

Selectmen's Meeting Minutes  
Tuesday, September 17, 2002  
Ayer Town Hall-1<sup>st</sup> Floor Meeting Room, Main St., Ayer, MA

7:00pm Open Session

The Board met with Vice-Chair Fay sitting in as Chair for absent Selectman Witherow who was on vacation, Selectman Maxant, Selectman Bresnahan, Selectman Sullivan.

**Public Input:** Acting Chairman Fay requested if there was anyone present wishing to speak under Public Input.

- 1) Pauline Connelly of Personnel Board requested her board be allowed to participate in discussion of the upcoming personnel issues. Board approved.

Acting Chairman Fay called for a motion to approve the Agenda. Selectman Bresnahan moved the Board approve the Agenda as amended, 2<sup>nd</sup> by Selectman Maxant, VOTE: unanimous, so moved.

Acting Chairman Fay took this opportunity to request a moment of silence for deceased past Selectman Manny Sifakis was passed away Thursday, September 12, 2002.

**Agenda Item #1. Cable Advisory Committee**

The Board met with Douglas Becker, Chairman of the Cable Commission Mr. Becker presented the Cable License Agreement with the Town and AT&T Broadband approved by the Cable Commission. Selectman Bresnahan moved to approve the cable license agreement between the Town and ATT Broadband as presented by the Cable Committee, 2<sup>nd</sup> by Frank Maxant. VOTE: unanimous, so moved. The Board moved to designate the Cable Committee as the "designee" as so stated in the contract. Motion made by Selectman Sullivan, 2<sup>nd</sup> by Selectman Maxant, VOTE: unanimous, so moved.

**Agenda Item #2. Public Hearing-Keyspan Energy- Bligh St. Gas Line**

Acting Chairman Fay opened the hearing by requesting the Selectman's Clerk read the Legal Notice into the record. Selectmen's Clerk Maxant read the public notice to open the hearing. Representing Keyspan Energy- Harold Cooper presented the proposed work. Chairman Witherow requested if there were abutters present wishing to speak for or against the Petition. Abutter David Wheatley asked the following questions of Mr. Cooper: 1) Who will repair any damage to lawns or roadways. Answer – Keyspan will return all disturbed areas to original condition. 2) Is the contractor paying a fee for the extension? Answer Mr. Cooper did not know. 3) Is there a pro-ration of the rate? Answer – Mr. Wheatley was advised to contact Keyspan to get specific information relative to any reimbursement that will be forthcoming to him. The Board after review voted to approve the petition with the following amendment. To correct the spelling of "easterly" on the petition plans. Motion to approve made by Selectman Sullivan, 2<sup>nd</sup> by Selectman Bresnahan, VOTE: unanimous, so moved.

**Agenda Item #3. Public Hearing Continuation of 9-3-02-Beer & Wine License Transfer-BAP RAM d/b/a Roux's Market**

The Board met with Atty. Ervin, Ambalal Patel present owner of Roux's Mkt. and Surinder Bhardwaj new owner. The Board advised Atty. Ervin & Surinder Bhardwaj of CORI background check showing no negative criminal history on part of the applicant. Atty. Ervin updated the Board to his client just completing the required Alcohol training, and that one full-time employee is scheduled to take training before starting. Acting Chairman Fay called for a motion. Selectman Bresnahan moved to approve the transfer of the Beer & Wine License Transfer Application for Roux's Market, 2<sup>nd</sup> by Selectman Maxant. VOTE: unanimous, so moved.

**Agenda item #4. Community & Economic Development Director's Report**

The Board met with Timothy Hansen, Grant Administrator, and Director Shaun Suhoski.

- a) **Lead Paint Testing Services Award and contract** – Mr. Hansen reported 3 proposals were received and reviewed. Mr. Hansen recommended awarding the Lead Paint Testing Services bid to Caulfield Environmental for the bid award of \$7,200.00. The Board noted typos in the contract that required correction: correct spelling of contractor name, and correct spelling of Town

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authorized signatory. Selectman Bresnahan moved to award bid and contract to Caulfield Environmental per Mr. Hansen's Sept. 17<sup>th</sup> memo with amendments as noted, providing approval of contract by town counsel and with insurance requirements being met; for the bid award not to exceed \$7,200.00, 2<sup>nd</sup> by Selectman Maxant, VOTE: unanimous, so moved.

