

Town of Ayer  
Board of Selectmen  
Ayer Town Hall – 1<sup>st</sup> Floor Meeting Room  
Ayer, MA 01432



Tuesday May 3, 2016  
Meeting Minutes

*Broadcast and Recorded by APAC*

Present: Jannice L. Livingston, Chair; Gary J. Luca, Vice-Chair; Christopher R. Hillman, Clerk  
Robert A. Pontbriand, Town Administrator  
Carly M. Antonellis, Assistant to the Town Administrator

**Call to Order:** J. Livingston called the meeting to order at 6:47 PM.

**Executive Session:** A motion was made by G. Luca and seconded by J. Livingston at 6:47 PM to enter into Executive Session pursuant to MGL c.30A, section 21A for the purposes of review and approval of previous Executive Session Minutes Re: Depot Square Access Property and to reconvene into Open Session at 7:00 PM. G. Luca further stated that to discuss these items in Open Session would be detrimental to the Town's negotiating strategy. **By Roll Call: J. Livingston, aye; G. Luca, aye; C. Hillman, aye. Motion passed by Roll Call 3-0.**

**Reconvene in Open Session:** The BOS reconvened in Open Session at 7:00 PM.

**Review and Approve Agenda:**

**Motion:** A motion was made by G. Luca and seconded by C. Hillman to approve the agenda. **Motion passed 3-0.**

**Announcements:** J. Livingston made the following announcements:

- The Annual Town Meeting will be held on Monday May 9, 2016 at 7:00 PM in the Ayer Shirley Regional High School Auditorium.
- The first public meeting of the Master Plan will be May 24, 2016 at 7:00 PM at the Ayer Shirley Regional High School Commons Area.

**Public Input:** None

C. Hillman asked that the electronic display sign be moved to the Rotary before the Annual Town Meeting.

C. Hillman then spoke about his disappointment in not having a candidate's forum before the Annual Town Elections.

G. Luca announced the Food Drive being held on May 14, 2016 at the United States Post Office.

**Chief William A. Murray, Ayer Police Department:** *Appointment of Detail Officers & Special Police Officers - R.*

*Report of Approved Executive Session Items* – R. Pontbriand gave a report on the Executive Session items that were approved and released (DPW Superintendent Contract Amendment MOA, Town Engineer Contract Amendment MOA, DPW Contract MOA, Terms of the Town Administrator's Contract and release of executive session minutes relative to Depot Square Access Property) at the 6:45 PM Executive Session that happened prior to the meeting. He reported that all documents will be placed on the Town's website and Executive Session minutes would be in the Town Administrator's office and available by request.

*Discussion of FY 2017 Budget and Town Meeting Warrant* – R. Pontbriand went through warrant for the upcoming Annual Town Meeting.

C. Hillman stated that the April 20, 2016 meeting of the Finance Committee was unprofessional and he took offense to it. Other members agreed.

R. Pontbriand stated that everyone is entitled to opinions, for example, if there is a legitimate and fair debate on the COLA issue, he was happy to discuss it with the Finance Committee. R. Pontbriand stated that he and C. Antonellis were extremely offended by Finance Committee member Pauline Conley's comments of the April 20, 2016 meeting in which she insinuated Ms. Antonellis was only hired because she was a friend of the Town Administrator. R. Pontbriand then listed C. Antonellis' qualifications and stated that she was chosen out of over 100 applicants.

**New Business/Selectmen's Questions:**

G. Luca stated that JBOS met the week before. MassDevelopment is interested in having another Super Town Meeting to take up the zoning article that didn't pass last year at a Super Town Meeting in Harvard.

**Approval Meeting Minutes:**

**Motion:** A motion was made by G. Luca and seconded by J. Livingston to approve the meeting minutes of April 19, 2016. **Motion passed 3-0.**

**Reorganization of the Board of Selectmen:** J. Livingston stated that it was the time of year to reorganize the Board of Selectmen. She opened the floor for nominations.

