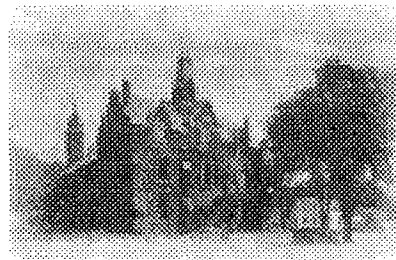


**Town of Ayer**  
**Board of Selectmen**  
**Town Hall, First Floor Meeting Room**  
**Ayer Massachusetts, 01432**  
**12-2-08**



**Tuesday, December 2, 2008**

**Meeting date: 12-2-08**

Present:

Carolyn McCreary, Chairman (Ms. McCreary)	X	Cornelius F. Sullivan, Vice-Chairman (Mr. Sullivan)	X
Richard D. Gilles, Clerk (Mr. Gilles)	X	James Fay, Member (Mr. Fay)	<b>absent A</b>
Gary J. Luca, Member (Mr. Luca)	X	Shaun Suhoski, Town Administrator (Mr. Suhoski)	X
Janet Lewis, Secretary (Mrs. Lewis)	X		

**Meeting Called to order at 7:05p.m.**

**Public Input-**Chairman McCreary requested if there was anyone present wishing to meet with the Board, no one stepped forward.

Chairman McCreary announced the Town's Christmas Concert on 12-7-08 by the Nashoba Valley Choral at the Ayer Town Hall at 2:00p.m. and hayrides with Santa from 12-2 also on the 7<sup>th</sup>. Chairman McCreary also announced the Tuba Xmas at the Ayer Town Hall on Sunday the 14<sup>th</sup> at 2:00pm both concerts free and open to the public.

Chairman McCreary took this opportunity to congratulate Ayer resident and former Selectman Faye Morrison upon her election to the MA Electoral College, acknowledging Ms. Morrison being the Town of Ayer's first resident elected to this position.

Chairman McCreary requested a Moment of Silence in memory of former Town DPW employee John Sullivan who passed away on 11-18-08. Mr. Sullivan worked at the Town's Transfer Station prior to retiring.

Selectman Gilles requested the Board amend the Agenda by removing tonight's discussion re Energy Proposal Support. Selectman Luca expressing his interest on hearing discussion but changed his mind when Chairman McCreary who sponsored this discussion also requesting to defer discussion to the next Selectmen's Meeting. Selectman Gilles moved the Board approve the Agenda as amended, 2<sup>nd</sup> by Selectmen Sullivan VOTE: unanimous 4-0, so moved.

**Agenda Item #1. Police Chief William Murray** –The Board met with Chief Murray-who advised the Board to dispatcher staffing problems due to recent death of Ann Farrell and resignation of David Myer. The Chief requesting the Board's permission to hire full-time and part-time dispatcher. Chief Murray stating increased hours wear on the remaining full-time employees as well as utilization of over-time. Chief Murray advising to department luckily has been training a person for a part-time position who is now interested in the full-time position. Selectman Sullivan moved the Board approve Chief Murray's request to fill two (2) positions –one (1) full-time and one (1) part-time Dispatcher positions, 2<sup>nd</sup> by Selectmen Gilles, VOTE: unanimous, so moved..

**Agenda Item #2. Wastewater Treatment Plant Operator Position**-Town Administrator introduced Richard Hudson, finalist- to the vacant Wastewater Plant Operator's position. Mr. Suhoski advised to Mr. Hudson having a Grade 5 Wastewater License which has expired but could be reactivated; license expiring due to Mr. Hudson currently being self-employed in the construction business. Mr. Suhoski advising the Board to Mr. Hudson interviewed by both John Loomer and himself. The Board reviewed Mr. Hudson's background /qualifications and terms and conditions of employment. Selectman Gilles moved the Board vote to approve the Town Administrator's recommendation to appoint Richard Hudson to the vacant Wastewater Operator's position contingent upon the following conditions of employment: Successful completion of physical examination by Town's physician, Mr. Hudson's successful completion of Drug/Alcohol screening, Mr. Hudson's recertification of his Grade 5/or higher Wastewater License within six (6) months of employment, twelve (12) month probationary period from date of hire, Mr. Hudson's receipt of a CDL-B Driver's License within six (6) months of employment and hoisting license within twelve (12) months of employment. Starting date of employment to be determined by Mr. Suhoski and starting rate of pay to be \$20.70/per hour, 2<sup>nd</sup> by Selectman Sullivan, VOTE: 4-0 unanimous, so moved.. Mr. Hudson in agreement with conditions of employment.

