

TOWN OF AYER SELECTMEN MEETING MINUTES
Tuesday, December 3, 2013
1st Floor Meeting Room, Town Hall, Main Street, Ayer, MA

The Board of Selectmen's Open Session Meeting is video recorded by APAC.

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

Chairman Luca called the meeting to order at 7:00p.m. Present: Chairman-Gary J. Luca, Vice-Chairman- Christopher R. Hillman, Members James Fay, Pauline Conley and Jannice Livingston, Town Administrator Robert A. Pontbriand and Janet Lewis Secretary.

Mr. Luca requested if there were amendments to the Agenda. Selectman Conley requesting to add under New Business/Selectmen's Questions:

1. Insurance info she requested from Town Administrator six months ago, new Street lights/Street Signs update/status and Information re monetary donation (from whom) re repair of planter in front of Town Hall, and status of letter to State Reps re support of funding for infrastructure improvements.

Chairman Luca called for a motion to approve the Agenda. Mr. Hillman moved to approve the Agenda, 2nd by Ms. Livingston, VOTE: unanimous, so moved.

Announcements:

Holiday Toy Drive-Chairman Luca advised to Chief Murray not present this evening due to another commitment and in his absence reminded all to the Ayer Police Department's Annual Toy Drive start-up. Collection boxes are displayed in the Ayer Town Hall, Post Office, NMSB, Ayer/Shirley HS, Carlin's and the Ayer Police Station for drop-off. All contributions to be delivered to Loaves & Fishes for distribution. Monetary donations are also being accepted payable to the Ayer Police Dept. "Toy Drive Fund" for further information please contact Chief Murray or Sgt. McDonald at the APD. Chairman Luca stating over 516 children and 217 families were assisted last year and need is greater with new each year. Toy Drive ending date 12-23-13 for collections.

Holiday Lights Ceremony December 1, 2013-Rotary-Mr. Hillman took this opportunity to thank everyone who contributed either financially or with services to the Holiday Lights. Mr. Hillman advised to turnout great, paying special recognition to Pepsi, Selectman Luca for their generous contributions as well as those who also contributed with the event, David Maher-music/cocoa, Senator Eldridge for stopping by, Chief Pedrazzi who helped Santa pay a visit in an Ayer fire truck, much to the delight of the children. A special thank you was extended to John Clapton for all his assistance assisting Mr. Hillman with decorating the trees.

Public Input-

Arleen Martino-MA LaRouche PAC Activist-re Glass-Steagall Bill. Ms Martino gave the Board a brief summary re her pursuit of urgent action to reinstate Glass-Steagall for financial reform amending the Federal Deposit Insurance Act to repeal provisions of the Gramm-Leach-Bliley Act that permits a financial holding company to engage in activities either financial or constitute expanded financial activities. Ms. Martino specifically seeking to prescribe corrective actions for financial holding companies that fail to meet certain requirements and authorize certain financial holding companies to retain limited nonfinancial activities and affiliations and authorize certain financial holding companies to own or control shares of a company engaged in activities related to the trading, sale or investment in commodities and underlying physical properties that were not previously permissible for bank holding companies. Ms. Martino requested the Board submit a letter to Congresswoman Niki Tsongas urging her to co-sign House Bill HR129 to reenact Glass Steagall banking standard. Ms. Martino distributed copies of her material to the Board for the Board's review. The Board took this under advisement.

Paul Magno-5 Rose Lane, Ayer, MA-Mr. Mango opened his remarks by first thanking the Board for their pursuit/clean-up of multiple properties in town. Mr. Magno stated his concern re one property in town that seems to have fallen off the radar, specifically McNiff Farm, advising to some progress made but questioning status of buildings structure/s. The Board advising to progress ongoing with property

enforcement, i.e. new nuisance by-law giving teeth re enforcement. Town has taken one property owner to court and legal action taken against another. Board has held joint Executive Sessions with Town Boards, Committees, Departments re enforcement/actions but cannot divulge nature of discussion. Mr. Fay reiterating Government's slow process the Board has to follow per Town Counsel's advice. Mr. Hillman echoing Mr. Fay and advising to Board working well on this issue, some real progress being made on some properties. Mr. Magno requesting more timely updates as to what's going on to keep the public informed.

