

Selectmen's Meeting  
Tuesday, November 14, 2000  
Ayer Town Hall, 2<sup>nd</sup> Floor Meeting Room, Main Street, Ayer, MA

7:00p.m. The Board met with Chairman Sullivan, Selectman Bresnahan, Selectman Pena, Selectman Witherow and Selectman Fay.

The Board Minutes of October 3, 2000 and October 10, 2000, were read and accepted. Motion to approve made by Selectman Pena, 2<sup>nd</sup> by Selectman Bresnahan.

***Public Interest:***

1. Phyllis Palvio- Hatch St. re: Ayer Church of God - Violation of Town By-laws re: parking of vehicles. Mr.Kreidler to set up meeting with Ms. Palvio and the Building Commissioner to hear Ms. Palvio's concerns.
2. Selectman Fay, presented the Ayer Planing Board's proposal to update the Ayer Zoning Map to include Scope of Services and zoning amendments/changes from 1973 to 2000 including updating zoning district descriptions for the contract amount of \$19,932.00 with ENSR International, Sagamore Beach, MA for the contract sum of \$19,932.00. Selectman Pena moved the Board approve the contract with ENSR International to update the Town Zoning Map for a sum not to exceed \$19,932.00, 2<sup>nd</sup> by Selectman Bresnahan, VOTE: Selectman Bresnahan aye, Selectman Pena aye, Selectman Witherow aye, Selectman Sullivan nay, Motion passes 3-1. Selectman Fay recusing per MGL Chapter 268.

***Agenda Items***

1. **Winter Parking Ban:** Chairman Sullivan read the Winter Parking Ban into the record: Winter Parking Ban will be in effect beginning November 15, 2000 through March 31, 2001. The Winter Parking Ban prohibits the parking of any motor vehicle on the street or sidewalk throughout the Town of Ayer overnight and during snow storms (12:01am to 6:00a.m.) The purpose of the parking ban is to assist the Town of Ayer's DPW with snow and ice removal operations. The Ayer Police Department has been charged with the responsibility of enforcing the winter parking ban.
2. **Alcohol Intervention Methods Training Program.** The Selectmen revisited the training workshop required for all Town of Ayer Alcohol establishments which serve/pour alcoholic beverages. Present for the discussion and speaking/representing the Town's Alcohol establishments, Robert Rakip. The Board voted to make this training optional for all Town of Ayer establishments to send one employee/pourer to the Alcohol Intervention Training Workshop-who hold a liquor license in the Town of Ayer and not a conditional requirement of their 2001 alcohol license renewal. Motion made by Selectman Bresnahan, 2<sup>nd</sup> by Selectman Pena VOTE: unanimous, so moved.
3. **Economic Development Director-Shaun Suhoski,** re: Ayer Town Hall Restoration-asbestos abatement. Mr. Suhoski reviewed with the Board his Memorandum of 11-7-00 regarding asbestos removal in the boiler room of the Town Hall. Mr. Suhoski reviewed the three quotes received with the Board. Mr. Suhoski based upon his review recommended the Board award the contract to A&E Environmental, Inc.-Westminster, MA for an amount not to exceed \$3,800.00. Motion to approve Mr. Suhoski's recommendation made by Selectmen Pena, 2<sup>nd</sup> by Selectman Bresnahan, VOTE: unanimous, so moved. Mr. Suhoski reminded the Board to general bids on the Town Hall are to be received Monday the 20<sup>th</sup> at 2pm at the Town Hall to be opened and read.
4. **James Carrington, Cable Commission,** The Board met with Mr. Carrington, Chairman of the Cable Commission who presented the Board an extension of the current Cable License for the term of November 8, 2000 expiring on March 7, 2001, for Cablevision of Massachusetts, Inc. and the Town of Ayer. Motion to approve the renewal extension made by Selectman Pena based upon the recommendation of the Cable Commission, 2<sup>nd</sup> by Selectman Bresnahan, VOTE: unanimous, so moved.
5. **Supt. Madigan's Report-**The Board met with Supt. Michael Madigan
  1. **DPW Office Manager's Position Description** -The Board met with Supt. Madigan re: his memo of Oct. 18<sup>th</sup> re: Ms. Martin's proposed job description. The Board requested the following amendments be made to the proposed description.  
The Board ran through the job description page by page re: comments/changes.

Page 1. Selectman Fay moved the job description re: **Page 1- 4<sup>th</sup> bullet** Essential Functions be modified to read responsible for direct supervision of one (1) part-time office clerk, 2<sup>nd</sup> by Selectman Witherow, VOTE: unanimous, so moved.

