

Selectmen's Meeting
Tuesday, June 10, 2003
Ayer Town Hall, 1st Floor Meeting Room, Main St., Ayer, MA

7:00p.m. Open Session

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

Public Input: Chairman Fay requested if there was anyone present wishing to meet with the Board

Agenda Item #1. Appointment

Advisory Committee-James Stephen: The Board met with James Stephen, 93 Groton School Rd., Ayer, MA. Mr. Stephen updated the Board to his past performance serving on the Town of Ayer's Advisory Com. in the late 80's and then moving to the Town of Shirley and serving on their Finance Board. Mr. Stephen reviewed with the Board his financial background and interest in serving the Town of Ayer again. Chairman Fay called for a motion. Selectman Bresnahan moved the Board appoint James Stephen to the Ayer Advisory Com. for a three (3) year position, 2nd by Selectman Morrison, VOTE: unanimous, so moved. The Board thanked Mr. Stephen for coming in and for his willingness to serve the Town in this capacity.

Personnel Board- The Board received two (2) requests from the Personnel Board to fill vacated seats. Ted Harding Chairman of the Personnel Board requested the Board appoint Louis Marino and Charles Helling. The Board requested both candidates be invited into their next meeting (6-24-03) to meet with the Board.

Disabilities Commission-The Board was advised to two (2) requests being received from Paul Brennan, Disabilities Commission Chair recommending the appointments of Robert and Jennifer Brownson. Town Administrator to conduct preliminary meeting with Brownson's on 6-12-03. The Board requested to meet with them on the 24th of June.

Agenda Item #2. Fire Station Remediation Update: discussion rescheduled for 6-16-03 at 7:00p.m.- Agenda Item #2 removed from agenda of 6-10-03.

Agenda Item #3. Economic Development Director's Report

1. Comprehensive Plan Update: The Board met Shaun Suhoski re the 1997 Comprehensive Plan update. Mr. Suhoski updated the Board to a four (4) party Agreement (Town of Ayer, Communities Opportunity Group (COG), Montachusett Regional Planning Commission (MRPC) and State Grants (418 Grant & CDBG) which detailed the scope of work and contract agreement. The Town's scope of services was approved last month by the State's inter-agency Work Group. The work will include updating all sections of the 1997 Plan including a Housing Needs Assessment and updating the Town's Open Space Plan as well as exploring transportation needs in downtown Ayer. Mr. Suhoski stated the updated plan will define what the Town seeks to become and will prioritize capital improvements as well as increasing affordable housing. Mr. Suhoski stated his office will coordinate the work with townspeople to consolidate ideas as well as manage the contracts. Mr. Suhoski requested a Committee be formed to oversee the plan recommending the following: designees from the Conservation Commission, Planning Board, Zoning Board of Appeals, Historical Commission, Board of Selectmen, Housing Authority, Economic Development Office, School Committee, two citizens at large, local developer, and a citizen or official active in Devens issues. Motion to approve the Committee made by Selectman Bresnahan, 2nd by Selectman Maxant, VOTE: unanimous, so moved.

Chairman Fay called for a motion to accept the Comprehensive Plan Update as proposed by Mr. Suhoski. Selectman Bresnahan moved to approve the Draft addition to the Town's Comprehensive Plan Scope of Services not to exceed One Hundred and Six Thousand dollars, (\$50K-Town Meeting Appropriation, \$30K E.O. 418 Grant, \$25K CDBG, \$1,600.00 Ayer CDBG Program Income) and the state procurement listed contractors listed in December 2002, presented by Mr. Suhoski and authorize the Chairs endorsement of the Plan 2nd by Selectman Morrison, VOTE: unanimous, so moved. Completion of work by June 30, 2004.

2. FY-02 CDBG Grant Extension The Board met with Mr. Suhoski re: the FY-02 CDBG Extension. Mr. Suhoski advised to the extension will allow for the completion of the housing rehabilitation program, the Loaves & Fishes Program-Housing Services, and completion of the Housing Needs Assessment advising to

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DHCD only approving the scope for the housing needs assessment on May 19th of this year causing the extension. Selectman Bresnahan moved to approve the Fy-02 CDBG Extension, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

Contract Awards:

Housing Rehab Specialist: The Board met with Timothy Hansen. Mr. Hansen recommended the Town award the contract for Housing Rehabilitation to Bucchianeri Management Services in the amount not to exceed \$31,500 based upon a fee of \$1,575.00 per unit for estimate of twenty (20) units. Motion to approve Mr. Hansen's recommendation made by Selectman Bresnahan 2nd by Selectman Maxant VOTE: unanimous, so moved.

