

Selectmen's Meeting
Tuesday, April 4, 2006
Ayer Town Hall, 1st Floor Meeting Room, Main Street, Ayer, MA

7:00p.m. Open Session

	Present	Absent
Faye L. Morrison, Chairman	X	
Cornelius F. Sullivan, Vice-Chair	X	
Pauline Conley, Clerk	X	
Paul D. Bresnahan, Member	X	
Frank F. Maxant, Member	X	
Shaun Suhoski, Town Administrator	X	
Janet Lewis, Secretary	X	

Public Input-Chairman Morrison requested if there was anyone present wishing to meet with the Board under Public Input:

1. The Board presented Edward Kelley a Certificate of Recognition for all his effort alerting Town residents to significance of Devens related issues-specifically the importance of the Devens MOU by organizing and conducting Public Information Session at the Ayer Town Hall for Town residents to become better informed.
2. Ray Ellen Gilles/David Bodurtha –Communications Committee –advising the Board/Townpeople to no Town newsletter going out to residents prior to Spring Election/Town Meeting. Web page will be utilized for distribution of information (Town Warrant, Election, etc.)-www.Ayer. MA. Mr. Bodurtha updating Board to Commissions initiative listing email addresses of Town Hall/Dept. Offices on Town Web Page to assist residents with applications/permits. Forms will be posted for citizens assistance i.e. building department-permits, Town Clerk-certificate, Selectmen-license, etc.
3. Senator Pamela Resor-re Fy-07 State Budget-Lottery Aid uncapping/Chapter 70/Health Care Bill-(MA is 1st state in U.S. to enact mandatory Health Care Bill for all MA residents-bill draft posted on line.
4. Representative Hargraves-responded to House version of new Health Care Bill for State of MA unprecedented proposal-very comprehensive. Rep. Hargraves updated the Board to Home Rule Petition passing House re Pleasant St. School/Ayer Housing Authority transfer of ownership.

The Board thanked Senator Resor and Representative Hargraves for coming in this evening and for all their assistance and support with Town of Ayer issues: i.e. keeping the Town's rail station, parking facility and Pleasant Street School Home Rule Petition in the forefront..

Agenda Item #1. Janis Bresnahan-Road Race/Walk-The Board approved Selectman Bresnahan's request to place a sign on Town Hall lawn for the Janice Bresnahan Road Race to be held on Saturday, May 13, 2006, starting at 11:00am 5 mi/run & 3 mi/walk. Selectman Bresnahan advised to this being a yearly fundraiser for the Ayer Education Foundation. Selectman Conley moved to approve this request, 2nd by Selectman Sullivan, VOTE: Unanimous, so moved.

Agenda Item #2. Minutes-

11-1-05 Motion to approve made by Selectman Conley 2nd by Selectman Bresnahan, VOTE: unanimous.

11-15-05 Motion to approve made by Selectman Conley 2nd by Selectman Bresnahan, VOTE: unanimous.

12-6-05 Motion to approve made by Selectman Conley, 2nd by Selectman Bresnahan, VOTE: unanimous.

Agenda Item #3. Permit Fees Increase-The Board met with Chief Paul Fillebrown re increasing fees for records (incident reports) from \$5.00 to \$10.00 pursuant to Chapter 148 Section 10-A. The Board moved to approve the Chief's recommendation and raised the permit fee from \$5.00 to \$10.00. Motion made by Selectman Bresnahan, 2nd by Selectman Conley, VOTE: unanimous, so moved. Chief Fillebrown updated the Board to Homeland Security Grant approve of the Departments Brush Truck. (\$88K).

Agenda Item #4. Julia Alekman-Historical Commission – Memorandum of Agreement between the Department of Conservation and Recreation-Freedom's Way Heritage Assoc. and the Town of Ayer

The Board approved the Memorandum of Agreement presented by the Ayer Historical Commission for partnership to bring the Heritage Landscape Inventory Program, a planning program overseen by DCR to communities within the Freedom's Way Heritage Association to provide survey and technical assistance. Ms. Rhonemus advised the Board to the Town being accepted into the program and notified today. Selectman Bresnahan moved the Board approve and authorize the Chairman's signature on the Agreement, 2nd by Selectman Conley, VOTE: unanimous, so moved.

