

TOWN OF AYER SELECTMEN MEETING MINUTES
Tuesday, July 2, 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 7:05p.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, Members- James M. Fay and Jannice Livingston, Town Administrator Robert A. Pontbriand and Janet Lewis Secretary.

Chairman Conley requested if there were any amendments to the Agenda of July 2nd. Town Administrator Robert Pontbriand requested the Board's permission to add under his report the following items:

10.4 Authorization to have MRPC conduct Street Lighting Study

10.5 Park Street cross-walk

10.6 Assistant Tax Collector's appointment

10.7 Town Sign Policy

10.8 Approval of the 6-4-13 Minutes

Ms. Livingston requested Agenda Item #9 be moved to the end of the meeting

Mr. Fay requested the Board revisit the Boston Post Cane tradition

Chairman Conley advised to Agenda Item #5 Class II License-Partridge Auto Sales, Inc. continued to the August 6, 2013 Selectmen's Meeting.

Chairman Conley called for a motion to approve the agenda. Mr. Luca moved the Board vote to approve the Agenda as amended, 2nd by Mr. Fay, VOTE: unanimous, so moved.

7:10p.m. Selectman Hillman entered the meeting.

Announcements-

Mr. Fay reminded all to the Town's 4th of July Celebration being held on Saturday, July 6, 2013 starting at 3p.m. with a parade. Pirone Park activities include: crafts, games, food vendors, and other activities, and fireworks at dusk. Rain Date -Sunday July 8, 2013.

2013 4th of July Grand Marshall Recognition-The Board welcomed former Selectwoman Pauline Hamel to the meeting. Chairman Conley read into the record a Certificate of Recognition presented to Ms. Hamel for her many years of Public Service to the Town of Ayer/community. (see attached) Chairman Conley presented Ms. Hamel the Certificate, flowers and sash exemplifying "2013 Grand Marshall". Ms. Hamel paused a moment for a picture with the Board and thanked the Board and Committee for this honor bestowed upon her.

Public Input-

Mary Spinner-New Retiree Health Insurance Law- and Joint Appointment of Planning Board member.

John Hillierd-extended his thank you to the Board for support at Town Meeting on June 30, 2013 re

moratorium vote. Mr. Hillierd requested a Letter of Support to accompany his application for his Compassionate Care Facility (Medical Marijuana Dispensary) to be located on Central Ave, Ayer, MA.

Chairman Conley requesting Mr. Hillierd comes before the Board formally to allow the Town residents to be aware of position. Mr. Fay disagreeing stating overwhelming support at Town Meeting was very clear by voters. Mr. Fay moved the Board authorize the Town Administrator to write a Letter of Support per Mr. Hillierd 's request, 2nd by Selectman Livingston, VOTE: Mr. Fay aye, Ms. Livingston aye, Mr. Luca aye, Mr. Hillman no, stating he did not have enough information, and Chairman Conley no for the same reason she stated above. Mr. Fay stating he likes that someone known locally is going to run business.

Department of Economic Development-The Board met with Alicia Hersey

1. The Board approved an amendment to extend the Fy-11 CDBG Grant ending of 6-30-13 to 9-30-13 allowing \$3K from the Grant Administration Budget into the Grant Housing Rehabilitation Budget to allow the completion of three additional housing units under this grant with all funds being disbursed.

Ms. Hersey advising to receiving initial approval of this re-allocation from DHCD. Motion to approve made by Mr. Fay, 2nd by Mr. Hillman VOTE: unanimous, so moved.

2. Lien Subordination Case #09-336-The Board voted to approve the Town's subordination of 36 Nashua Street, Ayer, MA's lien to obtain a new mortgage to lower the interest rate conditioned upon new mortgage not to exceed \$175,700.00. Motion to approve made by Mr. Luca, 2nd by Mr. Fay, VOTE: unanimous, so moved.

Public Hearing-Class II Amendment -Partridge's Auto Sales Inc. rescheduled to August 6, 2013 at 7:15pm in order to allow Mr. Partridge to meet with the Planning Board. Motion to approve rescheduling made by Mr. Hillman 2nd by Mr. Fay, VOTE: unanimous, so moved.

Public Hearing-Pole Petitions -National Grid-Washington St. Plan #14748957 dated 5-24-13 and Washington & Howard Plan #14748957-1 dated 6-5-13.-The Board met with National Grid

Representative Ken Dobie-Chairman Conley opened the Public Hearing/s by requesting the Legal Notices be read by the Clerk of the Board, Mr. Hillman. Chairman Conley advising to Memo from Supt. Wetzel requesting DPW concerns being met prior to approval of petitions.

