

Selectmen's Meeting
Tuesday, November 15, 2005
Ayer Town Hall, 1st Floor Meeting Room, Main Street, Ayer, MA

7:49p.m. Open Session

Present and Attending- Selectman Sullivan	Acting Chairman, X
Selectman Conley	X
Selectman Bresnahan	X
Selectman Maxant	X
Chairman Faye Morrison absent	

Agenda Item #1. Public Input-

1. Michael Pattenton-Rate of Development By-law. Mr. Pattenton stated he felt the Rate of Development Bylaw was tabled incorrectly due to more legal work being necessary, and advising this not the case stating he submitted the Town of Shirley's format, which passed their meeting, and urging the Selectmen to hold a Special Town Meeting before Ayer's Rate of Development By-law runs out on 12-5-05. Selectman Conley stating concern re Town Clerk having sufficient funds in her budget for STM and required 100 signature being necessary. Acting Chair Sullivan requested Mr. Pattenton appear before Planning Board for their support and Board of Selectmen would then support STM, VOTE: Selectman Conley aye, Selectman Sullivan aye, Selectman Maxant no, Selectman Bresnahan no 2-2 motion does not carry. Motion made by Selectman Conley, 2nd by Selectman Bresnahan.
2. Ruth Rhonemus-State Heritage Landscape Inventory Program Application. (see attached) Selectman Bresnahan moved to approve the Landscape Survey and support application to preserve and protect, and catalog historic inventory of Town through DEM Community staff person who will provide free technical assistance with no financial requirement/obligation on behalf of the Town, 2nd by Selectman Conley, VOTE: unanimous, so moved.

Agenda Item #2. Minutes-

7-12-05-Executive Session Selectman Conley moved the Board approve the Executive Session minutes of 7-12-05, 2nd by Selectman Maxant, with strike out of #2. parentheses Treasures area- VOTE: unanimous, so moved.
8-9-05 Open Session Selectman Conley moved the Board approve the Open Session Minutes of 8-9-05, 2nd by Selectman Bresnahan with change of time change of entering Executive Session changed to 6:30p.m., VOTE: unanimous, so moved.
8-9-05 Executive Session-Selectman Conley moved the Board approve the Executive Session Minutes of 8-9-05 and to check spelling of Atty.'s name, and page 2 strike COLA & Fire Union, 2nd by Selectman Bresnahan, VOTE: unanimous, so moved.

Agenda Item #3. Public Hearing Beer & Wine License-Chung Gee Mkt. 210 W. Main St., Ayer, MA

Acting Chairman Sullivan opened the Hearing by requesting the Legal Notice be read into the record. Selectman Conley read the legal notice into the record and requested if there were abutters present wishing to speak for or against petition, no one stepped forward. Selectman Conley read the letter from Atty Robert Casey requesting the hearing be continued to 11-29-05 due to his unavailability this evening. Selectman Conley moved the Board vote to continue the Hearing to 12-6-05 the Selectmen's next meeting. Selectmen Sullivan requesting to be recused from this discussion/issue due to personal conflict, 2nd by Selectman Maxant, VOTE: 3-1 in favor with Selectman Sullivan recusing himself.

Agenda Item #4. Supt. Madigan's Report-The Board met with Michael Madigan

1. Water/Sewer Permits-Westford Rd-R.M. Ratta 2" domestic & 6" Fire line. Selectman Bresnahan moved to approve Supt. Madigan's recommendation dated 11-10-05, 2nd by Selectman Maxant, VOTE: unanimous, so moved.
Autumn Ridge Drive-(Gillis Homes Inc.) Units: 501, 502, 503, 504, 505, 506, 507, 508 all with 1" water service/sewer service. Building 500 4" Fire Line. Selectman Bresnahan moved to approve, Supt. Madigan's 11-10-05 recommendation, 2nd by Selectman Maxant, VOTE: unanimous, so moved.

2. Snowplowing Contracts: Selectman Conley moved the Board approved contracts for M. Longley Trucking of Lunenburg, Donald Lawrence of Shirley, Sky's the Limit of Groton, Y-U Masonry of Ayer at \$58.00/per hour contingent upon Supt. Madigan, Mr. McCann and Selectman Conley verifying liability caused by independent contractor insurance coverage for snow plowing incidents being sufficient, 2nd by Selectman Maxant, VOTE: unanimous, so moved.
3. The Board reviewed with Supt. Madigan Atty. Robert Ancil letter requesting reduction in water/sewer application fees for Autumn Ridge. Supt. Madigan reviewed with the Board proposals re Willows, Ridgeview negotiated infrastructure construction in lieu of reduced estimated water/sewer fees i.e Ridgeview Heights 1,000,000 gallon water tank, Willows increase water tank to 1,500,000 gallons. Selectman Conley moved the Board submit Autumn Ridge's proposal from Atty. Ancil to Town Counsel-Mark Reich for his research and recommendations back to the Board prior to meeting with Atty. Ancil, 2nd by Selectman Bresnahan, VOTE: Selectman Conley aye, Selectman Bresnahan aye, Selectman Maxant aye, Selectman Sullivan no 3-1 motion passes.

Agenda Item #5. Office of Community & Economic Development

1. The Board approved Mr. Suhoski's "short" version of letter to Daniel Grabauskas, General Manager of the MA Bay Transportation Auth. re the Fitchburg Commuter Rail Line Improvement Implementation Plan dated September 2005 the longer more detailed letter to be sent under Mr. Suhoski's signature. Motion to approve made by Selectman Conley, 2nd by Selectman Maxant, VOTE: unanimous, so moved. Letter to placed on Selectmen's counter for their signatures.

