between the Board of Selectmen, the residents of Ayer, and the commuters to provide updates on the status of the project, upcoming deadlines, and designs under discussion;
- To receive regular updates from MART and the MBTA, as well as inclusion in design discussions;
- To be responsible for draft press releases and other community relations materials for approval and dissemination by the Board of Selectmen;
- To be authorized to bring comments, questions, and suggestions back to MART and the MBTA for consideration and design changes, and;
- To report to the Board of Selectmen on a regular basis.

AYER FIRE DEPARTMENT

Robert J. Pedrazzi
Chief

1 West Main Street
Ayer, Massachusetts 01432
Tel. (978) 772-8231
Fax (978) 772-8230



Date: 7/8/2014 Purchase Order #: July

Bill to: Customer #

Account Name: Ayer Fire

Address: 1 West Main Street

City, St, Zip: Ayer, MA 01432

Ship to (Where devices are physically shipping): Customer #

Account Name: Ayer Fire

Address: 1 West Main Street

City, St, Zip: Ayer, MA 01432

Tax Information

Is Order Taxable?
(Circle One) Yes No

If Exempt Please Provide Exemption Info.
State: (attach exemption document if applicable)

Number:

End User (Where devices will be placed): Customer #

Account name: Ayer Fire

Address: 1 West Main Street

City, St, Zip: Ayer, MA 01432

Contact Name: Chief Robert Pedrazzi

Contact Phone #: 978-772-8231

Sales Consultant: Crystale Perry

FOB: FOB REDMOND

Shipping: GROUND

Terms: NET 30

Bill To: Customer Contacts:

Name: Robert Pedrazzi

Title: Chief

Phone: 978-772-8231

Fax: _____ E-mail: _____

Quote #: 1-270556298 See Attached Quote for the detail of items ordered. TOTAL \$ AMOUNT OF PRODUCTS PURCHASED: 29,757

Line #	Catalog #	Description	Quantity	Unit Cost	Extended Cost
1					-
2		See signed quote			-
3					-
4					-
5					-
6					-

VENDOR/SUPPLIER: Physio Control, Inc.
P.O. BOX 97008
REDMOND, WA 98073-9708

Subtotal	-
Estimated Freight	-
Subtotal	-
Sales Tax (Enter local Rate)	0.0000%
ESTIMATED PO AMOUNT	-

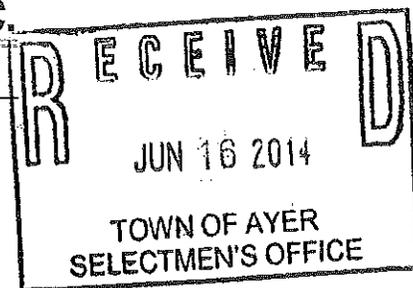
Comments:

Print Name _____ Authorized Signature _____ Date _____

Notes:
ACTUAL TAXES, FREIGHT AND HANDLING FEES SHOULD BE ADDED AT TIME OF SHIPMENT, IF APPLICABLE.
A REVISED PO IS REQUIRED FOR ANY CHANGES TO PRODUCT OR QUANTITIES PURCHASED.

S. J. MULLANEY ENGINEERING, INC.

CIVIL SITE DESIGN & PERMITTING



June 13, 2014

Town Administrator Robert Pontbriand
c/o Ayer Board of Selectmen
1 Main Street
Ayer, MA 01432-1365

Re: Petition for Street Acceptance – Crabtree Development, LLC – Portions of Pingry Hill Subdivision

Dear Mr. Pontbriand and Members of the Board of Selectmen:

Our client, Crabtree Development, LLC, recently completed construction of all or portions of four streets in the Pingry Hill subdivision off Snake Hill Road and Littleton Road: Deer Run, Partridge Run and portions of Hickory Way and Old Farm Way. Crabtree would like a petition for street acceptance to be included in the warrant for the October 2014 fall Special Town Meeting.

Field survey crews are completing an as-built survey of the subdivision infrastructure corresponding to these streets. We are in the process of preparing the as-built plan required by Section III.B.7.a. of the Rules and Regulations Governing the Subdivision of Land in the Town of Ayer.

We will submit the as-built plan to you as soon as it is completed in late July. Meanwhile, we respectfully request to be placed on the agenda of the July 15, 2014 Board of Selectmen meeting to discuss the street layout and acceptance process.

We suggest the following warrant language based on recent Ayer street acceptances:

Article ____

To see if the Town will vote to accept the layouts of the following streets as public ways, the metes and bounds of which are on file in the office of the Town Clerk, and to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain, fee interest or easement in such public ways and any and all easements related thereto, and further, to authorize the Board of Selectmen to enter into all agreements and take all related actions necessary or appropriate to carry out this acquisition, on such terms and conditions as the Board of Selectmen deems appropriate or take any action thereon or in relation thereto.

1. Deer Run
2. Partridge Run
3. Hickory Way from Littleton Road to 225 feet beyond Old Farm Way
4. Old Farm Way from Holly Ridge Road to its end

Thank you for your consideration in this matter. Please contact us to confirm this course of action and to notify us of Board of Selectmen meeting times.

Very truly yours,
S. J. MULLANEY ENGINEERING, INC.

A handwritten signature in cursive script that reads "Stephen J. Mullaney".

Stephen J. Mullaney, P.E.
President

Cc: client

BUILDING COMMISSIONER

TOWN OF AYER

GABRIEL J. VELLANTE JR.
TOWN HALL
1 MAIN ST.
AYER, MA. 01432

TELEPHONE (978) 772-8214

08,Jul.,'14

Re: Proposal for staffing the building Department

- Hire a part-time Assistant Building Inspector
15 hours per week at \$25/hr.
Must be Certified at minimum as Local Inspector
- Initial 90 days the Assistant will work Tuesday and Thursdays with the Building Commissioner.
This will be a training period to acquaint the Assistant with the office procedures and the town.
The training period could vary in length.
The Building Commissioner will adjust this period as he see fit.
- After the training period the Assistant will be scheduled to do site inspections on Mondays.
Hold office hours on Tuesday with the Building Commissioner
Have office hours on Wednesday mornings and do inspections in the afternoon.

Sincerely,

 _____

Gabriel J. Vellante Jr.
Building Commissioner/Zoning Enforcement Officer

Cc: File

Cf: C/Ayer/letter/ltr14-ltr14012

TOWN OF AYER



BOARD OF SELECTMEN

Comment [JL1]: Upon formal approval/disapproval of recommended changes this document may have to be reformatted as pages may fall out incorrectly.

OFFICE POLICIES AND PROCEDURES

RECORD OF CHANGES

<u>REVISION</u>	<u>DATE</u>	<u>CHANGE AUTHORITY</u>	<u>CHANGES/ADDITIONS/DELETIONS AFFECTED SECTIONS</u>
X-			Global updates, Paragraph # update, Baselining of document

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Comment [JL2]: New table of contents is a field that can be updated with ease.

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Comment [L3]: See page 3. Table of contents made into a field for future ease of updates. This page is for review of what was – to what potentially is. This table of contents had to be manually changed.

99-0114-01: PURPOSE:

The Board of Selectmen of the Town of Ayer, recognizing the need to codify the traditional and accepted working relationship between the Board, the Town Administrator, the **SecretaryAdministrative Assistant** and other office support staff, and also recognizing the need to systemize and reduce to writing these policies and procedures, hereby undertake to create operating policies and procedures for the office of the Board of Selectmen.

99-0214-02: NATURE OF POLICIES & PROCEDURES:

These policies and procedures shall contain items relating to topics that are not addressed elsewhere. Subjects that would more appropriately be addressed in a statute, by-law or regulation shall not be addressed in this format. These policies are intended to be illustrative of the major areas for which office policies and procedures are required, but they are not intended to be all-inclusive.

It should be understood that these policies and procedures represent the rules that govern the manner in which all employees of the office of the Ayer Board of Selectmen shall perform their respective functions. Accordingly, any violation of these policies and procedures may constitute grounds for disciplinary action.

99-0314-03: PROCESS FOR ESTABLISHING POLICIES AND PROCEDURES:

Draft policies and procedures shall be placed on the agenda for any regularly scheduled meeting of the Board. Drafts shall be in writing, and may be introduced only by a member of the Board or the Town Administrator. Upon receipt of a draft, the Board may choose to discuss the policy immediately or schedule the discussion for a future meeting. The Board may schedule any hearings or meetings it deems necessary for discussion. The Board may distribute a draft for comment to appropriate officials as it deems necessary.

The Board will not vote on a policy at the same meeting that it is first introduced. This rule may be waived if the Board unanimously votes that prompt action is necessary. A majority vote of the five-three member board is necessary for adoption. When a policy is approved it shall be given a designation consisting of the last two digits of the year, a dash, and then a two-digit number in order. For example: the first policy approved in the year 1999 would be given the designation 99-01.

The policies and procedures for the office of the Board of Selectmen shall be developed by the Board of Selectmen and the Town Administrator and approved by the Board of Selectmen. They may be amended from time to time. The following represent current policies and procedures:

The Town Administrator shall be responsible for the maintenance of all policies and procedures.

99-0414-04: STAFFING AND CHAIN OF COMMAND:

The office of the Board of Selectmen is staffed with the Town Administrator, the SecretaryAdministrative Assistant and part-time clerical assistance on an as needed basis.

The chain of command is as follows: The Town Administrator reports to and takes direction from the Board of Selectmen.

The SecretaryAdministrative Assistant and support staff report to and take direction from the Town Administrator.

99-0514-05: OFFICE HOURS:

~~The office shall be open and staffed at all times Monday through Friday from 8:30am to 5:00pm.~~

~~The office shall be open and staffed at all time Monday through Friday as follows:~~

~~Monday, Wednesday and Thursday 8:00am through 4:00pm~~

~~Tuesday 8:00am through 7:00pm~~

~~Friday 8:00am through 1:00pm~~

Comment [JL4]: Reflects new open to the public Town Hall hours.

It is the expectation of the Board of Selectmen that the work of the Board of Selectmen shall be of the first priority of the Town Administrator while ~~he or she~~he/she is working in ~~his or her~~his/her official capacity for the town.

Further, it must be clearly understood that the Town Administrator works for all of the Board members equally. In that regard ~~he or she~~he/she cannot be expected to take specific direction from one member on a matter of substance without the other members being given notice and an opportunity to comment and offer guidance on the matter.

During the office hours of the office of the Board of Selectmen, it is the expectation of the Board of Selectmen and the Town Administrator that the work of the Board of Selectmen and the Town Administrator, as directed by the Town Administrator, shall be of the first priority to the ~~Secretary~~Administrative Assistant and the support staff.

Any and all other activities to be undertaken during these hours (i.e. town celebration planning and activities or other town related but non-Board specific activities) will require the prior approval of the Town Administrator and shall only be allowed to be undertaken if the Town Administrator believes that they will not detract from the ~~Secretary~~Administrative Assistant's primary responsibilities.

The ~~Secretary~~Administrative Assistant shall be the primary person staffing the office of the Board of Selectmen, and may be required, to the best of his/her ability, to perform some of the duties of the Town Administrator in his/her absence.

The ~~Secretary~~Administrative Assistant's hours shall be:

- ~~Monday, Wednesday and Thursday 8:00am through 4:30pm~~
- ~~Tuesday 8:00am through 7:30pm~~
- ~~Friday 8:00am through 1:30pm~~
~~for a total of 40 hours per week (less a 1/2 hour unpaid lunch break)~~
- ~~Monday through Friday from 8:30 am to 5:00 pm (less a 1/2 hour unpaid lunch break)~~
~~for a total of 8 hours per day for a total of 40 hours per week.~~
- The ~~Secretary~~Administrative Assistant shall not suffer nor be permitted to work in excess of ~~eight (8) hours in a day nor~~ forty (40) hours in a week without the prior approval of the Town Administrator. Any time that is pre-approved by the Town Administrator that is beyond ~~eight (8) hours in a day or~~ forty (40) hours in a week shall be at overtime or compensatory time.

The Town Administrator shall be the primary person staffing his/her office and may staff the Board of Selectmen's office as necessary.

The Town Administrator's hours shall be:

- As per his/her contract.

Approved June 1999, Amended July 2000, Baselined 2014

99-0614-06: OVERTIME AND COMPENSATORY TIME:

The ~~Secretary~~Administrative Assistant is a non-exempt employee and is entitled to overtime and/or compensatory time with the Town Administrator's prior approval and written authorization on the ~~Secretary~~Administrative Assistant's time sheet as per this policy, the Town of Ayer Personnel Policies and Procedures Manual and the Fair Labor Standards Act.

The Town Administrator is an exempt employee and is not entitled to overtime or compensatory time.

99-0714-07: LUNCH BREAK:

The ~~Secretary~~Administrative Assistant shall receive a ½ hour unpaid lunch break. During ~~his or her~~his/her lunch break, every reasonable effort shall be made to assure that backup office coverage shall be provided in the following order of progression by either: a) an in-house staff person from another office, b) an on-call clerical assistant, c) by the Town Administrator, or d) at a minimum with the office telephone lines ~~trunked-transferred~~ over to another office with coverage.

The Town Administrator may take a lunch break as ~~his or her~~his/her schedule dictates or allows.

99-0814-08: TIME SHEETS AND ACCRUED TIME USED SHEETS:

~~Bi-W~~weekly time sheets shall be required of all non-elected personnel.

99-0914-09: SICK DAY COVERAGE:

If the ~~Secretary~~Administrative Assistant will be out of work due to illness ~~she/he~~she/he/she shall contact the Town Administrator either on ~~his or her~~his/her cell phone, ~~pager~~, or at his/her home prior to the start of the work day in order to provide the Town Administrator with an opportunity to arrange for office coverage.

~~If the Secretary~~Administrative Assistant ~~will be out of work due to illness, every~~Every reasonable effort shall be made to assure that backup office coverage ~~shall be~~is provided in the following order of progression by either: a) an on-call clerical assistant, b) an in-house staff person from another office, c) by the Town Administrator or d) at a minimum with the office telephone lines ~~trunked-transferred~~ over to another office with coverage.

If the Town Administrator will be out of work due to illness he/she shall contact the Selectmen's Office ~~answering machine~~voice mail and so state.

99-1014-10: VACATION DAY COVERAGE:

Vacation requests for the ~~Secretary~~Administrative Assistant shall be given with as much advance notice as is practicable, but with a minimum of two weeks. ~~This will provide the Town Administrator an opportunity to arrange for office coverage.~~The Administrative Assistant will

arrange for proper office coverage with approval by the Town Administrator. Vacation days will be granted as the workload of the office allows and are subject to the prior approval of the Town Administrator.

Every reasonable effort shall be made to assure that backup office coverage is provided in the following order of progression by either: a) an on-call clerical assistant, b) an in-house staff person from another office, c) by the Town Administrator or d) at a minimum with the office telephone lines transferred over to another office with coverage. If the SecretaryAdministrative Assistant will be out of work due to vacation, every reasonable effort shall be made to assure that backup office coverage shall be provided in the following order of progression by either: a) an on-call clerical assistant, b) an in-house staff person from another office, c) by the Town Administrator or d) at a minimum with the office telephone lines trunked over to another office with coverage.

Vacation requests of the Town Administrator are subject to the terms in his or her/his/her contract.

99-1114-11: PERSONAL DAY COVERAGE:

If the SecretaryAdministrative Assistant will be out of work due to a personal day she/he/he/she shall give as much advance notice as is practicable, but in any case shall contact the Town Administrator either on his or her/his/her cell phone, pager, or at his/her home prior to the start of the work day in order to provide the Town Administrator with an opportunity to arrange for office coverage.

If the SecretaryAdministrative Assistant will be out of work due to a personal day, every reasonable effort shall be made to assure that backup office coverage shall be/is provided in the following order of progression by either: a) an on-call clerical assistant, b) an in-house staff person from another office, c) by the Town Administrator or d) at a minimum with the office telephone lines trunked over to another office with coverage.

If the Town Administrator will be out of work due to a personal day he/she shall give as much advance notice as is practicable, but in any case shall contact the Selectmen's Office answering machine and voice mail and so state.

99-1214-12: BOARD OF SELECTMEN FOLDERS:MAIL BOX

Each member of the board shall have a folder-mail box located in a convenient place in the office. All incoming and/or inter-office correspondence will be placed in these folders-mail boxes for the board members to view at their discretion.

99-1314-13: DAILY MAIL INTAKE AND DISTRIBUTION:

Unless mail is noted to be "personal and confidential", the SecretaryAdministrative Assistant shall sort, open and date-stamp all of the incoming mail. The daily mail shall be recorded on a daily log sheet with a to/from, and a brief description of the content of the mail. This log shall be

~~provided to each Board member daily via facsimile or e-mail (or in their folder if no facsimile or e-mail is available) and to the Town Administrator in hand. This log shall be updated daily without repetition of information.~~

All of the actual correspondence shall be placed in each member's ~~folder~~ mail box or emailed for their review.

