

TOWN OF AYER SELECTMEN MEETING MINUTES
Tuesday, March 5, 2013

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

Chairman Fay called the meeting to order at 7:05p.m.

Present: Chairman-James Fay, Vice-Chairman Frank F. Maxant, Clerk-Pauline Conley, Members- Gary J. Luca and Christopher R. Hillman, Town Administrator Robert A. Pontbriand, and Janet Lewis Secretary.

Agenda Additions

The following items were added:

Agenda Item #4: APAC Contract term amendment 4-1-13 to 3-31-23

Agenda Item #8: Bonding for Asst. Tax Collector & Asst. Clerk

Mr. Luca moved to approve the Agenda as amended, 2nd by Ms. Conley. **VOTE:** unanimous

Announcements

Town Flag: Mr. Fay announced only one submission to date for a new Town Flag and urged community to submit renderings.

4th of July Committee: Spring Dance Fundraiser on Saturday, April 20, 2013 at the Ayer Gun Club.

Fire Station RFP: Discussion continued to 3-19-13 Selectmen's Meeting.

Agenda Item #1. Public Input

1. Mary Spinner: 2011 STM irrevocable trust for OPEB
2. Ernest Guertin: urged the Board not to increase taxes, give any salary increases in FY-2014 budget or increase water/sewer bills and to cut back spending in all areas. Mr. Luca stated that the FY13 budget was less than the FY08 budget.

3. Maureen Parlon: ***encourage/demand cuts in School Department Budget (??) My notes show Maureen spoke about Fireworks contract***

4. Board Reorganization: Mr. Fay recommended the removal of Mr. Maxant as Vice Chairman due to his recent inappropriate actions, reading a prepared statement into the record. Ms. Conley admonished Mr. Maxant for making the Board look bad by accusing them of something they didn't do. Mr. Hillman took exception to Mr. Maxant's championing particular properties and requested Mr. Maxant recuse himself from all present and future discussions relating to 14 Williams St. & 128 Washington St. due to his conflict of interest.

Mr. Fay moved to remove Mr. Maxant as Vice Chairman, second by Mr. Luca. **VOTE:** Mr. Luca, aye, Mr. Fay, aye, Mr. Hillman, aye, Ms. Conley, aye, MR. Maxant, no. Motion carries 4 -1.

Mr. Maxant moved to appoint Ms. Conley as Vice Chairman, second by Mr. Luca. **VOTE:** unanimous.

Mr. Luca moved to appoint Mr. Hillman Clerk, second by Ms. Conley. **VOTE:** unanimous.

Agenda Item #2. Recognition of Douglas Becker, APAC-

Doug & Kim Becker were welcomed to the meeting. The Board presented a Certificate of Recognition to Doug for his years of service overseeing the Town's Community Access Program (APAC) since its inception and his commitment to the Town of Ayer.

Agenda Item #3. Properties Enforcement Update

Police Chief William Murray, Fiore Chief Robert Pedrazzi, Bldg Commissioner Gabe Vellante and property owner Ralph McNiff were present for the discussion. Mr. Pontbriand advised that Town Counsel was unable to be present this evening.

Mr. Fay opened the discussion by stating no progress has been made on any of the properties reported on at the last Selectmen's Meeting.

Mr. Vellante and Chief Murray spoke of the need to update Town's by-laws and awaiting Town Counsel's input on that issue.

Resident Michael Pattendon spoke of cars on Westford Rd. property for more than ten years and something needed to be done, stated he is frustrated re grandfathering which should be changed. Ms. Conley stated that anything pre-dating the 1973 Zoning By-law adoption is grandfathered. Chief Pedrazzi advised that a compliant of a flammable substance on the property was resolved immediately.

Mr. McNiff informed the Board he is unable to do much due to his failing health, that he has no Board of Health or animal violations and the only vehicles he has are used for his farm. Mr. McNiff advised he will be sorting through equipment for an upcoming auction. Mr. Fay requested volunteers to assist Mr. McNiff.

Agenda Item #4. APAC Contract Renewal/Financial Audit

Douglas Becker, Chairman of the Cable Committee, was present for the discussion

4.1 Comcast Cable Television License Renewal: Mr. Becker reviewed the ten-year (10) licenses renewal contract recommending its approval. Highlights of the new contract include \$150K for capital purchases, the building of a studio at the new High School, a third cable channel and connection to the Fire Station. Section 6.4 of the agreement changes the payment designee to the Ayer Public Access Corp. The new contract is effective from 4-1-13 to 3-31-23. Mr. Luca moved to approve Comcast Cable Television's License Approval per the recommendation of Douglas Becker, 2nd by Ms. Conley. **VOTE:** unanimous.

4.2 APAC Financial Audit for 2011: Mr. Becker presented APAC's financial statements advising that the Bylaw requires an annual financial review to be endorsed by the Selectmen. Mr. Luca moved the Board endorse two copies of the contract, 2nd by MR. Maxant. **VOTE:** unanimous.

Agenda Item #5. Economic Development Report

Alicia Hersey, Program Coordinator, was present for the discussion

5.1 CDBG Rehab Specialist: Mr. Luca moved to approve an amendment to Agreement with Donald Bucchianeri to increase the amount of the contract from \$32,900 to \$40,900 for an additional eight (8) units in the Housing Rehabilitation Program with funding to come from Fy-11 CDBG Grant, 2nd by Selectman Maxant, **VOTE:** unanimous.

