

**TOWN OF AYER SELECTMEN MEETING MINUTES**  
**Tuesday, February 19, 2013**

**The Selectmen's Meeting can be viewed in its entirety on the Town's Website at: [www.ayer.ma.us](http://www.ayer.ma.us)**

**Chairman Fay called the meeting to order at 7:05p.m.**

Present: Chairman-James Fay, Vice-Chairman Frank F. Maxant, Clerk-Pauline Conley, Members- Gary J. Luca and Christopher R. Hillman, Town Administrator Robert A. Pontbriand, and Janet Lewis Secretary.

**Agenda Additions-**

Minutes of 11-13-12

Mr. Luca moved to approve the Agenda as amended, 2nd by Ms. Conley, VOTE-unanimous.

Mr. Fay began the meeting with Item #2 in light of the number of people present for the discussion.

**Item #2. American Legion Response to Selectman Maxant**

American Legion Joseph M. Connors Post 139 Commander Bettyann Matozel read a prepared statement in response to allegations made against the Legion by Selectman Maxant on February 5, 2013, stating she will not be taking any comments.

Mr. Fay read the preamble from his Legion membership card into the record, apologizing to the Legion stating Selectman Maxant's comments were not the position of the Board. Mr. Luca thanked the Legion for his Certificate of Appreciation stating he enjoys marching in the parade, re-enforced Mr. Fay's statement Mr. Maxant's remarks were his own, that the Board does not support Mr. Maxant's actions and again apologizing to the American Legion on behalf of the Board of Selectmen.

Mr. Maxant attempted to address the room.

7:10p.m. Mr. Fay called for a recess. Mr. Fay, Mr. Luca, Mr. Hillman, Ms. Conley, Town Administrator Robert Pontbriand and Secretary Janet Lewis left the room.

7:15p.m. The Board re-entered Open Session.

**Item #1. Recognition of Ayer DPW, Ayer Fire Dept. and Ayer Police Dept.**

The Board presented Certificates of Appreciation to Supt. Mark Wetzel, Douglas Jaspersen, DPW Highway Foreman, Fire Chief Robert Pedrazzi and Police Chief William Murray for their efforts during the recent blizzard.

**Item #3. Public Input**

No one stepped forward.

7:20p.m. Mr. Maxant left the room

7:30p.m. Mr. Maxant returned

Mr. Luca announced the Ayer Shirley Youth Program's Comedy Night featuring comedian Jimmy Tingle at the Ayer Shirley Regional High School on April 26, 2013 at 7:00p.m. Tickets are \$20.00 in advance or \$25.00 at door.

**Item #4. Consolidation of Town Election and Special U.S. Senate Primary Election**

Town Clerk John Canney was present for the discussion.

Mr. Pontbriand advised the Board the Secretary of State's office has authorized municipalities to consolidate Annual Elections with Special U.S. Senate Primary on April 30, 2013.

Mr. Canney requested the Board authorize the consolidation of the Town's Election to occur concurrently with the Senate Primary Election pursuant to the Acts of 2013, Chapter 2, Section 2. Mr. Canney stated there would be two separate ballots and two separate Election Warrants. Mr. Maxant moved to approve Mr. Canney's request, 2nd by Mr. Hillman, **VOTE:** unanimous.

## **Item #5. Economic Development Director's Report**

David Maher was present for the discussion

**5.1 CDBG Lead Inspector's contract amendment** Mr. Maxant motioned to approve an amendment to the contract between the Town and Christine Caulfield increasing the amount from \$15K to 20K due to the additional number of cases that are being handled. The additional funding will come from the FY-11 CDBG Grant. 2nd by Ms. Conley. **VOTE:** unanimous.

### **5.2 Old Fire Station RFP**

Mr. Fay requested the Board review Draft RFP and remit comments back to him for the March 19 meeting. Discussion held concerning the intent of Town meeting re the Former Fire Station. Barry Swartzel, Chairman of the Historical Commission, advised Board his interpretation of Article 10 of the Oct 22, 2012 Town Meeting was the building was to be used as a municipal building or leased. Ms. Conley stated her concerns with the draft's proposed process of review and approval of submissions. Mr. Luca stated his understanding of Town Meeting did not preclude sale of the building as one of the options. Mr. Fay requested comments be submitted to Mr. Pontbriand or Mr. Maher and a revised draft would be reviewed by the Board on March 5, 2013.

## **Item #6. DPW Director's Report**

DPW Supt. Mark Wetzel was present for the discussion

### **6.1 Meter Reader/Water Technician Position Appointment**

Mr. Wetzel recommended the appointment of Scott J. Schwinger of Baldwinville, MA, to the position of water meter/water technician. Mr. Luca moved to approve Mr. Wetzel's recommendation contingent upon Mr. Schwinger's passing the required physical examination and completing any AFSCME Contract specifics, 2nd by Ms. Conley. **VOTE:** unanimous.

### **6.2 Snow Removal Budget-**

Mr. Wetzel advised the Board the balance in the snow removal budget is 20K and requested the Board's approval to deficit spend as needed. Mr. Luca motioned to approve the request, 2nd by Mr. Maxant. **VOTE:** unanimous.

