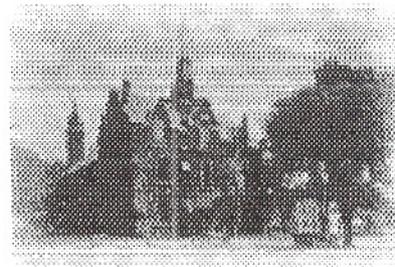


Town of Ayer
Board of Selectmen
Town Hall, First Floor Meeting Room
Ayer Massachusetts, 01432
6-23-09
Tuesday, June 23, 2009



Meeting date: 6-23-09

Present:

Cornelius F. Sullivan, Chairman (Mr. Sullivan)		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		

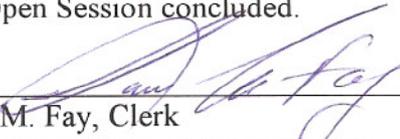
Meeting Called to order at 5:00p.m. by Vice-Chairman Richard Gilles sitting in for Chairman Sullivan who was delayed.

Public Input-The Board met with Denis Callahan, Town Treasurer re the \$2,015,958.00 Town's General Obligation Bond Anticipation Note dated 6-24-09 and payable June 24, 2010 to Eastern Bank at par and accrued interest rate plus a premium of \$5,362.44 (see attached vote of the Board of Selectmen). Mr. Callahan updating the Board to Board tentatively approving BAN on 6- 16-09 and Board must formally vote to approve/ratify the \$2,015,958.00 BAN presented by him on 6-16-09. Selectman Luca moved the Board vote to formally approve the \$2,015,958 1.50 percent General Obligation Bond Anticipation Note of the Town dated 6-24-09 and payable June 24, 2010 to Eastern Bank at par and accrued interest plus premium of \$5,362.44 as presented by Town Treasurer, and endorsed by Selectmen James Fay as Clerk of the Board of Selectmen 2nd by Selectman Fay, VOTE: unanimous, so moved.

Chairman Sullivan entered meeting.

5:10p.m. Selectman Fay moved the Board adjourn from Open Session to enter into Executive Session pursuant to MGL Chapter 39 Section 23B exemption # 3 Strategy with regard to litigation and collective bargaining, 2nd by Selectman Gilles, VOTE: Selectman Gilles aye, Selectman Luca aye, Selectman Fay aye, Selectman McCreary aye, Chairman Sullivan aye, unanimous, so moved.

5:10 Open Session concluded.



 James M. Fay, Clerk

-Date: 6/23/09

AYER BOARD OF SELECTMEN

Town of Ayer

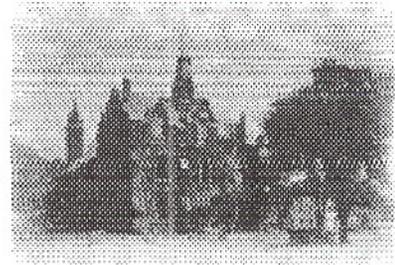
Board of Selectmen

Town Hall, First Floor Meeting Room

Ayer Massachusetts, 01432

6-23-09

Tuesday, June 23, 2009



Meeting date: 6-23-09
Open Session

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 7:47p.m. by Chairman Sullivan who apologized for late start of meeting due to earlier Executive Session.

Selectman Luca requesting Agenda Item #2 Steve Roach, Nashoba Valley Medical Center be deleted-and rescheduled for 7-14-09 Selectmen's Agenda, Agenda Item #8. JBoS also be deleted, Agenda item #3 Town Accountant-Fy10 Salary Schedule and Agenda Item #4 Reserve Fund Transfer be placed under Agenda Item #8 Town Administrator's Report. Chairman Sullivan called for a motion to accept the Agenda as amended. Selectman Luca moved the Board vote to approve the Agenda as amended, 2nd by Selectman Fay, unanimous, so moved.

Agenda Item #1. Ruth Rhonemus-Farmer's Market-Ms. Rhonemus advised the Board to the Farmer's Market starting up mid July and putting a call out for volunteers to assist with the market, i.e. set up/break-down assistance 9:00a.m.-2:00p.m. urging residents to contact Janet Lewis in the Selectmen's Office (978) 772-8220. The Board suggested Ms. Rhonemus also contact APAC and the Communications Com re advertising on the Web Site and local access channel.

Chairman Sullivan announced the Town's 4th of July Celebration to be conducted on the actual 4th this year starting off with a parade at 1:00pm, live entertainment at Pirone Park and ending at dusk with the Fire Works.