**Agenda Item #3. Manny Velez, Veteran's Agent-** Present for the discussion Peter Johnston St. Mary's Cemetery Trustee/Director and Frank Harmon former American Legion Post Commander and joining them later in the meeting Virginia Mathews-Woodlawn Cemetery Trustee. The Board advised Mr. Velez to comments/observations made at last Selectmen's Meeting concerning negligence re Veterans grave maintenance. Mr. Velez opened the discussion by advising the Board that he is very aware of duties & responsibilities of veterans grave maintenance having served as Veterans Agent the last 26 years advising the Board to his receiving no complaints other than those consistently from Douglas Friedrich. Mr. Velez reviewed Chapter 115 with the Board advising to every Town differs re delegation of funds to cemeteries re maintenance, currently the Town appropriates \$2,500 for maintenance of graves which is split between St. Mary's & Woodlawn. Selectman Gilles advising the Board to his touring both cemeteries after the last meeting and finding grave markers/stones submerged enforcing the need for upkeep re visibility and cleaning, suggesting the use of volunteer groups to assist. The Board reviewed with both Mr. Johnston & Mrs. Mathews their respective maintenance suggestions re upkeep and procuring volunteer services i.e. Job Corp., High School students/Eagle Scout project. Ms. Mathews to take up with Board of Directors her volunteer concerns re liability issues and Mr. Johnston to evaluate and present proposal to St. Mary's. Mr. Gilles to request assistance from Veterans Administration re grant funding/assistance available. The Board requested Mr. Velez to work with both St. Mary's & Woodlawn Cemeteries to resolve issue, and update the Board if further action is needed re manhours/accountability. The Board requested if Mr. Friedrich was satisfied with Board's action, Mr. Friedrich responding in the affirmative.

**Agenda Item #4. Thomas Casey-School Regionalization Update-** Mr. Casey presented and reviewed with the Board the Committees Progress Report outlining the Dept. of Elementary and Secondary Education (DESE) long range educational plan, the Regional School District Agreement, Transition Plan, timetable review, funding, upcoming forums, grants, website (ALSregion.org) and options the Committee is looking into. Mr. Casey updated the Board to the long range plans expected benefits re reorganization, current and projected enrollments, inventory of educational facilities under the jurisdiction of the various School Committees including current & proposed organization chart, fiscal benefits, and transportation economics resulting from reorganization. Mr. Casey elaborating on Ayer-Shirley-Lunenburg's Regionalization Plan model for state. Three (3) Town Region best option for all-best chance for success. Mr. Casey advising to two (2) forums being conducted by the Regionalization Committee January 5, 2009 Town-wide Forum to be held at the Middle School High School Cafeteria at 7:00p.m. and on January 27, 2009 a three (3) Town Forum. The Board thanked Mr. Casey for coming in to meet with the Board and requested Forum dates be announced on Web Site and local cable to notify/alert residents.

**Agenda Item #5. Philip Berry re C.R. Pierce-d/b/a Bookberry 2009 All Alcohol Package Store License**

Mr. Berry requested the Board's permission for a "Pocket License" for C.R. Pierce/d.b.a. Bookberry for six (6) months, during which time Mr. Berry plans to relocate business from 11 Depot Square to 30 Main Street, Ayer, MA. All documents regarding the transfer of location to be filed during the month of December 2008. New location which he hopes to sell, would offer up-scale liquors. Economy worked against him and six (6) month extension would allow him more time to market business. License would be held by the Town and paid in full for 2009. Selectman Gilles moved the Board vote to approve a six (6) month "Pocket License" for C.R. Pierce-d/b/a Bookberry per Mr. Berry's request of 11-4-08 to be paid in full and held by the Town (Board of Selectmen's Office) and new location (30 Main Street) to be certified by Fire Chief, 2<sup>nd</sup> by Selectman Luca, VOTE: unanimous, so moved.