With the Town Administrator's prior approval, any items that require the immediate attention of the Board shall be distributed immediately. ~~The Administrative Assistant will ensure that the Town Administrator is copied all items. If the Town Administrator cannot be reached in person or via cellular or regular telephone, and an item requires the immediate attention of the Board, then and only then shall the Secretary/Administrative Assistant forward the information to the Board, and then only to all members. Anytime the Secretary/Administrative Assistant forwards information directly to the Board he or she/he/she must make the Town Administrator aware of it as soon as possible.~~

Any incoming mail that is confidential in nature shall be handled according to the confidentiality policy contained herein.

**99-1414-14: TELEPHONE CALLS, MESSAGES AND ANSWERING
~~MACHINE VOICE MAIL~~**

All incoming telephone calls shall be handled according to the following procedure:

- When the Town Administrator is in his/her office and a call for him/her comes in, the caller shall be asked for their name, their company or town/city and the nature of their call. The ~~Secretary/Administrative Assistant~~ shall then place the caller on hold and intercom the Town Administrator to see if he/she is available to take the call. Calls shall not be passed through without notice.
- When the Town Administrator is not available, a written message shall be taken for all of his/her calls. In order to establish a clear record of calls, all messages shall be taken on carbon copied message pads. Written messages for the Town Administrator shall be ~~kept at the Secretary/Administrative Assistant's desk on a message spindle. It placed in his/her mailbox.~~ It is the responsibility of the Town Administrator to check ~~the spindle~~ his/her mailbox for messages. At no time shall the Town Administrator's home or cellular telephone number be given out without the Administrator's prior authorization.
- In that it is the Town Administrator's job to handle the day to day operations of the Selectmen's office for the Board, all calls for Board business shall be forwarded to the Town Administrator. If the caller specifies that ~~he or she/he/she~~ does not wish to speak to the Town Administrator, a written message shall be taken for the call. In order to establish a clear record of calls, all messages shall be taken on ~~carbon copied~~ carbonless message pads.

Written messages for the Board members shall be ~~kept at the SecretaryAdministrative Assistant's desk on a message spindle placed in the respective mailbox.~~ It is the responsibility of the ~~SecretaryAdministrative Assistant~~ to convey said messages to the Board member as soon as it is practicable but in no event later than on the same day that the call was received assuming that the Board member can be reached. At no time shall a Board member's home or work telephone number be given out without the Board member's prior authorization.

The primary reason for having ~~an answering machine ivocemail~~ in the office of the Board of Selectmen is to record incoming calls that are received after regular office hours. However, the ~~answering machine~~voicemail will be checked for messages each time the ~~SecretaryAdministrative Assistant~~ returns after having left the office for any period of time. In order to establish a clear record of calls, all messages left on the ~~answering machine~~voicemail shall be transcribed onto ~~carbon copied~~carbonless message pads. Written messages for the Town Administrator ~~shall be kept at the SecretaryAdministrative Assistant's desk on a message spindle. It is the responsibility of the Town Administrator to check the spindle for messages.~~ Written messages for the Board members shall also be kept at the ~~SecretaryAdministrative Assistant's desk on a message spindle.~~ and/or Board of Selectmen will be placed in the respective mailboxes or emailed accordingly. It is the responsibility of the ~~SecretaryAdministrative Assistant~~ to convey said messages ~~to the Board member as as~~ soon as it is practicable but in no event later than on the same day that the call was received. ~~assuming that the Board member can be reached.~~

99-1514-15: CONFIDENTIALITY:

This policy is intended to define the manner in which all confidential materials and/or information shall be handled in the office of the Ayer Board of Selectmen.

It is understood that it is the philosophy of the Ayer Board of Selectmen, and those that it employees, that all confidential material and/or information shall be kept as such. Said material and/or information shall not be discussed or disclosed, in whole, in part, or by reference, with anyone except those who have a legitimate business need to know in order to conduct business for or on behalf of the Board.

It is further understood that this is based upon the fact that any deviations from said policy might have far reaching effects on the Town's ability to deliver services and may have serious financial and/or legal repercussions.

Procedure for Handling Confidential Material and/or Information:

- Only employees of the Board of Selectmen shall be authorized to open incoming mail.

- Any incoming mail that is labeled confidential, related to an ongoing confidential matter before the Board, written on the stationery of an attorney, or otherwise appears to be confidential, shall be handled according to the following procedure:
 1. The material shall be “date” and “confidential” stamped.
 2. The material shall be disseminated to all relevant parties in a secure fashion, i.e. either hand delivered, by first class mail with a “confidential” stamp on the envelope, or via facsimile with a “confidential” stamp on the coversheet. If disseminated via facsimile there shall be a telephone call made to give advance notice to the receiving party and there shall be a follow-up telephone call to the receiving party to confirm receipt of the material.
 3. The original material shall be filed in the locked file cabinet in the Board’s office in the appropriate file folder.
 4. Any copy of the material that is needed by the Town Administrator to conduct the Board’s business shall at all times, when not in use, be filed in a locked file cabinet in the Town Administrator’s office.
 5. If and/or when the material is no longer needed for action or for the file as required by the law, it shall be destroyed by shredding and disposing of it.

99-1614-16: POLITICS AND CAMPAIGNING:

While it is not the intention of the Board of Selectmen to limit any employee’s right to vote and/or to participate in our political processes, it shall be the policy of the Board of Selectmen that no political activities shall be conducted or condoned in the Town Hall either during or after office hours. This shall include, but not be limited to the following: no campaign event tickets shall be sold or distributed in the Town Hall, no campaign flyers or other material shall be stored or disseminated in the Town Hall and, no political candidates shall be allowed to appear on the agenda of the Board meetings for political purposes without the consent of the Chair and then for no longer than one minute, and no debates or forums shall be coordinated through staff in the Town Hall.

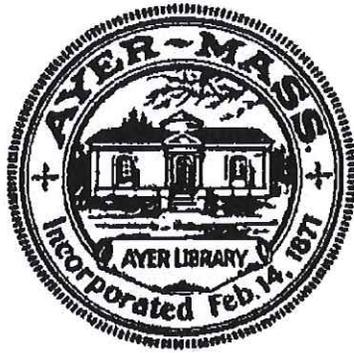
99-1714-17: ETHICS AND CONFLICTS OF INTEREST:

All matters of ethics and conflicts of interest shall be governed by the Board of Selectmen’s general policies and procedures, by the Town of Ayer Personnel Policies and Procedures Manual and by the appropriate local, state and/or federal laws.

00-0114-18: CITIZEN CORRESPONDENCE:

When a letter addressed to the Board comes into the office that requests action the ~~Secretary~~Administrative Assistant shall stamp it as received and forward to the appropriate department for action. The ~~Secretary~~Administrative Assistant shall ~~send a letter to the party who sent the letter acknowledging receipt of the letter and informing them of the action taken~~acknowledge receipt of the correspondence.

TOWN OF AYER



BOARD OF SELECTMEN

GENERAL POLICIES & PROCEDURES

Comment [JL1]: Upon formal approval/disapproval of recommended changes, the formatting of this document will need to be adjusted as the pages may fall out differently.

RECORD OF CHANGES

<u>Rev</u>	<u>Date</u>	<u>Change Authority</u>	<u>Changes/Additions/Delections</u> <u>Affected Sections</u>
<u>X-</u>		<u>Ex: Town Meeting,</u> <u>BOS meeting....</u>	<u>Global Update. Paragraph #s,</u> <u>Language,</u>

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Comment [JL2]: New Table of Contents is now a field which allows for better control of any changes.

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99-0114-01: PURPOSE:

The Board of Selectmen of the Town of Ayer, recognizing the need to codify the traditional and accepted working relationships among the members of the Board, between the Board and the Town Administrator, ~~office secretary~~Administrative Assistant and between the Board and other Town boards, committees, officials and citizens, and also recognizing the need to systemize and reduce to writing the Town's public policies and procedures, hereby undertake to create operating procedures for the Board of Selectmen.

99-0214-02: NATURE OF POLICIES & PROCEDURES:

These policies and procedures shall contain items relating to topics that are not addressed elsewhere. Subjects that would more appropriately be addressed in a statute, by-law or regulation shall not be addressed in this format. These policies are not intended to be all-inclusive.

It should be understood that these policies and procedures represent the rules that govern the manner in which the members of the Ayer Board of Selectmen and their staff shall perform their respective functions. Accordingly, any violation of these policies and procedures may constitute grounds for either sanction or disciplinary action, whichever is appropriate.

99-0314-03: PROCEDURE TO ESTABLISH POLICIES AND PROCEDURES:

Draft policies and procedures shall be placed on the agenda for any regularly scheduled meeting of the Board. Drafts shall be in writing, and may be introduced only by a member of the Board or the Town Administrator. Upon receipt of a draft, the Board may choose to discuss the policy immediately or schedule the discussion for a future meeting. The Board may schedule any hearings or meetings it deems necessary for discussion. The Board may distribute a draft for comment to appropriate officials as it deems necessary.

The Board shall not vote on a policy at the same meeting that it is first introduced. This rule may be waived if the Board unanimously votes that prompt action is necessary. A majority vote of the five-three member board is necessary for adoption.

The Town Administrator shall be responsible for the maintenance of all policies and procedures.

99-0414-04: AUTHORITY:

The Board of Selectmen is an elected Board and derives its authority and responsibilities from the statutes of the Commonwealth of Massachusetts, the bylaws of the Town of Ayer and from the citizens of the town.

99-0514-05: ELECTION, QUALIFICATION AND RECALL:

The Board shall consist of five-three duly elected members. Before assuming official duties, each newly elected member shall be sworn to faithful performance of official responsibilities by the Town ClerkModerator. A duly elected member of the Board of Selectmen can be recalled from office in accordance with the provisions of the Town of Ayer's Recall Petition by-law.

99-0614-06: VACANCIES ON THE BOARD:

When a vacancy occurs in the membership of the Board of Selectmen, the Board or its remaining members shall fill the unexpired term or terms in accordance with the Massachusetts General Laws.

99-0714-07: ROLE OF THE BOARD OF SELECTMEN:

The Board is the chief executive body of the town. The Board sets the community's vision and provides the leadership required to assure that the mission is followed. The Board is responsible for appointing personnel, developing and implementing policy and reviewing for compliance with said policies. The Town Administrator supports the Board on appointments and policy formulation, implementation and compliance.

The Board is responsible for supervising the departments of the general government that are not supervised by the other elected officials. This responsibility is delegated, at the discretion of the Board, to the Town Administrator, and the Board, at its discretion may, and in most instances should, agrees to allow the Town Administrator to provide administrative direction to the departments that fall under the board's jurisdiction to assure that the board's policies are implemented in the course of the town's day to day operations. Department heads shall receive policy direction from the board through the Town Administrator, and may also on occasion receive administrative direction directly from the Board (though not unilaterally from an individual member). As a rule, however, Department Heads shall receive administrative direction for day to day operations directly from the Town Administrator. Department Heads report to the board but do so through the Town Administrator. This policy is not intended to limit or otherwise exclude a Department Head from expressing concerns or issues directly to the Board, but rather it is intended to provide a framework for an effective and efficient operation utilizing an appropriate chain of command. If any concerns or issues are brought to the attention of the Board directly, the Board shall report them to the Town Administrator as soon as it is practicable and shall work proactively with the Town Administrator to address the concern or issue. Concerns and questions about the operation of departments, and suggestions for improvements should be addressed to the Town Administrator, and the responsibility for addressing these issues is thus carried out through the Town Administrator. Selectmen may be called upon to resolve disputes that are unable to be resolved on the staff level.

No individual Board member shall be allowed to direct a Department Head in the methods or manners in which the department's day to day business is to be conducted, however, this policy is not intended to limit or restrict the rights of an individual Board member to communicate his or her opinions regarding the implementation of an approved Board policy.

99-0814-08: ROLE OF THE TOWN ADMINISTRATOR:

The Board appoints a Town Administrator who functions as the Town's Chief Administrative Officer. The primary duties of the Town Administrator shall be the day-to-day administration of the general government as outlined in the position's job description. The Town Administrator shall also assist and work under the direction of the Selectmen on appointments and in the formulation, implementation and compliance of policy.

The Town Administrator must maintain a close working relationship with all members of the Board. He/she shall regularly brief the Board on all important issues.

99-0914-09: ROLE OF THE ~~SECRETARY~~ADMINISTRATIVE ASSISTANT AND SUPPORT STAFF:

The Board appoints a ~~Secretary~~Administrative Assistant and said appointment shall be made with a recommendation from the Town Administrator and as per the Town of Ayer Personnel Policies and Procedures Manual.

The ~~Secretary~~Administrative Assistant functions as the support staff for the Board and the Town Administrator. The ~~Secretary~~Administrative Assistant must maintain a close working relationship with all members of the Board and the Town Administrator. The ~~Secretary~~Administrative Assistant reports to and takes direction from the Town Administrator.

The primary duties of the ~~Secretary~~Administrative Assistant shall be as outlined in the position's job description. He/she shall perform varied office administration functions as directed by the Town Administrator.

99-1014-10: BOARD RULES AND ETHICS:

1. A member of the Board of Selectmen, in relation to his or her community should:

- A. Realize that his or her basic function is as it is listed in section 99-0714-07 which is contained herein.
- B. Realize that he or she is one of a team and should abide by, and carry out, all board decisions once they are made.
- C. Be well informed concerning the duties of a board member on both local and state levels.
- D. Remember that ~~he or she~~he/she represents the entire community at all times.
- E. Accept the office of Selectman as a means of unselfish service and not benefit personally or politically from ~~his or her~~his/her board activities.
- F. In all appointments, avoid political patronage by judging all candidates on merit, experience, and qualifications only.
- G. Abide by the ethics regulations established by the State and not use the position to obtain inside information on matters which may benefit someone personally.
- H. At all times carry and conduct him/herself in a manner that is appropriate and becoming of a Chief Elected Executive Official of the town of Ayer.

2. A member of the Board of Selectmen, in ~~his or her~~his/her relations with administrative officers of the Town, should:

- A. Endeavor to establish sound, clearly defined policies that will direct and support the Board of Selectmen, for the benefit of the people of the community.
- B. Recognize and support the administrative chain of command and refuse to act on complaints as an individual outside the administration.

C. Give the Town Administrator full responsibility and authority for discharging ~~his or her~~his/her duties.

3. A member of the Board of Selectmen, in ~~his or her~~his/her relations with fellow board members, should:

A. Recognize that only an action taken at official and legal selectmen's meetings is binding, and that ~~he or she~~he/she alone cannot bind the board outside of such meetings.

B. Recognize that ~~he or she~~he/she should not make any representation to anyone on behalf of the board unless and until the board takes a formal position on the matter.

C. Should informal decisions by telephone ~~con~~consensus be required of the Board between meetings, all Board members shall be contacted prior to a majority decision being implemented.

D. Uphold the intent of executive session and respect the privileged communication that exists in executive session.

E. Make decisions only after all facts on a question have been presented and discussed.

F. Treat with respect the rights of all members of the board despite differences of opinion.

G. Be responsible to address the concerns and complaints of the citizens in the town of Ayer and the employees of the government.

H. Demonstrate leadership by raising issues and encouraging debate regarding said issues both within the Board and within the community at large.

99-1114-11: TOWN ADMINISTRATOR RULES AND ETHICS:

1. The Town Administrator, in relation to the Board and the community should:

A. Realize that ~~his or her~~his/her basic function is to carry out the policies of the Board through day to day administration of the town's business.

B. Realize that ~~he or she~~he/she represents the Board and should abide by, and carry out, all board decisions once they are made.

C. Be well informed concerning the duties of a Town Administrator on both local and state levels.

D. Remember that in representing the Board that ~~he or she~~he/she represents the entire community at all times and that ~~he or she~~he/she must treat the public in a courteous and respectful manner.

E. Accept the office of Town Administrator as a means of unselfish service and not benefit personally or politically from his or her activities.

F. In recommendations for all appointments, avoid political patronage by judging all candidates on merit, experience, and qualifications only.

G. Abide by the ethics regulations established by the State and not use the position to obtain inside information on matters which may benefit someone personally.

- I. Participate in discussion at Board Meetings and Town Meetings as requested by the Board.
 - J. To speak on behalf of the Board only on accepted policies and accepted positions on issues.
2. The Town Administrator, in ~~his or her~~his/her relations with other administrative officers of the Town should:
- A. Endeavor to establish sound, clearly defined policies that will support the Board of Selectmen for the benefit of the people of the community.
 - B. Recognize and support the administrative chain of command.
3. The Town Administrator, in ~~his or her~~his/her relations with the board members, should:
- A. Uphold the intent of executive session and respect the privileged communication that exists in executive session.
 - B. Treat with respect all Board members.

