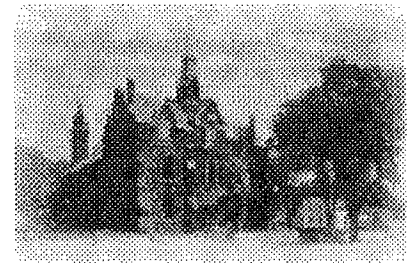


Town of Ayer

Board of Selectmen

Town Hall, First Floor Meeting Room Ayer Massachusetts, 01432



Meeting date: 09-23-08

Present:

Carolyn McCreary, Chairman (Ms. McCreary)	X	Cornelius F. Sullivan, Vice-Chairman (Mr. Sullivan)	Late
Richard D. Gilles, Clerk (Mr. Gilles)	X	James Fay, Member (Mr. Fay)	X
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 7:10pm by Chairman McCreary in open session.

Chairman McCreary requested the Board amend the Agenda and take up the Recycling Committee following Public Input. Selectman Fay moved the Board vote to amend/approve the Agenda to meet with the Recycling Com. after Public Input, 2nd by Selectman Gilles, VOTE: unanimous, so moved.

Public Input-Chairman McCreary requested if there was anyone present wishing to meet with the Board.

Evan Torlin-Mr. Tortin requested the Board return election voting to the schools elaborating on overcrowding in Town Hall stairway and time delays for citizens waiting to vote as well as traffic congestion/availability of parking spaces being problematic. The Board requested background re why the change was initiated both from School Officials and Town Clerk and understand the position of the School Dept., School Committee, and Town clerk before deliberating the issue. The Board requested this matter be placed on the Board's October 7, 2008 meeting and to query the Town clerk re notification process to residents.

Russell Grover-re MBTA lights under platform not functioning, safety issue can't hear train when coming into station.

Chairman McCreary made the following Town announcements:

1. Ayer Block Party-Saturday, September 27th downtown Ayer starts at 10:00am with Home Coming Parade, functions ongoing all day/evening along Main Street and Washington St. 10-3pm Strollin & Rolling self-guided tours, Nashoba Hospital's Family Health Festival, Fire Station open house, Chili & Chowderfest-Nashoba Park, live music ongoing into the evening hours.

2. Last Day to register to vote in State Presidential Election is October 15th advising to the Town Clerk's Office open to 8pm on the 15th to accommodate residents. The Board requested to look into having Town banner and sandwich boards put up for the Election and upcoming Town Meeting. Town Administrator to look into cost of new banner.

1 **Recycling Committee**-The Board met with Susan Tordella Williams and Ruth Maxant Schultz.

a. Discussion: Ms. Tordella opened by advising to the Recycling Com. wishing to have a more active voice re managing recycling-shared management by establishing a joint committee comprised of a member from Board of Health, Selectman, Transfer Station employee, citizen and committee to meet quarterly re maximizing recycling, make more money and promote different ways to get rid of trash. Selectman Luca stating he supported hands on Advisory Groups but management should be left to DPW & Selectmen suggesting to wait until the Town has Superintendent on board first. Ms. Maxant stating Recycling Com. would like to have some input to what's going on at the Transfer Station. The Board requested to take this under advisement for more research by the Town Administrator.

2 **Police Chief Contract Agreement**-the Board met with Chief William Murray

a. Discussion: Selectman Fay advised to the Board coming to Agreement/consensus with Chief Murray for the next three (3) years and with that moved the Board vote to approve the Contract with the Police Chief effective 9-2-08 through 2011, 2nd by Selectman Gilles, VOTE: unanimous, so moved. Congratulations extended to Chief Murray from Board and meeting attendees.