**Page 2.** Motion made by Selectman Witherow to **change Essential Functions** to read assist in the recruiting, training, supervising, and evaluating of clerical staff, 2<sup>nd</sup> by Selectman Bresnahan, VOTE: unanimous, so moved.

**Significant revenue generated under Essential Functions:** Selectman Pena moved to delete the line significant revenue generated by various types of billing, 2<sup>nd</sup> by Selectman Witherow, VOTE: unanimous, so moved.

**Minutes, co-ordinate appointments under Essential Functions** Selectman Witherow moved to change to read may be required to take minutes, coordinate/schedules meeting for Supt. & staff, 2<sup>nd</sup> by Selectman Bresnahan, VOTE: unanimous, so moved.

**On site fuel pumps.** Selectman Bresnahan moved this section state: responsible for operating the software program which controls and reports on the on- site fuel pumps, 2<sup>nd</sup> by Selectman Pena, VOTE: unanimous.

**Page 3. Education and Experience:** Selectman Witherow moved to change this to read: Associates Degree in Business Management and three years of related experience, or any equivalent combination of education and experience 2<sup>nd</sup> by Selectman Pena, VOTE: 4-1, Selectman Sullivan aye, Selectman Pena aye, Selectman Witherow aye, Selectman Fay aye, Selectman Bresnahan nay. Mr. Kreidler to make the revisions so stated.

2. **WASTEWATER UPDATE:** present for the discussion Mark Reich, Town Counsel representing Kopleman & Paige, re: the 2<sup>nd</sup> amendment to the Administrative Consent Order. Mr. Reich addressed the Town's letter from Doug Fine, Regional Director of DEP which addressed the time-line and Devenscrest I/I. After much discussion re: the three options available re: WW Selectman Bresnahan moved the Board direct Supt. Madigan to work with the associated parties on the WW Project options, to determine cost re: consulting fees, and the distribution of those costs (\$88,500) to the parties responsible; Supt. Madigan to report back with this information by December 31, 2000, for approval by the Selectmen., 2<sup>nd</sup> by Selectman Pena-VOTE: unanimous, so moved. The Board reviewed and discussed Town Counsel's two letters/options available to the Board re: responding back to Mr. Fine's Letter of 10-26-00 re: the 2<sup>nd</sup> amendment to the Administrative Consent Order. Selectman Sullivan moved the Board approve Version #2 of Town Counsel's letters to DEP which states by Feb. 15, 2001, the Board of Selectmen will schedule a Special Town Meeting at which time the citizens will be provided an opportunity to decide/vote their preference re: the recommended sewerage treatment plant, and the rest of Atty. Reich's letter is approved with the following changes: the date of 3-24-01 is responded by DEP to either approve/disapprove the system wide facilities plan, the date of 3-25-00 is included to advise DEP this is final date for the printing of the ballots for the Annual Election and the date of May 14, 2001 advising DEP to date of Town's ATM, 2<sup>nd</sup> by Selectman Bresnahan, VOTE: unanimous, so moved. The Board moved and 2<sup>nd</sup> to allow the Town Administrator & Town Counsel flexibility of date (1 or 2 days if need be) regarding letter going out to DEP pursuant to Town Clerk's confirmation of dates. Motion made by Selectmen Bresnahan, 2<sup>nd</sup> by Selectman Fay, VOTE: unanimous.

3. **Sewer Permit-51 Sandy Pond Rd.-failed septic 4BR-440/gpd-Dennis Shivo.** Selectman Witherow moved to approve the sewer permit pending owner, agent or attorney owes no back taxes, 2<sup>nd</sup> by Selectman Bresnahan, VOTE: unanimous, so moved.

6. **TOWN ADMINISTRATOR'S REPORT:**

**1. All Alcohol License Renewals:** The Board approved the following Alcohol License Renewals: Autumn Wood Restaurant-All Alcohol, Nashoba Restaurant-All Alcohol, Carlin's Restaurant-All Alcohol, Tiny's Do-nut Treat-All Alcohol, J.P. O'Hanlons Inc.-All Alcohol, LaSita Inc-All Alcohol, Jack-O-Lantern of Ayer-All Alcohol, Ayer Package Store-All Alcohol, B.A.P. Ram Inc.-Beer & Wine, C.R. Pierce, Inc. All Alcohol, Ayer Gun & Sportsmen's Club-Beer & Wine, Shaker Hills Golf Club-All Alcohol. The Board approved the above License renewals and passed on The Fort Corp. based upon the Chief of Police recommendation and Treasurers report. Motion made by Selectman Fay to

