

# Town of Ayer

## Board of Selectmen

Town Hall, First Floor Meeting Room  
Ayer Massachusetts, 01432



5-18-10

### Selectmen's Meeting

Ayer Town Hall, 1<sup>st</sup> Floor Meeting Room, Main Street, Ayer, MA  
Tuesday, May 18, 2010

**Meeting Date: 5-18-10**

Present:

Richard D. Gilles, Chairman (Selectman Gilles)	X	Carolyn McCreary, Member (Selectman McCreary)	X
James M. Fay, Vice-Chairman (Selectman Fay)	X	Gary J. Luca, Member (Selectman Luca)	X
Frank F. Maxant, Clerk (Selectman Maxant)	X	Jeff Ritter, Town Administrator (Mr. Ritter)	X
Janet Lewis, Secretary (Mrs. Lewis) Vacation	A		

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

Selectmen Gilles commented on revised Agenda item to provide an overview regarding the status of Board directives from their previous meeting "To Do List" prepared by the Town Administrator which was praised by the Board to assure nothing falls between the cracks.

Chairman Gilles requested if there was anyone present wishing to meet with the Board. Brian Muldoon-Fin-Com re Town Government Study Committee and Jeff Mayes re towns Web Site.

Chairman Gilles requested the Board submit a letter to Devens re Boards opposition to a public safety regional facility being built on Devens and cc Governor re Board not being in favor of such a facility given the proximity to Ayer's facilities of which all have newer facilities and questioning public spending.

Brian Muldoon requested the Board to complete 2007 Financial Management Report before going forward with a Town Government Study Committee. Selectman Luca commenting he and Larry Keenan called for the analysis and that it was a waste of time, follow up fell through the cracks. Mr. Muldoon suggested a working meeting while Chairman Gilles suggested review of the Town's 1999 report and the 2007 DOR report. The Board voted unanimously to prohibit current elected Town officials and town employees to serve on the new Town Government Study Committee.

Jeff Mayes-Town WebMaster -updated the Board to Website conversion from BICnet to MICnet holding up the posting of Town documents to the website. The Board authorized Mr. Mayes as the Town's official contact re this conversion.

Selectman McCreary reminded residents to vote on Monday, May 24<sup>th</sup> at the Special Town Election for the Town's three (3) members to the Ayer/Shirley Regional School Committee. Voting at Town Hall from 7am to 8p.m. 2<sup>nd</sup> floor Great Hall.

Selectman Fay- Reminding residents to Memorial Day Ceremony on Saturday the 29<sup>th</sup> of May with the American Legion and Memorial Garden Committee starting at 10:00a.m with a parade and concluding with the unveiling of the Town's new Veterans plaque.

Selectman Luca thanking residents for support of postal workers food drive advising to 2,600 pounds of food taken to area shelters from surrounding towns collected by postal workers.

**Agenda Item #1. Follow-up May 4, 2010**-Mr. Ritter updated the Board to the following action items

1. DPW Supt. authorized to sign off Water/Sewer Permits by Board contingent upon monthly status reports.
2. IT Committee charge remitted to Town Department re submission of letters of interest to serve be sent to Selectmen's Office.

. Charge of Town Government Study Committee sent to Committee.

Mr. Ritter gave the Board a follow up re the Town Administrator's Screening Committee. Selectman Luca requesting five candidates and two alternates be submitted should one or other candidates choose to withdraw from process. Selectman Fay advising Board to committee's progress and advised to Committee not ranking finalist. Selectman Luca suggesting scoring system. Selectman Luca moved the Town Administrator's Screening Committee submit five (5) finalist with two (2) alternates to the Board re interviews, 2<sup>nd</sup> by Selectman McCreary, VOTE: unanimous, so moved.