7:15p.m. Public Hearing -Fy2014 Tax Classification-The Board met with Edward Cornelier and Paul Bresnahan from the Board of Assessors along with Assessing Administrator-Thomas Hogan.

Chairman Luca opened the Public Hearing by reading the legal notice into the record which ran in the Nashoba Publications the weeks of 11-22-13 & 11-29-13. Mr. Cornelier opened the discussion by advising to the Board of Assessors preparing tonight's documentation in order to assist the Selectmen with their vote. Mr. Cornelier turned the discussion over to Mr. Hogan who ran through the four classifications before the Board this evening.

1. Open Space Discount-Selectman may discount up to 25% for Open Space-land maintained in an open or natural condition with contributes significantly to the benefit and enjoyment of the public. Mr. Hogan advising to Board not endorsing an Open Space Discount in previous year/s. Mr. Fay moved the Board vote to not adopt an Open Space Discount, 2nd by Ms. Conley, VOTE: unanimous, so moved.

2 Residential Exemption-Selectman may adopt an exemption up to 20% to every residential property which is the principal residence of a taxpayer; the exemption is subtracted from the assessed value of all eligible parcels. Mr. Hogan advising to Selectmen not endorsing a Residential Exemption in previous year/s. Mr. Fay moved the Board vote not to adopt a Residential Exemption, 2nd by Ms. Conley, VOTE: unanimous, so moved.

3. Small Commercial Exemption-Selectman may adopt an exemption of up to 10%of the value of eligible parcels. Mr. Hogan advising to exemption designed to provide tax relief for small businesses in which the tax burden is then shifted within the C&I class. Mr. Hogan advising to Board not endorsing a Small Commercial Exemption in previous year/s. Mr. Fay moved the Board not adopt a Small Commercial Exemption, 2nd by Ms. Conley, VOTE: unanimous, so moved.

4. Fy-14 Classification-2014 Tax Rate-Mr. Hogan reviewed with the Board the 2009 through2014 values re the Residential and CIP percentage and levy shift/s, valuation changes from 2013-2014, 2014 Tax Levy and estimated tax rates for the board's review and consideration. The Board took comments from the businesses and residents present for the Hearing. After a lengthy exchange of views from all the Board voted to adopt CIP Shift Factor of 1.48 and residential Factor of 0.729957 for a Residential Tax Rate for Fy-2014 of \$14.08 and a CIP Fy2-14 Tax Rate of \$28.55 for a residential rate change of \$101.00 and CIP rate change of \$187.00 or 2.8% average residential tax bill change and a median C&I tax bill change of 2.8.%. Motion made by Mr. Fay, 2nd by Mr. Hillman, VOTE: unanimous, so moved.

8:20p.m. Mr. Fay moved to close the Public Hearing, 2nd by Mr. Hillman, VOTE: unanimous, so moved.

Nomination of Board of Selectmen's Clerk position-Chairman Luca opened the nominations for Clerk. Mr. Fay opting to take Clerk's position placed in the form of a motion, 2nd by Ms. Livingston, VOTE: Mr. Fay aye, Ms. Livingston aye, Ms. Conley aye, Chairman Luca aye, Mr. Hillman no, 4-1 motion passes.

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

2014 License Renewals-Mr. Pontbriand presented the 2014 License renewals for: Common Victualler's License, Amusement License, Sunday Entertainment License, Class 1, 11, & 111 Licenses, reminding the Board to 2014 Alcohol License Renewals approved on 11-12-13. Mr. Pontbriand recommending Board vote to approve the 2014 renewals with the assurance that any License having outstanding taxes, water/sewer bills after 12-31-13 will not be released and the chief of Police to be notified of businesses not being renewed for 2014. The Board stated their concern and displeasure not having the Tax Collector's delinquent tax list re outstanding bills and elected to wait until 12-17-13 before approving the 2014 renewals.