- b) **Housing Rehabilitation award and contract** - Mr. Hansen reported two proposals were received and reviewed. Mr. Hansen recommended the Board award the bid to Bucchianeri Management Services as most qualified proposer for the bid award of \$19,250.00. Selectman Bresnahan moved to approve the award of contract to Bucchianeri Management Services per Mr. Hansen's Sept. 17<sup>th</sup> memo, in the amount not to exceed \$19,250.00 conditional upon Town Counsel approval and insurance requirements being met, 2<sup>nd</sup> by Selectman Maxant, VOTE: unanimous, so moved.
- c) **Loaves and Fishes Subgrantee Agreement** - Shaun Suhoski explained that this contract is to formalize the agreement between the Town and Loaves and Fishes for the emergency housing services offered under the CDBG grant program previously approved by the Board. Selectman Sullivan moved that the Attachment A Scope of Services be amended to specify that only Ayer residents will be recipients of the financial assistance and to omit referrals to legal aid societies services and that the last four lines of the scope be removed, 2<sup>nd</sup> by Selectman Maxant, VOTE: unanimous, so moved. Selectman Bresnahan moved to approve the agreement as amended in an amount not to exceed \$24,300.00, 2<sup>nd</sup> by Selectman Sullivan, VOTE: unanimous, so moved.

### **Agenda Item #5. Personnel Issues**

The Board met with the Personnel Board and Olga Pender, Part-time Clerk at the Dept. of Public Works - Ms Pender requested that she be placed at Grade 6 Step 3 instead of the current Grade 6 Step Min due to the fact that she had several years ago been promised a re-grade which was never forthcoming. She stated that her position was appropriately graded to a Grade 6 but that she deserved to be ranked to a higher step now due to lost opportunity to move up steps in past years. Pauline Conley and Lisa Wheeler of the Personnel Board were present to request that the step increase be denied per their previous memo to the Board. Selectman Bresnahan moved to recognize that Ms. Pender's situation was unique and that she be moved to Grade 6 Step 3 effective July 1, 2002 and that the pay increase be implemented in the July/Jan phased approach as approved at town meeting, 2<sup>nd</sup> by Selectman Sullivan, VOTE: unanimous, so moved.

Susan Provencher - Shaun Suhoski requested the Board move Ms. Provencher to a Grade 6 Step 2, a \$0.61 per hour increase, due to her 2 plus years experience with the Town and due to her excellent work record. He stated the increase would be funded by CDBG funds and the Town Accountant's budget - both of which had adequate funds. Mr. Harding of the Personnel Board expressed his boards concern that we need to allow the new compensation and evaluation plans time to work, and we should not attempt to change anyone's placement at this time. Selectman Sullivan moved the Board vote to table the request at this time, 2<sup>nd</sup> by Selectman Maxant, VOTE: unanimous, so moved.

### **Agenda Item #6. Appointments**

1. Communications Committee-The Board appointed Harry Zane to the Communications Committee per the recommendation of Kimberly Becker, Chairman of the Communications Committee. Motion to approve made by Selectman Bresnahan, 2<sup>nd</sup> by Selectman Maxant VOTE: unanimous, so moved.
2. Devens Economic Development Committee. The Board appointed Shaun Suhoski to the Devens Economic Development Committee as ex-officio. Selectman Sullivan requesting Mr. Suhoski review the impact of Devens to Ayer Businesses and report back. Motion to appoint Mr. Suhoski made by Selectman Bresnahan, 2<sup>nd</sup> by Selectman Sullivan VOTE: unanimous, so moved.

The Board set back the remaining appointments pending further review.

### **Agenda Item #7. Supt. Madigan's Report**

1. **Guard Rail Bid Award:** The Board awarded the installation of steel beam guard rails to include the removal and proper disposal by the contractor of approximately 2,120 ft. of existing guard rail and the furnishing and installation of new steel beam guard rails meeting Com. of MA Highway Specifications recommended by Supt. Madigan to DeLucca Fence of Methuen, MA for the bid award of \$12.25 per ft. not to exceed \$42,300.00. Motion to approve made by Selectman Sullivan, 2<sup>nd</sup> by Selectman Maxant, VOTE: unanimous, so moved.