99-1214-12: SECRETARY ADMINISTRATIVE ASSISTANT AND SUPPORT STAFF RULES AND ETHICS:

1. The Secretary Administrative Assistant and Support Staff, in relation to the Board, the Town Administrator and the community should:
- A. Realize that ~~his or her~~his/her basic function is to carry out the policies and directives of the Town Administrator and/or the Board.
 - B. Realize that ~~he or she~~he/she represents the Town Administrator and the Board and should abide by, and carry out, all Town Administrator and Board decisions once they are made.
 - C. Be well informed concerning the duties of the Secretary Administrative Assistant on the local level.
 - D. Remember that in representing the Town Administrator and the Board that ~~he or she~~he/she represents the entire community at all times and that ~~he or she~~he/she must treat the public in a courteous and respectful manner.
 - E. Accept the office of Secretary Administrative Assistant or Support Staff as a means of unselfish service and not benefit personally or politically from his or her activities.
 - F. In any participation in or comments on appointments, avoid political patronage by judging all candidates on merit, experience, and qualifications only.
 - G. Abide by the ethics regulations established by the State and not use the position to obtain inside information on matters which may benefit someone personally.
2. The Secretary Administrative Assistant and Support Staff, in ~~his or her~~his/her relations with administrative officers of the Town, should:
- A. At all times recognize and support the administrative chain of command.

B. This policy is not intended to limit or otherwise exclude the ~~Secretary~~Administrative Assistant and Support Staff from expressing concerns or issues directly to the Board, but rather it is intended to provide a framework for an effective and efficient operation utilizing an appropriate chain of command. If any concerns or issues are brought to the attention of the Board directly, the Board shall report them to the Town Administrator as soon as it is practicable and shall work proactively with the Town Administrator to address the concern or issue.

3. The ~~Secretary~~Administrative Assistant and Support Staff, generally, should:

- A. Uphold the intent of executive session and respect the privileged communication that exists in executive session.
- B. Treat with respect the rights of all members of the community and the government despite differences of opinion.

99-1314-13: ORGANIZATION OF THE BOARD:

The Chairman shall be elected annually at the first regular meeting following the Annual Town Election. The Board at any time may remove the Chairman by a majority vote. Unless by a unanimous vote, the Chairman shall not serve two consecutive years in any given term. A majority vote shall constitute an election. Nominations require a second. The immediate past Chairman shall preside as Chairman pro tem until the Chairman is elected. If there is no immediate past Chairman, the senior member in terms of current service shall serve as Chairman pro tem. If a vacancy occurs in the office of Chairman, the Board shall elect a successor. The Board shall further appoint a Clerk under the same provisions stated for the Chairman.

99-1414-14: RESPONSIBILITIES OF THE CHAIRMAN:

The Chairman of the Board shall:

- 1. Preside at all meetings of the Board. In doing so, he/she shall maintain order in the meeting room, recognize speakers, call for votes and preside over the discussion of agenda items.
- 2. Sign official documents that require the signature of the Chairman.
- 3. Call special meetings in accordance with the Open Meeting Law.
- 4. Set agendas with the Town Administrator subject to acceptance of the board when the meeting convenes.
- 5. Arrange orientation for new members (Note: Such orientation must meet the requirements of the Open Meeting Law).
- 6. Serve as spokesman of the Board at Town Meetings and present the Board's position unless otherwise determined by the Board or delegated by the Chairman.
- 7. Make liaison assignments and assign overview responsibilities for project and tasks to Board member subject to acceptance of said assignment by the Board members.

The Chairman shall have the same rights as other members to offer and second motions and resolutions, to discuss questions and to vote thereon.

99-1514-15: RESPONSIBILITIES OF THE VICE CHAIRMAN:

The Vice Chairman of the Board shall act in the place of the Chairman during his/her absence at meetings. Should the chairman leave office, the Vice Chairman shall assume the duties of Chairman until the Board elects a new Chairman.

99-1614-16: RESPONSIBILITIES OF THE CLERK:

The primary administrative function of the Clerk is to sign the Board's minutes.

99-1714-17: REGULAR BOARD MEETINGS:

Regular Board Meetings are held on a schedule voted by the Board. Unless in the case of an emergency, the Board shall not meet on days designated as legal holidays.

99-1814-18: SPECIAL MEETINGS:

A meeting that is called for any time other than the regular meetings shall be known as a "Special Meeting". The same rules as those established for regular meetings will apply. Special meetings may be called by any member provided that a majority of the members agree to meet, all Board members are notified and the meeting is posted as is required by the Open Meeting Law.

99-1914-19: EMERGENCY MEETINGS:

A meeting that is called for any time other than the regular meetings and that is called without the required forty-eight (48) hour posting shall be known as a "Special Emergency Meeting". The same rules as those established for regular meetings will apply. Special Emergency meetings may be called by any member provided that the subject matter is of an emergency nature, a majority of the members agree to meet, due diligence is used in notifying all Board members and the meeting is posted as is required by the Open Meeting Law.

99-2014-20: WORKING MEETINGS:

The Board may conduct informal "working sessions" from time to time as the situation warrants. At such meetings, which will be posted in accordance with the Open Meeting Law, no official action will be taken. A synopsis of transactions of informal meetings will be made a part of the minutes of the following regular meeting.

99-2114-21: MEETING PROCEDURES:

Meetings are to be conducted in accordance with generally accepted rules of parliamentary procedure and the Open Meeting Law. It is the practice that application of such procedures be on a relatively informal basis, due to the size of the group and the desirability of flexibility in the expression of opinion. Robert's Rule of Order is used as a guide in matters requiring clarification.

Although the public and the press have a right to be present at open meetings of the Board of Selectmen, they do not have the right to participate unless they are recognized by the Chair.

A quorum shall consist of ~~three~~ two members of the Board. As a practical courtesy, action on critical or controversial matters, such as the adoption of policy or appointments, shall be taken,

whenever practicable, with the full Board in attendance. Actions and decisions shall be by motion, second and vote. Split votes, if any, will be identified by name.

The Town Administrator is expected to be in attendance at all meetings of the Board. The Town Administrator shall attend in order to keep the Board informed and advised on all matters that fall within the jurisdiction of his/her office. He/she shall carry out the actions of the Board as they relate to the conduct and administration of Town affairs under his/her jurisdiction.

99-2214-22: EXECUTIVE SESSION:

Executive Sessions of the Board shall only be held in accordance with the provisions of Massachusetts General Law Chapter ~~39, section 23B30A, section 21A.~~

If practicable, Executive Sessions, other than a few minutes in duration, will be scheduled only at the end of the open meeting. Only items clearly allowed under the Open Meeting Law shall be included in Executive Session. The mover must specify in the motion to enter Executive Session and the exemption under which the session is sought. A majority of the members present must vote to enter Executive Session by roll call vote. The motion must state whether or not the Board will reconvene into open session.

99-2314-23: AGENDA PROCEDURES:

The responsibility for coordinating and planning the meeting agenda is that of the Town Administrator in consultation with the Chairman. Each of the Board Members and the Town Administrator may place items on the agenda. The Town Administrator, in consultation with the Chairman, shall schedule a realistic time period for each appointment, interview, conference or other scheduled item of business.

All items for the agenda are expected to be submitted to the Town Administrator at least ~~two-five~~ **(5) working** days before any regularly scheduled meeting. Items of emergency or strictly routine nature that develop after closing of the agenda may be considered under "new business".

Agenda items normally include:

1. Call Meeting to Order
2. Accept Minutes and Agenda
3. Public Input
4. Guests
5. Department Reports
7. New Business
8. Executive Sessions (if any)
9. Adjournment

Members of the Board, Town Administrator, staff or others who prepare background material for the meeting should make an effort to have such material available at least two days before any regularly scheduled meeting. If background information is insufficient or complicated or if complex memos or motions are presented at the meeting which were not in the Board's meeting packet, any member should feel free to request the tabling of the item to allow careful study of the material presented or the motion proposed.

The Board's meeting packet shall be compiled by the ~~Secretary~~**Administrative Assistant**. ~~The agenda and all substantiating documents will be arranged in order and hole punched for placement into each Board members meeting binder.~~**The agenda and all substantiating documents shall be made into a PDF and emailed to the board within three (3) working days of said meeting.**

The agenda shall be available to the public and the press at the Selectmen's office at least two days before the meeting date and shall be posted at the Town ~~Office-Hall~~ bulletin board, the ~~library bulletin board~~ Town Website and on the cable access channel that same afternoon.

Copies of the minutes of the previous meeting and all important correspondence, reports and other pertinent background materials shall be forwarded with the agenda to Board members.

The Board shall not begin discussion of or act on an agenda item after ~~10:00 P.M.~~ 9:00pm of a regularly scheduled meeting. This rule may be waived by a unanimous vote.

Comment [JL4]: The purpose for the 10pm cutoff was due to a 5 person board. This was one of many reasons as to why the board was reduced to 3. Recommend changing to 9pm to accommodate 3 person board.

99-2414-24: MINUTES:

The ~~Secretary~~ Administrative Assistant shall record open meetings of the Board ~~by tape recorder, and he/she shall draft minutes from the tape.~~ The minutes of the Board of Selectmen constitute the official record of the Board under Federal, State and Local Law.

Minutes shall be circulated to the Town Administrator and members of the Board on or before the ~~fourth-seventh~~ day after the meeting and shall be in order for approval at the next regular meeting of the Board. By unanimous consent, minor corrections may be made to the minutes without advance circulation of such corrections.

Comment [JL5]: This was changed by the BOS Jan/Feb 2014.

Minutes shall contain a full statement of all motions made and voted by the Board and of the disposition of all proposals for action. Approved minutes shall be signed by the Clerk and recorded in a Minutes Book ~~which shall be bound annually and posted to the Board of Selectmen~~ Webpage.

Minutes of Executive Sessions shall be recorded by the Town Administrator, approved by the board, signed by the Clerk and kept by the Town Administrator in accordance with the above procedures.

Minutes are open for public inspection as provided for by law.

99-2514-25: APPOINTMENTS:

The Board makes numerous appointments each year. Appointments are generally made for one or three years in length. In no case, may appointments be made for more than three years unless specifically allowed by state law. Appointments generally are made on or before June 30th of each year. In the case of appointments, a second to the nomination or motion will be required prior to Board action.

Employee Appointments: Employee appointments shall be made with a recommendation from the Town Administrator and as per the Town of Ayer Personnel Policies and Procedures Manual.

Committee Appointments: Whenever possible the Board will seek variety in backgrounds, interests, ages, sex and geographic areas of residents, so that a true cross section of the community will be reflected. In order to attract qualified and interested persons, vacancies will be made public as far in advance of appointment as practicable. Vacancies could be advertised

in the local paper as well as on Cable TV. Appointments should be based on merit and qualifications rather than political merit.

The ~~Secretary~~Administrative Assistant shall:

- a. Provide by April 1st a list of the appointment vacancies to be filled by the Board.
- b. Notify the chairman of the appropriate board or committee requesting recommendations regarding reappointment or the filling of vacancies.
- c. Notify incumbents and request their statements of availability regarding reappointment.

All candidates seeking appointment for the first time to a position shall submit a short written letter of interest or resume. This letter/resume shall be included in the Board agenda in advance of the meeting. The Board may consider reappointments to positions at their pleasure. A statement/resume will only be requested from a candidate seeking reappointment by specific request of a member of the Board.

The Board will interview candidates seeking an appointment for the first time to the following positions as well as all vacant elected positions being filled by them in accordance with the law:

- ~~Advisory Board~~
- Ayer Cultural Council
- Cable Commission
- ~~Communications-IT~~ Committee
- Conservation Commission
- Council on Aging
- Director of Emergency Preparedness
- Fourth of July Committee
- Gas and Electrical Inspectors
- Historical Commission
- Industrial Development Commission
- Industrial Development Finance Authority
- Montachusett Regional Planning Commission
- Montachusett Area Regional Transit Authority
- Personnel Board
- Recycling Committee
- Zoning Board of Appeals; and
- Any other board, committee or commission appointed by the Board of Selectmen

Notice of candidates being interviewed shall be included in the agenda provided to the Board. The Board may request that candidates for a position not listed above be interviewed. Candidates not being interviewed may, at the discretion of the Board, still be considered upon receipt of the resume/statement.

Appointments will normally be made only when all members of the Board are present. Appointments will be made by a majority vote of the Selectmen.

99-2614-26: ADVISORY COMMITTEES OF THE BOARD OF SELECTMEN:

The Board may appoint standing or ad hoc advisory committees to aid on matters under the Board's jurisdiction. The use of such advisory committees provides greater expertise and more widespread citizen participation in the operation of government.

Charges to advisory committees shall be in writing and shall include the work to be undertaken, the time in which it is to be accomplished and the procedures for reporting to the Selectmen. Each committee must report in writing at least annually to the Selectmen. The Selectmen's Office shall be sent copies of all committee agendas and minutes. The Board will discharge committees upon the completion of their work. In addition, each Committee shall be provided with a Committee Handbook addressing issues such as conduct and law. This Committee Handbook should be reviewed every two (2) years.

The charges and membership of standing advisory committees shall be reviewed periodically -- at least annually -- to assess the necessity and desirability of continuing the committee. Re-appointments will be based on an evaluation of the member's contribution, the desirability of widespread citizen involvement and the changing needs of the committee and the town.

It is the policy of the Selectmen to appoint qualified citizens representing all sections of the town to all such advisory committees. The Board will normally appoint no individual to more than one standing advisory committee at any one time.

In order to attract qualified and interested persons, vacancies will be made public as far in advance, but at least two weeks in advance, of an appointment as practicable.

99-2714-27: RELATIONS WITH TOWN BOARDS, COMMITTEES AND COMMISSIONS

The Board of Selectmen is aware that coordination and cooperation is needed among the town's major boards, committees and commissions not only in the day to day operations of government but also to:

- 1.) set town wide goals and priorities,
- 2.) identify and anticipate major problems and working together towards their resolution, and
- 3.) develop a process for dealing with federal, state and county government.

Therefore, as the executive board that is historically responsible for the overall leadership and coordination of town affairs, the Selectmen will require that the Town Administrator to:

1. At least two times each year schedule meetings with the chairmen of major boards and committees to carry out functions 1-3 listed above. One meeting, shall, if possible, be held between the annual election and the start of town meeting for the purpose of reviewing the warrant and expediting town meeting.

2. Regularly schedule meetings of the Selectmen, Advisory Committee and School Committee with Ayer's State Legislators to discuss legislative issues which affect Ayer.

3. On behalf of the board, the Town Administrator is responsible for inter-board communication in the day to day operations of government. The Town Administrator shall develop a process for exchange of information and the provision for advice and recommendations among the boards, committees and commissions with common interest, which shall include but not be limited to the exchange of minutes, the establishment of a central repository for data, studies and reports and the appointment of members or staff of boards, committees or commissions as liaison with one another around common projects.

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99-2814-28: RELATIONS WITH CITIZENS:

The Board recognizes that it both represents and is accountable to all the citizens of the town. It is the Board's policy to make every effort to strengthen communications with citizens. Measures will be instituted to increase citizen participation, encourage citizen input into governmental decisions and to keep citizens informed of all actions contemplated or taken by the Board and the town meeting which will affect them. To this end the following steps will be taken:

1. An individual citizen or group of citizens may request an appointment before the Board by contacting a Board member or the Town Administrator, stating precisely the reason for the appearance and the action desired and naming a spokesman for the group. Participants shall be given the opportunity to make a reasonable presentation through the spokesman and to express opinions and ask for pertinent information. Background data shall be prepared by the boards and departments concerned prior to the appointment insofar as possible, so that all parties involved can have a reasonable understanding of the subject matter. Citizens are encouraged to have written materials submitted for the Board's meeting packet. This policy is not intended to limit public participation for those people wishing to speak under the public input section of the board's agenda.
2. Persons who will be directly affected by proposed Board discussion and/or action will be notified by the ~~Secretary~~Administrative Assistant to the Board of Selectmen and Town Administrator of the date and time of meeting at which the matter will be discussed or acted upon by the Board.
3. In considering matters of citizen concern at a regular meeting, the public will be allowed to ask questions or make statements relative to the matter under consideration at the discretion of the Chairman or upon request of any member of the Board.
4. All citizen questions and complaints are to be answered promptly. Questions and concerns relating solely to the Office of Selectmen shall be answered promptly by the Town Administrator, after consulting with the Board. Those needing prompt

attention by the Board should be referred to the Chairman for inclusion in the next meeting agenda.

5. All other questions and all complaints are to be referred to the Selectmen's Office for action or recommendations. In those instances deemed appropriate by a Board member, the Board member receiving the complaint may deal directly with a department head, the Board member shall subsequently inform the Town Administrator of the issue and its disposition.

99-2914-29: EMPLOYEE GRIEVANCES:

Employee grievances are to be handled as delineated in the Town's Personnel Policies and Procedures. Under the Personnel by-law, the personnel policies and procedures are formulated by the Personnel Board with the approval of the Selectmen. If employee grievances are brought to the attention of a Board member it shall be Board policy to proceed as follows:

Selectmen will not intercede or interfere with the process. The employee will be shown the administrative process to be followed. A meeting with the Board may be requested by any employee; the Board may, at their discretion, defer such meeting until other remedies available to the employee under the current version of the Personnel Policies and Procedures Manual and/or the respective Collective Bargaining Agreement have been exhausted.

Comment [JL6]: By stating current version, this covers any updates in the future that may happen to the Personnel Policy.

