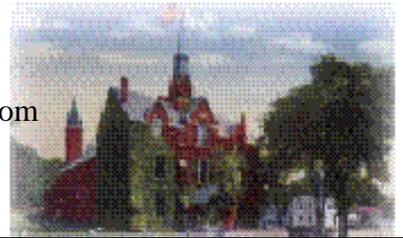


Town of Ayer
 Board of Selectmen
 Town Hall, First Floor Meeting Room
 Ayer Massachusetts, 01432



Friday, January 21, 2011(rescheduled from 1-18-11)

		Carolyn McCreary, Member (Selectman McCreary)	X
James M. Fay, Chairman (Selectman Fay)	X	Gary J. Luca, Member- (Selectman Luca)	A
Frank F. Maxant, Clerk (Selectman Maxant)	X	Robert Pontbriand, Town Administrator	X
Janet Lewis, Secretary (Ms. Lewis)	X		

Agenda Item #1. Executive Session-

9:00a.m. Open Session

Chairman Fay opened the meeting. by calling for a motion to approve the Agenda. Selectman McCreary moved the Board approve the Agenda, of 1-18-11 rescheduled due to weather (snow/ice storm) 2nd by Selectman Maxant, VOTE: unanimous, so moved.

Agenda Item #2. Announcements: Chairman Fay made the following announcements:

- January 31, 2011 Public forum at the Ayer High School Auditorium re the Regional School District's Feasibility Study at 7:00p.m. and the upcoming Special Election on Saturday 2-5-11 to determine whether the Regional School District can borrow \$750K for a school building feasibility study. Polls will be open from 8:00a.m. to 4:00p.m. for voting at the Ayer Town Hall, 2nd floor Great Hall, encouraging residents to attend the forum to make an informed decision at the ballots.

Agenda Item #3. George Frost-Supt. of Schools-no show weather related-to be rescheduled

Agenda Item #4. David Maher Director of Economic Development-Mr. Pontbriand presented Mr.

Maher's Close-out Agreement for the Fy06 CDBG Grant No 0050 for the Board's approval in the absence of Mr. Maher.

- CDBG Fy-06 Grant – used to rehab 24 units of housing which exceeding the original goal of 19, Eight (8) facades, one (1) awning and two (2) signs as well as design plans for the Council on Aging Building. \$861,295.00 has been spent to date and ready for close-out of the grant agreement. Mr. Maher recommending the Chairman's signature on this closeout agreement. Selectman McCreary moved the Board approve the Chairman's signature on the Fy-06 CDBG Grant Agreement, 2nd by Selectman Maxant, VOTE: unanimous, so moved.
- Lien Subordination Request- Case #03-209-12 Grove St., Ayer, MA set back for 2-1-11 Selectmen's Meeting.
- Lien Subordination Request- Case #04-258-19 Oakridge Drive, Ayer MA set back for 2-1-11 Selectmen's Meeting.

Agenda Item #5. JBoS-Chairman Fay updated the Board to JBoS Meeting querying members if they would like to have future JBoS Meetings held in each of the four Communities that make up Devens (Harvard, Shirley, Ayer & Devens) pros & cons and of Governance Committee being established. Chairman Fay gave a brief update on Vicksburg Square status and spoke to regionalization efforts.

AgendaItem #6. MMA Business Meeting Delegate- The Board moved to delegated Mr. Pontbriand as the Board's delegate at the MMA Meeting on Saturday, Jan, 22, 2011. Selectman McCreary moved the Board authorize the Chairman's signature on the Credential Vote Form, 2nd by Selectman Maxant, VOTE: unanimous, so moved.

•

Agenda Item #7. Town Administrator's Report-the Board met with Robert Pontbriand.