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2. **Chanel Grinder Bid Award**-The Board awarded the installation of a new sewage grinder for the Central Ave. Pump Station per the recommendation of Supt. Madigan to Weston & Sampson for the bid award not to exceed \$4,900.00. Motion to approve made by Selectman Sullivan, 2<sup>nd</sup> by Selectman Maxant, VOTE: unanimous, so moved. Selectman Sullivan moved the Board authorize the Chairman to sign the contract on behalf of the Board, 2<sup>nd</sup> by Selectman Bresnahan, VOTE: unanimous, so moved.
3. **Water Ban Status**-Supt. Madigan Reported the Ban seems to be working well with no major problems ban savings averaging approximately 300,000 more gallons a day. Selectman Sullivan moved the Board continue the Water Ban, 2<sup>nd</sup> by Selectman Maxant.

**Agenda Item #8. Town Administrator's Report**

1. **Devens Phase 2 Report:** Ms Hegarty presented Devens Phase 2 Report voted and approved on by the Tri-Town Five Year Review Com. requesting the Board recommend the Joint Board's of Selectmen approve as well. Selectman Bresnahan moved the Board vote to accept the Devens Phase 2 Report for acceptance by the Joint Board's of Selectmen, 2<sup>nd</sup> by Selectman Maxant. VOTE: unanimous, so moved.
2. **Water/Sewer Rate Study.** Selectman Sullivan moved the Board delete the alternate rate structure from the RFP. Selectman Sullivan aye, Selectman Maxant aye, Selectman Fay no, Selectman Bresnahan no VOTE: 2-2 motion fails.
3. **Old Fire Station Repairs-**  
**Roof award:** The Board voted to award the bid for the Old Fire Station roof repairs to Pinnacle Roofing of Northboro, MA for the bid award not to exceed \$4,500.00 per the recommendation of the Fire Chief. Motion to award made by Selectman Bresnahan, 2<sup>nd</sup> by Selectman Sullivan, VOTE: unanimous, so moved.  
**Brick/Masonry Work:** The Board voted to award the brick/masonry work repairs to the old fire station to Clayton Wilson of Baldwinville, MA for the bid award not to exceed \$7,200.00 per the recommendation of the Fire Chief. Motion to award made by Selectman Bresnahan, 2<sup>nd</sup> by Selectman Sullivan, VOTE: unanimous, so moved.
4. **Pirone Park Pathway Contract-** The Board approved the Chairs endorsement of the Pirone Park Pathway Contract approved by Town Counsel in the amount not to exceed \$6,400.00. Motion to approve made by Selectman Bresnahan, 2<sup>nd</sup> by Selectman Maxant, VOTE: unanimous, so moved.
5. **Employee long/short term disability insurance program-**The Board voted to approve the Insurance Advisory Committee's recommendation to offer employees a Long Term & Short Term Disability Insurance Program at the employees option and expense and not to be incurred by the Town. Motion to approve made by Selectman Sullivan, 2<sup>nd</sup> by Selectman Bresnahan, VOTE: unanimous, so moved.
6. **Area of Critical Environment Concern-(ACEC)** The board postponed this vote until the Selectmen's 1<sup>st</sup> meeting in October. Motion to delay vote made by Selectman Bresnahan, 2<sup>nd</sup> by Selectman Sullivan, VOTE: unanimous, so moved.

**The Board moved to extend the meeting beyond the 10pm.** Motion to extend the meeting made by Selectman Bresnahan 2<sup>nd</sup> by Selectman Maxant, VOTE: unanimous, so moved.

**Selectmen's Questions:**

1. Request to have center line painted on Oakridge Dr.
2. Police Chief & DPW to investigate Corner of Cambridge St.
3. Plaque for Veteran's Monument-Acting Chairman Fay advising to a lot of interest from long time Ayer residents requesting heir names is placed on plaque. Selectman Fay requested an Ad-Hoc Committee be put together to develop the criteria re investigating this request & report back, offering to be the Board's liaison for this Committee.

**The Board moved to extend the meeting to 10:20p.m.** Motion to extend the meeting made by Selectman Bresnahan, 2<sup>nd</sup> by Selectman Sullivan, VOTE: unanimous, so moved.

Selectman Maxant moved the Board adjourn from Open Session to enter into Executive Session pursuant to MGL Chapter 39, Section 23B re: Supt. Madigan. VOTE: Selectman Bresnahan aye, Selectman Fay aye, Selectman Sullivan aye, Selectman Maxant aye, Chairman Witherow aye, so moved.



Frank F. Maxant, Clerk  
AYER BOARD OF SELECTMEN

Date: 10/10/12