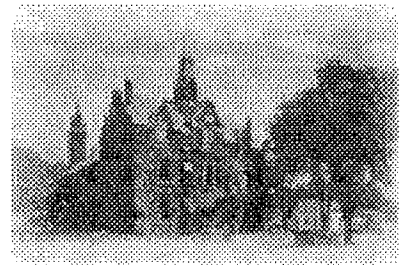


Town of Ayer
Board of Selectmen
1st Floor Meeting Room, Main Street
Ayer Massachusetts, 01432



bosmin7-1-08.doc

Board of Selectmen Minutes

Meeting date: 07-1-08

Present:

Carolyn McCreary, Chairman (Dr. McCreary)	X	Cornelius F. Sullivan, Vice-Chairman (Mr. Sullivan)	X
Mr. 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 7:06 pm by Chairman.

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

1. Mary Spinner re Energy Meeting, suggesting this issue be taken up late in the meeting under the Town Administrator's Report.
2. Selectman Luca requesting the Agenda be amended to take up the Town Administrator's Goals & Objectives and Performance Evaluation under the Town Administrator's Report.
3. Chairman McCreary announced the receipt of a Fire Department Grant Award from the United States Department of Interior, Fish & Wildlife Service in the amount of \$6,666.00 for the purchase of Wildland Firefighting boots. Chief Pedrazzi thanked Lisa White the Department's secretary and Capt. Paul Fillebrown for their assistance preparing the grant application. Chief Pedrazzi advising to grant outfitting each firefighter and call Volunteer with footwear for fighting forest fires.
4. Chairman McCreary announced National Grid's Green Out Program through the purchase of energy goods and services to reduce municipal energy costs i.e. compact fluorescent light bulbs, green buildings savings on energy & water, heating & air conditioning, lighting, office equipment to vehicle maintenance & use.
Chairman McCreary reminded everyone to the 4th of July Celebration being held on Saturday, July 5, 2008 starting at 1pm with a parade, Pirone Park entertainment with vendors & food concessions and ending at dusk with a fireworks display.

Chairman McCreary called for a motion to approve the Agenda. Selectman Luca moved the Board vote to approve the Amended Agenda of 7-1-08, 2nd by Selectman Sullivan VOTE: unanimous, so moved.

Agenda Item #1. Peter Frazier, Senior Vice-President-First Southwest Co., the Town's Financial Advisor-Present for the discussion Denis Callahan, Treasurer. Chairman McCreary welcomed and thanked Mr. Frazier for coming in to meet with the Board to the review the Town's finances. Mr. Frazier presented the Board the Town's credit overview packet prepared by First Southwest Co. re the Town's latest credit report, Moody's approach to Local Government Financial Analysis, 2007 Local Government National Medians, and Public Finance Criteria-Financial Management Assessment.

- i. Mr. Frazier reviewed with the Board the Town's General Obligation Municipal Purpose Loan of 2008 A2 Bond rating. (\$1,870,000.00)
- ii. Mr. Frazier advised the Board to **Moody' Credit Rating characteristics**. **Aaa** (best quality-carrying smallest degree of investment risk, **Aa**- high quality-comprised of generally high grade bonds, not protected not as large as in **Aaa** securities risk somewhat larger than **Aaa** securities. **A**. bonds considered upper medium grade obligations-subject to impairment sometime in the future. **Baa**. Medium Grade obligations neither highly protected or poorly secured which lack outstanding investment characteristics and have speculative characteristics as well. **Ba**. Judged to have speculative elements future cannot be considered as well assured. Mr. Frazier stating the higher the rating lower interest.
- iii. Mr. Frazier reviewed comparisons of 2006-2007 rating distribution charts of local governments and where Town of Ayer stands via other municipalities and how Town can improve rating. Mr. Frazier reviewed General Obligation Bonds i.e. Pension/Assets system-Arbitrage Funds. Mr. Frazier fielded questions re legal standpoint re level of borrowing/override-affordability, Reserves that qualify what should the Town be looking at within constraints of 2 & ½, creating policy to keep municipalities debt within 2.1. Mr. Frazier cautioning Board re creating Policy you can't live with.
- iv. Mr. Frazier offered his service re working with Town of Ayer Officials to structure a policy for the Town of Ayer.

