

Selectmen's Meeting Minutes
June 11, 2002
Ayer Public Library, lower level meeting room-E. Main Street, Ayer, MA

7:00p.m. Open Session

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

Minutes: the minutes of April 6, 2002 were read and approved. Motion to approve made by Selectman Fay, 2nd by Selectmen Bresnahan, VOTE: unanimous, so moved. The minutes of 5-28-02 were set back for further review.

Public Input: Chairman Witherow requested if there was anyone present wishing to speak under Public Input-no one stepped forward.

Agenda Item #1. One Day Beer & Wine License: The Board approved a One Day Beer & Wine License for Traffic Circle Liquors d/b/a Jack-O-Lantern for June 19, 2002 for the Nashoba Valley Chamber of Commerce business after hours. Motion to approve made by Selectman Bresnahan, 2nd by Selectman Witherow, VOTE: unanimous, so moved.

Agenda Item #2. Appointments

1. **Personnel Board:** The Board appointed Pauline Conley to serve on the Personnel Board as the Advisory Committees designee. Motion to approve made by Selectman Bresnahan, 2nd by Selectman Witherow, VOTE: Selectman Bresnahan aye, Selectman Sullivan aye, Selectman Witherow aye, Selectman Fay, no 3-1 motion passes.
2. **Council on Aging:** The Board appointed William Davis to the Council on Aging to fill the vacated seat of Kathy Mull per the recommendation of Karin Swannfeldt, Director. Motion to approve made by Selectman Bresnahan, 2nd by Selectman Fay, VOTE: unanimous, so moved. The Board requested Kathy Mull be presented a Certificate of Recognition for all her assistance while serving on the Council.
3. **Planning Board:** The Board met with the Ayer Planning Board re: a Joint appointment to the Planning Board to fill the unexpired term of James Fay. Selectman Fay moved the Board appoint Hector Creamer to the Planning Board, 2nd by Selectman Bresnahan, VOTE: Selectman Sullivan aye, Selectman Fay aye, Selectman Witherow aye, Selectman Bresnahan aye, James Lucchesi aye, Patricia Walsh aye, Peter Johnstron aye VOTE: unanimous, so moved

Selectman Maxant entered the meeting, delayed from previous appointment

Agenda Item #3. Community & Economic Development Director's Report: The Board met with Shaun Suhoski. -Mr. Suhoski presented to the Board his proposed Fy-03 Operational Budget in the amount of \$71,719.00 which reflected Fy-02 UDAG partial cost due to CDBG grant influence. Percentage change of 4.34% over Fy-01 approved UDAG budget representing two years period. Selectman Bresnahan moved the Board approve the budget as presented, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

The Board reviewed with Mr. Suhoski his Fy-03 Goals & Objectives. Selectman Maxant requested more emphasis be placed in Ayer re: support, retention and expansion of commercial and industrial business.

#1. Improving Ayer's Gateways and historical downtown and to seek upgrade to Ayer's rail station.

#3. Park Dept. is encouraged to take more active role re recreational opportunities for community.

#5. Be more aggressive with MRPC -utilize more

More emphasis on West Main St., -investigate more opportunities for area.

Mr. Suhoski updated the Board to meeting next Wednesday re fire station with VHB re infrastructure.

Selectman Sullivan requested signage be put up for people looking for rail trail, Lighting concerns re low lumination and for Mr. Suhoski to provide support to Historical Commission re their Historical Grant Application. The Board complimented Mr. Suhoski on his goals & objectives being well written and addressed.

Agenda Item #4: Fire Dept. Union Present for the discussion-Fire Chief Paul Fillebrown and Representing the Fire Dept. Union: Robert Pedrazzi, Timothy Taylor and Robert Bozec. Ms. Hegarty

advised the Board to the purpose of this evenings meeting with the Fire Dept. Union was opportunity for the Union to explain a forty-two--(42) hour workweek, how it will work and benefits. Mr. Pedrazzi explained that the 42-hour workweek would consist of two 10-hour days and two 14-hour nights with 4 days off over eight-week period. This proposal would call for an additional shift (hiring of 3 more men) which the Union placed in the 3rd year of contract in order for the Town to prepare for additional funding. Mr. Pedrazzi stated the Union is split on working 42 or 24 shifts, which would entail 3 days off over an eight-week period also. Selectman Sullivan expressed his concern re: the Town affording another shift of men, the Dept. would have to cut back elsewhere to do so. Mr. Pedrazzi presented the Board advantages of a 24-hour shift for the Board's consideration and review. Selectman Bresnahan requested the Union prepare pros/cons for each proposal for the Board's next meeting. The Chief advised the Board to his recommendation would be for the 24-hour week being the best way to go for the department.

Agenda Item #5. Supt. Madigan's Report: The Board met with Supt. Madigan.

1. Washington Street area water mains contract

Supt. Madigan updated the Board to Bid Opening on May 30, 2002 and nine (9) bids being received. Supt. Madigan presented the three (3) low bidders to the Board. Tiffany Equip. & Const. - \$415,933.75, Silva Const. Co. - \$436,383.25 and RM Pacella, Inc. \$433,023.25. Supt. Madigan stated Weston & Sampson reviewed all the bids and recommended the Board award the bid to Tiffany Equip. & Const. Supt. Madigan advised the Board to the estimated cost of the project being \$611,526 which included Construction services, Engineering design, bid award, contingency (10%) and police details. Supt. Madigan advised to present funding approximately \$640K and recommended the award to Tiffany Equip. & Const. Selectman Sullivan moved the Board the Washington Street area water mains contract to Tiffany Equip. & Const. For the bid award not to exceed \$415,933.75, 2nd by Selectman Fay, VOTE: unanimous, so moved.

Agenda Item #6. Selectmen's Goals & Objectives.

