

**Selectmen's Meeting
Tuesday, May 1, 2007
1st Floor Meeting Room, Town Hall, Main Street, Ayer, MA**

Open 7:00p.m.

Present

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

Public Input: Chairman Maxant opened the meeting by requesting if there was anyone present wishing to meet with the Board under Public Input:

1. Chairman Maxant addressing the American Legion announcement in absence of Frank Harmon, Commander re Memorial Day Parade scheduled for May 26, 2007 starting at 10:00a.m. and re: memorial marker request rescinded by Legion.
2. Russ Smith Ayer/Shirley Lions Club re fundraiser. Mr. Smith advised the Board to the Ayer/Shirley Lions Club sponsoring a Spaghetti Dinner at Dan's Restaurant on 6-6-07 from 5-8:30p.m. Mr. Smith requested a One Day Beer & Wine license for this event advising to Billiard Café (Calvin Moore's employees) who are trained and certified re MA regulations managing the sale and pouring re alcohol beverages. The Board after ensuring responsibility of parties re alcohol on site granted the One Day Beer & Wine License to the Ayer/Shirley Lions Club for June 6, 2007 at Dan's Restaurant from 5-8:30p.m. Motion made by Selectman Luca 2nd by Selectman Conley, VOTE: unanimous, so moved.
3. The Board met with Paul Bresnahan re 3rd Annual Janis Bresnahan Road Race on Saturday, May 12, 2007. Mr. Bresnahan advised the Board to starting time of 9:30a.m. re registration and three categories: 5 Mile Road Race, Tot's Trot (new this year) and walkers. Race starts at Ayer High School and T-Shirts to be given to first 300 participants. Mr. Bresnahan advised to over \$62K raised over the past years and given to the Ayer Education Foundation.
4. David Bodurtha re follow-up re Pearl Street fence re compliance issues i.e. easement/site restrictions. The Board requested the Town Administrator follow up with the Building/Zoning Officer, ZBA/Planning re update for the next Selectmen's Office.
5. Selectman McCreary re: recognizing Lauri Sabol for her outstanding recycling efforts advising to 46% of Town of Ayer trash is recycled. Selectman McCreary stating Ayer's recycling effort is the highest in the region the current rate is 36% thanks to Lauri's hard work. Ms. Spinner advising to Town Hall setting poor example by not recycling paper urging the Selectmen to purchase recycling bins for the Town Hall and other Town Departments. Selectman McCreary requesting Town Administrator look into purchasing bins for Town Departments. Ms. Sabol supporting this recommendation.

Agenda Item #1. Reorganization of the Board of Selectmen-Chairman Maxant opened the floor for nominations for Chairman. Selectman McCreary moved to nominate Selectman Luca as Chairman-Selectman Luca declining nomination due to time commitments. Selectman Luca nominated Selectman Conley for Chairman, 2nd by Selectman Sullivan VOTE: Selectman Luca aye, Selectman Maxant aye, Selectman Sullivan aye, Selectman Conley aye, Selectman McCreary no 4-1 motion passes. Selectman Pauline Conley voted into position of Chairman. Chairman Conley thanked the Board for their support and stated she looked forward to serving the Board in this capacity. Chairman Conley opened the floor for nominations for Vice-Chairman by nominating Selectman Luca, 2nd by Selectman Sullivan VOTE: unanimous, so moved. Selectman Luca voted into position of Vice-Chairman. Chairman Conley requested and nominated Selectman McCreary to stay on as Clerk, Selectman McCreary accepting, 2nd by Selectman Luca, VOTE: unanimous, so moved. Selectman McCreary voted into position of Clerk.

Agenda Item #2. Conservation Commission re Weed Control Contract –The Board met with Bill Daniels, Chairman of the Conservation Commission.

