

Town of Ayer
 Board of Selectmen
 Town Hall, First Floor Meeting Room
 Ayer Massachusetts, 01432



Tuesday, March 1, 2011

James M. Fay, Chairman	X	Carolyn McCreary, Member (Selectman McCreary)	X
Frank F. Maxant, Clerk	X	Gary J. Luca, Member- (Selectman Luca)	X
Janet S. Lewis, Secretary	X	Robert Pontbriand, Town Administrator	X

7:05p.m. Agenda Item #1. Call to Order-

Mr. Pontbriand requested the Board take up two (2) DPW-amendments to the Agenda both of which came in today and are time sensitive issues:

- Change Order Spec. Pond Well #2
- WWTP Ballasts Purchase Order

Both issues requested to be taken up after Agenda Item #4. Selectman McCreary moved the Board vote to approve Agenda revision request by Mr. Pontbriand, 2nd by Selectman Luca, VOTE: unanimous, so moved.

Chairman Fay called for a motion to approve the Agenda as amended. Selectman Luca moved the Board vote to approve the 3-1-11 Agenda as amended, 2nd by Selectman Maxant, VOTE: unanimous, so moved.

Agenda item #2. Announcements-Chairman Fay advising to meeting with Town Treasurer this evening re the sale of Town's Municipal bonds having met earlier this year with Peter Fraser who advised Town to wait and advising now is the opportune time.

Agenda Item #3. Stephanie Gintner-Town Treasurer-Ms. Gintner announced that the Town received competitive bids from bond underwriters on Thursday, February 24, 2011 for a \$2,303,000 9 year refunding bond issue. Roosevelt & Cross was the winning bidder on the bonds with an average interest rate of 2.15%. The Town received five bids on the bonds, the bond proceeds will be used to refinance bonds of the town originally issued June 1, 1998 and April 15, 2000. Selectman Maxant, Clerk of the Board read into the record statement prepared by Town Treasurer re the sale of the bonds. Ms Gintner advising to refinancing will generate total savings of approximately \$201,016 over the life of the bonds. Ms. Gintner updated the Board to prior to the sale Moody's Investor Services, a municipal credit rating agency, affirmed the Town's Aa3 underlying long-term debt rating citing the Town's satisfactory financial position and manageable debt burden as positive credit factors. Selectman Maxant read into the record the Vote of the Board of Selectmen (see attached) depicting years of the bonds and principal along with interest rates for years 1-9 with Roosevelt & Cross, Inc. Selectman Luca moved the Board vote to authorize the sale of the Municipal Bonds so stated above, 2nd by Selectman McCreary, VOTE: unanimous, so moved. The Board to sign off on the bonds at the close of the meeting.

Agenda Item #4. Susan Provencher – Request for Extension-Transfer of Funds Fy-09 CDBG Grant
 Ms Provencher advising due to severe weather conditions the we have been experiencing, contractors are behind in their construction schedules and requested permission to extend the Grant to June 30 to complete projects. Also, the Office received permission in December to transfer \$30K from administration to construction and due to construction being moved back the need for administration funding is necessary, requesting to move \$8K back into administration. Selectman Luca moved the Board vote to authorize the transfer of funds and extension of the Fy-09 CDBG Grant, 2nd by Selectman McCreary, VOTE: unanimous, so moved.

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Agenda Item #5. Supt. Nason-DPW time sensitive matters-

- Change Order-Spectacle Pond #2 relining Spectacle Pond GW#2-Supt Nason advised the Board to two bids received Denis L. Maher the low bid coming in at \$9,424.00 funding from Fy-11 Budget. Selectman Maxant moved the Board vote to approve Change Order for Spectacle Pond Well #2 for the low bid price not to exceed \$9,424.00 and authorize the Chairman's signature, 2nd by Selectman McCreary, VOTE: unanimous, so moved.
- Purchase Order for reconditioned ballasts for UV System at the WWTP for six ALP-51230V at the purchase price of \$1500.00/ea for a total of \$9K, estimated airfreight from Germany \$545.00 and currency conversion 1.0eur=1.38284USD for a total of \$13,199.21. This cost explained at the Selectmen's 2-15-11 meeting due to UV ballast only made in Germany. Selectman Luca moved the Board vote to approve UV-Technik Co. of Bleichenbach Germany P.O. #19740 dated 3-1-11 in the amount of \$13,199.21, 2nd by Selectman McCreary, VOTE: unanimous, so moved.