Agenda Item #5. Supt. Nason's Report- Supt. Nason updated the Board to recent on the job injury to Highway worker David Nelson last week who is anticipated to be out of work for at least three (3) months with severe injury to his hand and need to fill this Highway/Utility Person vacancy ASAP with full-time person and staff Transfer Station with Part-time person.

1. Highway Utility Person/Laborer Position-Supt. Nason introduced to the Board Steve Perron present part-time Transfer Station attendant who he recommending to the Highway/utility person/laborer position having polled the all internal DPW Union employees and Mr. Perron being the only interested employee. Supt. Nason advising the Board to Mr. Perron filling role on part-time basis with the Highway Dept. since May 09 and currently works part-time at the Transfer Station. Supt. Nason advising to Mr. Perron being a dedicated and qualified person and will be an asset to the Highway Dept. Supt. Nason advising to Mr. Perron having a required six (6) month probationary period and must obtain a Class B CDL & MA Hoisting License also within Six (6) months of transition. Selectman McCreary moved the Board vote to approve Supt. Nason's recommendation and transfer Steve Perron from part-time Transfer Station position to full-time Highway Utility Peron/Laborer position contingent upon a six (6) month probationary period and Mr. Perron obtaining a Class B CDL & MA Hoisting license also within-six (6) months of transfer of position, 2nd by Selectman Luca, VOTE: unanimous, so moved. Mr. Perron's start date with Highway Dept on 6-25-09.

The Board authorized Supt. Nason to advertise for the vacant part-time Transfer Station position. Motion to approve made by Selectman Gilles 2nd by Selectman McCreary, VOTE: unanimous, so moved.

2. Renewal of Back-up Wastewater Sludge Services Agreement-Waste Stream Environmental, Inc.

Selectman Gilles moved the Board vote to approve the Back-up Wastewater Sludge Services agreement with Waste Stream Environmental, Inc. of Weedsport, NY for Transportation only to Fitchburg WWTF @ \$301.91/load, transfer to WSE's Disposal Site @ \$741.06/load and disposal at WSE's Disposal Site @ \$433.66/dry ton for the Contract term 7-1-09 to 6-30-10, 2nd by Selectman Fay, VOTE: unanimous, so moved.

Agenda Item #6 Fire Chief, re Hazardous Mitigation-The Board met with Chief Pedrazzi who updated the Board to the Pre-Disaster Mitigation Plan prepared by MRPC re detailed look at the town's vulnerability to natural hazards, and recommends measures to be undertaken to address key issues. Chief Pedrazzi recommending the acceptance of this plan as soon as possible as it is a requirement to have a Mitigation Plan in place in order to receive Federal or State assistance. Selectman Gilles moved the Board vote to approve the Certificate of Adoption-Ayer Hazardous Mitigation Plan as presented and recommended by the Fire Chief, 2nd by Selectman Luca, VOTE: Unanimous, so moved.

On another matter Chief Pedrazzi requested the Board authorize the Chairman's signature on additional documentation necessary re the Town's December 08- Ice Storm damage (FEMA reimbursement), motion to approve and authorize the Chairman's signature made by Selectman Gilles, 2nd by Selectman Fay, VOTE: unanimous, so moved.

Agenda item #7. Fy-10 Appointments-Actions necessary

The Board made the following Appointments:

Cable Commission-Appointed Harry Zane to the Cable Commission for term of 7-1-09 /6-30-12 per the recommendation of Commission, motion made by Selectman Gilles, 2nd by Selectman Fay, VOTE: unanimous, so moved.

Capital Planning-The Board appointed Mary Spinner to serve as Citizens Representative on the Capital Planning Com. for term of 7-1-09/6-30-12, motion to approve made by Selectman McCreary 2nd by Selectman Fay, VOTE: unanimous, so moved.

Council on Aging-The Board re-appointed Sister Paula McCrea and John Cerulli to the Council on Aging per their request and recommended by Council, motion made by Selectman Luca, 2nd by Selectman Gilles, VOTE: unanimous, so moved.