**Agenda Item #6. Jennifer Goldson -Consultant-Community Preservation & Planning-**The Board met with Ms. Goldson re draft proposals for each of the CPA spending categories requesting feedback, comments, suggestions from the public be sent to [JMPlan@aol.com](mailto:JMPlan@aol.com) or by calling her at (617) 990-4971. Ms. Goldson opened her discussion by updating the Board to the Town of Ayer adopting the Community Preservation Act in 2001 with 100% match for first six years with the Town of Ayer generating \$2 million and appropriating \$1 million to projects. Ms. Goldson advised to meeting with various Town Board's/Commissions re CPA funding projects. Ms Goldson reviewed individual lists with the Board:

**Recreation-Create waterfront access-**to great ponds including parking, markers to clearly identify waterfront access while addressing legal issues resulting from encroachments-residential, physical improvements i.e fencing/rails-i.e. Flanigan' Pond. **Create trail access-**Erskine/Pine Meadow Conservation land & parking and trailheads to connect to natural resources/existing trails i.e. Howard St-east of 111 and southern end of Snake Hill Rd. near Mill Pond. **Create Pocket parks-**Pleasant Street School, dog walk @ Nonacocious Brook, Central Ave-Cecil Group, terminus of rail trail, **Extend Nashua River Rail Trail-**extend trail from Main St. to Grove Pond and terminate at Harvard Town line,

Downtown pedestrian bypass, purchase properties along rail trail to create pocket/linear park, create greenway. **Develop recreation at State Farm/Pheasant Farm**-working farm-public school farm (public use on State land)-south side could be converted to athletic fields. **Athletic Fields**-redevelop lower field/woodlands a school complex. **Acquire land & develop trails to connect to existing Conservation land**-through land acquisition/development of trails, development of trails on school grounds-nurture environmental education. **Create Public use for one of the Farms**-convert agriculture land into working farm/community park, **Create horseback-riding trails**-**Create tennis courts**-school complex, **Create tot lot**-school complex, **Create Community Gardens**-town owned land/infill sites, **Create hiking path at Pirone Park**-near senior ctr. along Grove Pond. **Bikers trail** -from new sub-division-Pingrey Hill/2A

**Housing** -**First-Time Homebuyer Program**-, **Adaptable reuse/rehab program**-convert historic, residential, commercial buildings to affordable housing. Dovetail with CDBG Grant Funding i.e. Nutting Bldg.-51 Main St.) **Rental Assistance**-Section 8 voucher for elderly, low-income and disabled. **Develop new Housing**-invest in new housing development i.e Habitat for Humanity, **Housing Authority Expand Portfolio**-support new units for family housing. **Address needs of family**-, **Create a purchase/rehab program**-seize foreclosure opportunities-affordable housing units **Support /energy costs**-fund Housing Authority to subsidize energy costs for existing affordable units.

**Open Space**- **Create Green Corridors**-acquire land to create corridors with walking trails habitat, conservation and passive recreation, connectivity main open space goal. **Connect downtown with Smith Conservation land via Pleasant St.** **Rail Trail/Pocket park**-repeated recreation list **Protect Aquifers** purchase deed restriction/s & land- Spectacle Pond & Grove Pond and North Post to create bigger buffer zone, **Protect aquifers in industrial zoning area.** Gilford/Golden Triangle, **Protect Environmentally Sensitive land**-acquire conservation restrictions, i.e. wetlands near Sandy Pond & Fletchers a.k.a. Flanagan's Ponds, Protect area between Long Pond & Sandy Pond-north of Sandy Pond and west of Wright Rd. - Protect vernal pools, removal of invasive aquatic plants in ponds. **Protect Farm Lands**-acquire agriculture restrictions- i.e. McNiff Farm, Elides Farm, Smith Farm and Schull Farm. **Serve Underserved Neighborhoods**- **Plan for Open Space Protection**-identify priority parcels for protection, **Protect Chapter 61 Restricted Lands**-Farms, Forests, private recreation located in an aquifer contiguous to existing conservation land, **Support Conservation Fund-Mechanism to protect open space.**

**Historic** **Complete Inventory**, **Restore Fletcher Bldg.** -for reuse-restoration-create low-moderate income housing -**Preserve Farms**-farm buildings (repeated in Open Space) **Restore old Fire Station**-i.e town offices/community /teen ctr. **Restore Sandy Pond School**- make more accessible for public use, address handicap accessibility improvements **Increase accessibility to historic resources**-handicap improvements. **Reuse Historic Bldgs. For Town purposes**-convert old building to gym, **Preserve downtown buildings** -invest in preservation & restoration i.e. Fletcher's Bldg. **Continue restoration of Pleasant St. School**-future preservation/rehab needs.