Agenda Item #6. Public Hearing –Fy-12 Water and Sewer Rates

7:30p.m. Chairman Fay opened the Public Hearing by requesting the Clerk read the Town's notice into the record. The Board met with Lisa Gabree, Financial Manager. Ms Gabree conducted a power-point presentation for the Public Hearing reviewing with the Board and residents explaining the new proposed rates. Ms. Gabree reviewed Criteria for Rates & Goal of the Water/Sewer Rate Committee being to recover costs & avoid significant fluctuations. Ms. Gabree outlined Tasks for Fy-12 i.e. evaluation of septage-limiting capacity and fee charge update, sell future capacity back to Devens, and considering adding conservation/seasonal rate. Reviewed were water & sewer expenses, sewer miscellaneous revenues, net required from rates. Ms. Gabree presented the **proposed new rates for Fy-12**

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|---|--|
| <ul style="list-style-type: none">• WATER
Step 1. \$2.27 increase of 3.65%
Step 2 \$2.72 increase of 3.68%
Step 3 \$3.33 increase of 3.33% | <ul style="list-style-type: none">• SEWER
Step 1. 6.04 increase of 4.14%
Step 2. 6.92 increase of 4.06%
Step 3 7.87 increase of 3.96% |
|---|--|
- Ms. Gabree reviewed with the Board the Rate Committee's recommendation to increase water and sewer rates as proposed. Selectman McCreary moved the Board vote to approve the Fy-12 water and sewer rates as recommended by the Committee, 2nd by Selectman Luca, VOTE: unanimous, so moved.

8:10p.m. Selectman Luca moved to close the Hearing, 2nd by Selectman McCreary, VOTE: unanimous.

Agenda Item #7. JBoS –Chairman Fay advising to JBoS approving appointing a Governance Committee and having Devens residents included (2) members. Currently reviewing government structure and mission statement. Next JBoS Meeting scheduled for 3-24-11 inviting all interested parties to attend.

Agenda item #8. Town Administrator's Report-The Board met with Robert Pontbriand

1. Mr. Pontbriand reviewed with the Board tasks completed by Town Administrator from 2-15-11 to March 1, 2011. (see attached)
2. Special recognition given to Chief Pedrazzi re resolving all issues at Fire Department with Town of Ayer receiving maximum funding by FEMA re last years flooding.
3. Wastewater Treatment Plant heating system RFP out pre-bid conference/tour on 3-7-11 At 9:00a.m. at DPW, thank you's extended to Energy Committee for all their assistance.
4. Mr. Pontbriand reviewed with the Board the Town of Shirley's memo of 3-1-11 re Fy-12 State Requirements/ contributions to the Regional School District. Assessments:
Ayer: \$6,535,088 Shirley-\$3,877,734. or \$10,412,822 which is \$2,737,230 below the ASRSD budget bringing the new districts budget assessment down to the minimum net school spending. Mr.Pontbriand advising to Town Accountant and himself working with Shirley Town officials re this issue and will keep the Board appraised. Advising to joint Fin-Com meeting to be conducted as well.

