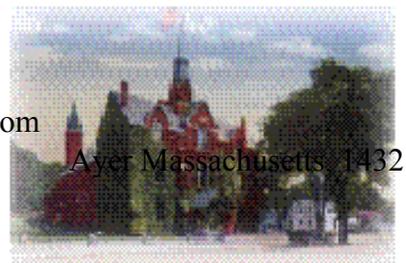


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Town of Ayer  
 Board of Selectmen  
 Town Hall, First Floor Meeting Room



**Tuesday, May 10, 2012**  
**Selectmen's Meeting on Town of Ayer Website [www.ayer.ma.us](http://www.ayer.ma.us)**

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

7:05p.m . Chairman Luca called the meeting to order.

**Agenda Item #1. Announcements**-Chairman Luca made the following announcements:

1. Chairman Luca read into the record a thank you note from former Selectwoman Carolyn McCreary.
2. Janis Bresnahan Annual 5K Run for Education on Saturday, May 19, 2012 @10:00a.m.
3. Fort Devens Museum Open House Saturday, May 19, 2012 from 10-4
4. Town of Ayer's Memorial Day Parade Saturday, May 26, 2012 at 10:00a.m.
5. Chairman Luca read into the record the LUPUS Proclamation declaring the Month of May as LUPUS Awareness Month in the Town of Ayer.

Town Administrator requesting the Board's permission to remove Agenda Item #7 and reschedule to May 22, 2012 Selectmen's Meeting.

**Agenda Item #2. Public Input**-Chairman Luca requested if there was anyone present wishing to meet with the Board under Public Input.

- Mary Spinner-urging the Board to go back to old way re Public Input and allow public to speak re any of their concerns instead of only allowing five minutes re Agenda item issues.

Chairman Luca called for a motion to approve the Agenda. Selectman Fay moved to approve the 5-10-12 Agenda as amended, 2<sup>nd</sup> by Selectman Maxant, VOTE: unanimous, so moved.

**Agenda Item #3. Re-organization of the Board of Selectmen**-Chairman Luca called for nominations for **Chairman**: Selectman Hillman nominated Selectman Fay as Chairman, 2<sup>nd</sup> by Selectman Luca, VOTE: Selectman Hillman aye, Selectman Luca aye, Selectman Fay aye, Selectman Conley no, Selectman Maxant no. VOTE: 3-2 motion passes.

**Vice Chairman**: Chairman Fay called for nominations for Vice-Chairman: Selectman Fay nominated Selectman Maxant as Vice-Chairman, 2<sup>nd</sup> by Selectman Conley, VOTE: unanimous, so moved.

**Clerk**: Chairman Fay called for nominations for Clerk: Chairman Fay nominated Selectman Conley who accepted, 2<sup>nd</sup> by Selectman Maxant VOTE: Chairman Fay aye, Selectman Maxant aye, Selectman Hillman aye, Selectman Luca no, Selectman Conley aye, 4-1- motion carries.

Re-organized Board of Selectmen:

Chairman: James M. Fay  
 Vice Chairman: Frank F. Maxant  
 Clerk: Pauline Conley  
 Member: Gary J. Luca  
 Member: Christopher R. Hillman

**Public Input continued**: Chairman Fay spoke to being unfair to Town Administrator being unaware of issues before meeting and needing time to do research which causes delays. Selectman Maxant open to re-establishing

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open mike allowing a five minute block. Selectman Conley read policy from the Selectmen's General Policies #99 –having no limitation re time and stating she shares Selectman Maxant's view to hear from public. Selectman Fay stating he will assume time management responsibility re management of time of speakers. Kleenite: Ms. Spinner spoke to closing of Kleenite and outstanding water/sewer bills owed to the Town of Ayer. The Board to look at scheduling this for 5-22-12 meeting if appropriate.

