

Selectmen's Meeting edited by Connie including Pauline's edits (BOLD)

June 19, 2007

Ayer Town Hall, 1st Floor Meeting Room, Main Street, Ayer, MA

Meeting recorded by AYERPAC made part of meeting minutes-CD available for viewing by written request to Town Administrator or by purchase from AYERPAC directly.

Present

Gary J. Luca, Chairman	X
Carolyn McCreary, Vice-Chairman	X
Cornelius F. Sullivan, Clerk	X
Frank F. Maxant, Member	X
Pauline Conley, Member	X
Shaun Suhoski, Town Administrator	X
Janet Lewis, Secretary	X

Chairman Luca called for a motion to approve the Agenda as amended. Selectman Sullivan moved the Board approve the Agenda of 6-19-07 as amended, 2nd by Selectman Maxant, VOTE: unanimous, so moved.

Public Input

1. **Mary Spinner-** Town Hall Defibrillator –Ms Spinner speaking on behalf of Board of Health advised to defibrillator received from Neshoba Valley Community Hospital being placed on wall adjacent to Clerk's Office. Ms. Spinner advised to Fire Chief advising to training being made available by Fire Dept for Town personnel and interested residents re use and handling of this equipment. Ms. Spinner also updated the Board to Board of Health applying for grant to obtain town-wide defibrillators.
2. **Chairman Luca** updated residents to the Town's 4th of July Celebration being held on Saturday the 30th of June starting at 1:00p.m. with parade starting on Fitchburg Rd. (Hannaford's parking lot) to Park St., onto Main St. and ending at Prone Park where a full day of entertainment, vendors, food booths will be held and fireworks beginning at dusk. Chairman Luca also advised to decorated children's bikes, carriages, cart, etc. entering the parade at Park St. and ribbons/trophy's to be award at Park.
3. **Selectman Conley** re Minutes discussion re policy procedures of prior board/s.

Agenda Item #1.-Reserve Fund Transfer Requests –Veteran's Agent

1. **Veterans Agent-**Selectman Conley moved to approve a \$500.00 Reserve Fund Transfer to Dept. 01547 Veterans Benefits and authorize signature by Chairman 2nd by Selectman Maxant, VOTE: unanimous, so moved.

Agenda Item #2. Fire Dept.

1. **Ambulance Enterprises-**Selectman Sullivan moved to approve a Reserve Fund Transfer for Dept 6400 and authorize the Chairman's signature, 2nd by selectmen McCreary, VOTE: Selectman Sullivan aye, Selectman McCreary aye, Selectman Maxant aye, Chairman Luca aye, Selectman Conley no. 4-1 motion passes.
2. **Fire Dept.** Selectman Sullivan moved the Board approve a Reserve Fund Transfer to Dept. 01220 in the amount of \$20,813.00 and authorize the Chairman's signature, 2nd by Selectman McCreary, VOTE: unanimous, so moved.

Agenda Item #3. Minutes of X4-3-07 and 5-29-07 Selectman McCreary moved the Board approve the Executive Session Minutes of 4-3-07, 2nd by selectman Conley, VOTE: unanimous, so moved. Selectman Conley moved the Board release Item #3 Litigation Retention Agreement for Insurance to public, 2nd by Selectman Maxant, VOTE: Selectman Maxant aye, Selectman Conley aye, Selectman McCreary no, Selectman Sullivan no, Chairman Luca no Release of Agreement tabled. Minutes of 5-29-07 to be taken up on 6-20-07 re format.

Discussion re policy for minutes of Board of Selectmen-Selectman Conley provided Board with copies of minutes of the minutes of the Board of selectmen dated Oct. 2005 and 11-1-05 and discussed Board policy re its minutes.

Agenda Item #4. Selectman Sullivan –Certificate of Recognition-Town Employee lending a helping hand. Motion from Selectmen Sullivan to approve, 2nd by Selectman Maxant, VOTE unanimous, so moved. The Board reviewed establishing a policy re Certificates, Town Administrator to draft policy for Board.

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Agenda Item #5. Denis Callahan, Town Treasurer-New Health Insurance Law-The Board voted to adopt the Section 125 Plan/MA Health Reform Act required by 7-1-07 at no cost to the Town, except administrative time. Motion to approve made by Selectman Conley, 2nd by Selectman McCreary VOTE: Selectman Conley aye, Selectman McCreary aye, Selectman Sullivan aye, Chairman Luca aye, Selectman Maxant no. 4-1- motion passes.

