

Selectmen's Meeting Tuesday, May 31, 2005
Ayer Town Hall, 1st Floor Meeting Room, Main Street, Ayer, MA

7:00p.m. Open Session

The Board met with Chairman Bresnahan, Selectman Morrison, Selectman Sullivan, Selectman Maxant and Selectman Conley.

The Minutes of 5-3-05 were held off for further review.

Agenda Item #1. Public Input: Chairman Bresnahan requested if there was anyone present wishing to meet with the Board under Public Input.

Finance Committee appointment- The Board met with Mary Spinner who updated the Board to two vacancies on the Committee due to Ms. Conley's election to Board of Selectmen and the recent resignation of Scott Hanley. Ms Spinner advised to Rick Gilles applying to fill the unexpired term of Ms. Conley. The Board reviewed Mr. Gilles resume, more than qualified to fill vacancy, and thanked Mr. Gilles for coming forward and for his willingness to serve the Town in this capacity. Selectman Conley moved to appoint Rick Gilles to the Finance Committee through 2007, 2nd by Selectman Sullivan, VOTE: unanimous, so moved. The Board requested the 2nd Fin-Com vacancy be advertised as soon as possible.

Chairman Bresnahan called for a motion to accept the Agenda as presented. Selectman Morrison moved the Board approve the Agenda of 5-31-0 as presented, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

Agenda Item #2. Reorganization of the Board of Selectmen: Chairman Bresnahan took this opportunity to publicly thank outgoing Selectman James Fay for his many years of dedicated service on the Board advising to Selectman Fay invited to come in this evening but, due to illness unable to come in to this evening's meeting. Selectman Bresnahan also took this opportunity to thank the Board for their help and assistance along with the Selectmen's Office staff during this past year he served as Chair. Selectman Sullivan also thanked Selectman Bresnahan for his leadership and dedication to the Town serving as Chair this past year and for working so hard ensuring Board of Selectmen works as smoothly as possible. Selectman Morrison, echoing same. Chairman Bresnahan called for nominations for Chairman. Selectman Conley moved to nominate Selectman Sullivan as Chair, 2nd by Selectman Maxant. Selectman Sullivan expressed his gratitude for nomination but declined appointment as Chair and requested Board stay with tradition of Vice-Chair stepping up to Chair and nominated Selectman Morrison as Chair. Chairman Bresnahan called for a vote re Ms. Conley's nomination of Selectman Sullivan as Chair, Selectman Conley aye, Selectman Maxant aye, Selectman Sullivan no, Selectman Morrison no, motion fails.

Selectman Sullivan moved to nominate Selectman Morrison as Chair, 2nd by Chairman Bresnahan, VOTE: Selectman Sullivan aye, Selectman Morrison aye, Chairman Bresnahan aye, Selectman Conley no, Selectman Maxant no, 3-2 motion passes. Selectman Faye L. Morrison Voted Chairman of the Board of Selectmen.

Chairman Bresnahan called for nominations for Vice-Chair, Selectman Morrison moved to nominate Selectman Sullivan as Vice-Chair, 2nd by Selectman Maxant Vote: unanimous, so moved.

Chairman Bresnahan called for nomination for Clerk, Selectman Sullivan moved to nominate Pauline Conley as Clerk, 2nd by Chairman Bresnahan. Ms. Conley requested role of Clerk, Board responded with duties. VOTE: Selectman Sullivan aye, Selectman Maxant aye, Selectman Conley abstaining, Chairman Bresnahan aye, Selectman Morrison no, Count- 3 aye, 1 abstention and 1 no, motion passes. New Line-up: Chairman- Faye L. Morrison, Vice-Chair-Cornelius F. Sullivan, Clerk- Pauline Conley.