Agenda Item #2. Appointments-

Town of Ayer

Board of Selectmen Minutes

min7-1-08.doc

- A. **Cultural Council-** The Board met with Lisa White who introduced Kristen Taylor to the Board. Ms. White gave the Board a brief bio of Ms. Taylor. The Board welcomed Ms. Taylor the Town's Cable TV representative to APAC, and thanked her for her interest upon serving on this Council. Ms. Taylor stated her background and interest she would bring to the Cultural Arts Council if appointed.
- i. Selectman Gilles moved the Board vote to appoint Kristen Taylor to the Ayer Cultural Arts Council for the period of July 1, 2008 to June 30, 2011. The Board applauded the work of the Council over the past year and being advised by Ms. White to Rolling/Strolling Festival in the works for later this year.
- B. **Fire Station Re-use Committee-**Present for this appointment George Bacon who advised the Board to Ms. Alene Reich inadvertently being left off the 2009 appointments. Selectman Gilles moved to appoint Ms. Alene Reich to the Fire Station Re-use Committee for period July 1, 2008 to June 30, 2009, 2nd by Selectman Fay, VOTE: unanimous, so moved.
- C. **Personnel Board-**Selectman Fay spoke to this candidate who could not be present this evening due to vacation plans. Selectman Fay advising to Richard Carraba being an Ayer resident who works for the Shriver Job Corps requesting consideration for appointment to the Personnel Board. The Board requested to meet with Mr. Carraba at an upcoming meeting.

The Board went off the Agenda to take up the DPW Appointments at this time (Agenda Item #5 Items 3&4)

- D. **Transfer Station Appointment-**The Board met with Supt. Madigan who introduced Steve Perron of Townsend, MA to the Board. Supt. Madigan gave the Board a brief history of Mr. Perron's background: Digital 22 years-lost job with DEC downsizing, Townsend 11 years warehousing. Supt. Madigan advising to Mr. Perron's successful completion of Physical examination. Selectman Luca requesting if CORI checks were part of employment. Being advised to Union Contract re standards. Mr. Perron advising to CORI recently being done through Dept. of Social Services on his background due to adoption of child.
- i. Selectman Gilles moved the Board appoint Mr. Perron to the position of Solid Waste Transfer Station Attendant contingent upon Mr. Perron's successful completion of a one (1) year probationary period and drug screening, 2nd by Selectman Fay, VOTE: unanimous, so moved.
- E. **Highway Dept. Appointment-**Supt. Madigan introduced Luis Ramos of Fitchburg, MA to the Board. Supt. Madigan ran through Mr. Ramos's background: mechanic, welder and masonry worker. Supt. Madigan advised to Mr. Ramos being a very enthusiastic individual having obtained his CDL -Class B License, and highly skilled back ground. Selectman Fay requested if Class A License to be obtained and Supt. Madigan responded yes.
- i. Selectman Fay moved the Board appoint Luis Ramos to the position of Highway Dept. Utility Person contingent upon successful completion of physical examination and drug screening and a one (1) year probationary period, 2nd by Selectman Sullivan VOTE: unanimous, so moved.

Agenda Item #3. Margaret Scarsdale-Program Manager CDBG-

Ms. Scarsdale gave the Board a brief background re Board's vote on 5-20-08 to move \$10K from the construction category of the Fy-06 CDBG Budget to the design category which was forwarded to Boston who approved the change. Ms. Scarsdale presented the amended contracts with Mangel Architects and The Cecil Group re the \$10K increase.

- i. Selectman Luca moved the Board vote to approve the amended contracts with Mangel Architects, Inc. and The Cecil Group re the Fy-05 & 06 MSCP program objectives established by the Town's approved Community Development Fund Application to DHCD, and authorize the Chairman's signature 2nd by Selectman Gilles, VOTE: unanimous, so moved.