**Motion:** A motion was made by C. Hillman and seconded by J. Livingston to appoint G. Luca as Chairman. G. Luca accepted nomination. **Motion passed 3-0.**

**Motion:** A motion was made by J. Livingston and seconded by G. Luca to appoint C. Hillman as Vice-Chairman. C. Hillman accepted nomination. **Motion passed 3-0.**

**Motion:** A motion was made by J. Livingston and seconded by C. Hillman to appoint J. Livingston as Clerk. J. Livingston accepted nomination. **Motion passed 3-0.**

**Adjournment:**

**Motion:** A motion was made by G. Luca and seconded by C. Hillman to adjourn at 8:11 PM. **Motion passed 3-0.**

Minutes Recorded and Submitted by Carly M. Antonellis

Date Minutes Approved by BOS: \_\_\_\_\_

5/17/2016

Signature Indicating Approval: \_\_\_\_\_

Guy Luca a dharman

Pontbriand asked that the appointment of detail officers be placed under his report because Chief Murray was delayed.

**Ms. Susan Copeland, Tax Collector, Town Clerk and Treasurer:** S. Copeland and Benefits & Payroll Manager Kevin Johnston were in attendance. S. Copeland is recommending that K. Johnston be appointed Assistant Treasurer, per his job description.

**Motion:** A motion was made by G. Luca and seconded by C. Hillman to appoint Mr. Kevin Johnston as Assistant Treasurer effective immediately. **Motion passed 3-0.**

**Reserve Fund Transfer Request:** Mr. Kevin Johnston, Benefits & Payroll Manager was in attendance to request a reserve fund transfer in the amount of \$ 12,000 to account 01919-51740 FICA/Medicare Expenses. K. Johnston stated that analysis indicated that the FY'16 budget was underfunded and that there were a high number of police details causing the increase in the account.

**Motion:** A motion was made by G. Luca and seconded by C. Hillman to approve the Reserve Fund Transfer in the amount of \$12,000 in account 01919-51740. **Motion passed 3-0.**

**Town Engineer Dan Van Schalkwyk:** *Award of Pleasant Street Reconstruction Project Bid* – D. Van Schalkwyk asked that the BOS award the Pleasant Street Reconstruction Project Bid in the amount of \$833,566.45 to Ricciardi Brothers, Inc. of Worcester, MA. He stated that this is part of Community Development Block Grant that was awarded last year. He stated further that all the engineering for the project was done in-house.

**Motion:** A motion was made by G. Luca and seconded by C. Hillman to award the Pleasant Street Reconstruction Project Bid to Ricciardi Brothers, Inc. of Worcester in the amount of \$833,566.45 (Base Bid and Add Alternate). **Motion passed 3-0.**

**Town Administrator's Report:** *Appointment of Special Police Officers and Detail Officers* - R. Pontbriand presented Chief Murray's request for the appointment of Special Police Officers and Details Officers.

**Motion:** A motion was made by G. Luca and seconded by C. Hillman to appoint Special Police Officers and Detail Officers outlined in Chief Murray's two (2) memos of April 27, 2016 that are contained in the meeting packet. **Motion passed 3-0.**

*Administrative Update* – R. Pontbriand said that the Economic and Community Development Director Mr. Alan Manoian has started and that he has "hit the ground running". He stated that he was in receipt of the Attorney General's comments on the Nuisance Bylaw passed at the October 2015 Fall Town Meeting and was reviewing the document internally with relevant department heads.

*Approval of UDAG Funds of \$10,000 (not to exceed) for Underground Tank Removal at Old Fire Station* – R. Pontbriand explained that the sale of the former fire station fell through. It was brought to the Town's attention that there was an underground oil tank that needed to be removed. His plan was to use the deposit received from the buyers to use for the tank removal. Town Accountant Lisa Gabree advised that because there was no appropriation for the tank removal, that the Town could use the UDAG account and then replenish the fund at a Town Meeting.

**Motion:** A motion was made by G. Luca to approve the use of up to \$10,000 in UDAG funds to remove the underground oil tank at the former fire station and to replenish the funds at an upcoming Town Meeting. **Motion passed 3-0.**