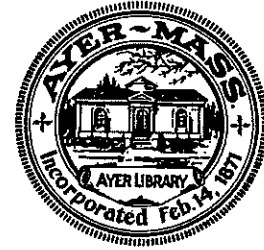


RECEIVED
TOWN CLERK
TOWN OF AYER

2016 APR 29 AM 9: 54 *Y*

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



Tuesday May 3, 2016
Executive Session Meeting Agenda

- 6:45 PM Call to Order in Open Session
- 6:50 PM Executive Session Pursuant to MGL Chapter 30A, Section 21A
1. Review and Approval of Previous Executive Session Minutes Re: Depot Square Access Property
- 6:55 PM Adjourn from Executive Session and Reconvene into Open Session

Tuesday May 3, 2016
Open Session Meeting Agenda

- 7:00 PM Call to Order
Review and Approve Agenda; Announcements
- 7:05 PM* Public Input
- 7:10 PM Chief William A. Murray, Ayer Police Department
1. Appointment of Detail Officers & Special Police Officers
- 7:15 PM Ms. Susan Copeland, Tax Collector, Town Clerk and Treasurer
1. Appointment of Assistant Treasurer
- 7:20 PM Reserve Fund Transfer Request
1. Kevin Johnston, Benefits & Payroll Manager (FICA/Medicare Expenses)
- 7:25 PM Town Engineer Dan Van Schalkwyk
1. Award of Pleasant Street Reconstruction Project Bid
- 7:30 PM Town Administrator's Report
1. Administrative Update
2. Approval of UDAG Funds of \$10,000 (not to exceed) for Underground Tank Removal at Old Fire Station
3. Report of Approved Executive Session Items
4. Discussion of FY 2017 Budget and Town Meeting Warrant
- 7:45 PM New Business/Selectmen's Questions
- 7:55 PM Approval Meeting Minutes
April 19, 2016
- 8:00 PM Reorganization of the Board of Selectmen

Adjournment

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



AYER POLICE DEPARTMENT

54 Park Street • Ayer, Massachusetts 01432-1161
Tel. (978) 772-8200 • Fax (978) 772-8202



William A. Murray
Chief of Police

RECEIVED
APR 27 2016

TOWN OF AYER
SELECTMEN'S OFFICE

MEMORANDUM

To: Board of Selectmen
From: Chief William A. Murray
CC: TA Pontbriand, file
Date: April 27, 2016
Re: Detail Officer Appointments

Erik Salo – Ashby
Glenn Casey – Ashby
Jeffrey J. Giles – Townsend



AYER POLICE DEPARTMENT

54 Park Street · Ayer, Massachusetts 01432-1161
Tel. (978) 772-8200 · Fax (978) 772-8202



William A. Murray
Chief of Police

RECEIVED

APR 27 2016

TOWN OF AYER
SELECTMEN'S OFFICE

MEMORANDUM

To: Board of Selectmen
From: Chief William A. Murray
CC: TA, file
Date: April 27, 2016
Re: Special Appointments

I respectfully request that the Board of Selectmen appoint the attached list of officers, from the towns of Shirley and Groton, as Special Police Officers for the Town of Ayer for fiscal year 2017. As these towns border Ayer it has been a long time practice to make this appointment to cover jurisdictional concerns should one of these officers need to conduct police business in Ayer. In like kind the officers of our department will be appointed as Specials in these towns.



TOWN OF SHIRLEY POLICE DEPARTMENT

11 Keady Way
Shirley, Massachusetts 01464

DEPARTMENT/OPERATIONS
978-425-2642
FAX: 978-425-2646

RECORDS BUREAU
978-425-2644
FAX: 978-425-2646

EXECUTIVE ASSISTANT
978-425-2644
FAX: 978-425-2646

CHIEF OF POLICE
978-425-2645
FAX: 978-425-2646
tgoulden@shirley-mapd.org

THOMAS J. GOULDEN II
CHIEF OF POLICE

TO: Chief of Police, Lunenburg
Chief of Police, Ayer
Chief of Police, Groton
Chief of Police, Harvard
Chief of Police, Lancaster
Chief of Police, Littleton