Agenda Item #3. Comprehensive Planning Committee- The Board met with Harry Zane and Shaun Suhoski. Mr. Sushoski reviewed with the Board the survey conducted by the Committee advising the Board to purpose of Comprehensive Planning Committee was to devise profile of the most effective channels and media to reach residents with key Town government information, determine the interest profile of residents, cost

effectiveness achieved by combining needs of public safety and economic development. Mr. Zane advised to the comprehensive plan being the broadest range of information and most in depth analysis of views and demographics ever done by the Town. Mr. Zane stated original survey conducted by Chief Rizzo re public safety resources/issues and adopted by the committee with the help of Brian McDermott at the School Department along with Jennifer Chartland-Computer Science Teacher, Lisa Marble & David Bodurtha of the Communications Com., along with support staff from Shaun's Office, Sue Provencher & Tim Hansen who collaborated with the Committee and formulated information into graphs depicted in documentation presented which represent questionnaire distributed in Town's Spring 2004 Newsletter (of which 350 surveys were received and documented). Mr. Zane advised the Board to the Committee's work finished, and now will meet with Departments and Boards to implement plan. The Committee proposed two (2) components: 1. Recruiting members from each Town Board/Committee and 2. Outreach to the community. Mr. Zane advising to much input provided by the community, and looking to Committee comprised of at least eight (8) to ten (10) members. Selectman Sullivan reviewed with the Committee State Law which required the plan to be updated every five (5) years. Mr. Zane stated three years is a long time, need to reassess check to see which part of plan not moving forward update in writing with ongoing reporting, reporting twice/year. Selectman Conley urging progress reports coming in more than twice a year perhaps consider quarterly. Selectman Bresnahan moved the Board approve then Committees recommendation for the proposed new organization, 2nd by Selectman Conley. VOTE: unanimous, so moved. The Board thanked Mr. Zane and Mr. Suhoski for coming in and updating the Board to status. Mr. Zane stated he hoped the new Committee would be up and functioning within a month and agreed to forward details and a meeting schedule to the Board so a representative could be designated at an upcoming meeting.

Agenda Item #5. Office of Economic Development FY-06 Budget-The Board met with Shaun Suhoski re his operational budget for FY-06. Mr. Suhoski advised to \$75,644 UDAG request representing 2.9% increase over FY-05. Mr. Suhoski updated the Board to \$4.5 million in State and Federal Grants being obtained by the Office Community & Economic Development, as well as an additional \$800K in CDBG Funding. Mr. Suhoski presented his FY-05 Goals & Objectives depicting status, results and ongoing projects. Selectman Conley requested Mr. Suhoski explain Salary line due to her computation showing Mr. Suhoski receiving over the 3% COLA approved and wanting to be assured salary was in compliance with budget for FY-06. Mr. Suhoski advised to COLA for FY-05 numbers not being reflected properly which would cause budget to reflect higher. Selectman Maxant requested stipend/s paid from Grants being factored into department as well. Selectman Sullivan moved the Board approve Mr. Suhoski FY-06 Budget subject to Selectman Conley's comment, 2nd by Selectman Bresnahan for discussion, re COLA not being properly reflected and budget in compliance. Chairman Morrison called for a VOTE: Selectman Sullivan aye, Selectman Morrison aye, Selectman Maxant no, Selectman Conley no and Selectman Bresnahan no 3-2 motion fails. The Board requested to revisit Mr. Suhoski's FY-06 Budget on 6-7-05 along with his FY-06 Goals and Objectives.

The Board approved a Single Case Waiver presented by Mr. Suhoski for a waiver of the Housing Rehab Program's owner requirement for Pablo Gomez for 28 Bligh Street, Ayer, MA Case #04-253 to implement the scope of work for code improvements. This waiver shall be for a maximum of \$4K subject to modification by any code-required change orders. Motion to approve made by Selectman Conley, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

Selectman Sullivan moved the Board go off the posted agenda to take up the Cecil Report at this time, 2nd by Selectman Conley, VOTE: unanimous, so moved. The Board met with Shaun Suhoski who reviewed with the Board summary memorandum prepared by the Cecil Group dated 2-05 re the best choices for the future location and configuration of rail stations to serve the Town. Ms. Suhoski reviewed with the Board the background and chronology, planning and design, previous studies and options, workshop summary questions and answers along with observations and recommendations i.e. rail station downtown/community/parking issues. Mr. Suhoski advised the Board to the City of Fitchburg's approach to commuter/downtown parking issues advising to his attendance at the Grand Opening of Fitchburg's new parking facility a two level intermodal municipal parking garage with store front businesses. Mr. Suhoski stated the unavailability of parking stands in the way the Town of Ayer downtown businesses grow and taking the train station/commuters into consideration. The