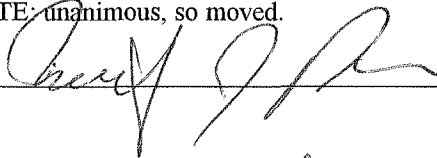
approve 2<sup>nd</sup> by Selectman Pena, VOTE: unanimous, so moved. Selectman Pena requesting further clarification from the Treasurer re: property owner of license (The Fort Corp.)-taxes being current. Selectman Fay requesting to meet with Licensee (The Fort Corp.) re: memo from Chief Rizzo, the Town Administrator to contact Licensee (The Fort Corp.) to confirm this meeting with Selectman Fay. Motion made by Selectman Fay, 2<sup>nd</sup> by Selectman Pena, VOTE: unanimous, so moved.

2. **Personnel Board Appointment**-The Board appointed Lisa Wheeler to the Personnel Board. Motion made by Selectman Witherow 2<sup>nd</sup> by Selectman Pena, VOTE: Selectman Fay aye, Selectman Pena aye, Selectman Bresnahan aye, Selectman Witherow aye, Selectman Sullivan nay, due to not having input from Personnel Board, no reflection on qualifications of applicant. VOTE: 4-1, so moved.
3. **Personnel Performance Appraisal:** Mr. Kreidler advised to another copy of this policy included in the Board's packet for their review and comments.
4. **Revised Sign & Banners Policy:** Mr. Kreidler requested the Board to review/revise/comment on this new revision. Selectman Witherow wishing clarification re: removal of signs timeline-to be removed within seven days after event, include subject matter must be nonpartisan. Selectman Bresnahan moved the Board strike liability requirement, 2<sup>nd</sup> by Selectman Pena, VOTE: Selectman Pena aye, Selectman Fay aye, Selectman Witherow aye, Selectman Bresnahan aye, Selectman Sullivan nay, motion passes 4-1. Selectman Bresnahan moved the Board add after \$100.00 fee *payable to the Town of Ayer*, 2<sup>nd</sup> by Selectman Pena, VOTE: unanimous, so moved. Selectman Bresnahan moved the Board initiate this policy with the above noted changes, 2<sup>nd</sup> by Selectman Fay, VOTE: unanimous so moved.
5. **Guilford Letter:** The Board approved the letters to Senator Resor and Representative Hargraves prepared by the Town Administrator, re: Guilford matter.
6. **Thanksgiving Holiday**-Chairman Sullivan announced the Town Hall will be closed Nov. 23 & 24, 2000 in observance of Thanksgiving.
7. **Pleasant St. School Update:** The Board met with Thomas McLain, Member of the Historical Commission and Gerelyn Miller from the Hands on Museum re: the temporary license Agreement to utilize the Pleasant St. School by the Museum until the Annual Town Meeting. Selectman Bresnahan thanked the Historical Commission, Town Administrator and Selectmen for their collaboration.
8. **Telecommunications Update**-Mr. Kreidler updated the Board to letters being received from the various carriers expressing interest in certain areas we have shown them, land in Ayer, specifically the DPW yard. Another carrier has expressed interest as well they are the carrier looking at Moore Army Airfield with MADev. they are not looking at the DPW area but at other sites which would benefit them in addition to their site pending at Devens. Mr. Kreidler requested the Board's direction where do we go from here. Selectman Pena moved the Board issue RFP for Barnum Road site, 2<sup>nd</sup> by Selectman Fay, VOTE: Selectman Pena aye, Selectman Bresnahan aye, Selectman Witherow aye, Selectman Fay aye, Selectman Sullivan nay, Motion passes 4-1. Selectman Pena moved to notify Planning Board to hold a hearing on wireless telecommunication zone to include DPW/transfer station, 2<sup>nd</sup> by Selectman Bresnahan, VOTE: unanimous, so moved.

**NEW BUSINESS:**

1. Chairman Sullivan requested update on street lights, curbing be placed on the next Selectmen's Meeting as well as lighting consultant re: downtown.
2. Selectman Pena requested Mr. Kreidler work with Marvin McMiller re: Plans for a park on Barnum Rd.
3. Selectman Witherow requested follow up regarding submittal of monthly reports from department heads.

11:20p.m. Selectman Pena moved the Board adjourn the meeting, 2<sup>nd</sup> by Selectman Bresnahan, VOTE: unanimous, so moved.

 DATE: 3/22/01  
