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TOWN OF AYER

2016 MAR -4 PM 12: 02
-CJ

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



Tuesday March 8, 2016
Open Session Meeting Agenda

- 7:00 PM** **Call to Order**
Review and Approve Agenda; Announcements
- 7:05 PM*** **Public Input**
- Chief William A. Murray, Ayer Police Department**
1. Reserve Fund Transfer Request
- 7:10 PM** **Superintendent Mark L. Wetzel, Department of Public Works**
1. East Main Street Water and Sewer Improvements Contract
- 7:15 PM** **Personnel Board Reclassification Recommendations**
1. Superintendent of Public Works
2. Director of Parks & Recreation
3. Town Engineer
4. DPW Business Manager
- 7:35 PM** **Town Administrator's Report**
1. Administrative Update
2. FY 2017 Budget and ATM Update
3. 2015 BOS Town Report Discussion
4. House Hold Hazardous Waste Amendment
5. Building Department Hours Proposal
6. Municipal Modernization Bill Discussion
7. Mass. Planning Org. (MPO) Representative Discussion/Appointment
8. Proposal for Formal Town Bylaw Review
- 8:00 PM** **New Business/Selectmen's Questions**
1. BOS Summer Meeting Schedule (Selectman Livingston)
2. Traffic Improvements to Newton Street/Central Ave/Columbia Street
(Selectman Hillman)
- 8:10 PM** **Approval Meeting Minutes**
February 9, 2016; February 16, 2016
- **Executive Session Pursuant to MGL c. 30 A, sec. 21A**
1. Exemption #3 Properties Enforcement Strategy Update
2. Exemption #3 Acquisition of Real Estate Strategy (Old Fire Station)
3. Exemption #3 Collective Bargaining Contract Updates
4. Review/Approval of Executive Session Meeting Minutes
- Adjournment**

**Agenda times are for planning purposes only and do not necessarily constitute exact times*

***The BOS will adjourn for the evening at the conclusion of the Executive Session*

RESERVE FUND TRANSFER REQUEST

Section I (Completed by Elected Official or Department Head)

This request for a transfer from the Reserve Fund is being made in accordance with M.G.L., Chapter 40, Section 6:

- 1. Amount requested: \$12,872.00
- 2. To be transferred to:
 - A. Account Name Police Department
 - B. Account #: 01210
- 3. Present balance in budget \$797,118.08 as of February 24, 2016

(see also my projection dated January 25, 2016 attached)
- 4. The amount requested will be used for (please attach supporting information):
To pay for radio consultant to develop a solution to the overall police radio system
- 5. The expense is extraordinary or unforeseen for the following reason(s):
This expense was not included in the FY2016 budget as it was unknown that a consultant would be needed. The expense is also extraordinary in that it is not a normal budget item for the Police Department.

Date _____ Elected Official or Department Head _____

Section II Action by Board of Selectmen or Appointing Authority when Section I not completed by an Elected Official

Transfer Approved: YES NO

Amount Approved: \$ _____

Date of Meeting: _____ Number Present/Voting _____

Chairman _____

Section III Action by Finance Committee

Transfer Approved: YES NO

Amount Approved: \$ _____

Date of Meeting: _____ Number Present/Voting _____

Chairman _____

DEPARTMENT OF PUBLIC WORKS

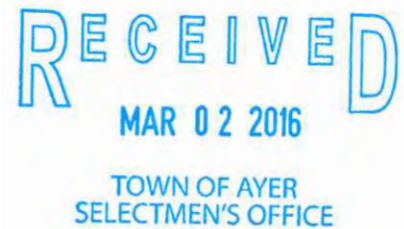
Mark L. Wetzel, P.E., Superintendent
Pamela J. Martin, Business Manager



25 BROOK STREET
AYER, MASSACHUSETTS 01432
T: (978) 772-8240
F: (978) 772-8244

MEMORANDUM

Date: March 2, 2016
To: Board of Selectmen
From: Mark Wetzel, P.E., Public Works Superintendent
Subject: **March 8 Meeting Agenda Items**



1. For Public Announcements
“Public Meeting – East Main Street Water and Sewer Improvement Project – The Department of Public Works will be conducting a **public meeting on Wednesday March 16 at 7 PM at Ayer Town Hall**. Construction of a new water main and sewer pipe repairs will be starting in April, on East Street, East Main Street, and Faulkner Street. The meeting will discuss project schedule, traffic management and detours, impacts on water and sewer service, paving and restoration and answer all questions.”
2. East Main Street Water and Sewer Improvements Contract – The construction contract for the East Main Street Water and Sewer Improvement Project was awarded to Cedrone Construction for \$1,079,576.50. Contracts are ready for execution by the Board.

Office of the Ayer Board of Selectmen
Office of the Ayer Town Administrator



Town of Ayer | Ayer Town Hall | 1 Main Street | Ayer, MA 01432 | 978-772-8220 | Fax 978-772-3017 | www.ayer.ma.us

MEMORANDUM

DATE: March 4, 2016

TO: Ayer Board of Selectmen

FROM: Robert A. Pontbriand
Town Administrator

SUBJECT: Authorization of Steps for Reclassified Positions by the Personnel Board

Dear Honorable Selectmen,

As you are aware, per the Personnel Policies Reclassification Policy, the Personnel Board is responsible for conducting all requested position reclassifications and making a recommendation on the GRADING of the position(s) to the Board of Selectmen for consideration. The Personnel Board has transmitted their formal recommendation to the Board of Selectmen regarding the Reclassifications of the Superintendent of Public Works; Director of Parks and Recreation; Town Engineer; and DPW Business Manager (See Attached Memo from Personnel Board).

The issue of STEPS within each GRADE are the responsibility of the Board of Selectmen. To that end, in consultation with the Chairman of the Personnel Board, I am respectfully recommending that the Board authorize the following STEPS for each Reclassified position. This recommendation(s) is made using the methodology set forth by the HRS Study which is in the event of a change in GRADE, the position should be assigned the STEP in that new GRADE which is closest to the position's current salary.

Additionally, I have provided the new salary as a result of each GRADE and STEP and please be advised that these would not go into effect until July 1, 2016 upon approval. I have attached the approved classification grid for your review.

Superintendent of Public Works

Grade 16 (Reclassification Recommended by Personnel Board)

Step 4

Salary: \$99,618.48 (Estimated adjustment of \$4,618.48 as of 7/1/2016)

Director of Parks & Recreation

Grade 11 (Reclassification Recommended by Personnel Board)

Step 4 (Recommended by HRS Methodology)

Salary: \$61,825.68 (Estimated adjustment of 1,273.68 as of 7/1/2016)

Town Engineer

Grade 12 (Reclassification Recommended by Personnel Board)

Step 8 (Recommended by HRS Methodology)

Salary: \$75,084.48 (Estimated adjustment of \$5,084.48 as of 7/1/2016)

DPW Business Manager

Grade 9 (Recommended by Personnel Board)

Grade 12 (Recommended by Town Administrator)

Note: There is a difference of reclassification between the Town Administrator and Personnel Board on this position.

If Grade 9: Current incumbent is stepped out at Grade 9. (Current Salary of \$62,000) (Personnel Board Recommendation)

If Grade 12: If Grade 12, the position would be at a Step 3 (TA Recommendation)

Salary at Grade 9: No change. (Personnel Board Recommendation)

Salary at Grade 12; Step 3: \$66,377.52 (Estimated adjustment of \$4,000 as of 7/1/2016)

Attachment(s): Personnel Board Reclassification Memo from Chairman Gill
Approved Compensation Grid

Town of Ayer
FY 2016: 2% COLA

Grade		Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11
7	Hourly	\$ 18.78	\$ 19.25	\$ 19.73	\$ 20.22	\$ 20.73	\$ 21.25	\$ 21.78	\$ 22.32	\$ 22.88	\$ 23.45	\$ 24.04
	Weekly	\$ 751.20	\$ 770.00	\$ 789.20	\$ 808.80	\$ 829.20	\$ 850.00	\$ 871.20	\$ 892.80	\$ 915.20	\$ 938.00	\$ 961.60
	Annual	\$ 39,212.64	\$ 40,194.00	\$ 41,196.24	\$ 42,219.36	\$ 43,284.24	\$ 44,370.00	\$ 45,476.64	\$ 46,604.16	\$ 47,773.44	\$ 48,963.60	\$ 50,195.52
8	Hourly	\$ 20.66	\$ 21.18	\$ 21.71	\$ 22.25	\$ 22.81	\$ 23.38	\$ 23.96	\$ 24.56	\$ 25.17	\$ 25.80	\$ 26.45
	Weekly	\$ 826.40	\$ 847.20	\$ 868.40	\$ 890.00	\$ 912.40	\$ 935.20	\$ 958.40	\$ 982.40	\$ 1,006.80	\$ 1,032.00	\$ 1,058.00
	Annual	\$ 43,138.08	\$ 44,223.84	\$ 45,330.48	\$ 46,458.00	\$ 47,627.28	\$ 48,817.44	\$ 50,028.48	\$ 51,281.28	\$ 52,554.96	\$ 53,870.40	\$ 55,227.60
9	Hourly	\$ 22.73	\$ 23.30	\$ 23.88	\$ 24.48	\$ 25.09	\$ 25.72	\$ 26.36	\$ 27.02	\$ 27.70	\$ 28.39	\$ 29.10
	Weekly	\$ 909.20	\$ 932.00	\$ 955.20	\$ 979.20	\$ 1,003.60	\$ 1,028.80	\$ 1,054.40	\$ 1,080.80	\$ 1,108.00	\$ 1,135.60	\$ 1,164.00
	Annual	\$ 47,460.24	\$ 48,650.40	\$ 49,861.44	\$ 51,114.24	\$ 52,387.92	\$ 53,703.36	\$ 55,039.68	\$ 56,417.76	\$ 57,837.60	\$ 59,278.32	\$ 60,760.80
10	Hourly	\$ 25.00	\$ 25.63	\$ 26.27	\$ 26.93	\$ 27.60	\$ 28.29	\$ 29.00	\$ 29.73	\$ 30.47	\$ 31.23	\$ 32.01
	Weekly	\$ 1,000.00	\$ 1,025.20	\$ 1,050.80	\$ 1,077.20	\$ 1,104.00	\$ 1,131.60	\$ 1,160.00	\$ 1,189.20	\$ 1,218.80	\$ 1,249.20	\$ 1,280.40
	Annual	\$ 52,200.00	\$ 53,515.44	\$ 54,851.76	\$ 56,229.84	\$ 57,628.80	\$ 59,069.52	\$ 60,552.00	\$ 62,076.24	\$ 63,621.36	\$ 65,208.24	\$ 66,836.88
11	Hourly	\$ 27.50	\$ 28.19	\$ 28.89	\$ 29.61	\$ 30.35	\$ 31.11	\$ 31.89	\$ 32.69	\$ 33.51	\$ 34.35	\$ 35.21
	Weekly	\$ 1,100.00	\$ 1,127.60	\$ 1,155.60	\$ 1,184.40	\$ 1,214.00	\$ 1,244.40	\$ 1,275.60	\$ 1,307.60	\$ 1,340.40	\$ 1,374.00	\$ 1,408.40
	Annual	\$ 57,420.00	\$ 58,860.72	\$ 60,322.32	\$ 61,825.68	\$ 63,370.80	\$ 64,957.68	\$ 66,586.32	\$ 68,256.72	\$ 69,968.88	\$ 71,722.80	\$ 73,518.48
12	Hourly	\$ 30.25	\$ 31.01	\$ 31.79	\$ 32.58	\$ 33.39	\$ 34.22	\$ 35.08	\$ 35.96	\$ 36.86	\$ 37.78	\$ 38.72
	Weekly	\$ 1,210.00	\$ 1,240.40	\$ 1,271.60	\$ 1,303.20	\$ 1,335.60	\$ 1,368.80	\$ 1,403.20	\$ 1,438.40	\$ 1,474.40	\$ 1,511.20	\$ 1,548.80
	Annual	\$ 63,162.00	\$ 64,748.88	\$ 66,377.52	\$ 68,027.04	\$ 69,718.32	\$ 71,451.36	\$ 73,247.04	\$ 75,084.48	\$ 76,963.68	\$ 78,884.64	\$ 80,847.36
13	Hourly	\$ 33.28	\$ 34.11	\$ 34.96	\$ 35.83	\$ 36.73	\$ 37.65	\$ 38.59	\$ 39.55	\$ 40.54	\$ 41.55	\$ 42.59
	Weekly	\$ 1,331.20	\$ 1,364.40	\$ 1,398.40	\$ 1,433.20	\$ 1,469.20	\$ 1,506.00	\$ 1,543.60	\$ 1,582.00	\$ 1,621.60	\$ 1,662.00	\$ 1,703.60
	Annual	\$ 69,488.64	\$ 71,221.68	\$ 72,996.48	\$ 74,813.04	\$ 76,692.24	\$ 78,613.20	\$ 80,575.92	\$ 82,580.40	\$ 84,647.52	\$ 86,756.40	\$ 88,927.92
14	Hourly	\$ 36.61	\$ 37.53	\$ 38.47	\$ 39.43	\$ 40.42	\$ 41.43	\$ 42.47	\$ 43.53	\$ 44.62	\$ 45.74	\$ 46.88
	Weekly	\$ 1,464.40	\$ 1,501.20	\$ 1,538.80	\$ 1,577.20	\$ 1,616.80	\$ 1,657.20	\$ 1,698.80	\$ 1,741.20	\$ 1,784.80	\$ 1,829.60	\$ 1,875.20
	Annual	\$ 76,441.68	\$ 78,362.64	\$ 80,325.36	\$ 82,329.84	\$ 84,396.96	\$ 86,505.84	\$ 88,677.36	\$ 90,890.64	\$ 93,166.56	\$ 95,505.12	\$ 97,885.44
15	Hourly	\$ 40.27	\$ 41.28	\$ 42.31	\$ 43.37	\$ 44.45	\$ 45.56	\$ 46.70	\$ 47.87	\$ 49.07	\$ 50.30	\$ 51.56
	Weekly	\$ 1,610.80	\$ 1,651.20	\$ 1,692.40	\$ 1,734.80	\$ 1,778.00	\$ 1,822.40	\$ 1,868.00	\$ 1,914.80	\$ 1,962.80	\$ 2,012.00	\$ 2,062.40
	Annual	\$ 84,083.76	\$ 86,192.64	\$ 88,343.28	\$ 90,556.56	\$ 92,811.60	\$ 95,129.28	\$ 97,509.60	\$ 99,952.56	\$ 102,458.16	\$ 105,026.40	\$ 107,657.28
16	Hourly	\$ 44.30	\$ 45.41	\$ 46.55	\$ 47.71	\$ 48.90	\$ 50.12	\$ 51.37	\$ 52.65	\$ 53.97	\$ 55.32	\$ 56.70
	Weekly	\$ 1,772.00	\$ 1,816.40	\$ 1,862.00	\$ 1,908.40	\$ 1,956.00	\$ 2,004.80	\$ 2,054.80	\$ 2,106.00	\$ 2,158.80	\$ 2,212.80	\$ 2,268.00
	Annual	\$ 92,498.40	\$ 94,816.08	\$ 97,196.40	\$ 99,618.48	\$ 102,103.20	\$ 104,650.56	\$ 107,260.56	\$ 109,933.20	\$ 112,689.36	\$ 115,508.16	\$ 118,389.60
17	Hourly	\$ 48.73	\$ 49.95	\$ 51.20	\$ 52.48	\$ 53.79	\$ 55.13	\$ 56.51	\$ 57.92	\$ 59.37	\$ 60.85	\$ 62.37
	Weekly	\$ 1,949.20	\$ 1,998.00	\$ 2,048.00	\$ 2,099.20	\$ 2,151.60	\$ 2,205.20	\$ 2,260.40	\$ 2,316.80	\$ 2,374.80	\$ 2,434.00	\$ 2,494.80
	Annual	\$ 101,748.24	\$ 104,295.60	\$ 106,905.60	\$ 109,578.24	\$ 112,313.52	\$ 115,111.44	\$ 117,992.88	\$ 120,936.96	\$ 123,964.56	\$ 127,054.80	\$ 130,228.56

10% Between Grades / 2.5% Between Steps
40 Hours Per Week / 52.2 Weeks Per Year

Town of Ayer Personnel Board
Ayer Town Hall
1 Main St
Ayer, Massachusetts 01432

RECEIVED
FEB 23 2016
TOWN OF AYER
SELECTMEN'S OFFICE



Honorable Board of Selectman
C/O Chairwoman Janice Livingston
Town of Ayer
1 Main St
Ayer, MA 01432

Wednesday February 10, 2016

Dear Chairwoman Janice Livingston,

Please be advised that on Wednesday February 3, 2016, and Wednesday February 17, 2016 the Personnel Board met and discussed the re-classification of four positions at the request of the Town Administrator.

Current Grades as Follows:

1. **Superintendent of Public Works:** Grade 14
2. **Director of Parks & Recreation:** Grade 10
3. **Town Engineer:** Grade 11
4. **DPW Business Manager:** Grade 8

After applying the position classification system provided in the *Municipal Position Classification and Rating System*, the Personnel Board is recommending that the positions be classified as follows.

Recommended Grades as Follows:

1. **Superintendent of Public Works:** Grade 16
2. **Director of Parks & Recreation:** Grade 11
3. **Town Engineer:** Grade 12
4. **DPW Business Manager:** Grade 9

We look forward to working with the Board of Selectman at meeting in the near future, so as to finalize the classification of these positions.

Respectfully Submitted,

Lt. Brian Gill - Ayer PD
Chairperson / Employee Representative to the Personnel Board

Office of the Ayer Board of Selectmen
Office of the Ayer Town Administrator



Town of Ayer | Ayer Town Hall | 1 Main Street | Ayer, MA 01432 | 978-772-8220 | Fax 978-772-3017 | www.ayer.ma.us

MEMORANDUM

DATE: December 2, 2015

TO: Ayer Personnel Board
c/o Lt. Brian Gill, Chairman

FROM: Robert A. Pontbriand
Town Administrator

R.A.P.

SUBJECT: Request for Reclassification of Director of Parks & Recreation Position

Dear Personnel Board,

I am respectfully recommending that the Personnel Board in accordance with Section 5.4 of the *Town of Ayer Personnel Policies and Procedures* that the Personnel Board conduct a Reclassification of the Director of Parks & Recreation Director Position as requested by the Parks Commission and for the reasons set forth in the attached materials provided by the Parks Commission.

Thank you for your time and consideration.

Attachment(s).

Cc: Ayer Board of Selectmen
Ayer Parks Commission
Mr. Jeff Thomas, Dir. of Parks & Recreation

Robert Pontbriand

From: jmayo@ayer.ma.us
Sent: Wednesday, November 25, 2015 1:25 PM
To: rpontbriand@ayer.ma.us
Cc: bos@ayer.ma.us; Jannice Livingston; gluca@ayer.ma.us; chillman@ayer.ma.us; Lt. Brian Gill; lwhite@ayer.ma.us; rdurand@ayer.ma.us; Dan Graham; Eric Hebert; Sarah Gibbons; Jeff Thomas; parks@ayer.ma.us
Subject: Park Director Reclassification
Attachments: Memo - Reclassification of Park Director Position.pdf; Park Director Position Rating Summary Sheet.pdf; Director_of_Parks_Recreation_Final 7.18.14.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Robert,

The Ayer Park Commission wishes to go forward with the process of reclassifying the Park Director position to Grade 11.