Finance Committee (Fin-Com)-The Board met with Larry Keenan, Chairman of the Fin-Com who advised the Board to Fin-Com submitting recommendation to the Board re appointments of D. Jesse Reich and Pauline Conley. Selectman Luca moved the Board vote to support the recommendation of the Finance Committee and appoint D. Jesse Reich and Pauline Conley to the Fin-Com, no 2nd to the motion. Selectman Gilles requested the Board meet with Michael Guzzo re appointment to the Fin-Com advising to Mr. Guzzo in room this evening. The Board met with Mr. Guzzo who advised the Board to his background and currently serving as the Town Accountant in Boxborough, MA. Mr. Keenan also advising to Fin-Com meeting with Mr. Guzzo and advising to his also being very knowledgeable and qualified to serve but questioning his availability to attend meetings having conflicts. The Board requested Mr. Guzzo submit formal request and back-up materials to the Fin-Com & Board for their next meeting scheduled for 7-14-09. Selectman McCreary moved to appoint D. Jesse Reich to the one (1) year position from 7-1-09/6-30-10, and re-appoint Brian Muldoon for the term of 7-1-09 to 6-30-12, 2nd by Selectman Gilles, VOTE: Selectman Gilles aye, Selectman McCreary aye, Selectman Fay aye, Chairman Sullivan aye, Selectman Luca no 4-1 motion passes. Selectman Luca opposing Board's vote having a recommendation re appointments of Jesse Reich & Ms Conley before the Board from the Finance Com. and questioning why Ms. Conley is being held to different standard.

Selectman Luca requesting the Board authorize Ms. Spinner to run out her term of office on the Fin-Com until 6-30-09, 2nd by Selectman Fay, VOTE: Selectman Fay aye, Selectman Luca aye, Selectman McCreary aye, Selectman Gilles no, Chairman Sullivan no, motion passes 3-2 so moved. The Board thanked Ms. Spinner for her years of dedicated service to the Fin-Com. and updated all to Town Counsel's ruling of conflict of service re Ms. Spinner serving on both the Fin-Com and as an elected official on the Board of Health. Ms Spinner advising the Board to her decision to serve on the Board of Health.

Fire Station Re-use Com. The Board vote unanimously to appoint Glen LeDoux to serve on the Fire Re-use Com for the term of 7-1-09 to 6-30-10. Motion made by Selectman Fay 2nd by Selectman Gilles VOTE: unanimous.

Special Out-of-Town Police Officers-The Board voted unanimously to approve the list submitted by Ayer Police Chief Bill Murray dated 6-15-09. Motion made by Selectman Gilles, 2nd by Selectman Fay.

Veteran's Agent-The Board after a short discussion re possibility of regionalizing with Town of Shirley re this position in the future moved to re-appoint Manuel Velez as Veteran's Agent from April 2009 to April 2010, motion made by Selectman Gilles, 2nd by Selectman Fay, VOTE: unanimous, so moved.

IDFA The Board voted unanimously to re-appoint Brian Anderson and Nick Laggis to the IDFA for the term of 7-1-09 to 6-30-14 Motion moved by Selectman Gilles, 2nd by Selectman Fay, so moved.

Selectmen's Reps to following Boards-

Community Preservation ACT Committee-The Board unanimously voted to re-appoint Selectman Luca to serve as the Board's rep to the CPC motion made by Selectman Gilles, 2nd by Selectman Fay, so moved.

Executive Tri-Board-The Board unanimously voted to re-appoint Selectman Gilles and Chairman Sullivan to serve as the Board's reps on the Executive Tri-Board Com., motion made by Selectman Luca, 2nd by Selectman Fay, so moved.

AJTC-The Board unanimously voted to appoint the Pauline Hamel as the Board's rep to the MJTC, motion made by Selectman Luca, 2nd by Selectman Gilles, so moved.

MBTA The Board unanimously voted to appoint Selectman McCreary as the Board's rep to the MBTA, motion made by Selectman Luca, 2nd by Selectman Gilles, so moved.

MRPC The Board unanimously voted to appoint Selectman McCreary as the Board's rep to MRPC, motion made by Selectman Gilles, 2nd by Selectman Fay, so moved.

MART The Board voted to appoint Shaun Suhoski as the Selectmen's rep to MART, motion made by Selectman Gilles, 2nd by Selectman Fay, so moved.

Capital Planning The Board unanimously voted to appoint Selectman Fay as the Board's rep to the Capital Planning Com., motion made by Selectman Gilles, 2nd by Selectman McCreary, so moved.

The Board to finalize the Fy-10 Blanket Appointments at their 7-14-09 meeting.

Chairman Sullivan announced the following vacancies urging interested citizens to contact the Selectmen's Office if they are interested in filling any of the following vacancies and also requesting vacancies be announced on the Web site and Cable.

Ayer Local Cultural Council-2 vacancies, Communications Com.-3 vacancies, Cable Commission-2 vacancies, Commission on Disabilities-5 vacancies, Historical Commission-1 vacancy, Personnel Board-1vacancy, Recycling Com-3vacancies and ZBA- 1 vacancy.