Agenda Item#6.-Town Counsel Re-Appointment-The Board met with Atty. Mark Reich of Kopelman & Paige regarding his formal appointment as Town Counsel after discussion Selectman Conley moved the Board vote to re-appoint Kopelman & Paige as Town Counsel effective 7-1-07 to 6-30-08 at a rate of \$165.00/per hour, 2nd by Selectman McCreary VOTE: Selectman Conley aye, Selectman McCreary aye, Selectman Sullivan aye, Chairman Luca aye, Selectman Maxant no 4-1 motion passes. The Board discussed having Kopelman & Paige conduct a Pre-Town Meeting session **and training** for new employees/Dept. Heads and residents.

Agenda Item #7. School Dept.-SBA Letter of Interest-The Board met with Dan Sallet Chairman of the School Committee and Brian McDermott, Asst. Supt. of Schools re the School Committee's request for the Board of Selectmen's vote of approval for the Superintendents authorization to submit a Statement of interest to the School Building Authority re funding. Selectman Conley moved the Board vote to approve **Page/Hilltop Schools** request for funding into the record- Having convened in an open meeting on 6-19-07 the Board of Selectmen of the Town of Ayer in accordance with its charter, by-laws, and ordinances, has voted to authorize the Statement of Interest dated 6-5-07 for the Page/Hilltop Elementary School located at 115 Washington St., Ayer, MA which describes and explains the following deficiencies and the priority category for which the Ayer Public Schools may be invited to apply to the MA School building Auth. In the future for Priority 5: Replacement, renovation or modernization of the heating system in any schoolhouse to increase energy conservation and decrease energy related costs in the schoolhouse, as determined in the judgment of the authority; and hereby further specifically acknowledges that by submitting this Statement of Interest, the MA School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other commitment from the MA School Building Authority or commits the Ayer School District to filing an application for funding with the MA School Building Authority, 2nd by Selectman Maxant, VOTE: unanimous, so moved.

Middle/High School-Selectman Conley moved the Board vote to approve the Middle/High School request for funding into the record: Having convened in an open meeting on June 19, 2007, the Board of Selectmen of the Town of Ayer, in accordance with its Charter, by-laws, and ordinances has voted to authorize the superintendent to submit to the MA School Building Authority the Statement of Interest dated 6-5-07 for the Middle/High School located at 141 Washington St., Ayer, MA which describes and explains the following deficiencies and the priority category for which the Ayer Public Schools may be invited to apply to the MA School Building Authority in the future for Priority 5. Replacement, renovation or modernization of the heating system in any schoolhouse to increase energy conservation and decrease energy related costs in the schoolhouse, as determined in the judgment of the authority; and hereby further specifically acknowledges that by submitting this Statement of Interest, the MA School building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the MA School Building Authority, or commits the Ayer School District to filing an application for funding with the MA School Building Authority, 2nd by Selectman Maxant, VOTE: unanimous, so moved.

Agenda Item #8. Supt. Madigan's Report- The Board met with Supt. Madigan

2007 Chapter 90 Program-Selectman Conley moved the Board vote to approve Supt. Madigan's recommendations in a memo dated 6-4-07 for the 2007 Chapter 90 Program totaling \$165,500.00 as follows:

1. Crack Sealing \$10K
2. Replacement of Groton St. stone wall \$45K
3. Paving of 2,200' of Brook St. (2 ½ top) \$27K
4. Replacement of stone culvert-Highland Ave. \$30K
5. Cold planning & paving 1,350' Grot/Shirley Rd. \$53,500 -(2 ½ base & 1 1/2top)

2nd by Selectman Sullivan, VOTE: unanimous, so moved.

Water Loss Prevention Grant-Selectman Conley moved the Board vote to approve the Water Loss Grant Project from MA DEP for a total of \$31K for Tata & Howard's Engineering Agreement for the sum not to exceed \$31K per Supt. Madigan's memo dated 6-5-07, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

Groundwater Monitoring Plan (PanAm)-Selectman McCreary moved the Board vote to approve the Scope of Work proposal submitted by GeoInsight to install six monitoring wells: two (2) upgradient from the Guilford site along Willow Rd. and four (4) wells downgradient between the construction area and Spectacle Pond Wells for the total cost not to exceed \$18,200.00 per Memo from Supt. Madigan dated 6-4-07, once reviewed & approved by Town Counsel, 2nd by Selectman Maxant. Selectman Sullivan requesting a friendly amendment to add a;ternate clause for GeoInsight to research need for additional wells upgradient per well cost as additional alternate, VOTE: unanimous, so moved.

