

Selectmen's Meeting
Tuesday, March 27, 2001
Ayer Public Library-lower level conference room-E. Main St., Ayer, MA

7:00p.m.

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

The Minutes of 3-13-01 were set back to edit/insert the word continuation after Public Hearing re: Walter Godfrey Class II License application. Motion made by Selectman Sullivan 2nd by Selectman Pena, VOTE: unanimous, so moved.

Public Input:

1. Chairman Sullivan announced Representative Robert Hargraves' Aid Ron Englade being present this evening for Office Hours on the 1st floor of the Ayer Library from 7-8p.m. to hear citizens concerns or requests.
2. Jonathan Flayhan, teacher at the Ayer High School along with Ayer High School students, re: Jobs for Bay State Graduates. Chairman Sullivan read into the record a Proclamation proclaiming April as Job for Bay State Graduates Month in the Town of Ayer. Mr. Flayhan took this opportunity to publicly thank the Selectmen for participating in an earlier program with his students today. The Board stopped the meeting for a moment to take a picture with the High School students present this evening, and thanked them for coming in to the meeting.
3. Patrick Hughes, re: the Community Preservation Act Committee. The Board requested the Committee be comprised of nine (9) members and requested Town Counsel prepare article for Town Warrant.

Agenda items:

1. Town Treasurer

The Board met with Town Treasurer John Horgan, re: Bond in Anticipation Notes for the Landfill capping and borrow Articles from the 2000 Annual Town Meeting. Mr. Horgan presented the Board eight (8) bonds for their endorsement advising the Board to \$4.6 million borrowing from 2000 ATM and notes secured from Fleet at 3.17%. Selectman Bresnahan moved the Board endorse the bonds recommended and presented by the Treasurer for their signature, 2nd by Selectman Pena, VOTE: unanimous, so moved. While the Board signed off the notes Selectman Witherow took this opportunity to thank Mr. Horgan for his three years of service to the Town of Ayer and wished him much happiness upon his retirement. The Board echoing Selectman Witherow's remarks.

2. Public Hearing Continuation- Ayer Auto Sales-63 Fitchburg Rd., Ayer, MA

The Board went off the posted Agenda to take up the Public Hearing Continued from March 13, 2001. The Board met with Walter Godfrey. The Board reviewed the Class II License restrictions presented by the Town Administrator for their review and recommendation. The Board placed the following restrictions to the Class II License for Walter C. Godfrey Construction Inc. d/b/a Ayer Auto Sales -63 Fitchburg Rd., Ayer, MA.

1. Limits of paved parking area will be clearly lined & visible-no cars outside lined perimeter.
2. Sign to be in conformity with Town of Ayer Sign By-law.
3. No lighting to be added in parking lot.
4. No streamer flags to be erected on site.
5. No mechanical repair work on site.
6. No disassembled vehicles, or in state of disrepair on site.
7. Maximum of twenty-five vehicles permitted on site.
8. Hours of operation 8:00am to 8:00p.m. Monday-Saturday.
9. Said lot and building shall conform to all codes, regulations, and laws and every effort shall be made to keep site orderly and attractive and litter free.

Chairman Sullivan called for a vote: Selectman Bresnahan moved the Board approve the nine restrictions so stated above, 2nd by Selectman Pena, VOTE: unanimous, so moved.

3. Selectman Sullivan -

1. Park & Main Street re-construction- The Board directed Shaun Suhoski the Economic Development Director to draft a memo for the Board of Selectmen for their next Selectmen's Meeting addressing the redesign of the three (3) intersections those being: Park & Main, Rt. 2A & Rt. 11, and the Carlton Rotary or to secure an extension of the 6-12-01 date as set forth in a Memorandum of Understanding with the Landbank and now their successor in interest being MADev. for a commitment of re-design & reconstruction funds for the three (3) abovementioned intersections, and to give the re-design of the Park & Main Streets intersection priority given the potential for a new fire station to be built at that intersection. Motion made by Selectman Bresnahan, 2nd by Selectman Fay, VOTE: unanimous, so moved.
2. The Board appointed Selectman Witherow and Chairman Sullivan to serve as liaisons for the Ayer School Department's Fiscal Review Process. Motion made by Selectman Bresnahan, 2nd by Selectman Fay, VOTE: unanimous, so moved.
3. USD Agriculture Grant: Selectman Pena moved the Board direct the Economic Development Director-Shaun Suhoski to use his best judgement in applying for the funds (which project Fire Station or West Main St. reconstruction) is most appropriate re: funding, 2nd by Selectman Fay, VOTE: Selectman Bresnahan aye, Selectman Pena aye, Selectman Witherow aye, Selectman Fay aye, Chairman Sullivan no, motion passes 4-1.
4. Redistricting of the Town of Ayer-Chairman Sullivan advised the Board that the Town of Ayer have an opportunity to go from two districts to one district due to the State undergoing re-districting due to population. Chairman Sullivan advised the Board to the Town Clerk indicated that if the Board of Selectmen have a preference going from a two-district town to a one district town that would be significant and should be communicated to the Secretary of Commonwealth's Office. The Board requested the Town Clerk & one of our State Representative be invited to the Selectmen's next meeting to report on what the process involves and ramifications before taking a position. The Board directed Mr. McCann to coordinate this meeting with the Board.