presence of a train station in Ayer can raise up property values as well as benefit the quality of life. Mr. Suhoski updated the Board to a single large facility being ruled out for downtown Ayer, the Cecil Group recommends obtaining multiple sites scattered about the area. Mr. Suhoski advised the Board to Ayer needs to move to improve parking and upgrade the station or the money will go to others. The Town already has \$3.1 million available in Federal money and \$2 million in State Transportation Bond Bill sitting in the wings for use in parking facility/s. Mr. Suhoski proposed devoting up to \$20K remaining in CDBG Program Income sources, currently totaling approximately \$65K to pay the Cecil Group for further studies re multiple sites/locations. Selectman Sullivan proposed ten formal findings related to additional parking and the train station: see attached which would set a stake in the ground for the Town to move forward. Selectman Bresnahan moved the Board vote to approve the ten amended findings, and approve the Cecil Group's further study, 2nd by Selectman Maxant, VOTE: unanimous, so moved. Selectman Sullivan took this opportunity to publicly thank Chairman Morrison for her instrumental assistance with her Federal & State Rep connections re this issue.

NOTE: Selectman Sullivan excused himself at this point in the meeting (8:25PM)

Agenda Item #6 – Mango Grill-Pledge of License- The Board met with LiYan re Mango Grill's Pledge of License. Chairman Morrison requested the Legal Notice be read into the record, Selectman Conley read the Legal Notice into the record. Chairman Morrison requested if there were any abutters present. No one stepped forward. Ms. Yan advised the Board to need of new Pledge due to refinancing. Selectman Bresnahan moved to approve the new Pledge of License for the Mango Grill with Hudson Savings Bank, 2nd by Selectman Maxant, VOTE: unanimous, so moved. The Board requested when Ms Yan would be open Ms Yan responded hopefully by the end of June.

Agenda Item #7. Supt. Madigan's Report-The Board met with Supt. Madigan

1. **Boilers at WWTP-** The Board approved Supt. Recommendation to award the Replacement Oil Fired Boilers at the Wastewater Treatment Plant to Combustion Service Co. of Cambridge, MA for the bid award not to exceed \$39,690.00 with the understanding that the warranty is included. Motion made by Selectman Maxant, 2nd by Selectman Conley, VOTE: unanimous (4-0), so moved.

2. Water & Sewer Permits-

1. The Board approved a one inch (1") water permit and Sewer permit for Lot 20 Iris Lane (#3) for Robert Hicks per Supt. Madigan's recommendation and authorizes the Chairs signature. Motion made by Selectman Bresnahan, 2nd by Selectman Conley VOTE: unanimous, so moved.
2. The Board approved a sewer permit for a single family 3 bedroom home at 9 Oak Grove St. per Supt. Madigan's recommendation and authorizes the Chairs signature. Motion made by Selectman Bresnahan, 2nd by Selectman Conley, VOTE: unanimous, so moved.
3. The Board approved a sewer permit for a single family 2 bedroom home at 3 Oak Grove St. per Supt. Madigan's recommendation and authorizes the Chairs signature. Motion made by Selectman Bresnahan, 2nd by Selectman Conley, VOTE: unanimous, so moved.
4. The Board approved a State Sewer System Extension Application (MA Dept. of Environmental Protection) per Supt. Madigan's recommendation for David Canney for Canney Brothers Construction Pheasant Circle for a eight inch (8") gravity sewer connection for 2,200gallons of wastewater with 1.6cfs to pump station at Groton School Rd. and authorize the Chairman's signature. Motion to approve made by Selectman Conley, 2nd by Selectman Maxant, VOTE: unanimous, so moved.
5. The Board approved a State Sewer System Extension Application for Willow Road Development, for a 94 unit/249 bedrooms complex eight inch gravity(8") sewer connection and a three inch (3") force main representing 27,390 gallons of wastewater/per day per Supt. Madigan's memo dated 5-25-05. Motion to approve made by Selectman Conley, 2nd by Selectman Maxant, VOTE: unanimous, so moved.