Change of Manager-Shaker Hills Country Club-All Alcohol License -Mr. Pontbriand reviewed Shaker Hills

Country Club's request for a Change of Manager submitted on 11-22-12 changing the Manager from Timothy Valis to JoAnn Upham advising to the application complete and not requiring a Public Hearing and recommending the Board's approval. Ms. Conley moved the Board vote to approve the Change of Manager for Shaker Hills Country Club as presented, 2nd by Ms. Livingston, VOTE: unanimous, so moved.

37 Willard Street Notice of Hearing pursuant to MGL 139-Mr. Pontbriand recommended the Board approve and authorize Step 1. Notice to Owner re Notice of Hearing on Tuesday 12-17-13 at 7:15p.m. by the Board of Selectmen at the Ayer Town Hall pursuant to MGL Chapter 139 S1 for determination as to whether or not 37 Willard St. is a nuisance as defined by statute. Mr. Hillman moved the Board vote to approve the Notice of Hearing for 12-17-13 re 37 Willard St. pursuant to MGL Chapter 139 S1, 2nd by Ms. Conley, VOTE: unanimous, so moved.

New Business/Selectmen's Questions-

Ms. Conley-Insurance recovery-Ms. Conley requested information from the Town Administrator requested from MIIA be made available to her to recover additional money owed the town re damaged street lights.

Water Main-East Main St-Mr. Pontbriand advised to letter/s to State Representatives to be on counter in Selectmen's Office re Town of Ayer support for passage of House Bill #690 to provide for capital outlay program of maintenance and improvements to municipal drinking, waste and storm water infrastructure assets of the Commonwealth; seeking support to upgrade Ayer's water distribution systems 47 miles of pipe constructed in 1895.

Street Lights/Signs-Ms. Conley requesting update from Supt. Wetzel re West Main Street lights moved or relocated. Mr. Pontbriand to request update from Supt. Wetzel for 12-17-13 Agenda

Town Hall Historic Planter-Ms. Conley requested information re restoration of planter and funding involved, etc. Mr. Pontbriand advised to cost to repair Historic water fountain estimated at \$3K. Women's Temperance donated the 1st thousand, asking town to commit to 2nd thousand funded to come from Town Hall Facilities budget or Fy-14 Electric metering credits and Historical Commission to fund raise/Corporate Sponsor for remaining thousand. Ms. Conley stating DPW offered to repair/fix. Mr. Hillman explaining project being a very expensive fix.

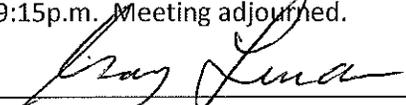
Mr. Hillman-Town Counsel RFP-Mr. Hillman questioning how long has it been since the Town has gone out to bid Town Counsel services, could drive down cost, wouldn't hurt to get comparison. Mr. Pontbriand to research & provide sample for Board's review.

Mary Spinner-advised the Board to mailings going out to residents telling them they are liable for repairs and urging them to ensure their water/sewer pipes on their property. The Police chief to be advised of activity.

Minutes: The Board approved the Minutes of 10-8-13 with amendment to correct Ms. Livingston being present. Motion to approve made by Mr. Hillman 2nd by Ms. Livingston, VOTE: unanimous, so moved. Minutes of 10-15-13 and 11-12-13 set back.

9:15p.m. Ms. Livingston moved to adjourn the meeting, 2nd by Mr. Fay, VOTE: unanimous, so moved.

9:15p.m. Meeting adjourned.



Gary J. Luca, Chair

Date: January 7, 2014

AYER BOARD OF SELECTMEN

