

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

Tuesday, September 17, 2013, 7:00pm

MEETING AGENDA

7:00pm: Call To Order- Review, Amend, and Approve the Agenda

State Representative Sheila Harrington
Legislative Update

Approval of Minutes

- August 22, 2013; September 3, 2013

PUBLIC INPUT

Authorization for Posting of COA Admin./Outreach Coordinator AFSCME 93 (For Approval)

Ms. Sandy Stapczynski, President, Human Resources Services Inc.
Update on the Non-Union Personnel Classification and Compensation Study

Fire Chief Robert Pedrazzi and Mr. John Regan of Greenwood Emergency Vehicles
Contract for Refurbishment of Engine No. 4 \$139,469.00 (For Approval)

Representatives from the Conservation Commission and Dam and Pond Committee
Comprehensive Pond Study for the Town of Ayer – Next Steps (For Discussion)

Town Administrator's Report

- Appointments: Recycling; CPC; I.T.; Energy/Green Com. (Recommended for Approval)
- Easy Street Public Street Acceptance (For Approval)
- Interim Downtown Streetlight Replacement Proposal (For Approval)
- Special Fall Town Meeting Warrant DRAFT #2 (Review/Update)
- Proposed Policy for the Posting of Town Boards, Committees, Commissions Meeting Minutes to the Web-Site (Review/Discussion)
- Proposed Policy for I.T. Hardware/Software Acquisition (For Review/Discussion)
- Meeting Room Audio/Video Solution Proposal (For Review/Discussion)
- Proposed Policy for the Acquisition of Furniture; Equipment; and Alterations for Town Hall (Review/Discussion)
- Town Administrator's Electronic Communications Policy Protocols (For Discussion)
- OML: 940 CMR 29.10: Remote Participation for Public Meetings (For Discussion)
- Town Counsel Personnel Bylaw Opinion (For Review/Discussion)

BOS Policies and Procedures Review and Update (On-going)

- Final Review and Update of BOS Policy 99-26 (1999)/99-27 (2001)
- Review of BOS Policy 01-01

BOS Open Discussion

- New Business
- Future Topics/Meeting Schedule (See Packet Attachment)
- ADJOURNMENT

Ayer Board of Selectmen
Open Session Meeting
Tuesday, September 17, 2013, 7pm
Meeting Packet

7:00pm CALL TO ORDER: REVIEW, AMEND AND APPROVE THE AGENDA

STATE REPRESENTATIVE SHEILA HARRINGTON
LEGISLATIVE UPDATE

- At her request, Representative Harrington has requested to appear before the BOS with a brief Legislative Update and to answer any questions from the Board.

APPROVAL OF MINUTES

August 22, 2013 (See Enclosed)

September 3, 2013 (See Enclosed)

PUBLIC INPUT

TOWN OF AYER SELECTMEN MEETING MINUTES
Thursday, August 22, 2013

The Selectmen's Meeting can be viewed in its entirety on the Town's Website at: www.ayer.ma.us

Chairman Conley called the meeting to order at 7:10p.m. Advising to the Board of Selectmen's Open Session Meeting is video recorded by APAC. Present: Chairman-Pauline Conley, Gary J. Luca-Vice Chairman, James Fay-Member, Jannice Livingston, Town Administrator Robert A. Pontbriand and Janet Lewis Secretary. Mr. Hillman absent.

Chairman Conley requested if there were any amendments to the Agenda of August 22nd. Town Administrator Robert Pontbriand requested the Board's permission to delete under his report status re Rex Trailer Event- advising all to this matter being resolved, adds in its place St. Marys' Lawn Party Two-Day Beer & Wine License for September 6 & 7, 2013, and another item re the Board's future meetings. Chairman Conley called for a motion to approve the Agenda. Mr. Fay moved the Board vote to approve the Agenda as amended, 2nd by Mr. Luca. VOTE: unanimous, so moved.

Minutes- 8-6-13 Mr. Luca moved to approve the minutes of 8-6-13, 2nd by Mr. Fay, VOTE: unanimous, so moved.

Public Input-Chairman Conley requested if there was anyone present wishing to meet with the Board under Public Input, no one stepped forward. Mr. Pontbriand reported to the Board that Public Input is now on the Town's Website for 2013 and color coded by IT Director.

Economic Development Director's Report-Alicia Hersey sitting in for Mr. Maher-

1. Housing-LIP Unit Refinancing-Ms. Hersey presented 68 E. Main Street-Unit #2's request to refinance their mortgage to secure a new loan to lower their interest rate and consolidate their debt in the amount not to exceed \$92,900.00 (loan to be at a fixed rate) and within the guideline limits of EOCD. Motion to approve made by Mr. Luca 2nd by Mr. Fay, VOTE: Unanimous, so moved.

2. Ms. Hersey advised the Board to Close-out Report for the Fy-11 CDBG Block Grant approved and endorsed by the Board on 7-2-13 lost/misplaced in Boston and requested the Board's authorization to allow the Chairman to re-sign a copy of the document. Chairman Conley re-signed the report.

Thomas Horgan, Town Moderator-10-28-13 Special Fall Town Meeting location-Present for discussion John Canney, Town Clerk/Tax Collector. Mr. Horgan suggested the Board schedule the October 28, 2013, Fall Town Meeting at the Ayer Town Hall, 2nd Floor Great Hall for the Special Fall Town Meeting due to the Ayer High School renovation project not being completed in time for the Meeting. Mr. Horgan advising the Board to his doing research re this usage giving the Board a historical background and announcing to adequate seating available (300) and parking i.e. utilizing the bank parking spaces, Library, Central Ave., Main, Newton & Columbia Streets (215 spaces & 10 Hp. Mr. Horgan also advising to speaking with Town Clerk re Special Election for the Home Rule Petition and turned the discussion over to Mr. Canney, Town Clerk/Collector. Mr. Canney advised the Board to funding available in his Fy-14 budget for the Election (Home Rule Petition). Mr. Canney presented the Board an Election Warrant re this Special Election suggesting the Board hold the Election on November 5, 2013, which would meet the special requirements stipulated in the Petition. Selectman Luca moved the Board vote to approve the Home Rule Petition Election (reducing the number of Selectmen from 5 to 3) presented by Town Clerk John Canney for November 5, 2013, 2nd by Selectman Fay, VOTE: unanimous, so moved.

Lisa Gabree and James Giusti- re review and discussion of the Town of Ayer's Financial Management Letter-Present for the discussion Town Clerk/Tax Collector John Canney and Town Treasurer Stephanie Gintner. Ms. Gabree opened the discussion by advising to no findings or irregularities, only suggestions, that would be pro-active to do i.e. cash reconciling more efficient and timely, ambulance receipts analysis. Ms. Gabree deferred the discussion to Mr. Giusti re the above.

- **Tax Collector's Depository Bank Account**-Mr. Giusti advised the Board to a lot of reconciling items required a lot of attention as of 6-30-12 relating to property tax and motor vehicle excise

tax receipts and turnovers from the Tax Collector to the Treasurer, including depositing the receipts into a tax collectors bank account and then subsequently a turnover is made from the Tax Collector's bank account to the Treasurer's bank account. Mr. Giusti recommending to make the entire process re tax collections and cash reconciliation more efficient he suggested closing the Tax Collector's account and money collected relating to taxes turned over directly to the Treasurer to be deposited into the Treasurers bank account in the same manner that all other department receipts are turned over to the Treasurer.

- **Ambulance Receipts**-Mr. Giusti advised to a Treasurer's bank account being used for depositing ambulance receipts that has a very large balance as of 6-30-12, advising to ambulance receipts being posted to this account but ambulance related expenses are not, recommending an analysis of this account be made i.e. why was it set up and is there a specific reason to keep it open. Mr. Giusti recommending it be closed and balance transferred to the Town's regular depository bank account as well and future ambulance receipts be deposited into the regular depository account instead of the ambulance account.
- **Health Insurance-Retirees**-Mr. Giusti updated the Board to MGL Chapter 32B Section 9A 1/2 Statutory authority for one municipality to bill other municipalities for a percentage of a retiree's health insurance premium. The Town may issue a bill for the portion of the premium contributions that corresponds to the percentage of the retirees creditable service that is attributed to each government unit.
- **Written Cash Investment Policy**-Mr Giusti advising to a portion of the Treasurer's Funds can be uninsured/uncollateralized. As of 6-30-12 a significant portion of the Town's cash was uninsured and uncollateralized. Mr. Giusti recommending that the Town's investment policy be reviewed and a formal written policy be developed including minimum ratings i.e. Moody's re other types of investments vehicles must have in order for the Treasurer to invest in it as well as a policy of the maximum acceptable amount of uninsured or uncollateralized deposits in a particular bank should be established and complied with.
- **Management Response-Tax Collector's Bank Account**
- **Ms Gabree's Management response to the Tax Collector's Bank Account** concurred with the Auditor's recommendation and advised the Board to also having this discussion with the Tax Collector months ago re closing the account and transferring the account directly to the Treasurer being more efficient.
- **Treasurer's Response- Ms. Gintner** stated this account has worked well for the past twenty years stating the Tax Collector has better control over money he collects and deposits into this account. Checks returned for NSF can be handled sooner and easier to making the reversal of the accounts in MUNIS more accurately and timely and since this is his account he knows more about the account and the payments deposited to the account.
- **Town Clerk/Tax Collector's Response**-had no problem closing the Depository Bank account.
- Mr. Luca moved the Tax Collector stop using account as soon as possible or by 9-25-13 when new policy will be in effect, 2nd by Mr. Fay, VOTE: unanimous, so moved. Ms. Gintner objecting stating motion not valid cannot tell an elected official what can/cannot do. Chairman Conley stating there is no change in process only name on account.
- **Management Response-Ambulance Receipts-**
- **Ms Gabree Management Response-Ambulance Receipts**-Ms. Gabree advised to Fire Chief informing her that Medicare and MassHealth receipt are deposited directly into this account and very cumbersome to change bank routing numbers/paperwork with the Federal & State governments. Ms. Gabree concurring with the Auditor no reason to retain the ambulance bank account pending more information from the Chief.
- **Treasurer's Response-Ambulance Receipts** Ms Gintner was of the opinion after speaking with the Fire Chief that the account needs to remain open. To close this account would create a

tremendous amount of work and confusion and missed payments for ambulance calls, this could potentially create a disruption in the flow of the ambulance service accounting measures. Ms. Gintner advised to Ms Gabree agreeing to giving her transfer sheets at the beginning of each month for Ms Gintner to make the appropriate transfers from one account to the other.

- Treasurer's Response-Written Cash Investment Policy-Ms Gintner advising that it is not a requirement by the state for municipalities to collateralize funds. The Towns funds were deposited in safe secure banks with high ratings by Veribanc with net asset more than enough to cover any losses should something happen to the solvency of the banks. Ms Gintner advising as of April & May 2013 the Town funds are in Sweep Accounts to cover collateralization with the exception of funds deposited to NMSB to which these funds are covered by FDIC for \$250K and DIF for balances over \$250K under \$250K are not collateralized as they are covered by FDIC. Ms. Gintner advising before she opens any accounts she looks at Veribanc Report to be sure the bank is highly rated, if not, she does not use them.
- Treasurer's Response Health Insurance -Retirees-Ms Gintner advised she has been aware of this new law for over a year and inquired of other municipalities what they are doing following the progression of the Legislature and the Governor concerning this bill. She is of the opinion along with many other Treasures that 32B 9 1/2A is a poorly written law and unworkable i.e. retirees who worked for towns that did not offer Health insurance vs. Towns that did, questioning who has to pay for the time worked in the Town that did not offer health insurance to its retirees. How do you budget for those retirees, summarizing -it's a lot of work for not much return. Ms. Gabree stating she has a Public Information Request into Ms. Gintner re receiving copies of retirement bills the Town has received she has never seen to which the Treasurer has to respond. Ms. Gintner stating she wants 100% assurance bills will not be paid until matter is settled, it is her decision not to pay. Ms. Livingston questioning if someone in high authority told her not to pay i.e. State/AG? Ms. Gintner again stating the law is broken because of the way it is written.
- Town Administrator's Response-Health Insurance-Retirees-Mr. Pontbriand suggesting it is prudent to have a Town of Ayer system in place re Retirees Health Insurance and know who to bill, encumber funds, and be prepared to pay bills. Mr. Pontbriand disagreeing with Town Treasurer to do nothing. Mr. Fay expressing concerns re having money owed to us and Town is not collecting. Chairman Conley stating Board to have discussion with Fin-Com - will have resolution, suggesting Board run last three years Financials on Website.
- Other areas briefly discussed Snow Ice Expenditures Mr. Giusti recommending the Town review its policy & procedures re deficit spending being authorized only for those expenses related to the removal of snow & ice that are variable and unpredictable from year to year depending on the severity of the winter. Deficit spending is not authorized for expenses for regular, recurring DPW activities or salaries that are predictable.
- Ms Gabree's Response-Snow & Ice Removal-Ms Gabree advising she is aware of recent guidelines published by the State stating the Town has reported snow & ice expenditures in accordance with these guidelines. Ms. Gabree suggesting to work with Supt. Wetzel and the Fin-Com to establish a Snow & Ice Deficit Policy to be included in the Town's Financial Policies.
- See Financial Report dated 4-30-12 for other areas reported on by Giusti, Hingston and Company/Georgetown, MA

DPW Supt. Report- -the Board met with Mark Wetzell. Mr. Luca left table -did not participate in discussion. Appeal Request Water/Sewer Abatement-Marshall Trust 32 E. Main Street, Ayer, MA- Present for the discussion David Belanger, Trustee -Marshall Family Trust. Supt Wetzell for the record clarified communication that He nor anyone in the Water Department ever stated they would "fight him all the way" re his bill. Supt. Wetzel stated 32 E Main St. has a new meter which never test high always test low. Mr. Belanger presented the Board his bills from 2004. Mr. Belanger stating his usual bill is semi-annual ranging between \$280.00 and \$380.00. Mr. Belanger received a bill from 12-8-11 to 6-12-

12 totaling \$1,305.09 the next bill he received dated 6-7-12 to 12-6-12 totaled \$1,482.19 higher than the last bill, as of this date he has paid \$2,700.00 for the last 12 months and usually pays \$700.00 for the same period. Unit totally re-modeled, plumbing/electronics throughout three floors. The Board requested if the meter has been tested and advised by Supt. Wetzell to DPW offering to do so. Cost to check meter \$50.00. The Board rescheduled matter until meter has been checked out by DPW. Mr. Luca returned to table.

Conservation Commission-RFQ Town of Ayer Comprehensive Pond Study-The Board met with Bill Daniels, Chairman, George Bacon, Jessica Gugino, Takashi Tada Conservation Commission Members. Mr. Pontbriand requested the Board take up the Kohler Place property with the Fin-Com after the Weed Treatment RFQ discussion. Mr. Daniels opened by advising to the Conservation Commission receiving three (3) proposals: Aquatic Control Technology of Sutton, MA low bidder at \$18,255, GEO \$31,944 and NEE \$41,175. Last RFQ was eight (8) years ago. Mr. Daniels advising to Con-Com creating format, more extensive proposal, new diagnostic study re what's going on with ponds, previously only weed control. Mr. Daniels advising to proposal once awarded to be placed on Town Meeting Warrant re funding; stating his concern it will not make this year's FTM in time and Commission looking at the Spring ATM in 2014. Mr. Daniels also wishing clarification/perimeters re role of Dam & Pond Com and Con-Com where is line drawn between two Groups re dove-tailing. Mr. Daniels advising to a joint meeting being scheduled and summary to be prepared for Board of Selectmen for their next meeting. Chairman Conley requesting Con-Com place RFQ on Town's Website.

Kohler Place-Mr. Pontbriand opened the discussion by advising to the Board receiving correspondence from the Cornellier Family re purchase of their 22-26 acres of land(Kohler Place) along Sandy Pond for the purpose of open space and conservation. Mr. Pontbriand advising to the CPC interested in this purchase. Chairman Conley declared discussion being in Open Session violation of Executive Session Exemption #6 *To consider the purchase, exchange, lease or value of real estate, if the chair declares that an open meeting may have detrimental effect on the negotiating position of the public body (read into the record)* re residents concern re location of property cannot have discussion detrimental to negotiating position. Mr. Pontbriand requested the Board authorize the Town Administrator, Mr. Luca -previous Board Rep to CPC, to negotiate a Purchase & Sale Agreement for the property for consideration at the Fall Town Meeting. Mr. Fay advising to email reference to Exemption #6 on 8-22 by Chair not appropriate. Mr. Daniels having read Exemption #6 into record disagreed with Chair re discussion, advising to Con-Com meeting with CPC re this purchase on numerous occasions. Chairman Conley explained her position having no knowledge re communications of Board re this property. Board members disagreeing with her referring her to media reporting as far back as 2012. Ms. Gugino advising to Con-Com meeting with CPC six (6) times re this property. Mr. Fay requesting the 8-22-13 email be recorded into minutes. Mr. Fay moved the Board authorize Mr. Luca and the Town Administrator to seek information re acquisition of Kohler Place, 2nd by Mr. Luca, VOTE: unanimous, so moved. Chairman Conley requesting copies of the Con-Com postings re meeting with the CPC be copied to her.

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

1. Building Department Staffing -Mr. Pontbriand advised to Mr. Vellante unable to be present this evening and referred Board to Mr. Vellante's memo of 8-20-13 re Part-Time Assistant Building Inspector proposal- and will of Board re future structure of Building Dept. The Board moved to advertise for a part-time Asst. Building Inspector for three (3) days a week-six (6) hours a day for office coverage and field work (inspections) per the Town's base wage AFSCME Contract salary. Motion to approve made by Mr. Fay, 2nd by Ms. Livingston, VOTE: unanimous, so moved.

2. Electrical Wiring Inspector permit Fees Continuation-Mr. Pontbriand requested the Board's consideration of the Electrical Inspector's request for percentage change of 60-40 split re permit fees to bringing him into parity with Plumb/Gas Inspector be retroactive to July 2012. (\$2,686.11 back pay). Mr. Fay moved to approve the Electrical Inspector's retroactive 60-40 fee split be approved retroactive to July 2012, no 2nd motion fails.

3. 10-28-13 Special Fall Town Meeting Warrant-Mr. Pontbriand reviewed with the Board the proposed articles for the Draft 10-28-13 FTM Warrant articles to date : Fin-Com place holder re financial policies, Street acceptances, KOHLER Place, Mutual Aid-APD, Fire Station RFP, Street Lights, Pond benches, Roof, lights, etc.

4. St. Mary's Lawn Party-The Board approved a Two (2) Day Beer & Wine License for St. Mary's Lawn Party, September 6 & 7 2013, from 5-9. Motion to approve made by Mr. Luca, 2nd by Ms. Livingston, VOTE: unanimous, so moved.

10:00p.m. Mr. Fay moved the Board extend their meeting for ten minutes, 2nd by Mr. Luca, VOTE: unanimous, so moved.

5. Employee Recognition Program- Mr. Fay reviewed with the Board his suggestion re establishing an Employee recognition Program to recognize a Town Employee who goes above and beyond his/her job daily responsibilities a Certificate of Recognition on a quarterly basis. The Board to take this up at their meeting on 9-3-13.

6. Town Counsel's Review of Personnel Board appointments-Mr. Pontbriand reviewed with the Board Town Counsel's opinion of the Board's Personnel Board appointment/s of 8-6-13 and Bylaw terms of office advising to the Board acted appropriately. Mr. Luca rephrased his question and requested this be run again by Town Counsel.

7. Selectmen's Policy Procedures-Mr. Pontbriand presented the Public Input Policy #13-01 to the Board for inclusion in the Selectmen's Policies. Mr. Luca moved to approve the Public Input Policy #13-01 outlined by Mr. Pontbriand be included in the Selectmen's Policies and Procedures, 2nd by Mr. Fay, VOTE: unanimous, so moved. Chairman Conley requested the Selectmen's Policies & Procedures renumber 99-27 to 99-26 being out of order re Meeting with Chairman's of Boards, Commissions, Committee's being twice a year.

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

Date

Christopher R. Hillman, Clerk

TOWN OF AYER SELECTMEN MEETING MINUTES
Thursday, September 3, 2013

The Selectmen's Meeting can be viewed in its entirety on the Town's Website at: www.ayer.ma.us

Chairman Conley called the meeting to order at 7:10p.m. Advising to the Board of Selectmen's Open Session Meeting is video recorded by APAC. Present: Chairman-Pauline Conley, Gary J. Luca-Vice Chairman, Christopher Hillman-Clerk, James Fay-Member, Jannice Livingston-Member, Town Administrator Robert A. Pontbriand and Janet Lewis Secretary. .

Chairman Conley requested if there were any amendments to the Agenda of September 3, 2013. Mr. Fay called for reorganization of the Board-re an email violation by Chairman Conley, Town Administrator Robert Pontbriand requested the Board's permission to delete under his report bullet #5 - Town Counsel update advising to information did not come in re Personnel Board Appointment and requesting to reschedule for 9-17-13. Mr. Hillman re Zoning By-law re Political signs/signs in general.

Chairman Conley called for a motion to approve the Agenda. Mr. Fay moved the Board vote to approve the Agenda as amended, 2nd by Mr. Hillman. VOTE: Mr. Fay aye, Mr. Luca aye, Ms. Livingston aye, Mr. Hillman no, Chairman Conley no. 3-2 motion passes.

Minutes- 8-22-13 were set back for edits.

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

Mr. Fay opened the discussion re his request for the Board to re-organize questioning Ms. Conley's serving as Chairman re an email dated 8-22-13 sent by Ms. Conley to the Town Administrator and copied to both the Police Chief and Supt. Wetzel re a Park Street crosswalk that was before the Board recently and voted down by the Board, stating his reservation about her serving as Chair and breaking trust, going against the will of the Board. Chairman Conley justified the email as being a safety issue, witnessed by her, when she observed an elderly lady almost being struck by a tractor trailer as she crossed Park St. and sending the email to the Town Administrator would not be in violation of the Board's policies. (Chairman Conley read the email into the record) Mr. Luca stating his objection to the email not being sent to the rest of the Board given the volume of emails sent by her on a daily basis. Ms. Livingston finding the email disturbing and coming across wrong whereas the Board was in agreement to the need to remove some crosswalks and spending money on a temporary crosswalk is troubling when the Board agreed to wait and see the study. Mr. Pontbriand suggesting need for a policy re how the Board should send emails to each other and also emails that he receives, i.e. forward to each member of the Board or print out all the emails and place them in the Board's mailboxes as they are public record. Mr. Hillman took this opportunity to state his dismay wasting over an hour talking about emails and wishing to move on questioning how removing Chairman Conley would change the practice of the Board and helps the Town and/or is in the best interest of the Town. Mr. Pontbriand reviewed with the Board bringing in a consultant re working together and getting along, stating it is inherent issues of trust, code of conduct exists. This meeting to be open to all Town Departments, Boards and Commissions. The Board approved this recommendation to bring in a consultant and post meeting be open to all.

Town Administrator's Report-

1. Special Fall Town Meeting Warrant- Draft 1. Mr. Pontbriand announced the Citizens Petitions deadline on Friday, September 13, 2013 at 4:00p.m. Mr. Pontbriand also advised the Board to Town Counsel edits of warrant articles of Draft 1 to be available for the Board's review on 9-17-13 reminding the Board to the warrant remains a work in progress going through subsequent drafts/versions until finalized.

2. The Board reviewed each of the 15 Articles to date that will appear on the 10-28-13 Special Town Meeting Warrant:

Article 1- Stabilization Placeholder-put on warrant by Fin-Com

Article 2. Town Hall Maintenance Fund- Mr. Pontbriand advising to the Facilities Director putting together a list of projects for the Board's review.

