

# Town of Ayer

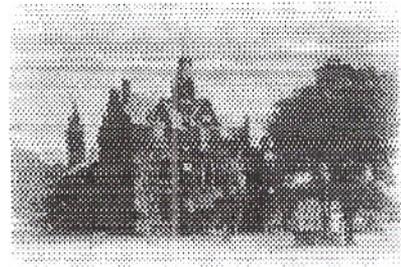
## Board of Selectmen

### Town Hall, First Floor Meeting Room

### Ayer Massachusetts, 01432

### 6-16-09

### Tuesday, June 16, 2009



**Meeting date: 6-16-09**

Present:

Cornelius F. Sullivan, Chairman (Mr. Sullivan)	X	Carolyn McCreary, Member (Ms. McCreary)	X
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		

**Meeting Called to order at 7:15p.m.** by Chairman Sullivan who apologized for late start due to earlier Executive Session.

**Public Input**-Chairman Sullivan requested if there was anyone present wishing to meet with the Board under Public Input. Michael Pattenden-re Town Meeting re reversing TIF re Nashoba Valley Medical Ctr. and advised to this item being placed on Agenda in July 09.

Chairman Sullivan called for a motion to accept the Agenda of 6-16-09. Selectman Luca moved the Board vote to approve the Agenda of 6-16-09, 2<sup>nd</sup> by Selectman Fay, VOTE: unanimous, so moved.

Chairman Sullivan ran through the Public Announcements: School Regionalization Public Meeting to be held on Tuesday, June 17, 2009 from 7-9pm at the Ayer High School Auditorium hosted by the Ayer School Committee, Wednesday, June 17, 2009 from 4-8pm the Ayer/Shirley Lions Club Spaghetti Dinner at Dan's Place, 4<sup>th</sup> of July Celebration to be held on 4<sup>th</sup> this year starting at 1pm with a parade, family entertainment at Pirone Park and ending with fireworks at dusk, and ending with the Board of Selectmen's Summer Schedule: June 23, 2009, July 14, 2009 and August 11, 2009.

**Agenda Item #1. Steve Cecil-"Cecil Group" re Downtown Concept plan**-Mr. Suhoski introduced Steve Cecil and advised the Board to Mr. Cecil preparing an overview presentation of the proposed parking facilities project. The Board welcomed back Steve Cecil who conducted his presentation re the prospective development of two small parking facilities/sites in downtown Ayer. Mr. Cecil advising to overall program distributes commuter parking among two sites that were identified; one site is along Central Ave. that is composed of a single land parcel and the other site is adjacent to Park St. which include the existing DCR Rail Trail site. Parking would provide a total of 300 parking spaces distributed between the two sites.

- **Central Ave.** Site-includes small pocket park at the western end of site, locates the parking facility/parking improvements, sidewalk and landscaping on the parcel and within the Town's right-of-way while ensuring the street continues to function as a two lane facility. The Central Ave. site is within a quarter mile walking radius of the commuter rail station, the Town is advancing separate planning and design studies investigating street scapes and pedestrian improvements to enhance pedestrians walking to and from Site to rail station. Three (3) alternative design investigations were undertaken for the Central Ave. site taking into account the narrowness of the site which appears to be wide enough to accommodate a single bay of double-loaded parking limiting the facility to a two level structure. **1. Separated Decks** estimated parking spaces 110, **2. Main Street Access** estimated parking spaces 140 and **3. Linked Decks** estimated parking spaces 119.
- **Park Street** -Site would provide 50 dedicated spaces for rail trail patrons with adequate clearance for vehicles with roof mounted racks. Locate the parking facility, parking improvements, sidewalk and landscaping on the parcel within the Town's right-of-way ensuring the street continues to function as a two lane facility. Design includes a small park and public open space at the western end of site that would serve as a civic and visual amenity. Study option re continuous canopy structure connecting the parking structure to the Main Street sidewalk along a pedestrian pathway parallel to the rail trail. Two alternative design investigations were undertaken for the Park St. site. The schemes envision a combination of at grade and structured parking spaces in a ramped configuration with about 2 to 2 ½ levels above the grade of Park St. resulting in a facade rising about 14 to 20 feet above the grade of Park St. **1. Parking Deck**-this scheme would provide approximately 238

parking spaces including 50 dedicated rail trail spaces. Opportunities are available to offer street trees and architectural features compatible with character of the Town center. An advantage to this approach is the use of the entire site to provide parking. **2. Parking Deck and Park** -estimated parking spaces 249-concentrating the parking Structure towards the northern portion of the site leaving space for a small park located between the structure and Main St. Locating bicycle trail facilities (restrooms, benches, racks) adjacent to a small open space that would provide visual amenity and a location for civic events to serve commuters, bicycle trail patrons, visitors to the downtown and the community.