Please find the memo attached that outlines our desire as well as some supporting materials.

Let me know what the next step in the process is.

I look forward to hearing from you soon,

Thank you, and Happy Thanksgiving!

Jason Mayo, Chairman
Ayer Parks Commission

AYER PARKS DEPARTMENT

Town Hall ♦ One Main Street ♦ Ayer, MA 01432
978-772-8217 ♦ 978-772-8222 (fax)



To: Robert Pontbriand, Town Administrator
From: Ayer Parks Commission
Subject: Reclassification of Park Director Position
Date: November 25, 2015

Dear Mr. Pontbriand,

I am writing to formally request the reclassification of the Park Director position to a Grade 11 on the Town of Ayer's employee grade scale. The Park Commission has determined that the current Grade 10 of the position underrepresents the current job description. This underrepresentation could undoubtedly inhibit our ability to attract and retain a qualified individual if/when we need to fill the position.

Over the last several years we have seen the Parks Department rise from an afterthought in the town's government to an important piece that has added value in many different areas. We have developed recreational areas that are the envy of other towns, which is important for a small town like ours that does not have a strong economic base to attract and retain new citizens. Pirone Park and Sand Pond Beach are integral areas that help Ayer bring in and keep young, tax paying families. The recreational programs we offer and sponsor help develop our town's youth in future leaders of our community. Also, we have formed many partnerships with other departments, such as the Ayer Shirley Regional School District in which we help take some of the financial and physical burden of maintaining athletic fields off of them. The evolution of the Park Director position is directly related to the growth of our department, which had been a very large positive to the Town of Ayer in general.

I have included our current job description that was submitted to the Personnel Board as part of Ayer's reclassification study done earlier this year. As you can see there are many required duties and certain levels of experience and education that qualify the position to be classified as a Grade 11, especially when compared to some Grade 12 positions in town. Also included for your review is a Position Rating Summary Sheet from the HRS Municipal Position Classification and Rating Manual. Using this manual as a guide we were able to come up with

November 25, 2015

some very interesting results in the final rates that further bolster our case to have the Park Director position reclassified to a higher grade.

I welcome the opportunity to speak more about our case for reclassifying the Park Director position to a Grade 11. Please let me know when we may schedule a meeting to discuss our evidence and the next steps in this process. I am requesting this be done with little delay as we have already been set back with the prolonged process of getting the initial study passed by Town Meeting.

I look forward to your response.

Thank you,

A handwritten signature in black ink, consisting of a large, stylized 'J' followed by a long horizontal line that tapers to the right.

Jason Mayo, Chairman
Ayer Parks Commission

Cc: Ayer Parks Department
Board of Selectman
Personnel Board

Sequence No: _____

Position Rating Summary Sheet

Position Classification Title: Park Director

Evaluators' Points

	<u>Factors</u>	<u>One</u>	<u>Two</u>	<u>Final Rates</u>	<u>Final Points</u>
1.	Physical Environment	20	15	3	15
2.	Knowledge, Training, Education	45	45	3	45
3.	Problem Solving Skills & Effort	34	42	5	34
4.	Physical Skills & Effort	50	50	5	50
5.	Experience	80	80	6	80
6.	Interactions with Others/ Customer Service	20	40	4	20
7.	Confidentiality	15	20	4	20
8.	Occupational Risks	20	15	4	20
9.	Complexity	20	25	5	25
10.	Supervision Received	60	40	6	60
11.	Supervision Given	20	40	5	40
12.	Supervision Scope	60	60	5	60
13.	Judgment and Initiative	60	60	4	60
14.	Accountability	30	40	4	30
	Total Points:	534	572		554

Evaluator 1: Jessi Mayo

Date: 11/21/15

Evaluator 2: Jeff Thomas

Date: 11/21/15

Date Finalized: 11/21/15

DIRECTOR OF PARKS AND RECREATION

Position Purpose:

The Director of Parks and Recreation manages the Ayer Parks Department, which includes performing supervisory, administrative, and maintenance work related to the care and maintenance of the Town of Ayer Parks, Town Beach and all recreational facilities; coordinates recreational activities in the Town; performs all other related work as required.

Supervision:

Supervision Scope: Exercises considerable initiative, creativity and independent judgment in the planning, administration and execution of department services, and in the direction of personnel.

Supervision Received: Works under the administrative supervision of the Parks Commission.

Supervision Given: Directly oversees the hiring, training, scheduling and supervision of maintenance employees, waterfront director and other part-time and seasonal employees.

Job Environment:

The job functions are broken into managerial, administrative and maintenance responsibilities.

The majority of the supervisory and maintenance is performed outdoors at municipal park and beach facilities. This work is to be performed in all weather conditions with evening and weekend hours often required. These functions require the ability to operate automobiles, light trucks, dump trucks, tractors, riding lawn mowers, heavy and light power tools and hand tools.

Some managerial and most of the administrative functions of the position are performed under typical office conditions. These functions require the operation the use of a computer, telephone and standard office equipment.

Make frequent contacts with the general public, other town departments and employees, contractors, organizations and town businesses by telephone, in writing, through personal and group meetings. Considerable persuasiveness and resourcefulness is often required.

Has access to department-related confidential information such as bid proposals, personnel records and personal information about citizens, the disclosure of which would cause poor public relations and possible legal actions.

Errors could result in adverse public relations, reduced level of services and have financial and legal repercussions.

Essential Functions:

(The essential functions listed below are intended only as an illustration of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position)

Managerial Responsibilities

Directly oversee the hiring, training, scheduling and supervision of maintenance employees.
Recruits and supervises volunteer individuals and groups for maintenance projects

Directly oversees the waterfront director and works with them in the hiring, training, scheduling and supervision of waterfront safety staff.

Acts as Liaison for the Parks Department with the school and various private recreational entities in town. Oversees the use of the school facilities by all recreational groups associated with the Parks Department, ensuring all security and maintenance responsibilities.

Routinely monitors (preferably hourly and several times per night during busy season) the parks for misbehavior, vandalism or other violations of Parks Department policies.

Creates and manages various sports and recreation programs for the Town of Ayer as desired by the Parks Commission. Puts together various camps run through the Parks Department. Directly manages the K-4 levels of the Ayer Youth Basketball program, including scheduling, coach recruitment and CORI checks, registration, and all other responsibilities of managing the program. Performs weekly skills sessions for various levels of the K-4 levels of basketball. Stores and inventories all equipment used by organizations sponsored through the Parks Department.

Maintenance Responsibilities

Oversees the overall needs and maintenance of the Park Department properties. Maintains, inventories and repairs as needed all vehicles, tools and power equipment in service for the Parks Department.

Mows, trims and edges Parks Department facilities as needed. Applies fertilizer and weed control (preferably organic) seasonally and as needed. Creates and maintains mulch beds for trees, monuments, etc. Clears brush, trims branches and removes leaves.

Removes trash and performs routine sweeps for litter. Repairs damage to signs, monuments and structures due to weather or vandalism. Replenish diesel and gasoline supply as needed. Performs basic plumbing, electrical and other services to buildings as needed. Removes bees

nests, poisonous plants and other hazards as required. Raises and lowers flags in accordance with federal, state, and local standards.

Works in cooperation with schools to assist with various projects and shared assets. Works in cooperation with Shirley Recreation in the lining and maintenance of shared soccer facility.

Pirone Park Specific Responsibilities

Prepares, lines, edges and maintains playing fields; Services irrigation system; Opens, closes and sanitizes bathrooms daily (April-November); Relines and sweeps basketball courts as needed; Repairs, repaints and maintains picnic tables, bleachers, fences, playground structures, etc.; Sets up and takes down U4-U8 soccer sessions during Spring and Fall seasons.

Beachfront Specific Responsibilities

Tills, grooms and replenishes sand at waterfront and volleyball court as needed; Sets up, takes down and make repairs to docks, guard stand, volleyball and basketball courts; Sets up maintains and dismantles skating rink (December-March); Clears walkways of snow and ice (December-March); Sets up and alternates sprinklers through spring and summer seasons; Routinely sweeps walkways and parking lots; Routinely checks and removes hazardous or undesirable objects within the roped swimming area, such as sharp objects, invasive plants, etc.

Administrative Responsibilities

Maintains office hours for public access. Logs and replies to phone and email messages.

Drafts and manages the annual Parks Department budget and revolving account. Prepares bills for biweekly warrant using MINUS system. Prepares biweekly payroll for Parks Employees. Makes deposits for payment to Park Department with Town Treasurer.

Purchases supplies and services, establishing vendor accounts as needed. Prepares the annual Town Report. Works with the Town IT Director to update the Parks Department Website and provide pertinent information to the public. Routinely reviews and resets surveillance camera.

Attends Parks Commissioner meetings, prepares preliminary agendas and takes minutes. Represents Parks Department at Town Meeting and other departmental meetings as needed.

Schedules recreational and public events at Parks Department facilities, collecting fees as required. Work with the Parks Commissioner chairing AYB to offer administrative assistance to the 5th-8th grade basketball program as needed. Works with the Parks Commissioner chairing AYS to offer administrative assistance to the U4-U8 soccer program as needed. Works with the Waterfront Director to offer administrative assistance to the swim instruction program as needed.

Director of Parks & Recreation

FLSA- Exempt

Adopted by Ayer Personnel Board - August 2015

Page 3 of 5

Recommended Minimum Qualifications:

Education, Training and Experience:

Bachelor's Degree in a related recreational field, Master's Degree desirable; plus at least three years progressively responsible experience in the field of parks and recreation; or any equivalent combination of education and experience.

Special Requirements:

Possession of a valid motor vehicle operator's license

CORI training and certification

CPR certification

Certification by the National Recreation and Park Association and Massachusetts Recreation and Park Association, desirable

Knowledge, Ability and Skill:

Knowledge: Thorough knowledge of the principles and practices of recreation management. Knowledge in the area of park planning and maintenance. Thorough knowledge of the principles and practices of recreation management, including park planning and maintenance, project management, municipal budgeting and financial planning. Must have considerable knowledge in the operation and upkeep of the tools and equipment described in the Job Environment section.

Ability: Ability to deal effectively and diplomatically with government agencies, other town employees and the general public; ability to supervise and evaluate the work of professional and non-professional subordinates.

Skill: Excellent customer service skills. Proficiency in the use of computers. Skill in operating and maintaining above mentioned equipment.

Physical Requirements:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Maintenance duties require moderate to demanding physical effort, spending several hours per day standing, walking and performing strenuous work outdoors, sometimes in adverse weather conditions. Employee required to lift and/or move objects weighing up to 100 pounds.

Administrative duties require employee to regularly walk, stand, sit, talk, and hear; use hands to finger, handle, feel or operate objects, tools, or controls, and reach with hands and arms as in

Director of Parks & Recreation

FLSA- Exempt

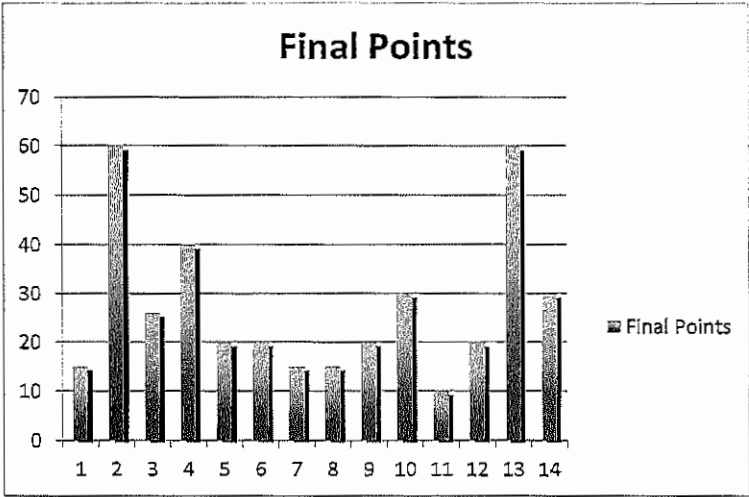
Adopted by Ayer Personnel Board - August 2015

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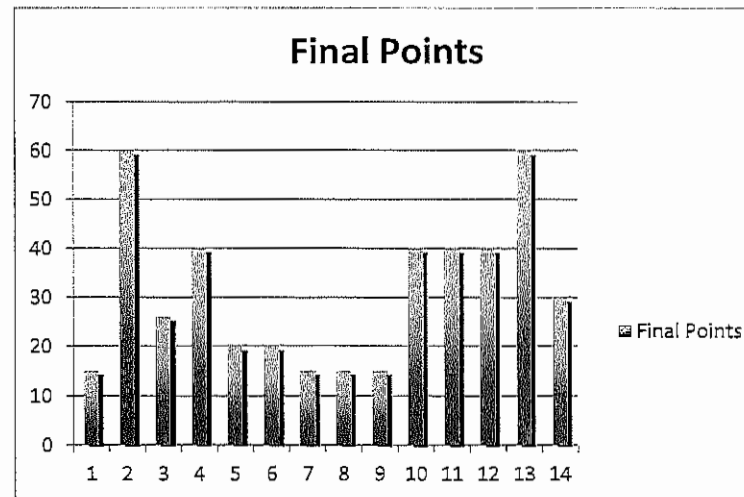
picking up paper, files, and other common office objects. Minimal physical effort generally required for work performed in the office. Vision and hearing at or correctable to normal ranges.

(This job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.)

Position Rating Summary			
Position Classification Title:		Director of Parks and Rec.	
		Grade:	10
Factors	Final Rates	Final Points	
1 Physical Environment	3	15	
2 Knowledge, Training, Education	4	60	
3 Problem Solving Skills & Effort	4	26	
4 Physical Skills & Effort	4	40	
5 Experience	3	20	
6 Interactions with Others	4	20	
7 Confidentiality	3	15	
8 Occupational Risks	3	15	
9 Complexity	4	20	
10 Supervision Received	4	30	
11 Supervision Given	3	10	
12 Supervision Scope	3	20	
13 Judgement and Initiative	4	60	
14 Accountability	4	30	
Total Points		50	381



Position Rating Summary			
Position Classification Title:		Director of Parks and Rec.	
Grade:		11	
	Factors	Final Rates	Final Points
1	Physical Environment	3	15
2	Knowledge, Training, Education	4	60
3	Problem Solving Skills & Effort	4	26
4	Physical Skills & Effort	4	40
5	Experience	3	20
6	Interactions with Others	4	20
7	Confidentiality	3	15
8	Occupational Risks	3	15
9	Complexity	3	15
10	Supervision Received	5	40
11	Supervision Given	5	40
12	Supervision Scope	4	40
13	Judgement and Initiative	4	60
14	Accountability	4	30
Total Points		53	436



Office of the Ayer Board of Selectmen
Office of the Ayer Town Administrator



Town of Ayer | Ayer Town Hall | 1 Main Street | Ayer, MA 01432 | 978-772-8220 | Fax 978-772-3017 | www.ayer.ma.us

MEMORANDUM

DATE: December 2, 2015

TO: Ayer Personnel Board
c/o Lt. Brian Gill, Chairman

FROM: Robert A. Pontbriand
Town Administrator

SUBJECT: Request for Reclassification of DPW Positions: DPW Superintendent; Town Engineer; DPW Business Manager

Dear Personnel Board,

I am respectfully recommending that the Personnel Board in accordance with Section 5.4 of the *Town of Ayer Personnel Policies and Procedures* that the Personnel Board conducts a Reclassification of the following DPW Positions:

- DPW Superintendent
- Town Engineer
- DPW Business Manager

Attached are the requests from each of the respective Employees as well as a request from the DPW Superintendent recommending reclassification for the Town Engineer and DPW Business Manager as well as his position (See Attached).

Furthermore, I am respectfully requesting to be on the Personnel Board's January 2016 Meeting Agenda to make a brief presentation regarding the Reclassification of these positions.

If you have any further questions please do not hesitate to contact me directly. I look forward to meeting with you at your January 2016 Meeting.

Thank you for your time and consideration.

Attachment(s)

Cc: Ayer Board of Selectmen
Mr. Mark Wetzel, DPW Superintendent
Mr. Daniel Van Schalkwyk, Town Engineer
Ms. Pamela Martin, DPW Business Manager

DEPARTMENT OF PUBLIC WORKS

Mark L. Wetzel, P.E., Superintendent
Dan Van Schalkwyk, P.E. Town Engineer
Pamela J. Martin, Business Manager

25 BROOK STREET
AYER, MASSACHUSETTS 01432
T: (978) 772-8240
F: (978) 772-8244

Memorandum

RECEIVED
NOV 30 2015

TOWN OF AYER
SELECTMEN'S OFFICE



Date: November 25, 2015

To: Mr. Robert Pontbriand, Ayer Town Administrator

From: Mark Wetzel P.E., Public Works Superintendent Mark Wetzel

Re: Request for Reclassification of Position

In accordance with the Town of Ayer Personnel Policies and Procedures Manual, Section 5.4 Reclassification of Positions, I have received requests from Mr. Dan Van Schalkwyk P.E., Town Engineer and Ms. Pamela Martin, DPW Business Manager to be reclassified. I have reviewed the classifications for these positions in the recently accepted Classification and Compensation Study for Non-Union Positions and they do not accurately classify the Job Descriptions adopted by the Ayer Personnel Board in August 2015. In fact, there is no classification for the DPW Business Manager in the Classification Plan.

Please find attached their requests

DEPARTMENT OF PUBLIC WORKS

Mark L. Wetzel, P.E., Superintendent
Dan Van Schalkwyk, P.E. Town Engineer
Pamela J. Martin, Business Manager

25 BROOK STREET
AYER, MASSACHUSETTS 01432
T: (978) 772-8240
F: (978) 772-8244

Memorandum

RECEIVED
NOV 30 2015

TOWN OF AYER
SELECTMEN'S OFFICE



Date: November 25, 2015
To: Mr. Robert Pontbriand, Ayer Town Administrator
From: Mark Wetzel P.E., Superintendent of Public Works
Re: Request for Reclassification of Position

In accordance with the Town of Ayer Personnel Policies and Procedures Manual, Section 5.4
Reclassification of Positions, I am requesting that the position of Superintendent of Public Works be
reclassified. The recently accepted Classification and Compensation Study for Non-Union Positions
does not accurately classify the Job Description adopted by the Ayer Personnel Board in August
2015.

DEPARTMENT OF PUBLIC WORKS

Mark L. Wetzel, P.E., Superintendent
Dan Van Schalkwyk, P.E. Town Engineer
Pamela J. Martin, Business Manager

25 BROOK STREET
AYER, MASSACHUSETTS 01432
T: (978) 772-8240
F: (978) 772-8244

Memorandum

Date: November 25, 2015

To: Mark Wetzel P.E., Public Works Superintendent Mark Wetzel

From: Dan Van Schalkwyk, P.E., Town Engineer

Re: Request for Reclassification of Position



In accordance with the Town of Ayer Personnel Policies and Procedures Manual, Section 5.4
Reclassification of Positions, I am requesting that the position of Town Engineer be reclassified. The
recently accepted Classification and Compensation Study for Non-Union Positions does not
accurately classify the Job Description adopted by the Ayer Personnel Board in August 2015.

Regards,
AYER PUBLIC WORKS DEPARTMENT

A handwritten signature in black ink that appears to read "Dan S. Van Schalkwyk".

