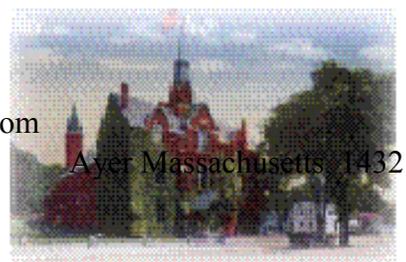


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Town of Ayer  
 Board of Selectmen  
 Town Hall, First Floor Meeting Room



**Tuesday, November 9, 2011**

**Selectmen's Meeting on Town of Ayer Website [www.ayer.ma.us](http://www.ayer.ma.us)**  
 (Janet absent -minutes prepared from Robert's notes)

Gary J. Luca, Chairman	X	Carolyn McCreary, Member	A
James M. Fay, Vice Chairman	X	Pauline Conley, Member	X
Frank F. Maxant, Clerk	X	Robert Pontbriand, Town Administrator	X
Janet S. Lewis, Secretary	A		

7:00p.m. Open Session

Chairman Luca called the meeting to order- Chairman Luca requested if there was anyone present wishing to meet with the Board under Public Input, no one stepped forward. Town Administrator Robert Pontbriand requested to amend the Agenda requesting the Board take up Classification of Conservation Agent.

**Announcements**-Chairman Luca made the following announcements:

- Town's Winter Parking Ban going into effect Tuesday, November 15, 2011, prohibiting the parking of any motor vehicle on the street or sidewalk throughout the Town overnight and during snow storms from 12:01a.m. to 6:00a.m. --Winter Parking Ban ends April 15, 2012.
- Town of Ayer's Fy-12 Tax Classification Public Hearing on December 6, 2011 at 7:15p.m. as part of the Selectmen's Meeting Agenda.

**Agenda Item - Classification of Conservation Agent-Stormwater Agent**-Mr. Pontbriand updated the Board on the status of the Conservation Agent/Stormwater duties. Mr. Pontbriand reviewed with the Board the past four year's history beginning in January 2008-May 2011 and increased Storm Water Admin work regarding increasing Ms. DaSilva's stormwater related hours from 4hr/wk to 20hr/wk focus of discussion. Ms. DaSilva stated she took on additional work load at the same rate of pay without reclassification but expecting to be treated equally and fairly as a full-time employee, receiving all benefits associated. Supt. Nason speaking on behalf of Ms. DaSilva advised to her facilitating a great program and being best fit for position i.e. Conservation-Stormwater Agent seeking \$10K salary adjustment. Chairman Luca stated it was his impression that DPW is stormwater agent for Town. Ms. DaSilva advising to Building Inspector changing stormwater responsibilities to fall under DPW Administrator. Chairman Luca again stating his confusion re Agent vs. DPW. Selectman Maxant stating his objection re adding new position to payroll and questioning why position is professional and not volunteer position. Ms. DaSilva offering change made under then Town Administrator Suhoski. Selectman Fay stating funding not issue there is clear need for full time person and Board should agenda that item. The Board questioned hours necessary for this new position and advised to 20. Ms. Spinner stated her dismay re additional hours and additional benefits being grossly unfair, especially being done mid- year and with position not even reclassified, and also other town boards need additional hours and told no money and not to budget them. Chairman Luca requested a job description and proposal for new position be prepared for Board. Ms. DaSilva requesting issue is expedited. The Board scheduled this issue for their 11-22-11 meeting. Selectman Maxant requesting why student couldn't do work. Jessica from ConCom stating Ms. DaSilva has put in extra hours and should be compensated.

**Public Input**- Chairman Luca requested if there was anyone present wishing to meet with the Board under Public Input- Elizabeth Bodurtha-18 Pond Street-Why it took so long to get power/Auxiliary power for residents. Selectman Conley suggesting this issue be brought before Housing Authority. Ms. Bodurtha also stated her concern re Washington St. conditions and advised to National Grid being the point of contact.

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**Ms. Cindy Knox-I.T. Systems Administrator-Presentation and Proposal for on-line payments.**

Present for discussion Doug Ross of MCC. Ms. Knox opened the discussion by advising the Board to meeting with three different vendors who provide on-line payments to municipalities and can interface with MUNIS and have strong security measures in place. Ms. Knox stated the Town Administrator, Town Accountant, Town Treasurer and Tax Collector and herself met with Invoice Cloud, MCC, and Unibank and of the three MCC was recommended as the vendor to handle the Town's on-line payments. Major benefits of MCC-waived setup costs and annual costs for the Collector's Office.

- Town is not notified of payments until after they have cleared.
- Customer support is superior to other town vendors.
- MCC will track down NSF payments and bounced credit cards.
- There are no fees to escrow companies
- Offer a single sign- on, should the school district signup for this residents will have access to school payments in same login session.
- It is flexible-any bill type can be paid on-line through ***eBill***
- Other local communities are customers: Harvard, Shirley, Leominster & Fitchburg.
- MCC will perform services at no cost to the biller. Bill payer is solely responsible for all fees in connection with the on-line bill payment i.e. credit card fees are passed on to the bill payer approximately 3%, minimum convenience fee \$1.00.