Agenda Item #5. Supt. Madigan's Report-the Board met with Supt. Michael Madigan

1. Backup Wastewater Sludge Services Agreement-The Board approved Supt. Madigan's recommended amended contract with Waste Stream Environmental per his March 29, 2006 memo which allows for the annual renewal of the agreement with an adjusted rate after June 30 based upon changes in the all Urban Consumers Section of the Consumers price Index for the Boston SMSA area. Supt. Madigan advised to receipt from Waste Stream on 3-29-06 with their proposed adjusted rates which reflects an annual increase of 4.35% for Fy-07 which would go into effect 7/1/06. Selectman Conley moved the Board approve Supt. Madigan's recommendation of 3-29-06 and amend Waste Stream Environmental contract dated 2-7-06 section #6. Payment, 2nd by Selectman Bresnahan, VOTE: unanimous, so moved. Selectman Conley moved the Board approve Supt. Madigan's recommended prices as follows:
 1. Liquid Sludge Hauling to Fitchburg: \$286.97/per load
 2. Liquid Sludge Hauling to other facility \$704.39/per load
 3. Disposal of Sludge at other facility \$412.20/per ton2nd by Selectman Maxant, VOTE: unanimous, so moved.
2. **Sewer Permit Application**-Selectman Bresnahan moved the Board approve a sewer permit for 3B/R home on 17 Pine Ridge Drive, Ayer, MA, and authorize the Chairman's signature, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.
3. **Upgrade of Central Avenue Sewage Pump Station**-Supt. Madigan updated the Board to HTA's evaluation of the pump station constructed in 1978 (27 years old) structure in overall good condition. Mechanical support systems/equipment in need of replacement to include: heating, ventilation, electrical controls, new motor control center and a new stand by natural gas generator. Equipment: new piping, valves, sewage pumps, and control systems. Flows estimated at 500K presently at station and projected over the next 20 years to increase 904,040 gpd. Supt. Madigan advised to projected increase in wastewater flows will require the replacement of existing three pumps with new larger pumps with variable frequency drives, new motor controls, valving and new telemetry system to the wastewater treatment facility. Supt. Madigan advised to this upgrade being placed on the Fy-07 Capital Budget Request appropriation. \$100K Engineering design and \$865K for construction. Selectman Conley concurring to this upgrade part of the draft Capital Budget Requests for Fy-07 presently before the Fin-Com.

Agenda Item #6.- Town Administrator's Report-

1. Ayer Train Station-taken up earlier under Public Input with Senator Resor & Rep. Hargraves re support of Federal Funding for 350 parking space facility. Congressman Meehan's Office to be contacted.
2. NVCH use of Town Hall-The Board approved use of Town Hall by Nashoba Valley Community Hospital for 4-27-06 and May 1, 2006 re Public Informational Meetings re: hospital zoning changes on the 5-8-06 Spring Town Meeting. Motion to approve made by Selectman Conley, 2nd by Selectman Maxant, VOTE: unanimous, so moved. Mr. Suhoski updated the Board to fee of \$100/per evening paid by NVCH per Town's rental agreement for other than non-profit entities.
3. Mr. Suhoski updated the Board to revisions to Fy-07 Omnibus Article- and reviewed the Budget Summary /tie-in sheets with the Board:

Projected revenues:	\$20,163, 921.00
Preliminary Omnibus	\$19,674.635 .00
Enterprise Fund Impact \$	208,588.00
Remainder to Stabilization	164,216.00

Missing Omnibus information: COLA for non-union & elected officials increase, Fire-fighters, Patrolmen contract impacts. Enterprise Funds assumes 2% increase in Water rates and 8.5 in sewer rates using half of sewer free cash.

Fy-04 CDBG Close out Agreement-Selectman Conley moved the Board vote to approve the Close-out Agreement submitted by Susan Provencher, Program Manager for Grant #5565 dated 3/31/06 for the CDF \$800,000 Community Block Grant which rehabbed thirty (30) units of housing in the Town of Ayer and authorize the Chairman's signature, 2nd by Selectman Maxant, VOTE: unanimous, so moved.

5. **Sewer Rate Relief Award-**Mr. Suhoski announced the Sewer Rate Relief Fund award for Fy-06-\$25,402.00 Payment to be made in the same manner as the quarterly distribution of State Aid, before the end of March 06.

The Board expressed their thanks to Town Accountant Lisa Gabree for her time & effort with this award.

6. **Dissemination of confidential information by Selectman Maxant-**Mr. Suhoski reviewed with the Board his Memo of 3-31-06 re Selectman Maxant's violation of Public Record Law & Selectmen's Policies i.e confidential letter re internal personnel matter-given to local resident in violation of the Public Records Law and urging the Board censure Selectman Maxant for his pattern of disregard of established local policies and to conduct himself in accordance with state & federal law. Mr. Sushoki also advised to Selectmen's Office stanp used by Selectman Maxant on Saturday, March 18, 2006 to received documents. Selectman Maxant advised to Sunshine Law and documents being very general in context. The Board moved Selectman Maxant follow policy and reprimanded him for his actions. Motion to reprimand Selectman Maxant made by Selectman Bresnahan, 2nd by Selectman Sullivan VOTE: Selectman Bresnahan aye, Selectman Sullivan aye, Chairman Morrison aye, Selectman Conley abstained and Selectman Maxant abstained 3-2 motion passes. The question of who decides what is meritorious claim was brought into discussion re confidential material.

Mr. Suhoski advised the Board to his approving Legal bills from Oct. 05 through Feb. 06 for payment and bills are now up to date. Selectman Conley expressing her concern re Town Administrator approving legal bills 9:50pm Selectman Sullivan moved to adjourn the meeting, 2nd by Selectman Bresnahan, VOTE: unanimous, so ved.

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Town Meeting Warrant: Planner/Developer included in Omnibus Article, Reserve Fund-reducing Stabilization to

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