Agenda Item #6. 2006 Alcohol Licenses-The Board approved the 2006 Alcohol License Renewals for Nashoba Restarant-All Alcohol Restaurant, Carlin's Restaurant Inc.-All Alcohol Restaurant, Tiny's Doughnut Treat, Inc-All Alcohol Restaurant, Kane & Jennette-All Alcohol restaurant, LaSita Inc-All Alcohol restaurant, P.Y.O. All Alcohol Restaurant, Traffic Circle Liquors Inc-All Alcohol Package Store, Ayer Package Store-All Alcohol Package Store, Surinder Bhardwar-Beer & Wine Package Store, C.R. Pierce, Inc. All Alcohol Package Store, Ayer Gun Club-Beer & Wine Club License, Shaker Hills Golf Club-All Alcohol Restaurant, Mango Grille-All Alcohol Restaurant License, Amy's Provisions Beer & Wine Package Store License, Page-Moore Café Beer & Wine Restaurant License, Jeffrey Gendron-Beer & Wine Package Store, G.W. Archer-Beer & Wine Package Store License, contingent upon all taxes, water/sewer bills are current with DPW & Town Clerk, 2nd by Selectman Maxant, VOTE: unanimous, so moved.

Agenda item #7.-Interim Town Administrator's Report-The Board met with Ed McCann

1. Screening Com-Start-up meeting 11-14-05 @4pm Ayer Town Hall, Robert Pena elected Chairman and Charles McKinney elected Co-Chairman of the Screening Committee.
2. The Board authorized Mr. McCann to contact neighboring Towns in region re interest in Regional Hearing's Officer pursuant to Chapter 148-A re Partnering & qualifications required. Motion made by Selectman Bresnahan, 2nd by Selectman Conley, VOTE: unanimous, so moved.
3. The Board voted to ratify the Volunteer Fire Fighter's 11-24-05 Thanksgiving Road Race Signs/ Town Hall & Rotary. Motion to approve made by Selectman Bresnahan, 2nd by Selectman Maxant, VOTE: unanimous, so moved.
4. Board advised to Capital Budgets For Fy-07 sent out to Dept., Board, Committees & Commissions.
5. The Board scheduled Autumn Ridge Water/Sewer Permit fee discussion to 12-13-05.
6. The Board requested to schedule an Executive Session re history of COLA for Call Fire-fighters and have Town Accountant present. Executive Session scheduled on 12-6-05 at 6:30p.m.-7:30p.m re Collective Bargaining APD, Dispatchers & Firemen add COLA-for Call Firefighters. Motion made by Selectmen Sullivan 2nd by Selectman Maxant, VOTE: unanimous, so moved.
7. The Board scheduled Town Accountant's discussion re contract authorization for 12-6-05 and bring contracts in question to the meeting. Selectman Conley moved the Board adopt as policy Town counsel's memo of 11-10-05 authorizing Board of Selectmen and School Committee to sign contracts for Town, 2nd Selectman Maxant, VOTE: unanimous, so moved.
8. Selectman Bresnahan moved the Board accept the resignation Hector Malave with regrets from the Communication Com. 2nd by Selectman Conley, VOTE: unanimous, so moved.

9. The Board approved of Kopelman & Paige's 8-05-05 Invoices with the exception of the CPC invoices: 6-20-05 \$238.00, 8-22-05-\$29.00 and 8-30-05-\$43.50 total \$310.50 to be submitted to the CPC Com. for funding. Motion to approve made by Selectman Maxant, 2nd by Selectman Bresnahan, VOTE: unanimous, so moved.
 10. Board authorized Mr. McCann to sign with Mary Spinner's review & recommendation Town Hall Roof Billings, Motion made by Selectman Bresnahan, 2nd by Selectman Conley, VOTE: unanimous, so moved.
 11. The Board reviewed the Memo submitted by James Stephen, Chair of the Fin-Com offering to start FY-07 Budget process for Board due to late start getting Budget message out to Depts., Boards, Committees and Commissions and new Town Administrator not being on board Jan./ Feb. 06. The Board scheduled the Fin-com on the Selectmen's 12-6-05 Agenda.
 11. Selectman Bresnahan updated the Board to DDEB Planning Process. Workshops scheduled on 11-10-05 at the Ayer Town Hall re Financial model created by DDEB Finance Sub-committee which will be used to assess financial impacts to the various Devens scenarios.
Monday –November 14, 2005 @ 6:30p.m. North Post Work-shop at the Ayer Town Hall. Selectman Bresnahan urging citizens to participate in discussions.
 12. Selectman Maxant expressing his concern re last Beer & Wine Package Store License-urging the Board to discuss strategy, re limiting licenses.
 13. Selectman Conley expressed her concern re Board falling behind on important issues, i.e. Conservation Storm Water, Veteran's Agent appointment, illegal draw down at Flannigan's Pond and request for assistance from Shirley Paige re ZBA matter.
 14. Acting Chairman Sullivan requested a copy of the Sandy Pond Condo Proposed project per Chairman Morrison's request.
 15. Acting Chairman Sullivan requesting to take up his letter to be sent to Judge Killmartin re Selectman Maxant's letter to Judge. Selectman Conley requested word outraged be removed from letter adding she was not outraged. She was disappointed in letter but not outraged. Selectman Bresnahan also echoing Selectman Sullivan's comments that he was not happy with Selectman Maxant's letter. The Board scheduled this matter to be taken up at the Board's meeting on 12-6-05.
 16. The Board requested Mr. McCann have the Building Inspector respond to Lauri Sabol's letter of 10-24-05 promptly.
- 10:00p.m. Selectman Conley moved the board adjourn the meeting, 2nd by Selectman Maxant, VOTE: unanimous, so moved.

DATE _____

Pauline Conley, Clerk