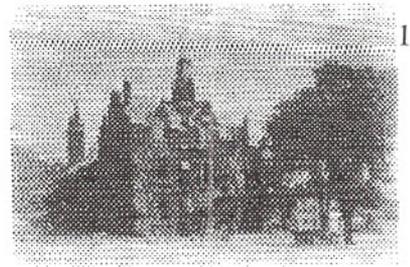


Town of Ayer

Board of Selectmen

Town Hall, First Floor Meeting Room
Ayer Massachusetts, 01432



6-2-09

Tuesday, June 2, 2009

Meeting date: 6-2-09

Present:

Cornelius F. Sullivan, Chairman (Mr. Sullivan)	X	Carolyn McCreary, Member (Ms. McCreary)	Absent	
Richard D. Gilles, Vice-Chairman (Mr. Gilles)	X	Gary J. Luca, Member (Mr. Luca)		X
James M. Fay, Clerk (Mr. Fay)	X	Shaun Suhoski, Town Administrator (Mr. Suhoski)		X
Janet Lewis, Secretary (Mrs. Lewis)	X			

8:30a.m. Meeting Called to order by Chairman Sullivan

Public Input: Chairman Sullivan requested if there was anyone present wishing to meet with the Board, no one stepped forward.

Selectman Luca requested the Board vote to amend the Agenda by adding the Ayer/Shirley Lions Club Request for a One Day Beer & Wine License after Agenda Item #2, 2nd by Selectman Fay, VOTE: unanimous, so moved.

Agenda Item #1. Borrow Authorization-Town Treasurer, Denis Callahan-Mr. Callahan advised the Board to final documentation unavailable awaiting Bond Counsel's approval endorsement. Mr. Callahan advising to Borrowing Anticipation Note (BAN) a one (1) year note in the amount of \$1,015,958.00 from the 5-12-08 ATM and 3-2-09 Grove Pond Well #3 construction vote in the amount of \$70K. Mr. Callahan advising to no 12-09 (\$269K) borrowing included on this BAN and interest estimated at 2.5% +/-, BAN proposed to be paid off in one year in four (4) phased payments. Mr. Callahan stating he will be going on vacation next week (6-8-09) and would like to get this paperwork moving. Mr. Callahan advising to full bond issue projected for Fy-10 to refinance other debt. (\$2,015,958 + \$269K) Selectman Gilles moved the Board vote to approve the BAN request recommended by the Treasurer in the amount not to exceed \$1,014,958.00, 2nd by Selectman Fay, VOTE: unanimous, so moved.

Agenda Item #2. Shaker Hills Golf Club-One Day Beer & Wine Licenses (2) the Board met with Joe Levine re his request for the two (2) One (1) Day Beer & Wine Licenses re Classic Car Show events being held at the Golf Course one on 6-9-09 and one on 7-7-09 from 3:00p.m. to 8:00p.m. in a designated area of the Golf club Parking Lot. Mr. Levine advising to staff all TIP trained and access being controlled re event in the function area of the parking lot. Selectman Fay moved the Board vote to approve the two (2) One Day Beer & Wine Licenses for Shaker Hills golf Club for June 9, 2009 and July 7, 2009 permitting the sale of beer in the parking lot adjacent to the Club House between the hours of 3:00p.m. to 8:00p.m., 2nd by Selectman Luca, VOTE: unanimous, so moved.

Agenda item #3. Ayer/Shirley Lions Club-One Day Beer & Wine License-Spaghetti Supper-Dan's Place The Board met with Tim Holland, Lions Club Director re the Club's upcoming family event fundraiser to be held on June 17, 2009 at Dan's Place 209 West Main Street, Ayer, MA from 4:00p.m. to 8:00p.m. Mr. Holland updating the Board to the Bartenders all TIP trained and supplied by the Billiard's Café with the owner of the License Calvin Moore present at the event in a supervisory capacity. Mr. Holland gave the Board a brief background re the non-profit Lions Club mission the MA Eye Research Foundation supporting local students/families with vision related issues as well as financial aid to local schools re college expenses. Selectman Fay recusing himself from all discussion and vote due to him being a Lion's Club member. Selectman Luca also applauded the work of the Lions Club in the community and updating the Board to the Ayer Post Office also supporting the work of the group as well as participating in the annual eye glasses promotion and collecting glasses at the Ayer branch and with that moved the Board vote to approve the One

ly Beer & Wine License for the Ayer/Shirley Lions Club for June 17, 2009 at Dan's Place 209 West Main Street, Ayer, MA from 4:30P.M. to 8:30P.M., 2nd by Selectman Gilles, VOTE: 3-0 unanimous, so moved.