Article 3. Downtown Street Lights-Mr. Wetzel, Supt of DPW, to meet with Board on 9-17-13 with plan and cost associated.

Article 4. Union Employee Compensation Study-Mr. Pontbriand advising to Fin-Com requesting this placeholder re study. Mr. Luca questioning how do you do a grid for Union employees i.e. comparable study. Mr. Pontbriand agreeing to difficulty and may need more time to investigate and the possibility it may not make this warrant.

Article 5. Comprehensive Pond Study-Con-Com presented RFQ at the Selectmen's 8-22-13 Meeting for Town Meeting acceptance.

Article 6. Fire Station RFP- Mr. Pontbriand advising to RFP having to be re-run due to clarification by Central Register re Bidding documentation i.e. disbursement of property, bids due 9-13-13 at 5pm

Article 7. Kohler Place-CPC-discussed with Board and Con-Com on 8-22-13 re the acquisition of open space and conservation land sale.

Article 8. Petition of Easy Street Acceptance- Mr. Pontbriand advised to Planning Board meeting on 8-8-13 to review/approve street pending Supt. Wetzels' review and approval. Mr. Pontbriand advising to Board "Laying out Road" at their meeting on 9-17-13.

Article 9. Crabtree Pumping Station-Mr. Pontbriand advised to pumping station failing and needing replacement.

Article 10. Mutual Aid-MGL Chapter 40, Section 8G requested by Police Chief and advising to Town passing in 1972 and Chief unable to locate original Agreement and requesting to have Town approve new agreement.

Article 11. Report on Collective Bargaining Agreements-recommended by Town Administrator in event CBA's are not finalized.

Articles 12-15 Placeholders re ratifying DPW, Fire, Patrolmen and Police Superior Union contracts.

Citizens Petitions-Mr. Pontbriand advising to having none to date.

Mr. Pontbriand advising to the possibility of having Old Groton Road article on warrant re possible combination of transfer of land/or sale and title issue/s involved.

Mr. Fay also requested the Board also consider adding Official Town Flag to the warrant.

Employee Recognition Program- Mr. Pontbriand reviewed with the Board the criteria for rewarding and/or recognizing employees who have performed above and beyond in their regular job requirements/duties. Selectman Livingston moved the Board approve an Employee Recognition Program to be awarded on a quarterly basis to an employee who goes above and beyond their required duties, 2nd by Selectman Fay, VOTE: unanimous, so moved. The Board to begin taking nominations on October 1, 2013.

Boston Post Cane-Mr. Pontbriand announced applications for the Town's Boston Post Cane "Golden Cane" for the Town's Oldest Resident are now on the Town's Website for residents.

Town Counsel-Personnel Board Opinion- Mr. Pontbriand updated the Board to Town Counsel opinion re Personnel Board question raised by Mr. Luca scheduled for 9-17-13 advising to earlier opinion from Town Counsel to Town By-laws trump Town Policies and would copy members of the Board to memorandum.

Economic Developer -Business Certificates-Mr. Pontbriand updated the Board to issues re updating, implementation and administration being a concern over the last few years. Mr. Hillman advising the Board to his requesting this issue being placed on the Agenda. Mr. Hillman stating Business Certificates need to be codified, enforced and administered. The proper record keeping/documentation and collection of fees are all required by law and no sense of urgency/priority taken by Town Clerk. Town Clerk doesn't want to do and his part falls on Economic Development Director. It is not fair to

businesses that pay their fee if others don't register should be ratifications. The Board voted to authorize the Town Administrator to direct the Economic Development Director and the Town Clerk to implement and administer the Business Certificate Program in concert and if Town Clerk does not comply to contact the Secretary of State's Office, motion made by Mr. Hillman 2nd by Ms. Livingston, VOTE: unanimous, so moved. The Board requested a status update to the Board and Fin-Com by 9-17-13 and establish deadline of October 1, 2013 for implementation and administration.

Job Description for Asst. Building Assistant- Mr. Pontbriand reviewed with the Board Mr. Vellante' Memo to the Board dated 8-20-13 re posting re part-time Building Inspector's position. Requesting the Board to define title advising to Mr. Vellante' not wanting to do property/zoning enforcement. Mr. Luca not wishing to limit position to just enforcement Town needs someone in office when he is not there. Chairman Conley suggesting swapping title in job description and also wishing to correct Building Inspector title in Job Description to state Building Commissioner.

Sign By-law Policy-Mr. Hillman again stating his concerns re political signs on rotary and need for Sign By-Law Policy- Mr. Pontbriand presented and reviewed with the Board his proposed draft amendment to the Zoning By-law (Article VI Special Provisions, Section 1 Signs and Billboards) adding a new Section J #4. Placement of Political Signs on Public Lands. (see attached). Mr. Pontbriand requested the Board review and advised to Town Counsel also reviewing for Board's Agenda on 9-17-13 as a potential Warrant Article for 10-28-13 Fall Town Meeting.

Board of Selectmen Policies and Procedures Review and Update- Mr. Pontbriand advising Board having both Policies from 1999 and 2001 in their packets- requesting Board to review and rescheduled discussion for 9-17-13.

Town Administrator's Policy Protocols Regarding Electronic Communications- Mr. Pontbriand reviewed with the Board their email communications which have created OML challenges re serial emails forwarded unintentionally creating violations. Mr. Pontbriand stated emails are a useful scheduling tool and also for transmitting updates. Mr. Pontbriand stated issues have arisen from Board members that he is not transmitting same information to each Board member and questioning if Board wishes to deactivate BCC Control? stating five (5) Board members and he are on this IT Account. Mr. Hillman stated he receives emails from residents and it is easy for them to contact him. Ms. Livingston stating this is getting absurd Board should pay attention to what they are doing-stop look at how you are responding. Mr. Pontbriand discussed different scenarios re problem areas that have occurred/could occur requesting the Board's decision on how he is to deal with and their expectations as to how he should handle going forward i.e. emails from Selectmen to Department Heads requesting they do a certain task, project etc. and not forwarding Town Administrator not acceptable, and in violation of the Board's Policies & Procedures, as well as Board members requesting each other's emails. Mr. Pontbriand advised the Board to Department Head Meeting scheduled this month and he will be bringing this issue forward. Mr. Pontbriand to implement immediately on all future emails to the Board a Header stating: FOR INFORMATIONAL PURPOSES ONLY NOT FOR DELIBERATION and footer PUBLIC RECORD DISCLOSURE to remind them of their responsibilities.

Selectmen's Questions/New Business-

Mr. Hillman-

1. Christmas Lights at Rotary-Mr. Hillman advising to bigger event sponsored by businesses and hoping to extend to Downtown area coordinating with DPW. Wishing to begin promoting Holiday Lights Campaign re monetary contributions for Christmas Lights correcting funding campaign logo to "Christmas Lights" from Holiday Lights.
2. Welcome to Ayer Sign for Rotary- requesting the Town place movable sign at Rotary not necessarily granite, but something that last 10-15 years.

Future Meetings-Mr. Pontbriand advised the Board to need for upcoming *Meetings of the Board:*

1. Meeting with Supt. Wetzel re update re projects to be scheduled
2. Hearings: Water/Sewer Rate, Tax Rate, Capital Plan proposing one night for all hearings 9-9-13.
3. 9/9/13 Executive Session -Property Enforcement Joint Mtg. with Board of Health

4. 9/10/13 Executive Session re Collective Bargaining & X6 Kohler Place

5. 9-17-13 Meeting to review 2nd Draft of 10-28-13 Special Fall Town Meeting Warrant, Selectmen's Policies and Fin-Com review of 10-28-13 Warrant.

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

_____ Date _____

Christopher R. Hillman, Clerk

AUTHORIZATION for POSTING of COA Admin./Outreach Coordinator
AFSCME 93 (See Enclosed) [FOR APPROVAL]

As a result of the Executive Session meeting with the COA Executive Director and AFSCME 93, the Board of Selectmen and AFSCME 93 upon recommendation of the COA Executive Director agreed to place this item on the BOS Agenda for consideration for approval by the BOS to authorize the posting of the COA Administrative/Outreach Coordinator in accordance with the provisions set forth in the CBA between the Town of Ayer and AFSCME 93 (See Enclosed) **[FOR APPROVAL]**

NOTE: This vacant position is currently funded in the FY 2014 Budget and the Town Administrator supports this recommendation for approval.

Robert Pontbriand

From: kdswany@aol.com
At: Thursday, September 12, 2013 12:03 PM
planning@ayer.ma.us; ta@ayer.ma.us
Subject: Job posting for the COA
Attachments: COA Admin and Outreach Assistant 2013 Jeanie POSTING of Job.doc

Attached is an updated job posting for the BOS meeting for this Tuesday September 17, 2013. This was updated at yesterday's E-Board meeting by the E-Board. The date for the posting was changed to meet the regulations of in-house posting (5) business days. Please contact the COA if there are any issues which have not been followed correctly.

Thank you on behalf of the E-Board of the Ayer COA.
Karin Dynice-Swanfeldt
Executive Director Ayer Council on Aging

Ayer Council on Aging

18 Pond Street
Ayer MA 01432
978-772-8260

NOTICE OF VACANCY

**Ayer Council on Aging Admin/Outreach Coordinator
25 hours per week**

Qualifications of the job:

- Must be 21 years of age
- Must have a high school diploma/GED.
- Must have at least 5 years' experience working with the elderly.
- Must have a valid Massachusetts drivers license
- Must pass a CORI check through the State of Massachusetts.
- Must have basic computer skills, the ability to use copy equipment, and/or any other equipment that many be used in a regular office environment.
- Must be able to answer the phone in a pleasant tone at all times and take complete messages for the COA director.
- Must be able to establish and maintain effective working relationship with other staff members, volunteers, the COA director, also all people that use the services of the Center.
- Must be courteous, sensitive and understanding to the needs of all people using the services of the Center.
- Must maintain a level of **confidentiality** with all people using the services of the Center.

Responsibilities

- Reports directly to the COA director.
- Responsible in assisting the COA director with the daily operations of the Center. Willing to step in, in a professional fashion and run the operations of the Center in the absences of the COA director.
- Will answer the Centers main phone line in a professional/pleasant fashion. Will take complete messages as needed for the director. Will successfully answer questions asked of the callers and if there is a question of a question the administrative assistant will take a message and follow up to find an answer for the caller and return their call.
- The administrative assistant will answer the Dial-A-Ride phone when the volunteer is not available.
- Make referrals at the director's request in the area of legal, social security, food stamps, health, housing or any outreach service offered to seniors.
- Outreach into the community to help seniors and their families in need.
- Maintain the Brown Bag Program
- Distribute brown bags to seniors in the program.
- Schedule speakers for the Lunches and other events.
- Deliver Meals on Wheel as needed.
- Also may be asked to complete other duties related to the operations of the Outreach position.

Applications are to be sent to Ayer COA Executive Board , 18 Pond St. Ayer MA 01432

Closing Date: September 24, 2013

MS. SANDY STAPCZYNSKI, PRESIDENT, HUMAN RESOURCES SERVICES, INC.
Update on the Non-Union Personnel Classification and Compensation Study

- At the request of the Town Administrator, Ms. Sandy Stapczynski, President of Human Resources Services, Inc. will appear before the BOS to provide an update on the Non-Union Personnel Classification and Compensation Study.
- The estimated time for the completion of the study as set forth in the contractual materials was/is three (3) months which originally made September 1, 2013 a completion date of the final report. Due to circumstances out of the Town's controls, there is a delay with the final report, which Ms. Stapczynski has addressed in the enclosed memo (See Enclosed) and will further discuss on Tuesday with the Board. **(See Enclosed) [FOR DISCUSSION]**

Robert Pontbriand

From: Sandy Stapczynski [hrsconsulting@comcast.net]
nt: Friday, September 13, 2013 7:24 AM
Subject: 'Robert Pontbriand'
Attachments: project update materials
PROJECT UPDATE.doc; PROJECT UPDATE.pdf

Hi Robert,

I prepared a project update for you. Attached please find the document in word and also in PDF. I will also bring with me to the meeting a summary of the methodology and also the rating factors to discuss; as well as the comparable communities. I'll be prepared to give a progress update and plan for completion of the project. Thank you for your assistance and great patience during this comprehensive process. See you on Tuesday night.

Best,
Sandy

Sandy Stapczynski, President
Human Resources Services, Inc.
9 Bartlet Street, Suite 186
Andover, MA 01810
Voice: 978-474-0200
Cell: 978-430-2061
Fax: 978-475-7925
Email: hrsconsulting@comcast.net
b: www.hrsconsultinginc.com

Town of Ayer, MA, Project Update as of: September 10, 2013
COMPENSATION AND CLASSIFICATION STUDY

- ✓ **Orientation materials for Ayer employees and town administration. This includes position analysis questionnaire, instructions, PowerPoint and scope of services.**
- ✓ **Organizational meeting in Ayer with Town Administrator. Discussion on policy concerns.**
- ✓ **Two consultants conducted onsite orientation sessions with employees/supervisors in Ayer. Distributed PAQ and other materials to employees.**
- ✓ **Reviewed completed PAQs. Preparation of job descriptions near completion.**
- ✓ **Initial ratings of all positions; developed computerized rating sheets. Two consultants conducting rating.**
- ✓ **Reviewed all materials and documents received from the Town including current job descriptions, compensation plan, annual report, and other town documents.**
- ✓ **Discussions with Town Administrator on a regular basis regarding study through email and telephone; discussion on unique characteristics of certain positions.**
- ✓ **Research and review of comparable communities to be used in the study. Prepared chart with related statistics for the client's review. Received input on the final selection of comparable communities.**
- ✓ **Prepared survey instrument to communities; survey out to communities. Data collection expected through September.**
- ✓ **Consultant team meeting and discussion on market analysis parameters; reviewing the average, median, 50% percentile, 75% percentile and 90% percentile; as well as pay ranges.**
- ✓ **Collection and analysis of FY-14 market data in active progress. Prepared draft spreadsheets and started entering certain data. Certain current data also available through HRS databases.**

Town of Ayer, MA, Project Update as of: September 10, 2013
COMPENSATION AND CLASSIFICATION STUDY

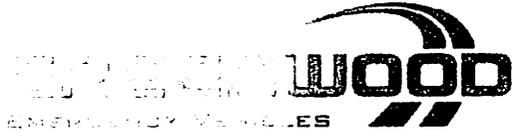
- ✓ **Follow-up telephone calls to comparable communities during the month of September to clarify information and update data charts. The compensation data from the market assists in determining the parameters for the compensation plan.**
- ✓ **Review of compensation administrative policies with the Town Administrator.**
- ✓ **Developed pay/class database for client; with project materials.**
- ✓ **Several consultant team meetings to discuss project.**
- ✓ **Preparation for meeting with Board of Selectmen in September to discuss project, methodology, and progress.**
- ✓ **Preliminary draft compensation and classification plan in progress.**



**FIRE CHIEF ROBERT PEDRAZZI and MR. JOHN REGAN OF GREENWOOD
EMERGENCY VEHICLES**

**CONTRACT FOR REFURBISHMENT OF ENGINE No. 4 in the AMOUNT OF
\$139,469.00**

- Chief Pedrazzi and Mr. John Regan of Greenwood Emergency Vehicles will appear before the BOS seeking Board Approval of the Contract for the Refurbishment of Engine No. 4 in the amount of \$139,469.00 as appropriated by the Annual Town Meeting on May 13, 2013. (See Enclosed) [FOR APPROVAL]



530 JOHN DIETSCH BLVD.
NO. ATTLEBORO, MA 02760
Phone: (508)695-7138 Fax: (508)695-9047
www.GreenwoodEV.com

PROPOSAL GEV# 1308-20

Ayer Fire Department
1 West Main Street
Ayer, Ma. 01432

August 19, 2013

"Refurbishment of Engine # 4"

We hereby submit Proposal for the following:

Refurbishment of one (1) 1993 Emergency One Pumper, Engine # 4 per the published specifications on BID # 1-13 for the sum of:

ONE HUNDRED AND THIRTYNINE THOUSAND, FOUR HUNDRED AND SIXTYNINE DOLLARS & 00/100
\$139,469.00 *

Terms: COD with delivery at 530 John Dietsch Blvd. North Attleboro, Ma.

** The price above excludes any Options and or Trade In Allowance. See page 2. **

Acceptance of
Proposal: _____

Signature/Date

Approved By: _____

All work is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or change from published specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the contract price. All payments are contingent upon strikes, accidents or delays beyond our control. Owner shall carry fire, tornado and other risks. All workers are fully covered by Workmen's Compensation Insurance.



530 JOHN DIETSCH BLVD.
NO. ATTLEBORO, MA 02760
Phone: (508)695-7138 Fax: (508)695-9047
www.GreenwoodEV.com

PROPOSAL GEV# 1308-20

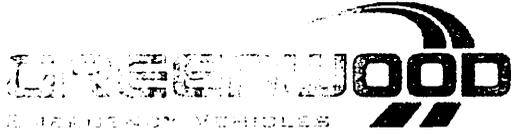
"Options"

- | | |
|--|----------|
| 1. (8.01) Color Back Up Camera System installed. | \$980.00 |
| 2. (8.02) Whelen LED Scene Lights Heads upgrade. | \$950.00 |
| 3. (8.03) Cross-lay Covers installed. | \$495.00 |

Trade In Allowance

Greenwood offers to accept in trade One (1) 1987 Emergency One Guardsman Pumper on a GMC C6500 chassis (known as Ayer Engine #3) for the sum of \$2,500.00 (twenty five hundred dollars and zero cents).

This allowance is provided that the apparatus is complete at the time of ownership transfer and that no parts and or accessories have be changed or removed without written agreement.



530 JOHN DIETSCH BLYD.
NO. ATTLEBORO, MA 02760
Phone: (508)695-7138 Fax: (508)695-9047
www.GreenwoodEV.com

PROPOSAL GEV# 1308-20

"Exceptions"

1. Greenwood Emergency Vehicles Inc must take exception to the specified \$5,000,000.00 insurance requirement. See our enclosed Certificate of Insurance. We would be happy to discuss our refurbishment track record and claims history to the town's satisfaction.

INVITATION TO BID

AYER FIRE DEPARTMENT

BID #1-13

Refurbishing of Engine # 4

The Town of Ayer, Massachusetts is requesting bids for the Refurbishing of the Fire Department's 1993 Emergency 1 Protector Pumper - Engine # 4 as described in the attached specifications.

The Town reserves the right to reject any and all bids in the best interest of the Town.

INTENT OF SPECIFICATIONS

It is the intent of these specifications to cover the refurbishing process herein as specified, with a view to obtaining increased safety and service life of the apparatus. These specifications cover minimum requirements as to the type of repairs, construction, finish, and test(s) to which the apparatus must conform, together with certain details as to equipment and appliances to be furnished. Minor details of construction, materials, where not otherwise specified, are left to the discretion of the contractor who shall conform to industry standards and all applicable requirements of the current NFPA standards. Exempt are original designs that remain unchanged.

EXCEPTIONS

Substitutions, deviations, clarifications, or exceptions to those specifications must be listed on a separate page marked, "EXCEPTIONS" and must be accompanied by adequate data to allow the Fire Chief to determine acceptability. Proposals that are found to have deviations without listing them will be rejected.

VEHICLE INSPECTION

No bid will be accepted unless a prospective bidder has thoroughly inspected the vehicle and become fully knowledgeable as to the work to be performed. All prospective bidders must make an appointment with Chief Robert Pedrazzi 978-772-8231, for the purpose of personally inspecting the vehicle and reviewing the specifications. Bids will not be accepted unless this qualification is met fully.

BID

The outside of the sealed envelope must be clearly marked "Ayer Fire Department - Bid for Refurbishment of Engine #4" with the name of the bidder on the exterior of the envelope. It must be addressed to the Office of the Fire Chief, Town of Ayer, 1 West Main Street, Ayer, MA 01432. The bid must be delivered by 2:00 p.m. on August 20th at which time the bids will be opened and read.

The bid shall be awarded to the lowest responsive and responsible bidder by the Town of Ayer in accordance with the following:

Qualifications of Bidders

Bids will only be considered from apparatus refurbishment facilities that have been in business continuously, without interruption, for a minimum of twenty-five (25) years.

Please state the location where the apparatus will be refurbished:

530 John Dietsch Blvd. N. Attleboro, MA. 02763

• How long has the Bidder been refurbishing apparatus at this location?

Number of years 34 yrs.

Bids shall only be accepted from corporations registered to do business in this state. Bidders must submit a copy of a current "Certificate of Good Standing" from the Secretary of State. No contract or purchase order shall be awarded to an out-of-state corporation not meeting this requirement.

Service Requirements

It is the intent of the department to assure that parts and service are readily available for the apparatus specified. SERVICE CAPABILITIES WILL BE A MAJOR CRITERIA FOR AWARD OF THIS BID. To insure proper service, no bid will be accepted unless the bidder has a facility within seventy five (75) miles of the Town of Ayer, MA. The facility must provide access to complete parts and service. The facility must be staffed by fulltime personnel who are factory trained and EVT certified in the operation and repair of the fire apparatus, including the pump, with full authorization of the manufacturer. In addition, in order to ensure prompt service, the facility must be solely dedicated to the service/repair of emergency vehicles. Facilities that cater to construction and fleet trucks (i.e., highway dept., DPW, oil, concrete, etc.) will not be considered. The facility shall maintain a complete inventory including major pump parts, body components, electrical items, fire apparatus hardware, etc., and shall offer on-site services including pump overhaul, body fabrication, collision repair, and a paint shop complete with a cross flow booth with air makeup and bake options to insure the highest quality paint finish available. The bidder must also operate an on-site pump test facility and must be an "Authorized Parts and Service Center" for Hale Pumps, and provide proof thereof. Bids from manufacturers who use third party service people or facilities, or who do not offer a service center will be immediately rejected.

Emergency Vehicle Technician Qualifications

Due to the highly specialized nature of fire apparatus repair, emergency vehicle technicians (EVT's) employed by the bidder shall be in conformance with NFPA standards 1915 and 1071. The bidder shall employ E.V.T. certified technicians (including a minimum of one (1) technician certified as a "Master EVT and ASE Truck Technician") that are exclusively dedicated to the service and repair of fire apparatus. Proof of current certification shall be supplies with the bid. There shall be no exceptions to this requirement. Bids from organizations that do not meet these requirements shall be immediately rejected.

Service Qualification Requirements

The bidder shall include the following information with their bid.

- Number of miles from the Town of Ayer to the nearest staffed service facility owned and operated by the bidder (maximum 75 miles):

Number of miles 54 miles

- The number of service bays of service space at the bidder's service facility (minimum 6 bays):

Number of bays 9

- The length of time the service facility has been in business of servicing emergency vehicles (minimum 25 years):

Number of years in business: 34 yrs.

- The facility must be strictly dedicated to selling and servicing emergency vehicles and equipment:

Strictly dedicated to emergency vehicles and equipment:

Yes No

- The facility must have an on-site pump test facility:

Yes No

- Number of current EVT Certified personnel employed. EVT "Master Mechanics":

EVT certified personnel 12⁺ (minimum 6 persons)

EVT "Master Mechanics" 1 *(minimum 1 person)

(*includes required valid ASE certifications)

- Structural alteration must be approved by original manufacturer:

Yes No

- There must be a full body/collision repair, fabrication, and paint booth on-site:
Yes No
- The facility must have a fulltime staffed parts department with dedicated parts personnel and a full inventory of emergency parts for truck down situations:
Yes No
- Facility must be an "Authorized" Hale Parts and Service Center:
Yes No
- All work must be performed on site:
Yes No

Bid Response Requirements

- The bidder shall meet all requirements listed in this document and show proof of credentials to perform the work and procedures as specified. Bidders not meeting the specifications herein shall be rejected.
- The bidder shall supply the Ayer Fire Department with a list of the last twenty (20) fire truck rehabs done by the bidder for the purposes of reference checks. The information provided by the bidder shall include contact name, contact telephone number, organization name, vehicle type, and type of work performed. A poor reference check shall be a basis for rejection.
- The bidder shall provide evidence of sound financial solvency, by providing appropriate documents such as audited financial statements or Dun and Bradstreet credit reports.
- Each bidder must submit a signed statement of non-collusion in the response package.