FROM: Chief Thomas J. Goulden

DATE: April 21, 2016

RE: Appointments – FY 2017

Dear Chief,

I would respectfully request you appoint the following officers as Special Police Officers in your town for fiscal year 2017:

Sergeant Peter Violette
Sergeant Alfreda Cromwell
Sergeant Samuel Santiago

Ptl. Craig K. LaPrade
Ptl. Everett W. Moody, Jr.
Ptl. Matthew Euliano
Ptl. William McGuinness
Ptl. Joseph Barker-Santiago

R.O. Alan Rice
R.O. Ian Brown
R.O. Mark Lafferty
R.O. David Lange
R.O. Matthew O'Sullivan
R.O. Ryan Strianese

Please fax (978.425.2646) or email pcallahan@shirley-ma.gov your list of officers to be appointed Specials in the Town of Shirley as soon as possible. Thank you.

Sincerely,

Thomas J. Goulden
Chief of Police

RECEIVED

APR 27 2016



GROTON POLICE DEPARTMENT

Office of the Chief of Police

99 Pleasant Street
Groton, MA 01450



Donald L. Palma, Jr.
Chief of Police

Tel: (978) 448-5555
Fax: (978) 448-5603

To: Chief David Scott, Pepperell
Chief Robert Eaton, Townsend
Chief Matthew King, Littleton
Chief Richard Howe, Tyngsborough

Chief James G. Downes, III, Dunstable
Chief Thomas Goulden, Shirley
Chief Thomas McEnaney, Westford
Chief William A. Murray, Ayer

From: Chief Donald L. Palma, Jr.

Date: April 1, 2016

RE: Appointments – FY2017

I would respectfully request that you reappoint the following officers as Special Police Officers in your town for fiscal year 2017:

Chief Donald L. Palma, Jr.
 Sgt. Derrick J. Gemos
 Sgt. Paul R. Connell
 Det. Cory E. Waite
 Det. Rachael E. Mead

Deputy Chief James A. Cullen, III
Sgt. Edward P. Sheridan, Sr.
Sgt. Jason M. Goodwin
Det. Michael A. Lynn

Ptl. Nicholas C. Beltz
 Ptl. Robert L. Breault
 Ptl. Peter S. Breslin
 Ptl. Gordon A. Candow
 Ptl. Omar A. Connor
 Ptl. Timothy Cooper
 Ptl. Kevin T. Henehan
 Ptl. Dale P. Rose
 Ptl. Gregory W. Steward
 Ptl. Patrick A. Timmins

R.O. Edward J. Bushnoe
 R.O. Stephen C. McAndrew
 R.O. Victor J. Sawyer
 R.O. Kathleen Newell
 R.O. Michael F. Ratte

Should you have any questions please do not hesitate to contact my office.

Respectfully,

Donald L. Palma, Jr.,
Chief of Police



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APR 28 2016
TOWN OF AYER
SELECTMEN'S OFFICE

April 28, 2016

Dear Honorable Selectmen,

In accordance with MGL Chapter 41, Section 39A, I respectfully recommend the appointment of Mr. Kevin Johnston as Ayer Assistant Treasurer effective May 3rd, 2016.

Sincerely,

Susan E. Copeland

Tax Collector, Town Clerk, and Treasurer

RECEIVED

APR 27 2016

TOWN OF AYER
SELECTMEN'S OFFICE



Town of Ayer
Benefits and Payroll Department

1 Main Street – Ayer, Massachusetts - 01432
Kevin A. Johnston, Benefits and Payroll Manager

Tel: (978) 772-8248
Fax: (978) 772-3017

Memorandum

Date: April 27, 2016

To: Board of Selectmen

From: Kevin A. Johnston, ^{HAS} Benefits & Payroll Manager

Subject: Reserve Fund Transfer

I am requesting approval of a Reserve Fund Transfer (RFT) in the amount of \$12,000 for Account 01919-51740, FICA/Medicare Expenses. A Reserve Fund Transfer Request form is attached (encl 1).