3. **Fire Chief-re bid awards**-The Board met with Chief Pedrazzi

a. Discussion:

Ambulance Bid Award-Bid Opening 9-8-08-10:00a.m. Ayer Fire Station- One (1) Bid received-Greenwood Fire Apparatus Inc. (Horton Emerg. Medical Vehicles of Columbus, Ohio) 2009 Type III, Class I Emergency Medical Vehicle \$143,722.00 (inclusive of trade-in 97 Wheeled Coach Ambulance \$10,500.00). Selectman

Gilles moved the Board vote to approve the Bid Award so stated above by Chief Pedrazzi to Greenwood Fire Apparatus in the amount not to exceed \$143,722.00, 2nd by Selectman Fay, VOTE: unanimous, so moved. Power Ambulance Cot-Chief Pedrazzi advised to the Fire Dept. Ambulance Committee testing all three (3) bidding company's cots re bids received and recommended the award for a new power ambulance cot be awarded to low bidder Ferno-Power Flex in the amount of \$8,844.00. Selectman Gilles moved the Board vote to approve the Chief's recommendation and award the bid for the Dept.'s new power cot to Ferno-Power Flex in the amount not to exceed \$8,844.00, 2nd by Selectman Luca, VOTE: unanimous, so moved. Chief Pedrazzi reminded everyone to the Fire Station Open House on Saturday from 11-3p.m.

4. **Pleasant Street School Confirmatory Release Deed**-Mr. Suhoski advised to need to clarify for HUD the release of the building by ratifying a new Confirmatory Release to the Ayer Housing Authority. Selectman Fay moved the Board vote to approve and endorse the Confirmatory Release to clarify the senior housing units may be subject to one or more perpetual affordable housing restrictions and the Town's right of reverter shall be released upon the recordation of one or more mortgages to secure payment of a least \$5 million with one or more perpetual affordable housing restrictions, 2nd by Selectman Gilles, VOTE: unanimous, so moved.
5. **Westford Road Property**-Mr. Suhoski opened the discussion by advising the Board to memos distributed by him to the Conservation Com., Board of Health, and Building Inspector re impacts/enforcement issues addressed by Mr. Principe at their 9-2-0-08 meeting. Mr. Suhoski advised the Board to members of the various Boards/Commissions present this evening for discussion.

8:00pm Selectman Sullivan entered meeting

- a. Discussion: Mr. Daniels, Chairman of the Conservation Commission advised the Board to Commission meeting & discussing property and concluded that the property does not fall within their jurisdiction. Mr. Daniels advising the Board to no stream or wetlands resource area within property or property falling within buffer zone. Mr. Daniels stating property does fall within boundaries of Petapawag Area of Critical Environmental Concern (ACEC) however the Commission's jurisdiction remains limited to regulations implementing the WPA. The Board thanked Mr. Daniels for his comments and for attending the meeting. Mr. Suhoski advised the Board to Building Dept. advising to no zoning issues due to farm being a non-conforming use and referred matter to Board of Health re pursuing health issues through their own enforcement mechanism. Ms. Spinner stating her dismay with Mr. Vellante "throwing Board of Health under bus" and urging Nuisance By-law be enacted i.e. abandoned vehicles, junk on property advising to site walk conducted by Town's Sanitarian and herself. Frank Maxant questioned whether owner of property was notified of meeting this evening and his farm being on the agenda. Mr. Maxant also updated the Board/residents to farm operating in Ayer for years and new people after purchasing property in Ayer trying to change neighborhood urging party who brought issue up if he didn't like neighborhood to move offering him a for sale sign. Laura Haines resident, questioned if anyone has ever offered to help owner clean up property volunteering her services to help organize and to help local farmers. After a lengthy discussion Chairman McCreary requested to suspend all discussion until the Board has more facts and all parties are present and dialogue brought back to facts instead of opinions. Mr. Principe apologized if he raised a fuss over this but still felt he is not operating a farm and Ayer deserves better than this, Mr. Principe acknowledged Mr. Maxant's point of view and handed him change for the sign upon his departure.
6. **Richard Hamel, re Great Hall Use Request**- The Board met with Mr. Hamel who was before the Board on behalf of the 4th of July Celebration Committee seeking usage of the Great Hall for the dates of 10-31-08 and 12-31-08 to conduct adult dances as a funding event for the Committee. Mr. Hamel also requested two One Day Beer & Wine Licenses be approved for the above dates. Mr. Suhoski updated the Board to his conferring with Town Counsel and the Town's liability insurance provider re one Day Beer & Wine License requests whom suggested the Town approve one of the two following conditions suggested by same:
 1. 4th of July Committee obtain Special Event Liability coverage for the two (2) events to be born by the Committee.
 2. The One Day Beer & Wine Licenses be granted to an existing Liquor Licensee In Town. The Town would require to be named as an additional insured on the licensees insurance & certificate of same be provided to Town.Selectman Sullivan moved the Board vote to approve the One Day Beer & Wine Licenses on behalf of the 4th of July Committee for 10-31-08 and 12-31-08 from 7:00p.m. to 12:00midnight to current license holder in the Town of Ayer provided the Town be named as an additional insured & provided Certificate of same to Town Administrator and

