

Town of Ayer

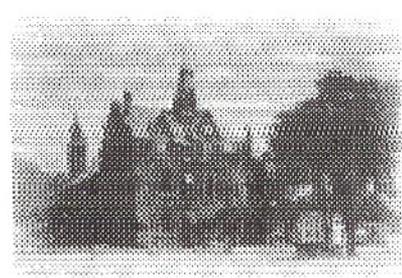
Board of Selectmen

Town Hall, First Floor Meeting Room

Ayer Massachusetts, 01432

2-3-09

Tuesday, February 3, 2009



Meeting date: 2-3-09

Present:

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

Meeting Called to order at 7:10p.m.

Public Input-Chairman McCreary requested if there was anyone present wishing to meet with the Board under Public Input other than what is agenda'd for this evening.

Mary Spinner-4th of July Fireworks Contract -Telstar (July 2009)

George Bacon-Pleasant Street School

Chairman McCreary called for a motion to approve the Agenda as amended. Selectman Luca moved to approve the agenda for 2-3-09 as amended, 2nd by Selectman Sullivan VOTE: unanimous, so moved.

Eagle Scout-Jesse Lee Vear-Troop 2, Ayer, MA-Chairman McCreary welcomed Jesse Vear to the meeting.

Chairman McCreary presented the Town's Certificate of Recognition to Jesse recognizing him for his Eagle Project -building a 40' handicap accessible ramp at the Leominster Teen Ctr. The Board congratulated Jesse on choosing his project to enhance the quality and betterment of life for others.

Ayer /Shirley Broncos-National Championship Recognition-Chairman McCreary welcomed back the Broncos from their victorious trip to Florida along with their parents and coaches. The Board presented Certificates of Achievement to all the players congratulating them on winning the 2008 N.E. Regional District, the 2008 MA State Championship and the 2008 National Championship in Florida. The team was treated to a warm round of applause as they accepted their certificates (see team listing attached). The Board also recognized and congratulated all the coaches and paused for a few minutes to take a picture with the team.

Daniel Nason- Superintendent of Public Works for the Town of Ayer. Chairman McCreary welcomed and introduced Mr. Nason to the attendees and viewing public advising to the Board entering into a contract with Mr. Nason on January 27, 2009. Chairman McCreary stating Mr. Nason will bring solid public and private sector experience and a strong engineering background and education to the Superintend of Public Works position. Chairman McCreary advised to Mr. Nason's compensation being \$90,798.16 with an annual COLA at the discretion of the Board, three (3) weeks vacation, the use of a Town vehicle, eliminates educational incentive payment and required maintenance of four (4) professional licenses, contract effective through 6-30-11.

Mary Spinner 4th of July Committee-Ms. Spinner presented the Committee's 2009 Fireworks Contract with Telstar in the amount of \$11K to be funded through the 4th of July Revolving Acct. endorsed by the Chairman. George Bacon re Conservation Restrictions Pleasant Street School -requesting the Board push along. The Board to agenda this for their next meeting on 2-17-09.

Chairman McCreary welcomed Representative Robert Hargraves to the meeting and advised the viewing public to Rep. Hargraves conducting Office Hours this evening from 7:00p.m. to 8:00p.m. at the Ayer Town Hall.

Agenda Item #1. Devens Enterprise Commission (DEC) Alternate Appointment-Town Administrator advised to the Board receiving four (4) letters of interest re this vacancy stating all four of the candidates were present this evening to meet with the Board. The Board met with Ayer residents Russ Smith, Jesse Reich and Frank Maxant, and Karen McDonald, Devens resident. Each of candidates were requested to give the Board a brief background, why they would like to serve on the DEC, what they could bring to the position and what they

It the role of the DEC was. Frank Maxant disqualified himself from selection relinquishing his interest... naving three very qualified people apply... withdrawing his name from selection. The Board thanked all three candidates for coming before the Board and acknowledged all three were equally qualified to serve. Selectman Luca moved the Board appoint Russ Smith as alternate to the DEC based upon his past Planning Board experience having served during the closing of Devens and knowledge of Town of Ayer Zoning & Planning regulations feeling he was best suited for this role, 2nd by Selectman Sullivan VOTE: unanimous, so moved. The Board stated their pleasure having three capable candidates step forward and urged them to stay involved and continue to express their interest to serve the Town in other capacities where vacancies exist.