1. **Plan #14748957**-install one (1) solely owned (SO) pole beginning at a point approximately 90 feet SW of the centerline of the intersection of Howard Street. The Board voted to approve this petition subject to Supt. Wetzel's approval and no sidewalk installation. Motion made by Mr. Fay, 2nd by Mr. Luca, VOTE: Mr. Fay aye, Mr. Luca aye, Ms. Livingston aye, Mr. Hillman aye, Chairman Conley no, 4-1- motion passes. Ms. Conley advising to not signing petition due to Supt. Wetzel not being present to address his concerns. Mr. Dobie advising to this pole being a stub pole to keep line straight (support line at junction-guide wire)

2. **Plan #14748957-1**-Washington St. install P71-1 approximately 10 feet NE of P70 Washington St. The Board voted to approve this petition subject to Supt. Wetzel's approval and no sidewalk installation. Motion made by Mr. Luca 2nd by Mr. Fay, VOTE: Mr. Fay aye, Mr. Luca aye, Ms. Livingston aye, Mr. Hillman aye, Chairman Conley no, for the same reasons as above on Petition Plan #14748957, 4-1 motion passes. Mr. Dobie advising this also being a support pole-stub pole with guide wire.

North Central MA Habitat for Humanity -76 Central Ave., Ayer, MA-The Board met with Maggi Monroe Cassel, Director of No Central MA Habitat for Humanity. Mr. Pontbriand advised the Board to Directors of the No Central MA Habitat for Humanity recently voting to approach the Town of Ayer about moving forward with this project on Central Ave. Benefits to the Town: property goes back on tax role, would be included on inventory for affordable housing and positive reflection on Town. Mr. Pontbriand stating a vote of the Board of Selectmen authorizing the transfer of the 76 Central Ave. property is required and Habitat is requesting a waiver for water/sewer connection fees, building permits on this property. Mr. Pontbriand stating the success of a Habitat Home is dependent upon an Ayer Habitat Home Committee to be made up of residents, businesses in Town and to be advertised on Town's Website, Facebook and local media seeking interested people to serve on this Committee. Maggi stating Ayer is a perfect place to build, this being the 2nd Habitat in Ayer having successfully built a habitat in Ayer in 2005 on Shirley Street. Mr. Luca moved the Board vote to authorize the transfer of the 76 Central Ave., Ayer, MA property to North Central MA Habitat for Humanity contingent upon LIP Agreement, 2nd by Ms. Livingston, VOTE: unanimous, so moved. Draft Agreement to be prepared by Town Administrator and Maggi re Water/Sewer Permits, Building Permits, etc. Mr. Luca suggesting and welcoming Maggi meet with the CPA Committee re funding for this project. Maggi advising to project start up being scheduled for mid June 2014 and completed within six (6) months.

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

1. Fire Station Reuse RFP-Mr. Pontbriand presented the Board the finalized RFP for the rehabilitation and reuse of the former Ayer Central Fire Station-14 Washington St., Ayer, MA. Mr. Luca Moved the Board vote to approve the RFP as presented, 2nd by Mr. Fay, proposals to be held harmless to vote of Town Meeting, VOTE: unanimous, so moved. Mr. Pontbriand advised the Board to the RFP to be advertised the weeks of 7-12-14 in the Lowell Sun and 7-19-13 in the Public Spirit as well as the State Central Register and various media i.e. Website/Face book. Closing date for submission of RFP's 7-26-13

@ 4:00p.m. to the Town Administrator. Mr. Fay thanked all involved who assisted the project/process along, stating ten years in the making. Final Report available through David Maher.

2. Household Hazardous Waste Contract Amendment-Mr. Pontbriand updated the Board to this being the 2nd year of membership in HWCC on Devens and requested the Board's authorization of the Chairman's signature to allow the Town of Ashby to join which in turn will lower the annual membership cost for Ayer and the other communities. Mr. Luca moved the Board approve the Contract amendment and authorize the Chairmen's signature, 2nd by Mr. Hillman, Selectman Livingston stepped away from table and not present for vote, VOTE: 4-0, motion passes.

