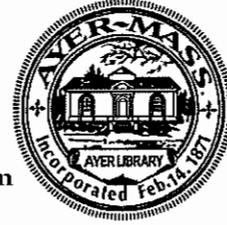


Town of Ayer
Board of Selectmen
Ayer Town Hall – 1st Floor Meeting Room
Ayer, MA 01432



Tuesday October 20, 2015
Meeting Minutes

Broadcast and Recorded by APAC

Present: Jannice L. Livingston, Chair; Gary J. Luca, Vice-Chair; Christopher R. Hillman, Clerk

Robert A. Pontbriand, Town Administrator
Carly M. Antonellis, Assistant to the Town Administrator

Call to Order: J. Livingston called the meeting to order at 7:00 PM.

Review and Approval of Agenda: R. Pontbriand asked to amend the agenda by adding “items 5 & 6” under the Community Development Agenda Item; specifically consideration of the RFQ for the DHCD grant consultant and the FY ’15 CDFI grant. G. Luca asked to amend the agenda by adding a discussion about Nashoba Tech and the Ayer Shirley Regional School District and an issue regarding scheduling of student visits.

Motion: A motion was made by G. Luca and seconded by C. Hillman to approve the agenda as amended. **Motion passed 3-0.**

Announcements: J. Livingston made the following announcements:

- The Fall Town Meeting will take place at the Town Hall on October 26, 2015 at 7:00 PM.
- The DPW will be making upgrades at the transfer station beginning Wednesday October 21, 2015 and the traffic pattern will be modified.
- Trick or Treat sponsored by the Ayer Business Alliance will take place on October 31, 2015 from 12:00 PM – 3:00 PM.
- Regular Trick or Treat will be held on October 31, 2015 from 6:00 PM – 8:00 PM.

Public Input: None

Chief William A. Murray, Ayer Police Department: Chief Murray and retired officer Dan Morrison were in attendance. Chief Murray is requesting that the Board appoint Mr. Morrison as a Reserve Officer for the Ayer Police Department.

Motion: A motion was made by G. Luca and seconded by C. Hillman to happily approve the appointment of Mr. Daniel Morrison as a Reserve Officer for the Ayer Police Department, effective immediately. **Motion passed 3-0.**

Ms. Alicia Hersey, Program Manager, Office of Community Development & Mr. David Maher, Office of Economic Development: J. Livingston, on behalf of the Board, thanked Mr. David Maher for his service to the Town and wished him well on his move to South Carolina.

Contract Award: Lead Specialist - Ms. Hersey and Mr. Maher are recommending that Caulfield Environmental be awarded the contract for Lead Paint Specialist for the FY’15 CDBG grant.

Motion: A motion was made by G. Luca and seconded by C. Hillman to award the lead paint specialist contract to Caulfield Environmental with signature by the Chair, Town Administrator and the Town Accountant effective immediately until December 31, 2016. **Motion passed 3-0.**

Contract Award: Rehab Specialist - Ms. Hersey and Mr. Maher are recommending that Bucchianeri Management Services be awarded the contract for Housing Rehabilitation Specialist for the FY'15 CDBG grant.

Motion: A motion was made by G. Luca and seconded by C. Hillman to award the housing rehabilitation specialist contract to Bucchianeri Management Services with signature by the Chair, Town Administrator and the Town Accountant effective immediately until December 31, 2016. **Motion passed 3-0.**

Contract Award for Infrastructure Consultant – Ms. Hersey and Mr. Maher are recommending that Communities Opportunities Group (COG) be awarded the contract for the Infrastructure Project Consultant for the FY'15 CDBG grant. COG will be responsible for all the CDBG compliance and will act as a liaison among the residents, DPW, Town Hall and DHCD.

Motion: A motion was made by G. Luca and seconded by C. Hillman to award the infrastructure project consultant contract to Communities Opportunities Group with signature by the Chair, Town Administrator and the Town Accountant effective immediately until December 31, 2016. **Motion passed 3-0.**

Lien Subordination Request, Case #06-316E, 56 Westford Rd - Ms. Hersey explained that the homeowner is refinancing by combining their 1st and 2nd mortgage to obtain a better interest rate. She's asking that the Board approve the subordination of the Town's lien for a first mortgage in the amount of \$204,034.

Motion: A motion was made by G. Luca and seconded by C. Hillman to approve the subordination of the Town's lien for a first mortgage in the amount of \$204,034 for Case # 06-316E, 56 Westford Road. **Motion passed 3-0.**

RFQ Grant Consultant – Ms. Hersey and Mr. Maher are asking that the Board award the CDBG Grant Consultant contract to Communities Opportunities Group (COG) in response to the RFQ issued by the Town. The contact will not exceed \$15,000.

Motion: A motion was made by G. Luca and seconded by C. Hillman to award the CDBG Grant Consultant contract to Communities Opportunities Group (COG) with signature by the Chair. **Motion passed 3-0.**

BOS Approval of Chairman's Signature for Document for FY15 CDFI Grant – Ms. Hersey explained that she is preparing the 1st quarterly report of the FY'15 CDBG and is requesting approval of the Chair's signature to the report narrative.

Motion: A motion was made by G. Luca and seconded by C. Hillman to approve the Chair's signature for the 1st quarter grant narrative for the Community Development Block Grant. **Motion passed 3-0.**

Town Administrator's Report: R. Pontbriand gave a brief administrative update pertaining to the Fall Special Town Meeting, the free cash certification of \$1.3 million dollars, and the Ayer Shop 'n Save ribbon cutting event.