The FY16 FICA/Medicare budget currently has a balance of \$3,664.09. The average bi-weekly payroll Medicare expense in FY16 is \$3,565.06 and there are four bi-weekly payrolls remaining in the fiscal year. The estimated FY16 Medicare Expense deficit is (\$10,170). This RFT is needed to supplement the Medicare expense budget because the budget has been underfunded based on prior year actual expenses and the continued volume of police details. An analysis of the FY16 payroll Medicare expenses (encl 2) and a Budget Report from the Accountant (encl 3) are provided. The RFT request for \$12,000 will provide funding for Medicare payroll expenses for the balance of the fiscal year. Any surplus in the FICA/Medicare budget line in FY16 will close out to free cash. The FY17 budget request has been adjusted with the hope of reducing the need for an RFT next year.

I am available at your convenience to discuss this matter with you and answer any questions. Thank you for your consideration of this request.

Enclosures as

cc: Town Administrator
Town Accountant
Treasurer
Finance Committee

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: \$12,000



2 To be transferred to:
A. Account Name: FICA/MEDICARE EXPENSES
B. Account #: 01919-51740

3 Present balance in budget \$3,664.09


4 The amount requested will be used for (please attach supporting information):
FUNDING PAYROLL MEDICARE EXPENSES FOR THE REMAINDER OF THE FISCAL YEAR.

5 The expense is extraordinary or unforeseen for the following reason(s):
ANALYSIS INDICATES THAT THE FY16 BUDGET WAS UNDERFUNDED BASED ON PRIOR YEAR ACTUALS AS WELL AS CONTINUED HIGH VOLUME OF UNPROGRAMMED POLICE DETAILS.

4-27-16
Date

Kem A Johnston
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

Town of Ayer
Benefits & Payroll Office
Payroll Medicare Expense Analysis
FY 2016

<u>Payroll Number</u>	<u>Date of Payroll</u>	<u>Payroll Medicare Expense</u>		<u>Avge FYTD</u> \$
				\$ 3,565.06
1601	7/9/2015	\$ 4,374.98	Actual	
1603	7/23/2015	\$ 3,803.94	Actual	
1605	8/6/2015	\$ 3,623.36	Actual	
1605A	8/6/2015	\$ 6.96	Actual	
1607	8/20/2015	\$ 3,431.42	Actual	
1607A	8/20/2015	\$ 2.90	Actual	
1609	9/3/2015	\$ 3,476.14	Actual	
1611	9/17/2015	\$ 3,488.58	Actual	\$ 22,208.28
1613	10/1/2015	\$ 3,702.29	Actual	
1615	10/15/2015	\$ 3,733.46	Actual	
1617	10/29/2015	\$ 3,824.30	Actual	
1619	11/12/2015	\$ 4,176.85	Actual	
1621	11/26/2015	\$ 3,643.38	Actual	
1621V	11/26/2015	\$ (50.02)	Actual	
1621A	11/26/2015	\$ 50.02	Actual	
1623	12/10/2015	\$ 3,609.36	Actual	
1625	12/24/2015	\$ 3,586.34	Actual	\$ 26,275.98
1229A	12/29/2015	\$ (3.22)	Actual	
1230V	12/30/2015	\$ (14.50)	Actual	
1231	12/30/2015	\$ 29.00	Actual	\$ 26,287.26
1627	1/7/2016	\$ 3,266.20	Actual	
1629	1/21/2016	\$ 3,574.90	Actual	
1631	2/4/2016	\$ 3,363.88	Actual	
1633	2/18/2016	\$ 3,296.77	Actual	
1635	3/3/2016	\$ 3,284.14	Actual	
1637	3/17/2016	\$ 3,071.43	Actual	
1639	3/31/2016	\$ 3,298.65	Actual	\$ 23,155.97
1641	4/14/2016	\$ 3,366.65	Actual	
1643	4/28/2016	\$ 3,434.38	Actual	
1645	5/12/2016	\$ 3,565.06	Estimate	
1647	5/26/2016	\$ 3,565.06	Estimate	
1649	6/9/2016	\$ 3,565.06	Estimate	
1651	6/23/2016	\$ 3,565.06	Estimate	\$ 21,061.27
FY16 Estimated Total Expense		\$ 92,712.78		
FY16 Adjustments		\$ 468.63		
FY16 Budget		\$ 81,648.00		
FY16 RFT		\$ 12,000.00		
Estimated surplus/(deficit)		\$ 1,403.85		

filename: z:\excel\Town of Ayer\FY16\Medicare Expense Workbook.xls
 prepared by: kaj
 date: 04/27/16