- Each bidder shall supply proof of liability in the amount of not less than \$5,000,000.00.
- Each bidder shall submit a "Certificate of Good Standing" from the Secretary of the Commonwealth of Massachusetts.
- The bidder shall own or offer service facilities within seventy-five (75) miles of the Town of Ayer. The facility shall maintain a complete inventory of major parts, body components, electrical items and hardware suitable for the emergency repair of the fire apparatus. The facility shall offer services including body fabrication, collision repair and a paint shop.
- Upon completion of the work and upon acceptance by the Ayer Fire Department, the vehicle will be inspected and using this document each item and paragraph of this document will be checked for compliance. No deviation from this specification will be permitted unless the vendor has submitted such proposed deviation in writing with the final bid document and such exceptions are accepted by the Town.

Inspection and Department Contact

The vehicle will be available for inspection at the Ayer Fire Station located at 1 West Main Street, Ayer, MA 01432. Pre-inspection of this vehicle is a mandatory requirement. To make an appointment to view the Engine, contact Chief Robert Pedrazzi.

Chief Robert J. Pedrazzi

1 West Main St.

Ayer, MA 01423

978-772-8231

firechief@ayer.ma.us

Questions regarding this bid should be directed to Chief Robert Pedrazzi at 978-772-8231 or firechief@ayer.ma.us

Completion

All the work associated with the refurbishing of Engine 4 shall be completed within 100 calendar days starting from the time the time the contract is executed.

Name brand equipment

Where name brand equipment has been specified in this bid document or equal merchandise will be accepted. Any deviation from name brand products will be evaluated by the Fire Chief. Each item deviated from the specifications will be listed separately. Supporting documentation will be supplied by the bidder as to the "or equal" for each item. The decision of the "or equal" will be the sole decision of the Fire Chief. The Town's decision or judgment on these matters will be final, conclusive and binding.

Bid Bond

Each bid submitted shall be accompanied by a Bid Bond in the form of a certified check, bank treasurer's check, cashier's check, or a bid bond issued in their name by a surety company licensed by the State Division of Insurance, in the amount of five percent (5%) of the proposed bid amount, made payable to the Town of Ayer, Massachusetts. **No exceptions to this requirement.**

The bid deposits held shall be returned upon execution and delivery of the Contract, except that if the selected bidder fails to execute and furnish the required bonds and insurance certificates, the bidder's deposit shall become the property of the Town of Ayer Awarding Authority as liquidated damages.

In instances of death, disability, or other unforeseen circumstances affecting the bidder, which materially impairs the bidder's ability to execute a contract and perform the required service, said bid deposit may be returned.

After execution of the Contract and acceptance of the bond(s) by the Town of Ayer, the bid deposits accompanying the successful bid will be returned, as well as the deposits of the other bidders.

All bid deposits will be returned upon execution of a Contract, or if no award is made within sixty (60) days after the date of the opening of bids.

Performance Bond

The successful bidder shall provide a Performance Bond equal to 100% of the total contract cost, within ten (10) days from the execution of contract. It must be issued by an insurance company registered with the Insurance Commission of the Commonwealth of Massachusetts, and shall be signed by an officer of the bidder's company.

Non-registered or foreign insurance companies will not be acceptable. **No exceptions to this requirement.**

Rule for Award

The contract will be awarded to the responsive and responsible bidder offering the lowest total price for the specified work.

The Town will decide whether it will accept one of the following: the base bid; the base bid plus alternate 1; the base bid plus alternate 1 and 2; the base bid plus alternate 1, 2, and 3. The Town in its sole discretion will determine which of the above categories it will accept. The lowest total price will be the lowest price of the category that the Town accepts.

Bidders who do not meet the Service Qualification Requirements will be rejected.

No award will be made to any bidder who cannot satisfy the Town that the bidder has sufficient ability and experience in this work and sufficient resources to enable the bidder to complete the work successfully within the time allowed. The Town's decision or judgment on these matters will be final, conclusive and binding.

The Town may make such investigation as the Town deems necessary and the bidder shall furnish to the Town all such information and data for this purpose as the Town may request.

The contract will be awarded within sixty days after the bid opening unless the time for the award is extended by mutual consent of the parties.

Town's Right to Reject Bids

The Awarding Authority reserves the right to reject any or all bids, if it is in the public interest to do so.

The Town may consider informal any bid not prepared and submitted in accordance with the provisions hereof and may waive any informality or reject any and all bids, should the Town deem it to be in the public interest.

The Town may also reject bids which in its sole judgment are incomplete, conditional, obscure, and not responsive or which contain additional information not called for, erasures not properly initialed, alterations or similar irregularities, or the Town may waive such omissions, conditions or irregularities, if considered minor.

In these matters, the Town's decision shall be final, conclusive, and binding.

1.0 EVALUATIONS, TESTING, & SERVICES

1.01 Pre-Refurb Inspection (Pumper)

Prior to the start of the refurbishing process, the successful bidder shall perform a complete and thorough inspection by a factory approved and EVT certified technician. All structural members, filler plates, cross-members, compartments, and doors of the cab and body shall be thoroughly inspected. The department shall be notified should repairs be required beyond the scope of this specification along with any associated cost. No additional repairs shall be performed without proper authorization by the department.

1.02 Chassis Service

The apparatus' chassis and related components shall be serviced according to the OEM guidelines.

1.03 Transmission Service

The apparatus' transmission shall be serviced by changing the transmission filter(s) and replacing the transmission fluid. The transmission shall be inspected for visible external leaks and or damage.

1.04 Pump Service

The apparatus' fire pump and related systems shall be serviced according to the OEM guidelines. The fire pump shall be inspected for visible external leaks, corrosion, and or damage.

1.05 Pump Test

The fire pump and related components shall be tested in accordance with Chapter 18 of the current NFPA 1911 Standard for the Inspection, Maintenance, Testing, and Retirement of In-Service Automotive

1.06 Steam Clean Chassis, Powertrain, Pump, & Body

The apparatus' chassis, powertrain, fire pump (if equipped), body, and related components shall be thoroughly steam cleaned.

1.07 Evaluate 12vdc Electrical System

The components of the 12 volt DC electrical system shall be inspected. The batteries and alternator shall be tested for condition and performance. Cable ends and wiring junctions shall be inspected for corrosion and signs of overheating. The condition of the apparatus' harness and loom shall also be inspected.

2.0 CHASSIS

2.01 Radiator and Related Components

The existing radiator shall be recored and refinished. The thermostat, hoses, coolant, and coolant filter shall be replaced. The low coolant sensor shall be replaced and relocated if necessary due to an ongoing faulty low coolant signal.

2.02 Brake System

The braking system shall be inspected. The brake shoes/pads, drums/rotors, hardware, and slack adjusters shall be replaced. The brake truttle valve shall be replaced new. The air dryer cartridge shall be replaced and a rebuild kit installed for the spitter. If any other defects are found the department shall be notified and provided a quote. No additional repairs shall be performed without the departments permission.

2.03 Battery Boxes

The chassis battery boxes shall be disassembled and thoroughly cleaned with an acid neutralizer. The brackets and trays shall be prepared and refinished as required. The battery hold downs shall be cleaned or replaced as required. The battery cable ends shall be cleaned and inspected. Battery terminal protectant shall be applied as required.

2.04 Wheel Covers

Supply and install new chrome hub and lug covers on the front and rear outer wheels.

2.05 Air Conditioning System

The cab air conditioning system shall be inspected, charged with coolant, and tested for proper operation and leaks. No additional repairs shall be performed without department approval.

2.06 On Spot Traction System

The On spot traction system and solenoid shall be replaced new per OEM guidelines.

2.07 Mudflaps

Install two (2) pair of E-One mudflaps. They shall be installed strategically within each wheelwell. Brackets and/or bracing shall be installed as required.

2.08 Suspension

Supply and install new front and rear chassis springs, hanger bushings, and pins. The remaining suspension components shall be evaluated.

2.09 Tires

Supply and install (6) a new Michline 11R22.5 MICH XDN-2 LRH tires. Replace (6) valve stems.

3.0 CAB / BODY

3.01 Drivers Seat

Supply and install a new 911 driver's air ride high back seat.

3.02 Reupholster seating

The cab seats that are not specified to replaced shall be re-upholstered as original.

3.03 NFPA/DOT Compliant Seatbelts

Supply and install new "red" NFPA/DOT compliant seat belt(s) in the cab.

3.04 Defroster Fans

Supply and install two (2) new cab defrost assist fans. The fans shall be located one each side of the upper front windshield posts. The new fans shall be controlled by a switch on the fan.

3.05 Engine Cover Insulation

The engine cover enclosure and access panels shall be reinsulated as original with OEM foam insulating material. All seams shall be taped with approved tape.

3.06 Recondition Cab Doors

Remove and replace the cab interior door panels as original. The panel mounting holes shall be welded closed and redrilled as required. The new panel shall be installed using oem style plastic rivets in a color to match the new panels. The cab door window regulators shall be replaced new.

3.07 Windshield Wipers

The right and left front cab windshields and wiper blades shall be replaced as original.

3.08 Door Gaskets

All cab and body compartment door gaskets shall be replaced using that of original design. This shall include all D-ring handles gaskets on the body's compartment doors.

3.09 New cab west coast mirrors electric w/heat (Velvac)

Supply and install new west coast style electric mirrors with heat option. The new mirrors shall be wired to power and the control installed at the drivers dash area.

3.10 Replace Rubrails

Supply and install new OEM body protection rub rails in place of the existing rub rail. The new rub rail shall be constructed of minimum 3/16" thick bright dip anodized aluminum extrusion. The rub rail shall be a minimum of 2-3/4" high x 1-1/4" deep, and shall extend beyond the body width to protect the compartment doors and body side. The design of the rub rail shall protect any specified marker lights that are mounted on the lower sides of the body. The rub rail shall be spaced away from the body using 3/16" nylon spacers. The ends of each section shall be provided with a rounded corner piece. The center recessed area of the rub rail shall include a 2" high "Scotchlite" white stripe as a safety feature. A rub rail will be added across the rear step and install with the friction surface facing up. New LED ICC lighting will be installed in the rear step rub rail.

3.11 Drip Rail Extrusions

Supply and install new anodized aluminum drip rail extrusions as original. The original drip rail mounting holes shall be welded closed and the new drip rails shall be installed using double face adhesive tape.

3.12 New grabrail stanchions

Supply and install new lower grab rail stanchions as required to replace damaged or defective stanchions. This shall include new gaskets and mounting bolts.

4.0 ELECTRICAL

4.01 Lightbar - NFPA Upper Level Forward Warning

Supply and install a One (1) Whelen Freedom 72" LED lightbar model # FN72VLED in place of the existing cab light bar. The new lightbar shall be wired to power and controlled by the original switch. The lightbar lenses shall be clear and the LEDs shall be red in color.

4.02 Cab Upper Front Level Warning - Additional

Supply and install two (2) Whelen 700 series (as space allows) LED warning lights, one each side of the upper cab behind the front cab doors. The lights shall be wired to function when the lightbar is activated. The new lights shall be red in color.

4.03 Beacons - NFPA Upper Level Rear Warning

Supply and install two (2) Whelen model # L31 LED beacons. The new beacons shall be installed one each side on the rear apparatus stanchions in place of the original beacons. The new beacons shall be wired to power and controlled by the original dash switch.

4.04 NFPA Lower Level Warning - Cab

Supply and install new Whelen 600 series LEDs on the lower front cab and bumper filler sides in place of the original warning lights. The new warning lights shall be wired and controlled as original.

4.05 NFPA Lower Level Warning - Body

Supply and install two (2) new Whelen 700 series LEDs one each side on the left and right body fenders, Two (2) 700 series at the lower rear facing body, and two (2) 500 series at the rear corner body side rubrails.

4.06 Electrical Junctions

The cab and body 12vdc wiring junctions shall be inspected, cleaned, and sprayed with corrosion protectant. Any corroded or defective terminal ends shall be replaced.

4.07 Compartment Lights

The existing body compartment lights shall be removed and replaced with direct replacement LED compartment lights. New cab door ajar/compartment light switches shall be installed.

4.08 Cab Switches

The cab dash switches shall be inspected and tested. If any switches are found to be defective they will be replaced new.

4.09 Alternator

Supply and install a new Leece Neville 240 amp alternator in place of the original alternator. The new alternator shall be internally rectified and regulated and the wiring shall be updated accordingly.

4.10 LED Taillights

The stop/tail, directional and back-up lights (if available) shall be updated to Wheldon LED direct replacements. The front amber turn signals shall be upgraded to Whelen 600 series LED. An LED flasher load device will be installed in the turn signal circuit if required for proper function.

4.11 Telescoping Light Heads

Supply and install two (2) low profile 750 watt 120 volt tele-light heads on the existing telescoping poles. The original wiring and controls shall be utilized.

4.12 Load Manager

Supply and install a Kussmaul three (3) circuit load manager. The controlled circuits shall be approved by the department.

4.13 Ground Lighting

Supply and install eight (8) LED ground lights. Four (4) on the cab and four (4) on the body. The lights shall be wired and controlled by a switch in the cab.

4.14 Pump Panel Light

Remove and replace the existing pump panel lights with LED direct replacements.

4.15 Master Power Box

Remove and replace the existing steel master relay box with a corrosion resistant plastic enclosure. The internal electrical components shall be evaluated prior to being installed in the new box.

4.16 Honda Generator

Supply a new Honda EM5000 generator or equal. The new generator shall be mounted on the existing roll out tray, wired for electric start, and connected to the existing breaker panel.

5.0 PUMP & PLUMBING RELATED

5.01 Pump Discharge Manifold

The pump discharge manifold shall be replaced new as original. After the manifold's replacement the pump and all related components shall be vacuum and pressure tested to confirm the vessels integrity.

5.02 Pump Plumbing - Additional

The pump deck gun, rear discharge(s), intake relief valve, and preconnect steel plumbing shall be replaced new as original. After the plumbing replacement the pump and all related components shall be vacuum and pressure tested to confirm the vessels integrity.

5.03 Pump Intake Manifold (note: DSD pump)

The pump intake manifold shall be replaced new as original. After the manifold's replacement the pump and all related components shall be vacuum and pressure tested to confirm the vessels integrity.

5.04 Rebuild pump ball valves (up to 3")

The ball valves for pump shall be removed, inspected, and rebuilt using oem rebuild kits. The valve bodies and flanges shall be checked for signs of distortion.

5.05 Pump Packing

The pump packing shall be removed and replaced new. The new packing shall be adjusted and run in according to the OEM's recommendations.

6.0 PAINT

6.01 Paint Chassis Black

The undercarriage of the apparatus shall be thoroughly steam cleaned. Any exposed steel areas shall be prepared and the entire chassis and related components shall be refinished with black chassis paint.

6.02 Paint Cab and Body

The apparatus' cab exterior shall have no mounted components or accessories prior to painting to assure full coverage of metal treatments and paint to the exterior surfaces. The cab doors shall be painted separately to assure proper paint coverage on cab, doorjambs, and door edges. The cab and body shall be refinished using a Dupont Chroma-Premier paint system and applied by Dupont certified painters. Painter certificate and paint warranty shall be supplied with the bid. The apparatus' body exterior shall have no mounted components or accessories prior to painting to assure full coverage of metal treatments and paint to the exterior surfaces. Compartment doors shall be painted separately to assure proper paint coverage on body, doorjambs, and door edges.

6.03 Add for two-tone cab

The upper cab area of the apparatus shall be prepared and painted white. The paint break line and color code shall be approved by the department. All mounted components shall be removed for this process.

6.04 Clean Hardware

All hardware and body components shall be thoroughly cleaned prior to reinstallation.

6.05 Corrosion Protection

During the reassembly process all mounted components shall utilize new gaskets and their mounting surface coated in ECK protectant as per the OEM's guidelines.

6.06 Paint Cab Window Frames

The cab door window frames shall be prepared and painted black as original.

6.07 Wheel wells

The front and rear wheelwells shall be prepared and painted or undercoated black.

6.08 Finish Lettering

The finished apparatus shall be re-lettered and striped to match the department's design. The final layout shall be approved by the department.

6.09 NFPA Scotchlite Stripe

Supply and install a six inch tall scotchlite stripe down the length of the apparatus according NFPA guidelines.

6.10 Paint wheels (each) custom color

Clean, prepare, and refinish rims to match the body color. Supply and install new hub and lug covers.

6.11 New body reflectors

New body reflectors shall be installed as original. This includes four (4) red and four (4) amber.

6.12 Finish Lettering

The finished apparatus shall be re-lettered and striped to match the department's design. The final layout shall be approved by the department.

6.13 NFPA Scotchlite Stripe

Supply and install a six (6) inch tall white scotchlite stripe down the length of the apparatus according NFPA guidelines.

6.14 Rear Body Chevron

The upper rear body, directly above the back intermediate step shall be overlaid with plain aluminum. The new panel shall have a chevron stripe applied for safety. The colors of the stripe shall be approved by the department.

7.0 MISCELLANEOUS

7.01 Final Cleaning / Detailing

Upon completion of all repairs and prior to delivery the apparatus shall be thoroughly clean and detailed.

7.02 Bid Bond

A bid bond shall be supplied at the time of the bid.

7.03 Performance Bond

A performance bond shall be supplied by the successful bidder within ten (10) days after the formal award of the bid.

8.0 OPTIONS

8.01 Color Back Up Camera System

Supply and install a video back up camera system. The color monitor shall be located for easy viewing by the driver and shall activate when the apparatus is placed in reverse.

8.02 Whelen LED Scene Light Heads

Supply and install Whelen PFP2 LED scene light heads in place of the 120vac 750 watt halogen heads specified above. The new LED heads shall be connected to 12vdc power and controlled by a switch on the cab dash.

8.03 Cross-lay covers

Fabricate and install NFPA compliant cross-lay covers.

9.0 ADDENDUMS

9.01 TRADE IN ALLOWANCE

The Town of Ayer is accepting offers for trading in one 1987 Emergency One Guardsman Pumper on a GMC C6500 chassis. (Ayer Engine #3) The trade in allowance will be listed separate from the refurbishment of Engine #4 price. The net price of the refurbishment of Engine #4 with the trade in allowance will be considered the price of refurbishment of Engine #4.

Ayer Engine #3 will be used in place of Engine #4 during the rehab process and delivery of Engine #3 will take place upon the completion and delivery of Ayer Engine #4.

Ayer Engine #3 may be viewed by appointment; contact Chief Robert Pedrazzi to set up a viewing time. 978-772-8231 or firechief@ayer.ma.us

It will be the sole decision of the Town of Ayer to accept or reject any trade in allowance.

TOWN OF AYER, MASSACHUSETTS

AGREEMENT

THIS AGREEMENT made this 17th day of September, 2013 by and between the TOWN of Ayer, a municipal corporation duly organized under the laws of Massachusetts and having a usual place of business at 1 Main St. Ayer, Massachusetts, hereinafter referred to as the "TOWN", and Greenwood Emergency Vehicles, [an "S" corporation] having a usual place of business at 530 John Dietsch Blvd. North Attleboro, MA 02760, hereinafter referred to as the "CONTRACTOR".

WITNESSETH:

WHEREAS, the TOWN invited the submission of proposals for the purchase and delivery of Refurbishment of Ayer Engine #4, hereinafter "the Project"; and

WHEREAS, the CONTRACTOR submitted a Proposal to perform the work required to complete the Project; and

WHEREAS, the TOWN has decided to award the contract therefor to the CONTRACTOR.

NOW, THEREFORE, the TOWN and the CONTRACTOR agree as follows:

1. **CONTRACT DOCUMENTS.** The Contract Documents consist of this Agreement, the Invitation to Bid, Instructions to Bidders and the CONTRACTOR's Proposal. The Contract Documents constitute the entire Agreement between the parties concerning the work, and all are as fully a part of this Agreement as if attached hereto.
2. **THE WORK.** The Work consists of the refurbishment of Ayer Engine #4 as outlined in the bid document.
3. **TERM OF CONTRACT.** This Agreement shall be in effect from September 17th 2013 and shall expire on September 17th 2014, unless terminated earlier pursuant to the terms hereof.
4. **COMPENSATION.** The TOWN shall pay, as full compensation for items and/or services furnished and delivered in carrying out this Agreement. Total Bid Price \$141,894.
5. **PAYMENT OF COMPENSATION.** The TOWN shall make payments within thirty (30) days after its receipt of Invoice.

6. **LIABILITY OF THE TOWN.** The TOWN's liability hereunder shall be to make all payments when they shall become due, and the TOWN shall be under no further obligation or liability. Nothing in this Agreement shall be construed to render the TOWN or any elected or appointed official or employee of the TOWN, or their successors in office, personally liable for any obligation under this Agreement.
7. **INDEPENDENT CONTRACTOR.** The CONTRACTOR acknowledges and agrees that it is acting as an independent contractor for all work and services rendered pursuant to this Agreement, and shall not be considered an employee or agent of the TOWN for any purpose.
8. **INDEMNIFICATION.** The CONTRACTOR shall indemnify, defend, and hold the TOWN harmless from and against any and all claims, demands, liabilities, actions, causes of actions, costs and expenses, including attorney's fees, arising out of the CONTRACTOR's breach of this Agreement or the negligence or misconduct of the CONTRACTOR, or the CONTRACTOR's agents or employees.
9. **INSURANCE.** A. The CONTRACTOR shall obtain and maintain during the term of this Agreement the insurance coverage in companies licensed to do business in the Commonwealth of Massachusetts, and acceptable to the TOWN.

B. All policies shall identify the TOWN as an additional insured (except Workers' Compensation) and shall provide that the TOWN shall receive written notification at least 30 days prior to the effective date of any amendment or cancellation. Certificates evidencing all such coverage shall be provided to the TOWN upon the execution of this Agreement. Each such certificate shall specifically refer to this Agreement and shall state that such insurance is as required by this Agreement. Failure to provide or to continue in force such insurance shall be deemed a material breach of this Agreement and shall be grounds for immediate termination.
10. **ASSIGNMENT.** The CONTRACTOR shall not assign, sublet or otherwise transfer this Agreement, in whole or in part, without the prior written consent of the TOWN, and shall not assign any of the moneys payable under this Agreement, except by and with the written consent of the TOWN.
11. **TERMINATION.** A. **Termination for Cause.** If at any time during the term of this Agreement the TOWN determines that the CONTRACTOR has breached the terms of this Agreement by negligently or incompetently performing the work, or any part thereof, or by failing to perform the work in a timely fashion, or by failing to perform the work to the satisfaction of the TOWN, or by not complying with the direction of the TOWN or its agents, or by otherwise failing to perform this Agreement in accordance with all of its terms and provisions, the TOWN shall notify the CONTRACTOR in writing stating therein the nature of the alleged breach and directing the CONTRACTOR to cure such breach within ten (10) days. The CONTRACTOR specifically agrees that it shall indemnify and hold the TOWN harmless from any loss, damage, cost, charge, expense or claim arising out of or resulting from such breach regardless of its knowledge or authorization of the actions

resulting in the breach. If the CONTRACTOR fails to cure said breach within ten (10) days, the TOWN may, at its election at any time after the expiration of said ten (10) days, terminate this Agreement by giving written notice thereof to the CONTRACTOR specifying the effective date of the termination. Upon receipt of said notice, the CONTRACTOR shall cease to incur additional expenses in connection with this Agreement. Upon the date specified in said notice, this Agreement shall terminate. Such termination shall not prejudice or waive any rights or action which the TOWN may have against the CONTRACTOR up to the date of such termination, and the CONTRACTOR shall be liable to the TOWN for any amount which it may be required to pay in excess of the compensation provided herein in order to complete the work specified herein in a timely manner. Upon such termination, the CONTRACTOR shall be entitled to compensation for all satisfactory work completed prior to the termination date, as determined by the TOWN.