Agenda Item #2. Public Hearing Fy-10 Water & Sewer Rates-The Board met with Lisa Gabree, Financial Manager. Chairman McCreary opened the Hearing by requesting the Public Notice be read into the record. Selectman Gilles read the Notice advertised in the Nashoba Publications the weeks of 1-23-09 & 1-30-09. Ms. Gabree conducted a power-point presentation depicting the proposed water & sewer rates, impact on residents, net required from water-sewer rates, water & sewer revenues, water & sewer expenses, criteria for rates, water & sewer enterprise funds. Ms. Gabree advised the Board to Joe Sampson who represents the CIU's not present this evening, submitting an email agreeing with the rate steps for water & sewer proposed by the Water & Sewer Rate Committee. Ms. Gabree advising the Board to Water & Sewer rates for Fy-10 lower than projected during Fy-09 rate study:

	Fy-10 Water	Sewer
1 st 6K cubic feet	\$2.10 increase 4.48%	\$5.53 increase 3.75%
6K to 12K cu/ft	\$2.61 increase 4.40%	\$6.34 increase 3.93%
over 12K cu/ft	\$3.08 increase 4.41%	\$7.22 increase 3.88%

Selectman Luca moved the Board approve the Fy-2010 Water & Sewer Rates as proposed by the Committee stated above, 2nd by Selectman Sullivan, VOTE: unanimous, so moved. The Board thanked Ms. Gabree, Rick... inde, Mary Spinner for all their work. Selectmen Luca moved the board close the Public Hearing, 2nd by selectman Sullivan, VOTE: unanimous, so moved, 8:20p.m. Hearing closed.

Agenda Item #3. Margaret Scarsdale-Community Development Strategy-Fy09 CDBG-CDF-11 Appl. The Board met with Margaret Scarsdale, Program Manager. Selectman Gilles moved the Board vote to approve and support the Town of Ayer's 2009 Community Development Strategy originally presented before the Board on January 20, 2009, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

Selectman Sullivan moved the Board vote to approve and support the Town's Fy-09 Community Development Fund II Block Grant Application in the amount of \$783,634.99 to rehabilitate 19 units of sub-standard housing and to approve a severely deteriorated section of sidewalk to service residents of the Apartments at Pleasant Street School-21 unit low income (60% of median) housing units now under construction, 2nd by Selectman Luca, VOTE: unanimous, so moved.

Agenda Item #4. Chairman McCreary Fy-10 CDBG Staffing Plan-Chairman McCreary reviewed with the Board the revised recommendation re the continuation of departmental funding for CDBG staff through June 30, 2009. Plan elements: Margaret Scarsdale & Susan Provencher funded at 28 hours per week through 6-30-09 funding being derived from already committed funds, new CDBG program income, and owners interest account, no UDAG funds included. Admin. Account i.e. supplies, misc., etc. \$7,242.80 could also fund part of July if needed. Chairman McCreary stating this plan allows for the continuation of staffing for CDBG grant close-out requirement, electrification scope of work, miscellaneous grants including Economic Development Fund and allows Board to rescind \$30K allocation of UDAG. Selectman Gilles moved the Board vote to approve the revised recommended budget for Fy-10 CDBG Staffing Plan, 2nd by Selectman Sullivan VOTE: unanimous, so moved. Selectman Sullivan this action reflects Board's goal to reduce use of UDAG subsidy.

Agenda Item #5. Constellation Energy-Chairman McCreary introduced Marc Aaronson and Jim Strack to the Board. Mr. Aaronson opened the discussion by addressing municipal challenges-State & local mandates, Green

Community Act, LEED Certification standards, financial drivers-budget constraints. ESCO's guarantee that energy and related operating & maintenance savings will repay costs, after installation the ESCO is responsible for verifying the actual savings, savings in excess of the guaranteed amount are retained by the customer shortfalls below guarantee savings are paid by the ESCO. Mr. Aaronson explained how to implement ESCO through RFQ process, develop and submit comprehensive proposal, negotiate comprehensive agreement based on clearly articulated goals, timetables and expectations, complete initial audits, secure incentives and project financing. Mr. Aaronson elaborating on the greater savings of a single town wide proposal i.e. schools, Police, Fire etc. as well as Wastewater Treatment Plants, garage, street lights, windows etc. Chairman McCreary stating the audit fee would be free if Town accepts proposal and would have to be paid back if Town backs out of Agreement. Chairman McCreary advised the Board to her discussions with Ed Davis from the School Dept. who advised to meeting with another ESCO this week. Mr. Aaronson suggested to compare ESCO's check mark up costs, size of company, experience of company, goals of Town, performance, implementation and savings projected. The Board thanked Constellation Energy Representatives for coming in to meet with the Board re their proposal and advising them to need of more research by the Town and the Schools before making a decision.

Agenda Item #6. JBoS Update

1. **Vicksburg Sq.-Zoning By-law**-Selectman Fay updated the Board to last JBoS Meeting on Thursday, the 29th JBoS agreed to more time necessary needed by Towns re Super Town Meeting-re-zoning article. JBoS looking to delaying 60 days. The Board agreed to remove article from 3-2-09 Special Town Meeting Warrant.
2. **Nashoba Valley District**-The Board discussed this item at length Selectman Sullivan having a great deal of concern re items 1 & 2 of the listed benefits of approach of the DREZ (Devens Regional Enterprise Zone) – questioning how to resolve the historical boundaries-geographical transition re the jurisdiction of the lands within the DREZ remaining with the respective towns and act as an overlay district within the Towns and transcending geographical boundaries. (see 8 benefits of Devens Transition & Integration Matrix). Selectman Luca taking issue with revenue derived from stakeholders, not ready to approve six (6) core assumptions until further discussions with JBoS. Selectman Luca stating he could develop a plan that would work and present at the next Selectmen's Meeting, the board warning it must muster with other communities. Selectman Luca again stating he set reasonable approach for next meeting.