Ms. Hegarty presented the Board the Selectmen's Fy-03 Goals & Objectives.

The Board reviewed with Ms. Hegarty the Selectmen's Goals and Objectives and requested the following changes be incorporated:

1. Selectman Maxant- Felt getting back on track with Devens being economy driven and place more emphasis preserving the quality of life for the Town of Ayer and its residents/businesses.
2. Selectman Bresnahan requesting Devens Five-Year Re-Use Plan being mainstreamed into the Board's Goals & Objectives.
3. Selectman Witheroe re: by-laws review i.e. Enterprise Funds etc. any changes needed please bring to the Town Administrator's attention.

Town Administrator's Report

1. Ms. Hegarty updated the Board to Town Hall being ADA compliant-Town Counsel notifying both State & Federal Agencies re: final walk through. Meetings may resume in Town Hall.
2. The Board awarded the Fire Dept. Breathing Apparatus to the low bidder Industrial Protection Services for the Bid award of \$79,123.00 Motion to approve made by Selectman Fay, 2nd by Selectman Maxant, VOTE: unanimous, so moved.
3. The Board approved a Reserve Fund Transfer for Building Insurance submitted by the Town Accountant in the amount of \$750.00. Motion to approve made by Selectman Bresnahan, 2nd by Selectman Sullivan, Vote: unanimous. So moved.
4. The Board awarded the DPW Fuel Awards:
 1. **Super Unleaded Gas:** Low Bidder Global Montello Group, LLC at the "over Boston Tank Car Price of \$0.0177/per gallon, Motion to approve made by Selectman Bresnahan, 2nd by Selectman Sullivan VOTE: unanimous, so moved.
 2. **Low Sulfur Diesel Fuel:** One Bid received-sole bidder-C.W. Fuels, Inc. at the "over Boston Tank Car Prices of: 1. \$0.039/gal for 500-2500/gal 2. \$0.039/gal for 40-400/gal 3. \$0.039/gal for winter blend 500-2500/gal. Motion to approve made by Selectman Fay, 2nd by Selectman Sullivan VOTE: unanimous, so moved.
 3. **#2 Heating Fuel-** 3 bids received-low bidder: Dennis k Burke Inc. at the "over Boston Tank Car Price of \$0.12/gal for 3000-5000 and \$0.25/gal for 200-1000/gal. Motion to approve made by Selectman Fay, 2nd by Selectman Sullivan, VOTE: Selectman Fay aye, Selectman Sullivan aye, Chairman Witherow aye, Selectman Bresnahan no, Selectman Maxant no 3-2 Motion passes.


5. The Board awarded the Channel Grinder Bid to New England Environmental Equipment for the bid award not to exceed \$34,078.00 per the recommendation of Supt. Madigan in a memo dated 6-7-02, 2nd by Selectman Sullivan VOTE: unanimous, so moved.
6. The Board awarded the DPW wastewater pump station upgrades and force main to Devens Contract to North Atlantic Constructors, Inc. for the bid award not to exceed \$849,501.00 per the recommendation of Supt. Madigan in a memo dated 6-7-02. Motion made by Selectman Sullivan, 2nd by Selectman Fay, VOTE: unanimous, so moved.
7. Ms. Hegarty updated the Board to Chairman Witherow requesting the Board review and supports the MA Producers Resolution, which would require producers to take back the CRT products once discarded by consumers. The Board set this back pending more information to the Selectmen's 6-25-02 Meeting.
8. Ms. Hegarty updated the Board to a railtrail fund raiser/ride request submitted to the Board from Assabet River Rail Trail, Inc. to promote the use of rail trails and raise funds for their organization selling tee shirts at the Ayer rail trail on 6-8-02. The Board requested to review & received additional insured from them indemnifying the Town of Ayer for this ride.
9. The Board reviewed the Recycling Center Lay out-(ADA Compliance & Traffic Flow) submitted by Tata & Howard relative to AAB approval & Traffic Flow best suited. The Board voted to approve Plan A. with ADA programmatic accessibility design and parallel parking per the T&H Report and authorize the Town Administrator and DPW to work with Town Counsel and the Building inspector to seek the required variances from the AAB to allow Plan A to be implemented. Motion to approve made by Selectman Bresnahan, 2nd by Selectman Fay, VOTE: Selectman Bresnahan aye, Selectman Fay aye, Chairman Witherow aye, Selectman Sullivan no, Selectman Maxant no 3-2 motion passes.

New Business/Selectmen's Questions:

1. Selectman Maxant re Idling Trains-Guilford blocking crossings assess penalty fees
2. Selectman Maxant re: MADEV should be driven by development of Town of Ayer not economy driven. Send message.
3. Selectman Bresnahan request DEC members attend Selectmen's Meeting in August.
4. Selectman Fay re: contact Sen. Resor re: Guilford and review Concord River incident
5. Selectman Sullivan: requesting slow children signage for Lawton St.
6. Selectman Sullivan requesting signage at rotary directing rail trail parking areas.
7. Selectman Sullivan requesting signage, speed bumps on Groton St. street crossing at rail trail to slow traffic down.
8. Selectman Sullivan requesting painting of curb at Chandler Machine to divide traffic lanes.
9. Selectman Sullivan requesting size of trash bags be changed to 39/40 gallons rather than 30 gallon by Board of Health more available than 30-gallon bags.
10. Chairman Witherow-requesting Department Head monthly reports.

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 to adjourn from that Executive Session to re-enter into Open Session for the sole purpose of adjourning the meeting, 2nd by Selectman Sullivan VOTE: unanimous, so moved.

9:15p.m. Open Session concluded.


Frank F. Maxant, Clerk
AYER BOARD OF SELECTMEN

DATE: 7/23/2