**Agenda Item #2. Betty Ann Matozel-American Legion-**Ms. Matozel requested the Board's permission to use the 2<sup>nd</sup> Floor Great Hall on Saturday, September 11, 2010 for a short program. Selectman Fay moved the Board vote to approve the Legion's request and moved to waive the fee for the use of the hall, Selectman Luca 2<sup>nd</sup> the motion for discussion offering to pay the fee of \$35.00. Selectman Fay accepted the amendment, Vote: unanimous, so moved.

**Agenda Item #3. Public Hearing-Ingle PCO-Alter Premise-All Alcohol License-**The Board met with Karin Ingle owner of 31 Main St. Ms. Ingle presented to the Board her concept for a 14' by 30' garden patio with seating for 28 patrons behind her restaurant for outdoor dining. Ms. Ingle stated occasional music may also occur later in the planning which would create a very attractive area that is not in use presently. The Board moved to approve and congratulate Ms. Ingle on her establishments. Selectman Fay moved to approve Ingle PCO's alter premise petition for an outdoor patio behind 31 Main St. Restaurant contingent upon the Fire and Police Chief's approval, 2<sup>nd</sup> by Selectman McCreary, VOTE: unanimous, so moved.

**Agenda Item #4. Al Futterman-Nashua River Watershed Association-**Mr. Futterman gave the Board a brief overview/presentation re regional waterway study and Letter of Support request that Congresswoman Tsongas is sponsoring that would secure annual Federal funding for watershed stewardship purposes (\$170K) for a regional waterway study re wild and scenic river nomination for the Nashua River. Selectman Fay moved the Board vote to write a letter of support for the study and to include the Nissitissit and Squannacook Rivers, 2<sup>nd</sup> by Selectman McCreary, VOTE: unanimous, so moved.

**Agenda Item #5. David Maher-Community & Development Director-Breezeway Consultant & Signs**  
The Board met with David Maher and Breezeway Consultant R. John Ryan. The Board reviewed with Breezeway the town's past 2008 CDBG Grant Application which was not funded and reasoning behind what went wrong with the application. Breezeway stated they have a 85% success rate in the State and they must have the Boards support re targeting town sites that would pass the States muster as being worthy of non housing development dollars. The cost for the contract for Breezeway Consultant of \$4500.00 would come from Program Income with an additional expense not to exceed \$250.00. Selectman Luca moved the Board vote to approve Breezeway Farm Consulting, Inc. of New Salem, MA Contract for Fy11 Grant Writing Services in the amount not to exceed \$4,500.00 plus additional expense not to exceed \$250.00, 2<sup>nd</sup> by Selectman Maxant, VOTE: unanimous, so moved.

Mr. Maher updated the Board to his progress re Open Meeting Bulletin Board for Town Hall as a work in progress.

- **Close Out Agreement Fy-06 CDBG Grant #00505** –The Board met with Susan Provencher-Financial Manager CDBG Program-Ms. Provencher presented the Agreement to rehab 24 units of housing, complete 8 facades, 1 awning and 2 sign projects and developed plans for the Council on Aging Building. Ms. Provencher advising the Board to \$861,295 spent and grant being closed out. Selectman Luca moved the Board vote to close out the Fy-06 CDBG Grant #00505 and authorize the Chairman's signature, 2<sup>nd</sup> by Selectman Fay, VOTE: unanimous, so moved.

**Agenda Item #6. Supt. Nason's Report-**The Board met with Dan Nason

1. **Tata & Howard Update-** Supt. Nason reviewed with the Board Tata & Howard's status re Spectacle Pond-waiting upon MADEP to construct the wellfield and pump test submitted in Jan. 2010, Grove Pond Wells replacement-draft design of infrastructure to connect wells submitted June 2009 waiting for approval from

Town, Grove Pond Well #3 Water Management Act Permit sent to DEP 3/10-no environmental impact report required, draft design of infrastructure to connect wells submitted to Town 6-09, waiting on approval from Town to proceed. Grove Pond Water Treatment Facility Expansion contract submitted to town 3/09.

