

Town of Ayer
Board of Selectmen
Ayer Town Hall
1 Main Street
Ayer, MA 01432



Wednesday June 21, 2016
Open Session Meeting Minutes

Broadcast and Recorded by APAC

Attendance: Gary J. Luca, Chairman; Christopher R. Hillman, Vice Chairman (Arrived at 7:05pm);
Jannice L. Livingston, Clerk

Robert A. Pontbriand, Town Administrator

Call to Order: The meeting was called to order at 7:00 PM by Chairman Luca.

Chairman Luca led the Pledge of Allegiance.

MOTION: A motion was made by J. Livingston and seconded by G. Luca to approve the meeting agenda. **Motion passed (2-0).**

Chairman Luca read various announcements including the mandatory water ban and the upcoming Fourth of July events in Town.

[C. Hillman arrived at 7:05pm]

Public Input:

Mr. Pat Kelly, member of the Ayer Shirley Regional School District Committee and Mr. Murray Clark, Chairman of the High School Building Project appeared before the Board seeking a waiver for the mandatory water ban between the hours of 9am to 12pm Monday thru Friday for the purposes of watering the new hydro-seed on the high school campus. This is necessary to not only insure that the grass grows but to maintain the warranty on the hydro-seed. DPW Superintendent, Mark Wetzel addressed the Board stating that he was not in favor of granting the waiver as the season has been very dry and there are concerns on the Town's wells which could also be further stressed in the event of a fire. He stated that the mandatory ban is in place for a reason and that the School District should discuss other options with the contractor including the contractor bringing water onto the site.

C. Hillman stated that he could see both sides of the issue. On the one hand concerns about the water and upholding the mandatory ban but also we do not want a dust bowl after a 56 million dollar project.

G. Luca stated that we cannot afford not to allow the new grass to be watered.

J. Livingston stated that though she could see both sides of the issue, we should grant the waiver and monitor the situation and review the matter at the July 12th Board Meeting.

MOTION: A motion was made by C. Hillman and seconded by J. Livingston to grant a waiver to the mandatory water ban between the hours of 9am to 12pm for the ASRSD High School project and to review the waiver request at the July 12th Board Meeting. **Motion passed 3-0.**

4th of July Committee Update and Recognition of Grand Marshall

Mr. Jim Fay, Chair of the Fourth of July Committee appeared before the Board to give an update of the upcoming July 2nd Fourth of July Festivities and to announce the 2016 Fourth of July Parade Grand Marshall as Ms. Dottie Marino who was presented flowers by the Committee and a certificate from the Board.

DPW Superintendent Mark Wetzel appeared before the Board regarding the following items:

New Wastewater Utility Truck Purchase Order in the amount of \$67,756 as authorized by Town Meeting.

MOTION: A motion was made by C. Hillman and seconded by J. Livingston to approve the purchase order in the amount of \$67,756 for the new wastewater utility truck with signature by the Chair. **Motion passed 3-0.**

Sidewalk Snow Blower/Mower Purchase Order in the amount of \$142,235 as authorized by Town Meeting.

MOTION: A motion was made by C. Hillman and seconded by J. Livingston to approve the purchase order in the amount of \$142,235 with signature by the Chair. **Motion passed 3-0.**

Complete Streets Prioritization Plan Engineering Agreement

Superintendent Wetzel presented the Complete Streets Prioritization Plan Engineering Agreement in the amount of \$49,900 for Worldtech. The agreement will be funded by the Complete Streets Program Grant which the Town received.

MOTION: A motion was made by J. Livingston and seconded by C. Hillman to approve the Complete Streets Prioritization Plan Engineering Agreement in the amount of \$49,900 for Worldtech with signature by the Chair. **Motion passed 3-0.**

East Main Street Contract Change Order #1 in the amount of \$33,807.22

Superintendent Wetzel presented a change order for the East Main Street Contract in the amount of \$33,807.22. He explained that the change order was the result of some additional, unforeseen work regarding the water connection for the Courthouse and additional work to locate water connections in the street. The change order will be covered by the USDA Grant funding received for the project.

MOTION: A motion was made by G. Luca and seconded by J. Livingston to approve the East Main Street Change Order #1 in the amount of \$33,807.22 as presented by the DPW Superintendent. **Motion passed 3-0.**

Contract Amendment with Ti-Sales for water meters, radios and related equipment in the amount of \$34,220.71

Superintendent Wetzel presented a contract amendment in the amount of \$34,220.71 for Ti-Sales for water meters, radios and related equipment as part of the Town's Water Meters and Automatic Meter Reading System Project.

MOTION: A motion was made by J. Livingston and seconded by C. Hillman to approve the contract amendment with TI-Sales in the amount of \$34,220.71 for signature by the Chair as presented by the Superintendent. **Motion passed 3-0.**

Ms. Lisa Gabree, Town Accountant appeared before the Board regarding the following item:

MUNIS Contract Renewal in the amount of \$119,364.00

L. Gabree presented a contract renewal for three years in the total amount of \$119,364 for the Town's MUNIS system used for accounts payables, payroll, and various municipal accounting systems. The contract is for three years with a cost of \$39,788 per year for a total of \$119,364.