consumption of alcohol beverages be restricted to perimeter of Great Hall, 2nd by Selectman Fay, VOTE: unanimous, so moved.

7. **Community Preservation Act Phase II Contract Ratification**-Selectman Luca opened the discussion by updating the Board to the CPC Committee contracting the CPA Plan with Jennifer Goldston of JM Goldston of Roslindale, MA to which Phase I established guidelines and accomplishments for the CPC for the next five (5) years. Phase II includes engagement of stakeholder groups and community members i.e. Park, Historic Commission, Housing Authority, Conservation Commission, CPIC, School Committee and Planning Board in the planning process to finalize Ayer's CP Plan re direction/purchase of Open Space. Selectman Luca, Chairman of the CPC Committee advised to the CPC voting at their 9-10-08 meeting to approve the contract with JM Goldston which included minor modifications to the proposal as presented to the Board. Selectman Luca moved the Board vote to approve the Contract with JM Goldston of Roslindale, MA in the amount not to exceed \$4,425.00 plus expenses i.e. mileage, copying, postage, etc., 2nd by Selectman Gilles, VOTE: unanimous, so moved.

8. **Director of Planning & Development**-The Board met with Chris Ryan.

1. CDBG Program-Actions recommended

Discussion: Mr. Ryan proposed \$32K Gap Funding for CDBG staff for Fy-09 using UDAG funds to fund the two community development positions through the end of July 2009. The proposal will fund the Housing Program Manager at 32 hours/week working both the Housing & Commercial programs at the same time serving as the programs financial administrator.(32/hpw to 7-31-09) As part of her workload the Housing Program Manager will oversee the rehabilitation of seven housing units. The Commercial Program Manger/Grants Administrator will prepare the 2009 CDBG application while seeking new grants to assist the division. (20/hpw to 7-31-09) Mr. Ryan stated he is seeking the Board's authorization to pursue this program by taking the following steps:

1. Request approval so stated above of \$32K in the Economic Development Budget for 2009.
2. Submit list of \$196K of HR & CR projects with specific applicant commitments to DHCD.
3. Request discretionary funds in the amount of \$274,800 from DHCD for Housing & Commercial rehabilitation and additional funds for two downtown properties for residential units on upper floors estimated at \$750K to \$1.5 million..
4. Recapture funds estimated at \$36K for a residential foreclosure to be added to program income to be used by the CDBG Program.
5. Determine administrative budget/schedule including term, hours, duties for each program manager.
6. Update the Board regularly re status of program.

Mr. Suhoski advised to meeting with DHCD scheduled for 9-30-08 at 2:30p.m. in Boston with Selectmen Gilles & McCreary attending.. Selectman Sullivan requesting the Board go to Boston first and not go to UDAG right now. Selectman Gilles moved the Board vote to approve Mr. Ryan's request (\$18K administration, \$42K UDAG and) with condition Kelley's Hallmark repairs are computed, 2nd by Selectman Luca, VOTE: unanimous, so moved. Selectman Gilles moved the Board support funding Supplement (White Paper) supplied by Mr. Ryan in the amount of \$274,800.00 including the upper floor remodeling of residential units for two downtown properties estimated at \$750K to \$1.5 million. Selectman Sullivan suggesting the appendix A, B & C be included only, not entire packet for meeting with DHCD, 2nd by Selectman Fay, VOTE: unanimous, so moved.