**Agenda Item #4. Sidetracked Pub –Liquor License Amendment**—The Board met with Matthew Field, Sheila Field, Melissa Field re 63 Main St.- Sidetracked Pub. Mr. Field stated he met with Fire Chief re issue of Safety Inspection Report holding up his application being submitted to the ABCC and Fire Chief advising to release of application to the ABCC not under his purview, but recommending the Board hold the license if approved by ABCC until inspection is completed and in compliance by both the Building Inspector and Fire Dept. The Board reviewed with Mr. Field his proposed amendment to include a small patio approximately 225 sq. ft. for three (3) tables-seating for twelve (12) to his application. Mr. Field advising to patio being fully covered and fenced for seasonal service and monitored by closed circuit television and wait-staff. Selectman Maxant moved to approve the amended application to include a 225 sq. ft. patio and authorize the submission of the Sidetracked Pub's All Alcohol Restaurant application to the ABCC, 2<sup>nd</sup> by Selectman Conley VOTE: unanimous, so moved.

**Agenda Item #5. Status of 2012 Tax Collections** –Mr. Pontbriand advised the Board to Mr. Canney not being able to meet with the Board due to prior engagement. Mr. Pontbriand updated the Board to the Town Accountant advising him to approximately \$375K outstanding in 2012 real estate taxes. Mr. Pontbriand stated his concern to Mr. Canney the Tax Collector and requested him to review and advise to what his office has done/is doing in terms of collecting these taxes as it is imperative now more than ever that the Town proactively collect taxes owed. Mr. Pontbriand requesting the Board's authorization to post the list on the Town's website. Mr. Pontbriand also submitted the Fin-Com's recommendation to the Board to post publicly a message for two weeks on the Town's Website that the list of taxpayers whom have paid nothing in Fy-12 will be posted publicly seeking them to contact the Tax Collector to make a payment or arrange a payment plan. After two (2) weeks the list of tax payers will be posted on the Town's website and at Town Hall. The list will be updated with any errors and payments received removed. The Board voted to adopt the Fin-Com's 5-10-12 Memo as stated above by Mr. Pontbriand, motion moved by Selectman Luca and 2<sup>nd</sup> by Selectman Conley, VOTE: unanimous, so moved. The Board authorized the following message to be posted on the Town website and Town Face-book for a two-week period starting May 11, 2012 through 5-25-12. On Friday, May 25, 2012 at 5:00p.m. The Town of Ayer will be posting publicly a list of all Ayer Taxpayers whom have not paid any taxes in Fy-12 on the Town of Ayer Website and at Town H all. To determine whether one is on this list, please contact the Ayer Tax Collector's Office as well as to discuss available options to avoid publication on the list.

**Agenda Item #6. Local Initiative Program Certificate Deed Rider**-The Board met with Susan Provencher, Program Manager, CDBG. Ms. Provencher presented the Board the Eligible Purchaser Certificate under the local initiative Program for 25 Auman St., Devens, MA. Ms. Provencher advising the Board to DHCD forcing unit to remain affordable (mortgage refinancing gave home owner more money than should have). Selectman Luca moved to approve the Local Initiative Program Certificate Deed Rider and authorize the signature by the Chairman, 2<sup>nd</sup> by Selectman Conley, VOTE: unanimous, so moved.

**Agenda Item #7. Town Hall automated Climate Controls Contract**-rescheduled to 5-22-12

**Agenda Item #8. JBoS** -Selectman Maxant advising to the next JBoS Meeting Thursday, May 24, 2012 at 7:30p.m. Selectman Maxant updated the Board to setting a date for full JBoS meeting to discuss Chapter 498 ballot vote amendment as an alternative to the Super Town Meeting voting procedure.

**Agenda Item #9. Minutes**-Mr. Pontbriand advised the Board to the minutes of 2-28-12 being held in draft status, pertaining to Agenda Item #3 Town Government Study Com. recommendations needing to be verified.

5-10-12

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7:45p.m. Selectman Conley moved the Board adjourn from Open Session to enter into Executive Session pursuant to MGL Chapter 30A, Section 2A, Exemption #3 Collective Bargaining Strategy for all Collective Bargaining Units Contract Negotiations, to adjourn from this Executive Session for the sole purpose of adjourning the meeting, 2<sup>nd</sup> by Selectman Maxant, VOTE: Selectman Conley aye, Selectman Maxant aye, Selectman Hillman aye, Selectman Luca aye, Chairman Fay aye, VOTE: unanimous, so moved.  
7:45p.m. Open Meeting concluded.

Date: \_\_\_\_\_

Pauline Conley, Clerk  
AYER BOARD OF SELECTMEN

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5-10-12