

Selectmen's Meeting edited by Selectman Bresnahan & Selectman Witherow  
Tuesday, April 16, 2002  
Ayer Public Library-lower level meeting room, E. Main Street, Ayer, MA

7:00p.m. Open Session

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

**Public Input:** Chairman Pena requested if there was anyone present wishing to speak under Public Input, no one stepped forward.

**Minutes:** The Minutes of 3-19-02 were read and accepted.

**Agenda Item #1. Wellman Parker, Emergency Management Director: re update of Emergency Management Plan-**Present for the discussion Fire Chief Paul Fillebrown and Police Chief Richard Rizzo. Mr. Parker stated he was before the Board this evening to advise the Board to the Town's Comprehensive Plan being updated to supercede the previous plan whereby it would provide the framework for the Town to be able to perform their respective emergency functions in the event or during a disaster/emergency situation on the local, state or national level. The updated plan is written in accordance with existing Federal, State and local statutes. All Department heads in Ayer have been assigned a responsibility under this plan and required to implement detailed procedures re: response functions, which are to be carried out. Mr. Parker advised to a disk being at the Fire Station and available for review along with the updated book to be made available for review to the public in the Selectmen's Office. Selectman Sullivan addressed his concerns re: the water supply being adequately protected and Health Officials up to date should an anthrax outbreak occur. Mr. Parker advised to the Fire Dept., Board of Health, and DPW being on the Emergency Management Team as well as the Deaconess/Nashoba Hospital. Selectman Bresnahan moved the Board accept the report as presented by Wellman Parker, Emergency Management Director and authorize the Chairman's signature as requested on the report, 2<sup>nd</sup> by Selectman Fay, VOTE: unanimous, so moved. The Board thanked Mr. Parker for all his effort put into the report and update.

**Agenda Item #2. Community & Economic Development Director's report:** The Board met with Shaun Suhoski, Community & Economic Development Director. Mr. Suhoski introduced: Hank Suominen, Bob LaRoche -developers of GFI and Denise Shiva and Tom Knopf representing PolyOne Distrib. Co. Mr. Suhoski stated he was here tonight re: PolyOne's request for a Ten (10) Year Tax Increment Financing (TIF) assistance based upon a 50% exemption of the increment for years one through ten. Mr. Suhoski advised the Board to his office working with this company for the past two (2) years to find a new location in Town due to the companies Corporate Office expansion plans and of the company working diligently to stay in this area. PolyOne employs 38 full time employees who reside in Ayer & neighboring Towns and with their expansion plans look to creating twelve (12) new positions. PolyOne with the approval of the TIF would improve the water system in this area (Fitchburg Rd.) by looping the water line, would offer new construction/new revenues to an unused and abandoned facility. Selectman Witherow commended PolyOne for wanting to stay in Town but expressed her concern if they left in a year or two and did not fulfill their Agreement. Selectman Witherow requesting to make some restrictions on the Agreement. Mr. Suhoski advised the Board should PolyOne leave or fail in any way to meet the Agreement, the Town of Ayer could work with the State to have the TIF de-certified. Selectman Bresnahan stated his concern from citizens questioning why all these TIFS? Mr. Suhoski responded: 38-50 employees, strong benefit to community, spin off to local vendors/region, improvements to water system (\$40K to \$60K) new growth revenue, taxes \$44K, could miss window of financial opportunity for Town from no use/no revenue to economic revitalization. Selectman Sullivan echoing these comments. Selectman Sullivan moved the Board approve the Tax Increment Financing Assistance proposal requested by PolyOne and GFI Properties with a 50% exemption for years one through ten of the increment at the location of Rt. 2A in Ayer, MA, 2<sup>nd</sup> by Selectman Bresnahan, VOTE: Selectman Sullivan aye, Selectman Bresnahan aye, Selectman Fay aye, Chairman Pena aye, Selectman Witherow no, 4-1 motion passes.