2. Sam's Catch Basin Cleaning-The Board voted to approve catch basin invoice dated 5-13-10 for 800 catch basin cleaning @ \$13.96 per basin. Selectman Fay moved to approve the invoice in the amount not to exceed \$15K, 2<sup>nd</sup> by Selectman Maxant, VOTE: unanimous, so moved.
3. 2011 Ford F-250 Pick-up truck-The Board voted to approve the purchase of DPW truck per Town Meeting Vote in the amount of \$32,333.00. Motion to approve made by Selectman Fay, 2<sup>nd</sup> by Selectman McCreary, Vote: unanimous, so moved.
4. US Army Corp. of Engineers-Right of Entry Agreement-Wastewater Treatment Plant-The Board voted to approve the request of Sovereign Consulting of Mansfield, MA contractor for the US Army Corps of Engineers to perform environmental investigations relating to Shepley Hill Landfill in Devens re installing monitoring well & geophysical survey traverse lines in the vicinity of the Town's WWTP and authorize the Chairman's signature. Motion to approve made by Selectman Fay, 2<sup>nd</sup> by Selectman McCreary VOTE: Selectman Fay aye, Selectman McCreary aye, Selectman Luca aye, Chairman Gilles aye, Selectman Maxant no 4-1 motion passes.
5. Municipal Solid Waste (MSW) Bags-The Board per the recommendation of Supt. Nason voted to approve WasteZero, Inc. of South Carolina the Pay as you Throw trash bags for the period of 7-1-10 to 6-30-11 for 33 gallon and 15 gallon bags per contract language. Motion to approve made by Selectman Luca, 2<sup>nd</sup> by Selectman Fay, VOTE: Selectman Luca aye, Selectman Fay aye, Selectman McCreary aye, Chairman Gilles aye, Selectman Maxant no 4-1 motion passes.
6. Casilla Contract-Supt. Nason updated the Board to Town's net savings of \$12.00 per ton (\$72K savings/yr) With Casilla re transportation/removal of solid water from the Town's landfill. The Board set this item back for the Selectmen's 6-1-10 meeting to review contract.

Landfill Post Closure Monitoring-Onsite Engineering Agreement-Supt. Nason updated the Board to the Landfill Monitoring Contract expiring in June 2010. Supt. Nason recommended the Board vote to enter into a three (2) year Contract Agreement with Onsite Engineering of Franklin, MA the low bidder for \$12,700 monitoring fee for services and \$22K laboratory service cost for a total bid award not to exceed \$34,700. Motion to approve Supt. Nason's recommendation made by Selectman Luca, 2<sup>nd</sup> by Selectman Fay, VOTE: unanimous, so moved.

#### Agenda Item #7. Fire Chief Robert Pedrazzi-

1. Mutual Aid Radio & CPR resource equipment-Selectman McCreary moved the Board vote to approve Chief Pedrazzi's request to spend from his Fy-10 Department Budget or other funding source an amount which may exceed \$5K for the purchase of a mutual aid radio and CPR resource equipment pursuant to Selectmen's directive to secure Board approval in advance per expending funding that exceeds \$5K, 2<sup>nd</sup> by Selectman Fay, VOTE: unanimous, so moved. CPR Radio \$9,138.79 from Grant Funds Assistance to Firefighters and
2. North Middlesex Area Emergency Planning Committee the Board approved the Comprehensive Emergency Management (NMAEPC) Plan and appointed a Local Emergency Planning Committee (LEPC). Representatives to serve on this committee: Chief Pedrazzi, Wellman Parker, Gary Luca Alternate. Motion to approve made by Selectman Fay, 2<sup>nd</sup> by Selectman Luca, VOTE: unanimous, so moved.
3. Emergency Response Coordinator-The Board moved and approve the appointment of Chief Pedrazzi as the Town's Emergency Response Coordinator for the NMAEPC. Motion to approve made by Selectman Fay, 2<sup>nd</sup> by Selectman Luca, VOTE: unanimous, so moved.
4. Community Foundation Grant-Selectman Fay moved the Board vote to approve the Funding Grant Award from the Community foundation in the amount of \$15,552.75 and authorize the Chairman's signature, 2<sup>nd</sup> by Selectman Luca, VOTE: unanimous, so moved.

