

Ayer Board of Selectmen Meeting minutes
Ayer Town Hall – August 21, 2007 @ 7:00 p.m.

Chairman Luca convened the meeting at 7:05 p.m. in open session.

Present: Gary Luca, Chairman; Carolyn McCreary, Vice Chair; Cornelius Sullivan, Clerk; Frank Maxant, Member; Pauline Conley, Member. Staff: Shaun Suhoski, Town Administrator.

Selectman McCreary moved to approve the agenda with inclusion of Harry Zane under public input. Second: Selectman Conley. VOTE: Unanimous. **So moved.**

Public Input: Chairman Luca read a proclamation by Governor Patrick designating August 19-25 as “Farmer’s Market Week” and **stated that Ayer’s Farmer’s Market runs Saturdays through October from 9a.m. until 1p.m. in Depot Square. (when our market is open was not part of the proclamation)**

Harry Zane appeared to express his opinion over a selectmen’s meeting in Shirley and to request the Board designate a “full-time, strong advocate” to ensure implementation of the downtown parking and rail improvements.

Selectman Sullivan moved that the Board send a letter to the Shirley Board of Selectmen to request their support for the release of earmarked funds for parking and rail improvements to Ayer’s downtown station. Second: Selectman Maxant. VOTE: 3-1-1 (Selectman Conley, nay; Selectman Luca, abstained). **So moved.**

Selectman Sullivan moved that the Board formally direct the Town Administrator and Director of Planning and Development that shepharding release of the earmarked funds for the parking and rail improvements is a priority for the Board of Selectmen. Second: Selectman McCreary. VOTE: 3-1-1 (Selectman Conley, nay; Selectman Luca, abstained). **So moved.**

Selectman Conley **suggested to add to the goals and objectives for the Town Administrator that the Board receive a memo or report on any meetings attended by the Town Administrator, Director of DPD or any other department head on behalf of the Board.**

1. Minutes: Selectman Conley moved the Board accept the Executive Session minutes of 2/20/07 as printed. Second: Selectman McCreary. VOTE: Unanimous. **So moved.** Selectman Conley moved the Board accept the Executive Session minutes of 2/27/07 as **amended.** Second: Selectman Sullivan. VOTE: Unanimous. **So moved.** Selectman Conley moved the Board accept the Executive Session minutes of 6/20/07 as amended. Second: Selectman Sullivan. VOTE: Unanimous. **So moved.**

1.a. Release of Executive Session Minutes: Selectman Conley moved the Board release the Executive Session minutes of 6/20/07 ~~as redacted by the Town Administrator.~~ **(nothing redacted from these minutes)** Second: Selectman Maxant. VOTE: Unanimous. **So moved.** Selectman Conley moved the Board release the Executive Session minutes of 2/27/07 as redacted by the Town Administrator. Second: Selectman Maxant. VOTE: Unanimous. **So moved.**

2. One-Day Beer & Wine License (St. Mary’s Lawn Party): Selectman Conley moved the Board approve a one-day beer and wine license for the St. Mary’s Lawn Party for Friday, September 7 and Saturday September 8. Second: Selectman Maxant. VOTE: Unanimous. **So moved.**

3. CDBG Subordination Request: Following discussion with Program Manager Sue Provencher the Board tabled the matter for further information and report at the September 5 meeting.

4. Personnel Board Appointments: Dennis Curran and Lisa White appeared before the Board to express their interest in serving on the Town's Personnel Board. After a brief discussion, Selectman McCreary moved the Board graciously accept the gifts and talents of Mr. Curran and Ms. White and appoint each to fill unexpired terms on the Personnel Board [ed. Note: terms expire June 30, 2010]. Second: Selectman Sullivan. VOTE: 4-1 (Selectman Maxant). **So moved.**

5.1. Groundwater Monitoring Program (Pan-Am Railways – Spectacle Pond Aquifer): DPW Supt. Mike Madigan and Kevin Trainer of GeoInsight, Inc. presented recommended locations for groundwater monitoring wells on and around property owned by Pan-Am Railways between Willow Road and Westford Road. Following discussion over the number and location of wells, and the sufficiency of the upgradient wells, Selectman Sullivan moved to seek implementation of the plan in accordance with the DPW Superintendent's memorandum dated 8/17/07 and to direct inquiries to Pan-Am through Town Counsel. Second: Selectman McCreary. VOTE: Unanimous. **So moved.**