2. **2009 Economic Development Budget Proposal**-Mr. Ryan reviewed his Fy-09 Budget proposal with the Board. Mr. Ryan addressed bridge funding for community development staff, funding Planning & Development Intern position, replacing funds lost in General Budget i.e. supplies, services, dues, and creating new part-time Economic Development assistant position proposed budget \$125,405.00. The Board suggested this matter be scheduled for a working session separate of Selectmen's Meeting. The Board requested Mr. Ryan list out his priorities in anticipation of this working session to which Mr. Ryan distributed his current work load. The Board set October 14, 2008 at 7:30p.m. to meet with Mr. Ryan to evaluate his Fy-09 Budget proposal.

3. **Residential Assistance-Winter 2008-2009**-The Board met with Margaret Scarsdale-re Residential Assistance-Winter 2008/2009-Ms. Scarsdale stated she was before the Board this evening to offer information/assistance to Ayer residents re putting together a resource sheet that lists various groups i.e. Keyspan, National Grid, HEAPS Program offering assistance, ranging from free energy audits to reduced fee (or free) oil (JOE-4-OIL), Salvation Army, Oil Co-Op, to public service groups sponsored by MassSAVE funded through State Agencies to assist residents with the high cost of heating/Maintenance of their homes this winter. Ms Scarsdale advised to information to be shared with

Town Website, local assistance groups-Loaves & Fishes, Fuel assistance, etc. The Board thanked Ms. Scarsdale for her work putting this information together for Ayer residents and thanking her for distributing same to media, Web and Town organizations.

4. Discharge of Mortgage-The Board met with Atty. Richard Fleming representing re property located at 15 Lawton St., Ayer, MA advising to property owners financial hardship/plight re foreclosure of home due to marital problems and illness. Owner unable to satisfy Town's obligation re lien at full value (\$4K) and offering settlement of \$2K to clear title. After a short discussion re other alternatives the Board agreed to approve the Discharge of Mortgage for 15 Lawton St., Ayer, MA in settlement of \$2K and authorize the Chairman's signature. Motion made by Selectman Gilles, 2nd by Selectman Sullivan VOTE: unanimous, so moved.

8. Finance Committee re Rates & Fees Public Hearing Request-the Board met with Mary Spinner of Fin-Com. Ms. Spinner requested the Board schedule a Public Hearing re increasing fees for 2009 i.e. Water/Sewer, Building Dept., Licensees, etc. Selectman Gilles suggested the Board take up at later date due to a lot of information to review requesting more time. The Board agreed to schedule a Public Hearing before the end of the year and to select a date at their next meeting (10-7-08).