3. **HVAC Contract** – The Board moved to award the contract for the mechanical systems upgrade to DPW administrative areas to Mancini Sheet Metal Inc. of Billerica, MA for the total contract award of

presence of a train station in Ayer can raise up property values as well as benefit the quality of life. Mr. Suhoski updated the Board to a single large facility being ruled out for downtown Ayer, the Cecil Group recommends obtaining multiple sites scattered about the area. Mr. Suhoski advised the Board to Ayer needs to move to improve parking and upgrade the station or the money will go to others. The Town already has \$3.1 million available in Federal money and \$2 million in State Transportation Bond Bill sitting in the wings for use in parking facility/s. Mr. Suhoski proposed devoting up to \$20K remaining in CDBG Program Income sources, currently totaling approximately \$65K to pay the Cecil Group for further studies re multiple sites/locations. Selectman Sullivan proposed ten formal findings related to additional parking and the train station: see attached which would set a stake in the ground for the Town to move forward. Selectman Bresnahan moved the Board vote to approve the ten amended findings, and approve the Cecil Group's further study, 2nd by Selectman Maxant, VOTE: unanimous, so moved. Selectman Sullivan took this opportunity to publicly thank Chairman Morrison for her instrumental assistance with her Federal & State Rep connections re this issue.

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3. **HVAC Contract –** The Board moved to award the contract for the mechanical systems upgrade to DPW administrative areas to Mancini Sheet Metal Inc. of Billerica, MA for the total contract award of

\$31,872.00 which includes quotation for additional work of \$9,306.00 per Supt. Madigan's memo of 5-25-05. Motion made by Selectman Maxant, 2nd by Selectman Bresnahan, VOTE: unanimous, so moved.

Agenda Item # 8 Mark O'Hagen-The Willows 40B Project- The Board met with Mark O'Hagen of MCO Assoc. Inc. re The Willows Comprehensive Permit, Water & Sewer Connection fees & Water Tower Expansion plans. Mr. O'Hagen reviewed with the Board re developing a mutually agreeable solution to increase the water tank capacity from 1M gallons to 1.5 M gallons estimated at \$250K and not able to absorb the total \$250K in their project and was before the Board to seek relief from water/sewer connection fees totaling \$272K adding that 25% of homes will be sold for affordable compliance and further the ZBA has requested MCO add an additional roadway within the project. The Board after a lengthy review voted to allow the Town Administrator to draft a language between the Town of Ayer and MCO Assoc., Inc. establishing an agreement with Ridgeview Heights Developer to pay additional cost of upsizing the water tank from 1M gallon capacity to 1.5M gallon capacity at a cost not to exceed \$250K with no expenditure by the Town toward the construction of the water tank. The Board would consider waiving \$100K of the Water & Sewer permits fees estimated at \$272K at the current design and would support the Willows project contingent upon ZBA approval of project in its current design form with any substantial changes to design form triggering reconsideration of this agreement. Motion approving Town Administrator to draft verbiage made by Selectman Bresnahan, 2nd by Selectman Conley, VOTE: unanimous, so moved.

