

Selectmen's Meeting
Tuesday, October 29, 2002
Ayer Town Hall, 1st Floor Meeting Room, 1 Main St., Ayer, MA 01432

8:00p.m. Open Session

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

The Minutes of 10-1-02 were amended to change name under Agenda Item #1. -the 2nd sentence from the end from Mr. Eddy to Mr. Hamilton. Motion to approve made by Selectman Bresnahan 2nd by Selectman Fay, VOTE: unanimous, so moved. The minutes of 10-8-02 were read and accepted. Motion to approve made by Selectman Maxant, 2nd by Selectman Bresnahan, VOTE: unanimous, so moved.

Public Input: Chairman Witherow requested if there was anyone present wishing to meet with the Board. Selectman Fay: Suggested the Board invite Mr. William Burke from MASDEV to meet with the Board re: update of Devens Issues:

1. North Post: how to move forward with making decisions on development, etc.
2. Devens Housing:

1. Increase numbers
2. How will decision be made on types and locations of housing
3. Park & West Main Street intersection design funding-do something or nothing.

The Board to give list of issues to Ms. Hegarty to be presented to Mr. Burke to formulate discussion. Meeting to be scheduled in December. Motion to approve meeting with Mr. Burke made by Selectman Fay, 2nd by Selectman Maxant, VOTE: Selectman Bresnahan aye, Selectman Sullivan aye, Selectman Fay aye, Selectman Maxant aye, Chairman Witherow abstained -4-0 motion passes.

Selectman Sullivan-presented the check from the Commonwealth of Massachusetts to the Town of Ayer in the amount of \$218,342 representing the Town percentage (3%) and the State match of funding from the Community Preservation Act.

Agenda Item #2. Park & West Main Street Intersection

The Board met with Fred Douglas from David Ross Assoc. The Board reminded the room that this discussion is not intended as a Public Hearing and the Board would only be opening the floor for a few general comments. Mr. Douglas distributed handouts to the audience. Mr. Douglas stated he would be presenting slides depicting areas of concern addressed by the Board & Merchants from the Public Hearing held in October. Mr. Douglas reviewed with the Board the preliminary design plan regarding the traffic impact and access study for the proposed municipal improvements which addressed: 1. Parking, 2. Existing and proposed conditions, truck turning movements, traffic calculations and traffic signal operations and the preliminary plan (alternative #1 & alternative #2).

Alternative 1. Full traffic signal design with curb line modifications, install traffic signal without curb line modifications which depicted the level of service AM/PM, Queue (FT), and average delay in seconds.

Alternative 2. Four Phase Traffic Signal, depicting a 90 second cycle for Main St/W.Main St., Park St., Park St left only, Mill St., and a walk cycle. The Board at the conclusion of the presentation heard comments from the audience, which addressed parking spaces lost in front of Laggis, truck traffic increase, and speed of traffic through downtown.

Agenda Item #3. Community & Economic Development Director's Report: The Board met with Timothy Hansen who presented a Subordination Agreement for property located on 11 Columbia St., Ayer, MA. The Board took this matter under advisement pending further review.

Agenda Item #4. Town Administrator's Report


1. **Cable Advisory Com.** The Board approved the process of payment re: legal fees for the Ayer Access Corp. payment to be made by the Town to be reimbursed back to the Town by the Corporation using the funding obtained from the Cable Co. Motion to approve made by Selectman Bresnahan, 2nd by Selectman Fay, VOTE: unanimous, so moved. Mr. Douglas Becker was in the audience and advised the Board to the Town receipt of \$15,000.00 for Ayer's new Cable Commission a one time only transaction to purchase equipment and supplies needed for new Ayer Access Office. The Board congratulated Doug for all his effort put into this Committee.

2. **DPW Rock Salt Bid:** the Board awarded the Rock Salt Bid to Eastern Salt Co. for the unit price of \$29.25/per ton. Motion to approve made by Selectman Bresnahan, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.
3. **Consultant's Contract-Ayer Planning Board:** The Board approved Tata & Howard's contract for technical assistance to the Ayer Planning Board re: Longview Heights Sub-division not to exceed \$1,800.00. Motion to approve made by Selectman Fay, 2nd by Selectman Bresnahan, VOTE: unanimous, so moved.
4. **Special Counsel for Planning Board:** The Board voted to approve the Planning Board's request for Special Counsel re: Kingsbury Realty Trust's 11 unit sub-division due to Town Counsel having a Conflict of Interest. The Board voted Judy Pickett be appointed Special Town Counsel and not to exceed Five Thousand Dollars (\$5K). Motion to approve made by Selectman Bresnahan, 2nd by Selectman Maxant, VOTE: unanimous, so moved.
5. **Change Order #2 Wastewater Pumping Station & Force Main Contract.**-The Board approved a requested change order to amend the existing contract with North Atlantic Constructors in the amount of \$1,595.00 to cover additional Mass. Electric work -funds available to cover additional work. Motion to approve made by Selectman Bresnahan for the Chairman's signature, 2nd by Selectman Fay, VOTE: unanimous, so moved.
6. **DPW Employee-** the Board approved of DPW employee Michael Gamelin's three (3) month employment extension. Motion to approve Mr. Gamelin's extension made by Selectman Sullivan 2nd by Selectman Maxant VOTE: unanimous, so moved.
7. **Sign Requests:** The Board approved of Sign Requests from Ayer Shirley Pop Warner re their Super Bowl Sign & Deaconess Nashoba Hospital's Green Sale Sign. Pop Warner to get permission of property owner (Archer's Mobil) and signs in front of Town Hall positioned to not damage light on front lawn. Motion to approve signs made by Selectman Bresnahan, 2nd by Selectman Maxant, VOTE: Selectman Maxant aye, Selectman Bresnahan aye, Selectman Sullivan aye, Chairman Witherow aye, Selectman Fay no 4-1 motion passes. Selectman Fay stated his opposition circumventing the By-law and to look into having a permanent location re: signs. Selectman Bresnahan stating Town signs are a good tradition.
8. **Resignation:** The Board was updated to Lisa Wheeler resigning from the Personnel Board due to leaving the area and moving to Florida. The Board accepted Ms. Wheelers resignation with regret and requested a Certificate of Appreciation be prepared for Ms. Wheeler acknowledging her work on the Board.

NEW BUSINESS/SELECTMEN'S QUESTIONS

1. Selectman Sullivan requesting the light on the lawn is fixed.
2. The Board voted to eliminate the hours of Water Ban but to keep the water Ban in force. Motion to eliminate the hours of the water ban made by Selectman Bresnahan, 2nd by Selectman Maxant VOTE: unanimous, so moved.

9:35p.m. Selectman Maxant moved the Board adjourn from Open Session to enter into Executive Session pursuant to MGL Chapter 39, section 23B Exemption #3 re: Contracts, 2nd by Selectman Bresnahan. VOTE: Selectman Maxant aye, Selectman Bresnahan aye, Selectman Sullivan aye, Selectman Fay aye, Chairman Witherow aye, unanimous, so moved.


Frank F. Maxant, Clerk

DATE: FRIDAY, THE TWENTH OF DECEMBER, 2002