- Mr. Cecil concluded his presentation by recommending the Town Employ the results of this study with its ongoing discussions re parking in the downtown and convey to agencies implementing parking solutions including MART and DCR. Upon confirmation that MART and the Town intend to proceed with acquisition and development of the site the Town should prepare in collaboration with MART a set of design standards, and secure a formal agreement with MART that the design be consistent with design standards administrated through a review and approval process conducted by the Town in concert with MART. Selectman Gilles moved the Town release the Cecil Report to MJCC presented this evening, 2<sup>nd</sup> by Selectman Fay, VOTE: Selectman McCreary aye, Selectman Fay aye, Selectman Gilles aye, Chairman Sullivan aye, Selectman Luca abstaining VOTE-4-0 so moved. Selectman McCreary to take full Cecil Report & 6-16-09 documentation to MJCC on behalf of the Board. Chairman Sullivan read into the record the Downtown Parking Improvements Findings of Fact to be made part of documentation to MJCC.

#### **Agenda Item #2. Jeffrey Mayes, Communications Committee- Web-Master/Town of Ayer Web Site**

The Board met with Jeff Mayes volunteer Web-Master for Town of Ayer Web-Site re establishing a policy re posting/controlling notices on the Web Site, re what is acceptable and what is not. Mr. Suhoski suggesting during the interim perhaps a "Community Event" page or calendar that is clearly labeled or noticed as not being the official viewpoint of the Town of Ayer. Postings for protests, non-Town events (Relay for Life), etc. would be posed there. David Bodurtha, Communications Committee member advising to a proposal presently before the Communications Committee. The Committee to review and come back to Board with a recommendation. Mr. Mays reviewed with the Board visits to the Web-Site, bounce rate, sites most visited i.e. DPW, number of pages on site 187 +/- and site constantly updated by volunteers. The Board extended their gratitude to Mr. Mayes and the Communications Committee for all their hard work maintaining the site and working towards future where Town Departments will be able to maintain their individual page/s and not to be so dependent upon Committee volunteers.

**Agenda Item #3. 2010 Budget Update**-Mr. Suhoski updated the Board to Town's Fy-10 Budget balanced but if State Senate Budget goes through the Town could be looking at a \$125K deficit. Mr. Suhoski advised to updating the Fy10 revenues using the Senate Ways & Means version, but cautioned having all agreed that once the final budget numbers are known the matter can be reassessed to include further cuts or participation of employees as needed. Unions, Town Employees would have to sit down once numbers are known.

#### **Agenda Item #4. Reserve Fund Transfers-**

- **Veterans Services-** Benefits for the month of June 09, unforeseen applications/expenses in Fy09. Selectman Gilles moved the Board vote to approve the Reserve Fund Transfer in the amount not to exceed \$2,733.00 for line item # 01547 -Veterans Services dated 6-9-09 presented by Veterans Agent Manuel Velez, 2<sup>nd</sup> by Selectman Luca, VOTE: Unanimous, so moved.
- **Parking Tickets**-The Board moved to approve a Reserve Fund Transfer for Parking Ticket processing, line item #01148-5200 in the amount not to exceed \$53.35. Motion to approve made by Selectman Gilles, 2<sup>nd</sup> by Selectman McCreary VOTE: unanimous, so moved.
- **Street Lighting**-The Board moved to approve a Reserve Fund Transfer from Supt. Nason for line item 01424 Street Lighting in the amount not to exceed \$4,300.00. Motion made by Selectman Gilles, 2<sup>nd</sup> by Selectman Fay, VOTE: unanimous, so moved.
- **Legal Expenses-Reserve Fund Transfer rescheduled for 6-23-09**

**Agenda Item #5. Fy09 Appointments-** The Board to review first draft and rescheduled for Selectmen's Meeting on 6-23-09.

**Agenda Item #6. Supt. Nason's Report-****1. Request for Legal Services-Emergency Response Plan (ERP) and Sewer use Ordinance (SUO)**

Supt. Nason advised the Board to legal counsel review is required for both the town's Enforcement Response Plan (ERP) and Regulation of Sewer Use (SUO) prior to adoption by the Town at Town Meeting re conformance with Federal & State law required to fulfill requirements of the Town's Federally approved Industrial Pretreatment Program. Supt. Nason advising to Town Counsel previously reviewing these documents in 1991 and again in 1998 and both documents substantially revised in June 2009. Supt. Nason estimating legal review cost at \$5K. Motion to approve made by Selectman Gilles for legal service for the Town's ERP & SUO not to exceed \$5K, 2<sup>nd</sup> by Selectman Fay. VOTE: 4-0, motion passes. (Selectman Fay stepping away from table for a moment and not voting).