Daniel S. Van Schalkwyk, P.E.
Town Engineer

DEPARTMENT OF PUBLIC WORKS

Mark L. Wetzel, P.E., Superintendent
Dan Van Schalkwyk, P.E. Town Engineer
Pamela J. Martin, Business Manager

25 BROOK STREET
AYER, MASSACHUSETTS 01432
T: (978) 772-8240
F: (978) 772-8244

Memorandum

RECEIVED
NOV 30 2015

Date: November 25, 2015

To: Mark Wetzel P.E., Public Works Superintendent Mark Wetzel

TOWN OF AYER
SELECTMEN'S OFFICE

From: Pamela J. Martin, Business Manager

Pamela J. Martin

Re: Request for Reclassification of Position

In accordance with the Town of Ayer Personnel Policies and Procedures Manual, Section 5.4
Reclassification of Positions, I am requesting that the position of Business Manager be reclassified.
The recently accepted Classification and Compensation Study for Non-Union Positions does not
accurately classify the Job Description adopted by the Ayer Personnel Board in August 2015.

SUPERINTENDENT OF PUBLIC WORKS

Position Purpose:

The purpose of this position is to perform complex supervisory, administrative, and professional work in planning, organizing, directing, and managing the Department of Public Works; performs all other related work as required. The Superintendent of Public Works is responsible for maintaining and improving upon the efficiency and effectiveness of all areas under his/her direction and control.

Supervision:

Supervision Scope: Performs complex and highly responsible duties requiring a high level of initiative and independent judgment in the planning, administration and execution of the department's programs and services, and in the direction and motivation of personnel; employee works independently in formulating decisions regarding all aspects of operations.

Supervision Received: Works under the administrative direction of the Town Administrator, with considerable latitude for independent judgment and action. Employee functions independently referring specific problems to supervisor only where clarification or interpretation of town policy or procedure is required.

Supervision Given: Supervisors all department employees (approximately twenty full time).

Job Environment:

Work is generally performed under typical office conditions. Incumbent is occasionally exposed to variable outdoor weather conditions and the hazards associated with construction sites and public works projects. Incumbent is frequently required to work outside of normal business hours and attend regular evening meetings. In addition, incumbent may be required to work on weekends and may be contacted at home at any time to respond to important situations and emergencies.

Regularly operates an automobile, computer, telephone, and standard office machines.

Makes frequent contacts with the general public, other town departments, various town boards and committees, regional and state governmental agencies, vendors, and consultants. Contacts are in person, in writing, and by telephone and require discussing highly complex managerial, administrative, and other matters.

Has access to all department-oriented confidential information including personnel records, bid proposals, and collective bargaining issues.

Errors in judgment and administration may have far-reaching effects on the Town's ability to deliver services and may result in lower standards of service, substandard construction and inadequate maintenance programs with consequent danger to public

health and safety; errors in strategic and financial decisions can have major legal and financial repercussions.

Essential Functions:

(The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.)

Plans, directs and budgets the activities of the Department of Public Works which includes the divisions of water, sewer, highway, equipment repair, stormwater and solid waste; formulates, develops and recommends departmental policies, projects and procedures; implements and administers policies and directives of the Board of Selectmen; supervises assigned personnel to carry out the goals and programs of the department.

Prepares department budgets and short and long-range capital expenditure programs; supervises payroll and accounts payable.

Responsible for the maintenance and repair of all Town roads and for the removal of snow and ice from Town roads during winter months; maintains signs, street lights and storm drainage system.

Works with the Planning Board; acts as engineering expert to insure compliance on various planning related projects.

Maintains and operates the Town's wastewater treatment plant; ensures that wastewater treatment facility and site complies with applicable environmental regulations and standards; confers with state and federal officials on matters of environmental concern.

Maintains and improves the Town's sewer network which includes twenty pumping stations.

Maintains and operates two water filtration plants and water distribution system; ensures compliance with all requirements of the Safe Drinking Water Act and Clean Water Act.

Supervises the operation of a solid waste transfer station; manages and promotes and active town-wide recycling program and center.

Manages the department's personnel; makes recommendations on discipline, hiring and firing to the board of Selectmen; handles all labor relations, training, staffing and evaluation of employees; maintains departmental records and correspondence.

Supervises the building, grounds, and equipment of the Public Works Department and makes provisions for necessary maintenance, alterations, new construction and

replacement as required; oversees the maintenance of all DPW trucks and heavy equipment.

Responds and supervises emergency operations related to public works and assists Fire and Police in emergency response. Is a member of Town Emergency Response Team.

Oversees the competitive bidding process to ensure compliance with applicable regulations; reviews bid proposals and interviews prospective contractors and consultants; monitors and evaluates contractual services for compliance with specifications and applicable conditions.

May serve on regional or district committees; seeks state and federal grants.

Maintains and operates the town stormwater utility, collection system.

Performs similar or related work as required, directed or as situation dictates.

Recommended Minimum Qualifications:

Education, Training and Experience:

Bachelor's degree in engineering, business, or related field; and five years of progressively responsible experience in municipal public works construction and maintenance; with three years in a supervisory capacity; or any equivalent combination of education and experience.

Special Requirements:

Possession of a valid motor vehicle operator's license.
Licensed as a Massachusetts Registered Professional Engineer.
Certified Operator – Wastewater, Commonwealth of Massachusetts.
Certified Operator – Water, Commonwealth of Massachusetts.

Knowledge, Ability and Skill:

Knowledge: Complete knowledge of the concepts, methods, techniques, and materials of public works management. Knowledge of the principles and practices of civil engineering, highway maintenance, water/sewer systems operations, and solid waste collection and disposal including recycling. Knowledge of the physical characteristics of the town and its roads and utility infrastructure systems.

Ability: Ability to plan, assign and supervise the work of groups of employees engaged in a variety of department construction and maintenance operations. Ability to supervise and work within union contracts. Ability to prepare, present, and administer budgets and capital expenditure/projects. Ability to read, understand, and interpret technical documents; ability to prepare technical reports. Ability to communicate effectively in both written and oral form. Ability to work effectively under time constraints to meet deadlines.

Skill: Proficient in computers skills and applications of Microsoft word, excel, outlook and Power Point; Town and Mass GIS; skill in developing policies and procedures to accomplish goals and objectives.

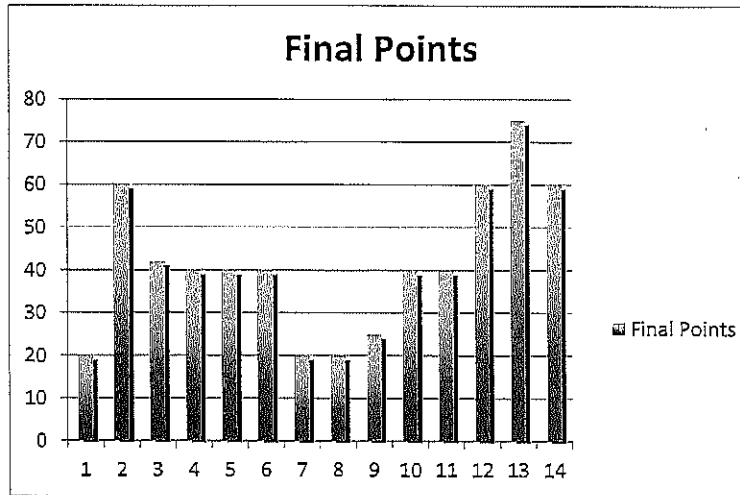
Physical Requirements:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

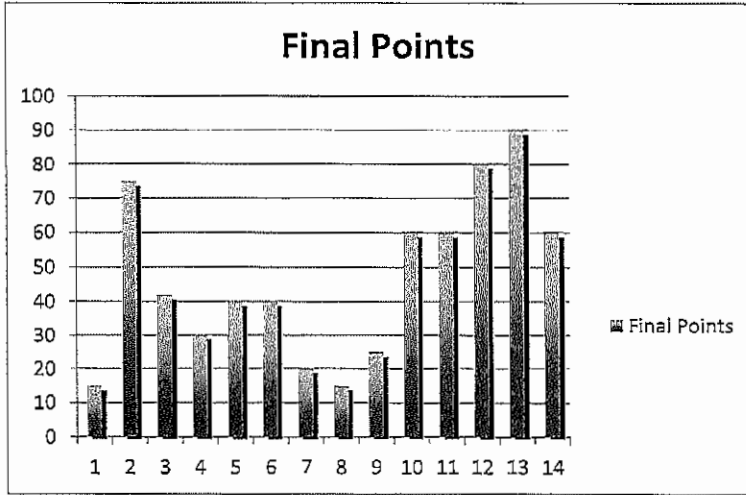
Employee is regularly required to walk, stand, sit, talk, and hear; uses hands to finger, handle, feel or operate objects, tools, or controls, and reach with hands and arms as in picking up paper, files, and other common office objects. Employee may infrequently lift and/or move objects weighing up to 60 pounds such as tools, equipment, supplies, etc. Employee must be able to access all levels of a construction site and traverse uneven terrain. Vision and hearing at or correctable to normal ranges.

(This job description does not constitute an employment agreement between the employer and employee and is used as a guide for personnel actions and is subject to change by the employer as the needs of the employer and requirements of the job change.)

Position Rating Summary			
Position Classification Title:		Supt. of Public Works	
		Grade:	14
Factors	Final Rates	Final Points	
1 Physical Environment	4	20	
2 Knowledge, Training, Education	4	60	
3 Problem Solving Skills & Effort	6	42	
4 Physical Skills & Effort	4	40	
5 Experience	4	40	
6 Interactions with Others	5	40	
7 Confidentiality	4	20	
8 Occupational Risks	4	20	
9 Complexity	5	25	
10 Supervision Received	5	40	
11 Supervision Given	5	40	
12 Supervision Scope	5	60	
13 Judgement and Initiative	5	75	
14 Accountability	6	60	
Total Points	66	582	



Position Rating Summary			
Position Classification Title:		Supt. of Public Works	
		Grade:	16
Factors	Final Rates	Final Points	
1 Physical Environment	3	15	
2 Knowledge, Training, Education	5	75	
3 Problem Solving Skills & Effort	6	42	
4 Physical Skills & Effort	3	30	
5 Experience	4	40	
6 Interactions with Others	5	40	
7 Confidentiality	4	20	
8 Occupational Risks	3	15	
9 Complexity	5	25	
10 Supervision Received	6	60	
11 Supervision Given	6	60	
12 Supervision Scope	6	80	
13 Judgement and Initiative	6	90	
14 Accountability	6	60	
Total Points	68	652	



TOWN ENGINEER

Position Purpose:

Under the general supervision of the Superintendent of Public Works, provides municipal engineering services to the Town. Assists the Department of Public Works and town boards/departments in matters relating to the design and inspection of public works construction and other related engineering matters. Responsible for maintaining and improving upon the efficiency and effectiveness of all areas under his/her direction and control. Performs varied and responsible duties requiring a thorough knowledge of engineering principles and departmental operations exercising judgment and initiative in completing tasks, particularly in situations not clearly defined by precedent or established procedures. Incumbent is called upon to handle a significant amount of details, each varying from the other in substance and content, requiring incumbent to approach workload with flexibility.

Supervision:

Supervision Scope: Performs highly responsible and complex work requiring the exercise of independent judgment in leading the design, construction and maintenance activities for all engineering projects.

Supervision Received: Works under the direction of the Director of Public Works.

Supervision Given: Manages outside contractors and consultants (i.e. Sewer design, road design, drainage system design, computer consultants, survey crews, etc,) in the performance of engineering projects. Occasionally supervises Co-op students.

Job Environment:

Work is performed under typical office conditions; exposure to variable outdoor weather conditions and hazards associated with construction sites is required.

Regularly operates an automobile/light truck, computer, telephone, and standard office equipment.

Makes frequent contacts requiring perceptiveness and discretion with other town officials, town boards and commissions, local, state and federal agencies, engineers, attorneys, architects, contractors, consultants, and with the general public. Communicates in person, by telephone, by facsimile, two-way radio and in writing and involves discussing highly technical information. Contacts require persuasiveness and resourcefulness to influence the behavior of others.

Has access to bid-proposal information which is confidential and which requires the application of appropriate judgment, discretion and professional protocols.

Errors could result in lower standards of service, sub-standard construction and inadequate maintenance programs with consequent danger to public safety, and excessive costs for the Town. Errors can increase the probability of lengthy and costly litigation and can add greatly to the cost of construction projects.

Essential Functions:

(The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.)

Oversees and performs engineering including feasibility studies, evaluations, design and construction projects for the Department of Public Works; oversees engineering services and other technical assistance to all other town departments engaged in capital projects as required.

Directs the preparation of documents for competitive bidding; evaluates bids and recommends contract awards.

Works with Department of Public Works staff to implement facility improvements in the DPW including procurement of material and equipment and direction on construction and installation.

Works with engineering consultants and contractors on design and construction projects, including design review, budget and schedule management, resolving design conflicts and maintaining compliance with plans and specifications.

Identifies the need for, and supervises the preparation of, plans and other documents required when construction projects necessitate land takings or easements; makes recommendations to the Planning Board concerning the release or reduction of performance bonds.

Conducts or participates in public hearings and informational meetings concerning construction projects, takings and easements, federally funded program opportunities and other public information requirements; represents the Town's interests at meetings with local, state, and federal agencies, and public utilities.

Answers citizens questions, investigates complaints, provides information on rules and regulations and formulates plans with citizen input to effectively deal with neighborhood concerns.

As directed, furnishes layouts, estimates and engineering data to various Town agencies in connection with Town Meeting warrant articles and/or federal grant applications.

Prepares conceptual plans and detailed cost estimates for water, sewer, stormwater and road projects for federal and state grants which may result in outside funding.

Directs the maintenance of the official Town street maps; records drawings detailing street layouts and storm drainage, water and sewer systems.

Reviews proposals and attends hearings for all applications to the Board of Health for new and additional construction in the Water Protection District; advises Board on matters as requested.

Provides technical assistance to the Board of Selectmen, Planning Board, Conservation Commission and Board of Health as requested.

Organizes, updates and manages the computerized geographic information system and use of the computerized mapping systems developed by the Department of Public Works.

Assists in the development of policies for adoption by the Public Works Commission. Proposes and presents approval amendments to traffic rules and regulations. Performs associated engineering studies.

Attends seminars on various work related topics to keep abreast of current trends and to improve competence and skill.

Performs special projects and related responsibilities as initiated and requested.

Performs other related duties as required, directed or as the situation dictates.

Regular attendance at the workplace is required.

Recommended Minimum Qualifications:

Education, Training and Experience:

Bachelor's degree in civil engineering required; five - ten years progressively responsible experience in public works design and construction, preferably in a municipal setting; or any equivalent combination of education and experience. Experience in plan review, utility inspection, budget review, development and implementation.

Special Requirements:

Engineer in Training Certification. Professional Engineer Registration preferred.

Valid motor vehicle operator's license.

Experience/proficiency in AutoCAD and Arc View GIS system, as well as basic computer skills.

Knowledge, Ability and Skill:

Knowledge: Extensive knowledge in the application of civil engineering and surveying skills to public works projects; thorough knowledge of local, state, and federal laws and regulations governing the municipal infrastructure; considerable knowledge and experience in evaluation, planning design, construction, materials and operations associated with roads, drainage, sanitary landfills, water and sewer systems.

Ability: Ability to analyze construction-related technical problems, and to make decisions that will develop practical economical solutions; ability to supervise civil engineers and create a good working environment; ability to prepare and manage budgets; ability to interact well with the public (either on an individual basis or in a larger forum). Ability to communicate effectively both verbally and in writing. Ability to communicate tactfully with the public, co-workers, other employees, departments, officials and other agencies. Ability to fairly, tactfully and impartially

Town Engineer

FLSA – Exempt

Adopted by Ayer Personnel Board August, 2015

Page 3 of 4

obtain contractor compliance with project plans, specifications, standards, schedules and budgets. Ability to supervise multiple DPW and private contractor work crews and to work effectively under time constraints to meet deadlines.

Skill: Skill in operating above mentioned equipment including the operation of surveying instruments, use of computers and calculators and in drafting techniques and procedures.

Physical Requirements:

The physical demands described here are representative of those that must be met by and employee to successfully perform the essential functions of the job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Employee is regularly required to walk, stand, sit, talk and hear. Uses hands to finger, handles, feels or operates objects, tools and controls and reach with hands and arms. Employee may infrequently lift and/or move objects weighing up to 60 pounds such as tools, equipment (including survey equipment), supplies, etc. Employee must be able to access all levels of a construction site and traverse uneven terrain. Vision and hearing at or correctable to normal ranges.

While performing site inspection/observation and other field responsibilities, employee is frequently exposed to variable outdoor weather conditions and the hazards associated with construction sites and public works projects.

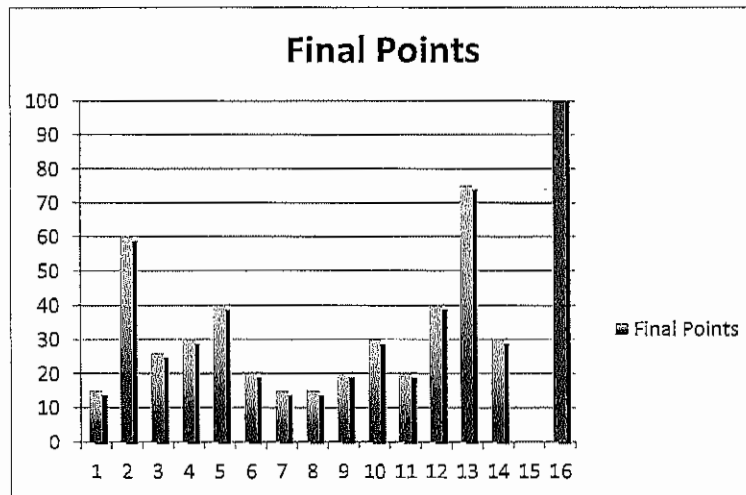
Normal office work is performed in a moderately noisy work environment, with constant interruptions. Frequently subjected to the demands of other individuals and the volume and /or rapidity with which tasks must be accomplished.

Operates computer, printer, video display terminal, typewriter, calculator, telephone, copier, facsimile machine, and all other standard office equipment requiring eye-hand coordination and finger dexterity. Balancing, crouching, grasping, pulling, reaching and stooping may also be required.

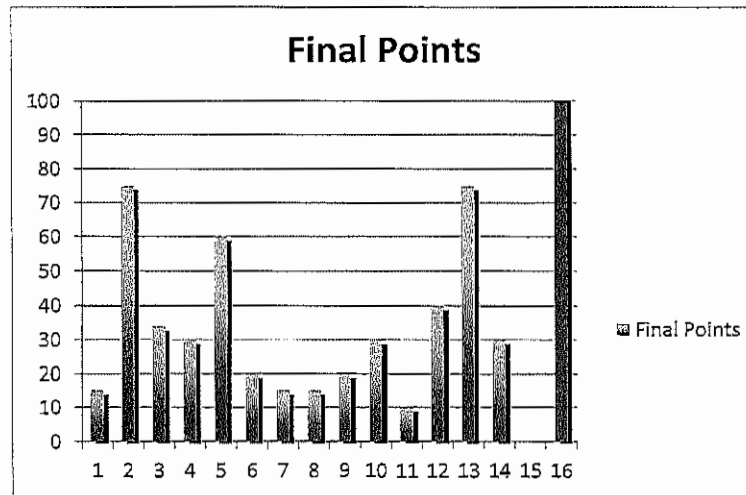
The above statements are intended to describe the general nature and level of work being performed by people assigned to do this job. The above is not intended to be an exhaustive list of all responsibilities and duties required. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.