B. Termination for Convenience. The TOWN may terminate this Agreement at any time for convenience by providing the CONTRACTOR written notice specifying therein the termination date which shall not be sooner than ten days from the issuance of said notice. Upon receipt of said notice, the CONTRACTOR shall cease to incur additional expenses in connection with this Agreement. Upon such termination, the CONTRACTOR shall be entitled to compensation for all satisfactory work completed prior to the termination date, as determined by the TOWN, such payment not to exceed the fair value of the services provided hereunder.

12. **INSPECTION AND REPORTS.** The TOWN shall have the right at any time to inspect the work of the CONTRACTOR, including the right to enter upon any property owned or occupied by CONTRACTOR, whether situated within or beyond the limits of the TOWN. Whenever requested, CONTRACTOR shall immediately furnish to the TOWN full and complete written reports of his operation under this Contract in such detail and with such information as the TOWN may request.
13. **SUCCESSOR AND ASSIGNS.** This Agreement is binding upon the parties hereto, their successors, assigns and legal representatives. Neither the TOWN nor the CONTRACTOR shall assign or transfer any interest in the Agreement without the written consent of the other.
14. **COMPLIANCE WITH LAWS.** The CONTRACTOR shall comply with all Federal, State and local laws, rules, regulations and orders applicable to the work provided pursuant to this Agreement, such provisions being incorporated herein by reference, and shall be responsible for obtaining all necessary licenses, permits, and approvals required for the performance of such work.
15. **NOTICE.** Any and all notices, or other communications required or permitted under this Agreement, shall be in writing and delivered by hand or mailed postage prepaid, return receipt requested, by registered or certified mail or by other reputable delivery service, to the parties at the addresses set forth on Page 1 or furnished from time to time in writing hereafter by one party to the other party. Any such notice or correspondence shall be deemed given when so delivered by hand, if so mailed, when

deposited with the U.S. Postal Service or, if sent by private overnight or other delivery service, when deposited with such delivery service.

16. **SEVERABILITY.** If any term or condition of this Agreement or any application thereof shall to any extent be held invalid, illegal or unenforceable by the court of competent jurisdiction, the validity, legality, and enforceability of the remaining terms and conditions of this Agreement shall not be deemed affected thereby unless one or both parties would be substantially or materially prejudiced.
17. **GOVERNING LAW.** This Agreement shall be governed by, construed and enforced in accordance with the laws of the Commonwealth of Massachusetts and the CONTRACTOR submits to the jurisdiction of any of its appropriate courts for the adjudication of disputes arising out of this Agreement.
18. **ENTIRE AGREEMENT.** This Agreement, including all documents incorporated herein by reference, constitutes the entire integrated agreement between the parties with respect to the matters described. This Agreement supersedes all prior agreements, negotiations and representations, either written or oral, and it shall not be modified or amended except by a written document executed by the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

I certify that an appropriation is available in the amount of this contract.

TOWN OF AYER, MA

By its: SELECTMEN

Town Accountant

CONTRACTOR:

(Signature)

(Name and Title)



Statement of Warranty
1-YEAR WARRANTY

Greenwood Emergency Vehicles, Inc. warrants the specified repairs and updates for each fire and rescue apparatus refurbished by it against defects in material and workmanship on said specifications provided the apparatus is used in a normal and reasonable manner. This warranty is extended only to the original user-purchaser for a period of one year from the date of delivery of the refurbished unit to the user-purchaser.

Greenwood Emergency Vehicles, Inc. (the "Company") obligation under this warranty is strictly limited to repairing or replacing, at the Company's option, any part or parts of such apparatus, which the Company's examination discloses to be defective due to material or workmanship.

Any part or parts considered to be covered by the conditions of this warranty shall be returned, freight prepaid, to the Company's factory at North Attleboro, Massachusetts or to such other location as may be approved by the Company. Repair or replacement of parts determined to be within the warranty will be F.O.B. the Company's factory, 530 John Dietsch Blvd., North Attleboro, Massachusetts.

The following conditions of Greenwood Emergency Vehicles, Inc. warranty shall not apply to:

- Major components or trade accessories such as purchased chassis, engines, transmissions, suspensions, brakes, pumps, electrical systems, generators, signaling devices, tires, and batteries etc... that have a separate warranty by the vender/oem.
- Components and all existing components not directly identified in the specifications for repair, replacement, and or updates.
- Normal adjustments and maintenance services.
- Normal wear parts such as: electrical accessories, voltage regulator, flashers, etc.
- Failures resulting from the apparatus being operated in a manner or for a purpose not recommended by Greenwood Emergency Vehicles, Inc.
- Repairs or modifications which shall have been repaired, modified or altered in any way so as, in the Company's sole judgement, to have adversely affected the unit's stability or reliability.
- Units subjected to misuse, negligence, accident or improper incidental expenses.
- Expenses incurred due to use of the vehicle, inconvenience or other incidental expenses.

No claim or suit under this warranty shall make Greenwood Emergency Vehicles, Inc. liable beyond the express limitations of the warranty for injury or damage of any kind to any person or entity resulting from any defect or failure.

Nothing is intended by law. THIS WARRANTY IS ALSO IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED INCLUDING WITHOUT LIMITATION, ANY IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.

To the extent permitted by law, this warranty is also in lieu of all other obligations or liabilities on the part of Greenwood Emergency Vehicles, Inc., or the Seller including liability for incidental and consequential damages.

Greenwood Emergency Vehicles, Inc. makes no representation that the apparatus has the capacity to perform any functions or operations not contained in the specifications accompanying delivery of the apparatus.

No authorized affiliated company representative is authorized to give any other warranties or to assume any other liability on behalf of Greenwood Emergency Vehicles, Inc. in connection with sale, service or repair of any apparatus manufactured by Greenwood Emergency Vehicles, Inc.

Greenwood Emergency Vehicles, Inc. reserves the right to make design changes or improvements in its product without imposing any obligation upon itself to change or improve previously manufactured components.



Client#: 61702

GREENEME

ACORD

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

8/15/2013

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Starkweather & Shepley PO Box 549 Providence, RI 02901-0549 401 435-3600	CONTACT NAME: Mary Lou Scolaro	PHONE (A.C. No. Ext.): 401 435-3660	FAX (A.C. No.): 401-431-8329
	E-MAIL ADDRESS: mscolaro@starshep.com		
INSURED Greenwood Emergency Vehicles, Inc. 530 John Dietsch Boulevard North Attleboro, MA 02763	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: Peerless		24198
	INSURER B: General Star Indemnity Company		
	INSURER C: Memic Group		
	INSURER D: Travelers Insurance Company		25874
	INSURER E: Peerless Insurance Co.		24198
INSURER F:			

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDITIONAL INSURER (Y/N)	POLICY NUMBER	POLICY EFF. DATE (MM/DD/YYYY)	POLICY EXP. DATE (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY	Y	GL8084667	10/09/2012	10/09/2013	EACH OCCURRENCE \$1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR Per written contract or agreement GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC					DAMAGE TO RENTED PREMISES (Per occurrence) \$300,000 MED EXP (Any one person) \$5,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
	AUTOMOBILE LIABILITY		BA8082024	10/09/2012	10/09/2013	COMBINED SINGLE LIMIT (Per accident) \$1,000,000
	<input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS					BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$		DXG402812F	10/09/2012	10/09/2013	EACH OCCURRENCE \$1,000,000 AGGREGATE \$ \$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE/OFFICER/ MEMBER EXCLUDED? (Mandatory in MA) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N N/A	3103801244	10/09/2012	10/09/2013	WC STATUTORY LIMIT OTHER EL EACH ACCIDENT \$1,000,000 EL DISEASE - EA EMPLOYEE \$1,000,000 EL DISEASE - POLICY LIMIT \$1,000,000
D	Garage Liability		GA5971C142	10/09/2012	10/09/2013	\$1,000,000. Per Occ \$3,000,000. Aggregate

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Refurbishment of 1993 E-One Pumper

CERTIFICATE HOLDER

CANCELLATION

Town of Ayer
1 Main Street
Ayer, MA 01432

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Mary L. Scolaro

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MASSACHUSETTS DEPT. OF REVENUE
P.O. BOX 7088
BOSTON, MA 02204



AMY A. PITZER, COMMISSIONER
ROBERT P. O'NEILL, BUREAU CHIEF

243C
GREENWOOD EMERGENCY VEHICLES INC
530 JOHN L. DIETSCH BLVD
N ATTLEBORO MA 02763-1080



Notice 80619
T/P ID 042 664 160
Date 11/14/12
Bureau CERTIFICATE
OP

CERTIFICATE OF GOOD STANDING AND/OR TAX COMPLIANCE

The Commissioner of Revenue certifies as of the above date, that the above named individual or entity is in compliance with its tax obligations payable under M.G.L. c. 62C, including corporation excise, sales and use taxes, sales tax on meals, sales and use tax on Boats/RV, withholding taxes, room occupancy excise and personal income taxes, with the following exceptions.

This Certificate certifies that individual taxpayers are in compliance with income tax obligations and any sales and use taxes, sales tax on meals, withholding taxes, and/or room occupancy taxes related to a sole proprietorship. Persons deemed responsible for the payment of these taxes on behalf of a corporation, partnership or other business entity may not use our automated process to obtain a Certificate.

This Certificate does not certify that the entity's standing as to taxes such as unemployment insurance administered by agencies other than the Department of Revenue, or taxes under any other provisions of law. Taxpayers required to collect or remit the following taxes must submit a separate request to certify compliance: Alcoholic Beverage Excise, Cigarette Excise, International Fuels Tax Agreement, Smokeless Tobacco or Ferry Embarkation.

THIS IS NOT A WAIVER OF LIEN ISSUED UNDER GENERAL LAWS, CHAPTER 62C,
SECTION 52.

Very truly yours,

Robert O'Neill, Bureau Chief

THE AMERICAN INSTITUTE OF ARCHITECTS



AIA Document A310

Bid Bond

KNOW ALL MEN BY THESE PRESENTS, that we GREENWOOD EMERGENCY VEHICLES, INC. of 530 John Dietsch Boulevard, North Attleboro, Massachusetts as Principal, hereinafter called the Principal, and INTERNATIONAL FIDELITY INSURANCE COMPANY a corporation duly organized under the laws of the state of New Jersey as Surety, hereinafter called the Surety, are held and firmly bound unto the Town of Ayer, Massachusetts as Obligee, hereinafter called the Obligee, in the sum of Five Percent of the Amount of the Attached Bid

Dollars (\$ 5% of Bid), for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for Refurbishment of 1993 E-One Pumper

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract with the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the Work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this 20th day of August, 2013

[Signature] (Witness)

[Signature] (Witness)

GREENWOOD EMERGENCY VEHICLES, INC. (Principal) (Seal)

By: [Signature] V.P. (Title)

INTERNATIONAL FIDELITY INSURANCE COMPANY

(Surety) [Signature] (Seal) By: Charles A. Byrne (Title) Attorney-in-Fact

TOWN ADMINISTRATOR'S REPORT

APPOINTMENTS:

Recycling Committee:

The Town Administrator in consultation with Laurie Sabol, Chair of the Recycling Committee and meeting with the candidates respectfully recommends that the BOS appoint the following candidates to the Recycling Committee (See Enclosed) (Candidates will be at BOS Meeting):

- Mr. Daniel DeMille: 3-Year Term (July 1, 2013 to June 30, 2016)
- Ms. Shawna Graham: 3-Year Term (July 1, 2013 to June 30, 2016)
- Ms. Melissa Macdonald: 3-Year Term (July 1, 2013 to June 30, 2016)

Community Preservation Committee (CPC):

- The Town Administrator in consultation with Janet Providakes as a result of Mr. Jeremy Callahan stating his interest in the position, respectfully recommends that the BOS appoint Mr. Jeremy Callahan to fill the vacancy of a three (3) year term for a Citizen At-Large Seat on the Community Preservation Committee (CPC) (See Enclosed)(Candidate will be at BOS Meeting)

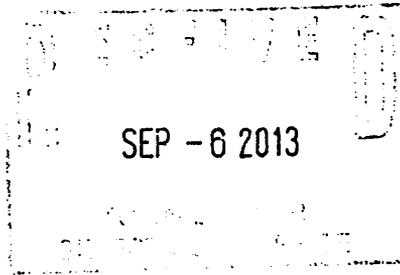
Information Technology (I.T.) Committee:

- At the August 28, 2013 meeting of the I.T. Committee (See Enclosed Minutes), the I.T. Committee unanimously voted to recommend the addition of a representative from the Police Department to the Committee. This representative would fill the one vacancy currently on the Committee. Chief Murray has recommended Lt. Brian Gill to the Town Administrator for appointment to the I.T. Committee for a one (1) year term (July 1, 2013 to June 30, 2014). The Town Administrator enthusiastically recommends Lt. Gill for appointment to the I.T. Committee (Note: Lt. Gill is the main point of contact for the Police Departments IT working with Ms. Knox).
- Chief Pedrazzi has tendered his resignation from the I.T. Committee citing time constraints. He has recommended to the I.T. Committee and the Town Administrator, that Fire Captain Tim Taylor be appointed to the I.T. Committee for a one (1) year term (July 1, 2013 to June 30, 2014). The Town Administrator enthusiastically recommends this appointment.

Energy and Green Communities Committee:

- On Tuesday, July 2, 2013 the BOS reappointed all of the current members of both committees but voted to consolidate the two committees into one committee. This was on an inaccurate recommendation of the Town Administrator. Since that time we have been advised from DOER, that as part of maintaining the Town's Green Communities Status as well as our access to further grant money, the Town must have a Green Communities Committee and an Energy Committee.
- Unless there is any objection, no further action is required by the Board and we will continue with the two committees at this time. (See Enclosed Memo)

Daniel DeMille
6 Patriot Way
Ayer, MA 01432



September 6, 2013

Dear Ms. Lewis:

I am interested in being appointed to the Ayer Recycling Committee. I have been an informal member of this committee for the past two years and I would like to formalize my status. In my capacity with this committee, I have helped organize several Cleaner Ayer Days and Recycle Your Reusables events. These have been effective events that have helped to improve our town. Additionally, I have also volunteered at several Hazardous Elimination events at the Devens Transfer station. I believe this experience makes me a good candidate for this committee.

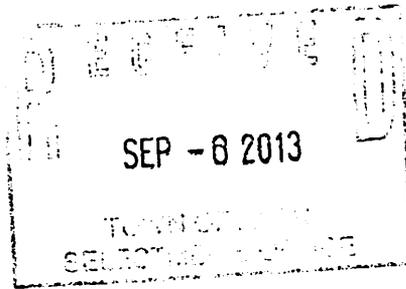
Thank you for considering me for this appointment. If you have any questions, feel free to contact me at 978.772.4743 or Dand978@yahoo.com.

Sincerely,

/s/

Daniel DeMille

Shawna Graham
6 Patriot Way
Ayer, MA 01432



September 6, 2013

Dear Ms. Lewis:

I am interested in being appointed to the Ayer Recycling Committee. I have been an informal member of this committee for the past two years and I would like to formalize my status. In my capacity with this committee, I have helped organize several Cleaner Ayer Days and Recycle Your Reusables events. These have been effective events that have helped to improve our town. Additionally, I have also volunteered at several Hazardous Elimination events at the Devens Transfer station. I believe this experience makes me a good candidate for this committee.

Thank you for considering me for this appointment. If you have any questions, feel free to contact me at 978.772.4743 or Sgrahamgal@yahoo.com.

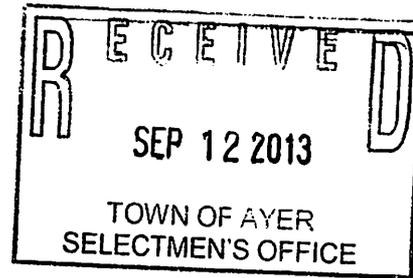
Sincerely,

/s/

Shawna Graham

September 12, 2013

Ayer Board of Selectmen
Ayer Town Hall
1 Main St.
Ayer, MA 01432



To the Board:

My name is Melissa Macdonald. I've been an Ayer resident for 17 years and am applying to become an official member of the Ayer Recycling Committee.

I have been active with the ARC since 2009, helping each year with Townwide Cleanup in April. I've also provided various types of support to the chair, Laurie Sabol, in organizing and publicizing the fall Recycle Your Reusables Day, as well as helping direct traffic and gather data from the people who come from surrounding towns to take advantage of this high-impact event. I also recently helped write a grant proposal that could provide state funding for our schools to boost their recycling efforts.

Recycling is one thing every resident can do to help Ayer reduce its human impact on the environment and to preserve the places we live and work and care about for our families and future generations. By serving on the ARC, I aim to do what I can to help make recycling easy enough to become second nature to those who didn't grow up with it and just plain nature for my kids and the kids who come after them.

Thank you for the opportunity to serve Ayer.

Sincerely,

Melissa Macdonald

Robert Pontbriand

From: gerimy@gmail.com on behalf of Jeremy Callahan [jeremycallahan@gmail.com]
To: Wednesday, September 11, 2013 4:01 PM
Subject: Robert Pontbriand
Attachments: CPC At-Large
callahan_resume.pdf

Dear Robert:

My neighbor, Janet Providakes recently stopped me in the street, as she had heard I was available to take on some additional public role. Turns out the CPC has had some issues making quorum.

While my schedule doesn't necessarily allow me to commit to a large role, it seems an at-large position on CPC could make sense.

I'm going to attach a recent, but outdated, version of my resume. Otherwise, I'm pretty sure folks on CPC probably have their own thoughts of me already!

As far as the use of the CPC fund, my hope would be to use it to gather as much more land for conservation as we possibly can in the Town of Ayer. I take my dog to Groton Place several times a week for an amazing walk. It would a pity if Ayer grows to totally depend upon the generosity of neighbors for this kind of enjoyment.

I know there are parcels in the Town of Ayer that will not be developed due to zoning restraints. Time to take a look a them carefully and talk to land owners in the hope of cutting some good deals. Let's make sure our children have plenty of places to walk their dogs and enjoy the beauty of Ayer.

Cheers!

Jeremy Callahan

JEREMY TODD CALLAHAN

~~400 771 1111~~, Ayer, Massachusetts 01432

~~781 222 3344~~ EMAIL: ~~jeremy.callahan@gmail.com~~

Professional Experience

March 2002 to current **The Callahan Company, LLC, Washington, D.C.**

Owner and Founder of this real estate consulting firm, with duties including all operational, administrative and marketing responsibilities, in addition to project management. Represented a wide variety of clients in three states. Clients included Bnai Brith International and the Jewish Republican Association.

- Managed all operational aspects of a start-up small business, including budgeting, staffing and marketing.
- Disposed of a \$4 million real estate asset which had become a financial liability for the Client, freeing up capitol for financial reorganization.
- Reviewed construction documents related to a completed athletic facility, identifying more than \$400,000 worth of accounting errors which the Client presented to the contractor during final payment negotiations.
- Prepared pro-forma for \$1 million condominium conversion in Washington, DC, including site selection, estimating, budgeting, design development and financing.
- Currently proposing owner's representation services to nonprofit clients in San Francisco, CA, for the construction and/or renovation of apartment building assets, ranging in cost from \$1 million to \$15 million.

March 2001 to February 2002 **Concord Partners, LLC, Washington, D.C.**

Construction Manager of real estate development firm providing services to regional clients including budgeting, scheduling, cost control and document review and interpretation. Clients included Thayer Properties of Annapolis, MD and B'nai B'rith International.

- Compared revisions to thousands of contract drawings in order to qualify value engineering modifications to a new resort development with project costs exceeding \$600 million.
- Managed tight control of asbestos abatement project, ultimately delivering project at 20% below budgeted amounts.
- Provided strict oversight of time and materials mechanical contract, originally budgeted at \$150,000, resulting in savings of nearly \$75,000 to the client.
- Planned the staged renovation of more than 100 guest rooms in a first class midtown Manhattan hotel, maximizing the amount of time that the rooms would remain in service providing revenue to the hotel, avoiding more than \$100,000 in lost revenue.
- Managed team of designers, engineers and consultants as scope of work was frequently revised in order to keep project costs below \$10 million and maintain the fast track project schedule.

Sept. 1995 to February 2001 **JM Zell Partners, Ltd., Washington, D.C.**

Employee/owner of real estate brokerage and consulting firm, providing consulting services in all areas of project development and management, as well as information technology solutions for the management of real estate assets. High profile clients included Time Life Inc., American Association of Homes and Services for the Aging, Norfolk Southern Railway, Smithsonian Institution and Sanofi Pharmaceuticals.

- Represented Owner in hostile negotiations of \$18 million dollar general contract, resulting in a fixed price contract which significantly reduced the Owner's financial risk in the project and reduced the total project cost by nearly \$2 million.
- Provided consultation to Owner in defense of a claim for additional fee from the project architect, resulting in the reduction in the total claim by nearly \$600,000.
- In cooperation with the general contractor, worked to revised scope of work to provide alternate construction and relocation schemes cutting total project costs in half.
- Utilized CAD software to produce preliminary space plans of all facilities prior to the preparation of construction drawings, reducing design costs by more than 50%.

- Managed bid process and negotiated contracts exceeding \$5 million with a variety of general contractors and subcontractors across the country.
- Negotiated national contract for technology systems installation and maintenance, providing for competent installation nationally and saving approximately 30% in costs.
- Negotiated contracts exceeding \$3 million, including specific language enabling the client to terminate with minimal penalty, should the project prove unfeasible.
- Provided construction cost accounting services for a project with costs exceeding \$30 million, including review of all contractor and vendor invoices, preparation of requisitions to both the owner and the lender, and preparation of monthly accounting reports for the Chief Financial Officer.
- Monitored periodic interest rates and lender interest transactions to help ensure accuracy of calculations, ultimately saving the client \$20,000 in incorrect charges that were not caught by the lender.
- Negotiated settlement of costs related to furniture punchlist repairs between the furniture vendor and the general contractor, ultimately saving the owner more than \$100,000 in necessary remedial work.
- In cooperation with the low price bidder and the owner, revised security system design and requirements to improve facility security while reducing costs by more than \$60,000.

September 1994 to August 1995 **Chas. H. Tompkins Company, Washington, D.C.:**

Office engineer providing project management support for the \$27 million stone enclosure project at the Federal Triangle International Trade Center, the second largest federal office building in the country at that time.

June 1991 to August 1994 **City of Ithaca, Commons Coordinator's Office, Ithaca, N.Y.**

Assistant Manager of pedestrian shopping plaza, providing support for facility management and capitol improvement projects.

Education

United States Department of Housing and Urban Development, New Bedford, MA

The Art and Science of Grant Writing Training, Summer 2007

Cornell University, School of Architecture, Art and Planning

Bachelor of Science in Urban and Regional Studies, May 1994

- City and Regional Planning Community Service Award
- School of Architecture, Art and Planning Dean's List

Volunteer

National Institutes of Health

Habitat for Humanity

San Francisco Suicide Prevention Hotline

Town of Ayer, MA, Town Clerk and Tax Collector's Office

Montachusett Regional Planning Commission, Fitchburg, MA

February 2002 to 2003

Fall 2002

April 2004 to 2005

Spring/Summer 2009

Spring/Summer 2010



TOWN OF AYER
I.T. COMMITTEE MEETING
Meeting Minutes
Wednesday, August 28, 2013, 5:30 PM
Ayer Town Hall

The IT Committee Meeting was called to order at 5:30PM and adjourned at 6:30PM; Six members were present.