99-3014-30: HEARINGS BEFORE THE BOARD:

Hearings before the Board of Selectmen generally shall be conducted in accordance with the following procedures. Variations may be necessary to comply with statutory requirements applicable to particular matters. The procedure for conducting dog and utility hearings are hereinafter outlined:

1. Notice: The Secretary/Administrative Assistant to the Board of Selectmen and Town Administrator will advertise the hearing and notify interested persons, such as abutters, as required by statute or as directed by the Chairman in the absence of statutory requirements.
2. Hearings will be held in open session unless otherwise voted by the Board in compliance with the Open Meeting Law.
3. The Chairman will announce the nature and purpose of the hearing, identify the particular matter, and recite the notice given. Where appropriate, the Chairman will outline the procedure to be followed. All questions shall be addressed to the Chair.
4. The order of presentation will be:
 - a. Presentation by Proposer
 - b. Receipt of recommendations from any Town agency or officer
 - c. Statements by proponents
 - d. Statements of opponents
 - e. Rebuttal statements by proponents and opponents

- f. Where appropriate, questions may be asked of any person making a statement after the statement is finished. Questions will be accepted first from members of the Board.
5. The Board may permit persons not desiring to speak to record themselves as in favor or against the proposal. In the discretion of the Board a show of hands may be taken.
6. At the conclusion of the hearing the Board may render its decision or take the matter under advisement, announcing the intended date of decision.

99-3114-31: PROCEDURE FOR CONDUCTING DOG HEARINGS

A written complaint must be filed with Board of Selectmen. The complaint should describe and name the dog and fully identify the owner. The complaint should further specify why and how the dog is considered to be vicious. Specify all times, dates and reasons.

Upon receipt of a request for a hearing, the hearing will be included in the agenda for a regular meeting. The ~~Secretary~~Administrative Assistant to the Board of Selectmen and Town Administrator will notify the Dog Officer and all involved persons. Hearings will be held in open session. The procedure for conducting a hearing is as follows:

1. Read complaint - fully identify and describe dog, present picture when available. Note that the hearing is being conducted under Chapter 140 of the MGL's.
2. Swear in the complainant that all information and statements are the whole truth and nothing but the truth.
3. Hear reports from dog officer and/or health officer -- make sure dog is fully identified here.
4. Take testimony from complainants - directly question as to why dog is considered vicious or dangerous. Are they fearful of dog? Is there excessive barking, etc.?
5. Take testimony from owner and/or others speaking on his behalf.
6. At the conclusion of the hearing the Board may render its decision or take the matter under advisement, announcing the intended date of decision.
7. Unless otherwise requested by the Board, the dog shall ~~not attend~~always attend the hearing.

99-3214-32: TOWN MEETINGS:

1) Annual Town Meetings

The Town Meeting warrant is the Selectmen's warrant by Statute. The Board members shall jointly decide which articles on the warrant will be moved by which member of the Board at the town meeting. The Board of Selectmen may insert articles in the warrant on their own initiative by a vote of the Board or by written petition signed by ~~ten (10)~~fifty (50) registered voters for the Annual Town Meeting. It has been the practice of the Town of Ayer to hold its Annual Town Meeting on the second Monday in May. The Selectmen may call the Annual Town Meeting for any time allowed by the Massachusetts General Laws. The warrant for the Annual Town

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Comment [JL7]: Recommend changing this to 50. This coincides with a quorum for T.M.

Comment [L8]: By-Law on webpage says 4th Monday in April. Need to update by-law.

Comment [L9]: By this statement, it can be considered to have Town Meeting on a Saturday which would also reflect alot of residents requests.

Meeting shall be mailed to every house with a registered voter at least two (2) weeks prior to the Annual Town Meeting.

2)Special Town Meetings

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The Selectmen will call a Special Town Meeting when deferment of the particular matter(s) proposed for inclusion on the warrant for the Special Town Meeting will not serve the interest of the Town. The Selectmen must call a Special Town Meeting if they receive a written request, signed by two hundred (200) registered voters. It is the practice of the Town of Ayer to use a special town meeting only to address subjects of an urgent nature.

The Selectmen may insert articles in the warrant on their own initiative or by written petition signed by ten percent (10%) of the registered voters for Special Town Meeting . The Selectmen may also insert articles in the warrant upon request of another committee.

Notwithstanding the above, in the interest of economy of operations and imposition on the voters the Selectmen shall strive to limit the calling of Special Town Meetings to the minimum necessary as is otherwise in the Town's best interest. In determining whether to call a Special Town Meeting, the Selectmen may consult with other town committees, officials, and staff as appropriate. It is strongly recommended that the Moderator and Town Clerk be consulted for each Town Meeting.

99-3314-33: TOWN HALL – SMOKING POLICY

The Board of Selectmen have voted the following "No Smoking" policy for the Ayer Town Hall: Effective September 1, 1995, no smoking will be allowed in the Town Hall.

Complaints in regards to this policy shall be filed with the Town Administrator.

99-3414-34: LICENSE FEES

The Selectmen are designated the local licensing authority for most general projects and purposes. State law refers to over 50 types of licenses which may be issued by the Selectmen.

For procedural guidance for alcohol, common victualers, innholders, amusement, Sunday entertainment, motor vehicle (class I, II, III and junk), taxi and earth removal permits and/or licenses please see the existing policy in the Board office and or the relevant town of Ayer By-law.

Applications for licenses and permits will be made available in the Selectmen's Office in accordance with established policies. In the interest of all concerned, it is recommended that persons requesting the licenses or permits be in attendance at the Board meeting when the request is reviewed. The ~~Secretary~~Administrative Assistant to the Board of Selectmen and Town Administrator will notify all interested parties of the date and time of such review. License applications shall not be considered by the Board until receipt of written confirmation from the Tax Collector and DPW that all taxes and utility bills are paid in full to date.

For a list of the current fees charged for licenses most frequently issued by the Ayer Selectmen, please see [attachment A: the Town of Ayer Webpage.](#)

99-3514-35: RECORDS RETENTION

The following is a list of standard records mandated for use by the Board of Selectmen in carrying out their statutory responsibilities. To destroy records included in this retention schedule, a letter with two copies shall be submitted to the Supervisor of Public Records requesting approval. Upon receipt of approval, records may be destroyed.

<u>RECORD</u>	<u>MGL REF</u>	<u>RETENTION PERIOD</u>
Accts & Receipts of Collector	60-94	After Use
Appointment Certificate	41-23C	3 yrs after termination of appt
Audit Report	44-39	Permanent
Boundaries & Perambulation Material	42-2/10	Permanent
Budget Material	41-59	After Use
Cash Books		After Audit
Dog Complaints	140-157	4 yrs
Dog Officer Warrants	140-153	4 yrs
Elections - Vacancy Notices	50-6A & 54-141/144	1 yr
Employment Applications		Perm if hired, otherwise, 2 yrs
Employment Service Record		Permanent
Expenditures	41-60	After Use
Insurance Policies		7 yrs after use
Licenses		
Applications		2 yrs
Book		Permanent
Minutes	66-6	Permanent
Payroll Sheets	41-42	After Use
Purchasing		
Awards and Contracts	30B	7 yrs. after exp. of contract
Emergency Procurement Files		7 yrs after final pay & audits
Organization Proposal	71-15	Permanent
Schedule of Bills Payable	41-51	After Use
Special Town Meeting Petitions	39-10	Permanent

99-3614-36: INSPECTION OF PUBLIC RECORDS:

This section complies 950 CMR 32.00: Public Records Access for the guidance of supervisory and administrative personnel, and to insure that disputes regarding access to particular records are resolved expeditiously and fairly.

Every person has the right to inspect or receive copies of public records in the custody of the Selectmen's departments without unreasonable delay. Every effort shall be made to provide such public records in a timely fashion consistent with current workloads.

1. Definitions:

Custodian shall mean the Department Head for the purposes outlined herein.

Public Records means all books, papers, maps, photographs, financial statements, statistical tabulations, or other documentary materials or data, regardless of physical form or characteristics, made or received by any employee of the Selectmen's departments. Records specifically excluded from "public" records: under the provisions of Chapter 4, Section 7 (26), of the Mass. General Laws include:

- a. personnel files and any other material relating to a specifically named individual whose disclosure may constitute an unwarranted invasion of personal privacy.
- b. memoranda relating to policy development, internal or to the Board of Selectmen; however, backup for all studies or reports may not be reasonably withheld.
- c. commercial or financial information voluntarily provided by contractors or individuals for use by the Selectmen's departments in developing policy.
- d. proposals and bids to enter into a contract or agreement prior to the time schedule for public opening of such bids or proposals; information provided by others relating to contractor's previous performance used in evaluating bidders qualifications prior to a decision on the award of a contract.
- e. appraisals of real property acquired or to be acquired until a final agreement is entered into or litigation has been completed or the time to commence litigation has expired.
- f. water bills or water consumption information pertaining to any specific household or address other than that of the person making the request.
- g. investigatory materials, the disclosure of which materials would probably so prejudice the possibility of effective law enforcement or pending disciplinary action that such disclosure would not be in the public interest.

Search time means the time needed to locate, pull from the files, copy and refile, and when applicable, address and mail a public record. However, it shall not include the time expended to create the original record.

Segregation time means the time used to delete or expunge data which is excluded under the definition of public records.

2. Procedures:

a. Inspection. Public records may be inspected at all times during regular business hours of the department. Personnel are encouraged to assist the public by answering questions about factual information; however, care must be exercised not to offer opinions which are not clearly supported by available data. Originals or sole copies of documents will not be removed from the Office premises for any reason by members of the public.

b. Promptness of Access. Every effort shall be made by personnel to provide on-the-spot access to persons wishing to inspect public records, and similarly, to provide in-hand copies of one or two page documents and additional copies when the employee servicing the request is able. However, when the employee is presented with requests for numerous copies or ten minutes or more search time is required, or the employee is working on other departmental priorities or deadlines, the request for copies may be serviced at a later time. The goal shall be to fulfill all requests for copies within three working days, but in no instance shall the time exceed the ten days allowed by State regulations.

c. Fees. A fee schedule for the most frequently requested public records is provided in Section 4. In addition, whenever search time and/or segregation time exceeds thirty minutes, a prorated fee based on the lowest hourly compensation rate of an employee capable of fulfilling the request for information will apply.

Fees will be waived for public records up to 200 pages provided to members of legally constituted boards, commissions and committees containing information within the purview of the body in which the membership exists. A reduced fee will be imposed for requests more than 200 pages. In addition, the Department Head may waive fees for up to 300 pages whenever such action will clearly benefit the public interest.

Comment [JL10]: By changing this paragraph to include a prorated rate, it will make any/all records request more efficient.

When requests for copies of public records are received by telephone or mail, the requestor will be notified of the appropriate fee in advance. If copies are to be mailed, the requisite payment must be received prior to mailing.

d. Interpretation. All questions regarding the application of these policies and procedures will be referred to the Town Administrator.

e. Denials. When, in the opinion of an employee who receives a request for information, the requested information is not a public record, or of a nature which is exempt, the request will be referred to the Department Head for a determination. With the concurrence of the Town Administrator, if the Department Head determines that the requested material is not a public record, or

of a nature which is exempt, he shall proceed in accordance with the CMR 32.08 by furnishing the requestor with a written response specifying the basis for denial of the request. The Department Head shall advise the person denied access of his or her remedies under 950 CMR 32.00 and M.G.L. c66 Sec. 10(b).

3. References:
M.G.L. Ch. 4, Sect. 7 (26) 950 CMR 32.00

4. Fees:

1. Photocopies 11" X 8 1/2", 11" X 14", 11" X 17":	\$.25/pg
2. Zoning by-law w/map-	To Be
<u>Determined \$2.00</u>	
3. Assessor's Maps-	To Be Determined \$
<u>.50/pg</u>	

NOTE: When search time/segregate time exceeds 15 minutes per request, a per hour prorated charge based on the lowest hourly compensation rate of a departmental employee capable of fulfilling the request for information will be added to the copying fees above.

00-0114-37: MANAGER'S WRITTEN REPORTS

Introduction:

In an effort to keep the Board of Selectmen informed and to provide department heads with an opportunity to communicate departmental activities in a more efficient and formalized fashion, the Board of Selectmen requires the following:

Written Reports:

Each department head shall be required to submit a monthly written report to the Selectmen's office. This report shall describe all activities undertaken by that department head and his/her department employees during the prior month. Particular attention should be paid to how the department head's actions during the prior month fit in with the department's annual goals and objectives. These written reports are intended to help keep the Board of Selectmen informed, to relieve department heads from the obligation of attending the meetings on a regular basis, and to free up valuable time at Selectmen's meetings for non-routine matters.

These written reports shall be directed to the Town Administrator, shall be due in the Selectmen's office at noon on the ~~Friday-Tuesday~~ before a Selectmen's semi-monthly meeting and shall be included in the Selectmen's meeting packets.

The departments shall be divided into two groups with one group submitting reports for the first monthly meeting and the other group submitting for the second monthly meeting. The meeting schedule shall be coordinated through the Town Administrator.

Department heads may be required to attend additional meetings when there are specific matters requiring the department heads attendance. The need for attendance at other than quarterly meetings shall be coordinated through the Town Administrator.

Conclusion:

While this policy is a requirement for all Board of Selectmen appointed department heads, it is also an open opportunity for other department heads, boards and commissions to keep the lines of communication open. Accordingly, the Selectmen would encourage all others to use this process.

END OF POLICIES

Authorization of Policies and Procedures:

The forgoing policies shall take full force and effect on the day of their approval or amendment. These policies and procedures shall not be amended without a vote of the Board of Selectmen. Any vote of change shall be committed to writing, signed, dated and attached hereto.

Robert J. PenaChristopher R. Hillman, Chairman

Jane WitherowJannice L. Livingston, Vice Chairman

James M. FayGary J. Luca, Clerk

Paul D. Bresnahan, Member

Cornelius F. Sullivan, Member

Board Member or Employee Acknowledgement:

I acknowledge that I have received a copy of the Town of Ayer Board of Selectmen General Policies and Procedures. I further acknowledge that it is my responsibility to become familiar with them and to abide by them.

Board Member or Employee's Name

Date



AYER POLICE DEPARTMENT

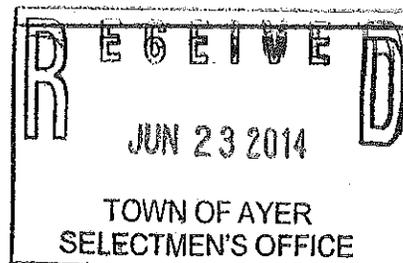
54 Park Street · Ayer, Massachusetts 01432-1161
Tel. (978) 772-8200 · Fax (978) 772-8202



William A. Murray
Chief of Police

MEMORANDUM

To: Board of Selectman
From: Chief William A. Murray 
CC: TA Pontbriand, file
Date: June 19, 2014
Re: Appointments



I am requesting that the Board reappoint the following people to their respective positions:

Reserve Police Officer:

- Robert Finn
- Edward Nelson
- Robert Souldainian

Animal Control Officer:

- Robert Freidrich



AYER POLICE DEPARTMENT



54 Park Street • Ayer, Massachusetts 01432-1161
Tel. (978) 772-8200 • Fax (978) 772-8202

William A. Murray
Chief of Police

To: Ayer Board of Selectmen
From: Lt. Brian Gill
Cc; Chief William A. Murray, Town Administrator, File
Date: July 9, 2014
Re: Reserve Police Officer Appointment

At Chief Murray's behest, I am requesting that the Ayer Board of Selectmen appoint **Casey R. Scott** to the position of **Reserve Patrol Officer**.

Casey started with the Ayer Police Department in 2010 as a Per Diem Dispatcher, and in 2011 was appointed as the Permanent Part Time Dispatcher. In early May 2013 he temporarily assumed the duties of a Full Time Dispatcher when one fell ill, and was appointed permanently later in the year. On January 7th, 2014 Casey began the 6 month long MPTC Reserve / Intermittent Academy, (Boylston Academy) and recently graduated on June 26th.

Casey has proven himself as a loyal and invaluable member of the Ayer Police Department team and would be a welcome asset to our small, but effective, Reserve Officer regiment.

I am asking that the appointment be contingent upon:

1. Satisfactory completion of a Background Investigation
2. Satisfactory completion of a Physical Evaluation
3. Satisfactory completion of a Psychological Evaluation

If appointed, he would be a probationary employee and will fulfill all of the requirements set forth by the Ayer Police Department.

Sincerely,

Lt. Brian Gill
Ayer Police Department
bgill@ayer.ma.us
978-772-8200 ext. 502

Mr. Robert Pontbriand
Town Administrator
Town of Ayer
1 Main Street
Ayer, MA 01432
(978)-772-8220

Robert,

I recently became aware of potential opportunities working on the Ayer Zoning Board. I have two neighbors active in Ayer activities and have been encouraged by them to apply. I have a very sincere interest in applying for this opportunity working for Ayer on the Zoning Board.

Just a short recap of my past activities that may assist you in your decision. My former business activities were that of a successful Manufacturing Program Manager for a number of years. I became dissatisfied with what I called a "Plastic World" and returned to school and obtained my Masters Degree in Education with a major in Psychology from Cambridge College. I recently retired from Mclean Hospital in Belmont, MA. where I was a Mental Health Counselor and Substance Abuse Counselor. During that duration I also ran a First Offender Dui Program here in Ayer and a Second Offender, DUI, Program in Leominster, MA. Currently I am retired and recently started volunteer work at Loaves and Fishes on Devens.