(This job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.)

Position Rating Summary			
Position Classification Title:		Town Engineer	
Grade:		11	
	Factors	Final Rates	Final Points
1	Physical Environment	3	15
2	Knowledge, Training, Education	4	60
3	Problem Solving Skills & Effort	4	26
4	Physical Skills & Effort	3	30
5	Experience	4	40
6	Interactions with Others	4	20
7	Confidentiality	3	15
8	Occupational Risks	3	15
9	Complexity	4	20
10	Supervision Received	4	30
11	Supervision Given	4	20
12	Supervision Scope	4	40
13	Judgement and Initiative	5	75
14	Accountability	4	30
Total Points		53	436



Position Rating Summary			
Position Classification Title:		Town Engineer	
		Grade:	12
Factors	Final Rates	Final Points	
1 Physical Environment	3	15	
2 Knowledge, Training, Education	5	75	
3 Problem Solving Skills & Effort	5	34	
4 Physical Skills & Effort	3	30	
5 Experience	5	60	
6 Interactions with Others	4	20	
7 Confidentiality	3	15	
8 Occupational Risks	3	15	
9 Complexity	4	20	
10 Supervision Received	4	30	
11 Supervision Given	3	10	
12 Supervision Scope	4	40	
13 Judgement and Initiative	5	75	
14 Accountability	4	30	
Total Points	55	469	



BUSINESS MANAGER – DEPARTMENT OF PUBLIC WORKS

Definition:

Confidential Employee providing administrative, professional and supervisory work while assisting the Superintendent of Public Works in the planning and managing of the overall operation of the Department of Public Works including payroll, accounts payable, accounts receivable, data entry and overseeing Department human resources. Responsible for ensuring organizational effectiveness by providing leadership for financial functions. Contributes to the development and implementation of Department strategies, policies and practices as a member of the management team. May represent the DPW at the request of or in the absence of the Superintendent; all other related work as required.

Supervision:

Works independently under the general direction of the Superintendent of Public Works.

Performs responsible functions requiring the use of independent thinking and judgment, includes complex decision making as well as a full understanding of municipal utility accounting.

Job Environment:

Promotes a work environment that encourages positive energy, high morale and teamwork among co-workers.

Most work is performed under typical office conditions: some work is performed under varying weather conditions and at various DPW facilities.

Performs a variety of administrative duties requiring the exercise of considerable judgment, a broad knowledge of Department operations and the ability to work with numerous interruptions.

In a typical workday has contact with employees, vendors, contractors, local businesses, federal and state agencies, other town departments and the general public.

Errors in administrative decisions could result in legal and financial repercussions, loss of revenue, administrative problems and adverse public reaction.

Essential Functions:

(The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.)

Interact with co-workers to ensure Departmental goals are met; policies are implemented and adhered to, support information flow from all divisions; set a professional example by showing leadership qualities.

Business Manager - DPW

FLSA- Non-Exempt

Adopted by Ayer Personnel Board - August 2015

Page 1 of 4

Responsible for the day-to-day administrative operations of the Department.

Responsible for direct supervision of one fulltime office clerk and day-to-day supervision of other public work employees as directed by the Superintendent.

Oversee Department financial management while directing day to day processing of accounts receivable and accounts payable.

Manage Department purchase orders and conduct all Department banking.

Assist in the development, review and procurement of Requests for Proposals, Requests for Qualifications, Bid Documents, consultant agreements, and construction contracts; coordinate information requirements, schedules and deadlines with regard to assigned projects and provide information and answer questions relative to project status, including work progress and budgetary matters.

Manage the utility billing systems (water, sewer and stormwater). Oversee timely billing of commercial and residential accounts. Providing training and coaching for users; manage interactions with the Treasurer's Office and the Finance Department relating to utility billing and providing technical support. Act as a liaison between utility billing system users and customers and Water and Sewer Division staff; analyze user and management needs and recommend and develop system solutions; participate in long-term planning and strategy processes with regard to utility billing; and evaluate and endeavor to continually improve the functioning and capability of the utility billing system.

Coordinate with Finance Manager, Assessor, Tax Collector to process water and sewer liens and shut offs. Communicate with office staff, co-workers, customers, government officials, consultants and vendors while conforming to all regulation and policies.

Assist with posting and screening potential DPW personnel. Train and supervise office staff. Provide leadership and direction to personnel.

Assist the Superintendent with personnel matters including grievances, collective bargaining and management of personnel files requiring access to confidential information. Also assist the Superintendent of Public Works with administering Public Works projects. Perform the administrative duties of the Superintendent in the absence of the Superintendent.

Review complaints, questions and requests for information and services from citizens, contractors, utilities and other Town departments; prepare miscellaneous reports and forms by developing and compiling data for special or recurring reports for regulatory agencies such as EPA or DEP; attend meetings of boards and commissions; and perform other related duties as required.

Assist in preparing annual Department operating and capital budgets; analyze and project labor, material, and service costs, major equipment replacement and special project needs.

Monitor monthly budget expenditures for potential deficits and prepare requests for transfer of funds, if needed. Assist Division Foremen in obtaining information from financial management information reports. Reconcile monthly activity and fiscal year end reporting.

Administer payroll including bi-weekly payroll submission and tabulation and reporting of accrued employee benefits.

Process vehicular accident reports, incident reports and worker compensation claims. Interact with Towns' insurance companies.

Responsible for the timely purchase of transfer station vehicle permits, tracking and reporting sale of permits.

Arrange and oversee annual Department inspections of fire alarms, fire extinguishers, HVAC, fuel pumps, fuel tanks, etc.

Manage and trouble shoot Department information technology equipment including computers, cell phones, printers, etc.

Perform similar or related work as required or as situation dictates.

Recommended Minimum Qualifications:

Education and Experience

Bachelor's Degree of Science in Business Administration or related degree; over five years experience in a municipal environment, preferably supervisory; or any equivalent combination of education and experience.

Special Requirements

Valid Class D Motor Vehicle Operators License

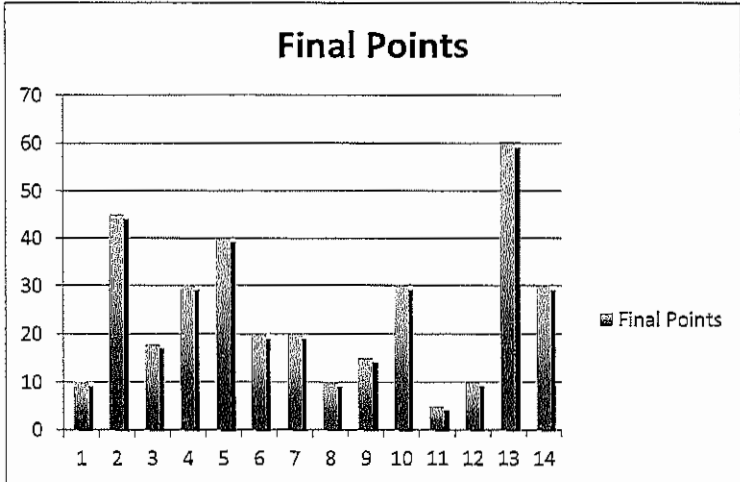
Knowledge, Ability and Skill

Knowledge: This position requires a minimum of five years experience and knowledge in business management and municipal accounting.

Ability: Must have ability to maintain confidential information. Ability to prioritize work, organize time, work independently and accomplish tasks despite frequent interruptions. Ability to establish and maintain effective working relationships with co-workers, Superintendent, other department heads, officials and the public. Must have the ability to look at situations from several points of view and possess a high comfort level working in a diverse environment.

Skill: Requires excellent customer service skills and must be able to resolve customer disputes. Must possess excellent verbal, written communication and supervisory skills. Computer skills required for completing billing, collections and payroll.

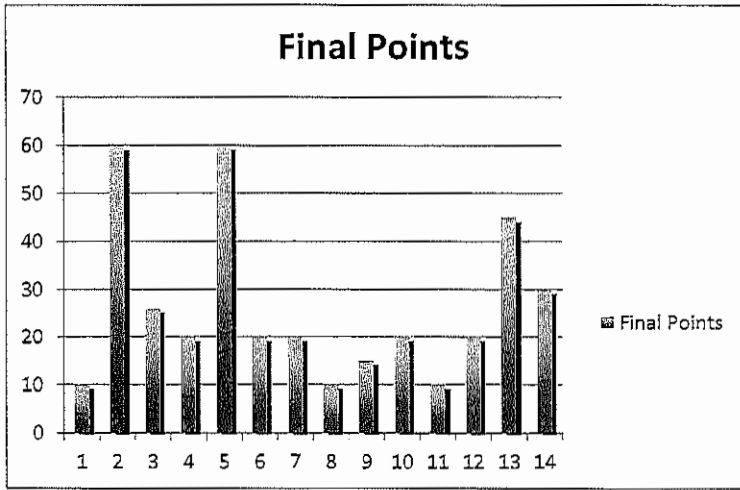
Position Rating Summary			
Position Classification Title:		Officer Manager-DPW	
Grade:		8	
Factors	Final Rates	Final Points	
1 Physical Environment	2	10	
2 Knowledge, Training, Education	3	45	
3 Problem Solving Skills & Effort	3	18	
4 Physical Skills & Effort	3	30	
5 Experience	4	40	
6 Interactions with Others	4	20	
7 Confidentiality	4	20	
8 Occupational Risks	2	10	
9 Complexity	3	15	
10 Supervision Received	4	30	
11 Supervision Given	2	5	
12 Supervision Scope	2	10	
13 Judgement and Initiative	4	60	
14 Accountability	4	30	
Total Points	44	343	



Position Rating Summary

Position Classification Title: Officer Manager-DPW
 Grade: 9

Factors	Final Rates	Final Points
1 Physical Environment	2	10
2 Knowledge, Training, Education	4	60
3 Problem Solving Skills & Effort	4	26
4 Physical Skills & Effort	2	20
5 Experience	5	60
6 Interactions with Others	4	20
7 Confidentiality	4	20
8 Occupational Risks	2	10
9 Complexity	3	15
10 Supervision Received	3	20
11 Supervision Given	3	10
12 Supervision Scope	3	20
13 Judgement and Initiative	3	45
14 Accountability	4	30
Total Points	46	366



POLICE RECORDS CLERK

Position Purpose:

The purpose of this position is to perform specialized clerical work of a complex and varied nature requiring the application of independent judgement, interpretation, and appropriate application of records laws, policies, and regulations on the basis of knowledge gained through training, experience on the job, research ability, and established precedent. Responsibilities include operation of various kinds of office equipment, computers and extensive contact with the public. Guidance and direction may be provided to other employees assisting in routine detail.

Job Environment:

The Ayer Police Department maintains a professional work environment; therefore, all employees must present a professional appearance in accordance with the Operational Procedures of the Department. Job functions must be performed in a closed work area with limited access. During duty periods, records personnel may be confined to this area for long periods of time, exposed to emergency situations and stressful contacts with the public both in person and by phone. Employees must demonstrate the ability to meet the physical demands of the job, including the ability to reach and retrieve files from a height of eight to ten feet utilizing a ladder or step stool, and to be able to stoop or bend to floor level, lift and carry paper supplies for the Department and archived records weighing up to 25 pounds (a dolly and special retrieval ladder is available to assist in this). This position requires the extensive utilization of computers on a daily basis for data entry, analysis, retrieval, and distribution of police documents and related material.

Police reports may contain violent, offensive, and/or sexually graphic material related to serious and traumatic criminal events. Records personnel are subjected to reading these reports, overhearing discussions related to their content, and may view photographs or other evidence in the context of official and necessary Departmental operations.

Police records contain privileged, restricted and/or confidential information where improper distribution may result in civil litigation, criminal prosecution, adverse impact on continuing investigations, and/or endangering police officers. Due to the serious consequences of inappropriate distribution of information gained during the course of functioning as a Police Department employee, **failing to maintain appropriate confidentiality is grounds for termination from the Department.**

Records personnel must be able to retrieve information from all areas of the center as required, handle several situations simultaneously under often stressful conditions, and communicate with the public in a positive manner which reflects professionally on the Town as well as the Police Department.

Essential Functions:

Receives and prepares reports for distribution to District and Superior Courts, District Attorney's Office Court Prosecutor, Department employees, and other law enforcement agencies.

Separates, sorts and files documents alphabetically, numerically, or by other established classifications; retrieves material from the files upon request and maintains records on the movement of file materials.

Receives, duplicates, and distributes a variety of reports and forms; checks reports and papers for clerical accuracy, completeness, and compliance with established standards and procedures.

Enters crime information from reports into computer systems.

Retrieves information upon request.

Reads, classifies, codes and tallies reports according to established coding systems, requiring understand and knowledge of coding procedures and the use of independent judgement.

Compiles Uniform Crime Report information for reporting to the Commonwealth of Massachusetts, Federal Bureau of Investigations, various law enforcement agencies, and other authorized organizations.

May receive and process Department mail.

Responds to requests for report research and make copies in compliance with Department Policies and the open records guidelines (CORI) as provided in the Massachusetts General Laws.

Received phone calls, answers routine questions, completes forms, and refers inquiries to appropriate persons for action.

Serves as receptionist for the Police Department facility as needed.

Serves as a cashier for the Police Department, receiving payment of fees, issuing receipts, and maintaining required records.

Must be able to develop an extensive knowledge of the Police Department and Town operations, NIBRS system, proficiency in accessing and updating various computer automation systems, ability to work with people of various backgrounds, and completion of cross training in records, license to carry firearms, and administrative secretarial duties including payroll, billing and accounts receivable.

Recommended Minimum Qualifications:

Education, Training and Experience:

Graduation from high school or possession of a GED certificate, or equivalent combination of education, experience and training. Public contact experience required. Reception and office experience highly desirable. Experience with *Microsoft*™ *Word*®, *Excel*®, *Access*®, and *Outlook*® preferred.

Knowledge, Ability, Skills:

Knowledge:

Must develop a working knowledge of and follow Department policies and regulations as established in the Operational Procedures Manual.

Knowledge of computer terminal operations for the Police Department, Commonwealth (State), and the National Crime Information Computer (NCIC) systems.

Knowledge of Police Department and Town organization and operations.

Ability:

Ability to understand and carry out or follow written and oral instructions.

Ability to communicate clearly, concisely and effectively both orally and in writing under normal, stressful, and/or emergency situations.

Ability to establish and maintain control over situations as they develop.

Ability to effectively and courteously deal with the public.

Ability to establish and maintain effective working relationships with supervisors, fellow employees and the public.

Ability to make quick, reasonable, and effective decisions.

Ability to type a minimum of 30 words per minute accurately.

Ability to learn, apply, and maintain a strong working knowledge of *Microsoft™ Word®*, *Excel®*, *Access®* and *Outlook®* as well as the IMC in-House computer system (*Windows®* based).

Ability to operate standard office equipment.

Skill: The position requires the use of a typewriter, FAX machine, photocopier, personal computers, computer keyboards, telephones, and other office equipment as required in the performance of clerical duties.

Office of the Ayer Board of Selectmen
Office of the Ayer Town Administrator



Town of Ayer | Ayer Town Hall | 1 Main Street | Ayer, MA 01432 | 978-772-8220 | Fax 978-772-3017 | www.ayer.ma.us

MEMORANDUM

DATE: March 4, 2016

TO: Ayer Board of Selectmen

FROM: Robert A. Pontbriand
Town Administrator

SUBJECT: Town Administrator's Report and Administrative Update for the March 8, 2016
Ayer Board of Selectmen's Meeting

Dear Honorable Selectmen,

I am pleased to offer the following Town Administrator's Report and Administrative Update for the March 8, 2016 Ayer Board of Selectmen's Meeting. If you have any questions prior to the meeting, please do not hesitate to contact me directly. Thank you.

Administrative Update:

- I will offer a brief administrative update covering various issues and projects that the Administration has been working on during the period of February 16th thru March 8, 2016.

FY 2017 Budget and ATM Update:

- The FY 2017 Budget process and ATM preparation are moving forward and on schedule. Attached is the working schedule for the FY 2017 Budget and ATM. This schedule is a working document and is updated periodically. Additionally, I would like to discuss with the Board selecting a date for a Joint Meeting of the Board and Fin Com regarding the FY 2017 Budget. Furthermore, the Water and Sewer Rate Public Hearing will take place on Tuesday, April 5, 2016 as part of the Board meeting that evening. (See Attached)

2015 BOS Town Report Discussion:

- I would like to have a brief discussion with the Board regarding the 2015 BOS Town Report. I have received some content points from some Selectmen regarding the report. The deadline for the report is Friday, March 11, 2016 at 12pm. If you would kindly submit any final points no later than Thursday, March 10, 2016 at 12pm that would be appreciated.

House Hold Hazardous Waste Collaborative Amendment:

- The House Hold Hazardous Waste Collaborative (of which Ayer is a founding Member) will be welcoming the Town of Stow into the Collaborative. As such, the attached Contract Amendment (Amendment #3) requires approval by the Board with signature by the Chair. With Stow joining the Collaborative this will reduce the Town's annual assessment (See Attached).

Building Department Hours Proposal:

- [MOVED to March 22, 2016 BOS Meeting]

Municipal Modernization Bill Discussion:

- Governor Baker has proposed a Municipal Modernization Bill to the Legislature with the intent of updating, improving, and modernizing municipal government. Attached is a summary of the proposed Municipal Modernization Bill. I would respectfully like the Board to review and for us to briefly discuss and the Board consider authorizing a letter of support to the Legislative Delegation that this Municipal Modernization Bill be taken up by the Legislature and acted on favorably. (See Attached)

Mass. Planning Org. (MPO) Representative and Discussion/Appointment

- As the Board is aware the MPO is the regional body responsible for the scheduling, funding requests, and implementation of transportation infrastructure projects on the TIP (Transportation Improvement Plan). Each municipality has a primary representative and an alternate representative. Furthermore each municipality is placed into a sub-region. Ayer is in Sub Region 3. Given the amount of important transportation and infrastructure improvement projects facing the Town, I believe that it is imperative that the Town play a more central role with the MPO.
- I am respectfully recommending that the BOS consider appointing a Selectman as the primary MPO representative and the Town Administrator as the alternate MPO representative.
- Please see the attached presentation/information about the MPO Selection Process. (See Attached)

Proposal for Formal Town Bylaw Review

- In consultation with the Town Clerk, there is no question that the Town's Bylaws are due for a formal review and update. To that end I am respectfully recommending that a Town Bylaw Working group be created consisting of the Town Clerk; Town Administrator; Assistant to the Town Administrator and Selectman Livingston. Part of this formal review will consist of the use of a professional consultant (MuniCode) in the amount of \$900 (See Attached). I am respectfully recommending that the BOS review and authorize this Town Bylaw Review. Thank you.