FOR 2016 10

JOURNAL DETAIL 2016 1 TO 2016 10

ACCOUNTS FOR:	ORIGINAL	TRANFRS/	REVISED		AVAILABLE	PCT
001 GENERAL FUND	APPROP	ADJSTMTS	BUDGET	YTD EXPENDED	ENCUMBRANCES	BUDGET USED

01919 OTHER EMPLOYEE BENEFITS						

01919 51740 FICA MEDICARE	81,648	0	81,648	77,983.91	.00	3,664.09 95.5%*
2016/01/000096 07/09/2015 PRJ	4,374.98	REF 1601			WARRANT=1601	RUN=2 BI-WEEKL
2016/01/000197 07/20/2015 PRJ	3,803.94	REF 1603			WARRANT=1603	RUN=2 BI-WEEKL
2016/01/000484 07/17/2015 GCR	-87.38	REF 23			CDBG&UDAG MEDI FY15	
2016/01/000508 07/01/2015 BUC	81,648.00	REF			ORIGINAL BUDGET 2016	
2016/01/000525 07/01/2015 GEN	62.22	REF 40			REVERSE FY15 J/E303	
2016/01/000525 07/01/2015 GEN	25.16	REF 40			REVERSE FY15 J/E303	
2016/02/000011 08/06/2015 PRJ	3,623.36	REF 1605			WARRANT=1605	RUN=2 BI-WEEKL
2016/02/000052 08/06/2015 PRJ	6.96	REF 1605A			WARRANT=1605A	RUN=3 MISC
2016/02/000161 08/20/2015 PRJ	3,431.42	REF 1607			WARRANT=1607	RUN=2 BI-WEEKL
2016/02/000165 08/20/2015 PRJ	2.90	REF 1607A			WARRANT=1607A	RUN=3 MISC
2016/02/000317 08/31/2015 PRJ	3,476.14	REF 1609			WARRANT=1609	RUN=2 BI-WEEKL
2016/02/000354 08/21/2015 GCR	-75.72	REF 23			CDBG & UDAG MEDI JULY 2015	
2016/03/000124 09/17/2015 PRJ	3,488.58	REF 1611			WARRANT=1611	RUN=2 BI-WEEKL
2016/03/000304 09/30/2015 PRJ	3,702.29	REF 1613			WARRANT=1613	RUN=2 BI-WEEKL
2016/03/000357 09/17/2015 GCR	-66.76	REF 20			REIM CDBG & UDAG MEDI AUG	
2016/03/000374 09/01/2015 GEN	60.77	REF 93			ADJ ADD'L FICA 6/30/15	
2016/04/000147 10/15/2015 PRJ	3,733.46	REF 1615			WARRANT=1615	RUN=2 BI-WEEKL
2016/04/000320 10/29/2015 PRJ	3,824.30	REF 1617			WARRANT=1617	RUN=2 BI-WEEKL
2016/05/000140 11/12/2015 PRJ	4,176.85	REF 1619			WARRANT=1619	RUN=2 BI-WEEKL
2016/05/000311 11/25/2015 PRJ	3,643.38	REF 1621			WARRANT=1621	RUN=2 BI-WEEKL
2016/05/000330 11/25/2015 PRJ	50.02	REF 1621A			WARRANT=1621A	RUN=3 MISC
2016/05/000336 11/25/2015 PRJ	-50.02	REF 1621V			WARRANT=1624V	RUN=V VOID
2016/05/000366 11/06/2015 GCR	-79.20	REF 8			CDBG & UDAG MEDICARE SEPT	
2016/06/000132 12/10/2015 PRJ	3,609.36	REF 1623			WARRANT=1623	RUN=2 BI-WEEKL
2016/06/000263 12/24/2015 PRJ	3,586.34	REF 1625			WARRANT=1625	RUN=2 BI-WEEKL
2016/06/000312 12/29/2015 PRJ	-3.22	REF 1229V			WARRANT=1229V	RUN=V VOID
2016/06/000313 12/30/2015 PRJ	-14.50	REF 1230V			WARRANT=1230V	RUN=V VOID
2016/06/000314 12/31/2015 PRJ	29.00	REF 1231SR			WARRANT=1231	RUN=3 MISC
2016/06/000371 12/31/2015 GCR	-161.27	REF 26			CDBG & UDAG MEDICARE	
2016/07/000011 01/07/2016 PRJ	3,266.20	REF 1627			WARRANT=1627	RUN=2 BI-WEEKL
2016/07/000167 01/21/2016 PRJ	3,574.90	REF 1629			WARRANT=1629	RUN=2 BI-WEEKL
2016/07/000330 01/30/2016 PRJ	3,363.88	REF 1631			WARRANT=1631	RUN=2 BI-WEEKL
2016/07/000369 01/14/2016 GCR	-49.90	REF 18			CDBG & UDAG MEDIC DECEMBER	
2016/08/000198 02/18/2016 PRJ	3,296.77	REF 1633			WARRANT=1633	RUN=2 BI-WEEKL
2016/08/000389 02/29/2016 PRJ	3,284.14	REF 1635			WARRANT=1635	RUN=2 BI-WEEKL
2016/08/000444 02/12/2016 GCR	-48.23	REF 15			CDBG & UDAG MEDICARE	
2016/09/000199 03/17/2016 PRJ	3,071.43	REF 1637			WARRANT=1637	RUN=2 BI-WEEKL
2016/09/000424 03/31/2016 PRJ	3,298.65	REF 1639			WARRANT=1639	RUN=2 BI-WEEKL
2016/09/000488 03/11/2016 GCR	-48.32	REF 15			JAN. & FEB. CDBG & UDAG	
2016/10/000153 04/14/2016 PRJ	3,366.65	REF 1641			WARRANT=1641	RUN=2 BI-WEEKL
2016/10/000321 04/28/2016 PRJ	3,434.38	REF 1643			WARRANT=1643	RUN=2 BI-WEEKL