Appointments – R. Pontbriand is requesting that the Board make two appointments to the Personnel Board. He has received letters of interest from Mr. Ron Defilippo and Mr. Sam Goodwin. He is requesting that Mr. Defilippo be appointed to the vacated term expiring on June 30, 2017 and Mr. Goodwin be appointed to the vacated term expiring June 30, 2016.

Motion: A motion was made by G. Luca and seconded by C. Hillman to appoint Mr. Ron Defilippo to the Personnel Board to fill a vacated term expiring on June 30, 2017. **Motion passed 3-0.**

J. Livingston recused herself from taking the next vote.

Motion: A motion was made by G. Luca and seconded by C. Hillman to appoint Mr. Sam Goodwin to the Personnel Board to fill a vacated term expiring on June 30, 2016. **Motion passed 2-0.**

Planning Board Administrative Support Proposal – R. Pontbriand presented his proposal to address the request from the Planning Board for administrative support. He has been in contact with the Union and they have agreed to providing 5 hours a week from a current AFSCME 93 member until June 30, 2016. The scope of the work will include, but not be limited to: posting agendas, coordinating meeting packets, transcribing Planning Board minutes, and answering basic questions from the public. The funding, not to exceed \$5,000, would come from the UDAG account with a replenishment mechanism at the 2016 Annual Town Meeting. The larger issue of a land use department will be addressed through the FY'17 budget process.

G. Luca cautioned against the UDAG account being used as a piggy bank, but would support it under these circumstances.

Motion: A motion was made by G. Luca and seconded by C. Hillman to approve the Town Administrator's Proposal dated October 16, 2015 for Planning Board administrative support from a current AFSCME 93 member for 5 hours a week through June 30, 2016, cost not to exceed \$5,000. **Motion passed 3-0.**

Request for change in Sunday Hours, Nashoba Club, 14 Central Ave. – Mr. Robert Rakip has requested a change in hours for Sunday alcohol license sales from 12:00 PM to 10:00 AM pursuant to MGL c. 138 sec.33B.

Motion: A motion was made by G. Luca and seconded by C. Hillman to approve the request to change Sunday hours for alcohol sales at the Nashoba Club to 10:00 AM, pursuant to Massachusetts General Laws, c. 138, sec.33B. **Motion passed 3-0.**

Draft Affordable Care Act (ACA) Look Back Policy – Benefits and Payroll Manager Kevin Johnston presented the Board with a DRAFT policy relating to the look back policy, pursuant to the Affordable Care Act. The policy as presented defines a measurement window of twelve months.

Motion: A motion was made by C. Hillman and seconded by G. Luca to approve the policy as presented by the Benefits and Payroll Manager effective immediately. **Motion passed 3-0.**

R. Pontbriand suggested moving to the next agenda item being that the time was 7:40 PM.

Discussion of Audit Management Letter: Town Account Lisa Gabree was joined by Mr. James Giusti from Giusti, Hingston and Company. Mr. Giusti went over the details of the management letter; specifically the Tax Collector's Depository Bank Account, Cyber Security, Payroll Procedures at the Ayer Public Library, GASB 68 – Accounting and Financial Reporting for Pensions; Health Insurance for Retirees; Non-Sufficient Funds Checks and proposed legislation on pension reform. Mr. Guisti recommends that the Treasurer put in place a Non-Sufficient Funds Checks policy.

C. Hillman expressed interest in having the library administration come before the Selectmen at the November 3, 2015 meeting to discuss the payroll procedures issue referenced in the Management Letter.

L. Gabree stated that the current contract for services with Giusti, Hingston and Company has expired. She is recommending that a three (3) year contract be awarded to Giusti, Hingston and Company for auditing services in the amount of \$22,000 per year.

Motion: A motion was made by G. Luca and seconded by C. Hillman to approve a three year contract between the Town of Ayer and Giusti, Hingston and Company for auditing services in the amount of \$22,000 per year. **Motion passed 3-0.**

The Board of Selectmen return to the Town Administrator's Report.

FY 2017 Budget Process Discussion & Proposed Tax Classification Public Hearing on November 17, 2015 –R. Pontbriand stated that the FY'17 budget process will officially kick off after the completion of the Special Town Meeting on October 26, 2015 and with the Tax Classification Hearing on November 17, 2015. He is also getting ready to convene the Capital Planning Committee for FY'17 capital requests.

G. Luca stated that he would like to have more of an active role in crafting the budget and to be more proactive in the process.

R. Pontbriand asked the Chair to make a statement by a point of personal privilege. J. Livingston allowed for R. Pontbriand to make a point of personal privilege.

R. Pontbriand stated that he wanted to clarify several misunderstandings and erroneous information put forth by Members of the Finance Committee as a result of the October 6th Board of Selectmen Meeting and the October 14th Finance Committee Meeting regarding the proposed Non-Union Classification and Compensation Study.

New Business/Selectmen's Questions:

G. Luca asked to briefly discuss a miscommunication issue between the Ayer Shirley Regional School District and the Nashoba Tech School District. The issue stems from Nashoba Tech's attempt to schedule ASRSD students taking an informational tour of Nashoba Tech. G. Luca asked if R. Pontbriand could serve as an intermediary between the two school districts.

Approval of the Minutes:

Motion: A motion was made by G. Luca and seconded by C. Hillman to approve the meeting minutes of October 6, 2015. **Motion passed 3-0.**

Adjournment:

Motion: A motion was made by G. Luca and seconded by C. Hillman to adjourn at 8:58 PM. **Motion passed 3-0.**

Minutes Recorded and Submitted by Carly M. Antonellis

Minutes Approved by BOS: November 3, 2015

Christopher R. Hillman, Clerk: Christopher R. Hillman