- 1.** Mr. Pontbriand reviewed with the Board his follow-up from the Selectmen's January 4, 2011 Meeting. (see attached report dated 1-4-11)
Parking Garage Update-Mr. Pontbriand informed the Board to no new status update having not received anything back from DOT since new parking proposal submitted by Town. Mr. Pontbriand advised the Board to Downtown merchants initiating new letter including listing/s of merchants supporting garage to DOT Secretary Jeffrey Mullan, restating/requesting release of the Town's Federal earmark.
- 2. Energy Committee –Solar Power recommendation-Muni-Sun-LLC Solar Consultancy Agreement**-Mr. Pontbriand presented the Energy Committee's recommendation to approve the contract with Muni-Sun to engage a consultant (James Kriedler-a former Town Administrator of the Town of Ayer) to allow the Town of Ayer to participate in a collaborative public procurement under MGL Section 7 and MGL 30B sections 1 & 16(5) with up to five (5) other municipalities (i.e. Gardner, Winchendon, Clinton, Ayer and one other) to authorize Muni-sun LLC to identify a site consisting of not less than 10 acres of land within proximity to three phase power and a municipal meter, obtain authority to enter into a long term (20-30 year) lease agreement with a respondent, provide reasonable access to the site and municipal representative for site visits and authorize the consultant to evaluate the submittals per MGL 30B and select respondent and make award. Mr. Pontbriand advising to no compensation paid to the consultant from the Town of Ayer for services under this agreement and that compensation will be paid by the respondents. All materials, renderings, photos/images supplied to Muni-Sun by or on behalf of the municipality are owned by the municipality, and has a provision for early termination of the agreement if necessary. Selectman McCreary moved the Board vote to support the Energy Committee's recommendation to support Muni-Sun's Consultancy Agreement, 2nd by Selectman Maxant, VOTE: 3-0 unanimous, so moved.
- 3. 4th of July Committee**-present for the discussion Ric Hamel. Mr. Pontbriand opened discussion re it being his intent to have a celebration. Mr. Pontbriand reviewing with the Board Ms. Spinner's statement to the Board on Jan. 4, 2011, advising the Board to there being no Committee, no money this year for a Celebration and advising the Fin-Com in writing of same. Mr. Pontbriand advising to renewed interest from past members and Townspeople to continuing celebration including the Director of Planning & Development- David Maher pledging his support and experience to effort.. Mr. Hamel spoke to his concerns re past 4th of July Committee and supporting continuing celebration including fireworks. The Board voted to appoint Town Administrator Robert Pontbriand and David Maher as point people and offering the Board's support as liaison to committee. Mr. Pontbriand requesting if it was the Board's intent to have Ms. Spinner chair committee and advised to Board initiating a New Committee with Mr. Pontbriand and David Mayer as point person/s. The Board thanked Ms. Spinner for her past service and encouraged her to participate and work together with new Committee.
- 4. Selectman Maxant**-referencing "white paper" discussion by Mary Spinner under Public Input at the 1-4-11 Selectmen's Meeting requesting the Board have the Planning Board present at a future Selectmen's Meeting to advise how they lost bond/s through administrative error. Selectman Maxant expressed his dismay and requested the Board investigate how a routine matter went so wrong as to loose bonds i.e Pond View and serious financial ramifications to Town.

Fy-12 Budget-Mr. Pontbriand updated the Board to Budget preparation well underway. Fin-Com holding Meetings with Department Heads re their budget proposals, Capital Planning Committee meeting as well with Department Heads re Capital Expense Items and Negotiations starting up with all the Town Unions. Special thanks given to Lisa Gabree for all her assistance preparing budgets. Mr.

1-18-11

Pontbriand advising to Tri-Board Meeting scheduled for 1-25-11 at 7:00p.m. at the Page/Hilltop Professional Dev. Room and Public Hearing on 1-27-11 re Ayer School Regionalization borrowing. **Fire Station Re-use**-Chairman Fay opened the discussion by advising to his re-visiting the RFP three times now with the Board and meeting with the Historical Commission and gaining their support. Chairman Fay advised that the swap was not on the table/and advised to no more information at this time. Selectman Maxant moved the Board move forward with RFP, 2nd by Selectman McCreary, VOTE: unanimous, so moved.

NEW BUSINESS/SELECTMEN'S QUESTIONS

- **Home Rule Petition**-Home Rule Petition to be submitted to Rep. Sheila Harrington on behalf of Town.
- **Selectman Maxant** –restating his dismay re conditions of buildings on Devens i.e. Vicksburg Square reported on in the Boston Globe. Misleading public to conditions of building crumbling/deteriorating in order to do something now by turning Vicksburg Square into housing. Selectman Maxant re-submitted his letter to the Governor to the Board disputing conditions reported on by the Globe being another example of MADev not getting it right. Selectman Maxant stating in the current economic climate MADev should be pursuing innovation technology center for Vicksburg Square to generate more jobs and keep jobs here and afraid misinformation will drive us in the wrong direction. The Board voted to endorse letter agreeing in principal -bring business here –jobs first. This placed in the form of a motion by Selectman McCreary 2nd by Selectman Maxant, VOTE: unanimous, so moved.
- **Minutes**-The Board voted to approve the Minutes of 1-4-11, 2nd by Selectman McCreary, VOTE: unanimous, so moved.
- **Selectman McCreary**-Took this opportunity to publicly thank and recognize Selectman Richard Gilles for his service to the Town of Ayer and sorrow for his departure on the Board. Great loss for the Town. Selectman McCreary spoke to Selectman Gilles leadership and setting policy great loss to the Board of Selectmen.

11:00a.m. Selectman McCreary moved the Board adjourn the meeting, 2nd by Selectman Maxant, VOTE: unanimous, so moved.

11:00A.M. Selectman Luca arrived at the meeting late due to work commitment.

Date: _____

Frank F. Maxant, Clerk