MOTION: A motion was made by J. Livingston and C Hillman to approve the MUNIS Contract Renewal in the amount of \$119,364 for three years as presented by the Town Accountant. **Motion passed 3-0.**

Conservation Commission

Mr. Bill Daniels and Ms. Jess Gugino of the Conservation Commission appeared before the Board to request increasing the Conservation Agent's hours from 20 hours a week to 40 hours a week with benefits. Mr. Daniels explained that the needs of the Commission have changed since 2005 when the position was first created and that the Commission continues to struggle to attract and retain qualified candidates for the position as it is currently not full time nor benefitted. Mr. Daniels further explained that with many new projects in addition to the day-to-day needs of the Conservation Office and an increase in economic growth, part time hours are no longer sufficient.

G. Luca asked if the issue had been raised with the Finance Committee?

B. Daniels stated they have not at this time as they wanted to start with the Board in terms of process.

R. Pontbriand explained the procedural issues that because the position is under the AFSCME 93 Town Hall Clerical Union, the Board would have to negotiate the increase of hours with the Union. The main issue is the funding for the increased hours and the benefits. There is no appropriation in the FY 2017 Budget for this request so if the Board seeks to make it a full-time benefitted position than the funding would need to be authorized by the Special Fall Town Meeting on October 24, 2016.

G. Luca asked if the Town Administrator could get all of the financial information for the Board and Commission regarding this request and that the matter would be taken under advisement. The earliest anything could be done in terms of the funding would be the Special Fall Town Meeting.

Town Administrator' Report

The Town Administrator presented an oral administrative update including a brief project update for the Ayer Commuter Rail Surface Parking Lot project.

G. Luca asked if MART could appear before the Board on July 12th to further discuss the project.

Chapter 61 Nashua Street Extension Update

R. Pontbriand advised that the appraisal was underway and would be ready by July 15th. He explained that the property owner agreed to an extension with the Town beyond the 30-day legal requirement. He further explained that moving forward the Town needs to establish a working group that is tasked with putting in place a definitive policy that would enable the Town to act in a timely manner when receiving a notice for conversion under Chapter 61. Additionally the working group would be tasked with putting together a master inventory and prioritization list of all of the Town's potential Chapter 61 lands and other lands that could be considered for acquisition.

C. Hillman stated that he was not opposed to a working group as long as it was objective and did not just consist of a bunch of abutters or property owners with agendas.

J. Livingston stated that having a master list that prioritized the properties makes sense as well as having a mechanism in place that allows the Town to act timely in terms of an appraisal in the event that the Town wishes to consider exercising its right of first refusal.

R. Pontbriand stated that he would put together a draft proposal for the working group for the Board to consider at the July 12th Board Meeting.

Appointments

The Town Administrator presented the following appointments for Board consideration and approval.

MOTION: A Motion was made by C. Hillman and seconded by J. Livingston to approve the appointments as presented by the Town Administrator. **Motion passed 3-0.**

UDAG Planning Board Support Vote Amendment

The Town Administrator asked the Board to amend its previous vote to authorize up to \$5,000 in UDAG funds for Planning Board support to read up to five hours a month and until the \$5,000 has been spent. He further explained that this would enable the Planning Board (as they requested) to have their meeting minutes taken without having to pay an overtime rate to the Administrative Coordinator. Additionally this will enable the Planning Board to finish up some of their organizational projects which are underway.

MOTION: A motion was made by C. Hillman and seconded by J. Livingston to amend the previous UDAG vote to authorize up to \$5,000 in UDAG funds for Planning Board support to ready up to five hours a month and until the \$5,000 has been spent. **Motion passed 3-0.**

New Business / Selectmen's Questions

Playground at Prione Park (Selectman Luca)

The Board discussed with the Parks Director, Mr. Jeff Thomas and Parks Commissioners Jason Mayo and Sarah Gibbons the idea of replacing the playground (Kiddie Junction) at Pirone Park. Mr. Thomas explained that the structure was built in 1989 and though the wood was purchased to be arsenic free it was not. An 2005 EPA study indicated that the arsenic from the wood leached into the soil. Though this does not pose any harm to the public, the structure and the soil upon removal would need to be remediated. Estimated costs for removal and remediation would be approximately \$150,000 and another \$150,000 to

replace the playground structure. The Parks Department agreed to work with the Economic and Community Development Department and the Town Administrator to develop a plan for removal, remediation, and replacement.

C. Hillman announced the completion of the 6th Season of the Unlimited Baseball program and how the program has grown from six to 72 kids over the years. It is a great program, free of charge.

Approval of June 7, 2016 Meeting Minutes

MOTION: A motion was made by J. Livingston and seconded by C. Hillman to approve the June 7, 2016 meeting minutes. **Motion passed 3-0.**

G. Luca mentioned the recent massacre in Orlando, Florida and that our thoughts and prayers are with the victims and families during this difficult time.

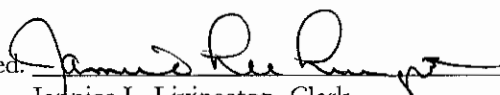
MOTION: A motion was made by C. Hillman and seconded by J. Livingston to adjourn from Open Session and to enter into Executive Session pursuant to MGL Chapter 30A, Section 21A, Exemption #3 for the purposes of two fire department union grievances. To hold the meeting in Open Session would be detrimental to the Town's position and interests. The Board will adjourn for the evening at the conclusion of the Executive Session.

Roll Call Vote: G. Luca, Y; C.Hillman, Y; J.Livingston, Y. **Motion passed 3-0**

The Board adjourned from Open Session and entered into Executive Session at 9:00pm.

Minutes Recorded and Submitted by: Robert A. Pontbriand, Town Administrator

Minutes Approved:


Janice L. Livingston, Clerk

7/12/2016
Dated