I do not have Political Public experience but have extensive experience working with people. I am a very results driven person that is capable of understanding the facts and setting realistic, timely, attainable and measurable goals

I would very much like to meet with you and discuss this opportunity. If required I can bring with me my two separate "Resumes" and copies of my "Degrees" that support the above statements?

Howard W. Hall
7 Mountain View Ave.
Ayer, MA 01432
(978)772-6235
Hwahll1@verizon.net



KOPELMAN AND PAIGE, P.C.
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July 10, 2014

Mark R. Reich
mreich@k-plaw.com

Hon. Christopher R. Hillman and
Members of the Board of Selectmen
Ayer Town Hall
One Main Street
Ayer, MA 01432

Re: Removal of Snow and Ice from and Repairs to Old Groton Road

Dear Members of the Board of Selectmen:

You have requested an opinion regarding whether the Town may remove snow and ice from and undertake maintenance and repairs to the road known as Old Groton Road. As I understand the circumstances, Old Groton Road is a fifteen-foot wide unpaved and unmaintained dirt road with "Do Not Enter" signs on each end, according to the Town's Superintendent of Public Works. Further, there is no indication that the Town has accepted this road or acquired any interest in the road, meaning that Old Groton Road remains a private way owned by and serving the abutters thereto. You question whether the Town can utilize Town equipment and materials and public funds to remove snow and ice from, make repairs to, and undertake maintenance of, Old Groton Road.

In my opinion, the Town may only undertake snow and ice removal from, and maintenance and repair of, a private way after compliance with the specific statutory procedures addressing these actions. I will outline below the statutory requirements which must be met before the Town can proceed to undertake snow and ice removal from or repairs to private ways.

Removal of Snow and Ice from Private Ways

In my opinion, the Town may not remove snow and ice from private ways unless it has accepted the provisions of G.L. c. 40, § 6C. In the absence of acceptance of the statutory provisions, the Town has no inherent power to spend municipal funds or use municipal resources to remove snow and ice from private ways, in my opinion.

The provisions of G.L. c. 40, § 6C state as follows:

A city or town which accepts this section in the manner provided in section six D may appropriate money for the removal of snow and ice from such private ways within its limits and open to the public use as may be designated by the city council or selectmen; provided, that, for the purposes of section twenty-five of chapter eighty-

KOPELMAN AND PAIGE, P.C.

Hon. Christopher R. Hillman and
Members of the Board of Selectmen
July 10, 2014
Page 2

four, the removal of snow or ice from such a way shall not constitute a repair of a way.

The statute makes clear, in my opinion, that the Town may not appropriate funds for removal of snow and ice from private ways absent acceptance of the statute. Pursuant to the provisions of G.L. c. 44, § 31 the Town may not incur a liability in the absence of an appropriation. The removal of snow and ice from private ways would constitute such an impermissible liability, in my opinion.

Acceptance of the provisions of G.L. c. 40, § 6C is subject to the requirements of G.L. c. 40, § 6D, which require acceptance by ballot vote at an annual Town election upon petition of two hundred registered voters or of twenty per cent of the total number of registered voters, in a form substantially as specified in the statute. Until such a ballot question is voted upon in the affirmative by a majority of the voters of the Town, removal of snow and ice from private ways in the Town is prohibited, in my opinion.

Please note further that the provisions of G.L. c. 40, § 6C require that a private way must be open to the public use in order for the Town to expend funds for the removal of snow and ice from that way after acceptance of the statute. The term "open to the public use" has been held by the Supreme Judicial Court of Massachusetts to mean that the way is "actually susceptible of use by the public other than for purposes that are merely incidental to the use of the way by the owner thereof, and also that the way is open to the public at large for purposes of travel, not merely incidental to its use by the owner thereof, in a manner similar to the ordinary use for purposes of travel of a public way of the same general nature." Opinion of the Justices to the Senate, 313 Mass. 779, 783 (1943). The information provided by the Superintendent of Public Works indicates that Old Groton Road is not open to the public, and serves only the benefit of those properties abutting the way.

In order for a private way to be "open to the public," in my opinion the owners of the way must allow the general public to travel upon it. Although such permission may be informal or implicit, in my opinion it would be inconsistent with the intent of the statute that a private way be marked with a "do not enter" sign while public funds are expended for snow and ice removal activities on such way. Further, its use must not simply be for the benefit of the abutting owners. While the statute provides that the Board of Selectmen shall designate the private ways from which snow and ice will be removed after acceptance of the statute, such determination shall be based upon the determination that by design and in fact, the road is adequate to, and does, carry general public traffic. In addition, however, because public funds are finite and variable from year to year, a private way designated for ice and snow removal may nevertheless be excluded from plowing, even if previously plowed, in my opinion.

Hon. Christopher R. Hillman and
Members of the Board of Selectmen
July 10, 2014
Page 3

Repairs to Private Ways

In my opinion, the Town has no obligation to maintain or repair a private way. The provisions of G.L. c.40, § 6N, however, provide a mechanism whereby the Town may expend funds for the temporary repairs of private ways, pursuant to a bylaw enacted in accordance with the requirements of the statute, without affecting the status of the way.

The provisions of G.L. c.40, § 6N state as follows:

Cities and towns may by ordinance or by-law provide for making temporary repairs on private ways. Such ordinance or by-law shall determine (a) the type and extent of repairs; (b) if drainage shall be included; (c) if the repairs are required by public necessity; (d) the number of percentage of abutters who must petition for such repairs; (e) if betterment charges shall be assessed; (f) the liability limit of the city or town on account of damages caused by such repairs; (g) if the ways shall have been opened to public use for a term of years; and (h) if a cash deposit shall be required for said repairs.

Thus, the Town may determine, through the enactment of a bylaw, to undertake temporary repairs to private ways with specified requirements and limitations. Again, it is inherent in the terms of the statute that the expenditure of public funds for temporary repairs to a private way be of public benefit. Expenditures for repairs to private ways made in the absence of such a bylaw, or expenditures for permanent repairs to private ways, may constitute the impermissible expenditure of public funds for private purposes.

It is a basic principle of municipal law that a municipality may expend public funds only for public purposes, and not for the benefit of private individuals or entities. As the Court stated in Duffy v. Burrill, 234 Mass. 42, 50 (1919), "It is manifest that the uses to which the income tax can be devoted must be wholly public. Money raised by taxation can be disbursed only for public uses and not in any sense for the private advantage of individuals . . . It can be appropriated and expended only for public purposes." This principal is also found in the so-called Anti-Aid Amendment to the Massachusetts Constitution, which prohibits public funds or property from being given to support charitable, educational, religious or other organizations. See Amend. Art. 18, §2, of the Massachusetts Constitution (providing, in part, "No grant, appropriation or use of public money or property or loan of credit shall be made or authorized by the Commonwealth or any political subdivision thereof for the purpose of founding, maintaining or aiding any infirmary, hospital, institution, primary or secondary school, or charitable or religious undertaking which is not publicly owned and under the exclusive control, order and supervision of public officers or public agents."). The Department of Revenue has characterized the restriction in the Anti-Aid Amendment as barring

KOPELMAN AND PAIGE, P.C.

Hon. Christopher R. Hillman and
Members of the Board of Selectmen
July 10, 2014
Page 4

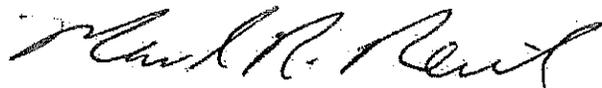
those kinds of expenditures that substantially benefit or aid private organizations in a way that is unfair, economically or politically.

As previously noted, Old Groton Road is an unimproved road restricted to the use of its abutters and not open to the public. Its maintenance does not appear, from the information provided, to be a matter of public necessity. Thus, while the provisions of G.L. c.40, §6N provide a mechanism for the enactment of a bylaw which would allow for temporary repairs to be made upon private ways, there is no statutory basis, in my opinion, for the expenditure of public funds for the making or permanent repairs upon Old Groton Road as currently configured and restricted.

Please note that the above review of the statutory mechanisms to address ice and snow removal from and repairs to a private way does not address the ability of the Town to seek special legislation to allow the Town to undertake these actions upon Old Groton Road. The seeking of special legislation would be a policy decision to be determined by the Town through vote of Town Meeting, and may be an alternative for consideration with respect to this specific application.

Please contact me if you have any further questions regarding this matter.

Very truly yours,

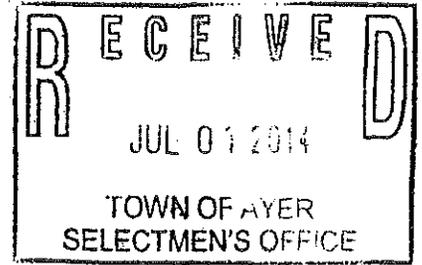


Mark R. Reich

MRR/eon

501361/AYER/0001

St. Mary Parish
31 Shirley Street
Ayer, MA 01432
Tel. 978 772-2414 - Fax 978 772-0727
E-Mail: office@stmarysayer.org



July 1, 2014

*Approved
7/1/2014
K.A.P.*

To the Ayer Board of Selectmen:

We would like permission to put up a sign for our annual Lawn Party on the Town Hall lawn from August 3rd through Sept 7th (To be removed the morning of September 7th.)

And we would like a permit to serve beer and wine on the two nights of the Lawn Party: Friday, September 5th and Saturday, September 6th.

~~000~~ 5p-9p 5p-9p

Thank you in advance,

Betsy Diskin

Betsy Diskin, Parish Business Manager

*Place on
BOS Agenda
under TA
Report 7/15/2014*

July 3, 2014

*Spoke w/ Betsy. License needed from 5pm-9pm
9/5/14 & 9/6/14. CMAE*

July 15, 2014

Dr. Beverly A. Scott, PhD
Chief Executive Officer/General Manager
Massachusetts Bay Transport Authority
10 Park Plaza, Suite 4160
Boston, MA 02116

Dear Dr. Scott,

We are writing to you requesting that the MBTA immediately resolve an ongoing property dispute between the MBTA and a private Ayer property owner which has been going on since April 26, 2014 has blocked the successful commencement of the construction of a \$4 million dollar commuter rail surface parking lot which would provide increased parking and improved access to the Ayer Commuter Rail Station (the second highest ridership on the Fitchburg Line).

The Town does appreciate the efforts of Mr. Mark Boyle who came to Ayer initially on April 29th to instruct the property owner to remove a portion of fence blocking safe access to the Ayer Commuter Rail platform. Additionally the Town appreciates Mr. Boyle meeting with Federal, State, and Local Officials on June 20th to discuss the ongoing issue(s) and negotiations between the MBTA and the property owner.

We understand and appreciate that the resolution and negotiations of property disputes often take time. However, the Town remains very concerned that this dispute is already three months old with no anticipated date for resolution. The impacts of these prolonged negotiations have been detrimental to the ridership; the economic activity in the downtown; and have prevented the \$4 million dollar federal earmark (by Congresswoman Tsongas) from being spent for the purpose of this important regional transportation project.

The purpose of our letter is in no way intended to sidestep the efforts of Mr. Boyle with his negotiations with the private property owner but to emphasize to you as the CEO and General Manager of the MBTA the sense of urgency and importance of a definitive and timely resolution to this dispute. Therefore, we are respectfully requesting a meeting with you, Mr. Boyle, Congresswoman Tsongas' Office, our State Legislative Delegation, MART (Montachusett Area Regional Transportation Authority), and appropriate Town representatives to resolve this issue.

We look forward to hearing from you at your earliest convenience. Please contact, Mr. Robert A. Pontbriand, Ayer Town Administrator at (978) 772-8220 and/or at ra@ayer.ma.us to set up this meeting and for additional information relating to this matter. Thank you for your immediate attention, time, and consideration.

Sincerely,

The Ayer Board of Selectmen

Christopher R. Hillman, Chairman

Jannice L. Livingston, Vice Chairman

Gary J. Luca, Clerk

Copy: Congresswoman Tsongas, Senator Eldridge, Representative Benson, Representative Harrington
Mr. Mark Boyle, MBTA
Mr. Mohammed Khan, MART

[PROPOSED DRAFT]

July 15, 2014

Mr. George A. Ramirez
Devens
33 Andrews Parkway
Devens, MA 01434

**Re: Agreement for Wastewater Treatment and Disposal Services –
Town of Ayer and Mass Development**

Dear Mr. Ramirez:

The Board of Selectmen are in receipt of your letter dated June 16, 2014 addressed to Town Administrator Robert Pontbriand, which was in response to Mr. Pontbriand's letter to Ms. Marty Jones dated April 18, 2014. Mr. Pontbriand's letter to Ms. Jones requested an opportunity for the Town of Ayer to meet with Mass Development to renegotiate certain aspects of the Agreement for Wastewater Treatment and Disposal Services between the Town and Mass Development, specifically with respect to flow calculation and reserved capacity. Your response letter appears to reject Mr. Pontbriand's request for a meeting and suggests that the agreement should be renegotiated after its termination in 2021.

The Board is greatly disappointed by your response and the suggestion that the Town wait an additional seven years to review the agreement, while continuing to expend taxpayer dollars for unused and unneeded wastewater capacity. Your letter recognizes the annual cost to the taxpayers under the existing agreement, but provides no mechanism to address that cost or any opportunity for the Town and Mass Development to work together to reduce this cost and address the public concerns for wasted resources of Mass Development and imperiled finances of the Town. The suggestion that the Town wait until the expiration of the current agreement in 2021 to renegotiate the reserve capacity simply does not address the waste of public funds and resources under the existing agreement.

Instead, your letter cites to a 2006 effort to make use of the Town's unused reserve capacity for the benefit of a proposed development by Bristol Myers-Squibb. While the Town certainly appreciates and applauds Mass Development's efforts to encourage development and make use of existing resources, the Board is very concerned with how this process was undertaken. According to your letter, Mass Development, in an effort to address the needs of this large-scale development, approached the Town's Superintendent of Public Works to request the Town's release of some of its reserve capacity for the benefit development. You state that the Superintendent replied that the Town needed to keep all of its reserve capacity. As a result of the alleged response to that single inquiry, Mass Development instead invested \$6.75 million to upgrade its plant for the benefit of the Bristol Myers-Squibb development. It is important to point out that Mr. Madigan was not a signatory to the agreement

between the Town and Mass Development. Further, the Superintendent of Public Works, as a department head answerable to the Board of Selectmen, is not a decision-maker for the Town. Had Mass Development approached the Board of Selectmen with this request, a more appropriate discussion could have ensued, and the taxpayers may have saved far more than the \$6.75 million spent by Mass Development on this unnecessary upgrade. It is disappointing, and a bit hard to believe, that Mass Development would not have made a greater effort to communicate with the Town to resolve its needs for the greater public benefit.

The Board of Selectmen, acting as the Town's chief executive body, reiterates the request for an opportunity to renegotiate the reserve capacity contained in the Agreement for Wastewater Treatment and Disposal Services between the Town and Mass Development. The Board does not believe that waiting until the expiration of that agreement in 2021 is prudent or in the public interest. The Board therefore requests that an appropriate Mass Development representative meet with the Chairman of the Board of Selectmen, acting as the representative of the Board on this matter, by no later than August 15, 2014 to discuss this matter and the method by which the two parties can reach an agreement on an amendment to the existing agreement. The Board makes this request in the interest of maintaining a harmonious and mutually beneficial relationship between the Town and mass Development. However, should Mass Development fail to send a representative to this meeting or otherwise respond in a prompt manner to this letter, the Town will review all of its options in addressing this very sensitive issue.

Your prompt attention to this matter is greatly appreciated.

Ayer Board of Selectmen

Christopher R. Hillman, Chairman

Jannice L. Livingston, Vice Chairman

Gary J. Luca, Clerk

cc: Ms. Marty Jones, President, Mass Development
Mr. Robert A. Pontbriand, Town Administrator
Mr. Mark Wetzel, DPW Superintendent
State Senator James B. Eldridge
State Representative Jennifer Benson
State Representative Sheila Harrington

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: July 9, 2014

TO: M. Stephanie Gintner, Town Treasurer

Cc: Ayer Finance Committee; Town Accountant/Finance Manager

FROM: Robert A. Pontbriand, Town Administrator

SUBJECT: **Plan for Implementation of Article 30 of the Ayer Annual Town Meeting:
*Designation of Custodian of Town's OPEB Trust Fund***

Dear Ms. Gintner,

The Board of Selectmen authorized me to inquire with you as to what your plans are for the implementation of Article 30 of the Ayer Annual Town Meeting which passed on May 12, 2014 (see attached).

As you aware the passage of Article 30 authorizes the Town Treasurer to do the following:

1. With the approval of the Board of Selectmen execute and deliver the Custodian and Investment Agreements with the Health Care Security Trust (HCST) or to the Pension Reserves Investment Trust (PRIT);
2. Authorizes the Town Treasurer to sign checks and wire OPEB Trust Funds by HCST;
3. To make withdrawals and investments and enter into such agreements and deliver such certificates and other documents as HCST or the PRIT;
4. Authorizes the Town Treasurer to transfer any and all funds that have been and will in the future be appropriated for the purpose of meeting the Town's OPEB funding requirement to HCST or PRIT; and
5. Authorizes the Town Treasurer to transfer the sum of \$528,864.35, or any other amount, and any applicable additional interest accrued as of February 28, 2014 as the initial investment into the OPEB Trust Fund

Now that FY 2016 is underway, the Board of Selectmen has requested an update from you on the status of this important Town matter. Additionally, the Board of Selectmen have placed this item on their July 15, 2014 Meeting Agenda to discuss. Thank you.