Agenda Item #6. Draft 2014 Budget (see Memo dated 3-1-13)

Scott Houde, Chairman of the Finance Committee, presented a Draft of the FY14 Budget, indicating the budget continues to be a working document to be finalized in the next month for ATM Warrant. Mr. Houde advised the FinCom has met with all Town Depts. to review their budgets and funding requests. The Capital Plng Comm has recommended project totaling \$818,314. Enterprise fund details were reviewed. Revenue increased \$350,427 or 1.73% from 2013. General Fund expenses are reduced from \$655,575 or 5.51% from FY13 primarily due to the removal of Voc Ed to a separate line item for the NVTHS assessment. Overall expenses are increased \$379,765 or 1,85% over FY13 primarily due to increases in the ASRSD assessment and retirement expenses. Areas not finalized include a COLA recommendation; group health insurance, including a flexible spending account for employees; personnel changes and the Ayer Shirley Regional School Assessment. The Board requested the draft 2014 Budget be placed on website

Agenda Item #7. Proposal re Fy2014 School Assessment

Lisa Gabree, Financial Manager/Town Accountant presented options for an inter-municipal assistance proposal to help the Town of Shirley pay its share of the Fy2014 School Assessment. Ms. Gabree offered the following for consideration, in addition to the suggestion from the Superintendent of Schools for another amendment to the regional agreement (see memo dated 3-1-13):

- a UDAG Loan to the Town of Shirley collateralized by an asset of the Town of Shirley's;
- a long-term comprehensive financial plan created by Admin representatives of the Town of Ayer, the ASRSD and Town of Shirley which would be updated annually with copies provided to the Town of Ayer;
- reductions in admin costs a in the ASRSD proposed FY14 budget

The Board agreed to take these recommendations under consideration.

Agenda #8. Town Administrator's Report

8.1 Administrative Update: see report dated 2-20-13 to 3-5-13

8.2 Reconsideration of IAC Life Insurance Proposal Vote: On 2-19-13 the Board voted unanimously to adopt the IAC's recommendation to increase the life insurance benefit to \$10,000 with the provision that employees pay 50% of the premium. After review of existing CBAs and M.G.L. Ch 150E, Mr. Pontbriand advised that any change would require negotiation. Mr. Maxant urged the Board to go back to the original \$2K; 75-25 split. Mr. Luca moved to rescind the vote of 2-19-13 and revert to the original \$2K 75% - 25% split, 2nd by Ms. Conley, **VOTE:** unanimous.

8.2 2013 Fireworks Contract: Mr. Pontbriand advised bids have been received and are being reviewed by Fire Chief. Bids range from \$6K to \$10K.

8.4 Draft 1 of 2013 ATM Warrant: This document is a work-in-progress consisting presently of 35 articles with no Citizens Petitions to date. The deadline for Citizen Petitions to be delivered to the Town Clerk is 3-15-13 at 5:00p.m. Mr. Pontbriand advised additional articles to be included for Littering and nuisance By-laws, the FSA, NVTHS Assessment.

8.5 Non-Union Personnel Compensation Grid Proposal: Mr. Pontbriand advised this will not be ready for ATM but will be presented at the Special Town Meeting in October.

8.6 Shepley Hill Landfill: The Board of Health is holding a Public Hearing on Wednesday, March 20, 2013 at 7p.m. at the Ayer Town Hall.

8.7 Bonding Temporary Tax Collector & Asst. Town Clerk: Mr. Luca moved to approve Bonding for Alice Shepard, Temporary Tax Collector at a cost not to exceed \$100.00 and authorize the Chairman's signature, 2nd by Mr. Maxant. **VOTE:** unanimous.

Mr. Pontbriand advised bonding of the Asst. Town Clerk requires impact bargaining with the AFSCME Clerical Union. The Board requested Mr. Pontbriand determine if the bonding obtained for Treasurer could be transferred to the Asst. Town Clerk.

10:10p.m. Mr. Luca moved the Board continue the meeting for ten more minutes, 2nd by Ms. Conley. **VOTE:** unanimous.

8.8 Fy2014 Water & Sewer Public Hearing: Mr. Pontbriand asked if the Public Hearing be scheduled during the 3-19-13 regular meeting or on a separate night. Ms. Conley suggested if the hearing is on the 19th a one hour block be designated. Mr. Luca suggested the Board reschedule its meeting to Monday, March 18th due to a conflict with Taste of Nashoba on the 19th.

Agenda Item #9. JBoS: Mr. Maxant advised the Annual Meeting between JBoS and MassDevelopment will take place 5-7-13.

Mr. Fay reported the Grant Rd. vote was rescinded.

Mr. Hillman updated the Board to Devens Dispatch RFP

Mr. Luca advised he is the JBoS Chairman while Mr. Maxant is the Board's voting member.

Agenda Item #10. Selectmen's Question New Business: Mr. Fay advised a letter was received from Tax Collector re the status of the temporary Asst. Tax Collector. Mr. Pontbriand clarified that Board voted to approve the position and the Fin-Com approved funding through March 29.

Agenda Item 11. Minutes:

Ms Conley moved to approve the Minutes of 11-27-12, 2nd by Mr. Hillman. **VOTE:** unanimous.

Ms. Conley moved to approve the minutes of 2-5-12, 2nd by Mr. Hillman. **VOTE:** unanimous.

10:35p.m. Mr. Luca moved to adjourn, 2nd by Mr. Hillman. **VOTE:** unanimous.

_____ Date _____

Christopher R. Hillman, Clerk
AYER BOARD OF SELECTMEN