Agenda item #4. Fire Chief Robert Pedrazzi-The Board met with Chief Pedrazzi

1. Ambulance Billing Collection Policy-

Chief Pedrazzi advising to Policy before the Board on 6-17-08 amended to reflect #6. change from "Ambulance Billing Team" to Town Administrator and Fire Chief to review billing procedures i.e. hardship requests or to pursue further billing measures. Chief advising to no approval needed by Board to accept, policy being Chief's discretion re policy decisions. This only before Selectmen due to Dept. not having current Ambulance Billing Policy.

- i. Selectman Gilles moved the Board endorse the Chief's Ambulance Billing Policy, 2nd by Selectman Sullivan VOTE: unanimous, so moved.

2. Contract for Collection Services-HIPAA-(Health Insurance Portability and Accountability Act) Business Associate Agreement -with Action Collection Agencies, Inc. of Boston, MA 422 West Grove St., Middleboro, MA

- i. Selectman Fay moved the Board approve the contract Addendum for services with Action

Town of Ayer

Board of Selectmen Minutes

min7-1-08.doc

Collection Agencies, Inc. of Boston, MA and acknowledges it as a Business Associate as defined in HIPAA and corresponding regulations and authorize the Board's signatures, 2nd by Selectman Gilles, VOTE: unanimous, so moved.

3. Reserve Fund Transfer- Chief Pedrazzi presented the Department's Request for a RFT in the amount of \$2,210.00 re unforeseen expenses to the Dept. re the Moore Lumberyard Fire on 11-28-07.

i. Selectman Sullivan moved the Board approve the RFT-Line Item 01220 in the amount not to exceed \$2,210.00 as presented by the Chief, 2nd by Selectman Gilles, VOTE: unanimous, so moved.

Agenda Item #5. Supt. Madigan's Report (continuation from earlier)

4. Reserve Fund Transfer- Supt. Madigan advised the Board to his earlier request being updated to represent the actual end of the year expenses for Street Lighting revised from his 6-7-08 request of \$4K to \$5,200.00 reflecting June 2008 billing.

i. Selectman Gilles moved the Board approve the Street Lighting -Line Item 01424-52100 to pay the National Grid invoices through June 2008, 2nd by Selectman Sullivan VOTE: unanimous, so moved.

5. Administrative Order- CPF/Copeland Drive -Supt. Madigan advised the Board to incident at CPF on 6-10-08 with acid spilling at CPF's industrial pretreatment plant resulting in a pH of 2.5 discharged to the Town's sanitary sewer system. Supt Madigan in accordance with the town's sewer regulations a Administrative Order was issued (waste exceeded Town's permit limit).

i. Selectman Sullivan moved the Board approve the Administrative Order (AO) (08-005-01) for CPF as recommended by Supt. Madigan in his memo to the board dated 6-27-08, 2nd by Selectman Gilles, VOTE: unanimous, so moved.

ii. Selectman Luca requesting if there were any other incidents/issues at CPF? Supt. Madigan stated no.

6. Water Quality Report- Supt. Madigan presented the Board the Town's Annual Water Quality Report.

Agenda Item #6. Town Administrator's Report-The board met with Shaun Suhoski

Town Administrator's Performance Evaluation-New Contract - Chairman Carolyn McCreary opened the discussion by advising the residents to the Board finalizing a new three (3) year contract with Town Administrator Shaun Sushoki during a June 24, 2008 Executive Session along with the Town Administrator's annual performance review. Chairman McCreary advising to the new contract running through June 30, 2011. Chairman McCreary stating the contract furthers the Board's goal of making all contracts as transparent as possible advising to the increase to Mr. Suhoski's salary funded within the Fy-09 budget approved by Town Meeting May 2008 (\$84,376.00). Chairman McCreary stated the Board recognizes Mr. Suhoski's ability to communicate with the public and Town employees, his integrity and his leadership in problem solving and looking forward to continuing partnership. Chairman McCreary elaborated on Mr. Suhoski receiving an Above Standard rating from the Board in accordance with the Town's Annual Performance Reviews. Mr. Suhoski thanked the Board for their support, confidence and leadership on behalf of the community.

