

Town of Ayer

Board of Selectmen Minutes

Bosmin7-15-08.doc

depth of experience company brings to Town, spear heading wrongful conviction cases, hourly rate being cost effective. Selectman Sullivan called for a motion.

- i. Selectman Gilles moved the Board vote to reappoint Kopelman & Paige as Town Counsel for the period of July 1, 2008 to June 30, 2009, 2nd by Selectman Fay, VOTE: unanimous, so moved.

B. Personnel Board- The Board met with Richard Carabba of Ayer, MA –The Board requested a brief background from Mr. Carabba and reasoning why he requested to serve on the Personnel Board. Mr. Carabba stated he is a five (5) year Ayer resident moving from Fitchburg to Ayer. Mr. Carabba stated he is employed at Shriver Job Corps as the Records/Human Resource Manager and felt he could add support to that Board. Selectman Fay thanked Mr. Carabba for coming in to meet with the Board being appreciative of the fact he attends college on Tuesday evenings. Selectman Fay spoke on behalf of Mr. Carabba's background having worked with him at Shriver stating he is a very qualified individual. The Board also recognized past service offered by Mr. Carabba to serve on many Town ad-hoc committees/boards. Selectman Sullivan called for a motion.

- i. Selectman Fay moved the Board vote to appoint Richard Carabba to the Personnel Board for the period of July 1, 2008 to June 30, 2011, 2nd by Selectman Luca, VOTE: unanimous, so moved.

C. Community Preservation Act Committee (CPA)-Selectman Gilles spoke favorably on behalf of Ms. Gail Berlinger's application to be appointed to the CPA advising the Board to Ms. Berlinger unable to attend the Selectmen's Meeting due to a conflicting appointment.

- i. The Board rescheduled this appointment for Tuesday, August 5, 2008.

Agenda Item #2. Susan Provencher-Program Manager-CDBG

Ms. Provencher presented the FY-05 CDBG Housing Rehabilitation and Sign & Façade Program Final Report for the Board's certification and endorsement. Ms. Provencher advising the Board to 14 units of housing being brought up to code which exceeded the goal of 6 units and seven façade project completed: three signs and one awning, façade projects included the Kelley Hallmark Bldg., North Middlesex Savings Bank, ERA Morrison building and J.P. O'Hanlon's.

- i. Selectman Fay moved the Board approve the FY-05 CDF Grant #05637 Close out Report as presented and authorize the Acting Chair's signature, 2nd by Selectmen Gilles, VOTE: unanimous, so moved.

Agenda Item #3. IDFA-Sprinkler Loan Program-Acting Chairman Sullivan advised the Board to this Agenda Item being requested by him requesting the IDFA enlarge its current loan program to cover the full cost (100%) of complying with the State's current law (\$80K). Selectman Sullivan advising to the Sprinkler Law deadline upon us and costs could force two businesses to lose their liquor license and face closure. Selectman Sullivan looking for sense of Board.

- i. Selectman Gilles moved the Board vote to support to request the IDFA enlarge its current loan program to cover the full cost 100% of complying with the State's Sprinkler law, 2nd by Selectman Fay, VOTE: unanimous, so moved.
- ii. The Board requested the Town Administrator convey the Board's support re IDFA funding 100% loan program.

Agenda Item #4. PamAn Railways Discussion-Town Administrator Shaun Suhoski updated the Board to notice of a merger of Guilford Rail and Norfolk Southern Railroad (\$150million) and plans to construct a new car offloading facility on top of the Zone II aquifer for Spectacle Pond the same as the 3K car facility planned in 2003. Chairman McCreary stated this new facility is only a few hundred miles from a now vacant 200K parking that Ford Motors leased from CSX. The Board requested the Town Administrator ask the Federal Surface Transportation Board (STB) to consider Ayer's environmental concerns in its decision to facilitate the merger. This would place Ayer on list to comment further. Mr. Suhoski also advised to Littleton Water Dept supporting Ayer's position. Selectman Fay suggested Norfolk Southern be contacted through a letter to define its position re sitting the facility on an aquifer.

Agenda Item #5. JBoS Update-The Board approved the letter to Rich Montuori at MADev drafted by the Town Administrator re the Town of Ayer's Devens Disposition -success criteria which gives clear and concise position of what the Town of Ayer wants Economic Sustainability-provide benefit to the Town's overall tax base, Environmental Sustainability, ensured access to protection of aquifers and limit negative impacts specifically to North Post reuse plan, Community Integration institutional, social and physical integration between the governing host community and existing neighborhoods and business districts in the Enterprise Zone.

Maintenance or Improvement of Quality of Life successful implementation of physical links to host communities, share traffic burdens, improved shared capital assets including schools, implementation of plan that meets economic, environmental and community integration goals Exclusion of Major Areas of contamination from Disposition Scenario-avoid any financial liability or stigma associated with areas of contamination i.e. Shepley's Hill landfill and others. Selectman Gilles moved the Board approve sending letter to JBoS dated 7-15-08 with understanding MADev may not be able to generate & deliver though report re the financial information, 2nd by Selectman Fay. Selectman Sullivan stated areas of concern he sought the Board needed more information on, the Board agreed the letter stated what was discussed re success criteria. VOTE: unanimous, so moved.

Agenda Item #6. Town Administrator's Report-

- a. Water/Sewer Permits- No permits submitted by the Supt. of Public Works re action needed

Town of Ayer

Board of Selectmen Minutes

josmin7-15-08.doc

- b. Energy Update-Town Administrator updated the Board to Chris Ryan coordinating with town Department Heads. Conservation was focus of discussion. Selectman Fay updated the Board to Evergreen Solar Open House and of great energy opportunities to assist Towns –i.e. green energy and of Evergreen urging Veterans to apply and being given job preference.
- c. MRPC-Contract Amendment-Mr. Sushoki presented MRPC Zoning By-law extension from 6-30-08 to 7-31-09.
 - i. Selectman Gilles moved the Board vote to approve amendment and authorize the Acting Chairs signature, 2nd by Selectmen Luca, VOTE: unanimous, so moved.

Agenda Item #7. New Business/Selectmen's Questions

Selectman Luca- Updated the Board to Town of Westport going to a four (4) day work week to save energy cost and advising to other Town's following example. Town Administrator advising to need of Public Hearing to receive public comment.

Selectman Fay- Offered Mr. Suhoski his appreciation and Board's thanks for implementing change of Payroll system, from weekly to bi-weekly and having Treasurer's Office send our notices to employees in advance of change over savings generated \$54K.
Insurance process meeting with Unions re increasing contribution and savings to Town.

Selectman Gilles- Minutes -Selectman Gilles moved the Board vote to approve the Minutes of 6-17-08 and 7-1-08, 2nd by Selectman Luca, VOTE: unanimous, so moved.

Agenda Item #8. Open Session with the possibility of entering Executive Session pursuant to MGL Chapter 39S23B
Exemption 3 with respect to Collective Bargaining & litigation. Selectman Fay moved the Board adjourn from Open Session into Executive Session pursuant to MGL Chapter 39 Section 23B Exemption #3 strategy relative to Collective Bargaining and strategy relative to Litigation, to adjourn from this Executive Session to reenter into Open Session for the sole purpose of adjourning the meeting, 2nd by Selectman Luca, VOTE: unanimous, so moved.

The Board took a five (5) minute recess before entering into Executive Session.

8:15p.m. Open Session ended.

Date: _____

Richard Gilles, Clerk
Ayer Board of Selectmen