3. DEC Re-appointment -Martin Poutry- Mr. Pontbriand requested the Board reappoint Martin Poutry to a third term (4 year term July 1, 2013 to June 30, 2017)on the DEC from the Town of Ayer. Mr. Fay moved the Board vote to approve Mr. Martin Poutry's re-appointment on the DEC for 7-1-13 to 6-30-17, 2nd by Ms. Livingston, VOTE: unanimous, so moved. The Board requested the Town Administrator invite the Town's DEC members into a future meeting for status update.

4. MAPC -MRPC Letter-Street Light Assistance -Green Communities-The Board met with Carolyn McCreary, Chairman of the Green Communities-Ms. McCreary updated the Board to savings on Street lights through National Grid of up to 50% and perhaps an additional 25% through Montachusett Area Planning Commission. In order to receive these funds five (5) steps must be completed by Town of Ayer. Ms. McCreary requesting MRPC assist the Town through these steps/process, advising to an Energy Conservation Spread Sheet being prepared by National Grid re this study and advising to the Committee requesting the Board of Selectmen submit a letter for this assistance to MRPC. Mr. Luca moved the Board support the Green Committee effort by having the Town Administer prepare a letter to MRPC requesting their assistance with the street lighting proposal, 2nd by Mr. Fay, VOTE: unanimous, so moved.

Park Street Cross-walk-The Board reviewed areas along Park street where existing cross-walks exist and areas where cross-walks have been requested. The Board set this back until a location has been determined.

Asst. Tax Collector's Appointment-The Board met with Tax Collector/Town Clerk John Canney. Mr. Canney updated the Board to process conducted re vacancy created in November 2012 by former Asst. Collector due to unforeseen, long term back/leg problem resulting in surgery and then retirement. Mr. Canney advising to reducing field of applicants down to five which were interviewed at the Ayer Library by him and Ms. Gintner, Town Treasurer. Mr. Luca questioned process involved and requested copies of questions asked as well as list of names of applicants interviewed. Mr. Canney advising the Board to his nominating Ramona Bean to the full-time position of Assistant Tax Collector effective May 16, 2013 to Fy-14. Mr. Canney introduced Ms. Bean to the Board advising to Ms. Bean employed by the City of Chelmsford Community Education Program and having all criteria for position i.e. fees collection and disbursement, Munis experienced, and public service, CORI compliant and the best qualified candidate for this position. The Board conducted a brief background question and answer session with Ms. Bean i.e. why Ayer, answer-closer to home and more money. Mr. Hillman question if there is a probationary period and advised, yes- six (6) months by Mr. Canney. Mr. Luca moved the Board vote to appoint Ms. Ramona Bean to the full-time position of Asst. Tax. Collector, contingent upon a six (6) month probationary period, 2nd by Mr. Hillman, VOTE: unanimous, so moved. Mr. Luca advising Ms. Bean to this position a Union position and Ms. Bean acknowledging. The Board welcomed Ms. Bean to the position and looking forward to working with her.

Board of Selectmen Policies- Mr. Pontbriand updated the Board to putting policies in PDF- WORD document and all changes made put in red for final review by the Board.

Town Hall Break-room Petition dated 5-15-13-Mr. Pontbriand reviewed with the Board the Petition submitted by Town Hall Employees re condition of break-room and recommended changes. M r. Pontbriand reviewed his recommendations with the Board submitted back to Town Hall employees. The Board stated their dismay re some of the items on the recommended list. The Board stated this is not a

Selectmen's issue it is a Town Administrator issue. Mr. Hillman stating just another example of a waste of time that the Board of Selectman has to deal with.

Boston Post Cane-Mr. Fay requesting the Town's tradition be revitalized.

Selectman Hillman-clean up of rotary, Main Street, E. Main Street i.e. grass cutting, litter, etc.

Selectman Luca-Have Planning Board look into comprehensive Sign Policy i.e. political signage, dedicated location.

Mr. Pontbriand-need for future Selectmen's meetings: Mr. Pontbriand advised the Board to need to have additional meetings to address Collective Bargaining, litigation, Properties enforcement, Fire Chief's contract, grievances/appeals. Mr. Pontbriand suggested the Board meet on their off weeks of their regular Selectmen's meeting to bring some of these pressing issues to resolution. The Board after a short discussion agreed to meet on 7-9-13 re Collective Bargaining, 7-23-13 re legal issues and 7-30-12 re property enforcement, five (5) meeting in the month of July 2013.

10:05p.m. Mr. Luca moved the Board vote to extend their meeting by fifteen minutes, Ms. Livingston no.

10:05p.m. Meeting adjourned.

Date: _____

Christopher R. Hillman, Clerk
AYER BOARD OF SELECTMEN

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