Agenda Item #9. Town Administrator's Report

1. The Board approved of the Conservation Commissions request re utilizing existing funds in the Wetlands Protection Fund (funded by filing fees, etc.) to hire a consultant to review the Ridge View subdivision not to exceed \$1,500.00 per memo from Chairman George Bacon. Motion to approve made by Selectman Conley, 2nd by Selectman Maxant, VOTE: unanimous, so moved.
The Board voted to approve the Pleasant Street School Home Rule Petition being sent to State Representatives to begin process re Legislative Approval for the transfer of the Pleasant Street School to the Ayer Housing Authority approved by Spring Town Meeting 2005. Motion to approve made by Selectman Conley 2nd by Selectman Maxant, VOTE: unanimous, so moved.
3. 1. The Board approved the Reserve Fund Transfers presented by Ms Scheipers for the following:
Parking Tickets: \$615.48 Motion to approve made by Selectman Conley 2nd by Selectman Maxant, Vote unanimous, so moved. The Board requested Parking Ticket report depicting revenues received past year.
2. Town Hall Maintenance-\$4,160.00 after discussion, deferred for more information/back-up.
3. Disabilities Commission-\$300.00 Motion to approve made by Selectman Bresnahan, 2nd by Selectman Conley, Selectman Maxant no, Chairman Morrison aye, VOTE: 3-1. The Board requested Ms. Scheipers contact the Disabilities Com. re using local sign language interpreters rather than using Boston based signers in the future at much lower cost, plus signer used by Selectmen's Office at Town Meeting stayed for longer periods without utilizing additional signer where Disabilities Commission uses two (2) Boston based signers per meeting.
2. The Board voted to ratify Chairman's approval to erect sign in front of Town Hall promoting PTO Raffle Motion to approve made by Selectman Conley, 2nd by Selectman Maxant, VOTE: unanimous, so moved.
3. Ms. Scheipers updated the Board to request coming in from Devens Reserve Unit re permission to place Welcome Home Warrior Signs for troops returning from Iraq on Sunday, June 5, 2005. Permission to place signs along rotary area and along Barnum Road. Motion to approve made by Selectman Bresnahan, 2nd by Selectman Maxant VOTE: unanimous, so moved. Ms. Scheipers also advised Board to being invited to attend short ceremony at 10:00am on the 5th. The Board requested Ms. Scheipers contact Reserve Unit advising to Rotary being State owned and property owners at rotary should be contacted re permission.
4. Ms. Scheipers updated the Board to Shaun Suhoski planning to have Cable present on 7th of June at 6pm to tour Town Hall re offices/Great Hall impacted by roof leaks prior to Selectmen's Meeting.
5. Ms Scheipers updated the Board to Executive Sessions this evening: DPW Supt. Contract, patrolmen, Dispatchers, Firefighters, Eliades and DPW Arbitration.

Agenda Item #10 New Business/Selectmen's Questions

1. Ms. Sheipers presented the Special Town Election Ballot for June 25, 2005, for the Board's approval and endorsement. Selectman Bresnahan moved the Board approve and endorse the Special Town Election Ballot of June 25, 2005, 2nd by Selectman Sullivan, VOTE: unanimous, so moved. Selectman Conley requesting why the dollar amount was not placed on the ballot.

10:10p.m. Selectman Sullivan moved the Board adjourn from Open Session to enter into Executive Session pursuant to MGL Chapter 39, Section 23B, Exemption #3 & 6, 2nd by Selectman Maxant, VOTE: Selectman Bresnahan aye, Selectman Sullivan aye, Selectman Conley aye, Selectman Maxant aye, Chairman Morrison aye, unanimous, so moved.

10:10p.m. Open Session ended.

DATE: _____

Pauline Conley, Clerk

AYER BOARD OF SELECTMEN

Ayer Train Station

Findings of fact made by the Ayer Board of Selectmen at its meeting held on Tuesday, May 31, 2005:

1. That the total traffic generated by the current train station and any future train station in downtown will have a relatively insignificant impact on the volume of traffic in our downtown.
2. That having a train station in our downtown is an asset to our Town because it enhances residential property values, contributes to the welfare of our downtown businesses, offers convenient rail service for our resident users and enhances the competitiveness of our Town when seeking various state grants.
3. That we have a downtown parking deficit of approximately 450 spaces, which are needed to serve our downtown business and residents.
4. That we need to create an effective parking and associated redevelopment strategy for our downtown.
5. That we favor multiple small parking structures and/or surface parking lots with adequate lighting and security to address our downtown parking needs.
6. That we need to develop design standards for small parking structures and/or surface parking lots addressing our downtown parking needs.
7. That we need a parking management and enforcement program to ensure that parking facilities for the train station are used.
8. That we adopt in principal the recommendations of the Cecil Group set forth in its Ayer Transit Workshop Summary Memorandum dated 2/2005.
9. That we secure funding to retain the services of the Cecil Group to help us move forward to implement its recommendation as set forth in the Ayer Transit Workshop Summary Memorandum dated 2/2005.