2. Water & Sewer Permits-The Board approved the following Water & Sewer Permits

i 1" Water & Sewer Serv. 3a & 3b Turtle Hill Rd. Motion to approve made by Selectman Sullivan 2nd by Selectman Luca, VOTE: unanimous, so moved.

ii 1" Water & Sewer Serv. 7a & 7B Turtle Hill Rd. Motion to approve made by Selectman Sullivan 2nd by Selectman Fay, VOTE: unanimous, so moved.

iii 1" Water & Sewer Serv. 71 Fox Run & 71 Haymedow Lane, 2" Willow Rd.. Motion to approve made by Selectman Sullivan 2nd by Selectman Luca, VOTE: unanimous, so moved.

3. Town Counsel Appointment- Mr. Suhoski advised the Board to town's receipt of Kopelman & Paiges Engagement Letter re Fy-09 Appointment as Town Counsel. Selectman Gilles moved the Board invite Town Counsel into the next Selectman's Meeting re Appointment approval, 2nd by Selectman Fay, VOTE: unanimous, so moved.

4. Energy Aggregation- Mr. Suhoski updated the Board to his meeting with Dan Sherman over the past 3 months to research the best energy aggregation to ensure predictable electricity pricing and budgeting for the Town. Mr. Suhoski stated the first meeting with Town Departments is scheduled for 7-9-08 at 10am. Mr. Suhoski advising to looking at consolidating all the Town's accounts re consumption. Mr. Sherman and Mr. Suhoski met with National Grid and Constellation NewEnergy re pricing valuables. Chairman McCreary requesting they research Greenhouse/renewable power conservation and look into use of generators during high consumption periods. Ms. Spinner urging the Board lock in

Town of Ayer

Board of Selectmen Minutes

min7-1-08.doc

pricing sooner than later and suggesting audit be conducted possibly dove-tailing with Municipal Light Plant-Constellation being the best bet so far. On another matter Ms. Spinner advised the Board to flags on Main Street disgraceful needing replacement, some of the double pole flags missing one.

4. Minutes- Selectman Gilles moved the Board approve the minutes of 6-3-08 and the Executive Session Minutes of 6-12-08, 2nd by Selectman Fay, VOTE: unanimous, so moved.

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

Selectman Fay-Congratulated Mr. Suhoski on progress on Executive Session Minutes. Suggesting the Board consider scheduling one day a month for Executive Session. Congratulations to Town Clerk on getting the new quarterly tax bills out on schedule and lastly reminding the Board to jot down areas needing repair throughout town re Shriver Job Corps students work program.

Selectman Luca- JBoS 3 Action Items-

1. MADev cost analysis re services on Devens.
2. Towns estimate cost of services re individual portions of Devens-all of Devens
3. Each Town develop guiding principals expected of Devens Disposition i.e. 5 or 6 high level principals before next JBoS.

Selectman Sullivan- Plan ahead re winter months. Home Owners stranded re heating costs and in need of financial assistance. Assemble Federal/State help available and have a plan re dissemination of information to home owners to avoid crisis management. Suggesting to pool resources available and check re use of CDBG funds i.e. program income re financial assistance for residents. Place on Website/Media release. Mr. Sushoski to look into and report back to Board by first meeting in August.

Mr. Suhoski reminded the Board to Devens Work Session next Tuesday 7-8-08/6p.m. being a Public Meeting re guiding principals for Devens Disposition.

Selectman Fay moved the Board adjourn from Open Session to enter into Executive Session pursuant to MGL Chapter 39 Section 23B Exemption #3 re strategy re Collective Bargaining, to adjourn from this Executive Session for the sole purpose of adjourning the meeting, 2nd by Selectman Luca, VOTE: Selectman Fay aye, Selectman Luca aye, Selectman Sullivan aye, Selectman Gilles ye, Chairman McCreary aye, unanimous, so moved.

9:35p.m. Open Session concluded.

DATE: 7-15-08

Richard Gilles, Clerk