

Selectmen's Meeting Minutes
Tuesday, March 5, 2002
Ayer Public Library-lower level meeting room-E. Main St., Ayer, MA

7:00p.m. Open Session

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

The Minutes of 1-22-02, 2-5-02, and 2-19-02 were read and accepted.

Chairman Pena opened the meeting and advised everyone to the first item on the Agenda was an Executive Session and that the Board would be meeting with Town Counsel-Atty. Everett Marder. Chairman Pena called for a motion to enter into Executive Session. Selectman Fay moved the Board enter into Executive Session pursuant to MGL Chapter 39, Section 23b, Exemption #3, 2nd by Selectman Bresnahan, VOTE: Selectman Fay aye, Selectman Witherow aye, Selectman Sullivan aye, Selectman Bresnahan aye and Chairman Pena aye, unanimous, so moved. The Board left the meeting room to meet in the first floor reading room with Atty. Marder.

8:00p.m. The Board reconvened Open Session

Agenda #2. Cannon location discussion-Frank Harmon and James Lucchesi-Present for the discussion Zelda Moore, Charles Lewis, and Douglas Friedrich. The Board met with Frank Harmon who advised the Board he was present this evening on the behalf of concerned citizens who have expressed their dismay re: the cannon being relocated to the rear of the Town Hall. Mr. Lucchesi stated the Town of Ayer's strong military ties dating back to the early 1900's. Mr. Lucchesi updated the Board to the Cote family donating the cannon to the Legion and the Legion placing the cannon in front of Town Hall as a symbol of protection for the Town. Mr. Lucchesi stated his concern re: the article in newspaper stating the Selectmen did not want the cannon due to military stigma associated with it. Ms. Hegarty-Town Administrator stated the article placed more emphasis on comments relative to the military appearance of the cannon than was warranted. Chairman Pena advised to location being necessitated do to new irrigation system in place and damage to elm tree roots from the weight of the cannon. Selectman Bresnahan suggested the Board conduct a site walk with this group prior to the next Board meeting in front of Town Hall to view alternate sites. The Board after a short discussion moved to meet with concerned citizens/veterans in front of Town Hall prior to their meeting on March 19, 2002 to decide where the best location is. Motion made by Selectman Bresnahan, 2nd by Selectman Fay, VOTE: unanimous, so moved.

Agenda #3. Joint Appointment Board of Selectmen & Parks Commissioners-cancelled rescheduled for 5-19-02 Selectmen's Meeting.

Agenda #4. Patrick Hughes-Community Preservation Act-ACEC-cancelled due to illness.

Agenda #5. Personnel Board, re: Compensation Study Report Recommendations

The Board met with Personnel Board members: Chief Richard Rizzo, Chairman, Lisa Wheeler and Ted Harding. The Board updated the Selectmen to lack of supporting documentation from H&R Partners re hourly rates, i.e. minimum, midrange & maximum. The Board using base assumptions went ahead and reviewed current Town positions using the salary structure presented by H&R Partners. Chief Rizzo identified five (5) positions that supported a grade level recommended by H&R Partners those being: Asst. Bldg. Inspector, Assistant Assessor, Accounting Asst./Secretary, Assistant Town Treasurer and Department Assistants. The Board recommended the Selectmen adopt the following salary structure: 30% pay bands for employees in grades 10-15, and 22% pay bands for employees in grades 3-9 without a COLA for Fy-03. Increases to be awarded in 50% increments one effective July 1, 2002 and one on January 1, 2003. If the employee remained in the same grade than that employee would move up to the next step in that grade. The Board discussed at length the Towns Personnel Policy recommendations vs. H&R's and the recommendations by the Personnel Board i.e. merit based increases and performance appraisals. After a lengthy discussion Selectman Bresnahan moved the Board support items 1 & 2 recommended in a Memo

dated 2-28-02 from the Personnel Board (see attached) subject to validation of cost structure impact verified by personnel Board and Town Administrator working with Town Accountant Lisa Gabree, 2nd by Selectman Witherow VOTE: unanimous, so moved. Selectman Bresnahan moved the Board continue its efforts regarding merit based performance evaluations, 2nd by Selectman Fay, VOTE: Selectman Bresnahan aye, Selectman Fay aye, Selectman Sullivan aye, Chairman Pena aye, Selectman Witherow no, 4-1 motion passes.

Agenda Item #6. Economic Development Director's Report-Appointment of Program Manager/Grants Administrator.

The Board met with Economic Development Director-Shaun Suhoski. Mr. Suhoski updated the Board to notice of vacancy for the Program Manager/Grant Administrator's position running in November 2001 with a closing date for applications of 12-17-01. Mr. Suhoski advised to twenty (20) applications/resumes being received. Five applicants were interviewed in February. Mr. Suhoski advised to Timothy Hansen of Leominster, MA recommended by Ms. Hegarty and he based upon the interviews. Mr. Suhoski gave the Board a brief description of Mr. Hansen's background. Chairman Pena called for a motion. Selectman Bresnahan moved the Board appoint Timothy P. Hansen of Leominster, MA to the position of Program Manager/Grants Administrator at Grade 9, Step 2 (\$38,043.36) of the Town's Compensation Plan, 2nd by Selectman Witherow, VOTE: unanimous, so moved.