5. St. Mary's Church One Day Beer & Wine License Request-Mr. Pontbriand advising to St. Mary's conducting a St. Patricks Day dinner on 3-19-11 and requesting a One Day Beer & Wine License. Selectman Luca moved to approve the request for a one day beer & wine license 2nd by Selectman McCreary, VOTE: unanimous, so moved.
6. Personnel Policy Revisions- Mr. Pontbriand updating the Board to many edits to the draft coming in by Department Heads/employees and due to the over whelming response wishing to extend deadline of 2-28-11 to Selectmen's 1st meeting in April. Selectman Luca taking moment to publically thank Personnel Board and especially Melisa Doig for all her help.
7. Parking Garage-Chairman Fay read official statement into the record from the Board of Selectmen. Mr. Pontbriand thanked Secretary Mullen of the Department of Transportation for hosting meeting on 2-28-11 with Board, Paulien Hamel, Pete Johnston and David Maher along with MRPC representatives to discuss the future of the Ayer Commuter Rail Parking Facility and Ayer's Federal \$3.2 earmark which requires \$800K matching State Funds to make this project a reality. Mr. Pontbriand advising to the Town and MART diligently working to provide Mr. Mullen with additional information required regarding this project. Selectman McCreary moved the Board approve Chairman Fay's Statement/Press Release, 2nd by Selectman Maxant, VOTE: Selectman Maxant aye., Selectman McCreary aye, Selectman Luca recusing and Chairman Fay aye, 3-1 abstention, motion passes. Mr. Pontbriand closing with DOT has no intentions of closing Town of Ayer 's stop. Selectman McCreary taking opportunity to publicly thank Selectman Maxant for making meeting happen and appreciated his loyalty and commitment to project.
8. Town Report-The Board approved the 2010 Town Report Cover & dedication to the Memorial Garden being this was major achievement in 2010. Selectman Luca Moved the dedication of the 2010 Town Report be dedicated to the Memorial Garden, 2nd by Selectman McCreary, VOTE: unanimous, so moved.

Agenda Item #9 Selectmen's Questions/New Business

Selectman Luca- Requesting MuniSun RFP update- Mr. Pontbriand advising to Briefing Session held two weeks ago Friday in the Town Hall-2nd Floor Great Hall with 57 firms responding and 65 people present. Special thanks extended to Supt. Nason for providing tour of DPW facility to respondents. Energy Com. Productive committee thanks to hard work of Dan Sherman & Dan Nason.

Selectman Luca -Fin-Com Vacancy-advising to one vacancy since July 2010 and Pauline Conley pursuing and willing to serve on this very important committee, and attending all Fin-com meetings, Pauline is a very competent knowledgeable person. Selectman Luca stating Ms. Conley's personality and delivery may not be liked by some people but she is willing to serve and will do a great job. Selectman Luca stating his concern that now someone else has come forward before the Fin-Com for consideration, questioning what's going on? Mr. Fay advising to Memo received from Fin-com stating Chairman Muldoon did take up Ms. Conley's request for appointment. The Fin-Com did not make a motion nor 2nd his request to consider her for appointment, obviously did not approve person. Selectman Maxant stating it's important to have volunteers and Board's responsibility since Committee will not take decision to appoint Ms. Conley if she is willing to accept. Selectman McCreary objecting stating the Fin-Com did make a decision took action and strongly supports Fin-Com's action. Selectman Luca moved the Board appoint Pauline Conley to the Fin-Com 2nd by Selectman Maxant VOTE" Selectman Luca aye, Selectman Maxant aye, Selectman McCreary no, Chairman Fay no 2-2 motion fails.

Selectman McCreary-Green Communities-Selectman McCreary inviting residents/officials to Stretch Code presentation on 3-23-11 at 7pm in the Town Hall-2nd Floor Great Hall. Presentation to explain and learn about.

Selectman Luca advising Board to his unavailability on 3-15-11 Selectmen's Meeting requesting Board's

• 3-1-11

consideration to reschedule meeting to 3-22-11. The Board reviewed and approved this request. The next Selectmen's meeting in March scheduled for 3-22-11.

The Board discussed the release of Executive Session Minutes i.e. Maher/Water -1 Beacon and advised by Town Administrator not ready as yet for release more technical/organizational issues.

Chairman Fay announced recent MIIA credit (\$6K) due to due diligence by Town employees making for a safe work place.

9:00p.m. Selectman McCreary moved to adjourn the meeting, 2nd by Selectman Luca, VOTE: unanimous, so moved.

Date: _____

Selectman Frank Maxant, Clerk

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