**Agenda Item #3. Supt. Madigan's Report**

1. **Water Permit-Bligh Street**-Michael Alifieri, 25 Grove Street, Ayer, MA for Lot 4A three-(3) bedroom dwelling on Bligh Street, Ayer, MA. Selectman Sullivan moved to approve the water permit, 2<sup>nd</sup> by Selectman Bresnahan, VOTE: unanimous, so moved.
2. **Proposed Chapter 90 Program**-Supt. Madigan reviewed with the Board the proposed Fy-02 Chapter 90 Program requesting approval of the Selectmen for the following work projects: painting of safety lines, cleaning of catch basins, crack fillings, installation of guard rails West Main Street (2,120 ft.) and paving of Wright Rd., with 2" top for 2,950 feet of roadway. Selectman Bresnahan moved to approve Supt. Madigan's Chapter 90 Program Request for Fy-02 2<sup>nd</sup> by Selectman Sullivan, VOTE: unanimous, so moved.
3. **Residential Sewer Pumping Station Agreement**-Supt. Madigan reviewed with the Board the Agreement between the residents of Moore Drive & Washington St., which the Town has agreed to install individual residential sewerage pumping units into their homes for the Washington/Moore Drive Sewer extension Project with conditions approved by Town Counsel delineating their responsibilities in the individual residential Agreements. Motion to approve the Agreements made by Selectman Bresnahan, 2<sup>nd</sup> by Selectman Fay, VOTE: unanimous, so moved.
4. The Board approved the new contract extension dates for the Department of Environmental Protection (DEP) regarding the Wellhead Protection Grant from June 30, 2002 to November 29, 2002 to assure adequate time to meet agreed contract goals. Motion to approve made by Selectman Bresnahan, 2<sup>nd</sup> by Selectman Sullivan, VOTE: unanimous, so moved.

**8:00p.m. Public Hearing-Above Ground Tanks-63 Fitchburg Rd., Ayer, MA-Lordon Oil**

Chairman Pena stepped down-due to conflict of interest and turned the Hearing over to Vice-Chairman Witherow who opened the Hearing by requesting the Legal Notice be read into the record by the Clerk of the Board Selectman. Chairman Pena removed himself from the discussion. The Board met with Ted Lordon of Lordon Oil. Mr. Lordon conducted a brief site presentation of the area depicting where the holding tanks would be located for the 270,000 gallon #2 fuel oil tank, 20,000 gallon diesel fuel tank and 20,000 gasoline tank, along with containment area in case of a spill. Vice-Chair Witherow requested if there were abutters present wishing to speak for or against the petition. No one stepped forward. Economic Development Director Shaun Suhoski took this opportunity to speak on behalf of Mr. Lordon stating Mr. Lordon had been before the Planning Board re: his Site Approval and met all requirements. Fire Chief Paul Fillebrown advised the Board to Mr. Lordon satisfying his environmental safety issues adding that this is a very responsible organization. The Chief stated he is awaiting Fire Marshall's final investigation report. Mr. Lordon stated the business is family owned and run and would operate on a 24/hr. basis, office hours would be 8-5. Selectman Fay moved the Board approve the Aboveground Permit for 310,000 gallons of fuel oil as stated above, 2<sup>nd</sup> by Selectman Bresnahan, VOTE: Selectman Fay aye, Selectman Bresnahan aye, Selectman Witherow aye, Selectman Sullivan aye, Chairman Pena Abstained. 4-1 motion passes.

**8:15p.m. Public Hearing-Fy-02 Budget -& Warrant Articles.**

Chairman Pena opened the Hearing by requesting the Legal Notice be read into the record by the Clerk of the Board of Selectmen. Town Administrator Anita Hegarty ran through the Fy-02 budget. The Board requested to present two (2) Omnibus Articles should the 1<sup>st</sup> one fail depicting the Personnel Boards recommendations. The Board reviewed the Annual Town Meeting Warrant Articles. Requesting to add an additional article should article 3 not pass along with preparing two Omnibus Articles in case the one with the updated salaries not pass Omnibus B would be used. Selectman Sullivan requested the Petition articles be placed in the front of the warrant moving Articles formerly 30 (Pirone Park) & 31 (CPA) to 12& 13 respectively. The Board requested to prepare two articles backing up article 4. The Board requested to get out as much information as possible to residents prior to Meeting welcoming residents to call Lisa the Town Accountant or Anita the Town Administrator for questions or concerns. Motion to amend as stated above made by Selectman Sullivan 2<sup>nd</sup> by Selectman Bresnahan, VOTE: unanimous, so moved. The Board moved to meet again to review the amended changes on Friday @ 4pm at the Ayer Police Dept. Motion made by Selectman Witherow, 2<sup>nd</sup> by Selectman Fay, VOTE: unanimous.

10:00p.m. Chairman Pena polled the Board to vote to continue the meeting being that it was 10:00p.m. The Board voted to adjourn the meeting. Motion to adjourn made by Selectman Fay, 2<sup>nd</sup> by Selectman Sullivan, VOTE: unanimous, so moved.

Selectman Witherow took this opportunity to thank Chairman Pena for his service on the Board of Selectmen being that this was his last meeting. The Board presented Chairman Pena a small token of their appreciation. Chairman Pena thanked everyone and stated it has been a pleasure working with all the members and Ms. Hegarty.

10:00p.m. Meeting adjourned

 DATE: 4/30/02