FY 2017 BUDGET & ANNUAL TOWN ELECTION/MEETING GUIDE
for
Monday April 25, 2016 Town Election
Monday, May 9, 2016 Annual Town Meeting

Updated March 4, 2016 by Robert A. Pontbriand, Town Administrator
&
Carly M. Antonellis, Assistant to the Town Administrator

<u>ACTION</u>	<u>DATE</u>	<u>RESPONSIBLE PARTY</u>
Presentation of ASRSD FY'17 Budget	Completed on February 9, 2016	BOS/Fin Com
FY 2017 Capital Requests/Recommendations	Completed on February 10, 2016	Capital Planning Committee
Last Day to Register to Vote for Presidential Primary	Complete	Town Clerk
FY 2017 Budget (Departmental Expenses, 1 st Review)	Ongoing	Finance Committee
Annual Town Meeting Warrant OPEN	Completed on February 16, 2015	BOS/TA
FY 2017 Health Insurance Rates	Completed on February 17, 2016	BOS/FinCom/TA/ K. Johnston
FY 2017 Water and Sewer Rate Meeting	Completed on February 22, 2016	Rate Committee/BOS
FY 2017 Regional School Assessment	March 1, 2016	Ayer Shirley Regional School Committee
Presidential Primary Held at Town Hall <i>No Board/ Commission Meetings</i>	Completed on March 1, 2016	Town Clerk
Nomination Papers for Town Offices Last Day To Request	Completed on March 4, 2016	Town Clerk
Nomination Papers for Town Offices Due	March 7, 2016 4:00 PM	Town Clerk
2015 Annual Town Reports DUE	March 11, 2016 12:00 PM	TA/C. Knox
FY 2017 Stabilization and OPEB Recommendation(s)	Completed	Exec. Bi-Board BOS/FinCom
Joint Meeting of BOS and Fin Com to Review FY'17 Budget	March TBD	TA/BOS/Fin Com
Collective Bargaining Negotiations Police Superiors, DPW, Fire	Ongoing	TA/Board of Selectmen

FY 2017 BUDGET & ANNUAL TOWN ELECTION/MEETING GUIDE

for
Monday April 25, 2016 Town Election
Monday, May 9, 2016 Annual Town Meeting

Updated March 4, 2016 by Robert A. Pontbriand, Town Administrator
 &
 Carly M. Antonellis, Assistant to the Town Administrator

<u>ACTION</u>	<u>DATE</u>	<u>RESPONSIBLE PARTY</u>
Public Hearing to Set FY'17 Water and Sewer Rates	April 5, 2016 BOS Meeting	TA/BOS/M. Wetzal
Last Day to Register to Vote for Election and Town Meeting	April 5, 2016	Town Clerk
Annual Town Meeting Warrant CLOSED Citizen Petitions Due at 12:00 PM	April 8, 2016	BOS/TA/Clerk
Approval of Annual Town Meeting Warrant and Public Comment Period	April 19, 2016	BOS/FinCom/TA
Annual Town Meeting Warrant to Printer	April 22, 2016 12:00 PM	TA/CA/C. Knox
2016 Annual Town Election <i>No Board/Commission Meetings at Town Hall</i>	April 25, 2016	Town Clerk
Annual Town Meeting Begins ASRHS Auditorium	May 9, 2016 7:00 PM	Town Moderator
Implementation of FY' 2017 Budget and ATM Articles	July 1, 2016	TA/Town Accountant Department Heads
Annual Town Meeting Warrant Received by Residents via Mail		TA/CA/USPS
Candidates Forum		I.T. Committee/APAC

**THIRD AMENDMENT TO
INTERMUNICIPAL AGREEMENT**

**By and Among Communities in the Devens Region Participating in the
Devens Regional Household Hazardous Products Collection Program**

This Third Amendment to Intermunicipal Agreement ("Amendment #3") is dated as of the ____ day of _____, 2016, in accordance with the provisions of Massachusetts General Laws, Chapter 40, Section 4A, by and between the "Participating Communities" (as defined below). The effective date of Amendment #3 (the "Effective Date") shall be CO, 2016.

RECITALS

WHEREAS, the Massachusetts Development Finance Agency ("MassDevelopment"), acting on behalf of the Devens Regional Enterprise Zone ("Devens"), and the Towns of Ayer, Bolton, Groton, Harvard, Lancaster, Littleton, Lunenburg, Townsend, Shirley, and Ashby (the "Participating Communities"), entered into that certain Intermunicipal Agreement dated as of March 16, 2011 (the "IMA"), First Amendment dated July 1, 2012 ("Amendment #1") and Second Amendment dated July 1, 2013 ("Amendment #2"), regarding the Devens Regional Household Hazardous Products Collection Program (the "Program") (terms used but not defined herein shall have the meaning given to them in the IMA); and

WHEREAS, the Town of Stow desires to participate in the Program and join the Collaborative; and

WHEREAS, in a vote taken at its meeting on February 18, 2016, the Oversight Committee voted to admit the Town of Stow into the Collaborative; and

WHEREAS, admittance of an additional municipality into the Collaborative requires an amendment to the IMA,

NOW THEREFORE, the Participating Communities and the Town of Stow agree as follows:

AGREEMENT

1. The term "Participating Communities" as set forth in the first recital of the IMA shall now be defined as: the Massachusetts Development Finance Agency ("MassDevelopment"), acting on behalf of the Devens Regional Enterprise Zone ("Devens"), and the Towns of Ayer, Bolton, Groton, Harvard, Lancaster, Littleton, Lunenburg, Townsend, Shirley, Ashby, and Stow.

IN WITNESS WHEREOF this Third Amendment to Intermunicipal Agreement is executed in the name of each named municipality by a duly authorized officer of such municipality as of the date written above.

MASSACHUSETTS DEVELOPMENT FINANCE AGENCY

BY:

_____, duly authorized

Name:

Title:

Date:

TOWN OF LUNENBURG

BY:

_____, duly authorized.

Name:

Title:

Date:

TOWN OF TOWNSEND

BY:

_____, duly authorized.

Name:

Title:

Date:

TOWN OF SHIRLEY

BY:



_____, duly authorized.

Name:

Title:

Date:

TOWN OF ASHBY

BY:



_____, duly authorized.

Name:

Title:

Date:

TOWN OF STOW

BY:

_____, duly authorized.

Name:

Title:

Date:



An Act to Modernize Municipal Finance and Government

Section by Section Summary

Municipal Procurement 1 (1-3, 6-7, 9-12) – These sections amend the “horizontal” construction procurement statute, c. 30, § 39M, to increase the dollar threshold for contracts requiring less-than-full competitive bidding from \$10K to \$50K. They also make procurement methods consistent with other construction and municipal procurement statutes by adding a “middle tier” of contracts valued at between \$10-50K, for which public entities may either give public notification of the contract or use OSD statewide contracts or other “blanket” contracts to solicit a minimum of three bids. Finally, these sections make conforming changes to dollar thresholds for existing exemptions under c. 30, § 39M, and the municipal procurement statute, c. 30B.

Municipal Procurement 2 (4, 226) – These sections create exemptions from construction bidding for contracts for the “installation, repair and maintenance of telecommunication and data cabling and wiring; telecommunication, security, audiovisual and computer equipment; and carpeting.” These sections require that such contracts be procured through OSD statewide contracts, but preserve the discretion of public entities to follow construction procurement rules, if it is in the “best interest” of the project (*e.g.*, if such work is part of a larger construction project).

Exemptions from Uniform Procurement (5) – This section removes the existing exemption from the municipal procurement statute, c. 30B, for contracts for bank services that are subject to the maintenance of a compensating balance. The exemption for bank services subject to a compensating balance is removed because municipalities are otherwise subject to c. 30B rules for other types of banking services. This is also consistent with loosening state oversight of such agreements, as described in sections 85-87.

Procurement Advertising (8, 229) – This section modifies the public advertising requirements for contracts awarded under the competitive bidding provisions of c. 30B, the municipal procurement statute, and c. 149, the “vertical” construction bidding statute, to permit advertising on the COMMBUYS system, rather than through costly newspapers.

Retiree Health Cost Sharing (13) – This section repeals the requirement in c. 32B, § 9A½ that a municipality be reimbursed in full, in the event a retired municipal employee or beneficiary receives healthcare premium contributions under circumstances in which a portion of the retiree’s creditable service is attributable to service in another municipality. This legislation was enacted in 2010 with municipal support, but has proven to be unworkable in practice.

OPEB Trust Fund (14, 239) – These sections permits governmental units—defined broadly to include any political subdivision of the Commonwealth and housing authorities, redevelopment

authorities, regional councils of government, regional school districts and educational collaboratives—to establish an OPEB trust fund that complies with the legal requirements for trusts and with GASB. This change is necessary to clarify current language, which only authorizes a reserve/stabilization fund for retiree health insurance purposes. These sections also make clear that any OPEB fund created prior to the effective date of this act will continue unless the governmental unit re-accepts the provisions of this act.

County Borrowing Tech Correction (15) – This section permits counties to borrow money for emergency purposes upon approval by the municipal finance oversight board, and not (as is currently required) a board composed of the attorney general, the state treasurer and the director of accounts (within DLS).

Supervision of County Government 1 (16) – This section repeals provisions of the county finance statute that require DLS to review the accounts of county treasurers and other offices receiving money payable to the counties, prescribe accounting standards and provide technical assistance, and submit annual reports on county accounts to the Governor and Legislature. DLS does not perform these functions for any remaining county governments.

Supervision of County Government 2 (17) – This section repeals the provision of the county finance statute that requires DLS to submit county employee classification and compensation plans to county personnel boards, and to advise county commissioners and personnel boards on employment matters. DLS does not perform these functions for any remaining county governments.

Local Advertising 1 (18) – This section modifies the public notice requirement for town warrants, which are required for every town meeting or election, to permit municipalities to post notice in any manner prescribed or approved under the Open Meeting Law, rather than through bylaw or attorney general approval as is currently required. The Open Meeting Law requires meeting notices to be posted in a manner “conspicuously visible” at all hours, or in another manner prescribed or approved by the attorney general (such as on the town’s website).

Rental Revolving Fund (19) – This section allows cities and towns to create a revolving fund for proceeds from rental of surplus non-school properties, and authorizes expenditures without appropriation for upkeep of such properties. This is an expansion of current law, which authorizes a revolving fund only for the rental of surplus school properties.

City Reserve Funds (20) – This section increases the amount that cities may appropriate, as a reserve fund for extraordinary or unforeseen expenditures, from 3% to 5% of the tax levy for the preceding fiscal year. The 5% level conforms to that currently authorized for towns and districts.

Stabilization Funds 1 (21) – This section amends current law, which allows municipalities to create one or more stabilization funds, by permitting appropriations into the fund by majority vote and permitting the municipality, without appropriation, to dedicate all or a portion of

particular revenue streams to the fund. This section also eliminates the cap on the amount reserved (10% of the prior year property tax levy), but retains the requirement to obtain a 2/3 vote to make appropriations from the fund.

Parking Local Acceptance (22-24) – These sections allow revenue generated from parking meters to revert to the city or town’s general fund, unless specifically accepted by the city or town to be accounted for in a separate fund.

Local Advertising 2 (25-29, 36-39) – These sections amend the public notice requirements for zoning by-laws or amendments, as well as associated public hearings notices. Current law requires posting of a recently approved zoning by-law or proposed amendment in a town bulletin or pamphlet in several locations in the town, or publication in costly newspapers; cities are required to publish in newspapers. Public hearing notices must be published in newspapers and posted at the city or town hall. These sections permit cities and towns to post all zoning-related notices in any manner prescribed or approved under the Open Meeting Law.

Collection Liens Non-Resident (30, 184) – There is a common statutory scheme that lets municipalities and districts, by local option, establish liens when customers of municipal utility services – gas, electricity, steam, water and sewer – do not pay user charges when due. Lighting plants, water departments and sewer departments often provide utility services to ratepayers living in neighboring communities. However, only lighting plants may impose liens for customers located in those municipalities. This section extends that option to municipalities and districts that provide water and sewer services to customers outside their borders.

Certification of Local Property Assessments (31-32, 243) – These sections decrease the frequency with which DOR must certify that local property assessments reflect fair cash valuation from every three years to every five years. The certification is a condition of approving the municipality’s property classifications for purposes of allocating responsibility for the local tax levy. This change would take effect for the fiscal years starting on or after July 1, 2017.

Collections Taxpayer Good Standing (33-34) – These sections permit municipalities to deny local licenses and permits to any taxpayer who has neglected or refused to pay local taxes and who has not filed a good faith application for an abatement. Current law permits this collection method, but only if the taxpayer has been delinquent for at least one year. This change is intended to allow municipalities to mirror a “good standing” requirement for licensure under their implementation by-law or ordinance.

Municipal Fines Lien Collection (35) – This section amends current law, which permits a municipality to impose a lien on real property for unpaid local charges or fees, to permit a lien for unpaid fines. Consistent with current law, such unpaid amounts may be certified to the local assessors to be added to property taxes for collection. This section would have the effect of adding this method of collection for fines that are unpaid by persons who own real estate.

Water and Sewer Commissions (40-41) – These sections make a technical correction to the methods of local acceptance of statutory provisions creating local water and sewer commissions, by referencing the methods of local acceptance in c. 4, § 4, and clarifying that a water and sewer commission is an independent body politic. These sections also permit the commissions that enter into agreements with municipalities to have liens added to city or town tax bills and collected by the tax collector, rather than by the commissions.

District Improvement Financing (42-47) – These sections amend the district improvement financing statutes so that the “DIF” reserved for debt service and project costs equals the new property tax revenue generated by new development and added to the community’s levy limit as new growth under Proposition 2½. They also clarify that the requirement to reserve tax increment funds ends when monies are set aside to pay all debt service. The formula in the law is based on models used in other states that do not have levy limitations or require tax rate recalculation based on current values, i.e., where valuation increases generate additional revenue. For this reason, the tax increment is very difficult for local assessors to calculate and more importantly does not actually reflect the new property tax revenue generated by the project.

Fine Collection (48) – Revises municipal enforcement authority over violations of municipal housing, sanitary and ice removal requirements, by allowing the municipality to impose a lien on the related property, using the same procedures used for liens on real property for any unpaid local charge or fee.

Combine Treasurer Collector (49, 50) – These sections would allow municipalities to combine their treasurers and tax collectors into one appointed position without first obtaining a special act.

Town Administrator Term (51) – Increases the allowable term for an executive secretary or town administrator to serve, up to five years.

Appoint/Remove Finance Officers (52) – This section repeals three sections under which the Department of Revenue (DOR) may appoint, approve the appointment of or remove local finance officers (assessors, collectors, deputy collectors and treasurers) for non-performance. The statutes date back to a different era and are outdated given changes in the governance and operation of municipal finance offices. Responsibility and accountability for the performance of these officials belongs with the local appointing authority or the voters. Also, DOR has no record of exercising these functions in years, if ever.

Direct Deposit (53) – This section authorizes any city or town which accepts the section to require the use of direct deposit to pay employees.

Approval Bills Warrants (54, 55) – Allows multi-member boards, committee, commissions heading departments, including boards of selectmen, to designate one of its members, to review and approve bills or payment warrants, with a report provided at the next meeting. Currently, a

board or committee heading a department may delegate authority to approve payrolls to a member and a regional school committee may designate a subcommittee to approve bills and payrolls with a report to the next meeting of full committee. Absent a charter or special act, boards and committees must approve bills or payment warrants by majority vote at a meeting subject to the Open Meeting Law.

Compensation District Assessor (56) – Removes the DOR Commissioner’s role as mediator if a dispute arises about the amount annually appropriated for the salaries and compensations of assessors and tax collectors in tax levying districts.

Injured on Duty Fund (57) – Allows municipalities to create, appropriate money to and expend from a special injury leave indemnity fund for payment of police officer and firefighter injury leave compensation or medical bills, rather than charging them to current departmental appropriations.

CEO Charter Initiate (58, 59) – Allows selectmen or mayors to initiate movement to optional forms of municipal administration by a charter commission. This will provide flexibility in initiating governance changes, all of which require a referendum as a charter change. Currently, a citizens’ petition process is the only avenue to initiate a charter commission.

Debt Purposes (60, 62-63, 172) – These sections modernize and simplify the current laws that authorize cities, towns and districts to borrow by consolidating, updating and restructuring the allowable borrowing purposes. Also allows borrowing for a court judgment for more than 1 year if approved by the Municipal Finance Oversight Board.

Grant Anticipation Notes (61) – Broadens current law to allow municipalities to borrow in advance of any state or federal grant – advance or reimbursable. This updates the statute to add federal grants and reflect changes in state grant administration, as fewer advance grants that can be spent without appropriation are being made.

Ten Year BANs (64) – Amends current law to allow 10 year bond anticipation notes (BANs) with the same required principal paydown as current law, to provide treasurers greater flexibility in structuring debt, particularly for smaller purchases or projects.

Refunding Bonds (65, 67) – Allows final payment (of the original debt schedule) to be made no later than 6/30 of the fiscal year payment otherwise due, instead of annual anniversary of prior payments. Also, amends current law to allow with a finding by the mayor/manager/select-board that refunding is necessary for federal tax compliance purposes. This section also makes a technical change to the refunding procedures and payment schedule – allowing first principal payment of refunding bonds to be due no later than 6/30 of the fiscal year the payment would have otherwise been due, e.g., instead of 11/1 or 5/1. The payment still must be in the same fiscal year and cannot be deferred to another fiscal year.

Bond Premiums and Surplus Proceeds (66) – Amends current law by providing communities with a choice regarding how to treat bond premiums (net of issuance costs). Communities will be able to either apply it to the issuance, thereby reducing the amount needed to borrow, or place it in a separate fund and appropriate it for a capital project. It also amends current law by increasing the amount of surplus bond proceeds that can be applied to debt service from \$1,000 to \$50,000.

Lease Purchase (68) – Establishes a procedure governing the use of tax-exempt lease-purchase financing agreements (TELPs) by municipal departments and allows borrowing to pay off a TELP if it would result in interest savings.

Eliminate Debt Report (69) – Eliminates the requirement that the municipal treasurer notify the director of accounts when a payment is made. This eliminates the need to notify of duplicative information, as the annual year-end statement of indebtedness shows changes in debt levels over the course of the year.

Emergency Spending (70) – Amends current law to provide for automatic approval of payment for liabilities incurred as a result of emergencies and disasters, when the Governor declares a state of emergency.

Court Judgments (71, 72) – Amends current law to allow payment without appropriation of final court judgments and other final adjudicatory claims with municipal counsel certification. Currently, such payments over \$10K, require the approval of the director of accounts. Further, amends the statute to reflect the current operating environment where obligations to make immediate payments based on various legal claims now are just as likely to result from decisions of administrative agencies rather than just court judgments.

Snow and Ice Removal (73) – Eliminates prior approval for deficit spending for snow and ice removal by the council/selectboard; and alternatively, requires only that the chief administrative office of the municipality authorize deficit spending.

Year End Transfers (74, 75) – These sections eliminate the limits on types and amounts of appropriation transfers that can be made by the selectmen with finance committee approval at end of year. This would allow end-of-fiscal-year transfers from health insurance, debt service or other unclassified/non-departmental line item appropriation and eliminate a cap of 3% on the amount that may be transferred from any department (school and light department line items remain exempt from this procedure). Eliminating the cap on transfers will provide for greater flexibility in avoiding deficits and eliminate the need for additional town meetings by July 15 for minor transfers.