5.2. Tata & Howard – SCADA Contract: Selectman Sullivan moved the Board approve a contract with Tata & Howard for SCADA system design and construction services as detailed in Supt. Madigan's 8/17/07 memorandum. Second: Selectman McCreary. VOTE: 4-1 (Selectman Maxant). **So moved.**

6.1. Dept. of Revenue Management Review Recommendations: This item was deferred to the September 5 meeting.

6.2. Special Town Meeting re: FY07 Health Insurance Line Deficit: The Board reviewed the Town Accountant's 8/20/07 memorandum, Town Counsel's 8/21/07 email opinion, and draft article proposed to resolve a \$155,892 deficit in the FY07 health and life insurance budgeted line item. Selectman Conley moved the Board call a Special Town Meeting on Monday, September 17, 2007 at 7:00 p.m. at the Ayer High/Middle School Auditorium. Second: Selectman Maxant. VOTE: Unanimous. **So moved.** Selectman Conley moved the Board open the Special Town Meeting warrant. Second: Selectman McCreary. VOTE: Unanimous. **So moved.** Selectman Conley moved the Board approve Article 1 as printed in the packets. Second: Selectman Maxant. VOTE: Unanimous. **So moved.** Selectman Conley moved the Board **close** the Special Town Meeting warrant. Second: Selectman Maxant. VOTE: Unanimous. **So moved.** Mr. Suhoski advised that the Board can reopen the warrant, if necessary to revise the article, at the September 28 tri-board session.

7.1. Dept. of Planning and Development Budget and Payroll: The Board reviewed the Town Administrator's 8/13/07 memorandum and attachments concerning the Planning Board's ongoing authorization of more than 30-hours-per-week for the Office Manager position. Three members of the Planning Board (Mssrs. Wentzell, Johnston and Luchessi) participated in a discussion concerning the 30 hour position and potential that funding may be exhausted before the end of the fiscal year if the Planning Board continues to overspend the salary **line item**. Following much discussion, Selectman Conley moved the Board direct the Town Administrator to notify the Town Accountant and Town Treasurer that the Planning Board Office Manager works for the Planning Board and Zoning Board within a 30 hour-per-week budget, and to recommend the Planning Board work with the Director of Planning and Development on how to allocate hours between the Planning Board and Zoning Board not-to-exceed 30 hours per week. Second: Selectman Maxant. VOTE: Unanimous. **So moved.**

7.2. Consolidated Office Plan (Space Allocation): Due to the lateness of the hour, this item was deferred to the September 5 meeting.

8. Board of Selectmen Goals and Objectives: Due to the lateness of the hour, this item was deferred.

9. Town Administrator's Report: Mr. Suhoski reminded the board of the full Tri-Board meeting scheduled for August 28 following the joint meeting with the School Committee to fill a vacant School

Committee seat. Mr. Suhoski stated the annual Fall Town Meeting is set for Monday, October 22 and that the Warrant will likely remain open until the October 2 Board of Selectmen meeting.

9.a. Workplace Harassment Training: Mr. Suhoski advised that Town Counsel will present educational seminars on workplace harassment during the afternoon and evening on September 25. Selectman Sullivan moved the Board require attendance at such sessions for all employees under the jurisdiction of the Selectmen and to strongly encourage participation by all other Town employees and volunteers. Second: Selectman Conley. VOTE: Unanimous. **So moved.**

Executive Session Motion: Selectman Conley moved the Board of Selectmen enter Executive Session pursuant to MGL Chapter 39, Section 23B, Exemption No. 3 (strategy with respect to collective bargaining and litigation) and Exemption No. 5 (discuss the filing of criminal complaints), and to adjourn from Executive Session into Open Session for the sole purpose of adjournment. Second: Selectman Maxant. **ROLL CALL VOTE:** Selectman Sullivan – aye, Selectman McCreary – aye, Selectman Maxant – aye, Selectman Conley – aye, Chairman Luca – aye. **So moved.**

The Board entered Executive Session at 10:35 p.m.

END OPEN SESSION MINUTES

9-18-07