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

RECEIVED
APR 27 2016

TOWN OF AYER
SELECTMEN'S OFFICE

Date: April 27, 2016
To: Board of Selectmen
From: Daniel Van Schalkwyk, P.E., Town Engineer
Subject: **May 3rd Meeting Agenda Item**

1. Award of Pleasant Street Reconstruction Project Bid – See attached Recommendation of Award for execution by the Board.

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

April 27, 2016

Board of Selectmen
Town of Ayer
Town Hall
1 Main Street
Ayer, MA 01432

RE: Pleasant Street Reconstruction Project Contract Award

Dear Board Members:

The Department of Public Works opened bids for the Pleasant Street Reconstruction Project on April 22, 2016. A total of 9 bids were received. The results of the three (3) low bidders were as follows:

Bidder	Base Bid	Add Alternate New Sign Posts	Base Bid + Add Alternate
Ricciardi Bros., Inc.	\$830,416.45	\$3,150.00	\$833,566.45
N. Granese & Sons, Inc.	\$924,845.25	\$6,750.00	\$931,595.25
A.F. Amorello & Sons, Inc.	\$963,060.90	\$1,800.00	\$964,860.90

Based on our review of the bids, MassDOT prequalification, experience, and references, I recommend that the Town award the contract to Ricciardi Bros., Inc. of Worcester, MA for the Base Bid plus add alternate amount of \$833,566.45. Attached is the Notice of Award. If you concur with this recommendation, I will notify the contractor and have them prepare contracts, bonds and insurance certificates for execution by the Board.

Should you have any questions or comments, please do not hesitate to contact me.

Regards,

AYER DEPARTMENT OF PUBLIC WORKS

Dan Van Schalkwyk, P.E.
Town Engineer



NOTICE OF AWARD

To: Ricciardi Bros., Inc.

From: Town of Ayer

Date: May 3, 2016

Subject: Award of Contract / Project

Project Description: Pleasant Street Reconstruction Project

The Town of Ayer has considered the BID submitted by you for the above-described work in response to its Invitation to Bid and Instruction to Bidders, opened on April 22, 2016.

