

Town of Ayer

Board of Selectmen

**Town Hall, First Floor Meeting Room
Ayer Massachusetts, 01432
1-5-10
Tuesday, January 5, 2010**



Meeting Date: 1-5-10

Present:

Cornelius F. Sullivan, Chairman (Mr. Sullivan)	X	Carolyn McCreary, Member (Ms. McCreary)	X
Richard D. Gilles, Vice-Chairman (Mr. Gilles)	X	Gary J. Luca, Member (Mr. Luca)-	X
James M. Fay, Clerk (Mr. Fay)	X	Shaun Suhoski, Town Administrator (Mr. Suhoski)	X
Janet Lewis, Secretary (Mrs. Lewis)	X		

Open Session:

7:15p.m. Chairman Sullivan called the meeting to order.

Public Input:

1. Atty. Thomas Gibbons, re off Groton School Road-snow removal on public/private ways
2. Mary Spinner-Parking facility
3. Mary Arata-Veterans Agent posting

Chairman Sullivan called for a motion to approve the Agenda as amended: Selectman Luca moved to approve the Agenda as amended, 2nd by Selectman Fay, VOTE: unanimous, so moved.

Atty. Gibbons stated he represented Michael & Patricia Walsh re snow plowing Off Groton School Road and correcting record that road has being plowed consistently including last year by the Town and within the last three years and more. Atty. Gibbons stated his clients wished to be treated as all other private ways in the Town. Chairman Sullivan advising Atty. Gibbons to Board recommending at their last meeting to keeping status quo until Town records are researched re provision/statute adopted. Town Administrator Shaun Suhoski advising the Board to clarification necessary re "Open to the Public Use" being a policy decision of the Selectman re private ways/unaccepted roads maintenance. Selectman Gilles concurring and adding the Board needs to review list to be prepared by Supt. Nason re all Town public roads and private ways that are currently maintained by the Town. The issue of a liability waiver also being looked into.

2. Mary Spinner-re withheld information by the Board re the Downtown Parking Garage. Alleging the Selectmen were advocating for two parking garages one being a hybrid as reported in the local newspaper. Ms. Spinner advising to attending all the public meetings re the parking garage and Mo Khan has always said one garage the only mention of two garages came from the Charette. Chairman Sullivan taking offence that she was alluding the Board was trying to hide something. Stating the Board does not want to see a 400 car 4-5 story garage and just because the solo garage was issued by MART does not mean the Selectmen has adopted that as its position. Selectman Gilles stating even though the report is termed final it is just a small part of ongoing public vetting process; adding right now financially we have a lot of work to do to get the funds to even build this.

3. Mary Arata-Nashoba Publications-re Veterans Agent posting- questioning why Veterans Agent interviews were not open to the public and advised to Screening Com. consisting of Selectman Fay and Chairman Sullivan not a quorum of the Board. Ms Arata also questioned new posting reflecting six (6) candidates from original five (5) posted earlier. Town Administrator advising to one candidate left off due to application received via mail addressing suspicion that no applications were received after the deadline.

Agenda Item #1. 1-19-10 Special State Election Warrant- Selectman Luca moved the Board vote to approve and endorse the January 19, 2010 Special State Election Warrant prepared by the Town Clerk as presented, 2nd by Selectman Gilles, VOTE: unanimous, so moved.

Agenda Item #2. Calvin Moore - Change of Alcohol License type. Mr. Moore advising the Board to need to compete with current climate re functions and requesting the Board support his request to change from a Beer & Wine License to a full All Alcohol License for the Billiard's Cafe. Selectman Luca moved the Board vote to support a Change of License Type request for the Billiards' Café –Calving Moore President, Page Moore Trust and approve a Public Hearing to be scheduled re this request, 2nd by Selectman Gilles, VOTE: unanimous, so moved.

Agenda Item #3. –Ayer Park Commissioners –Appointment Request- Present for the discussion: Timothy Taylor and Jason Mayo Park Commissioners. Mr. Taylor advising the Board to this appointment request is to fill the unexpired term of Commissioner Bruce Page until the next Annual Election (April 26, 2010). Mr. Taylor stated the Commissioners met and unanimously voted to recommend the appointment of Sarah Gibbons. Mr. Taylor advising to Ms. Gibbons unable to be at tonight's meeting due to prior engagement. The Board spoke to Ms. Gibbons past history with the Town serving on numerous volunteer committees & school programs and waived the policy of the Board having the appointee present for appointment. Selectman Gilles moved the Board approve the appointment of Sarah Gibbons to the Park Commissioners to fill the unexpired term of Bruce Page until the next Annual Town Election , 2nd by Selectman Fay, VOTE: Selectman Gilles ay, Selectman Fay aye, Selectman McCreary aye, Chairman Sullivan aye, 4-0 with Selectman Luca abstaining, motion passes.