Minutes: The minutes from the July 10, 2013 were reviewed and unanimously approved.

Update on Multi-Function Printer: Cindy gave an update on the selection of Ricoh as the printer of choice. The cost of the two competing units were compared and the cost of the Ricoh was considerably less. Additionally the Fire Station and DPW have been satisfied with Ricoh equipment and Tech Support. The copier will arrive in late September.

Video in the Boardroom: Cindy & Robert attended a demonstration of the In-Focus Mondopad. The Mondopad is a 55" Touch screen full-featured Windows tablet on a wheeled stand that can be used for presentations, a fully functional computer, electronic whiteboard, electronic signage, and business-class video conferencing. This piece of equipment serves the needs better than any of the previous solutions: 1) Flat panel television with laptop is even more expensive and would not provide as much functionality. 2) A new projector and pull down screen is extremely invasive to the room and the cost of wiring is prohibitive. Evan Torlin made a motion to recommend that the purchase of the Mondopad be added to the warrant at Town Meeting; seconded by Chief Pedrazzi; unanimous vote by the committee. Cindy will arrange to have a demonstration model at Town Hall in mid-October.

Draft of IT Hardware & Software Procurement Policy: Cindy and Robert presented a draft of the new IT Hardware and Software Procurement Policy. Minor changes were made by the committee. Evan Torlin made a motion to recommend and accept the Policy for presentation to the Board of Selectmen on September 17 with minor changes; Seconded by Chief Pedrazzi; unanimous vote by the Committee.

Asset Management: Discussion of Asset Management as directed by the Management Letter. There is a need for a full inventory of all IT equipment in town along with inventory tags. The committee did not feel that an expensive inventory system would be needed and that a database and numbered tags would suffice. Discussion of what types of items should be tagged: computers, printers, monitors, ipads, and tablets - anything electronic and of value. Cindy will look into the cost of metal pre-numbered tags and begin the inventory in September.

Other Matters:

1. **On-line Programs and Applications:** Cindy handed out a sheet with a summary of these programs that are available to the public: See-Click-Fix; DPW Service Request Form; CodeRed; and On-line payments. Looking for ways to promote other than the social media and website - Will make a hand out for Town Meeting and slides for APAC.
2. **MUNIS:** Munis ASP contract has been signed and is in process. Lisa saw it in action last week and was impressed with the fact that the users should not have any trouble making the transition.

|

3. **Infrastructure:** Cindy has obtained three quotes for the infrastructure upgrades at Town Hall and these will commence this fall. This will cover a new switch, firewall, and wireless devices; it may also be enough to obtain new anti-virus software for Town Hall computers.
4. **Phone Consultant:** A general discussion of town-wide telephone systems. There is a need for this at the DPW, library, Police, Town Hall. It was felt that a consultant should be engaged to assist in the planning for this project. Robert will follow up with the Board of Selectmen, the Finance Committee, and the Capital Planning Committee.
5. **IT Committee Member:** Chief Murray has asked that a representative from the Police Department be seated on the IT Committee. The committee enthusiastically approved this idea and unanimously voted to add a member from the Police Department to the IT Committee. Robert will follow up with Chief Murray.

Next Meeting: The next meeting of the IT Committee will be on Thursday, September 26, 2013 at 5:30pm. Agenda items: Phones, IT Procurement Policy, Infrastructure Upgrade, Mondopad

Adjournment: Evan Torlin made a motion to adjourn at 6:30; seconded by Allan Wilson; Unanimous.

Members:

Present - Lisa Gabree, Town Accountant

Present - Cindy Knox, IT Systems Admin

Not Present - Jeff Mayes, Citizen

Present - Allan Wilson, Citizen

Present - Chief Robert Pedrazzi, Fire Chief

Present - Robert Pontbriand, Town Administrator, Ex-Officio

Present - Evan Torlin, Citizen

Vacancy

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 17, 2013

TO: Ayer Board of Selectmen

FROM: Robert A. Pontbriand
Town Administrator

SUBJECT: Requirement for Separate/Distinct Energy Committee and Green Communities Committee

Dear Honorable Selectmen,

Please be advised that the Town of Ayer is required to maintain a separate Energy Committee and Green Communities Committee with respect to maintaining its Green Community Status as well as the Town's use of grant funding and ability to apply for future grants under the Green Community Program.

On Tuesday, July 2, 2013, the Ayer Board of Selectmen reappointed all of the current members of both committees but voted to consolidate the two committees into one committee. Furthermore, the Town Administrator inaccurately made this recommendation for consideration by the Board.

Therefore, I am respectfully informing the Board, that the Town will continue to maintain its two separate and distinct committees: Energy Committee and Green Communities Committee.

Unless there is any objection, no further action is required by the Board and we will continue with the two committees at this time. At the August 6, 2013 Board Meeting I will respectfully ask for a formal vote codifying this arrangement as it has worked well as both committees have separate responsibilities yet often meet jointly regarding various energy projects/issues.

If you have any questions, please do not hesitate to contact me.

Thank you.

Cc: Dan Sherman, Chair, Energy Committee
Carolyn McCreary, Chair, Green Communities Committee
Kelley Brown, DOER, Green Communities Program

EASY STREET PUBLIC STREE ACCEPTANCE (See Enclosed) [FOR APPROVAL]

- On September 5, 2013 the Planning Board voted unanimously to support the street acceptance on Town Meeting Floor of Easy Street if all of the requirements were met and approved by the DPW Superintendent (See Enclosed E-mail from Planning Board).
- The remaining requirements for Easy Street per the DPW Superintendent are outlined in the enclosed September 5, 2013 memo from the Superintendent to the Planning Board (See Enclosed)
- Procedurally, at this point in the process of street acceptance it is respectfully requested that the BOS take a vote to authorize the acceptance of Easy Street as a Public Street and for inclusion on the FTM Warrant subject to the acceptance of the remaining work items as outlined in the DPW Superintendents Memo. **[VOTE REQUESTED]**

Note: Assuming the BOS votes, the next step(s) in the process is the completion of the work outlined in the memo from the Superintendent; filing of the road layout plans with the Town Clerk for public review as well as Town Counsel review; and then the matter will come back to the BOS for a final certification vote for inclusion on the Warrant.

Robert Pontbriand

From: Susan Sullivan [planning@ayer.ma.us]
it: Thursday, September 12, 2013 3:54 PM
ro: 'Robert Pontbriand'
Subject: RE: Planning Board Vote on Easy Street Acceptance?

The Planning Board voted unanimously to support the Street acceptance on Town Meeting Floor if all of the requirements were met and approved by the DPW Superintendent.

From: Robert Pontbriand [mailto:ta@ayer.ma.us]
Sent: Thursday, September 12, 2013 3:27 PM
To: 'Susan Sullivan'
Cc: 'Mark Fermanian'
Subject: Planning Board Vote on Easy Street Acceptance?
Importance: High

Dear Sue,

What was the Planning Board's vote on the Easy Street Acceptance?

Thank you.

Robert

Robert A. Pontbriand
Town Administrator

Ayer Town Hall
1 Main Street
Ayer, MA 01432

(978)772-8210
ta@ayer.ma.us

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2013.0.3392 / Virus Database: 3222/6656 - Release Date: 09/11/13

DEPARTMENT OF PUBLIC WORKS

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



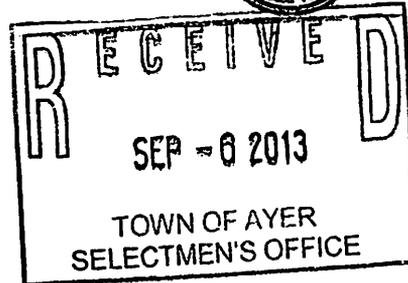
Water, Wastewater, Highway & Solid Waste Divisions

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

September 5, 2013

Town of Ayer Planning Board
Town Hall
Ayer, MA 01432

RE: Easy Street Acceptance



Dear Board Members :

The DPW performed a final inspection of Easy Street on September 4, 2013. In addition, we reviewed our documents related to the water and sewer pipe testing.

With the exceptions of the items listed below, the project is completed to the DPW's specifications. I will periodically review the status of these items and if not completed to the DPW's satisfaction prior to prior to Town meeting, I will make a final recommendation at the Fall Town Meeting.

Remaining Work Items:

1. Water
 - a. Paint hydrant
2. Sewer
 - a. Testing records indicate sewer and manhole testing was performed on April 17, 2007, the testing forms do not indicate that the testing was witnessed by the Town. In addition, MH Sta 0+27 was not tested. Prior to acceptance, the Developer must flush the sewer and the DPW will inspect all manholes.
3. Drainage
 - a. Install traps on all catch basin outlets as per detail sheet 8.
 - b. Clean all catch basins and manholes
4. Paving, curbing and sidewalks
 - a. Complete berm and sidewalk in front of lots 3,4,5
 - b. Repair / replace berm divots in front of lots 12, 13, 7,8
 - c. Complete final top coarse pavement
5. Provide record drawings of final layout, utilities, easements and other features

Should you have any questions or comments, please do not hesitate to contact this office.

Regards,
AYER PUBLIC WORKS DEPARTMENT

Mark L. Wetzel, P.E.
Superintendent



INTERIM DOWNTOWN STREETLIGHT REPLACEMENT PROPOSAL

- Enclosed is the interim Downtown Streetlight Replacement Proposal from Superintendent Wetzel including a Locus Map of which lights are to be replaced (See Enclosed)
- The proposal consists of replacing ten (10) new lights on Main and West Main Streets for the purposes of increased public illumination for public safety purposes.
- As the BOS is aware a long term streetscape plan is being developed (18-24 months away) but as was previously discussed, the need for an interim downtown lighting plan that restores illumination at key downtown areas is needed for public safety purposes especially as the daylight hours get shorter.
- The estimated cost of the proposal is not to exceed \$76,000.00
- Since this is a time sensitive matter, I am respectfully recommending that the Board of Selectmen consider authorizing the use of UDAG Funds in an amount not to exceed \$76,000 for this proposal so that it can be completed as soon as possible.
- Waiting until Town Meeting (October 28, 2013) is not in the best interests of ensuring that this interim lighting plan is put into place as soon as possible.
- We respectfully request your approval of the proposed plan and the funding for it from UDAG not to exceed \$76,000.00 **[FOR APPROVAL]**
- Thank you for your consideration.

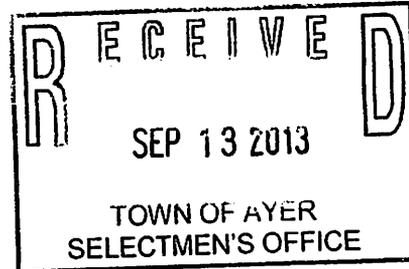
DEPARTMENT OF PUBLIC WORKS

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

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

Memorandum

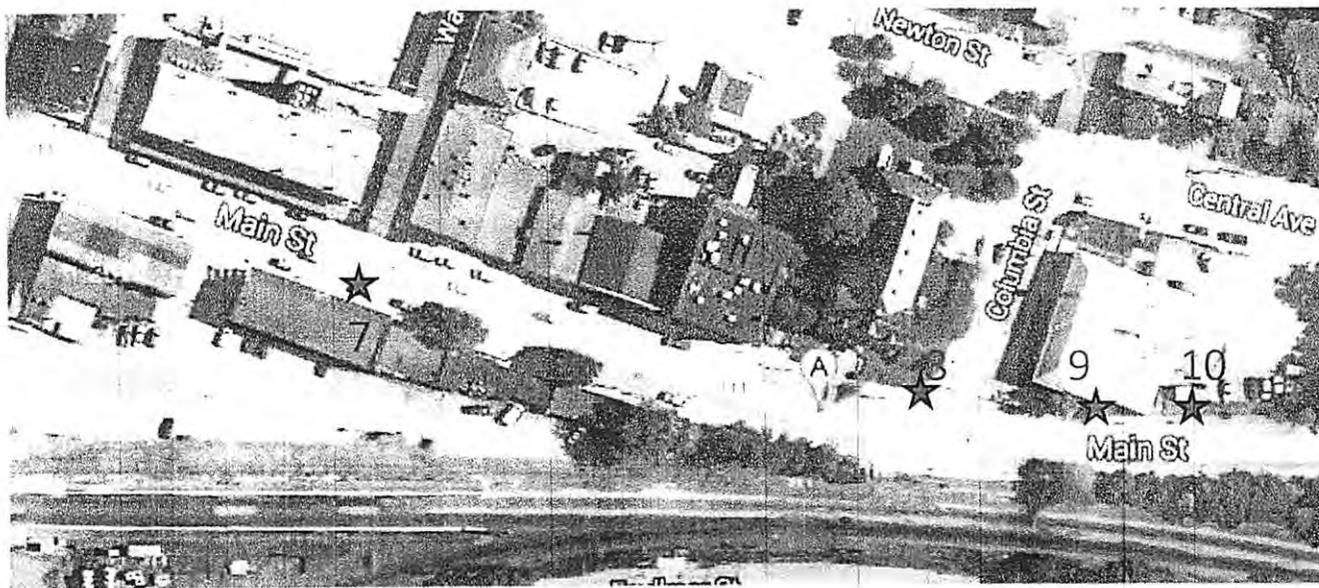
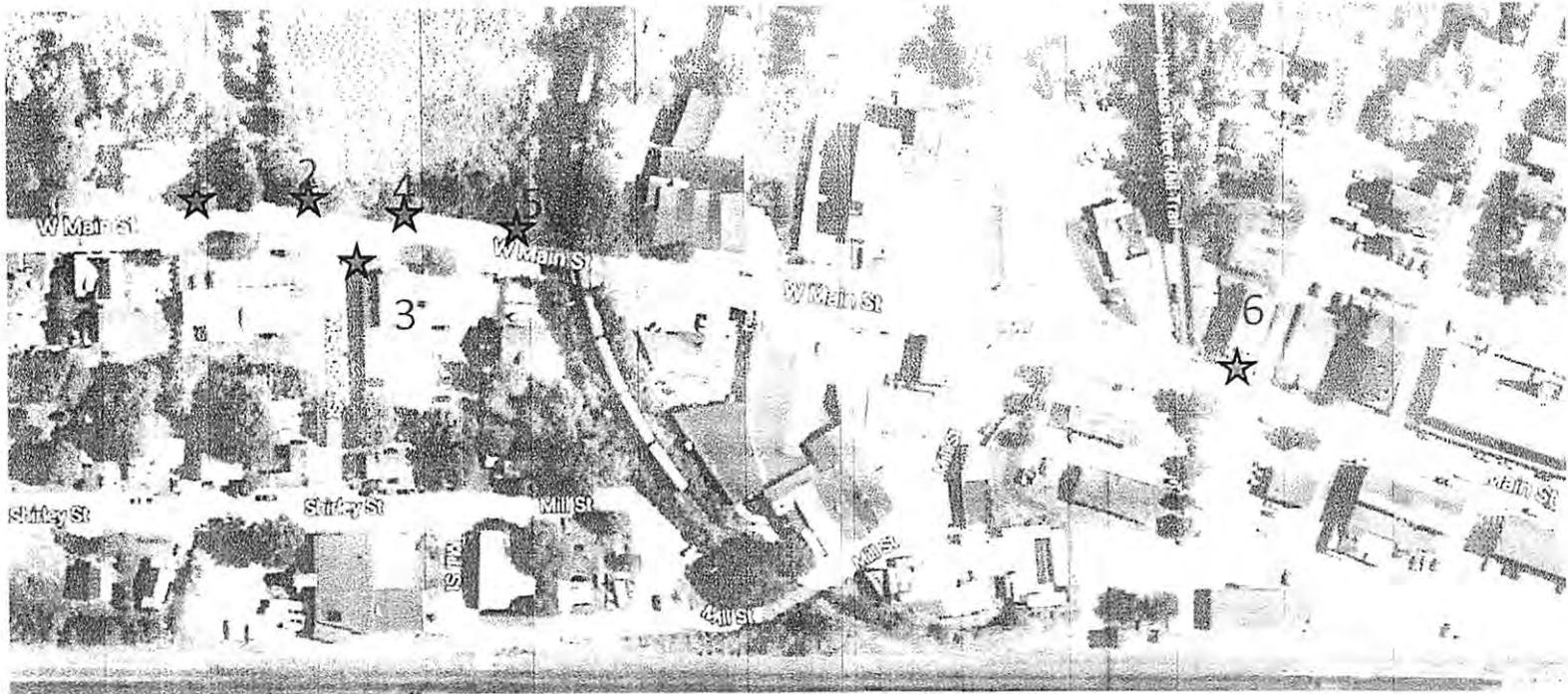
Date: September 13, 2013
To: Ayer Board of Selectmen
Copy: Robert Pontbriand, Town Administrator
From: Mark Wetzel P.E., Public Works Superintendent
Re: Main, West Main St. Street Light Improvement Project



I have prepared a Bid Document for the replacement of missing street lights on Main Street and West Main Street. As you know, three of the decorative lights were damaged this winter. However, there are seven additional lights that have been damaged or removed over the past several years. The project involves the installation and wiring of 10 new decorative light fixtures with LED lamps at the locations shown on the attached plan. The lights will be very similar to the existing light bases, poles and globes.

VHB Engineers/Lindgren & Sharples PC evaluated the existing lighting and designed appropriate lamps for the missing locations. I have assembled a bid document for construction under Chapter 30 S39M. The Advertisement for Bids will be published on September 18 and Bids will be due on October 3.

The estimated cost for the ten new lights is \$76,000. This includes labor, materials and police details.



LOCUS PLAN

Main St Street
Light
Improvements
Ayer, MA
Sept, 2013

SPECIAL FALL TOWN MEETING WARRANT DRAFT #2

- Enclosed is DRAFT #2 of the Special Fall Town Meeting Warrant as of Friday, September 13, 2013 at 5pm. As stated by the Town Administrator at the September 3, 2013 BOS Meeting, this DRAFT #2 will also be transmitted to Town Counsel for the beginnings of legal review and language development where applicable. (See Enclosed) **[FOR REVIEW/UPDATE]**

Note: As the BOS is aware, Friday, September 13, 2013 at 5pm was the deadline established by the BOS for Citizen's Petitions. Additionally, that same date was recommended as a deadline for all other Articles. As the BOS is aware, the Warrant remains a work in progress until the BOS takes a final vote to approve the Warrant. Therefore, at the discretion of the BOS, Articles can be added, removed, revised by a majority vote of the BOS up until the final vote on the Warrant.

*Note: **The absolute deadline for the FTM warrant to be finalized and sent to the Printer is 12:00pm noon on Friday, October 11, 2013.***

Town of Ayer



SPECIAL FALL TOWN MEETING WARRANT

Ayer Town Hall, Great Hall, 1 Main Street, Ayer, MA 01432

Monday, October 28, 2013, 7:00pm

**Commonwealth of Massachusetts
Middlesex, ss.**

GREETINGS:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Ayer qualified to vote in Town Elections and Affairs to meet at the Great Hall of the Ayer Town Hall located at 1 Main Street, Ayer, MA 01432 on Monday, the Twenty-Eighth (28th) day of October, 2013, at seven o'clock in the evening (7:00 p.m.) then and there to act on the following articles:

Hereof fail not and make due return of this warrant with your doings thereof to the Town Clerk before the date appointed for said meeting.

Given under our hands this day of October AD 2013.

Pauline Conley, Chairman

Gary J. Luca, Vice-Chairman

Christopher R. Hillman, Clerk

James M. Fay, Member

Jannice L. Livingston, Member

The Ayer Board of Selectmen

Any persons needing disability related assistance (such as signing, etc.) at the town meeting please contact the Selectmen's Office at 978-772-8220 before October 11, 2013. We shall make every reasonable effort to assist you.

Large print version of the text of this warrant is available upon request.

ARTICLE 1: STABILIZATION FUND

To see if the Town will vote to transfer the sum of \$ _____ from available funds to the Stabilization Fund under the provisions of Chapter 40, Section 5B of the General Laws, or take any action thereon or in relation thereto.

[REQUESTED BY FIN COM]

NOTE: The Town Administrator met with the Fin Com Chair on 9-10-2013 and the intent of the Fin Com will be to use this Article to get the Annual Stabilization Amount up to 7% by transferring the approximate amount of \$200,000 from Free Cash into the Stabilization Account. This item will be further discussed at the Executive Bi-Board Meeting on 9-26-2013 at 7am

Sponsor: Finance Committee
Board of Selectmen:

Two-Thirds Vote Required

ARTICLE 2: TOWN HALL MAINTENANCE FUND

To see if the Town will vote to raise and appropriate the sum of \$ _____ from available funds to the Town Hall Maintenance Fund to be used for the purposes of maintenance projects and/or repairs to the Ayer Town Hall, or take any action thereon or in relation thereto.

[MENTIONED at 8-22-2013 BOS MEETING]

NOTE: The Town Administrator met with the Facilities Maintenance Director on 9-13-2013 and he does not have any projects outside of the FY 2014 Budget and or Capital that would required funding from this Article at this time.

Sponsor: Board of Selectmen
Finance Committee:

Simple Majority Vote Required

ARTICLE 3: DOWNTOWN STREET LIGHTS

To see if the Town will vote to raise and appropriate the sum of \$ _____ from available funds for the purposes of repairing and/or replacing the town-owned street lights in downtown in accordance with the DPW Superintendent's Interim Street Lighting Plan, or take any action thereon or in relation thereto.

[PLAN TO BE PRESENTED TO BOS ON 9-17-2013 INCLUDING COST]

NOTE: In the plan developed by the DPW Superintendent, the Town Administrator and the DPW Superintendent will respectfully request that the BOS authorize the use of UDAG Funds for the Downtown Street Lights. The primary reason being is that time is of the essence to get this plan in place. October 28th, Town Meeting is too late. The Town Administrator discussed this on 9-10-2013 with the Fin Com Chair and he was in concurrence that this was the best course of action.

Sponsor: Board of Selectmen
Finance Committee:

Simple Majority Vote Required

ARTICLE 4: UNION EMPLOYEE COMPENSATION STUDY

To see if the Town will vote to raise and appropriate the sum of \$_____ from available funds for the Town to conduct a Union Employee Compensation Study, or take any action thereon or in relation thereto.

[REQUESTED BY FIN COM]

NOTE: The Town Administrator discussed this Article with the Fin Com Chair on 9-10-2013. It is the intent of the Fin Com for the Town to conduct a Union Employee Compensation Study. The Town Administrator has begun to solicit quotes as to what such a study would cost.

Sponsor: Finance Committee Simple Majority Vote Required
Personnel Board:
Board of Selectmen:

ARTICLE 5: COMPREHENSIVE POND STUDY

To see if the Town will raise and appropriate the sum of \$_____ from available funds for the purposes of conducting a comprehensive pond study as set forth by the Conservation Commission and Dam and Pond Committee, or take any action thereon or in relation thereto.

[DISCUSSED WITH CONS COM AT 8-22-2013 BOS MEETING]

NOTE: As a result of the 8-22-2013 BOS Meeting, the ConsCom and Dam and Pond Committee have since met and will advise the BOS on 9-17-2013 as to Next Steps regarding this Study.

Sponsor: Conservation Commission Simple Majority Vote Required
Dam and Pond Committee:
Finance Committee:
Board of Selectmen:

ARTICLE 6: FORMER CENTRAL FIRE STATION

To see if the Town will accept and authorize the: [DETAIL TO BE INSERTED] as presented by the Ayer Board of Selection, or take any action thereon or in relation thereto.

