

TOWN OF AYER SELECTMEN MEETING MINUTES

Tuesday, April 2, 2013

The Selectmen's Meeting can be viewed in its entirety on the Town's Website at: www.ayer.ma.us

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

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

Agenda Additions-

The following changes were made to the Town Administrator's Report:

Remove 5-13-13 ATM Warrant Review & Discussion

Remove Fy2014 Budget Discussion & Update

Add Approval of State Primary and Town Election Warrants for 4-30-13

Add Public Disclosure of Superior Officer's MOA

Mr. Luca moved to approve the Agenda as amended, 2nd by Mr. Maxant. **VOTE:** unanimous

Agenda Item #1. Public Interest

Laurie Sabol-Recycling Committee: Ms. Sabol reminded everyone to Town Clean-up Day Saturday, April 20, 2013 from 9am to 1pm, meets at Depot Sq. to pick up supplies and gave each of the Selectmen their own "Clean Up Kit" and lawn sign to display

Agenda Item # 2 Public Hearing - Pole Petition MA Technology - Main to Park Sts.

Mike Nolan of G4S Technology, representing MA Technology Park Collaborative

Mr. Hillman opened the Public Hearing by reading the Public Hearing notice into the record as published in the Lowell Sun 3-29-13 and 4-1-13.

Mr. Nolan advised that they have been issued a Notice of Intent (NOI) by the Ayer Conservation Commission "Ayer is important Point of Interest" and all abutters were notified. Mr. Luca moved to approve the Petition as presented by Mr. Nolan dated 4-1-13, 2nd by Ms. Conley. **VOTE:** unanimous.

Mr. Hillman as Certifying Agent for Board read and endorsed the Petition.

7:30p.m. Ms. Conley moved to close the Public Hearing 2nd by Mr. Luca. **VOTE:** unanimous.

Agenda Item #3. Bonding for Asst. Town Clerk.

Town Clerk John Canney was unable to attend tonight's meeting due to a conflict.

The Board discussed bonding for the Asst. Town Clerk. Impact Bargaining would be needed as it would be a change in job responsibilities. Mr. Luca moved to approve bonding for the Asst. Town Clerk subject to favorable Impact Bargaining, 2nd by Mr. Maxant. **VOTE:** unanimous.

Agenda Item # 4 Mark Wetzel, DPW Superintendent's Report

Supt. Wetzel was present for the discussion advising Board to Street Sweeping underway.

4.1 Grove Pond Water Treatment Facility& Wells Expansion Contract-

Mr. Wetzel presented the contract with Winston Builders relating to the bid awarded to them on 3-26-13 in amount not to exceed \$2,297,889.00 for signature by the Board . Mr. Luca moved to approve the contract, 2nd by Mr. Maxant. **VOTE:** unanimous.

4.2 Change Order #1. Grove Pond Water Treatment Facility & Wells Expansion.

Mr. Wetzel presented a change order in the amount of (\$316,870.00) as a result of modifications to the bid awarded on 3-26-13. The savings will provide for engineering and contingencies. Ms. Conley moved to approve the Change Order and authorize the Chairman to sign, 2nd by Mr. Hillman. **VOTE:** unanimous.

4.3 Organics to Energy Feasibility Grant-

Mr. Wetzel presented MA Clean Energy Technology Center's Grant Agreement in the amount of \$40,000 to evaluate the feasibility of using the Town's wastewater sludge to generate methane gas for renewable energy. The total cost of the project is estimated at \$45,800. the additional \$5,850 will be

paid from Wastewater Division Professional Services budget. Mr. Maxant moved to approve the grant and authorize the Chairman to sign, 2nd by Ms. Conley, **VOTE:** unanimous.

4.4 Organics to Energy Feasibility Study Consultant's Contract-

Mr. Wetzal presented an Engineering Agreement from CDN-Smith to complete the just-approved feasibility study funded by the MA Clean Energy grant in an amount not to exceed \$45,600.00. Ms. Conley moved to approve the contract dated 4-2-13 not to exceed \$45,600 and authorize the Chairman's signature, 2nd by Mr. Hillman. **VOTE:** unanimous.

Agenda Item #5. Fy-2014 Capital Planning Requests-

Mr. Pontbriand reviewed the 2-4-13 recommendations of the Capital Planning Committee advising that requests for FY14 were reduced from \$1.2 million to \$818,314.00 as outlined on the list of presented.

Road repair projects for Old Sandy Pond Rd., Washington St., and Doug Drive were deferred to the 4-3-13 Joint Meeting with Fin-Com for approval.

Agenda item #6. Town Administrator's Report-

6.1 Administrative Update (March 20, 2013 to April 2, 2013) - see attached

6.2 Shepley Hill letter-Mr. Pontbriand read a draft of the Board's comment letter to Robert Simeone in response to the BRAC's DRAFT Explanation of Significant Differences (ESD) for land use controls to restrict the use of groundwater, near the plume, for the Shepley Hill Landfill Superfund site, former Fort Devens, following the Board of Health's public hearing on 3-20-13. Mr. Pontbriand reviewed the six (6) impacts/concerns for the Board's review (see attached). Mr. Luca moved the Board to approve the draft letter and comments dated 4-2-13 to BRAC Environmental Office as presented, 2nd by Ms. Conley. **VOTE:** unanimous.

6.3 4-30-13 Town Election and State Primary Warrants Mr. Hillman, Clerk of the Board read into the record the 4-30-13 Town Election Warrant and State Primary Warrant. Mr. Luca moved to endorse the Town Election Warrant, 2nd by Ms. Conley. **VOTE:** unanimous. Ms. Conley moved to endorse the State Primary Warrant, 2nd by Mr. Maxant, **VOTE:** Mr. Maxant aye, Ms. Conley aye, Mr. Hillman Aye, Mr. Fay aye, 4-0. (Note: Mr. Luca was out of the room at the time of the vote)

6.4 Superior Officers Local 32 MOU Public Release - Mr. Pontbriand reported the Board's successful negotiation on 3-20-13 with Local 32 of NEPA agreeing to ratify a clarification to the 9-26-12 MOA.

6.7 House Bill H1841 reducing the number of Selectmen from 5 to 3. Mr. Pontbriand advised there would be a House committee hearing on the Bill at 11 am on 4-3-13. Mr. Maxant advised the Board he planned to attend. Mr. Luca moved to instruct Mr. Maxant not speak on behalf of Board but only as private citizen, 2nd by Ms. Conley. **VOTE:** unanimous.

Agenda Item # 7 JBoS

7.1 Mr. Maxant advised the Grant Rd. Proposal was on website and requested the Board review and make recommendations at our 4-16-13 meeting to report to JBoS at their 5-2-13 meeting that no presentation would be given. Ms. Conley expressed concern re no public discussion prior to vote. Mr. Maxant formally requested this be placed on 4-16-13 Agenda.

7.2 Mr. Maxant indicated other topics coming up before the JBoS include the definition of self-Determination, a JBoS DLTA (District Local Technical Assistance) and Vicksburg Square.

Agenda Item #8 New Business/Selectmen's Questions- NONE

Agenda Item #9. Minutes-

Ms. Conley moved to approve the 3-5-13 amended minutes, 2nd by Mr. Maxant, **VOTE:** unanimous.

8:45p.m. Mr. Luca moved to adjourn the meeting 2nd by Mr. Hillman. **VOTE:** unanimous.

DATE: _____

Christopher R. Hillman, Clerk