Lead Paint Inspector: The Board met with Timothy Hansen. Mr. Hansen recommended the Town award Lead Paint Testing Services to Caulfield Environmental Services in the amount not to exceed \$12K. Motion to approve made by Selectman Bresnahan, 2nd by Selectman Maxant, VOTE: unanimous, so moved.

Agenda Item #4. Water/Sewer Rates-Town Acct. & Supt. Madigan

1. Water & Sewer Rates Implementation:

The Board met with Supt. Madigan and Town Accountant Lisa Gabree re the Fy-04 Water/Sewer Rate Implementation and associated service fees. The Board reviewed with Ms. Gabree her report of 6/5/03 which addressed the following: Impact of phasing in or delaying of new rate increases until October 1st, approval and implementation date of service charges and private fire charges, approval and implementation date of irrigation rate and the establishment of a committee to provide on-going review of water & sewer rates and fees. The Board moved to retain rates as previously approved effective July 1, 2003: Motion to approve made by Selectman Bresnahan, 2nd by Selectman Sullivan VOTE: unanimous, so moved.

WATER: Step 1-\$1.69/1st 6Kcf, Step 2-\$2.10/over 6K and less than 12K cf, Step 3-\$2.48/over 12K cf.
SEWER: Step1-\$3.73 1st 6Kcf, Step 2-\$.428/over 6K and less than 12K cf, Step 3-\$4.87 over 12K cf.

Ms. Gabree updated the Board to the work involved to establish **two (2) rate changes** over a 3 month period, advising it not feasible for her or for Pam (DPW Office Manager) with current work loads. The Board was also updated to delay of rate increases causing significant impact/ hardship for businesses, i.e 39% of annual flows occur during July-Sept. if rate increase delayed these flows would be billed at the Fy-03 rates and the rates for Fy-04 would have to be set higher to balance the Fy-04 Water/Sewer budgets.

Ms. Gabree requested approval and implementation of service charges and private fire charges advising service charges (verbiage) would replace minimum- these charges would apply to water only. Range of fees would be from \$12.20 to \$176.80 for an 8" line. Fire charges would not impact residential users, only customers with private fire service connections to sprinkler systems or private hydrants receive a service others don't 24-7. Fy-04 estimated revenue from service charges: \$61,457, estimated revenue from private fire charges: \$23,884. Selectman Bresnahan moved the Board approve the Comparison of Rate Alternatives for water & sewer service charges and private fire charges submitted by Woodcock & Assoc. effective 10-1-03, in a memo dated 6-2-03-attached, 2nd by Selectman Morrison, VOTE: Selectman Bresnahan aye, Selectman Sullivan aye, Selectman Morrison aye, Chairman Fay aye, Selectman Maxant abstained 4-1 motion passes.

Irrigation Rate: Ms. Gabree recommended outdoor watering meters is charged the Step 3 rate for water usage. (\$2.48) Ms. Gabree stated customers install outdoor irrigation meters in order to avoid sewer charges on outdoor watering and have enjoyed the lowest rates stating water is limited natural resource and as such should be charged the highest rate #3. Selectman Bresnahan stated his opposition to recommendation without first holding a Public Hearing which was put forward in the form of a motion, 2nd by Selectman Morrison, VOTE: unanimous, so moved.

Establishment of Committee to provide on-going review re: water/sewer rates & fees-Ms. Gabree updated the Board to her earlier request during the Hearings for a Committee be established to provide on-going review software, potential rate increases fees and other related items as well as recommendations of the Water & Sewer rates. The Committee to be made up of 1 Water/Sewer Commissioner, Public Works Office Manager, Town Accountant, one representative from each type of customer i.e. SIU's, residents, small businesses. The Board concurred with this recommendation. Selectman Bresnahan moved the

establishment of this committee, 2nd by Selectman Maxant VOTE: unanimous, so moved. Selectman Bresnahan requested the Committee be charged with review of service & fire charges to provide rational of setting rates as well as review of the irrigation meters implementation recommendation, 2nd by Selectman Maxant VOTE: unanimous, so moved. The Board thanked Ms. Gabree & Supt. Madigan for their input.

Agenda Item #5. Supt. Madigan's Report:

1. **Washington St. Water Main Change Order**-The Board moved and seconded to approve Supt. Madigan's request for Change Order #2. (paving) to Tiffany Equipment & Const. Co. not to exceed \$34K for a new project construction total not to exceed \$452,552.25 Motion made by Selectman Bresnahan, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.
2. **Sewer Connection Permits**- 8 Moore Drive, Ayer, MA (per sewer bank allocation) and 16 Fletcher Street, Ayer, MA (Title V Failure). Selectman Bresnahan moved the Board approve the sewer permits for 8 Moore Dr. & 16 Fletcher St., Ayer, MA as recommended by Supt. Madigan, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.
3. **Sewer Inflow Study Report & Recommendation** - The Board reviewed with Supt. Madigan his Memo of 6-5-03 re: HTA study re: determining previously identified suspected sources of inflow being identified, removed and be determined if the flow be allowed to flow into Devens WWTP for treatment & disposal. Supt. Madigan stated the study determined it is cost effective to remove inflow from floor drains and sump pumps from the sanitary sewer system than it is to treat the inflow. Supt. Madigan suggesting the cost to remove inflow found during investigation by the sewer department is at the cost of the property owner. The Board moved to approve Supt. Madigan investigate up to eighty (80) individual cases in which water not requiring treatment is directed into the Town sewer system from sump pumps, floor drains and driveway drains. Supt. Madigan advising DPW will require homeowners to remove illicit connections causing the homeowner problems finding alternate discharge methods. Motion made by Selectman Bresnahan to accept Supt. Madigan's recommended course of action for inflow study described in a Memo dated 6-5-03, 2nd by Selectman Morrison, VOTE: unanimous, so moved.

Agenda Item #6. Town Administrator's Report

1. **Mail Folder**-Ms. Hegarty advised the Board to new system re: Selectmen's mail-one folder to be established for Selectmen's review of correspondence to be placed in Selectmen's Office for Board to review. Ms. Hegarty requested the Board try out new system & provide comment back.
2. **Draft Fy-04 Appointments**- Ms. Hegarty presented the Board the 1st Draft of the Fy-04 Appointments for their review and comment back to her in preparation for the Board's 6-24-03 Meeting.
3. **Mirror Lake Conservation Deed Restrictions**-Selectman Maxant moved the Board support recommendation of Town of Harvard's position for recommended changes to the Conservation Restriction Deed for Mirror Lake dated 5-21-03, 2nd by Selectman Sullivan, VOTE Selectmen Bresnahan aye, Selectman Sullivan aye, Selectman Morrison aye, Chairman Fay aye, Selectman Maxant abstained, 4-1 motion passes.
4. **Town Counsel authorization for Planning Board**.-The Board approved Judith Pickett as Special Town Counsel for the Planning Board re: Kingsbury Realty Trust at a cost not to exceed \$2K. Motion made by Selectman Sullivan 2nd by Selectman Maxant, VOTE: unanimous, so moved.
5. **Institutional Controls AOC50** - The Board set July 15, 2003 at 7pm at the Town Hall to meet with PACE, Board of Health, Town Counsel and Henry Woodle to prepare for discussions with the Dept. of Defense re: Town of Ayer being required to enforce institutional controls for AOC50 and potentially other sites.
6. **Nationwide Risk Mngt. Workers Compensation Recovery Program**-The Board moved & 2nd to accept the Town Administrator's recommendation to approve the Town's participation in the program and authorized the Chairs signature on the contract. Motion made by Selectman Sullivan 2nd by Selectman Morrison, VOTE: unanimous, so moved.
7. **Devens Liquor License Legislation**-Selectman Bresnahan recused himself from the discussion. Selectman Maxant stated requesting a compromise equals another concession-not a true compromise. The Board requested no action be taken toward any reconsideration, any potential meeting will be at Senator Resor's request and will schedule only at her request only.

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FYP's Main St. Pedestrian crosswalk trial program-Ms Hegarty advised the Board to Chief Rizzo obtaining 12 crosswalk signs through grant and working with DPW to do a trial run establishing safer crosswalks along Main St. Chief Rizzo will be looking for feedback relative to locations, signage placement from the Board.

Chairman Fay called for a motion to extend the Selectmen's Meeting to 10:30p.m. Selectman Sullivan moved the Board continue Open Session no longer than 10:30p.m., 2nd by Selectman Morrison, VOTE: unanimous, so moved.

The Board scheduled a meeting on 6-20-03 to meet with Town Acct. & Town Treasurer re: special borrowing/bonding.

The Board moved and 2nd to accept the resignation of Edwin bloom from the Council on Aging with regrets. Motion made by Selectman Sullivan, 2nd by Selectman Bresnahan, VOTE: unanimous, so moved.

The Board requested a Committee be formed to help with historical displays at Town Hall.

Chairman Fay advised to Committee re: Veterans Memorial Plaque going forward with petition for Special Article on the Fall Town Meeting Warrant. Petition to be placed on counter in Selectmen's Office for signatures. The Board to schedule Agenda item on upcoming Selectmen's Meeting re: citizen's petition.

The Board requested a letter from Beverly Schultz be placed on the next Selectmen's Meeting agenda re: hazardous leakage into Spectacle Pond.

10:30p.m. Selectman Morrison moved the Board adjourn the meeting, 2nd by Selectman Sullivan VOTE: unanimous, so moved.



DATE: 8-15-03

Selectman Morrison, Clerk
AYER BOARD OF SELECTMEN