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

1. Landfill Capping Bid Award- The Board awarded the Landfill capping to Littleton Environmental the 2nd low-bidder based upon the recommendation of the Town's Engineer-Tata & Howard and Supt. Madigan for the bid award of \$1,014,970.75. Motion to approve made by Selectmen Bresnahan, 2nd by Selectman Fay, VOTE: unanimous, so moved. Town Administrator updated the Board to low bidder deemed unqualified/references unfavorable.

2. BATG Environmental, Inc.

The Board approved the first Amendment to Master General Contract between the Town of Ayer and BATG Environmental re: the scope of work to be completed by 4-26-02. The contractor to reimburse the Town \$5.00/per cubic yard for material not provided for contouring of the landfill by the requested extension date,

Selectman Bresnahan moved the Board send Town Counsel all information and pending Town Counsel approval of amendments the Board approved Supt. Madigan's First Amendment to BATG's Contract as submitted in a Memo dated 3-2-02, 2nd by Selectman Witherow VOTE: unanimous, so moved.

Agenda Item #8. Town Administrator's Report

1. Reserve Fund Request-Veterans Agent-The Board approved a Reserve Fund Transfer in the amount of \$8,870.00, but not to include in this request, the \$2,130.00 requested for the Persian Gulf War monument. Motion made by Selectmen Bresnahan, 2nd by Selectman Sullivan VOTE: unanimous, so moved.

2. JBoS Regionalization Committee- The Board moved to approve the Regionalization Committee composition and charge and requested the Town Administrator advertises volunteer position to be filled by Town of Ayer resident. Motion to approve made by Selectmen Bresnahan 2nd by Selectman Fay, VOTE: Selectman Bresnahan aye, Selectman Fay aye, Selectman Sullivan aye, Chairman Pena Aye, Selectman Witherow no, 4-1 motion passes.

3. JBoS Transportation Committee-The Board moved to approve the Transportation composition and charge and requested the Town Administrator advertise volunteer position to be filled by Town of Ayer resident and 2nd position to be filled by Planning Board member, Town Administrator to forward to Planning Board. Selectman Sullivan stating his concerns that the Ayer Commuter Rail Station was completely left out of draft charter proposal. Motion to approve made by Selectman Bresnahan to include in his motion the Town of Ayer's concern Ayer station not mentioned in Charter, 2nd by Selectman Fay, VOTE: Selectman Bresnahan aye, Selectman Fay aye, Chairman Pena aye, Selectman Sullivan no, Selectman Witherow no 3-2 motion passes.

BOSMIN3-5-02/PG.3

4. **Proposed Water Meter Regulation Change**-The Board set this request back pending review with Supt. Madigan
5. **Holiday Decorations**-Ms. Hegarty reviewed with the Board the cost borne by the DPW assisting & funding, displaying and replacing holiday banners/flags during the year. Flags stolen and replaced, wreaths hung by DPW employees on weekend's etc. -estimated at a cost of \$750.00/year. Ms. Hegarty requesting the Board approves of the Economic Development director work with Town Merchants re: seeking additional funding resources. Selectman Sullivan opposing this request stating merchants are continually requested funds for Town functions/organizations feeling this responsibility should not fall on Town merchants. Selectman Sullivan moved the Board have the DPW continue to put up the Holiday displays-purchase and install for a sum not to exceed \$750.00, 2nd by Selectman Bresnahan, VOTE: unanimous, so moved.
6. The Board approved of the Devens Wastewater Agreement-Amendment #1. Which clarifies the final points not resolved at the December meeting which were approved by Town Counsel. (billing dispute Re: overpayment credit 201F). Motion to approve made by Selectman Bresnahan, 2nd by Selectman Fay, VOTE: Selectman Sullivan aye, Selectman Bresnahan aye, Selectman Fay aye, Chairman Pena aye, Selectman Witherow abstained. 4-1 motion passes, so moved.
7. **Town Meeting Warrant**-Town Administrator Anita Hegarty requested the Board Open the Fy-03 Annual Town Meeting Warrant this evening and close the warrant on April 8, 2002 at 5p.m. for warrant articles. The Board requested all Town Departments, Board, Committees and Commissions be advised of the Fy-03 Annual Town Meeting Warrant opening and closing dates re: proposed warrant articles as well as advertising on Cable and notifying the newspapers. The Board approved of the Fy-03 Budget Public Hearings to be held at the Ayer High School Auditorium 9-25, 9-26, 9-27. Hearing to be on cable-Channel 8 live from the auditorium.

Ms. Hegarty advised to Volunteers of America being on the Board's 5-19-02 Agenda and an updated report being included in the Board's packet re: this meeting along with other FYI updates.

9:10p.m. Selectman Fay moved the Board adjourn from Open Session to enter into Executive Session pursuant to MGL Chapter 39 Section 23B Exemption #3 to adjourn from this Open Session to re-enter back into Open Session for the sole purpose of adjourning the meeting, 2nd by Selectman Sullivan VOTE: Selectman Bresnahan aye, Selectman Witherow aye, Selectman Sullivan aye, Chairman Pena aye, Selectman Fay aye, unanimous, so moved.

Open Meeting adjourned.


James M. Fay, Clerk

AYER BOARD OF SELECTMEN

DATE: 4/8/02