AGENDA ITEM #9. Town Administrator's Report-The Board met with Shaun Suhoski

1. **2010 Wage Schedule**-Mr. Suhoski presented the Board the salary schedule prepared by the Town Accountant which includes a 3% COLA for the non-union and contracted employees and Volunteer Call Fire Workers and not Collective Bargaining Employees representing Town Meeting's vote of a 3% COLA and freezing Classification Plan Grade & Step increases for all employees for Fy-10. Selectman Gilles moved the Board vote to approve the Fy-10 Salary Schedule as presented by the Town Administrator, 2nd by Selectman Fay, VOTE: Selectman Fay aye, Selectman Gilles aye, Selectman McCreary aye, Chairman Sullivan aye,

Selectman Luca no, 4-1 motion passes, so moved. The Board cautioning all to and if budget adjustments have to be made due to State appropriations changing the Board to leverage budgets appropriately. Selectman Gilles stating the Board's intent to treat everyone fairly.

2. Downtown Parking Environmental Assessment-Montachusett Region Brownfield Reuse Initiative-Site nomination & EPA Site Approval. Mr. Suhoski presented the Board the additional documentation re the Rail Trail Environmental Assessment on the rail trail site off Park and Main Streets (Nashua river Rail-Trail Parking Lot -88,000 sq ft +/- in the Downtown Zoning District through a MRPC/EPA Grant. Selectman McCreary moved the Board vote to approve the environmental assessment as presented, 2nd by Selectman Gilles, VOTE: Selectman McCreary aye, Selectman Gilles aye, Selectman Fay aye, Chairman Sullivan aye, Selectman Luca abstaining 4-0 motion passes.

3. Emergency Management Grant-Mr. Suhoski presented the Board the Com of MA \$2,500.00 Emergency Management Performance Grant Application for the Board's approval & endorsement. Selectman Gilles moved the Board vote to approve the Grant Application, 2nd by Selectman Fay, VOTE: unanimous, so moved.

4. Reserve Fund Transfer-Legal Expense -Mr. Suhoski presented the Board the Legal Expense Reserve Fund Transfer in the amount of \$49,178.70 to be transferred to Account # 01151 (Article 19, 2009 ATM-allocated \$150K towards an anticipated \$300K in legal expenses of Kopelman & Paige related to the Waters/Maher cases and the related legal expenses of Gilbert & Renton the Town's special insurance counsel) The remaining costs for fy-09 are estimated at \$57,180.13 with \$8,001.43 remaining available. Selectman Gilles moved the Board vote to approve the Reserve Fund Transfer in the amount not to exceed \$49,178.70 for legal costs, 2nd by Selectman McCreary, VOTE: unanimous, so moved.

Agenda Item #10 New Business/Selectmen's Questions-

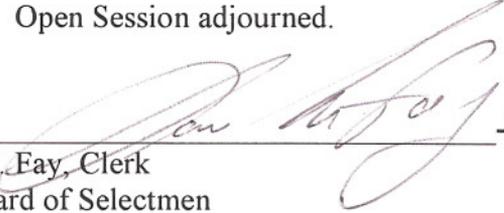
Selectman Luca Congratulating Freedom Way honored at a Gala Ceremony at the Shriver Job Corp Ctr. held Monday, June 22, 2009 with Congressman Tsongas and Olver present good presentation of 45 Towns took a lot of hard work to get to this point.

Selectman Fay advising to Memorial Garden Committee receiving funds towards the Veterans Plaque dedication planned for May 2010 and encouraging donations to be sent to the Selectmen's Office in care of the Memorial Garden Committee.

Chairman Sullivan advising to Championship Playoff game rescheduled due to rain and wishing Baseball players the best of luck as they proceed into the playoffs.

9:18p.m. Selectman McCreary moved the Board adjourn from Open Session to enter into Executive Session pursuant to MGL Chapter 39 Section 23B Exemption #3 with respect to the Fire Chief's Contract to adjourn from this Executive Session to reenter into Open Session for the sole purpose of adjourning the meeting, 2nd by Selectman Fay, VOTE: Selectman Fay aye, Selectman McCreary aye, Selectman Gilles aye, Selectman Luca aye, Chairman Sullivan aye, unanimous, so moved.

9:18p.m. Open Session adjourned.

 -DATE: 7/22/09
James M. Fay, Clerk
Ayer Board of Selectmen