Agenda Item #4. Proposed Monitoring Well Locations –Spectacle Pond Aquifer/PanAm-The Board met with Dan Nason, Supt. of Public Works, present for the discussion Rick Linde, Foreman Water Dept. Supt. Nason reviewed with the Board his proposed eleven (11) monitoring wells locations (every 100 feet along edge of the twenty (20) foot wide access easement). Selectman Gilles applauding locations if agreed upon and Selectman Luca questioning if PanAm agreeable to locations. Town Administrator advising to PanAm waiting upon proposal and amicable. The Board discussed other southern locations re future development areas and potential release areas by trucks/turn around etc. Chairman Sullivan requesting if test result re current monitoring in yet and advised to not being in yet from PanAm only having last years GeoInsight's available. Selectman Gilles advising to first three years critical re monitoring of asphalt- highly volatile. The Board spoke to testing to be done by PanAm and Town needing to address more frequent monitoring at Town's expense. Supt. Nason to research cost of testing. Selectman Gilles moved the Board vote to approve Supt. Nason's proposal of eleven monitoring wells being located every 100 feet along the edge of the twenty foot wide access easement as presented (see attached), 2nd by Selectman Fay, VOTE: unanimous, so moved. Selectman Luca questioning if Rick Linde's presence there on a regular basis comfortable with everyone and advised to very cooperative atmosphere and communications open.

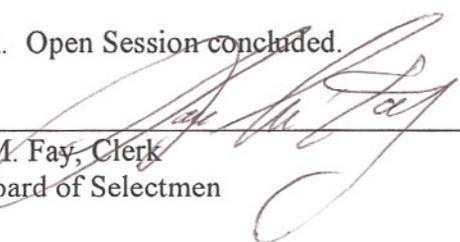
Agenda Item #5. Town Counsel Request-Board of Assessors-Town Administrator updated the Board to the Board of Assessors recently receiving a hearing list from the State Appellate Tax Board and Ayer having 19 commercial/industrial appeals pending with the ATB with a potential tax liability of over \$135K and estimating legal requirements will not exceed \$5K. Selectman Luca moved the Board vote to approve the request for Town counsel Services by the Board of Assessors not to exceed \$5K and authorize the Chairman's signature, 2nd by Selectman Gilles, VOTE: unanimous, so moved.

Agenda Item #6. Kopelman & Paige disclosure-Town of Westford Agreement for Paramedic Intercept Services and HIPPA Business Associate Agreement-Town Administrator presented the Board the revised document pursuant to Rule 1.t of the MA Rules for Professional Conduct consenting to Kopelman & Paige representing the Town of Ayer with regard to the above agreement with the Town of Westford as disclosed in a letter to the Board dated 5-7-09. Motion to approve the revised documentation made by Selectman Fay, 2nd by Selectman Gilles, VOTE: unanimous, so moved.

Agenda Item #7. Ayer Board of Selectmen's Meeting posted contemporaneously with JBoS. The Board requested the Town Administrator advise Shirley & Harvard to wishing to post con-current by host communities.

9:05a.m. Selectman Gilles moved the Board vote to adjourn from Open Session to enter into Executive Session pursuant to M.G.L. Chapter 39 Section 23B Exemptions #3 & #6 to adjourn from this Executive Session for the sole purpose of adjourning the meeting, 2nd by Selectman Fay, VOTE: Selectman Gilles aye, Selectman Fay aye, Selectman Luca aye, Chairman Sullivan aye, unanimous, so moved.

9:05a.m. Open Session concluded.

 Date: 6/2/09
James M. Fay, Clerk
Ayer Board of Selectmen