[FINAL RFPs DUE Friday, September 13, 2013, 5pm]

NOTE: Two individuals took out RFPs but no RFPs were officially returned by the deadline of Friday, September 13, 2013 at 5pm. Therefore it is the recommendation of the Town Administrator that this Article become a Report to Town Meeting which the Town Administrator will DRAFT for BOS consideration on Oct. 1, 2013.

Sponsor: Board of Selectmen Simple Majority Vote Required
Finance Committee

ARTICLE 7: COMMUNITY PRESERVATION COMMITTEE
ACQUISITION OF LAND: KOHLER PLACE

To see if the Town will vote to authorize the use of Community Preservation Committee Funds in the amount of \$ _____ for the purposes of acquiring __ acres of land for the purposes of open space and conservation as set forth by the Community Preservation Act, or take any action thereon or in relation thereto.

[BOS Authorized TA and Selectman Luca to Bring Back All Information to BOS]

NOTE: Selectman Luca and the Town Administrator met with the CPC on Wednesday, September 4, 2013 at 6pm. However the CPC did not have a quorum. There was an informal discussion with the CPC and a subsequent ES Discussion on 9-10-2013 with the BOS that though the Town remains interested in the Kohler Place Property, the Town must do its due diligence as well as the CPC. The timeline of October 28, 2013 is not feasible. Therefore work will continue on a Kohler Place Proposal for potential consideration at the May 2014 ATM. RECOMMEND THAT THIS ARTICLE BE REMOVED FROM THE FTM.

Sponsor: Community Preservation Committee
Conservation Committee:
Finance Committee:
Board of Selectmen

Simple Majority Vote Required

ARTICLE 8: PETITION FOR STREET ACCEPTANCE – EASY
STREET

To see if the Town will vote to accept the layouts of the following street as a public way, 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.

Sponsor: Board of Selectmen
Planning Board:
Finance Committee:

Simple Majority Vote Required

NOTE: The Planning Board unanimously voted on 9-15-2013 to recommend the acceptance of Easy Street as a Public Way by Town Meeting subject to the completion of the work cited in DPW Supt. 9-5-2013 Memo. The BOS will be asked to Vote to accept on Sept. 17, 2013 under same conditions. Work will be completed. Final plans and layout officially submitted to Town Clerk for Public Review and Town Counsel Review.

ARTICLE 9: CRABTREE WASTEWATER PUMPING STATION

To see if the Town will raise and appropriate the sum of \$70,000.00 [ESTIMATE] from [SOURCE(s) TO BE SPECIFIED] for the purposes of replacing the Crabtree Wastewater Pumping Station or take any action thereon or in relation thereto.

[REQUESTED BY DPW SUPERINTENDENT WETZEL]

NOTE: See DPW Superintendent's 9-5-2013 Memo. The issues(s) of an exact sum and the issue(s) of a funding source remain to be resolved by the DPW Superintendent; Town Accountant; and Town Administrator as well as review/consultation with Fin Com.

Sponsor: Board of Selectmen
DPW Superintendent: Recommends
Finance Committee

ARTICLE 10: ADOPTION OF MGL CHAPTER 40, SECTION 8G (POLICE MUTUAL AID)

To see if the Town will vote to adopt and accept the provisions of Massachusetts General Law, Chapter 40, Section 8G (Police Mutual Aid) or take any action thereon or in relation thereto.

[REQUESTED BY POLICE CHIEF MURRAY]

NOTE: Town Administrator working with Town Counsel and Police Chief on the language for this Article to be completed by no later than 10-1-2013.

Sponsor: Board of Selectmen
Police Chief: Recommends

Simple Majority Vote Required

ARTICLE 11: REPORT ON COLLECTIVE BARGAINING AGREEMENTS

To see if the Town will vote to hear a report on the Town's Collective Bargaining Agreements, or take any action thereon or in relation thereto.

[RECOMMENDED BY TA IN EVENT CBA's ARE NOT FINALIZED TO UPDATE TOWN]

Sponsor: Board of Selectmen
Finance Committee:

Simple Majority Vote Required

ARTICLE 12: RATIFY DPW UNION CONTRACT – DPW EMPLOYEES

To see if the Town will vote to approve the funding and implementation of the collective bargaining agreement from July 1, 2012 thru June 30, 2015 between the Town and the AFSCME 93, Local 1703, Ayer DPW Workers or take any other action thereon or in relation thereto.

[PLACEHOLDER: Negotiations On-Going]

Sponsor: Board of Selectmen
Finance Committee:

Simple Majority Vote Required

(Note: The total financial impact of the proposed agreement is \$ _____)

ARTICLE 13: RATIFY FIRE UNION CONTRACT – FIREFIGHTERS

To see if the Town will vote to approve the funding and implementation of the collective bargaining agreement from July 1, 2012 thru June 30, 2015 between the Town and the Ayer Firefighters Local #2544 or take any other action thereon or in relation thereto.

[PLACEHOLDER: Negotiations On-Going]

Sponsor: Board of Selectmen
Finance Committee:

Simple Majority Vote Required

(Note: The total financial impact of the proposed agreement is \$ _____)

ARTICLE 14: RATIFY UNION CONTRACT - POLICE PATROLMEN

To see if the Town will vote to approve the funding and implementation of the collective bargaining agreement from July 1, 2012 thru June 30, 2015 between the Town and the APPOA Police Patrolmen or take any other action thereon or in relation thereto.

[PLACEHOLDER: ARBITRATION ON-GOING]

Sponsor: Board of Selectmen
Finance Committee:

Simple Majority Vote Required

(Note: The total financial impact of the proposed agreement is \$ _____)

ARTICLE 15: RATIFY UNION CONTRACT – POLICE SUPERIORS

To see if the Town will vote to approve the funding and implementation of the collective bargaining agreement from July 1, 2012 thru June 30, 2015 between the Town and the NEPBA Police Superiors or take any other action thereon or in relation thereto.

[PLACEHOLDER: Negotiations On-Going]

Sponsor: Board of Selectmen
Finance Committee:

Simple Majority Vote Required

(Note: The total financial impact of the proposed agreement is \$ _____)

CITIZEN PETITION ARTICLES

[The Deadline for Citizen Petition Articles is Friday, September 13, 2013 at 5pm]

A True Copy Attest: _____ **Date:** _____
John C. Canney, II
Town Clerk/Tax Collector

As directed in the foregoing warrant, I have this day posted three attested copies in three public places, one of which was the Town Hall at least fourteen days before said meeting, all as herein directed.

_____ **Date:** _____
Robert D. Friedrich, Constable

**PROPOSED POLICY FOR THE POSTING OF TOWN BOARDS, COMMITTEES,
COMMISSIONS MEETING MINUTES TO THE TOWN WEB-SITE**

- As a result of recent communications of the Yahoo Groups and at the request of Selectman Livingston, the issue of the posting of the meeting minutes of all Town Boards, Committees, and Commissions has been placed on this agenda for discussion by the BOS.
- To help facilitate that conversation, I have composed the enclosed memo/policy recommendation for the BOS to review and consider. **(See Enclosed) [FOR DISCUSSION]**

Board of Selectmen

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



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

Town Administrator
(978) 772-8210

MEMORANDUM

DATE: September 11, 2013

TO: Ayer Board of Selectmen

FROM: Robert A. Pontbriand
Town Administrator

SUBJECT: Electronic Posting of Town of Ayer Meeting Minutes

Dear Selectmen,

As the Board is aware the issue of posting Town of Ayer Meeting Minutes remains a periodic issue of concern/frustration that often results in a debate as to the matter of policy with respect to meeting minutes (as it does in all municipalities). I offer the following memo to facilitate the discussion and a potential proposal for a policy if the Board wishes to consider.

As the Board is aware, M.G. L. c. 4, § 7(26) (Massachusetts Public Records Law) states what a Public Record is as well as Exemptions to the Public Record Law. The Public Records Law is enforced by the Secretary of State's, Public Records Division (kindly refer to your materials from the Public Records Training and/or to the "Town Officials Toolbox" on the Town's website).

All meetings of all Town of Ayer Public Bodies (Boards, Commissions, Committees, i.e.) under the Open Meeting Law (and Public Records Law) **MUST** keep official meeting minutes. These meeting minutes in **BOTH draft form and final form are public records** (with the exception of the exemptions of the public records law).

All Town of Ayer public bodies and employees are subject to the Public Records Law and **MUST** comply with the provisions set forth by the Public Records Law regarding a Public Records Request (refer to Public Records Training materials and/or "Town Officials Toolbox").

The Ayer Town Clerk is the official repository and custodian of all meeting minutes of the Town of Ayer's various (Boards, Commissions, Committees, etc.) The Ayer Town Clerk is the Town's Keeper of the Records. Only in his custodianship are the actual official meeting minutes of the Town's various public bodies. It is the legal responsibility of each public body of the Town of Ayer to ensure that their official minutes are filed with the Ayer Town Clerk. This is a legal requirement and responsibility of the Town of Ayer.

The only exception to this are the records of the Ayer Board of Selectmen, including the Ayer Board of Selectmen Meeting Minutes for which the Town Administrator is authorized by the Ayer Board of Selectmen as the official Keeper of the Selectmen's records including their meeting minutes. This is a legal requirement and responsibility of the Town of Ayer.

Official meeting notices must be posted in accordance with the Open Meeting Law (which is enforced by the Attorney General) at least 48 hours in advance of said meeting and must be stamped by the Town Clerk and posted on the Town's Official Posting Board on the Columbia Street Side of Town Hall. No other posting method is official in the Town of Ayer with respect to meeting notices and agendas.

This brings me to my final point(s). The posting of meeting minutes, agendas, and public documents on the Town of Ayer Web-Site and/or Facebook Page is not a legal requirement or legal responsibility of the Town of Ayer in terms of the Public Records Law and/or Open Meeting Law.

The Town of Ayer does its due diligence to provide as much information as possible to the public via electronic means BUT it is not a legal requirement. It is a local service and courtesy to the public in the interests of increased transparency and open government.

It should also be noted that all material posted on the Town of Ayer Web-Site and Facebook Page is NOT necessarily an official record (a public record yes, but not an official record). Meeting Minutes posted on the Town Web-Site should not be considered an official record but a public record.

The posting of all material on the Town of Ayer Web-site and Facebook Page is the responsibility of the Town Administrator who as the Town's Public Information Officer is responsible for the review and approval of all material that is posted. The I.T. Systems Administrator does that actual scanning and posting of approved materials.

The Board of Selectmen may consider issuing a policy memorandum to all public bodies which are appointed by the Board to comply with the posting of meeting minutes on the Town web-site within a certain period of time upon the meeting minutes being officially finalized and accepted.

In terms of elected boards, commissions, and elected officials, the Town does provide web-pages on the Town Website for them to post materials (including meeting minutes) but it is largely at their discretion in that they are not legally required to nor can the Board of Selectmen order them to do so.

Thank you for your time and consideration.

Cc: John C. Canney, II, Ayer Town Clerk
Cindy Knox, I.T. Systems Administrator

PROPOSED POLICY FOR I.T. HARDWARE/SOFTWARE ACQUISITION

- At the August 28, 2013 I.T. Committee Meeting, the Committee unanimously approved the enclosed, proposed “Information Technology Acquisition Policy” and unanimously voted to recommend that the policy be sent to the BOS for review and consideration for adoption. The policy was drafted by the I.T. Systems Administrator, I.T. Committee, and Town Administrator. (See Enclosed) **[FOR REVIEW / DISCUSSION]**

Note: Ms. Knox will be present to answer any questions the BOS may have regarding the policy.



****PROPOSED DRAFT (8-28-2013)****

Town of Ayer

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; I-Pads; I-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.

Approved by the Ayer Board of Selectmen on: DATE: _____

MEETING ROOM AUDIO/VIDEO SOLUTION PROPOSAL

- For close to six months, the I.T. Systems Administrator at the direction of the Town Administrator from a request of the BOS, has been working on an audio/video solution for the First Floor Meeting Room. This has been no small feat to find the appropriate technology that is ADA compliant; is feasible for the Town Hall; and includes the widest range of capabilities for use by not only the BOS but all public meetings at Town Hall.
- Enclosed is a memo from Ms. Knox as well as detailed information on a proposed solution known as a "Mondopad". The cost of the "Mondopad" is \$6,518. (See Enclosed)
- At the August 28, 2013 meeting of the I.T. Committee, the Committee unanimously recommended that the Town purchase the Mondopad.
- Ms. Knox will be present to answer any questions the BOS may have.
- The Town Administrator and Ms. Knox will be seeking direction from the BOS in terms of funding for this technology. **[FOR REVIEW DISCUSSION]**



Date: September 12, 2013

To: Members of the Ayer Board of Selectmen

CC: Robert A. Pontbriand, Town Administrator

From: Cindy Knox, IT Systems Administrator

Re: **Video in the Board of Selectmen's Meeting Room**

Dear Members of the Ayer Board of Selectmen,

Upon review of the previous proposals and with the recommendation of the IT Committee, I am pleased to offer another solution to the video challenges we have faced in Board of Selectmen's room.

Initially two obvious choices were considered:

- 1) Hang a projector on the ceiling and a pull down screen on the wall
- 2) Install a flat panel television on the wall that is connected to a laptop

The major limiting factors with these two options are the facility and the high cost of opening the walls for cable and electrical work. The walls, ceiling, and floor in the room are not conducive to hiding cables and installing a projector on the ceiling and a pull down screen is not a cost effective answer to this project. The Facilities Director estimates an expense of \$15,000 - \$18,000 to install equipment of this type.

When we looked into installing the flat-panel television on the wall, we ran into many of the same facilities issues along with the fact that more work would be required to hang such a heavy item on the wall. In addition we found that the monitors would need to be so large that they would dwarf the Town Seal and the room and would just not look right.

Next we looked into a flat-panel television on a stand:

This was a good solution and would not require any building construction upgrades. As presented and quoted, it was very expensive, coming in with an estimate just over \$9,000 for the television and the stand. We would still provide our own laptop, cables, etc. in this case. At the time, it was the best solution presented.

Finally, we found another solution - The Mondopad:

We kept looking and the IT Committee has since been made aware of a third solution – The InFocus Mondopad. This is basically a 55" Windows7 touch screen tablet. The Mondopad comes preinstalled with many features including full versions of Windows and Microsoft Office; A whiteboard which can be saved and emailed; wireless internet; Documents and PDFs can be annotated; and video conferencing to name just a few. It will require very little training and tech support for most Board and Committee Members. Files can be emailed directly to the device for presentation or review. As an example, you can walk up to the device, insert a flash drive, touch a few places on the screen and your files will open right up and since it is a Windows 7 computer, you will be in familiar territory.

This is a good choice for other reasons as well. InFocus is an industry leader in projection equipment; we can feel confident with this manufacturer for quality purposes. We can also use this for other things such as video signage at Town Hall and for training.

The Town Administrator & I have visited the vendor Pro AV Systems in Chelmsford and saw this action. The IT Committee is enthusiastically and unanimously recommending the purchase of the InFocus Mondopad from Pro AV. The final cost for this device is \$6,518. Please let me know if you have any questions.

Infocus

The New Way to Collaborate



Communicate and Collaborate Better than Ever
The giant touchpad to present, annotate, and collaborate
with people in the room and around the world

mondopad

Giant Touch Tablet for Your Conference Room or Classroom

Present, annotate and collaborate on a giant tablet with meeting participants in the room and around the world.

An InFocus® Mondopad™ puts everything you need to visually present, capture and share ideas at your fingertips – all beautifully integrated into a single, cost-effective device.

Mondopad streamlines meetings and allows people to communicate clearly to get the job done fast. You'll bridge communication gaps, save time and money on travel, and never look back.

Key Features

- Advanced multi-touch high definition 55 inch display
- Flexible and expandable with built-in Windows PC
- Digital interactive whiteboard and document annotation
- Business-class video conferencing
- Share, view and control from your tablet or smartphone
- Full copy of Microsoft® Office ensures file compatibility

Designed for Multi-touch

Mondopad's natural, touch interface changes the way people interact with information, collaborate and connect. Meetings are more engaging, content is more immersive, and audiences are more involved.

Mondopad's edge-to-edge 5-point multi-touch capabilities provide smooth, quick and accurate performance for all of its presentation, annotation and collaboration applications.



Video Connect to the World

Add Mondopad as a SIP endpoint on your video conference server or service, or install your video conferencing desktop client onto Mondopad, just like you would a PC.

If you don't have a video conferencing system, we have an affordable video conferencing solution from Vidtel.

Industry standard collaboration tools like GoToMeeting®, WebEx™, Microsoft Lync™ and Adobe® Connect™ run seamlessly on a Mondopad.

It's as easy as downloading an app.



Upgrade Your Conference Room

The Mondopad combines a powerful and flexible PC with a giant touch display to create an elegant and cost effective collaboration solution.

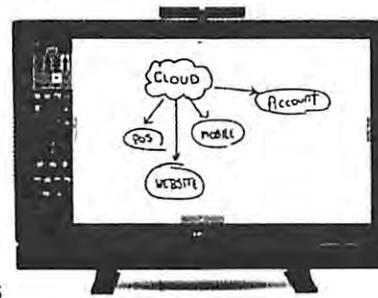
- Expandable to meet your requirements
- Built around industry standards and leading technologies from Intel and Microsoft
- Easy to upgrade to the latest software and tools
- Securely monitor and manage from anywhere



Whiteboard Wizard

The Mondopad's whiteboard and collaboration apps make it easy to brainstorm and capture and share the ideas.

- A complete set of writing and drawing tools, pens, highlighters, shapes and lines are at your command
- Whiteboard drawings can be collected, saved and emailed to meeting participants right from the Mondopad
- Paste your backgrounds and images onto a whiteboard session, such as a grid, flowchart, or other template



Familiar Applications Optimized for Touch

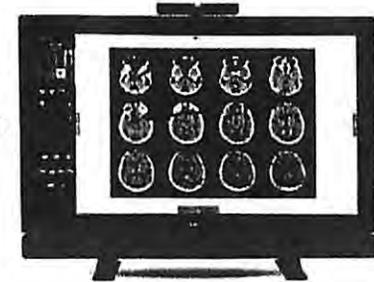
Sharing documents and switching applications during a meeting is amazingly easy with the Mondopad's intuitive folder structure and 3rd party app multitasking.

- Add, remove and launch documents from the Mondopad's View/Share folder, which anyone in the meeting can access
- Quickly switch between multiple Windows apps and the Mondopad app
- Use all of the office documents (PowerPoint, Word, Excel, PDF, JPGs and more) that you use every day -- all optimized for touch

Never Lose An Idea

Use the whiteboard's writing and drawing tools to take notes on whatever is being presented on screen. This highly-visual medium allows your teams to communicate more effectively, collaborate in real time, and never lose an idea.

- Circle or highlight key information on PPT slides, spreadsheets, design comps, web pages, and even on shared content in a video meeting
- Identify information on-screen to help remote participants follow along
- Capture and share the notes with everyone in the meeting right from the Mondopad



Connect, Share, View & Control Content from Any Device

You and your colleagues can securely connect, share and collaborate with anyone, anywhere – making your meetings more collaborative, productive and sustainable.

- Securely connect Mondopad to your network via its built-in WiFi so any authorized user of your network can share, view and control their visuals from their PC, tablet or smartphone
- Mondopad's WiFi also creates a wireless access point so guests in the room can easily deliver documents to the display or access the Internet without connecting to the organization's private network
- Remote participants see what's on the Mondopad via a web page served by the Mondopad

“The Mondopad's aim is to drain the boring out of business meetings.”

CNET Crave

mondopad Specifications*

Display

Size	55"
Resolution	1920 x 1080
Refresh Rate	60 Hz
Viewing Angle	±89°
Display Colors	1.07G (10-bit)
Pixel Pitch	0.63mm
Picture-in-Picture	SBS/4 quadrant PIP
Video Input Compatibility	Full NTSC, 480i, 480p, 720p, 1080i, 1080p/24, 1080p/30, 1080p/60
Data Input Compatibility	VGA (640x480), SVGA (800x600), XGA (1024x768), SXGA (1280x1024), SXGA+ (1400x1050), UXGA (1600x1200), WXGA+ (1440x900), WSXGA+ (1680x1050), WXGA (1280x800), WUXGA (1920x1200)
Inputs	USB Type-A x 4, HDMI 1.3 x 2, VGA (HD15 VESA), Component, S-Video, Composite, RS232, RCA stereo audio x 2, 3.5 mm stereo mini-jack, USB B to touch screen controller board, Ethernet (RJ45 x 2)
Outputs	RCA audio stereo (L/R) output for sound bar or other external A/V system
Touch Screen	<input type="checkbox"/> Edge-to-edge quad camera multi-touch system with support for 5 point gestures and Windows 8 <input type="checkbox"/> Glass protection overlay for LCD surface <input type="checkbox"/> USB connection to PC from touch system panel board
Speakers (Integrated)	Stereo 7W x 2
Power	AC 100 to 240V, 50/60Hz
Mount	VESA standard 400 x 400mm M6 screws

PC

Processor	Intel® Core i5-2520m, QM67 chipset with support for AMT 7.1
Memory	4 GB, 8 MB Flash memory
Hard Drive	SATA 6Gb/s SSD Intel 520 series 120GB
LAN (2x)	802.3 10/100/1000 Base-T with Wake on LAN
Wi-Fi	Dual band 802.11 a/b/g/n MIMO PCIe half mini card, 2.4 GHz with Intel, AMT support
Input connections	USB Type-A x 6 (4 on side of the display, 2 on PC (1 used by camera), Ethernet (RJ45 x 2))
Output connections	Optional USB 2.0 to HDMI adapter (for display out)
Operating System	Windows 7 Pro 64bit, compatible with Windows 8
Included Software	Microsoft Office Home & Business 32bit, Mondopad interface software

Camera

Resolution	1280 x 720
Frame rate	22fps at HD with H.264+YUV (2-way)
Lens and Field of View	F/2.0, 3P Lens; FOV(D) 56.8° in HD mode, FOV(D) 50° in VGA mode 1.0x zoom, FOV(D) 30° in VGA mode 1.6x zoom
Audio support	4 built-in Unidirectional microphones
Interface	USB 2.0 High Speed
Focus	Auto focus
Tilt	Manual up/down and left/right ±40°
Power	Via USB

Sound Bar

Power	60 Hz AC
Speaker Drivers (L&R Channel)	Two 3" and one 3/4" Aluminum Neodymium Tweeter (per side)
Power Output (RMS)	25 watts/channel @ 1% THD, 1KHz, 2-channels drive, 70 watts total system PEAK
Frequency Response	90Hz to 20KHz

System

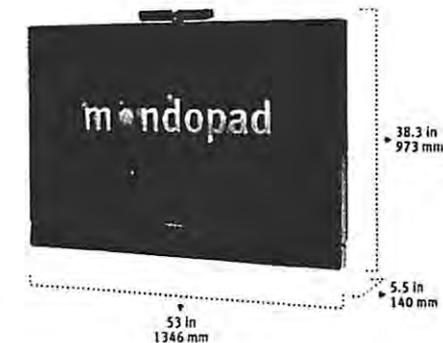
Accessories Included	Wireless keyboard (where allowed), wireless mouse (where allowed), cleaning cloth, VGA cable, USB cable, security screws, security screw removal tool, power cord, remote, quick setup guide, sound bar assembly, HD camera assembly, foot assembly
Warranty	1 year limited, extended warranties available
Product Weight	134.4 lbs/61 kg
Shipping Weight	Monitor, PC and camera: 136lbs/61.70kg, Sound Bar: 14.33lbs/6.5kg, Feet: 9.26lbs/4.2kg
Shipping Dimensions	Monitor, PC and camera: 58.66 x 13.86 x 38.39in/149 x 35.2 x 97.50cm, Sound Bar: 57.48 x 7.08 x 5.7in/143 x 18 x 14.5cm, Feet: 22.05 x 5.31 x 15.94in/56 x 13.5 x 40.5cm
Operating Conditions	5° to 35°C at 0 to 3,048 m
Noise	<40dBA @ 25°C
Energy Star	5.1 for display and PC
Approvals**	United States (FCC, UL), Europe (CE), Australia (RCM), Brazil (ANATEL), Canada (IC, FCC, cUL), Chile (SUBTEL), China (CCC, CMIT), Columbia, Costa Rica, India (WPC), Indonesia (PLG), Malaysia (cert required), Mexico (NOM, SCT, Energy Consumption label), New Zealand (C-tick), Panama, Peru (MTC), Puerto Rico (FCC, UL), Saudi Arabia (SASO, CITC), Singapore (PSB, IDA), Taiwan (BMSI, NCC), United Arab Emirates (TRA)
Interface Languages	English, German, French, Italian, Spanish, Simp. Chinese, Trad. Chinese, Korean, Vietnamese, Japanese, Malay, Indonesian

Model Number

INF5520A

Optional Accessories

RealCam Pan/Tilt/Zoom Camera (INF-SPTZ)
 Wall Mount (INF-WALLMNT2)
 Floor Stand (INF-FLRSTND)
 Mobile Cart (INF-MOBCART)
 Accessories Shelf for INF-MOBCART or INF-FLRSTND (INF-ACCYSHELF)
 Webcam Shelf for INF-MOBCART or INF-FLRSTND (INF-VIDSHELF)
 Pro Mobile Cart in Silver (INF-MOBCARTPRO-S)
 Pro Mobile Cart in Black (INF-MOBCARTPRO-B)
 Accessories Shelf for Pro Mobile Cart in Silver (INF-ACCYSHELFPRO-S)
 Accessories Shelf for Pro Mobile Cart in Black (INF-ACCYSHELFPRO-B)
 USB to HDMI Adapter (HW-USB2HDMI)
 Extended warranties (EPWINF1, EPWINF2)



Mondopad Remote Control

InFocus

The New Way to Collaborate

www.infocus.com

INFOCUS CORPORATE HEADQUARTERS
 13190 SW 68th Parkway
 Portland, Oregon 97223-8368, USA
 Phone: (1) 503-207-4700
 Toll Free: (1) 877-388-8385
 Fax: (1) 503-207-4707

* Product specifications, terms, and offerings are subject to change at any time without notice.