You are hereby notified that your BID has been accepted; labor and materials in the amount of \$833,566.45. This amount includes add alternate item #19a.

Please be informed that the General Contractor and all filed Sub Contractors *MUST* attend the Preconstruction Conference.

You are required by the Instructions to Bidders to supply the Town of Ayer Department of Public Works with the following information to be forwarded **PRIOR to submission of signed Agreement:**

1. Names, addresses, and Federal I.D. #s (Form W-9) for any subcontractors that will be working with you on this project.
2. All Sub Contractor agreements, Insurance Certificates, licenses and contractor and subcontractor labor standards certification forms.
3. A 100% PAYMENT BOND AND A 100% PERFORMANCE BOND to the Town of Ayer has to be submitted prior to the submission of the executed formal contract.
4. Section 3 - Plan has to be submitted prior to the submission of the executed formal contract (for all contracts over \$100,000.00).
5. Certificates of Insurance as required by paragraph 29 of the Owner/Contractor Agreement.
6. General Contractor's Form W-9; Request for Taxpayer Identification Number and Certification.
7. Copies of all licenses required for the general contractor.

The numbers of the applicable wage decisions, which were part of the bid documents and will be contained in the contract, are Town of Ayer (State) and General Decision No. MA160013 04/08/2016 MA13 (Federal).

You are required to return an acknowledged copy of this NOTICE OF AWARD to the Town of Ayer.

Dated this 3rd day of May, 2016.

BOARD OF SELECTMEN - TOWN OF AYER

Chairman

Vice Chairman

Clerk

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE OF AWARD is hereby acknowledged

By: _____

this the _____ day of _____, 2016.

Signed: _____

Title: _____

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: April 28, 2016

TO: Ayer Board of Selectmen

FROM: Robert A. Pontbriand
Town Administrator

R.A.P.

SUBJECT: Town Administrator's Report for the May 3, 2016 Ayer Board of Selectmen Meeting

Dear Honorable Selectmen,

I am pleased to offer the following Town Administrator's Report for the May 3, 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 for your time and consideration.

Administrative Update:

- I will offer a brief Administrative Update regarding various administrative items and actions for the period of April 19, 2016 thru May 3, 2016.

Approval of UDAG Funds \$10,000 (not to exceed) for Underground Tank Removal at Old Fire Station:

- As the BOS is aware, an empty, underground oil tank beneath the front portion of the Old Fire Station Building on Washington Street must be removed. Though the BOS previously authorized the removal of the tank with funding to come from the \$7,000 non-refundable deposit from the initial buyer; MGL requires a specific appropriation for this project. Therefore, I am respectfully recommending that the BOS consider authorizing up to \$10,000 for the removal of the tank (to include any remediation if required) to be funded with UDAG Unrestricted Funds with the funds to be replenished at a future Town Meeting.

Report of Approved Executive Session Items:

- In accordance with the Open Meeting Law, I will publically report on the release of the following Executive Session Items (per previous Executive Session votes by the BOS):
 1. DPW Superintendent Contract Amendment MOA
 2. Town Engineer Contract Amendment MOA
 3. DPW Contract MOA (already on website)
 4. Terms of the Town Administrator's Contract
 5. Release of Executive Session Minutes RE: Depot Square Access Property Issue (Dec 2015-Present)

- Upon issuance of this report all documentation will be posted to the Town's Website.

Discussion of FY 2017 Budget and Town Meeting Warrant:

- With the final FY 2017 Budget and Town Meeting Warrant posted as of April 25, 2016 and available on the Town Website (hard copies available at the Town Hall, Library, and COA with posted copies at the Library, North Middlesex Bank, Police Station, Town Hall, Pauline's Variety, and Jack-o-Lantern) I would like to briefly discuss with the BOS the FY 2017 Budget as prepared for Town Meeting, the Town Meeting presentations, and the Warrant. Additionally, this will be an opportunity for the BOS to further discuss or clarify any outstanding questions on the Budget and/or Warrant Articles.

Thank you.

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



Tuesday April 19, 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 7:01 PM.