1. Mr. Daniels reviewed with the Board the Agreement with Aquatic Control Technology, Inc. (ACT) of Sutton, MA dated April 24, 2007 approved last October for weed control treatment of Sandy Pond and Pine Meadow Pond for the bid award not to exceed \$37, 135.00 (\$29,885.00 for Sandy Pond, \$4,750 for Pine Meadow and \$2,500.00 for three fold information flyer). Selectman Sullivan moved the Board approve the two (2) contracts with ACT dated 4-24-07 for the bid award not to exceed \$37,135.00 for weed control of Sandy Pond Rd. and Pine Meadow Pond, 2nd by Selectman Luca, VOTE: unanimous so moved. Mr. Daniels requested to utilize the Town's bulk mailing stamp re flyer's mailing to residents, the Board requested Mr. Daniels coordinate the mailing with the Clerk's Office.
2. Conservation Commission space needs-sitting is for this discussion was Chris Ryan, Planning & Development Director. Mr. Ryan presented three scenarios to the Board to address space needs re his office which oversees the ZBA, Conservation Commission and Planning & Development. Short & long term scenarios re work space needs for the newly created Conservation Administrator focused on sharing office space with the Planning/Zoning office on the 2nd floor, to creation of a customer service department on the 3rd floor with Mr. Ryan having his own private office and staff separate. The Board requested Mr. Ryan facilitate discussions with the three Boards: Planning Board, Conservation Commission and Zoning Board of Appeals re this shared office scenario and requested to bring this matter back to the next Selectmen's Meeting re Space Sharing discussion be placed on the next Selectmen's Agenda along with Mr. Ryan's perception (sketch) of his proposed layout of offices.

Agenda Item #3. Selectman McCreary-Cities for Climate Protection - Selectman McCreary updated the Board to her viewing "An Inconvenient Truth the award winning documentary on global warming. Selectman McCreary stating as an Ayer Selectman she felt it her responsibility to take action to make Ayer a place that works to protect the climate. Selectman McCreary presented the Board a Proclamation to adopt a resolution promoting awareness about causes and impacts of climate change presented by Cities for Climate Protection to achieve reductions in local greenhouse gas emissions. Selectman McCreary requested the Board vote to join ICLEI (International Council on Local Environmental Initiatives) and participate in the Cities for Climate Protection and designate Chris Ryan as Staff Person and herself (Selectman McCreary) as the Elected Official. Selectman Maxant refuting this proclamation arguing opinions stated were masquerading as fact, disputed by reputable scientists. Selectman McCreary responding everything documented re global warming has been a proven result of human activity since 2006. Chairman Conley called for a vote: Selectman McCreary aye, Selectman Sullivan aye, Selectman Luca aye, Chairman Conley aye, Selectman Maxant no 4-1 motion passes. Selectman McCreary took this opportunity to present the Selectmen & staff energy efficient fluorescent lights which gives off 75 watts of light for 20 watts of usage.

Agenda Item #4. Local Initiative Program (LIP) Request- the Board met with Susan Provencher, Program Manager. Ms. Provencher requested the Board's approval re second mortgage request for 69 East Main Street, Ayer, MA purchased on 8-30-01 through the LIP Program (DHCD). Ms. Provencher advised the Board to DHCD approving the transaction pending the Board's approval. Selectman Luca moved the Board approve the LIP request for a 2nd mortgage at 68 East Main Street, Unit 4 pursuant to the terms of the LIP Agreement and the approve the forwarding of the request to DHCD for final approval, as stated in a memo dated 4-23-07, 2nd by Selectman Maxant, VOTE: unanimous, so moved.

Agenda Item #5. Planning & Development Director's Report-The Board met with Chris Ryan-

- I. **Information Technology (IT) Needs Assessment-**Mr. Ryan reviewed with the Board the RFP for Information Technology and GIS Needs Assessment Scope of Services re procuring a consultant to provide town-wide comprehensive information technology and Geographical Information needs assessment. Mr. Ryan advised to the consultant interviewing Town staff and gathering information to assist Town departments with efficient use of computer applications and GIS, i.e. permit tracking, GIS, municipal accounting, managerial productivity solutions, networking of files, printers, integrated internet and email solution, security and fire-walls including spam filters and other relevant products and services. Mr. Ryan presented the Board a draft scope of services not to exceed

\$30K budgeted from UDAG to support this assessment detailing how the consultant would develop plan by monitoring current technology presently in place by Town departments; and how it could be more effectively used to assist departments/citizens and how the Town can convert, integrate or improve the current process and applications. The Town IT Committee will review the needs assessment and a realistic approach to multiuse implementation can be built and utilized throughout Town. Selectman Sullivan requesting School Dept be included in assessment and Selectman Luca requesting Wellman Parker also be included re Emergency Management. Mr. Ryan spoke to page 2. of his documentation signed by Town Department Heads supporting his Technology Assessment. The Board to formalize IT Committee in next few weeks. Chairman Conley requesting cost of RFP re UDAG Funding come out of interest not principal. Selectman McCreary moved the Board authorize the Planning & Development Director's request for IT Needs Assessment not to exceed \$30K be budgeted from UDAG Interest funds as presented in a document to the Board dated 4-26-07, 2nd by Selectman Sullivan VOTE: unanimous, so moved.