Lease-Purchase Agreement (loader)-Selectman Sullivan moved the Board vote to approve Supt. Madigan recommendation in a memo dated 6-6-07 re the lease-purchase agreement for Caterpillar Loader approved by the Board of Selectmen on 3-20-07 include the execution of a resolution as shown in Attachment B and authorize the Chairman's signature on the Lease-Agreement and also authorize Supt. Madigan to accept the loader via the

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attached acceptance certificate-Attachment C, 2nd by Selectman McCreary, VOTE: Selectman Sullivan aye, Selectman McCreary aye, Selectman Maxant aye, Chairman Luca aye, Selectman Conley no, 4-1 motion passes. **(Cleaning Services Agreement-(brush dump)-tabled for discussion after 6-19-07 Supt. Madigan in process of soliciting quotes.**

Sandy Pond Beach Signage-revisited by Selectman Maxant re public safety issue re tractor-trailers turning at Sandy Pond Beach. Supt Madigan, Fire & Police Chiefs to meet and determined location of signs.

Agenda Item #9. Complaint against Public Official-Chairman Luca announced the cancellation of this item from the Agenda, advising to both parties agreeing to meet in mediation with him next week.

Agenda Item #10. The Board rescheduled this matter to a future agenda 7-11-07.

Agenda Item #11. Devens Success Criteria-The Board discussed conducting an informal Public Input Meeting in July 2007 and invite Town Departments, Boards, Committees and Commissions to participate and a formal Public Hearing in late August –early September re residents input re revisiting Ayer's Disposition Criteria. The Board advised to next JBoS Meeting scheduled for Thursday, June 21, 2007 @7pm on Devens.

Agenda Item #12. Town Administrator's Report-The Board met with Town Administrator Shaun Suhoski

1. Fy-08 Re-Appointments-Selectman Sullivan moved the Board approve the Fy-08 re-appointments prepared by the Town Administrator and read by Selectman Conley, 2nd by Selectman Maxant, VOTE: unanimous, so moved.

Selectman McCreary moved the Board vote to continue the meeting until 10:20p.m. being that it was past 10:00p.m., 2nd by Selectman Maxant, VOTE: unanimous, so moved.

2. Water & Sewer Permits- no permits

3. Town Administrator's Performance Review-rescheduled to 7-11-07 when all evaluations are submitted by the Selectmen still awaiting Selectman Conley's evaluation.

4. Tri- Board Update-The Board announced the next meeting of Full Tri-Board Meeting 6-26-07 @ 7p.m. at Page/Hilltop School

5. Conservation Agent/Office Space-The Board requested the Planning Board, Conservation Commission, Zoning Board of Appeals and Chris Ryan be invited to attend the next Selectmen's Meeting re Office Space discussion.

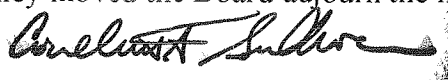
6. Commuter Rail Transit and Parking Improvements \$3.15 Million Federal Earmark letters to Governor and Lt. Governor requesting transfer of funds to transit account-Selectman Sullivan moved the Board do two (2) letters one to Governor Patrick and one to Lt. Gov. Murray be hand delivered in person, 2nd by Selectman McCreary, VOTE: Selectman Sullivan aye, Selectman McCreary aye, Selectman Maxant aye, Chairman Luca abstained, Selectman Conley no 3-1-0 motion passes. Mr. Suhoski advised Board to Legislative Luncheon on Thursday, June 28, 2007 at Devens and Lt. Gov. being present also taking this opportunity to request if the Board was planning to send delegate advising to Chris Ryan and Himself attending luncheon.

7. The Board approved a letter of support from Devens Citizens Committee supporting their participation in Mosquito Control. Motion Made by Selectman Conley 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

8. Fy-08 Employee Wages-Compensation Plan effective 7-1-07 prepared by Town Accountant-Selectman Conley moved the Board approve the Fy-08 Salaries per 6-6-07 Memo submitted by Town Accountant Lisa Gabree, 2nd by Selectman Maxant, VOTE: unanimous, so moved

9. F&P Willows Trust /additional commuter parking-Selectman Sullivan moved the Board approve F&P Willow Trust offer to re-open the surface parking lot on Park Street free of charge with the following conditions: Town to remove Jersey barriers and clean up the lot, add F&P Willows Trust as an additional insured on MART's insurance policy with claim limits of \$1 million per occurrence and \$3 million aggregate. The Board requested the Town Administrator check with MART re this insurance coverage, if unavailable proceed with lot obtain coverage from MIIA the Town's carrier 2nd by Selectman McCreary, VOTE: Selectman Sullivan aye, Selectman McCreary aye, Selectman Maxant aye, Chairman Luca aye, Selectman Conley no 4-1 motion passes.

10:25p.m Selectman Conley moved the Board adjourn the meeting, 2nd by Selectman Sullivan VOTE: unanimous, so moved.



8-7-07