Director Powers (76-81, 174, 205) – These sections make several updates to statutes governing municipal audit and accounting systems to reflect the current focus of state oversight on establishing uniform accounting and reporting standards, ensuring periodic audits and instituting

best practices based on end of year reports, local management reviews and DLS reviews of cities, towns and special purpose districts. These changes are made through repealing or amending a number of statutes that have not been updated in years and still reflect the original mission of the Bureau of Accounts to install accounting systems, conduct financial and forensic audits and investigations of cities, towns and districts.

Insurance/ Restitution Funds (82) – This section amends the statute that requires all municipal receipts to be deposited to the general fund and be appropriated. This current statute includes several exceptions that allow certain receipts to be spent without appropriation for particular purposes, including insurance and restitution proceeds. This section increases the amount that may be spent without appropriation to restore or replace the damaged property from \$20,000 to \$150,000 and updates the lost or damaged school book and materials restitution exception to include electronic devices and equipment provided to students.

Grant Available Fund (83) – Makes all reimbursable grants from federal or state government available for appropriation once approved by the granting agency. The proposed amendment eliminates the need for the Director of Account’s approval in future bond bills for G.L. c. 90 grant funds and broadens the immediate availability of other reimbursable grants for expenditure.

Departmental Revolving Fund (84, 85) – These sections amend the revolving funds statutes to provide more flexibility by eliminating the departmental per fund and total fund caps, broadening the types of departmental receipts which funds can be established, and allowing revolving funds to be established by bylaw or ordinance. These sections also repeal the statute that governs revolving funds for parks and recreation program fees, as this separate statute is not necessary under our proposal to increase departmental flexibility over revolving funds.

Compensating Balance (86-88) – These sections remove DOR’s role in prescribing types of services and in receiving reports on municipal agreements with banking institutions for “compensating balance” agreements. However, these sections still require that the treasurer or collector of a municipality produce the report and submit to local officials and the inspector general.

Refundable Consulting Fees (89) – Current law allows consultant fees imposed by certain municipal permitting boards to pay the costs of their reviewing applications for permits or licenses, including zoning special permits, subdivision control, comprehensive permits, board of health permits, and conservation commission permits. The statute allows the board to spend the fees for consulting services, and if monies remain after the board makes its determination, to refund them to the applicant, without appropriation. This amendment would expand the use of special funds to include consulting fees charged by any municipal officer (for example, building inspector) or board with permitting authority where the imposition of fees for outside consultants is established by its own rule-making authority (if any), statute, ordinance or by-law.

Performance Deposits (90) – This section adds a provision that would allow municipalities to set up escrow accounts for refundable cash performance deposits and set standards for administration, investment and expenditure upon default.

Special Events Fund / Mitigation & Permitting/ Betterment Reserve (91) – This section amends or adds three special revenue funds, The first broadens the municipal celebration fund to include any special event (anniversary celebrations). The second specifically reserves betterment and special assessment revenue for appropriation for the payment of debt service on any bonds issued to finance the improvements for which the betterments were assessed. The third allows mitigation or other monies deriving from, or in connection with, an agreement or licensure or permitting obligation to be reserved and spent for the purposes for which they were received.

Revenue Cash Investment (92) – Amends current law to permit investment in certificates of deposit (CDs) for up to 3 years, an increase from the current no longer than 1 year requirement. This change also addresses an ambiguity in the statute as to whether a 1 year limit applies to these investments or solely to investments in United States treasury bonds. It would give treasurers more flexibility in investing short-term for better rates.

Penalty Electronic Payments (93, 94) – These sections amend the process for appealing penalties imposed on individuals who tender a check for local fees with insufficient funds, requiring the individual to appeal at the local level, rather than with the DOR Commissioner. It further amends the statute to cover electronic payments that are made with insufficient funds.

CPA Surcharge Exemptions (95) – This section sets a deadline for taxpayer applications for exemptions from the statutory surcharge on real property under the Community Preservation Act. The deadline is the same as that for other types of applications for local tax exemptions, and provisions are also made for appeals to the Appellate Tax Board and confidentiality on the same terms as those applicable to such other applications.

Elections 1 (96-98) – These sections require municipalities to hold voter registration sessions on the last day of registration from 9 a.m. until at least 5 p.m., but no later than 8 p.m. (the official deadline is 8 p.m.), and, for towns having less than 1,500 voters, from 2 to 5 p.m. This is a change from current law, which requires sessions to last continuously from 9 a.m. to 8 p.m., and, for town with less than 1,500 voters, from 2 to 4 p.m., and 7 to 8 p.m.

Elections 2 (99) – This section is taken from H. 587, which permits municipalities to use “electronic poll books,” in lieu of paper voting lists, at polling stations. The section requires poll books to produce a receipt with a voter’s name, address, date of birth, and voter identification number, and requires the election worker at the check-out table to accept the receipt before permitting the voter to deposit his or her ballot.

Elections 3 (100) – This section gives discretion to the presiding officer of each polling place to determine the most expedient manner in which to conduct the “dual checkoff” procedure under

c. 54, § 67, which requires voter names to be checked both when handing the voter a ballot and after the individual has cast his or her vote.

Corporations List (101, 116) – These sections require that the Department of Revenue identify those corporations that are classified as research and development corporations, so that cities and towns can use that classification in their administration of property tax exemptions.

Approval of Forms (102, 109, 131-132, 154, 162) – These sections eliminate existing requirements that the Department of Revenue print and distribute various forms, and approve electronic formats, used in the assessment and collection of local taxes.

Collection Title Foreclosure (103, 155) – These sections eliminate an existing but apparently never-exercised mechanism under which the Department of Revenue took over collection actions on behalf of towns.

Affordable Housing Abatements (104-105, 139-140) – These sections amend the property tax laws to allow local implementation of affordable housing abatement agreements in the same manner as brownfield abatement agreements under G.L. c. 59, § 59A. The brownfield abatement agreement is an entirely local process with an implementation by-law or ordinance providing transparency in allowable abatements within the statutory parameters. That process would be appropriate for affordable housing abatements as well.

State-Owned Land Valuation (106-107, 249) – These sections eliminate the current procedure under which the Department of Revenue values state-owned land every four years, replacing that process with a statutory formula for determining the valuation every two years after the 2017 valuation required by current law. That valuation will be adjusted every two years by the equalized valuation and the value of acquisitions and dispositions. The acquisitions and dispositions will be based on a per acre value that will also be adjusted every two years by the equalized valuation. These sections are proposed to take effect as of January 1, 2018, to govern the state-owned valuation on January 1, 2019 for distributions made in fiscal year 2021.

Schedule A Compliance (108) – This section improves compliance for municipal reporting by changing from October 1 to November 30 the annual deadline for cities and towns to submit the prior year's annual financial report. This would also modify the law to provide the intended consequence for non-compliance and withhold all future payments (regardless of fiscal year) until such time as the Schedule A is submitted and accepted.

Supplemental Assessments (110-113, 244) – Current law provides for supplemental assessments on new construction, and abatement of regular real estate for damage due to fire or natural disaster, unless a community rejects this option. These sections change this assessment by excluding the value of the land from the calculation of the 50% trigger for the supplemental assessment. They also clarify the applicable tax rate, and establish a one-year time limit in

which a property owner may apply to the assessors for abatement after a fire or other natural disaster.

Right of First Refusal (114) – This section would give a municipality a right of first refusal if property owned by a charitable organization or a church is being sold or developed for a non-exempt purpose. The right of first refusal would be similar to a municipality’s right when an owner of forest, farm or recreational land which has received a tax benefit sells for or converts that property for development. A tax-exempt organization would be required to give notice of the proposed sale or development to the city or town, which would have 120 days to exercise its right of first refusal. A city or town would be authorized to assign its rights to a nonprofit conservation organization, the Commonwealth or any of its political subdivisions.

Charitable Exemption Technical Correction (115) – This section corrects two references in the charitable exemption for real property to local adoption of a “paragraph.” The local adoption should be of the “sentence.”

Exemption Applications (117, 119, 121-122, 138, 242) – This section creates a single due date for personal exemption applications regardless of billing system used. This section would make April 1 the deadline for personal exemption applications in all communities, creating a uniform and consistent deadline for taxpayers.

Commercial Fishing Exemption (118) -- This section increases from \$10,000 to \$50,000 the value of the property tax exemption for boats, nets and gear used in commercial fishing, consistent with changes made to the boat excise exemption under Sections 118, 166, 185 and 186 of the bill. It also increases eligibility for the exemption by eliminating the current requirement that the exempt property be used “exclusively” in commercial fishing, requiring instead that at least half of the taxpayer’s income is from commercial fishing.

Residential Exemption (120, 242) – Increases from 20% to 35% the statutory limit on the amount of a residential exemption that can be granted, if a municipality grants such an exemption as one of its property tax classification options. Five of the thirteen municipalities that have decided to grant such an exemption have asked for, and received approval for, residential exemption amounts that are higher than the current statutory limit of 20%.

DOR’s Authorization to Assess (123-125, 244) – These sections eliminate the requirement that local assessors obtain the Department of Revenue’s approval before assessing taxes on real property to unknown owners or owners of present interests. The Department is unable to conduct independent title or other analyses to verify these requests. Moreover, local assessors determine record ownership for assessment purpose for millions of real estate parcels and there is no regulatory purpose served in having them obtain the Department’s approval about the party assessed in these selected situations. The Department has the power to issue guidelines on

assessment administration and can provide appropriate oversight and guidance on the statutory standards and best practices.

Single Overlay (126-127, 143, 246) – This section would create a single overlay account and remove anachronistic references to a repealed cap on cities. Currently, there is a separate overlay reserve for each fiscal year. A surplus in one year cannot be used to cover a deficit in another year without the assessors declaring a surplus, the accounting officer transferring the amount to an overlay surplus account and the legislative body appropriating from the surplus by year end. This is cumbersome and inefficient.

Central Valuation (128-130) – These sections change the timelines for company reporting and DOR certification to conform to the same schedule as pipeline companies, and to be able to obtain the most current company regulatory reports. These sections also define a telephone company for central valuation purposes to include only landline incumbent local exchange carriers (ILECs) under the federal Telecommunications Act and allow DOR to share information with local assessors so they can make an informed decision whether to appeal. Finally, these sections provide for a more streamlined and expeditious appeal process by allowing one party to file a notice of appeal in response to another parties' filing.

Interest on Collections (133-135, 245) – These sections standardize the accrual of interest on delinquent property tax installments, addressing an inequity in the accrual of interest on overdue installments between communities using semiannual and quarterly billing. Currently, under semiannual systems, interest accrues from the date the tax bills are mailed, i.e., if the payment is one day overdue, the taxpayer is charged 31 days interest. Under the quarterly system, interest does not accrue until the due date. They also permit all communities to make small bills of \$100 or less payable in one installment.

Mortgagee Abatements (136-137, 242) – These sections change the timeline for applying for an abatement, in recognition of the widespread use of quarterly billing systems in cities and towns of the Commonwealth. Currently, any holder of a mortgage (regardless of the property tax payment system in use in the city or town) must apply for abatement between September 20 and October 1. These sections change that requirement so that the application must be filed during the last ten days of the abatement period, regardless of the city or town's billing system. They also correct a reference to ensure that Section 59 of Chapter 59 of the General Laws applies to all persons who may represent a person's estate. These changes are proposed to take effect for the fiscal year starting on July 1, 2016.

Appeals (141-142) – These sections clarify that the failure to pay semiannual and quarterly preliminary tax payments, as well as actual tax payments, is a bar to Appellate Tax Board appeal. Taxpayers are obligated to pay preliminary taxes based on prior year actual under quarterly and semiannual systems. Their failure to pay preliminary taxes subjects them to the same interest on overdue amounts that accrues on overdue actual installment payments.

Abatement on Low Value Lands (144, 146) – These sections repeal the Department of Revenue’s authority to authorize assessors to abate taxes on low value lands and under a local option, let assessors abate these taxes when the collector determines the costs to collect are more than the amount owed. Treasurers can also foreclose the tax title under the land of low value procedure.

Apportionment Appeal (145) – This section extends from seven to thirty days the time period within which a taxpayer may appeal an apportionment decision.

Mailing Tax Bills (147) – This section modernizes where tax bills are mailed in absence of written direction by the taxpayer. Under current law, the tax bill only has to be sent to the “town” where the person resides. This is anachronistic language. Bills should be mailed to the taxpayer’s address if known, or the property address, unless the taxpayer directs otherwise.

E-Billing Technical Correction (148) – This section corrects an internal cross-reference to the electronic billing program.

Betterment Suspension (149) – Under current law, the Department is authorized to approve assessors’ suspension of betterments for persons receiving certain exemptions. There is no institutional record of exercising this authority and if a request was received, it is not clear what criteria are to be used to determine approval. This section will delete an obsolete provision that pre-dates the enactment of local option G.L. c. 80, § 13B, which allows for betterment deferrals for seniors.

Scholarship and Educational Funds (150-153) – These sections amend the authorization for cities and towns to form such funds to clarify that each fund is separately accepted and to clarify the distinct purposes for which such funds can be used.

Electronic Payment Penalties (156-157) – These sections amend the process for appealing penalties imposed on individuals who tender a check for local taxes with insufficient funds, requiring the individual to appeal at the local level, rather than with the DOR Commissioner. It further amends the statute to cover electronic payments that are made with insufficient funds.

Covenant Extension (158) – Under current law, a city or town must apply to the Department of Revenue to extend (for up to one year) the duration of the municipality’s statutory exemption from the terms of a covenant running with the land. There is no institutional record of receiving any request to exercise these powers and DOR is not in position to do so. There is no regulatory purpose served by a DOR role in the local tax title foreclosure process. This section strikes references to post-foreclosure extensions of such exemptions.

Foreclosure of Abandoned Buildings (159-160) – These sections eliminate the need for the involvement of the Department of Revenue in determining whether buildings are abandoned. Currently, the Commissioner is required to “make an affidavit” confirming that the

Commissioner agrees with the conclusions of local officials that the building is abandoned. These sections eliminate references to the involvement of the Department of Revenue, and allow the affidavits and writings of the local officials involved, including a recitation of efforts to locate the property owner, to be recorded and to be treated as prima facie evidence that the building is in fact abandoned.

Taxes in Litigation (161) -- This section eliminates a purely ministerial requirement that the Department of Revenue authorize and allow the transfer of taxes in litigation by an accounting officer. By law, if the collector cannot perfect the tax lien due to bankruptcy or other litigation, the lien securing collection continues when the tax collector records a statement of the legal action. Providing a copy of the recorded statement to the accounting officer should be sufficient for the transfer of those taxes from the collector's current books.

Prisoners of War Exemption from Motor Vehicle Excise (163) – This section re-organizes and clarifies the paragraph granting a local option exemption from the motor vehicle excise to prisoners of war or their surviving spouses.

Motor Vehicle Excise Collection (164-165) – These sections allow a tax collector to be able to notify the Registry of Motor Vehicles of non-payment of the motor vehicle excise directly, after notifying delinquent taxpayer of the intent to “mark” their license or registration for non-payment. This would reduce fees imposed on taxpayers. These sections are intended to address the *Wright* court decision, that a warrant to collect must be issued to a deputy collector for a collector to mark.

Boat Excise (166, 185-186, 247) – These sections reform the administration and collection of the excise on boats. They address the lack of data on documented boats by requiring boat owners to supply statutorily-prescribed information to the Environmental Police and to obtain a decal. They include a procedure to require payment of boat excise for non-commercial boat owners to renew their registrations with the director of the division of law enforcement of the department of fisheries, wildlife and environmental law enforcement, similar to the non-renewal procedure when vehicle owners do not pay their motor vehicle excises. These proposals were developed with the Environmental Police. These sections also allow boat owners an extra month within which to file their return with the city or town where their vessel is habitually moored, or otherwise principally situated. They also update the excise exemption for fishing boats and gears to reflect changes in the fishing industry that no longer make it a full-time occupation and sole source of income for most fishermen.

Jet Fuel Excise (167-169, 248) – These sections implement changes to comply with a recent change in FAA policy that requires use of state and local taxes on aviation fuel for airport purposes. Under the amended policy, excises imposed after December 30, 1987 are subject to federal revenue use restrictions, i.e., can be used for just aviation and airport purposes. If any municipality accepted and imposed the excise after that date, the FAA requires a state action plan

to amend any non-compliant laws. States have until the end of 2015 to come up with any required action plan. All but 1 community that has adopted the excise is either grandfathered from complying with the new policy or has adopted/can adopt an enterprise fund for its municipal airport that will effectuate this policy. The sections also allow a community whose airport is located in another community to receive and use the taxes for airport purposes.

Regional School District Debt (171) – Makes a technical change, inserting the word “committee”, to clarify that it is the regional district school committee that may require the approval of any particular authorized issue of indebtedness by referendum.

Regional School District Transportation (173) – Clarifies that any funds to be reimbursed by the Commonwealth for regional school district transportation are subject to appropriation.

Regional School District Stabilization Fund (175-176) – Under current law, a regional school district can have a stabilization fund, not to exceed 5% of the total assessment upon member communities. These amendments substitute the Commissioner of Elementary and Secondary Education instead of the Director of Accounts to approve a higher level of stabilization fund appropriation and expenditures from the fund for other than capital purposes.

Extended School Programs (177 -179) – Under current law, school committees may provide pre-school and extended school services for certain children and establish a revolving fund for payments made by parents and other monies received in connection with these programs. These amendments would remove outdated restrictions on the students who may receive the services and extend these sections to regional school committees.

Community School Program Fund (180) – Increases the current community school fund’s \$3,000 expenditure limit for material and equipment purchases within a fiscal year, to \$10,000.

School Revolving Fund (181) – Qualifies revenue received from enrichment and summer programs authorized by the school committee, and parking fees as monies received in connection with the "use of school property" for the purposes of the district’s revolving fund.

Vocational School Revolving Fund (182) – Removes the \$5,000 expenditure limit placed on vocational schools’ revolving funds, used for culinary arts or other related programs.

Betterment Installments (183) – This section amends current law to allow cities, towns, and districts greater flexibility in setting interest rates that run on betterments or special assessments, at any level up to 2% above the rate of borrowing the city, town, or district is paying. It also makes interest accrual/due date run from the mailing of the bill (not the commitment to the tax collector).

RMV E-Citations (187-203) – These sections make various changes to c. 90C, regarding motor vehicle offenses, to implement the new “E-Citations” project jointly administered by EOPSS and the RMV. The changes amend definitions and other references to paper citations to include

electronically issued citations; give EOPSS authority to promulgate regulations to set standards for e-citations and associated equipment requirements; and ensure that both paper and electronic copies of citations are properly delivered by police departments to the RMV and district courts.

Veterans Service District (204) – Removes the current restriction that prevents two cities from sharing a veterans’ service director. This will provide for greater flexibility in providing for effective and efficient operation of veteran services.

Municipal Debt/Urban Renewal (206-208) – This amendment repeals a duplicative requirement regarding approval of debt issued by cities and towns to support housing and urban renewal projects, as cities and towns are subject to an overall debt limit under G.L. c. 44, § 10, which may be exceeded with approval of MFOB. In addition, the statute still refers to the Emergency Finance Board (EFB) rather than the Municipal Finance Oversight Board (MFOB).