Sponsor: Board of Selectmen
Finance Committee: Recommends

Simple Majority Vote Required

ARTICLE 30. DESIGNATION OF CUSTODIAN OF TOWN'S OPEB TRUST FUND

To see if the Town will vote pursuant to the provisions of Chapter 32B, Section 20 of the Massachusetts General Laws, as amended by Chapter 68, Section 57 of the Acts of 2011 (the "Act"), to designate the Health Care Security Trust (HCST) board of trustees to serve as custodian of the Town's OPEB Trust Fund; and authorize the Town Treasurer with the approval of the Board of Selectmen to execute and deliver the Custodian and Investment Agreement with HCST; and further to authorize the Town Treasurer to sign checks and wire OPEB Trust Funds to HCST or to the Pension Reserves Investment Trust (PRIT), or as it may otherwise be directed by HCST, and to make withdrawals and investments and enter into such agreements and deliver such certificates and other documents as HCST or the PRIT Management Board may direct; to authorize the Town Treasurer to transfer any and all funds that have been and will in the future be appropriated for the purpose of meeting the Town's OPEB funding requirement to HCST or PRIT; and transfer the sum of \$528,864.35, or any other amount, and any applicable additional interest accrued as of February 28, 2014 as the initial investment into the OPEB Trust Fund, or take any action thereon or in relation thereto.

Sponsor: Board of Selectmen
Finance Committee: Recommends

Simple Majority Vote Required

Note: The \$528,864.35 consists of \$10,000 dedicated to OPEB in FY 2012; \$40,000 dedicated to OPEB in FY 2013; \$170,000 dedicated to OPEB in FY 2014 and \$300,000 for FY 2015 (contingent on the passage of Article 29)

ARTICLE 31. STABILIZATION FUND

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$785,136 or such other sum or sums of money, to the Stabilization Fund under the provisions of Chapter 40, Section 5B of the General Laws, and to transfer 25% of said sum to capital stabilization per the Town's Financial Policies or take any action thereon or in relation thereto.

Sponsor: Board of Selectmen
Finance Committee: Recommends

Two-Thirds Vote Required

COMMUNITY PRESERVATION ACT ARTICLES

ARTICLE 32. COMMUNITY PRESERVATION ACT

To see if the Town will hear and act on the report of the Community Preservation Act Committee (CPAC) on the Fiscal Year 2015 Community Preservation Act budget, and appropriate from the estimated FY 2015 Community Preservation Fund revenues:

2014 Annual Town Meeting Warrant

RESERVE FUND TRANSFER REQUEST

Section I (Completed by Elected Official or Department Head)

This request for a transfer from the Reserve Fund is being made in accordance with M.G.L., Chapter 40, Section 6:

1. Amount requested: \$13.72

2. To be transferred to:
A. Account Name Planning Board - wages
B. Account #: 01175-51000

3. Present balance in budget \$3,709.46

4. The amount requested will be used for (please attach supporting information):
final payroll payout upon layoff totaling \$3,723.18

5. The expense is extraordinary or unforeseen for the following reason(s):
The elimination of funding for the position by the May 12, 2014 ATM was unforeseen.

Date *July 9, 2014* Elected Official or Department Head *Robert A. Pothorn*
Town Administrator

Section II Action by Board of Selectmen or Appointing Authority when Section I not completed by an Elected Official

Transfer Approved: YES NO

Amount Approved: \$ _____

Date of Meeting: _____ Number Present/Voting _____

Chariman _____

Section III Action by Finance Committee

Transfer Approved: YES NO

Amount Approved: \$ 13.72

Date of Meeting: July 9 2014 Number Present/Voting (5) 5-0

Chariman *[Signature]*

FOR 2014 12

ACCOUNTS FOR: 001 GENERAL FUND	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
<u>01175 PLANNING BOARD</u>							
01175 51000 ADMINISTRATIVE ASSIST	16,591	2,015	18,606	17,011.86	.00	1,594.14	91.4%
01175 52000 SERVICES	624	0	624	.00	.00	624.00	.0%
01175 53400 POSTAGE	159	0	159	.00	.00	159.00	.0%
01175 54000 SUPPLIES	204	0	204	27.68	.00	176.32	13.6%
01175 54200 OFFICE SUPPLIES	233	0	233	.00	.00	233.00	.0%
01175 55801 PUBLIC HEARINGS EXPENS	663	0	663	.00	.00	663.00	.0%
01175 57000 OTHER CHARGES & EXPENS	100	0	100	.00	.00	100.00	.0%
01175 57100 SEMINAR EXPENSE	100	0	100	.00	.00	100.00	.0%
01175 57300 DUES AND MEMBERSHIPS	60	0	60	.00	.00	60.00	.0%
TOTAL PLANNING BOARD	18,734	2,015	20,749	17,039.54	.00	3,709.46	82.1%

Final payroll

(3723.18)

(13.72)

TOWN OF AYER
 DETAIL PROOF - FINAL REPORT
 Pay Period 06/22/14 To 07/05/14

PAYROLL TYPE: BI-WEEKLY CHECK DATE: 07/10/2014

Emp ID	Pay Type	Rate	Hrs	Amount	GL Account/Alloc code	Taxes	Other Ded
--------	----------	------	-----	--------	-----------------------	-------	-----------

007500	10	100 REGULA	21.3200	31.00	660.92 ALLOC = 750		
SULLIVAN, SUSAN		100 REGULA	21.3200	8.00	170.56 ALLOC = 750		
Job: ADMIN ASST		710 BEREAV	21.3200	8.00	170.56 ALLOC = 750		
Org: 01175 PLANNING B							

Chk: 0

EMP TOTALS	Net:	689.41		47.00	1,002.04		
EMP GROSS	YTD:	18,239.26	QTD:	1,002.04	FISC: 1,002.04	FIT:	

007500	10	401 VACATI	21.3200	276.00	5,884.32 ALLOC = 750		
SULLIVAN, SUSAN		660 LONGEV	0.0000	0.00	560.00 ALLOC = 750		
Job: ADMIN ASST							
Org: 01175 PLANNING B							

Chk: 1

EMP TOTALS	Net:	4,789.64		276.00	6,444.32		
EMP GROSS	YTD:	24,683.58	QTD:	7,446.36	FISC: 7,446.36	FIT:	

2 3723.18 Planning Bd
 3723.18 ZBA

RESERVE FUND TRANSFER REQUEST

Section I	(Completed by Elected Official or Department Head)
This request for a transfer from the Reserve Fund is being made in accordance with M.G.L., Chapter 40, Section 6:	
1. Amount requested:	\$51.20
2. To be transferred to:	
A. Account Name	Zoning Board of Appeals - wages
B. Account #:	01176-51000
3. Present balance in budget	\$3,671.98
4. The amount requested will be used for (please attach supporting information):	final payroll payout upon layoff totaling \$3,723.18
5. The expense is extraordinary or unforeseen for the following reason(s):	<i>The elimination of funding for the position by the May 13, 2014 ATM was unforeseen.</i>
Date <i>July 9, 2014</i>	<i>Rhett A. Fathman</i> Elected Official or Department Head <i>Town Administrator</i>

Section II	Action by Board of Selectmen or Appointing Authority when Section I not completed by an Elected Official
Transfer Approved:	YES NO
Amount Approved:	\$ _____
Date of Meeting: _____	Number Present/Voting _____
	Charlman _____

Section III	Action by Finance Committee
Transfer Approved:	<input checked="" type="radio"/> YES NO
Amount Approved:	\$ <u>51.20</u>
Date of Meeting: <u>July 9, 2014</u>	Number Present/Voting <u>(5) 5-0</u>
	<i>[Signature]</i> Charlman

FOR 2014 12

ACCOUNTS FOR: 001 GENERAL FUND	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
<u>01176 ZONING BOARD OF APPEALS</u>							
01176 51000 OFFICE MANAGER	16,922	3,080	20,002	17,289.02	.00	2,712.98	86.4%
01176 52000 SERVICES	559	0	559	.00	.00	559.00	.0%
01176 54200 OFFICE SUPPLIES	250	0	250	.00	.00	250.00	.0%
01176 57000 OTHER CHARGES & EXPENS	100	0	100	.00	.00	100.00	.0%
01176 57300 DUES AND MEMBERSHIPS	50	0	50	.00	.00	50.00	.0%
TOTAL ZONING BOARD OF APPEALS	17,881	3,080	20,961	17,289.02	.00	① 3,671.98	82.5%
TOTAL GENERAL FUND	36,615	5,095	41,710	34,328.56	.00	7,381.44	82.3%
TOTAL EXPENSES	36,615	5,095	41,710	34,328.56	.00	7,381.44	

Final payroll

\$ 3671.98 ①
 (3723.18)

 (51.20)

TOWN OF AYER
 DETAIL PROOF - FINAL REPORT
 Pay Period 06/22/14 To 07/05/14

PAGE 4
 prpyddpf

EMPLOYEE TYPE: BI-WEEKLY CHECK DATE: 07/10/2014

Pay Type Rate Hrs Amount GL Account/Alloc code Taxes Other Ded

007500 10 100 REGULA 21.3200 31.00 660.92 ALLOC = 750
 SULLIVAN, SUSAN 100 REGULA 21.3200 8.00 170.56 ALLOC = 750
 Job: ADMIN ASST 710 BEREAV 21.3200 8.00 170.56 ALLOC = 750
 Org: 01175 PLANNING B

Chk: 0
 EMP TOTALS Net: 689.41 47.00 1,002.04
 EMP GROSS YTD: 18,239.26 QTD: 1,002.04 FISC: 1,002.04 FIT:

007500 10 401 VACATY 21.3200 276.00 5,884.32 ALLOC = 750
 SULLIVAN, SUSAN 660 LONGEV 0.0000 0.00 560.00 ALLOC = 750
 Job: ADMIN ASST
 Org: 01175 PLANNING B

Chk: 1
 EMP TOTALS Net: 4,789.64 276.00 6,444.32
 EMP GROSS YTD: 24,683.58 QTD: 7,446.36 FISC: 7,446.36 FIT:

± 2 3723.18 Planning Bal
 3723.18 ZBA

RESERVE FUND TRANSFER REQUEST

Section I (Completed by Elected Official or Department Head)

This request for a transfer from the Reserve Fund is being made in accordance with M.G.L., Chapter 40, Section 6:

- 1. Amount requested: \$9,866.05
- 2. To be transferred to:
 - A. Account Name Town Counsel
 - B. Account #: 01151-53090
- 3. Present balance in budget \$21,653.04
- 4. The amount requested will be used for (please attach supporting information):
To pay the balance of the June 2014 Kopelman & Paige invoice (see attached)
- 5. The expense is extraordinary or unforeseen for the following reason(s):
 - The May 2014 Actual Legal Bill is \$14,387.01
 - In May 2014, K&P Estimated the June 2014 Legal Bill to Be Approx. \$7,000.00
 - Unforeseen legal costs as a result of June 2014 OML Complaints against Planning Board (\$3,027.50)
 - Unforeseen June 2014 legal costs RE: U.S. v. B&M v. Ayer (\$4,497.50)
 - Unforeseen June 2014 legal costs RE: Planning Board/ZBA (\$3,780.00)

Date July 9, 2014 Elected Official or Department Head Robert A. Paulson
Town Administrator

Section II Action by Board of Selectmen or Appointing Authority when Section I not completed by an Elected Official

Transfer Approved: YES NO

Amount Approved: \$ _____

Date of Meeting: _____ Number Present/Voting _____

Chariman _____

Section III Action by Finance Committee

Transfer Approved: (YES) NO

Amount Approved: \$ 9,866.05

Date of Meeting: July 9 2014 Number Present/Voting (5) 5-0

Chariman [Signature]

FOR 2014 12

JOURNAL DETAIL 2014 1 TO 2014 12

ACCOUNTS FOR: 001 GENERAL FUND	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
<u>01151 TOWN COUNSEL</u>							
<u>01151 52000 MISCELLANEOUS PROFESSI</u>	0	0	0	3,038.00	.00	-3,038.00	100.0%*
2014/05/000064 11/04/2013 API	3,038.00 VND 003433	IN 101613		ELLIS, SHARON HENDER	PATROLMEN'S CONTRA		58161
<u>01151 53090 LEGAL SERVICES</u>	78,000	15,479	93,479	68,655.93	.00	24,823.54	73.4%
2014/01/000524 07/01/2013 BUC	78,000.00 REF			ORIGINAL BUDGET 2014			
2014/03/000089 09/09/2013 API	4,012.22 VND 004204	IN 07-13		KOPELMAN AND PAIGE	JULY GENERAL LEGAL		57566
2014/04/000075 10/07/2013 API	10,269.54 VND 004204	IN 08-13		KOPELMAN AND PAIGE	AUGUST GENERAL LEG		57846
2014/05/000064 11/04/2013 API	6,163.91 VND 004204	IN 09-13		KOPELMAN AND PAIGE	SEPT. GENERAL LEGA		58170
2014/06/000188 12/16/2013 API	8,316.24 VND 004204	IN 10-13		KOPELMAN AND PAIGE	OCTOBER GENERAL LE		58671
2014/06/000355 12/30/2013 API	4,432.80 VND 004204	IN 11-13		KOPELMAN AND PAIGE	NOVEMBER LEGAL SER		58812
2014/08/000109 02/10/2014 API	4,515.40 VND 004204	IN 12-13		KOPELMAN AND PAIGE	DECEMBER LEGAL SER		59271
2014/09/000108 03/10/2014 API	8,630.24 VND 004204	IN 01-14		KOPELMAN AND PAIGE	JANUARY LEGAL SERV		59545
2014/10/000245 04/22/2014 API	3,177.49 VND 004204	IN 02-14		KOPELMAN AND PAIGE	FEBRUARY LEGAL SER		59945
2014/11/000100 05/05/2014 API	11,631.66 VND 004204	IN 03-14		KOPELMAN AND PAIGE	MARCH LEGAL SERVIC		60111
2014/12/000048 06/02/2014 API	7,506.43 VND 004204	IN 04-14		KOPELMAN AND PAIGE	APRIL LEGAL SERVIC		60391
2014/12/000302 06/25/2014 BUA	15,479.47 REF RFT#12			RFT#11 - TOWN COUNSEL			
<u>01151 54000 SUPPLIES</u>	0	0	0	132.50	.00	-132.50	100.0%*
2014/03/000089 09/09/2013 API	132.50 VND 001012	IN 827597693		WEST GROUP	2013 MA MUN. LAW &		57494
TOTAL TOWN COUNSEL	78,000	15,479	93,479	71,826.43	.00	21,653.04	76.8%
TOTAL GENERAL FUND	78,000	15,479	93,479	71,826.43	.00	21,653.04	76.8%
TOTAL EXPENSES	78,000	15,479	93,479	71,826.43	.00	21,653.04	

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: July 10, 2014

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.

SUBJECT: Employee Recognition Program Update

Dear Honorable Selectmen,

As the Board is aware, on September 3, 2013 the Board authorized the creation of an Employee Recognition Program with the intent of recognizing a Town Employee on a quarterly basis for outstanding job performance/service to the Town (see attached program memo).

I presented the Program to the Department Heads on June 25, 2014 to garner feedback and suggestions from them. It was the unanimous position of the Department Heads that they were not in favor of such a program as currently designed for the following reasons:

1. Many Employees do not have the time to come to a Selectmen's Meeting after work at 7pm;
2. Many Employees are not comfortable coming before television at a Selectmen's Meeting to be recognized;
3. Many felt that it would simply be a "popularity contest";
4. The Town is limited by the provision of MGL in what it can provide as an incentive (i.e. no monetary incentive; no incentive of value over \$50, etc.);
5. The initial proposal of an "Employee Parking Space" was deemed senseless in that the Employee Parking at the various Town Buildings is convenient for all;
6. Employee were not comfortable being featured by name and/or photo on the Town's various media and or in the Press; and
7. Individuals questioned the choice of the Selection Committee in that the Town Moderator and Personnel Board Chair do not work on a regular basis with the majority of Town Employees.

Based on this lackluster response to the proposed Program, I would respectfully recommend that the Board and Administration not proceed with the current Program.

Thank you.

Attachment: August 21, 2013 Memo

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: August 21, 2013

TO: Ayer Board of Selectmen

FROM: Robert A. Pontbriand, Town Administrator

SUBJECT: Proposed Town Employee Recognition Program

Dear Selectmen,

At the request of Selectman Fay at the August 6, 2013 BOS Meeting, the BOS has asked that I prepare a brief memo for a proposed Town Employee Recognition Program. I offer you the following ideas/suggestions for your consideration and discussion at your Thursday, August 22, 2013 BOS Meeting. Please do not hesitate to contact me if you have any questions. Thank you.