**2. Water & Sewer Permits-Selectman Gilles moved the Board approve the following Water & Sewer Permits recommended by Supt. Nason in a memo dated 6-12-09, 2<sup>nd</sup> by Selectman Luca VOTE: 4-0 ( Selectman Fay stepped away from table and not voting)**

- 5 Patriot Way 1" Water Service & 6" PVC-Sewer
- 4 Willow Rd. 1" Water Service & 6" PVC-Sewer
- 4 Willow Rd. 8" Fire Water Service

**3. Change Order #2 Item 2C-1-Central Ave. Pumping Station Rehabilitation-Supt. Nason advised the Board to the Town requesting roofing & flashing portion of the contract be removed. The roofing contractor requested \$1,200.00 compensation for work associated with bidding & shop drawings submittals, i.e. field measurements, project meetings, this item reduced the roofing & flashing portion of the contract and compensates the contractor for their efforts. Selectman Gilles moved the Board approve change Order #2C-1 reducing the cost by \$62,550.00 and new contract price including change order now being \$820,118.00, 2<sup>nd</sup> by Selectman Fay, VOTE: unanimous, so moved.****4. Highway/Utility Person Vacancy-Supt. Nason advising Board to bringing new person forward at Board's 6-23-09 Meeting.****5. PanAm-Supt. Nason updated the Board to construction ongoing at the site and Rick Linde, Water Foreman & himself monitoring and Geosight suggesting 4 additional down gradient wells be installed on 4 additional acres, proposing approximately eleven (11) monitoring wells be located every 100 feet +/- along edge of 20 foot wide access easement. Supt. Nason also reporting to Planning Board recommending thirty six (36) sampling sites is installed. Supt. Nason to meet with the Planning Board re why 36 sites being requested.****Agenda Item #7. JBoS**

Selectman Fay opened the discussion by stating the Ayer voters spoke very clearly at the Super Town Meeting re amending zoning at Vicksburg Square District. Article defeated by a ration of 3-1 or 22 yea and 70 no. Selectman Fay stated the voters want compliance with the reuse plan as originally written and any increase to the housing cap is not desired. Proposal for redevelopment must be thoroughly reviewed by the stakeholders prior to any changes and will remain a challenge to development efforts given the restraints of Chapter 498 and current economic conditions. Selectman Fay read into the record the Core Assumptions what the Town of Ayer really wants. Selectman Luca stating forums not well attended, problem re no access through Harvard major player. Harry Zane urging public be engaged in process/public input/media. Munch more homework/public vetting necessary.

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

1. Budget -addressed earlier in meeting
2. Legal Expense Reserve Fund Transfer rescheduled to 6-23-09 to finalize funding.
3. Fy-10 Salary Schedule presented by Town Administrator prepared by Lisa Gabree, Financial Manager Depicting 3% COLA. The Board approved the Fy-10 Salary Schedule. Motion to approve made by Selectman Gilles, 2<sup>nd</sup> by Selectman Fay, VOTE: unanimous, so moved.

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

Selectman Luca-expressed his concern with rushing through meeting Agenda/ pushing time. Chairman Sullivan advising Selectman Luca to take up Agenda time frames with Town Administrator.

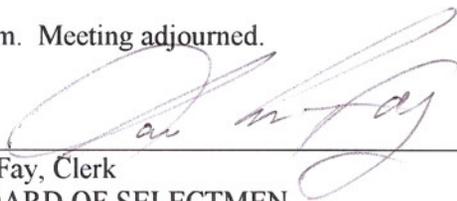
LIP Unit -25 Auman Street-Devens-Mr. Suhoski presented the Board a notification of Mortgagee's Notice of Sale of Real Estate for a LIP Unit at 25 Auman St. (foreclosure) advising to no Town of Ayer funds invested in unit and no interest in ownership.

Chairman Sullivan –advised the Board to article in Globe re Solar Power being utilized in Water Treatment Plants and Wastewater Treatment Plants reducing operating cost. Green energy grants available re this resource, i.e design/consulting advising to project paying for itself over time and requesting the Board invite Supt. Nason into their next meeting on 6-23-09 re discussing this matter.

Minutes: Selectman Fay moved the minutes of 5-5-09, 5-22-09, 6-2-09 and Executive Session Minutes of 4-21-09 and 5-22-09 be approved, 2<sup>nd</sup> by Selectman Gilles, VOTE: unanimous, so moved.

9:15p.m. Selectman McCreary moved the Board adjourn the meeting, 2<sup>nd</sup> by Selectman Luca, VOTE: unanimous, so moved.

9:15p.m. Meeting adjourned.



-DATE: 7/27/09

James M. Fay, Clerk  
AYER BOARD OF SELECTMEN