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"PROJECT YOUR IMAGINATION"

PROJECT QUOTATION

Pro AV Systems, Inc.

275 Billerica Rd. Suite 3 Chelmsford, MA 01824
 Phone: (978) 692-5111 Fax: (978) 692-5252

Pricing Valid for 30 Days
 OFF30 # VC0000381197

Cindy Knox Town of Ayer cknox@ayer.ma.us	Date:	8/16/2013
	Quote #	081613DB1
	RFQ #	verbal

Additional Notes: This document is the property of Pro AV Systems and the listed recipient. It cannot be reproduced or shared without the consent of a Pro AV sales representative. Please direct orders or questions to Rebecca Archer - 978-692-5111 (direct), REBECCA@PROAVSI.COM Delivery to: Customer Payment Terms: Net 30	<i>Subtotal</i>		\$6,219.00
	<i>Sales Tax</i>	<i>exempt</i>	\$0.00
	<i>Shipping</i>	<i>prepay & add</i>	\$299.00 ✓
	TOTAL		\$6,518.00

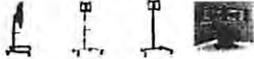
All Electrical to be provided by customer unless otherwise noted.

QTY	Part #	DESCRIPTION	UNIT COST	TOTAL COST
1	INF5520a-KIT	Mondopad - Multi-touch 55" Collaboration Display Kit with Sound Bar and Table Stand	\$5,500.00	\$5,500.00 ✓
		Optional Mobile Stand		
1	PFCUS	Large Flat Panel Mobile Cart	\$620.00	\$620.00 ✓
1	PAC710	Height Adjustable Accessory Shelf	\$99.00	\$99.00 ✓
		Training		
1	Complimentary Training	1-hour complimentary training on setup and general use. Includes installation of TeamViewer for Pro AV remote access (if desired)	\$0.00	\$0.00
		Optional Video Conferencing Service		
1	INFCONNECT2-1YR	InFocus Connect 2 participants, 1 Year service (Mondopad includes the first year of service free of charge)	\$295.00	Not reflected in total



Home Products Applications Company Tools Support

TV Mounts > Carts-Stands > PFC



Overview Specifications Downloads Accessories FAQ Compatibility

Color



Videos



PFCUS Large Flat Panel Mobile Cart

A lightweight mobile cart with a collapsible design, including telescoping height-adjustment and integrated cable management.

- Shelf accessory must be ordered separately, PAC710 Height-Adjustable Accessory Shelf shown
• Perfect for rental and staging to corporate applications
• PFCUB and PFCUS ship with a universal interface bracket
• PFC2000B and PFC2000S require a PSB interface to be purchased separately

Note: To ensure this mount works with your equipment check the "Compatibility" tab below.

Features

- Centris Technology provides fingertip tilt and effortless display adjustment
• Tool-less telescoping height adjustment
• ClickConnect Technology provides an audible click to confirm the flat panel is locked in place
• Screen can be installed in portrait or landscape orientation (PAC400 accessory can be used to rotate without removing the screen)
• Integrated cable management with flexible covers to hide cables for a clean installation
• Smooth rolling casters for effortless positioning (2 locking casters)
• Unique angled base design allows corner positioning for flexible placement options

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MountFinder™

Flat Panel Projector

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Tools

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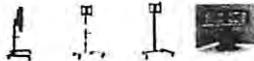
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Home Products Applications Company Tools Support

TV Mounts > Carts-Stands > PFC



Overview Specifications Downloads Accessories FAQ Compatibility

Color



Videos



MountFinder Compatibility

PFCUS
Large Flat Panel Mobile Cart

A lightweight mobile cart with a collapsible design, including telescoping height-adjustment and integrated cable management.

- Shelf accessory must be ordered separately, PAC710 Height-Adjustable Accessory Shelf shown
- Perfect for rental and staging to corporate applications
- PFCUB and PFCUS ship with a universal interface bracket
- PFC2000B and PFC2000S require a PSB interface to be purchased separately

Note: To ensure this mount works with your equipment check the "Compatibility" tab below.

Specifications

Center of Display to Floor/Table Range:	48 - 72" (1219 - 1829mm)
Color:	silver
Manual Height Adjustment:	24
Mounting Pattern Compatibility (Universal Versions):	200 x 200mm - 862 x 517mm
Orientation:	Landscape, Portrait
Overall Dimensions (H x W x D):	81.6" x 37.1" x 32.1" (2073 x 943 x 816mm)
Post-Installation Leveling (Roll):	Yes
Shipping Weight:	68.00 lbs
Solution Type:	Universal
Tilt:	+ 15° , - 15°
Typical Screen Sizes:	42 - 71"
Weight Capacity:	200 lbs (90.7kg)

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Flat Panel Projector

Select Manufacturer

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Tools

- Build In MountBuilder**
- Get Chief Certified**
- Become a Dealer In 3 Easy Steps**

Cindy Knox

From: David Bishop <DBishop@proavsi.com>
Sent: Friday, August 16, 2013 9:31 AM
To: cknox@ayer.ma.us
Cc: Rebecca Archer
Subject: Mondopad Quote
Attachments: Quote - 081613DB1 - 55-in Mondopad with Optional Mobile Cart.pdf

Hi Cindy,

Attached is your quote – I priced out a few different mobile carts, and they all looked pretty similar – I listed the least expensive (yet still nice) one that we have (<http://www.chiefmfg.com/Products/PFCUS>) – if you have something else in mind, just let me know.

We do offer more elaborate trainings than the 1-hour, but I like to have that as a starting point – it really depends on how in depth you want to use the product – for most people, they are up and running 100% after the complimentary 1-hour training.

You will also see the INFCONNECT service listed as optional – that is video conferencing service that has a subscription – it is only needed if you are calling Mondopad to Mondopad and if you want the ability to call a real video conferencing system (Polycom, LifeSize, Tandberg). If you choose to use Skype instead, you certainly don't need this service. I wouldn't recommend it anyways for the first year as you get a free year anyways – I just wanted you to see the cost so you can take a look at how you use it (if you use it) and whether you would like to purchase it for year 2.

Call me with any questions!

Dave



David Bishop, CTS
Northeast Sales Director

Pro AV Systems, Inc.
T: 877.33.PROAV
www.PROAVSI.com

Direct Line: 978.674.8733
Skype: dave.proav

**PROPOSED POLICY FOR THE ACQUISITION OF FURNITURE; EQUIPMENT; AND
ALTERATIONS FOR TOWN HALL**

Enclosed is a proposed policy for the acquisition of furniture, equipment, and alterations for Town Hall for the BOS to review and consider. (See Enclosed) **[FOR REVIEW/DISCUSSION]**

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: September 3, 2013

TO: Ayer Board of Selectmen

FROM: Robert A. Pontbriand
Town Administrator

SUBJECT: Proposed Policy for the Acquisition of Furniture; Equipment; and Alternations for the Ayer Town Hall [DRAFT]

Dear Selectmen,

As a result of various discussions by the BOS over the last few months, it became evident that the Town of Ayer was in need of an official policy for the acquisitions of furniture; equipment; and alterations for the Ayer Town Hall. Per your request, I was to draft the following proposed policy for your review and consideration at your September 17, 2013 BOS Meeting.

In consultation with the Director of Facilities Maintenance, I am pleased to present you with the following proposed policy for your review and consideration:

Town Hall Policy for the Acquisition of Furniture; Equipment; and Alternations for the Ayer Town Hall

Purpose:

- The purpose of this Town Hall Policy is to ensure that the acquisition of furniture; equipment; and/or alterations to the Ayer Town Hall are done professionally taking into account the historic preservation of the Town Hall and its grounds; the acquisition, placement and/or installation of furniture and/or equipment that is cost effective, efficient and in compliance with the preservation of the historic Town Hall; Americans with Disabilities Act (ADA); building code; federal/state/local public safety; federal/state/local public health; maintains the aesthetic beauty of the building and grounds; and finally ensures a safe, pleasant environment for Town Hall Employees and the Public.

property of the Town of Ayer. All Employees are required to properly use and maintain their respective Office furniture in conformance with the manufacturer's specifications. Damage to furniture in specific offices is the sole responsibility of that specific department in terms of repair and/or replacement and all costs associated after prior approval by the Town Administrator in consultation with the Facilities Maintenance Director. Common wear items (i.e. office chair mats) are the responsibility of the individual Departments to plan for and fund.

Equipment (Common Areas):

- All Town Hall Equipment located in common areas is the sole responsibility of the Town Administrator and Facilities Maintenance Director. This includes but not limited to all equipment in: all public meeting spaces; all restrooms; the Employee Break Room; the Great Hall; and any equipment on or in the Town Hall grounds. Employees and the Public are expected to properly use any common equipment and immediately report any damage or issues to the Town Administrator and/or Facilities Maintenance Director.

Equipment (Specific Offices):

- All equipment in specific offices is to be acquired, maintained, and disposed of in the proper manner at the expense of the specific Department. All equipment in specific Departmental offices is the sole property of the Town of Ayer. Damage to specific office equipment is the sole responsibility of that specific department in terms of repair, replacement, and/or disposal. The Town Administrator and/or the Facilities Maintenance Director reserve the right to remove any equipment which is deemed unsafe.

Information Technology (I.T.) Equipment:

- All I.T. equipment and technology (hardware and software) is the sole responsibility of the Town Administrator in consultation with the I.T. Systems Administrator, the I.T. Committee, and the Town-Wide I.T. Acquisition Policy.

Physical Alterations to the Town Hall:

- Any and all physical alterations to the Town Hall and/or the Town Hall Grounds must be submitted to the Town Administrator in consultation with the Facilities Maintenance Director for review and approval.
- Any alterations that impact the historic preservation of the Town Hall and/or Grounds will be submitted by the Town Administrator for a formal review by the Ayer Historic Commission in consultation with the Ayer Board of Selectmen.
- Any physical alterations to the Town Hall and/or Grounds deemed to not be in the best interests of the Town of Ayer will be denied.

Town Clerk Vault:

- The Town Clerk Vault is the sole responsibility of the Ayer Town Clerk to ensure that the Vault is properly secure at all times. In the interests of protecting the Town's records, the Town Administrator in consultation with the Facilities Maintenance Director reserves the right to secure the vault in the absence of the Town Clerk or if the Town Clerk does not secure the Vault.

BOS Vault:

- The Board of Selectmen's Vault is the sole responsibility of the Town Administrator.

Town Hall Climate Control:

- The climate control (including the air circulation) of Town Hall is under the authority of the Town Administrator in consultation with the Facilities Maintenance Director. The Town Hall's temperatures will be set at the minimum at Federal Temperature Standards.

Town Hall Elevator:

- The Town Hall Elevator is the sole responsibility of the Town Administrator in consultation with the Facilities Maintenance Director. The Town Hall Elevator will be inspected by the State in accordance with MGL.

Securing Town Hall After Hours:

- It shall remain the policy of the Town of Ayer, that the last individual and/or individuals leaving the Town Hall shall be responsible for securing the front and side doors as well as ensuring that all common lights are out (including the Great Hall; Employee Break Room; and Stairwells).
- It is the responsibility of the individual(s) to know how to secure the building. Instruction on securing the building is available by the Board of Selectmen's Office.
- Failure to properly secure the Town Hall after Hours may result in the revocation of the use of Town Hall by the individual(s) and or disciplinary action in terms of Employees.

Enforcement:

- The Town Administrator in consultation with the Facilities Maintenance Director shall be responsible for the enforcement of this policy.
- Failure to comply with this policy may result in disciplinary action and/or revocation of the use of specific furniture, equipment, and/or the use of Town Hall.

**TOWN ADMINISTRATOR'S ELECTRONIC COMMUNICATIONS POLICY
PROTOCOLS**

- Enclosed are the Town Administrator's Electronic Communications Policy Protocols which were transmitted to the BOS on Thursday, September 5, 2013 (See Enclosed).
- As stated in the concluding paragraph: *"Finally, the Town Administrator understand and respects the Board of Selectmen's official decision to instruct the Town Administrator regarding any changes to these protocols that the Board and Town Administrator mutually discuss and agree to."*
- The Town Administrator would like to have a brief discussion with the Board regarding these Electronic Communications Policy Protocols in addition, several Selectmen have asked for a discussion on them. **[FOR DISCUSSION]**

Board of Selectmen

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



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

Town Administrator
(978) 772-8210

MEMORANDUM

DATE: September 5, 2013

TO: Ayer Board of Selectmen
CC: Ms. Janet Lewis, Selectmen's Secretary

FROM: Robert A. Pontbriand, Town Administrator

SUBJECT: Town Administrator's Policy Protocols Regarding Electronic Communications

Dear Honorable Selectmen,

I want to first thank you for the time on your meeting agenda for September 3, 2013 to discuss my concern(s)/issue(s) with the use of electronic communications between the Board, the Town Administrator and the Department Heads. Though it was a positive, candid discussion, respectfully, no real consensus on direction, guidance, and/or policy from the Board materialized for moving forward and concern(s) and issue(s) still remain.

Therefore, I am respectfully presenting you with what will be the Town Administrator's Policy Protocols Regarding Electronic Communications with respect to the Board effective immediately:

1. The Ayerbos@ayer.ma.us Account will only strictly be used by the Town Administrator for the scheduling of meetings; dissemination/distribution of documents in electronic format; and/or emergency notifications.
2. Given the volume of e-mails the Town Administrator receives from all sources on a given day, the Town Administrator will respond to non-urgent e-mails from Selectmen within forty-eight (48) hours of receipt.
3. Given the time required to properly and accurately assemble the Board's Meeting Packets, the Town Administrator will not respond to Selectmen e-mail on the Fridays before Board Meetings.
4. The Town Administrator respectfully requests that any and all e-mails sent to Department Heads be copied to the Town Administrator. The practice of Selectmen e-mailing Department Heads respectfully should be used at a minimum and for only the purposes of seeking information and/or asking a question. The Town Administrator will weekly, provide hard copies of any such e-mails in the boxes of each Selectmen so that everyone has the same information.

5. Effective immediately, the Town Administrator will not respond to any texting and/or instant messaging from Selectmen. The Board is respectfully requested to practice the same since the issue(s) surrounding OML and Public Records with respect to texting and/or instant messaging are very vague and the potential implications concerning.

6. The Town Administrator respectfully requests that the Board strongly consider only accessing the Board Packet electronically on the web-site and print the sections they may want for the meeting. In the event that you want something specific in hard copy, Janet can also print that out. The amount of time and effort as well as cost put into the physical production of the packets is considerable and more often than not, a majority of the packets sit in the BOS Office until the respective meeting commences. I would like this item to be put on a future BOS Agenda for further discussion. Of course, a hard copy packet will be produced for a Selectman if requested.

7. In terms of managing a more effective work schedule, the Town Administrator would respectfully like the Board to consider the establishment of a scheduled thirty (30) minute time period of individual Selectman to meet with the Town Administrator. This can be done either in the Town Administrator's Office during normal working hours (8:30am-6:00pm) or by telephone during normal working hours.

8. The Town Administrator as a practice will not respond to Selectmen e-mail after 6pm during business hours (M-F) and will not respond to Selectmen e-mail on Saturdays, Sundays, and Holidays. Please note that in the event of an emergency, the Fire Chief, Police Chief, and DPW Superintendent all have my contact information and will contact me. In the event of a Town-related emergency (as I have always done), I will contact the Board using Ayerbos@ayer.ma.us.

These Town Administrator Policy Protocols Regarding Electronic Communications will go into effect as of September 5, 2013. If you have any questions or concerns, please do not hesitate to contact me. Furthermore, I welcome and additional ideas and/or suggestions.

Finally, the Town Administrator understands and respects the Board of Selectmen's official decision to instruct the Town Administrator regarding any changes to these protocols that the Board and Town Administrator mutually discuss and agree to.

Thank you for your time and consideration.

Sincerely,



Robert A. Pontbriand
Town Administrator

OML: 940 CMR 29.10: REMOTE PARTICIPATION FOR PUBLIC MEETINGS

- The Town has discussed the issue(s) of remote participation for public meetings in the Town of Ayer throughout various times over the last three years.
- At the request of Selectman Luca, this item has been placed on the agenda for a discussion by the BOS regarding the issue(s) of Remote Participation for Public Meetings.

To facilitate the discussion, the following documents are enclosed:

- The Law: OML 940 CMR 29.10 Remote Participation (See Enclosed)
- OML FAQ: Remote Participate from Attorney General Martha Coakley (See Enclosed)
- AG Finalizes 2 Open Meeting Law Rules by MMA (See Enclosed)
- Remote Participation Policy, Town of Chilmark, MA (See Enclosed)
- Remote Participation Policy, Town of Georgetown, MA (See Enclosed)
- Remote Participation Policy, Town of Hopkinton, MA (See Enclosed)

[FOR DISCUSSION]

940 CMR 29.00: Open Meetings

Open Meetings

29.01 Purpose, Scope and Other General Provisions

29.02 Definitions

29.03 Notice Posting Requirements

29.04 Certification

29.05 Complaints

29.06 Investigation

29.07 Resolution

29.08 Advisory Opinions

29.09 Other Enforcement Actions

29.10 Remote Participation

29.10: Remote Participation

(1) Preamble. Remote participation may be permitted subject to the following procedures and restrictions. However, the Attorney General strongly encourages members of public bodies to physically attend meetings whenever possible. By promulgating these regulations, the Attorney General hopes to promote greater participation in government. Members of public bodies have a responsibility to ensure that remote participation in meetings is not used in a way that would defeat the purposes of the Open Meeting Law, namely promoting transparency with regard to deliberations and decisions on which public policy is based.

(2) Adoption of Remote Participation. Remote participation in meetings of public bodies is not permitted unless the practice has been adopted as follows:

(a) Local Public Bodies. The Chief Executive Officer, as defined in M.G.L. c. 4, sec. 7, must authorize or, by a simple majority, vote to allow remote participation in accordance with the requirements of these regulations, with that authorization or vote applying to all subsequent meetings of all local public bodies in that municipality.

(b) Regional or District Public Bodies. The regional or district public body must, by a simple majority, vote to allow remote participation in accordance with the requirements of these regulations, with that vote applying to all subsequent meetings of that public body and its committees.

(c) Regional School Districts. The regional school district committee must, by a simple majority, vote to allow remote participation in accordance with the requirements of these regulations, with that vote applying to all subsequent meetings of that public body and its committees.

(d) County Public Bodies. The county commissioners must, by a simple majority, vote to allow remote participation in accordance with the requirements of these regulations, with that vote applying to all subsequent meetings of all county public bodies in that county.

(e) State Public Bodies. The state public body must, by a simple majority, vote to allow remote participation in accordance with the requirements of these regulations, with that vote applying to all subsequent meetings of that public body and its committees.

(f) Retirement Boards. A retirement board created pursuant to M.G.L. c. 32, sec. 20 or M.G.L. c. 34B, § 19 must, by a simple majority, vote to allow remote participation in accordance with the requirements of these regulations, with that vote applying to all subsequent meetings of that public body and its committees.

(3) Revocation of Remote Participation. Any person or entity with the authority to adopt remote participation pursuant to 940 CMR 29.10(2) may revoke that adoption in the same manner.

(4) Minimum Requirements for Remote Participation.

(a) Members of a public body who participate remotely and all persons present at the meeting location shall be clearly audible to each other;

(b) A quorum of the body, including the chair or, in the chair's absence, the person authorized to chair the meeting, shall be physically present at the meeting location, as required by M.G.L. c. 30A, sec 20(d);

(c) Members of public bodies who participate remotely may vote and shall not be deemed absent for the purposes of M.G.L. c. 39, sec. 23D.

(5) Permissible Reasons for Remote Participation. If remote participation has been adopted in accordance with 940 CMR 29.10(2), a member of a public body shall be permitted to participate remotely in a meeting, in accordance with the procedures described in 940 CMR 29.10(7), if the chair or, in the chair's absence, the person chairing the meeting, determines that one or more of the following factors makes the member's physical attendance unreasonably difficult:

(a) Personal illness;

(b) Personal disability;

(c) Emergency;

(d) Military service; or

(e) Geographic distance.

(6) Technology.

(a) The following media are acceptable methods for remote participation. Remote participation by any other means is not permitted. Accommodations shall be made for any public body member who requires TTY service, video relay service, or other form of adaptive telecommunications.

(i) telephone, internet, or satellite enabled audio or video conferencing;

(ii) any other technology that enables the remote participant and all persons present at the meeting location to be clearly audible to one another.

(b) When video technology is in use, the remote participant shall be clearly visible to all persons present in the meeting location.

(c) The public body shall determine which of the acceptable methods may be used by its members.

(d) The chair or, in the chair's absence, the person chairing the meeting, may decide how to address technical difficulties that arise as a result of utilizing remote participation, but is encouraged, wherever possible, to suspend discussion while reasonable efforts are made to correct any problem that interferes with a remote participant's ability to hear or be heard clearly by all persons present at the meeting location. If technical difficulties result in a remote participant being disconnected from the meeting, that fact and the time at which the disconnection occurred shall be noted in the meeting minutes.

(e) The amount and source of payment for any costs associated with remote participation shall be determined by the applicable adopting entity identified in 940 CMR 29.10(2).

(7) Procedures for Remote Participation.