Review and Approve Agenda: R. Pontbriand stated for the record that the agenda was posted and then revised to include the appointment of the Community and Economic Development Director.

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

Announcements: J. Livingston made the following announcements:

- The Annual Town Election will be held on Monday April 25, 2016 from 7:00 AM – 8:00 PM at the Town Hall.
- The Annual Town Meeting will be held on Monday May 9, 2016 at 7:00 PM in the Ayer Shirley Regional High School Auditorium.
- The Town Wide Clean Up is being held on Saturday, April 30 and Sunday May 1, between 9am-1pm.
- Tickets are now on sale for Ayer Shirley Regional High School Drama Club's spring musical, "Rodgers & Hammerstein's CINDERELLA," being performed April 29 at 7:00 PM and April 30 at 2:00 PM and 7:00 PM.

Public Input: None

Appointment of Nashoba Valley Technical High School Committee Member: Town Moderator Tom Horgan and Ayer Shirley Regional School Committee members Pat Kelly and Michelle Granger were in attendance for the appointments. R. Pontbriand stated that according to correspondence received by Nashoba Valley Tech Superintendent Denise Pigeon, both School Committee members Ted Januskiewicz and Christine Logan (alternate) terms' expired on March 31, 2016.

The Moderator asked for nominations.

Motion: A motion was made by P. Kelly and seconded by M. Granger to nominate Mr. Ted Januskiewicz for reappointment to a three year term on the Nashoba Valley Technical School District Committee to expire March 31, 2019.

G. Luca recuses himself

Motion passed 3-0.

Motion: A motion was made by P. Kelly and seconded by M. Granger to nominate Ms. Christine Logan to a three year term as the alternate member for the Nashoba Valley Technical School District Committee to expire March 31, 2019. **Motion passed 4-0.**

Reserve Fund Transfer Request: Ms. Lisa Gabree, Town Accountant was in attendance to request a reserve fund transfer in the amount of \$1,428.00 in account 01136 Financial System Computer Support to cover training costs.

Motion: A motion was made by G. Luca and seconded by J. Livingston to approve the Reserve Fund Transfer in the amount of \$1,428.00 in account 01136. **Motion passed 2-0.**

Police Chief William A. Murray, Ayer Police Department: Chief Murray was in attendance to request the appointment of Mr. Casey Scott as Patrol Officer. Chief Murray explained that the opening of the position is imminent due to an injured on duty case resolving. He further explained that Mr. Scott has been a Dispatcher, Reserve Officer, and has graduated from the Police Academy.

Motion: A motion was made by G. Luca and seconded by J. Livingston to appoint Mr. Casey Scott as Patrol Officer effective the day after the Town receives clearance from PERAC for the active injured on duty case.

Motion passed 2-0.

Memorial Garden Committee Update: Chairman Jim Fay was in attendance to give the BOS a status update on the Memorial Garden. They are looking for the names of additional veterans to place on a new plaque. He further explained that when the committee receives 25 names, with approved honorable discharge papers, the Committee will erect a new plaque.

Mary Spinner, 18 Myrick Street then asked about the status of the former fire station. She would like it to be assessed for Town Hall storage.

Review and Approval of Annual Town Meeting Warrant and FY'17 Budget: Town Accountant Lisa Gabree and R. Pontbriand gave a presentation on the FY'17 budget. R. Pontbriand then went through the FY'17 budget and May 9, 2016 Annual Town Meeting warrant. He asked BOS members to ask for a "pass" on items they wanted more information on or had questions with.

Town Moderator asked for a hold on Warrant Article 2. He thought the number of reports currently on the warrant was too high. After general discussion, it was agreed that those wishing to make reports may do so before the presentation of the relevant warrant article(s).

Motion: A motion was made by J. Livingston and seconded by G. Luca to remove Article 2 from the warrant. **Motion passed 2-0.**

J. Livingston asked for a hold on the last two articles relative to eminent domain. R. Pontbriand gave an update on the current status of the Depot Square Eminent Domain issue referencing his memo in the BOS packet. He stated that appraisals are currently under way.

R. Pontbriand then asked the BOS about whether to include both warrant articles pertaining to eminent domain. One article is for the taking of the access corridor; the other is for the taking of the access corridor and the Advocates building.