Agenda Item #6 Chief Rizzo-Update Dr. Hack's Workmen's Compensation bill- The Board met with Chief Rizzo. Chief Rizzo stated he had recently spoken with Tuft's Insurance and the company has agreed to pay the \$5,700.00 bill to Dr. Hack for treating retired Police Officer William Blankenburg. Chief Rizzo stated the claim had not been paid originally because the claim was not considered work related in 2001 under the old police/firefighter disability benefits, that being changed now it was the case then. Chief Rizzo stated his decision was overturned by the Selectmen but the insurance company still rejected the claim. Had Dr. Hack taken up the issue with the insurance company he would have been paid in 2002. Chief Rizzo stating it was not inaction on his part the delayed payment so long. The Board discussed the article on the Town Meeting warrant re payment to Dr. Hack which includes interest (\$9, 130.00-Attorney fees) incurred while Hack was seeking payment of Blankenburg's bill. Chief Rizzo questioned difference of \$200.00 in Dr. Hack's bill and the chief's calculations. Selectman Sullivan stating Dr. Hack's attorney accused the Town of mishandling the payment request and the Chief's accounting clearly indicates some of the responsibility lies with Dr. Hack. The Board requested the Town Administrator be advised to tonight's discussion. Chief Rizzo to meet with Town Administrator.

Agenda Item #7. Supt. Madigan's Report

1. **Fy-08 Sludge Landfill Closure Monitoring Agreement-**Supt. Madigan presented the Fy-08 Agreement between Weston & Sampson and the Town for engineering services for the Towns sludge landfill post closure monitoring. Supt. Madigan recommended the approval of this Agreement for the period 7-1-07 to 6-30-08 which represents an increase of \$1800.00 over Fy-07 for a total contract of \$22,200.00. Selectman Sullivan moved the Board approve the contract for the Fy-08 Sludge Landfill Post Closure Monitoring Agreement for a sum not to exceed \$22,200.00, 2nd by Selectman Luca, VOTE: unanimous, so moved.
2. **Back-up Wastewater Sludge Services Agreement-**Supt. Madigan presented the Board Waste Stream Environmental, Inc.'s contract for back-up wastewater sludge services for the period 6-30-07 to 6-30-09 depicting a 1.78% CPI increase for 2007 to 2008: Fitchburg WWTF \$286.97/load
WSE's Disposal site \$704.39/load
WSE's Disposal Site \$412.20 dry/ton
motion to approve made by Selectman Sullivan 2nd by Selectman Luca, VOTE: unanimous, so moved.
3. **Water Permit-**The Board approved a 1 inch (1") water service for a four bedroom single family house at 37 East Main Street, for David Chandler. Motion to approve made by Selectman Sullivan 2nd by Selectman Luca, VOTE: unanimous, so moved.
4. **Employee Recognition-**Supt. Madigan requested the Board recognize Carlton Curtis a forty one year employee of the Department of Public Works who will be retiring one 5-2-07. The Board read into the record a Certificate of Recognition to be presented to Mr. Curtis reflecting his employment from 3-14-66 to 5-2-07 Mr. Curtis worked at the Solid Waste Dept. and Wastewater Plant as an equipment operator.

The Board took this opportunity to publicly thank the Department of Public Works for their quick action during the recent torrential rains diverting serious flooding at the new fire station. Special thanks went out

To DPW employee Doug Jasperson for spending most of the week-end working at the site. The Board discussed future assessment re lowering level of ponds at beginning of rain/storms when possible with DEP's approval.

Agenda Item #8- Town Administrator's Report-

The Board moved to approve Budget Policy #07-01 "The Board of Selectmen shall commit 20 percent of available free cash, or a minimum of \$100,000.00, whichever is greater, yearly to the Stabilization Fund and cap that fund's total amount at 8 percent of the previous year's total budget". Motion to approve made by Selectman Sullivan 2nd by Selectman Luca, VOTE: unanimous, so moved.

The Board requested Ms. Spinner to assist with working on a Debt Policy for the Town with the Town Accountant and Town Administrator. Selectman Luca requesting if this was run by DOR Auditors if not it should be .

9¹⁰p.m. Selectman McCreary moved the Board adjourn from Open Session to enter into Executive Session pursuant to MGL Chapter 39 Section 23B Exemption #3 to amend to include #2 to adjourn from Executive Session to re-enter Open Session for the sole purpose of adjourning, 2nd by Selectman Maxant, VOTE: Selectman McCreary aye, Selectman Luca aye, Selectman Sullivan aye, Selectman Maxant aye, Chairman Conley aye, unanimous, so moved.

DATE: _____

Selectman McCreary, Clerk