4. Supt. Madigan's Report:

1. Wastewater Mechanic Appointment-The Board appointed Ronald Pemberton to the full-time position of Wastewater Mechanic in the Sewer Division per the recommendation of Supt. Madigan. Motion to appoint made by Selectman Pena, 2nd by Selectman Bresnahan, VOTE: unanimous, so moved.
2. Wastewater Sewer Bank/Inflow & Infiltration Credit-The Board was updated to Hoyle Tanner's Report dated 10-1-00 to DEP re: I&I and of DEP not submitted comments to date. The report indicated areas in Town with I&I of extraneous water entering our sewer system. The Board requested Mr. Madigan to meet with the Board in a work session based on his recommendations to develop a policy & possible sharing of cost with SIU's.
3. Hoyle Tanner Proposal regarding renewal of three year Industrial Pretreatment Contract. The Board shared their issues/concerns with Mr. Madigan re: can the Board legally renew this contract without going out to bid due to the dollar value of the contract being over \$100K and even if Board can does the Board want to do that. Mr. McCann to investigate and work with Mr. Madigan.

5. Town Administrator's Report:

1. The Board approved four (4) Ayer Housing Rehabilitation Program Waivers: 94-125, 93-86, 93-84, & 99-185. Selectman Pena moved the Board authorize the Chairman to approve the waivers: 94-125, 93-86, 93-84 & 99-185, 2nd by Selectman Fay, VOTE: unanimous, so moved.
2. The Board approved Tata & Howards Phase Two Site Assessment addendum for West Main St. & Park St. not to exceed \$11,100.00. Motion made by Selectman Bresnahan, 2nd by Selectman Fay, VOTE: unanimous, so moved.
3. The Board set 4-3-01 @7pm for a working session with the Town Administrator & Town Accountant re: the Fy-02 Budget & Annual Town Meeting Articles and April 10, 2001 at 7pm for the Public Hearing regarding the Fy-02 Budget and Annual Town Meeting Warrant Articles.
4. The Board voted to solicit a local attorney as well as Town Counsel to negotiate with the land owners re: appraisal of land and land purchase re: new Fire Station site. The Board requested Richard Larkin, Thomas Gibbens, and Kopleman & Paige be contacted and to ensure there are no

conflict of interest with the landowners, verify qualifications and timeliness of submission plus cost per hour from the three attorneys.

The Board authorized Mr. Suhoski to get a second appraisal re: the Fire Station Site. Motion made by Selectman Bresnahan, 2nd by Selectman Fay, VOTE: unanimous, so moved.

5. Mr. McCann reported back to the Board on the reference checks coming back on the three finalists being completed and he was happy to state all three finalist were given outstanding references.

New Business: Appointment of Town Administrator

1. The Board appointed Anita Hegarty of Bolton, MA the new Town Administrator subject to a mutually accepted agreement. Motion made by Selectman Fay, 2nd by Selectman Pena, VOTE: unanimous, so moved.
2. Mr. McCann updated the Board to the Etargo Mammoet Turbine shipment scheduled for April 3, 2001 from Ayer Moving & Storage at approximately 9:30am.
3. The Board was advised to an 1899 town report being found at the Town Hall.
4. The Board announced the closing of the Annual Town Meeting Warrant on 3-30-01 at 4pm.

Selectmen's Questions:

1. Selectman Witherow requested the Historical Commission membership be increased from 5 to 7 and appear as an article for the Annual Town Meeting Warrant of 5-14-01. Motion made by Selectman Witherow, 2nd by Selectman Fay, VOTE: unanimous so moved.
2. Selectman Witherow requested the Treasurer's position become appointed and also have an article be prepared for this years Annual Town Meeting Warrant per the Town Government Study committee's recommendation. VOTE: Selectman Witherow aye, Selectman Pena aye, Selectman Fay aye, Selectman Bresnahan nay, Chairman Sullivan nay 3-2 motion carries.
3. Selectman Bresnahan requested an article be prepared and placed on the 5-14-01 Annual Town meeting Warrant seeking Town Meeting approval regarding the lease of the Pleasant St. School to the Hands on Art Museum.
4. Selectman Bresnahan requested to investigate plowing of Pleasant St. School by DPW and voted not to subsidize this activity.
5. Chairman Sullivan requested Department Heads submit a list of their priorities to Rep. Hargraves Office.
6. Chairman Sullivan requested a policy be developed with the Tree Warden re: removal of trees from private property.
7. The Board requested to place the DPW-Job Description matter on their next regular Selectmen's meeting.
8. Chairman Sullivan requested to conduct a Working Session with the entire Town's enforcing agents re: diesel trains idling, to establish the criteria for the Ceist & Desist Order process.
9. Chairman Sullivan directed the Town Administrator to follow up with Kopelman & Paige re: contamination issues from Moore Airfield & Shepley Hill Landfill.

9:51p.m. Selectman Pena moved the Board adjourn from Open Session to enter into Executive Session pursuant to MGL Chapter 39 section 23B Exemption #3, 2nd by Selectman Fay, VOTE: unanimous, so moved.

9:51p.m. Open Session adjourned


Robert Pena, Clerk

DATE

6/12/01

James M. Fay
Clerk