9. Town Administrator's Report-The Board met with Shaun Suhoski

1. **Water/Sewer Permits**-The Board approved a sewer connection for BMA-Willow Rd., Ayer, MA for a 1 1/2" line, Motion to approve made by Selectman Gilles, 2nd by Selectman Luca, VOTE: unanimous, so moved.
14 Forest Street-The Board after a length discussion voted to approve a water service connection for a new 1 1/2" water sprinkler system connection and occupancy permits for Surinder Bhardwaj of Westford, MA contingent upon Mr. Bhardwaj's written agreement to pay all outstanding fees, taxes or other charges due the Town of Ayer within 120 days. Motion to approve made by Selectman Sullivan 2nd by Selectman Gilles, VOTE: Selectman Sullivan aye, Selectman Gilles aye, Chairman McCreary aye, Selectman Fay no and Selectman Luca no 3-2 motion passed.
2. **Bid Awards:**
 1. **Salt & Sand**-Mr. Suhoski presented the Board the Bid award for Solar, Rock Salt & Premix for FY-2009 advising to bid opening conducted on 8-29-08. Mr. Suhoski recommended the bid award of Solar, Rock Salt & Premix be awarded to low bidder Eastern Mineral of Lowell, MA for each category at \$69.00/per ton. Motion to approve made by Selectman Gilles, 2nd by Selectman Fay, VOTE: unanimous, so moved.
 2. **Sand-Winter Use**-Mr. Suhoski presented the Board the Bid Award for Sand-/winter-use advising to three bids received and recommending the bid award to low bidder Powell Stone & Gravel Co, Inc. of Lunenburg, MA for the Bid award of \$12.50/per cubic yard. Motion to approve made by Selectman Gilles 2nd by Selectman Sullivan VOTE: unanimous, so moved.
 3. **Potential TIF Requests**-Mr. Suhoski updated the Board to three businesses expressing interest in negotiating a TIF with the Town that would facilitate substantial capital and job creation requesting two Board members be designated to negotiate/discuss proposals from: Selectman Fay and Selectman Gilles designated.
 1. Animat, LLC (J.P. Routhier and Animat, Inc.) renovate Fitchburg Rd. Warehouse-mfg. of rubber matting for agriculture industry, estimated investment \$20 million with 70 jobs created.
 2. G.V. Moore Lumber construction of new facility to replace warehouse that burned downtown. Estimated construction \$1.5 million with several jobs created or retained.
 3. Possible request from a Mfg. Co. builder of circuit boards interested in renovating the Plexux Corp on Copeland Dr./Ayer, MA with substantial investment and creation of 125 jobs (heavy water user)
4. **Citizen's Petition 1-27-08 Fall Town Meeting Warrant Articles submitted to date**-Mr. Suhoski ran through articles received to date with the Board-Memorial Garden Com-establishment of Revolving Fund, TIF Requests (3), Designation of DPW Supt as Permitting Authority re Trench Safety Permits, Citizens petition re zoning change, Collective Bargaining place holders, Patrol Officers, Superior Officers, Firefighters & appropriation of funds as needed, transfer of funds School Committee re changes in wages and health insurance premiums.
5. UDAG Update taken up earlier in evening..
6. Misc. PanAm update-Mr. Suhoski advised the Board to recent mailing to STB upon their request maps sent by The Board of Health and Chairman McCreary's slide presentation.
7. The Board reviewed the Charette scheduled for Thursday, September 25th, 2008 At 7pm in the town Hall 2nd floor Great Hall re presentation of two sites of proposed parking facilities in Ayer

9. New Business/Selectmen's Questions

Selectmen Gilles moved the Board approve the Minutes of 9-2-08, 2nd by Selectman Fay, VOTE: unanimous, so moved. Selectman Gilles moved the Board approve the Executive Minutes of 9-2-08, 2nd by Chairman McCreary, VOTE: unanimous, so moved. Selectman Gilles moved the Board approve the minutes of 9-17-08, 2nd by Selectman Sullivan, discussion requesting Paragraph 2 on page 1 strike repeated language included in paragraph 2, VOTE: unanimous, so moved. The Board requested the minutes of 9-17-08 not be released due to ongoing discussions.

Selectmen's Questions:

Selectman Gilles, re Corporate Jet Municipal Airport rumor to be located on the existing Moore Airfield. Need discussion/investigation re options available. Army may be taking airfield over.

Chairman McCreary advising to October Fall Conference for Selectmen to be held October 18, 2008 and JBOS meeting every two (2) weeks. Lastly reminding everyone again to Town of Ayer Block Party Saturday, September 27th starting at 10:00 with Home Coming parade.

Selectman Sullivan re checking with Treasurer to ensure Town's assets are safe and to take measures to make sure assets are safe. Town Administrator read statement into the record from Treasurer Denis Callahan ensuring Town's assets.

Selectman Fay requesting record keeping policy, re disposal of documents.

10:45p.m. Selectman Sullivan moved the Board adjourn the meeting, 2nd by Selectman Luca, VOTE: unanimous, so moved.

10:45p.m. Meeting adjourned.

Date: _____

Richard Gilles, Clerk
Ayer Board of Selectmen