Agenda Item #4. Supt. Nason's Report-

1. Stormwater Utility Presentation-VHB-Supt. Nason introduced Stephanie Iceberg of VHB-Ms. Iceberg ran through Stormwater Utility and Fee Development which was enabled by legislation in 2006 MGL Chapter 83, Sections 1, 10, & 16. Also addressed were the advantages of successful stormwater programs and basic steps, steps to establish a fee-based program, fee structure, realistic revenue potential, building support for stormwater program, and consultant assistance with GIS capability for rate structure, experience with MS4 & permit Programs, public outreach preparing & recommending a program budget.

Town Administrator Shaun Suhoski announced the Communications Committee preparing recommendation for purchase & installation of a permanent electronic screen for the 1st Floor Meeting Room.

2. Howard St.-Supt. Nason reported on situation coming up at 26 Howard St./1965 sewer problem no lateral to property and Town of Ayer responsible by statute for funding clean-up.

3. Snow Removal –sidewalks maintained by the DPW-Supt. Nason presented to the Board the listing of historic sidewalks maintained by DPW throughout the Town which will be maintained unless otherwise instructed by the Board. Selectman Fay moved the Board vote to approve the sidewalks policy maintained by the DPW re snow removal to curbs as presented by Supt. Nason dated 12-29-09, 2nd by Selectman Gilles, VOTE: unanimous, so moved. Chairman Sullivan questioning why sidewalks not maintained up to access road on Groton Harvard Rd. as well as having roadway cleared. The Board requested Supt. Nason speak with School Dept. Officials re having barricades removed to allow trucks access up the hill to schools and to speak with Police Chief re safety concerns and report back to the Board. Selectman Luca again requesting the DPW remove the snow during the day along Main St. starting at 5:00a.m. rent a dump truck, save a lot of money on over-time, worth a try. Selectman Gilles echoing Selectman Luca clearing downtown and making business assessable. Atty Gibbons requesting that sidewalk cleanup be extended to West Main Street as well.

4. Richard Dorothy-ECR Contract-Supt. Nason advised the Board to Mr. Doherty's contract up and he is beginning consultant's work.

. Chapter 90-MA Highway-Unaccepted/private roads to be presented by Supt. Nason for Board's review upon completion.

Agenda Item #5. JBoS-Town Administrator updating the Board to meeting with UMass Officials tomorrow afternoon in Lowell, at 3:00p.m. Selectman Fay, Pauline Hamel & Frank Maxant and himself to attend.

Agenda Item #6. Town Administrator's Report-

1. Veterans Agent-Selectman Fay requesting the Board designate Doug Friedrich to serve on the Veterans Agent Screening Committee due to his extensive knowledge and commitment to Town of Ayer Veterans and their families. The Board echoed Selectman Fay's request. Selectman Luca moved to appoint Doug Friedrich to serve on the Veterans Screening Committee, 2nd by Selectman McCreary, VOTE: unanimous, so moved.

2. Fy -11 Budget- Town Administrator advising to three ring binder available in the Selectmen's Office for their review.

3. Treasurer/Collector-Ms. Spinner brought to the Board's attention the Fy-11 Budget may be impacted by three positions this year with the retiring of both Treasurer and Tax Collector/Clerk. Ms Callahan currently holding two positions one at 18 hours Clerk and one at 22 hours Collector. The Board requested Mr. Suhoski to meet with Financial Team to develop qualifications for Public Hearing and Agenda for 1-19-10 for more discussion.

4. Liaison for Board re MRPC Parking Garage. The Board designated Selectman McCreary to be the Board's delegate with MART. Motion to approve Selectman McCreary continuing as liaison made by Selectman Gilles and 2nd by Selectman Fay, VOTE: Selectman Gilles aye, Selectman Fay aye, Selectman McCreary aye, Selectman Luca recusing himself and Chairman Sullivan 4-0 motion passes. Town Administrator advised Board to meeting on Feb. 10th with Mo Khan to define type of garage for Town and cost.

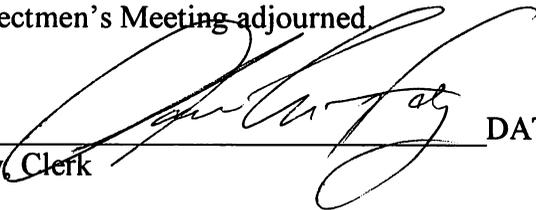
Agenda Item #7. New Business/.Selectmen's Questions

Selectman Fay moved the Board vote to approve the Minutes of 12-1-09, and Executive Session Minutes of 12-21-09, 12-15-09, 12-4-09, 12-20-09, 12-6-09, 2nd by Selectman Gilles, VOTE: unanimous, so moved.

Selectman Luca taking this opportunity to congratulate DPW with snow removal, doing a great job and also thanking residents as well for keeping walkways/sidewalks clear.

9:15p.m. Selectman Gilles moved the Board vote to adjourn the meeting 2nd by Selectman Fay, VOTE: unanimous, so moved.

9:15p.m. Selectmen's Meeting adjourned.

 DATE: 11/5/10

James M. Fay, Clerk