Liquor Licenses (209-20, 238, 240) – These sections permit municipalities, except Boston, to set quotas for liquor licenses issued to facilities (such as restaurants) permitting on-premises drinking (all such licenses to be non-transferable) and to managers of special outdoor events. These sections do not change the statutory quota for facilities (such as liquor stores) not permitting on-premises drinking, though other provisions permitting supplemental licenses beyond the minimum quota and capping the total number of licenses issued to any person or corporation will be repealed. These sections also make clear that the number of licenses authorized under current law will continue, unless changed by a municipality pursuant to the municipal plan permitted under these sections.

Demolition Liens (221) – This section extends the period of time in which a “demolition lien,” imposed on a property for failure to demolish damaged or dilapidated buildings or structures, may last. Specifically, this section permits a lien added to real estate tax property in the next year to extend for the same period of time permitted for the tax lien. If the demolition lien is not added to a tax until later, it expires on October 1 of the third year after filing of the lien (current law specifies October 1 of the next year after filing).

Municipal Procurement 3 (222-25, 227-28) – These sections amend the “vertical” construction procurement statute, c. 149, § 44A, to increase the dollar threshold for contracts requiring less-than-full competitive bidding from \$25K to \$50K. It also makes procurement methods consistent with other construction and municipal procurement statutes by modifying the method for “middle tier” contracts, valued at between \$10-50K, to permit public entities to either give public notification of the contract or use OSD statewide contracts or other “blanket” contracts to solicit a minimum of three bids. These sections increase the dollar thresholds for contracts requiring competitive bidding (from \$100K to \$150K for first tier) and for triggering the requirement to submit “sub-bids” and “sub-trade” bids.

Unemployment Insurance (230-31) – These sections extend existing exemptions from unemployment insurance benefits—which are applicable to school employees absent during

sabbaticals and school vacations with a “reasonable assurance” of returning to work—to employees who provide services to or on behalf of schools, but are paid by municipalities. These sections also reduce the amount of unemployment insurance benefits to 65% for employees receiving government pensions.

Double Poles (232) – This section allows cities and towns to enforce the statutory prohibition on keeping double poles up after ninety days, after passing a local ordinance authorizing them to do so. Penalties authorized to be imposed are limited to up to \$1,000 per occurrence.

Registers of Probate (233) – Requires registrars of probate to provide assessors with copies of petitions upon request. Assessors are charged with knowledge of records of registry of deeds and probate regarding ownership of real estate, but only registrars of deeds are required to provide them with information on transactions relating to title of real estate within their municipality. This will allow assessors to access names of deceased so they can check against their records and set up a mechanism to track and review later for disposition of property.

Small Claims Actions (234, 235) – Amends the jurisdiction of small claims court to hear all cases to collect locally assessed personal property taxes regardless of amount. This would provide tax collectors with the ability to make more effective use of lawsuits as a remedy to collect delinquent property taxes where there is personal liability only, i.e., no lien such as for personal property taxes.

Federal Public Work Borrowing (236, 237) – Eliminates the requirement that the Governor approve local borrowing for federally funded public works projects and substitutes the municipal finance oversight board

Civil Service Exemptions (241) – This section permits municipalities to exempt positions from civil service rules by vote of the governing body or executive, rather than through special legislation as is currently required to obtain an exemption from c. 31.



Montachusett Metropolitan Planning Organization

Sub-Region Selection Process for 2016

Information and Guide for Local Elected Officials

What is the Metropolitan Planning Organization (MPO) and What is Its Role?

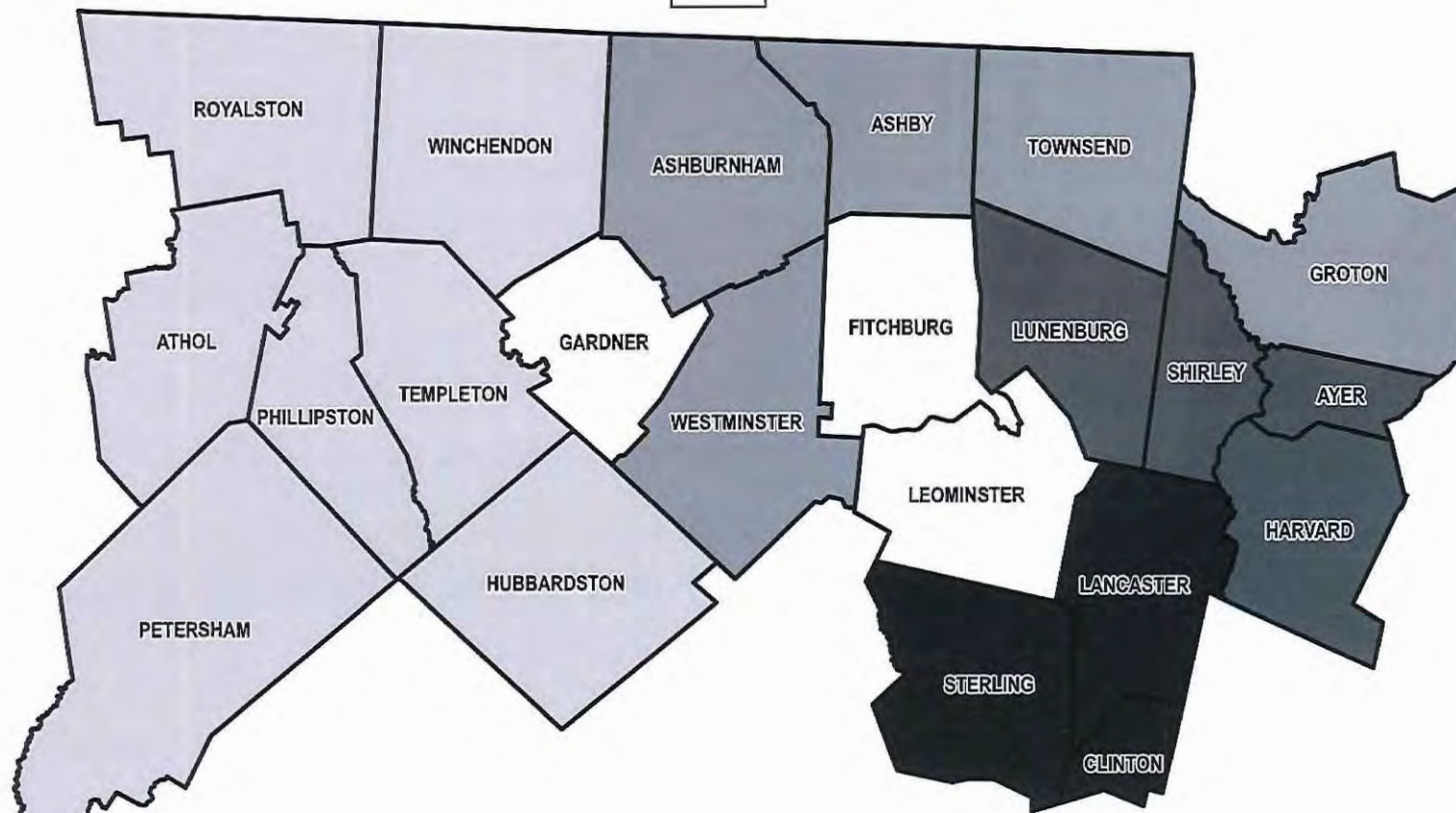
MPO's were created through federal legislation in the 1960's:

- As a Federally-mandated Transportation Policy-Making Body;
- Is Comprised of Representatives from Local Governments; and
- Seek to Ensure That Expenditures for Transportation Projects/Programs are Based on a Continuing, Cooperative and Comprehensive (3C) Planning Process.

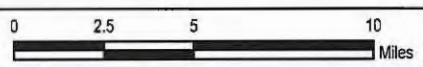
The voting members of the Montachusett MPO consist of the following officials or their designees:

- * Secretary and Chief Executive Officer of the Massachusetts Department of Transportation
- * Administrator of the Highway Division of the Massachusetts Department of Transportation
- * Chairman of the Montachusett Regional Planning Commission
- * Chairman of the Montachusett Regional Transit Authority
- * Mayor of the City of Fitchburg
- * Mayor of the City of Gardner
- * Mayor of the City of Leominster
- * AND Four Representatives from the four identified Subregions of towns in the MRPC region;
 - Subregion 1: Athol, Hubbardston, Petersham, Phillipston, Royalston, Templeton, Winchendon
 - Subregion 2: Ashburnham, Ashby, Groton, Townsend, Westminster
 - Subregion 3: Ayer, Harvard, Lunenburg, Shirley
 - Subregion 4: Clinton, Lancaster, Sterling

Montachusett Regional Metropolitan Planning Organization



DATA SOURCES: MassGIS, MassDOT and the MRPC.
 DISCLAIMER: The information depicted on this map is for planning purposes only. All data are representational and are not adequate for boundary definition, regulatory interpretation, or parcel-based analysis.
 PREPARED BY:
 Montachusett Regional Planning Commission
 GIS Department, September 2015
 81427 Water Street
 Fitchburg, MA 01420
 Phone: 978-352-7276
 Email: mrrpc@mrpc.org



Legend

- MPO Membership**
- Fitchburg/Gardner/Leominster
 - Representative Subregion 1
 - Representative Subregion 2
 - Representative Subregion 3
 - Representative Subregion 4
- Secretary & CEO of MassDOT
 - Administrator, Highway Division, MassDOT
 - Chair of the MRPC
 - Chair of MART

There are five core functions of an MPO:

1. Establish/manage a fair and impartial setting for effective regional decision making;
2. Use planning methods to generate and evaluate transportation improvement options/alternatives;
3. Develop and update a fiscally-constrained **Long Range Transportation Plan (LRTP)**;
4. Develop a fiscally-constrained **Transportation Improvement Program (TIP)**; and
5. Involve the general public and all significantly affected sub-groups in the functions listed above.

For the Montachusett MPO, the Montachusett Regional Planning Commission (MRPC) serves as staff for the MPO and assists the MPO board by preparing documents, fostering interagency coordination, facilitating public input and feedback, and managing the planning process. The MPO staff may also provide technical assessments and evaluations of proposed transportation initiatives.

One core function that is usually of greatest importance and interest to local communities is the **Transportation Improvement Program (TIP)**. In the TIP, the MPO identifies the transportation projects (both highway and transit) that it plans to undertake over the next four federal fiscal years. All projects receiving federal funding must be in the TIP. The TIP is the region's way of allocating its limited transportation resources among the various capital and operating needs of the area, based on a clear set of short-term transportation priorities.

It is in the TIP that the MPO evaluates, prioritizes and allocates the limited Federal funding for transportation projects and programs within the Montachusett Region.

It is at MPO meetings that communities can advocate for projects in their community. And it is the Subregion representative that advocates for the projects within the communities they serve.

Thus in order to administer a fair and effective MPO process, it is necessary for strong local representation on the MPO board. This is especially important for the 19 smaller communities of the Montachusett Region and their Subregion representative.

The MRPC is currently in the process of appointing new Subregion representatives for all 4 Subregions. The Subregion representative will serve a three (3) year term on the MPO. To accomplish this selection task, the MRPC has established the following procedure:

1. Staff notifies the Chief Elected Officials (CEO) of the 19 communities and solicits from each respective CEO Board potential candidates to represent their Subregion on the MPO.
2. Convene a special meeting(s) of interested CEO's to review, discuss and select four Subregion MPO representatives and alternates. The alternate will be from a different community within that Subregion.
3. Official designees for the Representative and the Alternate will be identified at the selection meeting. In addition, at the meeting the Subregions will seek to determine the process for communication with member communities regarding MPO proceedings.

What is Needed from Your Community?

1. The name of a Board of Selectmen member willing to serve as the Subregion representative on the MPO.
2. The name of a designee (i.e. town planner, DPW superintendent, other town official, etc.) who could represent the official Subregion representative at any MPO meeting.
3. Submit the name and contact information no later than February 26, 2016 to:
Brad Harris
MRPC
1427R Water Street
Fitchburg, MA 01420
bharris@mrpc.org (978) 345-7376 ext. 311

Once all communities have responded, a dinner meeting will be scheduled and all interested candidates contacted and invited. Please call Brad Harris with any questions or for more information. MRPC staff is also available to meet with any community to discuss the MPO and the selection process.

Summary

1. Montachusett MPO requires 4 representatives for the MPO signatory board from the identified MPO Subregions.
2. Subregion representatives are Board of Selectmen members.
3. Subregion representative will serve for three (3) years on the MPO board.
4. MPO meetings are held approximately once per month on the second Wednesday at 1:00 PM at MRPC Offices located at the MART Maintenance Facility, 1427R Water Street, Fitchburg MA 01420 and run from 1-1 ½ hours.
5. CEO's of the Subregion communities are asked to submit to the MRPC the name of any member interested in being the representative for their respective Subregion.
6. Representatives can designate an individual to act on their behalf at any MPO meeting. This designee can be anyone from the representatives community, i.e. Planning Department Director, DPW Superintendent, Town Administrator, etc.
7. A special dinner meeting will be scheduled where all interested candidates can meet to select a Subregion representative and alternate.
8. The MRPC acts as staff for the MPO and is available to assist the Subregion representatives in any manner appropriate to facilitate the selection process, the communication between Subregion municipalities, and any other MPO activity.

MRPC staff is available to meet at the community's request to discuss any questions regarding the MPO and the selection process.

Please contact:

Brad Harris
MRPC
1427R Water Street
Fitchburg, MA 01420
bharris@mrpc.org

(978) 345-7376 ext. 311



Municipal Code Corporation • P.O. Box 2235 Tallahassee, FL 32316
info@municode.com • 800.262.2633
fax 850.564.7492 • www.municode.com

September 30, 2015

Ms. Carly Antonellis
Assistant to the Town Administrator
Town of Ayer
1 Main Street
Ayer, MA 01432

Sent via email: cantonellis@ayer.ma.us

Dear Ms. Antonellis:

Thank you for speaking with Dennis Heller, Sales Representative with Municode. Pursuant to your conversation with Dennis, we are pleased to submit the following information and pricing for a legal review of your code.

Why Choose A Legal Review?

- Recodification can be expensive and take years to complete.
- We have devised a less expensive and faster way to accomplish a similar result.
- It begins with a legal review that provides you with a snapshot of possible conflicts and issues of concern.
- With your review completed, the conflicts and concerns can be corrected by simply republishing your code.
- However, if the issues are too numerous or complex, a full recodification may be recommended.
- Should recodification be recommended, the expense incurred in the legal review may be credited toward its cost.

What Kinds of Conflicts Develop Over Time?

- Most conflicts are caused by changes in other bodies of law, such as the state statutes.
- States continually revise their statutes.
- Ordinances based upon previous authority often end up conflicting with the state law despite no changes being made to the local law.
- In order to ensure that your code is adequately maintained, we recommend a complete legal review every 5-10 years.
- The precise time depends upon the number of ordinances you have passed and the extent to which the state statutes have evolved since your last review.

Legal Review Process.

- One of our experienced attorneys will personally conduct a chapter-by-chapter legal review of your code.
- If your concerns are more narrowly defined, we can limit the scope of our review to selected chapters or just state law references.
- This review will identify obsolete provisions, conflicts and inconsistencies with current state statutes, as well as conflicts with other code sections.
- State law citations are checked and necessary changes and additions are noted.
- Our team of full-time attorneys will produce a legal memorandum for you that includes our recommendations for curing conflicts, deleting obsolete provisions and other "housecleaning" measures.
- Your legal memorandum will be delivered in an electronic form for ease of use.
- All recommendations are intended for the use of your attorney and are not to be considered legal advice to a layperson.

Conference.

- Our attorney is available to answer questions and discuss her/his findings via teleconference, webinar or in person.
- The discussion should include all interested officials, as their participation will help expedite implementation of the approved recommendations.

Implementation of Approved Recommendations.

- Recommendations chosen for action can be incorporated into your code by passing individual amendatory ordinances, or aggregating all changes and readopting the entire code.
- If corrections are made via individual ordinances, we can issue a supplement to the existing code; however, if changes are aggregated, republishing your entire code may be more cost effective.
- An estimate for implementing the changes can be provided once the legal review is completed and the extent of changes is known.

Our Team Is Here For You.

- Municode has a team of 11 full-time attorneys that perform our legal services.
- Our attorneys are well-versed in local government law, each averaging over 20 years of codification experience.
- Our team also has the benefit of knowledge gained from decades of experience working with many local governments across the country.

Legal Review Fees¹

- | | |
|--|--------------------|
| <input type="checkbox"/> Legal review of your code of ordinances | \$900 |
| <input type="checkbox"/> Teleconference or web-based conference with a Municode attorney, per hour | \$150 ² |

Payments for Legal Review:

- | | |
|-------------------------------------|-------------|
| • Upon Execution of Agreement | \$450 |
| • Upon Delivery of Legal Memorandum | Balance Due |

If you have any questions or desire additional information, please call and speak with our Vice President of Sales, Dale Barstow or our Assistant Vice President of Sales, Steffanie Rasmussen. We are also happy to schedule a conference call or webinar with all interested parties, or meet with you personally. We are here to serve you!

Sincerely,

Dale Barstow
Vice President - Sales

DMB/nk
Cc: Steffanie Rasmussen, Assistant Vice President of Sales
steff@municode.com
800-262-2633 ext. 1148

Accepted by:

TOWN OF AYER, MASSACHUSETTS

By: _____

Title: _____

Witness: _____

Date: _____

 **COPY**

¹ Sales Tax is additional where applicable. This quote is valid for 90 days from the date indicated herein.

² Subsequent teleconferences will be billed at the rate of \$150 per hour.

Our Company

Loyalty

"I've always found everyone at Municode to be extremely helpful, friendly, and very patient. Time is always taken to assist me. It's been a pleasure working with Municode."

*- Ms. Eckles,
Stafford County,
VA*

Customers. We are the nation's largest, most advanced and most experienced codifier of local government codes of ordinances because of you! Our company was founded in March of 1951 and has published more than 4,200 Codes for local governments. We currently provide services to over 3,755 clients across the entire United States and host over 3,140 municipal codes on MunicodeNEXT.

Experience. With more than 64 years of experience, we have fine-tuned our operations to offer the most efficient and affordable codification and publishing services available. We work hard to maintain the high level of service that our clients deserve.

Facilities. Our facility in Tallahassee, Florida includes four buildings, totaling 56,000 square feet, employing over 190 employees, including 10 attorneys, 35 legal editors and 20 legal proofreaders. We have regional offices located in Loveland and Fort Collins, Colorado; Stillwater, Minnesota; Raleigh, North Carolina; Fort Worth, Dallas and Edinburg, Texas; Charlottesville, Virginia; Long Beach, California; Chicago, Illinois; Idaho; and Indiana.

Customer Service Team. Our customer service team is led by Dale Barstow, former President of the Municipal Clerks Education Foundation. His team of 15 customer service representatives is committed to making your life easier by providing you with the support you need in a professional and timely manner.

Code Team. Our code team is led by Rick Grant, former Judge Advocate General of the Navy. His team of attorneys, legal editors and legal proofreaders are the most experienced in the industry. Their goal is to work with you and your team to ensure that your code is legally sound, complete and presented in a way that makes the lives of your staff and your citizens better.

Supplement Team. Our supplement team is led by Dennis Sinnett, a 30 year Navy Veteran. His team of 55 legal editors, legal proofreaders, production support staff, and indexers are highly trained professionals. Their goal is to work with you to ensure that your code is legally accurate, updated in a timely manner and posted on the nation's most advanced online platform – MunicodeNEXT. Our supplement team believes in "value added editing." This approach ensures that your code is maintained according to the highest legal and editorial standards in the nation.