G. Luca stated that he was concerned with muddying the water and felt that the access corridor would be sufficient. He also stated that he didn't feel comfortable making the decision without Selectman Hillman being present.

J. Livingston felt that both articles should be included on the Annual Town Meeting Warrant and felt it important to let the voters decide at Town Meeting.

Motion: A motion was made by G. Luca and seconded by J. Livingston to close the May 9, 2016 Annual Town Meeting Warrant. **Motion passed 2-0.**

Motion: A motion was made by G. Luca and seconded by J. Livingston to approve the May 9, 2016 Annual Town Meeting Warrant with the changes as voted and to approve the FY'17 budget as presented. **Motion passed 2-0.**

Town Administrator's Report: R. Pontbriand then introduced Mr. Alan Manoian. Mr. Manoian is the Economic and Community Development Director Search Committee's recommended candidate. Mr. Manoian then spoke with the BOS about his employment history and what attracted him to Ayer.

Motion: A motion was made by G. Luca to appoint Mr. Alan Manoian to the position of Community and Economic Development Director at Grade 12, Step 3 effective May 2, 2016. **Motion passed 2-0.**

Request for Additional All Alcohol License (Ayer Shop 'n Save) – R. Pontbriand read a request dated March 28, 2016 from Mr. Miroslaw Szelest, the owner and manager of the Ayer Shop 'n Save located on Fitchburg Road. Mr. Szelest and Mr. Paul DiGeronimo, the property owner, were in attendance to request an additional all alcohol license. R. Pontbriand explained that because the Town is already at its quota, the request, if approved by the BOS, would need to go before Town Meeting for consideration.

G. Luca stated that though he is pro-business, he didn't feel comfortable voting for it because they have denied other business in the past. He stated further that he felt that it should be deferred for consideration until the fall.

J. Livingston and G. Luca stated that they felt more comfortable with the full BOS present to make a decision. J. Livingston stated that the Board will defer the request until the fall of 2016.

FY '11 CDBG – Housing Rehabilitation Program Final Report – R. Pontbriand presented a memo from Alicia Hersey, Program Manager for the Community Development Office. Ms. Hersey is requesting that the BOS approve the FY'11 CDBG Housing Rehabilitation Program Final Report.

Motion: A motion was made by G. Luca and seconded by J. Livingston to approve the CDBG FY'11 Close Out documents for the FY'11 CDBG Housing Rehabilitation program with signature by the chair. **Motion passed 2-0.**

Review and Approval of Written Information Security Plan (WISP) – R. Pontbriand presented a draft Written Information Security Plan as drafted by Cindy Knox, IT Director. He explained that that putting the WISP in place was a recommendation from the Town’s last audit.

Motion: A motion was made by G. Luca and seconded by J. Livingston to approve the Written Information Security Program. **Motion passed 2-0.**

Depot Square Eminent Domain Update – The BOS already discussed this item under the Warrant discussion.

New Business/Selectmen’s Questions:

Medical Marijuana Host Agreement Discussion (Selectman Hillman) – The BOS deferred this item because C. Hillman was not in attendance.

Approval Meeting Minutes:

Motion: A motion was made by G. Luca and seconded by J. Livingston to approve the meeting minutes of April 5, 2016. **Motion passed 2-0.**

Executive Session: A motion was made by G. Luca and seconded by J. Livingston at 8:43 PM to enter into Executive Session pursuant to MGL c.30A, section 21A Exemption #2 (Non-Union Contract Negotiations) DPW Superintendent Personal Services Contract Amendment; Town Engineer Personal Services Contract Amendment; Exemption #3 (Collective Bargaining) DPW Contract MOA; Exemption #2 (Non –Union Contract Negotiations) Town Administrator Personal Services Contract and to adjourn from Executive Session. G. Luca further stated that to discuss these items in Open Session would be detrimental to the Town’s negotiating strategy. **By Roll Call: J. Livingston, aye; G. Luca, aye. Motion passed by Roll Call 2-0.**

Minutes Recorded and Submitted by Carly M. Antonellis

Date Minutes Approved by BOS: _____

Christopher R. Hillman, Clerk: _____