Purpose:

The purpose of the Town Employee Recognition Program is for the Ayer Board of Selectmen as the Chief Executive Board of the Town to publically recognize a Town Employee(s) on a quarterly basis for their outstanding dedication and service to the Town of Ayer.

Frequency:

The Ayer Board of Selectmen will recognize a Town Employee(s) on a quarterly basis.

Nomination/Selection Process:

Any employee currently employed by the Town of Ayer in any capacity may be nominated by a Town Department Head; Town Board/Commission/Committee; Fellow Town Employee; and/or an Ayer Resident.

Nominations will be accepted on/by: Jan. 1st; Apr. 1st; Jul. 1st; Oct. 1st

A panel of three comprised of the Town Moderator; Town Administrator; and Chair of the Personnel Board shall review the nominations and make a formal written recommendation to the Ayer Board of Selectmen on a quarterly basis.

Recognition:

The recognized employee shall be presented with a certificate from the Ayer Board of Selectmen at a public meeting. Additionally, that recognized employee shall receive a dedicated parking space for their use during the quarter. Finally, the recognized employee shall be featured on the Town's web-site and other media.

Carly Antonellis

From: Robert Pontbriand <ta@ayer.ma.us>
Sent: Wednesday, July 09, 2014 5:05 PM
To: [REDACTED]
Cc: Cindy Knox
Subject: FW: GPS Vehical Tracking System: Linxup

FOR INFORMATIONAL PURPOSES ONLY. NOT FOR DELIBERATION BY BOS.

Dear Selectmen,

FYI below.

Robert

Robert A. Pontbriand
Town Administrator

Town of Ayer
1 Main Street
Ayer, MA 01432
978-772-8220

From: Cindy Knox [<mailto:cknox@ayer.ma.us>]
Sent: Wednesday, July 09, 2014 3:46 PM
To: Robert Pontbriand
Subject: GPS Vehical Tracking System: Linxup

Dear Robert,

As requested, I am passing along the information regarding GPS Vehicle Tracking System. Linxup is the product Mark has installed in the tanker truck and he recommends it. A device is installed under the dashboard of the vehicle and that is pretty much all one needs to do to begin tracking.

FEATURES:

- Uses Google Maps with real time tracking
- Management Reporting
- Vehicle Location History
- Tracking Alerts via email, text, or online
- Geofence alerts
- Works on most cars, trucks, and vans, manufactured after 1996

You can see demo's here: http://www.linxup.com/gps_vehicle_tracking_features.html

COSTS:

2 year Contract and 20 devices:
\$22.99 per month per vehicle, no device cost – total annual cost \$5,517.60.

1 year Contract and 20 devices:

\$22.99 per month per vehicle, device cost is \$39.99 – total annual cost \$6,357.40

No Contract and 20 devices:

\$22.99 per month per vehicle, device cost is \$79.99 – total annual cost \$7,197.40

The video demos on the website are short and very good.

Please let me know if you have any questions or if you need further information.

Cindy

Cindy Knox
IT Systems Administrator
Town of Ayer, Massachusetts
P - (978)501-5113
E - cknox@ayer.ma.us

NOTE: EMAIL MAY BE CONSIDERED A PUBLIC RECORD

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TOWN OF AYER SELECTMEN'S MEETING MINUTES
Tuesday, March 4, 2014-7:00P.M.
1st Floor Meeting Room, Town Hall, Main Street, Ayer, MA

Chairman Luca called the meeting to order at 7:10p.m. Present: Chairman-Gary J. Luca, Christopher R. Hillman, Vice-Chair, Members: Pauline Conley and Jannice Livingston.

Chairman Luca requested if there were amendments to the Agenda.

Mr. Pontbriand requested the Board's permission to add the following:

- Appointment of Police Dispatcher-to be taken up under the Town Administrator's Report
- Registrar of Voters Appointment-to be taken up under the Town Administrator's Report
- Ms. Conley requested update on McNiff property

Chairman Luca called for a motion to approve the Agenda as amended. Motion to approve the Agenda as amended made by Ms. Livingston, 2nd by Ms. Conley Vote: unanimous, so moved

Announcements-Chairman Luca made the following announcements

- last day to take out nomination papers from the office of the Town Clerk 3-7-14 @5:00p.m.
- last day to return nomination papers to the Office of the Town Clerk 3-10-14 @ 5:00p.m.
- Annual Taste of Nashoba Valley 3-18-14 from 5:30-7:30p.m. at Lawrence Academy
- Curbside Working Group Public Input Meeting 3-20-14 @7:00p.m.-Town Hall

Public Input- Chairman Luca requested if there was anyone present wishing to meet with the Board under Public Input, no one came forward.

76 Central Avenue-RFP Award to Habitat for Humanity-The Board met with Alicia Hersey, sitting in for David Maher, Director EOCD and Carolyn Reed from Habitat. Mr. Pontbriand opened the discussion by stating on 2-21-14 the RFP officially closed, the RFP was advertised in the Lowell Sun, Nashoba Publications, the Town's Website and the Secretary of State's Central Register in accordance with MGL C30B- meeting procurement requirements. Mr. Pontbriand advising to only one (1) proposal submitted-Habitat for Humanity of North Central MA. Mr. Pontbriand recommended the Board of Selectmen vote to award the RFP to Habitat for Humanity North Central MA and authorized Mr. Pontbriand to formally prepare the LIP Agreement and other legal required documentation, for the property transfer to proceed, subject to the Boards review and approval. Mr. Hillman moved to award the RFP to North Central MA Habitat for Humanity and authorize Mr. Pontbriand to proceed with next step/documentation for project to proceed, 2nd by Ms. Conley for discussion requesting the cost associated & connection fee/s records be checked and advising to one family filing application for Habitat in Town. Mr. Pontbriand advising to his getting word out to community re organizing a work group to work on the project -local partnership.

Supt. Wetzel's Report-The Board met with mark Wetzel

1. National Grid Easement -Barnum Road-The Board moved to approve the National Grid Easement for Barnum Road-Grove Pond. Motion made by Mr. Hillman 2nd by Ms. Conley, VOTE: unanimous, so moved. (see attached)

2. Town Engineer position- Mr. Wetzel reviewed his memo of 2-25-14 with the Board re his request to fill this position in the Fy-15 Budget. Supt. Wetzel reviewed the need for the position with the increase in responsibilities and new regulations/requirements i.e. stormwater, discharge, new management and operations related programs, maintenance, GIS mapping, water/sewer, on-line permitting/payments etc... Supt. Wetzel reviewed his current work load and projects completed since his employment. Cost-savings to be realized by the Town would include relying less on Engineering Consultants, improving on DPW planning and operations to improve service and efficiency. Closing with the Engineers position will result in better execution of capital projects improved systems and programs to better serve the town

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from in-house engineering. Chairman Luca requesting if this position would be administrative and Supt. Wetzel responded no, only operational. Ms. Conley expressed her concern re preliminary budget comparative analysis will look at final numbers later but advised Supt. Wetzel to residents complaining about the hiring of additional personnel. Mr. Pontbriand stating tonight's meeting was to begin discussions re specifics and savings/analysis of need, and not a decision to be made tonight. Rick Skocyzlas resident requested if this would be a question voters could vote on at Town Meeting i.e. when voters reduced Board of selectmen from 5 to 3. Mr. Pontbriand advised to this being a line item in the Omnibus Budget and voters would know the details.

Water Main Replacement/Water Main Improvements Update-Supt. Wetzel updated the Board to his budgeting in Fy-15 \$250K towards infrastructure/replacement of the old water pipes approved by the Capital Planning Com. Funding saved in house re design/construction-approximate savings estimated at \$30K to be put towards project. Supt. Wetzel stating first area in Town to have water pipes replaced will begin on Pleasant St., Howard, Taft and Nashua Streets. Criteria of selection based upon worst pipes in Town i.e. old cast iron/undersized pipes, hoping every year or two to do a street or two. Groton School Road done last year. Supt. Wetzel stating he is also looking at sewer and applying for grant Water Main/Sewer Construction \$500K -Planning Study towards this update. Supt. Wetzel advising to the next water pipe replacement project will include East Main, continuing with Wright Rd. and Shirley Streets who also have pressure problems. Stratton Hill Development also needs infrastructure improvements expressing Planning concerns.

Traffic Study Update- Mr. Hillman stated he brought this issue up again having received another letter from a resident which he distributed to the Board re excessive truck traffic along Sandy Pond Road. Mr. Hillman stated of a bigger concern is the volume of trucks coming up Sandy Pond Rd to Central Avenue. Mr. Hillman advised to truck restrictions in place in Burlington & Littleton, MA. Supt. Wetzel advising to DEP Requirement Process and this would not be eligible plus the legal issues restricting traffic -can't be prohibitive suggesting can't put exclusion but could suggest routes. Mr. Pontbriand advising to MRPC being able to assist re identifying size/types of vehicles traveling on Sandy Pond Rd referring the Board to situation when he was approached by a truck driver seeking directions and told by the driver to his manifest directing him to use these streets questioning who determines this -DOT?. Mr. Hillman requested if patrolmen could pull over trucks and asks them why they are going this way and advised to most truckers using GPS. Supt. Wetzel stating once snow is gone he will place new cross walk on Sandy Pond Rd. that should help to slow things down. Mr. Hillman reviewed and thanked Supt. Wetzel re new signage placement put up being helpful. Discussion returned to Littleton Road/Willow Road intersection MPO Study by Senator Resor back in 2004 with new design of intersection to be picked up by two Towns- and ball dropped. Mr. Skocyzlas suggesting contacting local businesses again and seek their cooperation not to use Sandy Pond Rd. and advised to problem being more with out of town trucks. Mr. Pontbriand and Supt. Wetzel to bring Littleton Rd. /Willow Rd intersection back up at next MPO Meeting. Chief Murray to monitor number of trucks traveling on Sandy Pond Rd. and get count information to Board and Mr. Pontbriand to contact local businesses re restricting truck travel on Sandy Pond Rd. Supt. Wetzel to contact the Town of Littleton re signage points redirecting truck travel before intersection.

Police Dispatcher Appointment-Chief Murray re upgrade of appointment of Chris Herrstrom from Per-diem dispatcher made on 1-21-14 to Part-time Dispatcher to fill the open part-time Dispatcher position vacated by Casey Scott when he filled the full-time Dispatchers position. Ms. Conley moved the Board vote to appoint Christopher Herrstrom to the part-time Dispatchers position as recommended by Chief Murray in a memo dated 2-24-14 to the Board, 2nd by Mr. Hillman VOTE: unanimous, so moved.

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Town Administrator's Report- The Board met with Robert Pontbriand

1. St. Mary's Church/St. Patrick's Day Dinner-The Board approved a One Day Beer & Wine License for St. Mary's Church St. Patrick's Day Dinner on March 8, 2014 from 5-9p.m. Motion to approve made by Ms Conley, 2nd by Mr. Hillman VOTE: unanimous, so moved.

2. Gary Archer-G.W. Archer Inc. Mobil Station-Mr. Archer requested the Board's consideration to amend his Beer & Wine Alcohol License restriction Addendum #2 specifically- restricting minors (under the age of 21) to be allowed to be employed by his business requesting new amendment to state minor employees are not allowed to sell, stock or handle alcoholic beverages. Chief Murray stated he had no concerns re this change. Ms. Conley moved the Board vote to delete Addendum #2 in its entirety per State statute, 2nd by Mr. Hillman, VOTE: unanimous, so moved.

3. Appointment of Board's Rep to the Water/Sewer Rate Committee -Ms. Livingston volunteered to be the Board's Rep. to fill vacancy left by Mr. Fay.

4. Town Life Insurance Contract and Contribution Recommendation-Mr. Pontbriand recommended the Board vote to keep the 75 (Town)-25 (employee) percentage split and 50 (Town) - 50(Retiree) percentage status quo, most harmonious approach for a two year guaranteed annual premium of \$21K. Mr. Hillman moved to approve the 75-25% Town& employee percentage split and 50-50 Town/Retiree percentage split as recommended by the Town Administrator, 2nd by Ms. Conley requested copy of actual quote, VOTE: unanimous, moved.

5. Reserve Fund Transfer (RFT)-The Board approved a RFT for Account #01122-51110 Board of Selectmen Secretary Wages -unused vacation time paid upon retirement for retiring secretary Janet Lewis in the amount of \$8,140.00. Ms. Conley moved the Board vote to approve the RFT in the amount of \$8,140.00 to be transferred to this year's line item 01122-51110, 2nd by Mr. Hillman, VOTE: unanimous, so moved. Mr. Pontbriand reviewed with the Board his revised budget proposal depicting a \$7724.00 reduction with room to negotiate re qualifications (DOQ) reduction in this line item based upon current Town Salary Compensation Plan for Grade 8 Step 1-2 for this position.

6. Legal Update-Mr. Pontbriand advised to his budgeting \$85K for the Fy-15 Legal Budget (Town Counsel) and reviewed with the Board his justification for increase of \$7K from \$78K requested for Fy-14 with respect to Fin-Com concerns re the Fy-15 budget:

- Properties Enforcement
- Public acceptance of Streets in Town
- Tax Collector recent issue
- Fire Dept-Joint Labor Relations/superior Officers Contract

Mr. Pontbriand produced ten (10) year history re Town Counsel expenses showing a high of \$150K in Fy-07 to a low of \$66,400 reviewing present legal matters which have arisen and having a significant impact to this line item. Mr. Pontbriand advising to Town counsel preparing a billing analysis for the Board's next meeting. Ms. Conley adding to the list the Town's recent 111F suit to this year's impact. Mr. Pontbriand also advising to Atty. Corbo analysis requested by Ms. Conley re McNiff farm being readied and he will report back on asap.

7. Draft 5-12-14 ATM Warrant- Mr. Pontbriand presented the 1st DRAFT of the 5-12-14 ATM Warrant to the Board for their review and advised the Board to the ASRHS unavailable for this year's ATM due to construction and looking into proper location with Town Moderator, advising to the Great Hall only able to hold 220 people and most recent Town Meeting having 320 in attendance. Mr. Pontbriand advising to deadline for Citizen's petitions being Friday, April 11, 2014 @ 5:00p.m. Ms. Conley questioning why Storm Water funding not being included on warrant and advised to it being moved to Article #13. Cindy Knox, IT Director presented to the Board four (4) designs for the Fy-13 Town Report Cover on the Board's monodpad depicting 2 pictures of Grove Pond, new Street light with Flag displayed on it, and Town Hall with new monument sign. Ms. Conley suggested running them on Town Website and letting the residents decide which one they want on the cover. Mr. Pontbriand advising to number of Town

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Report books reduced down to 400, due to residents having ability to review electronically. Mr. Pontbriand requesting the Board considers who they wish to dedicate the 2013 Town Report to for their next meeting.

8. Democratic Town Party Registrar Appointment-Town Clerk-John Canney requested the Board appoint Robert Hammond to the vacant position of Democratic Town Party Registrar replacing the vacant position of Patricia Walsh which expires in 6-30-15. Ms. Conley moved the Board appoint Robert Hammond to the position of Democratic Town Party Registrar for the remaining term of Patricia Walsh expiring on 6-30-15 as recommended by the Town Clerk, 2nd by Ms. Livingston, VOTE: unanimous, so moved. The Board took no action on the appointment of Barbara Wilson the Towns Republican Party Registrar, due to this appointment not expiring until 2017. The Board requested the Town Clerk be requested why this reappointment was before the Board.

General Review and discussion of the DRAFT 2015 Town Budget--the Board met with Scott Houde, Chairman, and John Kilcommins -Vice Chair of the Fin-Com. Present for the discussion Town Accountant-Lisa Gabree. Mr. Pontbriand advising to this discussion being a general review and will remain a standing agenda item until finalization. The budget and warrant are ongoing process leading up to Town Meeting. Mr. Houde presented an overhead presentation of the Fy-15 Town Budget projections to date. (see 3-4-14 update from Scott Houde)

Policy for Remote Participation of Public Meetings-Mr. Pontbriand reviewed with the Board his Draft Policy revised on 11-8-13. Mr. Pontbriand reminded the Board of his recommendation for adoption for public meetings in accordance in the OML with the exception of Executive Session. The Board held a brief discussion re meeting requirements, training members and question if this would bring more problems than solutions, requesting a mandatory training sign off form be implemented. The Board requested a check list be prepared for the Board's next meeting and consult with attorney from AG's Office re using electronic communication re remote participation.

Selectmen's Meeting Night Change- Chairman Luca requested the Board change their 2nd meeting night in March from the 18th to the 25th. Board approved. Next Selectmen's Meeting night 3-25-14.

Selectmen's Questions/New Business-

JBOS- Chairman Luca advising to nothing new to report on

Devens Excess Sewer-Present for the discussion Supt. Wetzel. Mr. Hillman requested analysis of past usage and future capacity inquiring once we reach 80% do we have a plan if we do not meet. Supt. Wetzel advising to this negotiable i.e. minimum flows presently \$150K- Town can negotiate or pass on to SIU's. Mr. Wetzel reviewed with the Board his current SIU's use status. Mr. Hillman questioning if we (Town) have capacity to handle flows or do we need additional flows. Mr. Pontbriand requested when will the Town get these numbers and make progress to give relief to the taxpayers.