Selectman Conley moved the Board vote to approve a three (3) year contract with MCC of Marlborough, MA subject to receipt of proof of insurance/insurance certificate and authorize the signature of the Chairman, 2<sup>nd</sup> by Selectman Fay, VOTE: Selectman Conley aye, Selectman Fay aye, Chairman Luca aye, Selectman Maxant abstained, 3-1 motion passed.

**2012 Alcohol License Renewals**

Selectman Fay moved the Board vote to renew the Alcohol Licenses as presented, 2<sup>nd</sup> by Selectman Maxant. Selectman Conley questioning one license in arrears re taxes and also in tax title. Town Accountant present and reminding Board to By-law not permits/licenses to be issued if not current in taxes, bills. Selectman Fay moved to amend his motion and withdrew Page-Moore d/b/a Billiard's Café from renewal, 2<sup>nd</sup> by selectman Maxant, VOTE: unanimous, so moved.

**Proposed Health Insurance Changes & Regulations-** Present for the discussion Town Counsel David Jenkins. Mr. Pontbriand opened the discussion by updating the Board to proposed health insurance changes and regulations facing the Town.

MA Municipal Health Reform Legislation of 2011-Changes to Chapter 32B

Review of Provisions of 2012 Budget Bill and Related Legislation Dealing with Municipal Health Insurance. Mr. Pontbriand advised the Board to Chapter 32B has new Section 21-23 which removes the requirement to follow Ch.150E bargaining process and/or Ch. 32B Section 19 process, if adopted to make certain benefit changes. Mr. Pontbriand advised to centerpiece of the legislation is a series of amendments to Ch32B that will allow governmental units to change plan design without engaging in the traditional bargaining process. (Pauline I need your notes-) I lose it here, and very difficult to view meeting at work)

Storm Response-Mr. Pontbriand took this opportunity to thank the Town's Public Safety Responders:

DPW, Fire, Police, Tree Warden for their assistance to residents during the recent Northeaster which dumped over a foot of Snow on the region. Mr. Pontbriand advising to Regional Shelter a success thanking Supt. Mock for providing a warm and friendly environment and electronic (i.e. cell phones/laptops re-charging ) area for Ayer & Shirley residents at the Ayer/Shirley

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Regional School in the Town of Shirley for residents without power. Mr. Pontbriand thanking residents as well for their cooperation and patience.

Mr. Pontbriand updating the Board to Chief Pedrazzi the Town's Emergency Management Director scheduled on the Selectmen's November 22, 2011 Agenda re FEMA update, and answering questions/concerns from residents re Nation Grid response and communities loss of power /phone services re storm outages and requesting all concerns/questions re hospital and Pond St. to National Grid.

Enforcement of "Nuisance Bylaw"-Selectman Maxant reminding residents to Town's Nuisance Bylaw with respect to snow on public sidewalks By-law and associated fine.

**Town Administrator's Report**-The Board met with Robert Pontbriand (see report dated 10-18-11 to 11-8-11)

Action items:

DPW Loader Tires P.O. Mr. Pontbriand submitted the P.O. 20258 on behalf of supt. Nason from Pete's Tires dated 10-13-11 for four (4) 20.5R25 Michigan Loader Tires and installation under State contract VEH83 in the amount of \$10,960.00. Motion to approve made by Selectman Conley 2<sup>nd</sup> by Selectman Fay, VOTE unanimous, so moved.

Mr. Pontbriand to prepare list of emergency numbers for Board i.e. snow, etc.

Mr. Pontbriand submitted the town's current Electronic Communication Policy for the Board's review and comment back.

Mr. Pontbriand viewed with the Board the Fy-13 Budget & Town Meeting schedule.

Mr. Pontbriand updated the Board to attending the Nov. 2, 2011 Leadership Meeting with town Accountant and School representative re the Fy-13 School Budget.

Mr. Pontbriand updated the Board to audit responses work in progress.

**JBoS**- The Board voted to appoint Selectman Maxant and Selectman Fay as Town's JBoS representatives-Motion made by Selectman Fay, 2<sup>nd</sup> by Selectman Maxant, VOTE: Selectman Fay aye, Selectman Maxant aye, Chairman Luca aye, Selectman Conley no 3-1 motion passes.

New Business/Selectmen's Questions

St. Mary's One Day Beer & Wine License, Friday November 11, 2011 Movie Night

Selectman Conley moved the Board vote to approve the One Day Beer & Wine License on 11-11-11-from 7 to 9:30p.m. 2<sup>nd</sup>by Selectman Fay, VOTE: unanimous, so moved.

10:30p.m. Selectman Fay moved to adjourn the meeting 2<sup>nd</sup> by Selectman Maxant, VOTE unanimous, so moved.

10:30 Meeting ended.

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