Ms. Goldson again reminding all to public comments open until 12-12-08 re feed back requests -comments to any and all of the remitted proposals to be emailed or Faxed to her prior to 12-12-08. The Board thanked Ms. Goldson for update. **Agenda Item #7. Joint Boards of Selectmen**-Mr. Suhoski presented request from Richard Montouri of MADEV re information transfer/exchange from Ayer Board of Selectmen after JBoS Meetings be delegated to one Selectman designated by Board of Selectmen. The Board nominated Chairman McCleary.

**Agenda Item #8. PamAm Update**-Mr. Sushoski advised the Board to a meeting with senior officials from PanAm and Norfolk Southern railways being scheduled for 12 noon on December 4, 2008 at the Iron Horse Offices In Billerica. Mr. Suhoski advising the Board to this not being a public meeting. Meeting is intended to be informal discussion re Ayer's concerns with auto-unloading proposal over the Spectacle Pond aquifer. Mr. Suhoski requesting two Selectmen be delegated to attend meeting along with him and Rick Linde (Water Dept. Foreman). The Board delegated Chairman McCreary and Selectman Gilles to attend meeting on 12-4-08. Mr. Suhoski advising to State reps also expressing interest in participating and extended invitations. Ms. Suhoski updated the Board to additional comments being prepared to Surface Transportation Board (STB) by Chairman McCreary and himself by deadline of 12-15-08. The Board moved to support letters to State Representatives re Town of Ayer Legislative Issues: Parking -Downtown Commuter Rail Station, Auto-unloading Facility-for PanAm Southern (PAS), More Jobs Grant, Fletcher Building Reuse/Redevelopment and Devens-modifying Chapter 498-zoning restriction for Vicksburg Sq. Motion to approve letters made by Selectman Gilles, 2<sup>nd</sup> by Selectman Luca VOTE: 4-0 unanimous, so moved.

**Agenda Item #8. Town Administrator's Report**-

**DPW Supt. Search**-Mr. Suhoski updated the Board to Screening Committee reviewing eight (8) applications and selected four (4) to be interviewed the 2<sup>nd</sup> week in December 2008, all applicants advised of the concurrent discussion

Screening Committee to meet with Mr. Nota Town of Harvard's DPW Supt. The Board reviewed framework by which the Town could share the services of DPW Supt. i.e. Intermunicipal Agreement to include a 50% total employment cost of the position, revised personal services agreement with Mr. Nota reflecting the duties required by the Town of Ayer. Mr. Nota remaining as a Town of Harvard employee allowing for continuation of retirement, health and/or other benefits. Mr. Suhoski presented job descriptions (Ayer & Harvard's along with Mr. Nota's resume) for their review. Selectman Luca moved the Board authorize the Screening Committee to meet with Mr. Nota, 2<sup>nd</sup> by Selectman Sullivan, VOTE: 4-0 unanimous, so moved.

**2. Tata & Howard Change Order #1. SCADA System Upgrades T&H No. 1898**

Mr. Suhoski presented Water Dept. Panel view at the Spectacle Pond WTF-replacing the existing DH-485 with Ethernet unit and provide and install additional fiber optic cable in the amount of \$5,000.70. Selectman Gilles moved the Board vote to approve Change Order #1. dated 11-12-08 for the Scada system upgrades, 2<sup>nd</sup> by Selectman Sullivan for discussion sharing his discussion with resident re software concerns. Selectman Luca questioning if work done -process. VOTE: unanimous, so moved. 4-0.

**3. Mr. Suhoski advising the Board to presenting Tata & Howard's Contracts re upgrades to Town Wells at next Selectmen's Meeting five contracts combined into 1 contract.**

**4. MMA Meeting**-Mr. Suhoski requesting head count re Annual Meeting representation and informed of full Board's interest and requesting secretary to register full board for the Jan. 23 & 24, 2009 Conference in Boston.

**Agenda item #9. Selectmen's Questions/New Business**

**1. Minutes** Selectman Gilles moved the Board vote to approve the Minutes of 10-27-08, 11-5-08, and 11-18-08, 2<sup>nd</sup> by Selectman Sullivan VOTE: unanimous, so moved.

**10:00p.m.** Selectman Sullivan moved the Board adjourn the meeting, 2<sup>nd</sup> by Selectman Luca, VOTE: unanimous, so moved.

**10:00p.m.** Meeting adjourned.



DATE: \_\_\_\_\_

1-20-09

Richard Gilles, Clerk