Agenda item #7. Town Administrator's Report

1. **Water/Sewer Permits**-Town Administrator presented Water & Sewer Permits for the following:

1 Orchid Lane –R. Hicks Inc. 1" Water & Sewer service
 79 Snake hill Rd. –Crabtree Dev. 1" Water & Sewer service
 80 Snake hill Rd. –Crabtree Dev. 1" Water & Sewer service
 71 Snake hill Rd. – Crabtree Dev. 1" Water & Sewer service
 1A Turtle Hill Rd-Unit 22 –R Hicks Inc. 1" Water & Sewer service
 1B Turtle Hill Rd.-Unit 21- R Hicks Inc. 1" Water & Sewer service

Selectman Gilles moved the Board vote to approve the above permits as presented and authorize signature by Chairman, 2nd by Selectman Sullivan VOTE: unanimous, so moved.

Abatement-

1. 79 E. Main Street-water leak in basement/water absorbed in the basement floor and not discharged into the Town sewer. Abatement request of \$699.07 in sewer charges-Selectman Sullivan moved to approve the sewer abatement request for 79 E. Main St., in the amount not to exceed \$699.07, 2nd by Selectman Gilles, VOTE: unanimous, so moved.
2. 6 Central Avenue-high volume for period of 9-7-07-3-6-08 23,700 cubic feet on residential property. New owner of property within past six months of purchase. Selectman Sullivan moved the Board vote to abate the sewer charges in the amount not to exceed \$965.01, 2nd by Selectman Gilles, VOTE: unanimous, so moved.

Spectacle Pond Valve Replacement-The Board met with Rick Linde Foreman Water Dept. re bid award for valve replacement. The Board reviewed the bidding documents and voted to award the bid as recommended by Richard Linde to the low bidder Flowrite Valve Service Inc. of Uxbridge, MA in the amount not to exceed \$15,500.00 funding from Water Enterprise Fund, motion to approve made by Selectman Gilles 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

4. Special Town Meeting Warrant reviewed by the Board for three articles: Teachers Agreement, Firefighters Agreement and Grove Pond Well, the Board to close warrant at next Tri-Board Meeting on 2-11-09.

5. The Board set March 2, 2009 at 7:00p.m. for the Special Town Meeting. Motion to call Special Town Meeting made by Selectman Sullivan 2nd by Selectman Luca, VOTE: unanimous, so moved.

6. 2008 Town Report Bid. Mr. Suhoski presented the Board the bid award for the 2008 Town Report awarded to Alphagraphics d/b/a Documents on Demand of Worcester, MA for the bid award for Option 2 Color Cover in the amount of \$1,940. Motion to approve Mr. Suhoski's recommendation made by Selectman Gilles, 2nd by Selectman Sullivan VOTE: unanimous, so moved. Mr. Suhoski advised the Board to selection of cover covers to be left on Selectmen's counter for their review and recommendation.

7. IT Update-The Board awarded the proposal for Information Technology Consulting Services to Evan Torlin of Ayer, MA for work to be done on an hourly basis of \$95.00 per hour and not to exceed \$5K billed weekly to the Town of Ayer work to be performed /completed outside normal business hours to avoid user conflicts and workflow interference. Motion to approve made by Selectman Sullivan 2nd by Selectman Gilles, VOTE: unanimous, so moved.

8. Help Wanted Notice -Mr. Suhoski updated the Board to Temporary part-time non-union, non beneficiated utility person advertised locally for the hourly rate of \$15.00 per hour and job descriptions/applications available at the DPW closing date 2-10-09 at 12:00 noon.

Resignation-Mr. Suhoski updated the Board to resignation received from Planning & Development Director Chris Ryan effective 2-20-09. The Board moved to accept the resignation with regrets and thanked Mr. Ryan for his past service to the Town.

10. Mr. Suhoski updated the Board to MIIA dividend notification to Town in the amount of \$3,419.00. along with a 5% reduction in premium for Fy-10.

Agenda Item #8. Selectmen's Questions/New Business

Mr. Gilles moved the Board vote to approve the Minutes of 1-6-09, 1-20-09, 1-27-09 and X Session minutes of 1-27-09, 2nd by Selectman Luca, VOTE: unanimous, so moved.

Chairman McCreary announced Seminar re Home Energy Savings offered to residents/business from MA Municipal Assoc. on 2-25-09 at 7pm in the Town Hall-2nd Floor Great Hall to be sponsored by the Board of Selectmen and waiving of the \$35.00 fee.

10:00p.m. Selectman Sullivan moved the Board adjourn the meeting, 2nd by Selectman Luca, VOTE: unanimous, so moved.

10:00p.m. Meeting adjourned. 

DATE: 2-17-09

Richard Gilles, Clerk
Ayer Board of Selectmen