Information Technology Team. Our IT team is led by Phillip Claiborne. His team of developers works daily to ensure that our MunicodeNEXT platform leads the industry. Their goal is to listen to your needs in order to build technology that makes your online code more accessible, powerful, transparent and intuitive.

Finance Team. Our Finance team is led by Michelle Eagan. Her team of finance professionals are dedicated to you. They are here to answer questions and provide you with the information you need for budgeting, payments and planning.

Direct Line. Our team of professionals are here for you and is trained to answer any questions you may have. In addition to our amazing team, you will always have a direct line to the top via our Chairman/CEO, Lawton Langford (son of founder), or me, Eric Grant, President. We are available by phone or email at LawtonL@municode.com and eric@municode.com, should you ever need our assistance.

Resumes

Lawton Langford, Esq., Chairman & CEO. Lawton attended Vanderbilt University with a double major in Economics and Business Administration. His post-graduate degrees are a Juris Doctor from the FSU College of Law and a Masters of Business Administration from the FSU College of Business. Lawton is a member of the Florida Bar.

Eric Grant, Esq., President. B.S., U.S. Naval Academy; M.A., Georgetown University; J.D., University of Virginia School of Law. Member of the Florida Bar. Eric served as a Tank Platoon Commander in the United States Marine Corps. As a Marine, Eric served both stateside and abroad. Eric and his unit were deployed during Operation Enduring Freedom shortly after September 11, 2001. While serving as a United States Marine, Eric served in Virginia, Kentucky, California and abroad as a member of the 15th Marine Expeditionary Unit.

Legal:

H. E. "Rick" Grant, Esq., Executive Vice President and COO. B.S., U. S. Naval Academy; J.D., Florida State University. Rick is a former naval aviator and Navy attorney (JAG Corps) who retired as the Navy's senior attorney, the Judge Advocate General of the Navy. He has been with Municode for 18 years as the C.O.O. and has headed the Code Department for the last 4 years. He has overall supervision of the legal work of all code projects. He assigns the Municode attorney, and ensures that the final product is up to Municode's demanding standards.

Alyce A. Whitson, Esq., B.A., University of South Florida; J.D., University of Florida; more than 40 years of experience in local government law; Member of Florida Bar. Alyce has completed over 600 codes and various other legal projects throughout the United States, including Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Missouri, Montana, New Hampshire, New York, North Carolina, North Dakota, Oklahoma, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, Washington, Wisconsin and Wyoming.

William J. Carroll Jr., Esq., B.S., Penn State University; J.D., Florida State University; more than 41 years of experience in local government law; Member of Florida Bar. Bill has completed hundreds of codes and legal projects throughout the United States including codes in Arkansas, Colorado, Florida, Indiana, Illinois, Kansas, Kentucky, Louisiana, Maine, Michigan, Missouri, Montana, Nevada, New Jersey, New Mexico, Pennsylvania, South Dakota, Tennessee, Texas, Virginia and Wyoming.

Roger D. Merriam, Esq., B.A., Mercer University; J.D., Emory University; more than 39 years of experience in local government law; Member of Florida Bar. Roger has reviewed Codes in all 50 states and completed Codes in multiple states including Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Massachusetts, Maine, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Rhode Island, South Dakota, South Carolina, Tennessee, Texas, Virginia, West Virginia and Wisconsin.

Daniel F. Walker, Esq., B.S., Florida Southern College; J.D., Georgia State University College of Law. 8 years of private practice; 15 years of experience in local government law. Active member of Florida and South Carolina Bars, also admitted to practice before the Supreme Court of the United States and the U.S. Court of Appeals for the Armed Forces. Dan has completed code projects in South Carolina, North Carolina, Virginia, Texas, Louisiana, Mississippi, Alabama, Georgia, West Virginia, Illinois, and New Mexico.

Jim Jenkins, Esq., B.A., Eckerd College; J.D., University of Maryland School of Law; Former Appellate Attorney and Trial Prosecutor for the Kings County District Attorney's Office, Brooklyn, New York; 19 years of experience in complex legal research and litigation; 8 years of experience in local government law. Jim has completed Codes in Alabama, California, Georgia, Louisiana, Maryland, New Hampshire, South Carolina, Texas, Utah, Washington and Wisconsin.

Sandra S. Fox, Esq., B.A. (Summa Cum Laude) Florida State University; J.D. (Magna Cum Laude), Florida State University; 13 years of experience in legal research and writing; 10 years of experience in local government law. Sandra has completed over 200 codes and various other legal projects in Alaska, Alabama, Florida, Georgia, Illinois, Kansas, Maine, Michigan, Minnesota, Montana, Oklahoma, Missouri, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, and Wisconsin.

Sally E. Raines, Esq., B.A. (cum laude), University of Florida; J.D., University of Florida - Levin College of Law. Sally started with Municode in 2013 and is gaining experience working in local government law in Florida, Georgia and Texas. Sally is a Member of the Florida Bar and the Texas Bar.

Julie E. Lovelace, Esq., B.A., University of North Carolina - Chapel Hill; J.D., Samford University Cumberland School of Law; 25 years of experience in local government law (11 years as Senior Assistant County Attorney for Leon County, Florida, 14 years in private practice); member of the Florida Bar. Also admitted to practice before the U.S. Court of Appeals for the Eleventh Circuit, U.S. District Court for the Middle District of Florida and U.S. District Court for the Northern District of Florida.

Mary Margaret Bielby, Esq., B.A. (cum laude), Florida State University; Masters Certificate in Project Management, Florida State University; J.D., Samford University Cumberland School of Law. Experience in local government law and civil and criminal law at the federal level.

William "Bill" Sweeney, Esq., B.S., University of Montana; J.D., University of Montana; LLM (Criminal Law), The Army Judge Advocate General School; M.A. (National Security and Strategic Studies), Naval War College. Former Navy Attorney for 21 years, retiring as Captain. Bill also has 7 years of experience in local government law, 3 as Assistant County Attorney. Member of Montana Bar. Also admitted to practice before U.S. District Court of Montana and U.S. Court of Appeals of Armed Forces.

Project Coordinators/Customer Service:

Dale Barstow, Vice President of Sales & Pilot of Municode's Corporate Airplane. Graduate from Embry-Riddle Aeronautical University; Honorary Town Clerk in 5 States; former Municipal Clerks Education Foundation President of 14 years; Dale has over 40 years of experience in client sales. Dale meets with our customers to ensure face to face communication and coordination.

Steffanie W. Rasmussen, Assistant Vice President of Sales. M.S., Industrial & Organizational Psychology, Kansas State University; B.S., Business Psychology, Florida State University; Certificate in Performance Management, Florida State University. She is communication, efficiency and customer service driven.

Editorial Staff:

Dennis J. Sinnett, Vice President of Supplements. B.S., United States Naval Academy; M.A.S., Embry-Riddle Aeronautical University. A former Naval aviator with over 30 years of leadership experience, he is the supervisor of the Supplement Department.

Information Technology:

Phillip Claiborne, Chief Information Officer. B.S., Management Information Systems, Florida State University; M.B.A., University of Florida; CompTIA Certified A+, Net+, Security+, Microsoft Certified Systems Administrator. Phil has over 13 years of extensive experience supporting, designing and administering corporate network environments.

Elliot Haworth, Senior Web Application Developer. B.A., Computer Science, Mercer University. Elliot has over 11 years' experience developing desktop and web applications. Relevant areas of expertise include the .Net MVC Framework, client-side MVC/MVVM frameworks such as backbone and angular and restful API development.

Philip Holly, Senior Web Application Developer. B.S., Computer Science, Georgia Tech. Philip has over 8 years of experience architecting and building enterprise web applications.

George Powell, IT Director. B.S., Management, Park University; Microsoft Certified Systems Engineer, VMWare VCP 4.0. 18 years of extensive experience supporting, designing and administering corporate computing environments.

What Our Clients Say about Partnering With Us

"We were not only impressed with the services and products provided by Municode but the speed in which it all took place. Our Legislative Body and Administration were pleased with the new code books and the pricing we received. Thank you for producing this great product with such professionalism. We look forward to our continued relationship with Municode."

"We certainly couldn't have done it without your team. MCC is a very customer oriented company."

"I find everyone at Municode delightfully friendly and helpful. You are all very professional. It's apparent that you all care a great deal about good customer service. That is wonderfully refreshing as it is so hard to find anymore."

"I am extremely satisfied with Municipal Codes Corporation's performance and customer assistance. Not many companies provide such excellent services."

"You have personally demonstrated excellent service, diligence and concern for the integrity of our code and the integrity of the product your company produces. Please know your efforts are very much appreciated!"

"We appreciate the superior customer service you have provided. I can't tell you how nice it is to have people that will work with you."

"You are true professionals and great to work with!"

"Thank you for the tremendous job that you do for us. You always make me look good as the Clerk and I truly appreciate your services."

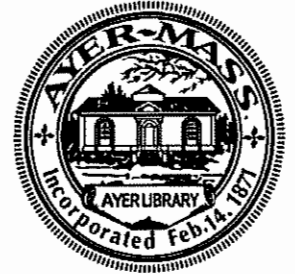
"WONDERFUL!!! Thanks for making my life easier, I really appreciate all that you do!"

"Your diligence, care, command over the process and attention to details have been exceptional. Moreover, what also helps set you apart from most of those in your line of work is that, you are readily accessible and exceedingly responsive. I hope that my clients are as pleased with me as I am with you."

"I really enjoy working with you! Your responsiveness and enthusiasm are greatly appreciated!!"



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



Tuesday February 9, 2016
Meeting Minutes

Broadcast and Recorded by APAC

Present: Jannice L. Livingston, Chair; Gary J. Luca, Vice-Chair
Robert A. Pontbriand, Town Administrator
Carly M. Antonellis, Assistant to the Town Administrator

Absent: Christopher R. Hillman, Clerk

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

Review and Approve Agenda: A motion was made by G. Luca and seconded by J. Livingston to approve the agenda. **Motion passed 2-0.**

Finance Committee Chair Scott Houde announced that the Finance Committee did not have a quorum, but both he and Finance Committee member Pauline Conley were in attendance.

Presentation of Ayer Shirley Regional School District FY' 17 Budget: Dr. Mary Malone, ASRSD School Committee member Pat Kelly, and Director of Finance William Plunkett gave a Power Point presentation regarding the proposed FY' 17 ASRSD budget. The recommended budget is \$29,625,627 which is an increase of \$802,211 or 2.8%. She stated that the budget was guided by many factors, but primarily: academic excellence, social and emotional well-being of students, safe and adequate and secure environments and reasonable class size.

Dr. Malone stated that she was presenting the second iteration of the budget with the most updated figures being incorporated from the Governor's budget, which was released in late January.

The proposed increase for the Town of Ayer's FY 2017 Assessment is \$251,135 or a 2.6% increase from FY 2016. The proposed increase for the Town of Shirley's FY 2017 Assessment is \$506,564 or a 8.2% increase from FY 2016. The total proposed FY 2017 increase for the ASRSD Assessment is \$757,699 or a 4.7% increase from FY 2016.

The Ayer Board of Selectmen found the proposed FY 2017 Budget and Ayer's portion of the ASRSD Assessment for FY 2017 to be reasonable and to enable the ASRSD to continue to grow and succeed as a regional school district.

R. Pontbriand thanked Dr. Malone and the School Committee for providing a three-year Capital Budget as this is something both Towns and the District have been looking for since regionalization in 2011. The

Capital Budget will allow the ASRSD and the Town's to work together to plan for capital, infrastructure, and facility improvements for the ASRSD.

The ASRSD School Committee is scheduled to take an official vote to set the FY 2017 Budget on March 1, 2016.

ASRSD School Committee member Pat Kelly stated that if the Legislature increases Ch. 70, then the assessments will be adjusted accordingly. He also thanked the Town of Ayer for voting to approve, at the Fall Special Town Meeting of 2015, the creation of a capital stabilization fund.

Finance Committee member S. Houde asked if there was an overall plan for the future of Page Hilltop Elementary School because of its overall aging condition. P. Kelly stated that the School Committee has asked Dr. Malone to start putting information together for a long-term plan.

Adjournment:

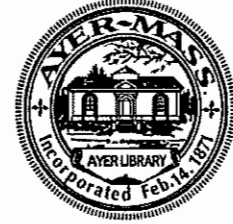
Motion: A motion was made by G. Luca and seconded by J. Livingston to adjourn at 7:45 PM . **Motion passed 3-0.**

Minutes Recorded and Submitted by Carly M. Antonellis

Minutes Approved by BOS: _____

Christopher R. Hillman, Clerk: _____

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



Tuesday February 16, 2016
Meeting Minutes

Broadcast and Recorded by APAC

Present: Gary J. Luca, Vice-Chair; Christopher R. Hillman, Clerk
Robert A. Pontbriand, Town Administrator
Carly M. Antonellis, Assistant to the Town Administrator

Absent: Jannice L. Livingston, Chair

Call to Order: G. Luca called the meeting to order at 7:13 PM.

Review and Approve Agenda: R. Pontbriand asked to amend the agenda by adding two (2) amendments: #3 under the DPW Superintendent's Report "Hiring of Highway Division Utility Person" and #7 under the Town Administrator's report "Opening of Annual Town Meeting Warrant". C. Hillman asked M. Wetzel to speak about West Main Street under his report.

Motion: A motion was made by G. Luca and seconded by C. Hillman to approve the agenda, as amended.
Motion passed 2-0.

Announcements: G. Luca made the following announcements:

- Nomination papers for the Monday, April 25, 2016 Ayer Annual Town Election are now available.
- There is a "Cell Phones for Soldiers" collection box at Town Hall.
- A Winter Parking Ban is in effect until April 15, 2016.

Special Presentation to the Town of Ayer: Ayer Fire Department Lieutenant Charles Dillion presented the Town of Ayer with a wood shield hand carved in East Africa during a deployment there. He offered it to the Town on behalf of their support of his military service.

Public Input: None

Chief William A. Murray, Ayer Police Department: Chief Murray introduced Mr. Casey Scott as his recommendation for the position of Reserve Officer. Mr. Scott was formerly a Reserve Police Officer and Fulltime Dispatcher. He recently graduated from the Municipal Police Training Committee Police Academy.

Motion: A motion was made by C. Hillman and seconded by G. Luca to appoint Mr. Casey Scott as a Reserve Officer, effective immediately. **Motion passed 2-0.**

Superintendent Mark L. Wetzel, Department of Public Works: M. Wetzel and Town Engineer Dan Van Schalkwyk made a presentation on the following:

Complete Streets Policy – M. Wetzel presented the BOS with a DRAFT Policy on Complete Streets for their consideration. MassDOT has implemented and funded a Complete Streets program, which provides grant funding for communities to plan and construct complete street projects. M. Wetzel compiled the policy with guidance from MassDOT and the National Complete Streets Coalition.

Motion: A motion was made by C. Hillman and seconded G. Luca to adopt the Complete Streets Policy as presented by DPW Superintendent M. Wetzel. **Motion passed 2-0.**

Order of Takings for 2015 Fall Town Meeting Accepted Streets – D. Van Schalkwyk explained that he and Town Counsel have been working on the Order of Takings, which is the next step in the formal street acceptance process. Six (6) streets (Samantha Lane, Hibiscus Lane, Magnolia Drive, Mulberry Circle, Calvin Street Extension and Blueberry Circle) were accepted in Article 11 of the 2015 Fall Special Town Meeting.

Motion: A motion was made by C. Hillman and seconded by G. Luca to Execute the Order of Takings for Samantha Lane, Hibiscus Lane, Magnolia Drive, Mulberry Circle, Calvin Street Extension and Blueberry Circle as outlined by the DPW Engineer. **Motion passed 2-0.**

Highway Utility Position Recommendation - M. Wetzel introduced Mr. Michael Fleming of Shirley as his recommended candidate for the Highway Utility position.

Motion: A motion was made by C. Hillman and seconded by G. Luca to appoint Mr. Michael Fleming to the position of Highway Utility Position effective February 29, 2016 pending successful physical fitness exam and drug/alcohol testing. **Motion passed 2-0.**

West Main Street – At C. Hillman's request, M. Wetzel explained that he and C. Hillman were thinking about getting the group of West Main Street property owners together to discuss a conceptual development plan.

Town Administrator's Report: R. Pontbriand introduced Ms. Sandra Bean, the recommended candidate for the Administrative Coordinator position. R. Pontbriand stated that Ms. Bean had a very impressive resume, interviewed well and had excellent references.

Motion: A motion was made by C. Hillman and seconded by G. Luca to appoint Ms. Sandra Bean to the new position of Administrative Coordinator position effective March 1, 2016. **Motion passed 2-0.**

Administrative Update – R. Pontbriand gave an administrative which included the most recent OPEB Trust balance and an update of the FY'17 budget process.

Planning Board – R. Pontbriand reported that Town Clerk Susan Copeland had informed him that Rick Roper, member of the Planning Board, had resigned because he moved out of Town. Town Counsel has reviewed the vacancy and has recommended that the open position be placed on the April 2016 election ballot.

Opening of Town Meeting Warrant -

Motion: A motion was made by G. Luca and seconded by C. Hillman to open the Annual Town Meeting Warrant effective immediately. The warrant will close and all citizen petitions are due on April 8, 2016 at 12:00 PM. **Motion passed 2-0.**

March BOS Meeting Calendar— R. Pontbriand explained that because of the March 1, 2016 Presidential Primary there can be no public meetings, per the Secretary of State's office. Therefore he is suggesting that the BOS meet on March 8, 2016 and March 22, 2016.

2015 BOS Annual Report – R. Pontbriand informed the BOS that their annual report is due March 4, 2016 and to start thinking about what they would like included.

Letter of Support Sandy Pond School Association Application for CPC Funding – R. Pontbriand explained a request from Mr. Irving Rockwood, the Vice President of the Sandy Pond School Association, requesting a letter of support from the BOS for their upcoming hearing with the Community Preservation Committee (CPC).

Motion: A motion was made by G. Luca and seconded by C. Hillman to authorize Town Administrator Robert A. Pontbriand to write a letter of support on behalf of the BOS to the CPC for the Sandy Pond School Association. **Motion passed 2-0.**

Town Meeting and FY 2017 Budget Calendar – R. Pontbriand presented a working DRAFT of the FY'17 Town Meeting and budget calendar.

New Business/Selectmen's Questions: G. Luca deferred his scheduled agenda item (FY' 17 Budget Discussion) because R. Pontbriand already covered it in the Administrative Report.

C. Hillman asked if the Town had heard back from the Attorney General's office as it relates to the proposed Nuisance Bylaw that was passed by the 2015 Special Fall Town Meeting. R. Pontbriand advised that the Town has not heard back.

Approval Meeting Minutes:

Motion: A motion was made by C. Hillman and seconded by G. Luca to approve the meeting minutes of February 2, 2016. **Motion passed 2-0.**

Adjournment:

Motion: A motion was made by G. Luca and seconded by C. Hillman to adjourn at 8:48 PM. **Motion passed 2-0.**

Minutes Recorded and Submitted by Carly M. Antonellis

Date Minutes Approved by BOS: _____

Christopher R. Hillman, Clerk: _____