**Agenda Item #8 Veterans Agent-Reserve fund Transfer Request-**The Board met with Financial Manager Lisa Gabree and Veterans' Agent Michael Detillion. Ms Gabree reviewed with the Board the Veterans Benefits projected shortfall to date net of Veterans benefits from Devens in the amount of \$3,671.00. Selectman Luca moved the Board approve the Reserve Fund Transfer for the Veterans Benefits in the amount of \$3,671.00 and authorize the Chairman's signature, 2<sup>nd</sup> by Selectman Fay, VOTE: unanimous, so moved.

**Agenda Item #9. Information Technology Committee Appointment-** Mr. Ritter updated the Board to receipt of one response to date to the I/T Committee, advising the Board to Evan Torlin requesting the Board appoint him to the "Networking" position. Selectman Fay moving the appointment of Evan Torlin to fill the "Networking Slot", 2<sup>nd</sup> the Selectman McCreary VOTE: unanimous, so moved.

**Agenda Item #10. Surplus Property Sale-**Mr. Ritter recommended the Board approve a Town-wide Department Surplus Property sale urging Departments to gather equipment, items that are no longer used to be declared surplus and the Board authorize a legal notice for the invitation of bids for this surplus property to the general public. The Board approved this request.

**Agenda Item #11.-Town Government Study Committee-**Mr. Ritter reminded the Board to the establishment of a Town Government Study Committee at the Board's 5-4-10 Meeting and reviewed with the Board a prepared Committee Charge for their review and recommendation.

Committee to be made up of nine (9) members of which no current or elected town employee, Two (2) former Selectmen, one (1) member from the business community, one (1) member in human resources, one (1) former member of the Fin-Com, two (2) residents at large, one (1) former member of the School Committee. Mission to evaluate the current organizational structure of Ayer's Town Government, compare structures of other municipals, and recommend changes to the Board of Selectmen and Town Meeting. Term: one (1) year. Meeting to be held in compliance with the Open Meeting Law. Objective: initial report at the Fall Town Meeting. Motion to approve made by Selectman McCreary 2<sup>nd</sup> by Selectman Fay, VOTE: unanimous, so moved.

**Agenda Item #12-Town Meeting follow-up actions** -Mr. Ritter reviewed with the Board strategy and implementation toward taking action i.e. Capital Exclusion, 76Central Ave., Energy Services contract, John Riley rd., SHAVE Program, etc.

**Agenda Item 13. New Business/Selectmen's Questions-**

**Selectman Maxant-Town of Harvard's letter to Robert Culver and UMASS LOWELL -Vicksburg Sq. Campus.** Selectman Maxant urging the Board of Selectmen write a similar letter to Robert Culver re public outreach via a public hearing be conducted in each town as well as the community of Devens solicit public input

UMASS Lowell-Vicksburg Sq. Campus-have results sent back to towns.

Chairman Gilles reviewed with the Board the new proposed Meeting Agenda

The Minutes if 4-20-10 were moved and approved by Selectman Maxant and 2<sup>nd</sup> by Selectman Luca, VOTE: unanimous so moved, Selectman Maxant moved to set back the Selectmen's 5-4-10 minutes.

10:37p.m. Selectman McCreary moved the Board adjourn the meeting 2<sup>nd</sup> by Selectman Luca, VOTE: unanimous, so moved.

10:37 meeting adjourned

  
Frank F. Maxant, Clerk

Date: \_\_\_\_\_

9/1/10

(Approved 7/1/10)