### **1.3 Westford Road/Sandy Pond Road Truck Issue-**

Police Chief Murray and several local business owners were present for the discussion. Chief Murray and Mr. Wetzel presented alternatives and recommendations to the Board related to right turns from Westford Rd to Sandy Pond Rd. re truck traffic. (see attached report). Chief Murray met with the Sandy Pond School Association and indicated they were in agreement with Alternative #4 which includes new signage on Westford, Willow and Sandy Pond Rds, installation of a guard rail on the perimeter of the schoolhouse property and granite blocks along Sandy Pond Road. The Board took comments from local businesses present for the meeting. The Board opted to go with Alternate #4 at this time.

### **1.4 Crosswalk and Sidewalk Update**

Mr. Wetzel advised he is looking into additional signs such as yield to pedestrians, stop signs, advance warnings, portable signs for Main & Park Sts., Central Ave. Mr. Wetzel showed a sample of textured, reflective, thermal plastic-stripping for raised crosswalks and addressed illumination levels of street lights also being a consideration. Mr. Maxant stated a concern re speeding from Main St. onto Park St. suggesting more foot patrols which prompted discussion there are 34 crosswalks in town, nine of which are from bridge to bridge along Main St. The Board agreed to look at crosswalk placement and the whether a light is needed at Park & Main Sts.

### **6.5 Water Shut-Off Update**

Mr. Wetzel updated the Board progress with the new policy. 25 notices were sent in December 2012; 6 have paid in full and 4 established payment plans. Second notices have gone out. Final notices will be sent after 15 days. Kleenit, the largest delinquent account, has filed bankruptcy. Mr. Wetzel will contact owner re shutting off water since the building is vacant. Mr. Maxant reiterated need to tread lightly shutting off residential properties.

## **Item #7. Properties Enforcement Update**

Building Commissioner Gabe Vellante was present for the discussion.

Mr. Pontbriand advised the Board all property owners were notified their properties would be discussed.

Mr. Vellante gave the following updates:

- 64 Westford Rd.- unable to get access to farm
- 71 Sandy Pond Rd. - Extension given to April 30, 2013 no further work done on property
- 14 Williams St. - owner refuses to spend any more money on property since it is in foreclosure.
- 128 Washington St.- owner living there himself with no tenants. The town has no authority to make him repair the deck.

Members of the Board expressed their dissatisfaction with no enforcement and violations going on year after year addressing the need to strengthen policies, procedures, by-laws, etc. and the need for a full-time inspector to do job. Mr. Hillman motioned to have Town Counsel advise the Board, the ZBA and the Board of Health as to actions needed to address immediate clean-up, 2nd by Ms. Conley, **VOTE:** unanimous. The Board continued this matter to the March 5, 2013 with Mr. Pontbriand to notify appropriate Boards/Safety Depts. on the meeting

**Item #8. Town Administrator's Report**

**8.1 Administrative Update** see Report dated 2-6-13 to 2-19-13

**8.2 Snow & Ice Removal** The Board reviewed the by-law. Enforcement warning letters will be sent out by the Police Chief to businesses in Downtown Business District regarding removal. Ms. Conley suggested considering a proposal that the town offer to do the clearing and bill the abutters.

**Asst. Treasurer Melisa Doig was present for the following two discussion items:**

**8.3 IAC Health Insurance Opt Out Policy**

Mr. Luca moved to extend the current Opt Out policy from July 1, 2013 to June 30, 2016 with payment made in conjunction with bi-weekly pay periods, 2nd by Mr. Maxant. **VOTE:** unanimous.

**8.4 IAC Life Insurance Proposal**

Ms. Doig presented various options for consideration and explained that the 75/25% contribution for employees and 50/50% contribution for retirees is the way the town has always done it. She knew of no reason why the employees' contribution could not also be on a 50/50% basis.

Ms. Conley moved to approve offering a \$10,000 Life Insurance benefit with premiums shared on a 50/50% for all employees and retirees, 2nd by Mr. Maxant. **VOTE:** unanimous.

**8.5 St. Mary's Church-One Day Beer & Wine License**

Mr. Luca motioned to approve a One-Day beer and Wine license for St. Mary's Parish on March 2, 2013 from 6-9p.m. 2nd by Ms. Conley. **VOTE:** unanimous.

**8.6 2013 Fireworks Contract**

Bids are due by March 1, 2013 and will be reviewed at the 3-5-13 meeting

**1.7 Public Input Tracking System**

Proposal presented by Mr. Pontbriand

**Item #9. New Business/Selectmen's Questions**

Mr. Hillman thanked everyone for attending the Special Needs Basketball Game last Saturday.

**Item #10. Minutes**

Ms. Conley motioned to approve the 11-13-12 Minutes, 2nd by Mr. Hillman. **VOTE:** unanimous.

10:05p.m. Mr. Luca moved to adjourn the meeting, 2nd by Selectman Conley, **VOTE:** unanimous, so moved.

Date \_\_\_\_\_

Pauline Conley, Clerk