Mr. Wetzel updated the Board to new software installed Department now implementing new reader system; will be able to read whole Town in one day.

Mr. Hillman questioned future staffing of the Building Dept. Town voted for a full-time Building inspector, advertised the part-time Asst. Building Inspector's position and had poor response-due to the rate set to low for position. The Board to meet with Mr. Vellante April 1, 2014 re achieving what Selectmen want to increase service.

10:00p.m. Ms. Livingston moved to adjourn the meeting 2nd by Mr. Hillman VOTE: unanimous, so moved.

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



Tuesday, June 17, 2014 - 7:00pm

MEETING MINUTES
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Selectmen in Attendance: Christopher Hillman, Chair; Jannice Livingston, Vice- Chair; Gary Luca, Clerk
Also in Attendance: Robert A. Pontbriand, Town Administrator
Carly M. Antonellis, Assistant to the Town Administrator

Call to Order: Meeting was called to order in Open Session at 7:02pm by Chairman Hillman.

Review and Approval of Agenda: G. Luca requested that the topic of Assistant Building Commissioner be added to the Town Administrator's Report.

MOTION: Motion was made by G. Luca and seconded by J. Livingston to approve the meeting agenda as amended. Motion passes 3-0.

Announcements: R. Pontbriand and Board members thanked Page Hilltop School students for recently planting flowers outside of the Town Hall.

Public Input: None

David Maher, Economic Development Director: Mr. Maher requested that the Board approve the FY'15 budgets for the Urban Development Action Grant (UDAG) and the Industrial Development Finance Authority (IDFA). The IDFA amount is \$19,490 and the UDAG amount is \$43,196.

MOTION: Motion was made by G. Luca and seconded by J. Livingston to approve the IDFA & UDAG grant amounts as presented by Mr. Maher. Motion passes 3-0.

Mr. Maher then gave an update on behalf of the 4th of July Committee. Ms. Roberta Chase was presented with a plaque for being named "Grand Marshall" of the Parade. Ms. Janet Lewis was also recognized as being named a "Grand Marshall".

Chief Robert J. Pedrazzi, Fire Department: Chief Pedrazzi requested that the Board approve purchase order 005132015FT&S in the amount of \$29,412.50 for various equipment for the Fire Department.

MOTION: Motion was made by G. Luca and seconded by J. Livingston to approve Purchase Order 005132015FT&S dated May 13, 2014 in the amount of \$29,412.50. Motion passes 3-0.

Appointment of Commuter Rail Working Group: R. Pontbriand through the Chairman Hillman asked Mr. Harry Zane to come forward to explain the need for a Commuter Rail Advisory Committee. The group will act as a conduit between riders/citizens and MART/MBTA on issues related to the Ayer Station.

MOTION: Motion was made by J. Livingston and seconded by C. Hillman to appoint the Ayer Commuter Rail Advisory Committee. Motion passes 2-0 with G. Luca recusing himself citing a potential conflict of interest.

Mark Wetzel, DPW Superintendent's Report: Mr. Wetzel gave an update on the Wastewater Agreement with MassDevelopment. Board asked R. Pontbriand to have update from Town Counsel at next meeting.

Mr. Wetzel presented a one year extension for the Casella Solid Waste Contract.

MOTION: Motion was made by G. Luca and seconded by J. Livingston to approve one year extension for solid waste contract with Casella. Motion passes 3-0.

Mr. Wetzel gave an update relative to Old Groton Road Update. Mr. Wetzel is awaiting a legal opinion from Town Counsel.

Mr. Wetzel gave an overview of MassDEP Sustainable Water Management Initiative.

Worcester Regional Medical Reserve Corps, North East Division: Ms. Lois Luniewicz gave an overview of the Worcester Regional Medical Reserve Corp and provided information about available services.

Town Administrator's Report: R. Pontbriand and the Board established the summer meeting schedule for the Board of Selectmen. Meeting dates are as follows: June 24, 2014; July 15, 2014; August 19, 2014.

R. Pontbriand explained a request for four reserve fund transfers: 1) BOS Office (\$7,792.16 retiring secretary); 2) Town Accountant Office (\$3,000 for special services); 3) Planning Board Office (\$2,015 unused vacation time); 4) Zoning Board Office (\$3,080 unused vacation time)

MOTION: Motion was made by G. Luca and seconded by J. Livingston to approve Board of Selectmen Reserve Fund Transfer in the amount of \$7,792.16. Motion passes 3-0.

MOTION: Motion was made by G. Luca and seconded by J. Livingston to approve Town Accountant Office Reserve Fund Transfer in the amount of \$3,000. Motion passes 3-0.

MOTION: Motion was made by G. Luca and seconded by J. Livingston to approve Planning Board Office Reserve Fund Transfer in the amount of \$2,015. Motion passes 3-0.

MOTION: Motion was made by G. Luca and seconded by J. Livingston to approve Zoning Board Office Reserve Fund Transfer in the amount of \$3,080. Motion passes 3-0.

The Board then discussed the future use of electronic devices for BOS Meetings. J. Livingston stated that she would be using her own laptop for meetings. Assistant to the Town Administrator, C. Antonellis will be using the laptop provided by the I.T. Department.

MOTION: Motion was made by G. Luca and seconded by J. Livingston to authorize funding for the acquisition of laptops and related software. Motion passes 3-0.

The Board made the following FY' 15 Appointments:

MOTION: Motion made by G. Luca and seconded by J. Livingston to appoint the following people for three year appointments: Charles Comeau – Cable TV Commission; Charles Comeau – APAC Board of Directors; James Pinard – Capital Planning Committee; Thomas Sylvester – Commission on Disabilities; Martha Sylvester – Commission on Disabilities; George Bacon – Historical Commission; Thomas McLain – Historical Commission; Lauri Sabol – Recycling Committee; Barbara Wilson – Registrars of Voters. Motion passes 3-0.

MOTION: Motion made by G. Luca and seconded by J. Livingston to appoint the following people for one year appointments: Chief Robert Pedrazzi – Emergency Management Director; Jeffrey Mays – I.T. Committee; Evan Torlin – I.T. Committee; Alan Wilson – I.T. Committee; Town Administrator – MART Advisory Board; Town Administrator - MBTA Advisory Board; Pauline Hamel – MJTC Representative; Economic Development Director – MRPC Representative; Kopleman & Paige – Town Counsel. Motion passes 3-0.

MOTION: Motion made by G. Luca and seconded by J. Livingston to appoint the following people to one year terms on the Energy Committee: Carolyn McCreary (BOS Rep); Lisa Gabree; Robert Pontbriand; Mark Wetzel, Dan Sherman, Chief Robert Pedrazzi; David Maher. Motion passes 3-0.

MOTION: Motion made by G. Luca and seconded by J. Livingston for discussion to appoint Lisa White to the Personnel Board. The Board discussed the validity of appointing Ms. White to an unexpired three year term effective June 17, 2014 to June 20, 2016. The Board determined that the appointment was in order. Motion passes 3-0.

MOTION: Motion made by G. Luca and seconded by J. Livingston to appoint C. Hillman to Capital Planning Committee. Motion passes 3-0.

Insurance Advisory Committee – Leave vacant

MOTION: Motion made by J. Livingston and seconded by C. Hillman to appoint G. Luca to the Bi-Board. Motion passes 3-0.

MOTION: Motion made by J. Livingston and seconded by C. Hillman to appoint G. Luca to the JBOS. Motion passes 3-0.

MOTION: Motion made by G. Luca and seconded by C. Hillman to appoint J. Livingston to the TIF Review Committee. Motion passes 3-0.

R. Pontbriand discussed the disbursement of Town's HRA Account.

G. Luca brought up the need for an Assistant Building Commissioner to alleviate the gaps in coverage. Information will be provided at next meeting.

M. Stephanie Gintner, Town Treasurer: Ms. Gintner requested that the Board approve \$1,692,878 in BAN's. G. Luca as Clerk of the Board read into the record the vote of authorization of the bonds.

MOTION: Motion was made by J. Livingston and seconded by G. Luca for discussion. G. Luca then thanked Town Accountant Lisa Gabree and Town Clerk/Tax Collector Susan Copeland for their assistance with the BAN's. Motion passes to 3-0.

New Business/Selectmen's Questions: The Board tabled the Sandy Pond Traffic Update to the June 24, 2014 meeting.

J. Livingston asked for an update relative to the Planning Board. The Town Administrator advised that his investigation was inconclusive as to whether a former selectman was in attendance.

Approval of Meeting Minutes: The Board approved the following meeting minutes:

MOTION: Motion was made by G. Luca and seconded by J. Livingston to approve the meeting minutes of May 6, 2014. Motion passes 3-0.

MOTION: Motion was made by G. Luca and seconded by J. Livingston to approve the meeting minutes of June 3, 2014. Motion passes 3-0.

MOTION: Motion was made by G. Luca and seconded by J. Livingston to adjourn at 9:56pm. Motion passes 3-0.

ADJOURNMENT: The meeting adjourned at 9:56pm.

Minutes Recorded and Submitted by Carly M. Antonellis

BOS Approved Meeting Minutes on _____

Approved by BOS Clerk _____, Gary J. Luca, Clerk

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



Tuesday, June 24, 2014 – 7:00pm

MEETING MINUTES
DRAFT

Selectmen in Attendance: Christopher Hillman, Chair; Jannice Livingston, Vice-Chair; Gary Luca, Clerk
Also in Attendance: Robert A. Pontbriand, Town Administrator
Carly M. Antonellis, Assistant to the Town Administrator

Call to Order: Meeting was called to order in Open Session at 7:07pm by Chairman Hillman.

Review and Approval of Agenda: J. Livingston requested to table the approval of the 6/17/14 meeting minutes to the next meeting. J. Livingston requested to take up the approval of the December 17, 2013 and January 7, 2014 meeting minutes. R. Pontbriand also provided documentation for Chief Murray's appointment recommendations.

MOTION: Motion was made by G. Luca and seconded by J. Livingston to approve the meeting agenda as amended. Motion passes 3-0.

Public Input: Mr. John Kilcommins, 16 Mulberry Circle, is concerned relative to speeding on Mulberry Circle. Mr. Kilcommins has been in contact with Chief Murray on 6/25/14 to discuss options. Mr. Kilcommins will make sure that Chief Murray is aware he has brought this issue up to the Board.

Common Victualler's License Application: Mr. Jenish "Danny" Patel, owner of Ayer Convenience Inc., requested approval of a Common Victualler's License at 60 Park Street.

MOTION: Motion was made by G. Luca and seconded by J. Livingston to approve the application for a Common Victualler's License. Motion passes 3-0.

Appointment of Benefits and Payroll Manager: R. Pontbriand stated that the search committee for the position of Benefits and Payroll Manager met four times. The Committee received seventeen applications and selected five to interview. One applicant withdrew their name prior to being interviewed. R. Pontbriand thanked the search committee and stated that the committee selected Mr. Kevin Johnston for recommendation to the Board of Selectmen for their approval.

MOTION: Motion was made by J. Livingston and seconded by G. Luca to approve appointment of Mr. Kevin Johnston as Benefits and Payroll Manager. Motion passes 3-0.

Susan Copeland, Town Clerk and Tax Collector: Ms. Copeland presented a proposal to change hours at Town Hall from Monday through Friday 8:30am – 5pm to Monday, Wednesday and Thursdays 8am-4pm; Tuesdays 8am-7pm; Friday 8am – 1pm. Ms. Copeland stated that the request is being made after receiving many inquiries from the public who have difficulty coming to town hall during normal business hours. R. Pontbriand also stated that the proposed change in hours will also lessen the heating and cooling needs of the building. C. Hillman stated that there is no harm in trying the proposal and the Board can revisit the issue in three to four months, if need be.

MOTION: Motion was made by G. Luca and seconded by J. Livingston to approve the proposed change in hours effective August 4, 2013. Motion passes 3-0.

Town Administrator's Report: R. Pontbriand explained a request for a reserve fund transfer in the amount of \$15,479.47 in the legal services line item. The requested amount is needed to close out the FY'14 budget.

MOTION: Motion was made by J. Livingston and seconded by G. Luca to approve the reserve fund request in the amount of \$15,479.57 for legal services. Motion passes 3-0.

R. Pontbriand provided an overview of the Disbursement/Resolution of the Town's HRA Account. There is approximately \$18,000 left in account. Based on the provisions of the agreement between the Town and the unions, the HRA may not be closed at this time. Federal law requires remaining funds to revert to the general fund. The Board took no action this time. G. Luca asked that the Town Accountant contact Benefit Strategies.

Building Commissioner G. Vellante presented a proposal for staffing changes in the Building Commissioner's Office. Board members expressed concern with the proposal because the goal of the funding is to have the office open more than two days per week. Mr. Vellante said that he doesn't feel there is a problem with scheduling.

MOTION: Motion was made by G. Luca and seconded by J. Livingston to advertise for an assistant building inspector at the rate of \$25 per hour 18 hours a week and to discuss at the 7/15/2014 meeting the office coverage issue. Motion passes 3-0.

The Board then made the following FY'15 appointments:

MOTION: Motion made by G. Luca and seconded by J. Livingston to appoint Ms. Ramona Bean as Assistant Tax Collector. Motion passes 3-0.

MOTION: Motion made by G. Luca and seconded by J. Livingston to appoint the following people for one year appointments: Gabriel Vellante – Building Commissioner; Roland Bernier – Alternate Building Inspector; Robert Friedrich – Plumbing/Gas Inspector; James Bakum – Assistant Plumbing/Gas Inspector; Alan Parker – Wiring/Electrical Inspector; Philip Horgan – Assistant Inspector of Wires. Motion passes 3-0.

MOTION: Motion made by G. Luca and seconded by J. Livingston to appoint Lee Curtis to a three year term on the Conservation Commission. Motion passes 3-0.

MOTION: Motion made by G. Luca and seconded by J. Livingston to appoint Brian Anderson and Nicholas Laggis to five year terms to the Industrial Development Finance Authority. Motion passes 3-0.

MOTION: Motion made by G. Luca and seconded by J. Livingston to appoint Charles Schultz to a three year term on the Zoning Board of Appeals.

MOTION: Motion made by G. Luca and seconded by J. Livingston to appoint Charles Schultz to a three year term on the Personnel Board. Motion passes 3-0.

The Board tabled the Police Department appointments until the next meeting.

New Business/Selectmen's Questions: DPW Superintendent Mark Wetzel stated that he had met with MRPC regarding the traffic count data taken on Sandy Pond Road. The DPW will be reviewing options for traffic calming, speeding and parking. Further information to be reported to the Board on July 15, 2014.

C. Hillman inquired about the beaver dam situation. M. Wetzel stated there are several issues with the beavers. The DPW hired Beaver Solutions last fall to research solutions for the damns in town affected by the beavers. The DPW is actively working to keep up with the damage caused by the beavers.

C. Hillman asked about a proposed sign bylaw for signs placed on the rotary. J. Livingston brought up that the rotary is under Mass Highway's jurisdiction. C. Hillman will contact the Commonwealth.

C. Hillman wanted to discuss enforcement of the Littering Bylaw. The Board will table the matter until the next meeting.

Approval of Meeting Minutes: J. Livingston stated that no changes have been made to the draft meeting minutes of December 17, 2013 and January 7, 2014.

MOTION: Motion made by G. Luca and seconded by C. Hillman to approve the meeting minutes of December 17, 2013.
Motion passes 3-0.

MOTION: Motion made by G. Luca and seconded by J. Livingston to approve the meeting minutes of January 7, 2014.
Motion passes 3-0.

J. Livingston would like more detail in the June 17, 2014 minutes relative to the electronic devices. Minutes tabled until next meeting.

G. Luca then asked Town Treasurer M. Stephanie Gintner why she put in for a payment for herself on the warrant of over \$1,800. S. Gintner said she wouldn't comment.

G. Luca asked for an update of Old Groton Road. R. Pontbriand stated that the issue still being reviewed by Town Counsel. M. Wetzel stated that the DPW is doing drainage work on both ends of Groton Road and that he still has concerns with liability on a private road. G. Luca stated that he wants the road fixed to the point where it can be plowed with a regular plow truck.

C. Hillman brought up the paving of the parking lot at the corner of West Main and Park Street. R. Pontbriand will follow up with G. Vellente to ensure proper permits were pulled, etc.

MOTION: Motion made by G. Luca and seconded by J. Livingston at 9:09pm to enter into executive session pursuant to MGL Chapter 30A, Section 21A, Exemption #3 pursuant Collective Bargaining for DPW Contract Negotiations Re: DPW Office Manager Position Removal from the Union and AFSCME 93 Town Hall / Clerical Union Contract Negotiations Strategy and to adjourn meeting from Executive Session. To discuss these matters in open session would be detrimental to the Town's negotiations strategy. Roll Call: C. Hillman YES; J. Livingston YES; G. Luca YES; Motion passes 3-0.

Minutes Recorded and Submitted by Carly M. Antonellis

BOS APPROVED MEETING MINUTES ON _____

APPROVED BY BOS CLERK _____, **GARY J. LUCA, CLERK**