(a) Any member of a public body who wishes to participate remotely shall, as soon as reasonably possible prior to a meeting, notify the chair or, in the chair's absence, the person chairing the meeting, of his or her desire to do so and the reason for and facts supporting his or her request.

(b) At the start of the meeting, the chair shall announce the name of any member who will be participating remotely and the reason under 940 CMR 29.10(5) for his or her remote participation. This information shall also be recorded in the meeting minutes.

(c) All votes taken during any meeting in which a member participates remotely shall be by roll call vote.

(d) A member participating remotely may participate in an executive session, but shall state at the start of any such session that no other person is present and/or able to hear the discussion at the remote location, unless presence of that person is approved by a simple majority vote of the public body.

(e) When feasible, the chair or, in the chair's absence, the person chairing the meeting, shall distribute to remote participants, in advance of the meeting, copies of any documents or exhibits that he or she reasonably anticipates will be used during the meeting. If used during the meeting, such documents shall be part of the official record of the meeting, and shall be listed in the meeting minutes and retained in accordance with M.G.L. c. 30A, sec. 22.

(8) Further Restriction by Adopting Authority. These regulations do not prohibit any person or entity with the authority to adopt remote participation pursuant to 940 CMR 29.10(2) from enacting policies, laws, rules or regulations that prohibit or further restrict the use of remote participation by public bodies within that person or entity's jurisdiction, provided those policies, laws, rules or regulations do not violate state or federal law.

(9) Remedy for Violation. If the Attorney General determines, after investigation, that 940 CMR 29.10 has been violated, the Attorney General may resolve the investigation by ordering the public body to temporarily or permanently discontinue its use of remote participation.



The Official Website of the Attorney General of Massachusetts

Attorney General Martha Coakley

[Home](#) [Government Resources](#) [Open Meeting Law](#) [OML FAQ: Remote Participation](#)

OML FAQ: Remote Participation

Remote Participation

If the practice of remote participation has been authorized in a municipality, may an individual public body policy prohibiting or further restricting its use?

No. Only the adopting authority specified in 940 CMR 29.10(2) may establish restrictions on the use of remote participation. The adopting authority can authorize the practice for all public bodies within its jurisdiction but give bodies the opportunity to opt out of the practice, however.

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What types of restrictions may an adopting authority place on remote participation?

An adopting authority, such as the Board of Selectmen in a town, may decide to adopt the practice of remote participation but place restrictions on its use. Just as the adoption of remote participation must apply to all public bodies within the adopting authority's jurisdiction, however, any restriction on remote participation, other than on the amount or source of payment for any costs associated with the practice, must apply uniformly to all public bodies within the adopting authority's jurisdiction.

For instance, a Board of Selectmen may choose to adopt a policy saying that no member of any town board may participate remotely in more than three meetings each year. Or the Board may adopt a policy stating that a last minute childcare shall be considered a personal emergency justifying remote participation under 940 CMR 29.10 (5) (c). However, the Board may not authorize the practice but say that only the Board of Selectmen can utilize it. The Board can say that funds for the purchase of necessary equipment will only be allocated for the Board's use, though.

An adopting authority also may not adopt a policy that violates state or federal law. Thus, it is not permissible for an adopting authority to say that no member may participate remotely due to personal disability or geographic distance. These are allowable reasons for remote participation under the Attorney General's regulations. But the adopting authority can adopt a policy saying, for instance, that a public body member who wishes to participate remotely due to geographic distance must be a certain distance from the meeting location for his or her physical attendance to be considered unreasonably difficult.

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AG finalizes 2 open meeting law rules



September 24, 2012

Tweet 22 the attorney general's office finalized two regulations governing the open meeting law.

Regarding remote participation in a public meeting, a new regulation allows adopting authorities to set additional restrictions unique to specific local concerns and situations as long as those restrictions don't violate state or federal laws.

The second regulation deals with the definition of "intentional violation" as it relates to the open meeting law.

After two public comment periods – one on the initial definition of "knowing and knowingly" and the second on the final definition of "intentional violation" – the attorney general's office concluded that a public body or public body member intentionally violates the open meeting law if the body or member: "(a) acted with specific intent to violate the law; (b) acted with deliberate ignorance of the law's requirements; or (c) was previously informed by receipt of a decision from the court of competent jurisdiction or advised by the Attorney General."

The regulation goes on to state that when a reasonable mistake is made, and the public body or public body member acted in good faith, such conduct will not be considered intentional.

On Sept. 12, the Division of Open Government, following a new procedure to seek public comment before issuing an FAQ, published a request for comment on an FAQ relative to collective bargaining agreements. The FAQ seeks to provide guidance on the topic of whether public bodies must take a final vote to approve a collective bargaining agreement in open session, or whether such a vote may be taken behind closed doors.

The Division of Open Government this fall is holding four regional workshops to provide updates on – and guidance about compliance with – the open meeting law.

The free educational forums will be conducted by attorneys and staff from the Division of Open Government. Members of public bodies, municipal officials, and members of the public are all encouraged to attend.

The two remaining sessions will be held from 6 to 8 p.m. on the following dates:

- Oct. 3, Taunton Superior Court House, 9 Court St., Taunton
- Oct. 17, Barnstable High School, 744 West Main St., Hyannis

Advance registration is requested by emailing OMLTraining@state.ma.us or calling (617) 963-2925 and providing your first and last name, city or town of residence, the public body or organization you represent, if appropriate, and the location of the forum you will attend.

The Division of Open Government has announced that it will hold additional trainings around the state in the spring.

For more information, visit www.mass.gov/ago/openmeeting.

Written by MMA Legislative Analyst Katie S. McCue

29.10: Remote Participation

OPEN MEETING LAW OAG

(1) Preamble. Remote participation may be permitted subject to the following procedures and restrictions. However, the Attorney General strongly encourages members of public bodies to physically attend meetings whenever possible. By promulgating these regulations, the Attorney General hopes to promote greater participation in government. Members of public bodies have a responsibility to ensure that remote participation in meetings is not used in a way that would defeat the purposes of the Open Meeting Law, namely promoting transparency with regard to deliberations and decisions on which public policy is based.

(2) Adoption of Remote Participation. Remote participation in meetings of public bodies is not permitted unless the practice has been adopted as follows:

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(b) Regional or District Public Bodies. The regional or district public body must, by a simple majority, vote to allow remote participation in accordance with the requirements of these regulations, with that vote applying to all subsequent meetings of that public body and its committees.

(c) Regional School Districts. The regional school district committee must, by a simple majority, vote to allow remote participation in accordance with the requirements of these regulations, with that vote applying to all subsequent meetings of that public body and its committees.

(d) County Public Bodies. The county commissioners must, by a simple majority, vote to allow remote participation in accordance with the requirements of these regulations, with that vote applying to all subsequent meetings of all county public bodies in that county.

(e) State Public Bodies. The state public body must, by a simple majority, vote to allow remote participation in accordance with the requirements of these regulations, with that vote applying to all subsequent meetings of that public body and its committees.

(f) Retirement Boards. A retirement board created pursuant to M.G.L. c. 32, sec. 20 or M.G.L. c. 34B, § 19 must, by a simple majority, vote to allow remote participation in accordance with the requirements of these regulations, with that vote applying to all subsequent meetings of that public body and its committees.

(3) Revocation of Remote Participation. Any person or entity with the authority to adopt remote participation pursuant to 940 CMR 29.10(2) may revoke that adoption in the same manner.

(4) **Minimum Requirements for Remote Participation.**

(a) Members of a public body who participate remotely and all persons present at the meeting location shall be clearly audible to each other;

(b) A quorum of the body, including the chair or, in the chair's absence, the person authorized to chair the meeting, shall be physically present at the meeting location, as required by M.G.L. c. 30A, sec 20(d);

(c) Members of public bodies who participate remotely may vote and shall not be deemed absent for the purposes of M.G.L. c. 39, sec. 23D.

(5) **Permissible Reasons for Remote Participation.** If remote participation has been adopted in accordance with 940 CMR 29.10(2), a member of a public body shall be permitted to participate remotely in a meeting, in accordance with the procedures described in 940 CMR 29.10(7), if the chair or, in the chair's absence, the person chairing the meeting, determines that one or more of the following factors makes the member's physical attendance unreasonably difficult:

(a) Personal illness;

(b) Personal disability;

(c) Emergency;

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(e) Geographic distance.

(6) Technology.

(a) The following media are acceptable methods for remote participation. Remote participation by any other means is not permitted. Accommodations shall be made for any public body member who requires TTY service, video relay service, or other form of adaptive telecommunications.

(i) telephone, internet, or satellite enabled audio or video conferencing;

(ii) any other technology that enables the remote participant and all persons present at the meeting location to be clearly audible to one another.

(b) When video technology is in use, the remote participant shall be clearly visible to all persons present in the meeting location.

(c) The public body shall determine which of the acceptable methods may be used by its members.

(d) The chair or, in the chair's absence, the person chairing the meeting, may decide how to address technical difficulties that arise as a result of utilizing remote participation, but is encouraged, wherever possible, to suspend discussion while reasonable efforts are made to correct any problem that interferes with a remote participant's ability to hear or be heard clearly by all persons present at the meeting location. If technical difficulties result in a remote participant being disconnected from the meeting, that fact and the time at which the disconnection occurred shall be noted in the meeting minutes.

(e) The amount and source of payment for any costs associated with remote participation shall be determined by the applicable adopting entity identified in 940 CMR 29.10(2).

(7) **Procedure for Remote Participation**

(a) Any member of a public body who wishes to participate remotely shall, as soon as reasonably possible prior to a meeting, notify the chair or, in the chair's absence, the person chairing the meeting, of his or her desire to do so and the reason for and facts supporting his or her request.

(b) At the start of the meeting, the chair shall announce the name of any member who will be participating remotely and the reason under 940 CMR 29.10(5) for his or her remote participation. This information shall also be recorded in the meeting minutes.

(c) All votes taken during any meeting in which a member participates remotely shall be by roll call vote.

(d) A member participating remotely may participate in an executive session, but shall state at the start of any such session that no other person is present and/or able to hear the discussion at the remote location, unless presence of that person is approved by a simple majority vote of the public body.

(e) When feasible, the chair or, in the chair's absence, the person chairing the meeting, shall distribute to remote participants, in advance of the meeting, copies of any documents or exhibits that he or she reasonably anticipates will be used during the meeting. If used during the meeting, such documents shall be part of the official record of the meeting, and shall be listed in the meeting minutes and retained in accordance with M.G.L. c. 30A, sec. 22.

(8) Effect on Bylaws or Policies. These regulations do not prohibit any municipality or public body from adopting bylaws or policies that prohibit or further restrict the use of remote participation by public bodies within its jurisdiction.

(9) Remedy for Violation. If the Attorney General determines, after investigation, that 940 CMR 29.10 has been violated, the Attorney General may resolve the investigation by ordering the public body to temporarily or permanently discontinue its use of remote participation.

REMOTE PARTICIPATION POLICY
Town of Georgetown, Ma.

Issue date:

Type of policy: New () Amendment ()

Effective date: September 10, 2012

Amendment date:

Level: Department () Division () Town Wide (x)

Policy Statement

This policy statement sets forth the requirements for remote participation at public meetings.

References

N o n e

Special Terms

N o n e

Policy Description

PURPOSE STATEMENT

The Office of the Attorney General amended the *Open Meeting Law* regulations at 940 CMR 29.00 to allow members of public bodies, in limited circumstances, to participate remotely in meetings. While all members of Town Boards and Committees should try to attend meetings in person, the new regulations seek to promote greater participation in government meetings by allowing members to participate remotely when certain specific circumstances prevent them from being physically present.

The intent of this policy is to establish clear guidelines on the practice of remote participation by Town Boards and Committees under the *Open Meeting Law, M.G.L. c.30A, §§18-25*.

ENABLING AUTHORITY- 940 CMR 29.10(8)

A municipality may adopt a policy that prohibits or further restricts the use of remote participation by public bodies within its jurisdiction.

ADOPTION OF REMOTE PARTICIPATION

In accordance with 940 CMR 29.10(2)(a), the Board of Selectmen, hereby adopt 940 CMR 29.10 so that remote participation is permitted in the Town.(adopted November 21, 2011 by the Board of Selectmen) In accordance with 940 CMR 29.10(3), the Board of Selectmen may revoke its adoption of 940 CMR 29.10 by simple majority vote at any time.

This policy and 940 CMR 29.10 shall apply to all Town boards, committees, commissions, sub-committees and working groups regardless of whether such public bodies are appointed or elected. Where the Remote Participation Policy is more stringent than 940 CMR 29.10, the Policy shall control. This policy may be emended by the Board of Selectmen at any time in accordance with 940 CMR 29.10.

REMOTE PARTICIPATION POLICY

Town of Georgetown, Ma.

MINIMUM REQUIREMENTS FOR REMOTE PARTICIPATION

Members of the public body who participate remotely and all persons present at the meeting location shall be clearly audible to each other.

A quorum of the body, including the chair or, in the chair's absence, the person authorized to chair the meeting, shall be physically present at the meeting location, as required by M.G.L. c.30A, §20(d).

Members of the public body who participate remotely must have access to the same materials being used at the meeting location.

Members of public bodies who participate remotely may vote and shall not be deemed absent for the purposes of M.G.L. c. 39, §23D.

PERMISSIBLE REASONS FOR REMOTE PARTICIPATION

It is the express intent of the Board of Selectmen that remote participation in meetings be an infrequent event, for both individual board members and Town Boards and Committees as a whole. Chairs of public bodies are encouraged to interpret these rules in a strict fashion and to continue to induce all members to attend meetings in person as a general rule, due to the

inherent benefits of physical presence in a meeting.

A Board or Committee member may attend a meeting through electronic conferencing if his or her physical presence at the meeting is prevented due to extenuating circumstances such as: personal illness or disability; a family or other emergency; military service; significant geographic distance (due to personal employment or business with public body.)

The determination by the person chairing the meeting to allow or not to allow remote participation shall be final and shall not be appealable. Factors in making this determination may include, but shall not be limited to, the specific challenges faced by the board or committee member to attend all or part of the meeting; the relative importance of the items on the agenda to be discussed or decided upon; the ability of the board or committee to provide access to meeting materials.

ACCEPTABLE METHODS OF REMOTE PARTICIPATION

(i) Telephone, internet, or satellite enabled audio or video conferencing.

(ii) Any other technology that enables the remote participant and all persons present at the meeting location to be clearly audible and, if possible clearly visible to all persons present at the meeting location.

(iii) The focus of the chair should always be on maintaining the flow of the meeting. If the chair determines that technical difficulties are inhibiting the progress of the meeting, the chair may elect to terminate the participation of the remote member. If technical difficulties arise as a result of utilizing remote participation the Chair should suspend discussion while reasonable efforts are made to correct any problem that interferes with remote participant's ability to hear or be heard clearly by all persons at the meeting location. If technical difficulties result in a remote participant being disconnected from the meeting, that fact and the time at which the disconnection occurred and subsequent reconnection if achieved shall be noted in the meeting minutes. If a public hearing occurs after disconnection, the member shall be noted as absent.

REMOTE PARTICIPATION POLICY
Town of Georgetown, Ma.

Accommodations shall be made for any public body member who requires TTY service, video relay service, or other form of adaptive communications.

PROCEDURES FOR REMOTE PARTICIPATION

Any member of a public body who wishes to participate remotely shall, at least 48 hours or as soon as reasonably possible prior to the meeting, notify the chair or person chairing the meeting of his or her desire to do so and the reason for and facts supporting his or her request.

1. Prior to the meeting the Chair shall make every effort to ensure the equipment is available and functioning properly. If the required equipment is not available then the Chair shall deny the request for remote participation.
2. At the start of the meeting, the chair shall announce the name of any member who will be participating remotely and the reason under 940CMR 29.10(5) for his or her remote participation. This information shall also be recorded in the meeting minutes.
3. All votes taken during any meeting in which a member participates remotely shall be by roll call vote.
4. Remote participants shall preserve the confidentiality of the executive session. The remote participant shall state at the start of any such session that no other person is present and/or able to hear the discussion at the remote location, unless presence of that person is approved by simple majority vote of the public body, and that the session is not being remotely recorded by any device.
5. The Town shall not be responsible for the reimbursement of any out-of-pocket costs associated with the remote participation of Board or Committee members.
6. Members participating remotely are cautioned that the same obligations of consideration apply as in any physical meeting. Remote participants should direct all their attention to the meeting, and should make their decisions based upon the same information as is available to all other participants at the meeting.

REMOTE PARTICIPATION POLICY TOWN OF HOPKINTON, MA

[adopted by the Board of Selectmen, February XX, 2012]

1. PURPOSE STATEMENT

The Office of the Attorney General amended the *Open Meeting Law* regulations at 940 CMR 29.00 to allow members of public bodies, in limited circumstances, to participate remotely in meetings. While all members of Town Boards should try to attend meetings in person, the new regulations seek to promote greater participation in government meetings by allowing members to participate remotely when certain specific circumstances prevent them from being physically present.

The intent of this policy is to establish clear guidelines on the practice of remote participation by Town Boards under the *Open Meeting Law*, M.G.L. c.30A, §§18-25.

2. ENABLING AUTHORITY- 940 CMR 29.10(8)

A municipality may adopt a policy that prohibits or further restricts the use of remote participation by public bodies within its jurisdiction.

3. APPLICABILITY

In accordance with 940 CMR 29.10(2)(a), the Board of Selectmen, on [February XX, 2012], voted to authorize the adoption of 940 CMR 29.10 so that remote participation is permitted in the Town. In accordance with 940 CMR 29.10(3), the Board of Selectmen may revoke its adoption of 940 CMR 29.10 by simple majority vote at any time.

This policy and 940 CMR 29.10 shall apply to all Town boards, committees, commissions, sub-committees and working groups ("Town Boards") regardless of whether such Town Boards are appointed or elected. Where the Remote Participation Policy is more stringent than 940 CMR 29.10, the Policy shall control.

4. MINIMUM REQUIREMENTS FOR REMOTE PARTICIPATION

No member of a Town Board shall participate in a meeting remotely unless the following requirements are met:

- (a) Members of the Town Board who participate remotely and all persons present at the meeting locations shall be clearly audible to each other;
- (b) A quorum of the Town Board, including the chair or the person authorized to chair the meeting, shall be physically present at the meeting locations in accordance with M.G.L. c.30A, §20(d);
- (c) Members of the Town Board who participate remotely must have access to the same materials being used at the meeting location.

(d) Members of public bodies who participate remotely may vote and shall not be deemed absent for the purposes of *M.G.L. c.39, §23D(a)*.

5. PERMISSIBLE REASONS FOR REMOTE PARTICIPATION

It is the express desire of the Board of Selectmen that remote participation in meetings be an infrequent event, for both individual board members and Town Boards as a whole. Chairs of Town Boards are encouraged to interpret these rules in a strict fashion and to continue to induce all members to attend meetings in person as a general rule, due to the inherent benefits of physical presence in a meeting.

A member of a Town Board shall be permitted to participate remotely in a meeting if the person chairing the meeting determines that one or more of the following factors makes the member's physical attendance unreasonably difficult yet still leaves that member able to actively participate in the meeting:

- (a) Personal illness;
- (b) Personal disability;
- (c) Emergency;
- (d) Military service; or
- (e) Significant geographic distance.

Members of a Town Board shall not be permitted to participate remotely from his or her place of business or other locations if the person chairing the meeting determines that travel from that location to the meeting location is reasonably possible.

Any determination by the person chairing the meeting to allow or not to allow remote participation shall be final and shall not be appealable.

6. TECHNOLOGY

- (a) The following media are acceptable methods for remote participation. Accommodations shall be made for any Town Board member who requires TTY service, video relay service, or other form of adaptive telecommunications.
 - (i) telephone, internet, or satellite-enabled audio or video conferencing;
 - (ii) any other technology that enables the remote participant and all persons present at the meeting location to be clearly audible to one another.
- (b) When video technology is in use, the remote participant shall be clearly visible to all persons present in the meeting location.

- (c) The focus of the chair should always be on maintaining the flow of the meeting. If the chair determines that technical difficulties are inhibiting the progress of the meeting, the chair may elect to terminate the participation of the remote member. If technical difficulties arise resulting in the loss of connection with the remote participant, that participant's attendance shall be terminated. The meeting should not be interrupted while any attempt to restore the connection is made. If a remote participant is disconnected from the meeting, that fact and the time of the disconnection shall be noted in the meeting minutes.
- (d) Each individual Town Board that anticipates using remote participation shall determine which of the acceptable methods may be used by its members.

7. PROCEDURES FOR REMOTE PARTICIPATION

- (a) Any member of a Town Board who wishes to participate remotely shall, as soon as reasonably possible prior to a meeting, notify the person chairing the meeting, of his or her desire to do so and the reason for and facts supporting his or her request.
- (b) If the person chairing the meeting approves the request for remote participation, he or she shall make any necessary arrangements with IT personnel to ensure that the required equipment is available. If the required equipment is not available from the IT Department or another source, then the person chairing the meeting shall deny the request for remote participation.
- (c) At the start of the meeting, the chair shall announce the name of any member who will be participating remotely and the reason under 940 CMR 29.10(5) for his or her remote participation. This information shall be recorded into the minutes.
- (d) All votes taken during any meeting in which a member participates remotely shall be by roll call vote.
- (e) Remote participants shall preserve the confidentiality of executive session. Certain media, such as speakerphone, can inadvertently be heard by people not party to the executive session discussions. The remote participant shall state at the start of any executive session that no other person is present and/or able to hear the discussion at the meeting location unless the presence of that person is approved by a simple majority vote of the Town Board.
- (f) The member of a Town Board requesting to participate remotely shall be responsible for any out-of-pocket costs associated with such participation. The Town shall not be responsible for the reimbursement of such costs.
- (g) Members participating remotely are cautioned that the same obligations of consideration apply as in any physical meeting. Remote participants should direct all their attention to the meeting, and should make their decisions based upon the same information as is available to all the other participants in the meeting. The remote participant shall also state at the beginning of any meeting that no other person is in proximity and could exert undue influence on the participant, in either executive or public session, and shall inform the chair if that situation changes.

TOWN COUNSEL PERSONNEL BYLAW OPINION

At the request of Selectman Luca at the September 3, 2013 BOS Meeting, a further analysis/opinion by Town Counsel on the Personnel Bylaw was requested. (See Enclosed) [FOR DISCUSSION]

BOS POLICIES AND PROCEDURES REVIEW AND UPDATE (On-going)

Final Review and Update of BOS Policy 99-26 (1999)/99-27 (2001)

- Kindly bring your Policies and Procedures provided on Sept. 3, 2013 to the meeting for a final review of the abovementioned policy.

Review of BOS Policy 01-01

- Kindly bring your Policies and Procedures provided on Sept. 3, 2013 to the meeting for a final review of the abovementioned policy.

BOS OPEN DISCUSSION

New Business

Future Topics/Meeting Schedule

Future Meetings:

- Sept. 17, 2013, 7pm Regular Open Session Meeting
- Sept. 18, 2013, 7pm ES Session DPW Contract Negotiations
- Oct. 1, 2013, 7pm Regular Open Session Meeting
- Oct. 11, 2013, 12pm (noon) Absolute Deadline for FTM
- Oct. 28, 2013, 7pm Special Fall Town Meeting

Future Topics:

- Tax Classification, Dec. 3, 2013; ES Minutes Review; Water/Sewer Rate Hearing; Meeting with DPW Superintendent Re: DPW Projects; BOS Initial Meeting/Workshop on Code of Conduct; Amendment to Sign Bylaw (Public Lands); Ongoing Contract Negotiations; Curbside Pickup Study/Proposal; FY 2015 Budget; 2014 BOS Licenses; OTHERS?

ADJOURNMENT