

**FINAL** Selectmen's Meeting Minutes

June 20, 2000

Ayer Town Hall, 2<sup>nd</sup> Floor Meeting Room, Main St., Ayer, MA

**7:00p.m. Open Session**

The Board met with Chairman Sullivan, Vice-Chair Paul Bresnahan, Selectman Pena, Selectman Witherow and Selectman Fay.

The Draft Minutes of June 13, 2000, were set back to the next Selectmen's Meeting for final approval.

Motion made by Selectman Pena 2<sup>nd</sup> by Selectman Bresnahan, VOTE: unanimous, so moved.

**Town Crier:** No announcements were made.

**Public Input:** Chairman Sullivan requested if there was anyone present wishing to meet with the Selectmen, Richard Gerace requested to meet with the Board re: Town Hall slate roof & Fire Station site proposal. Selectman Bresnahan re: Fire Station. Mr. Gerace stated he was present this evening re: the slate roof recently repaired at Town Hall stating the roof has a five year life period before it starts leaking and felt it would be prudent to spend some money and have the roof properly repaired. Mr. Gerace stating the new interior restoration would be unwise with the roof leaking in a few years. Mr. Kreidler advised to architects feeling there was a ten-year life on the roof. Mr. Gerace again stating to spend \$3 million dollars on the Town Hall and not put a new roof on it is absurd- a new slate roof should last over a hundred years. Selectman Bresnahan moved Mr. Kreidler meet with the architects and get a opinion/report on the life expectancy on the roof and report back to the board, 2<sup>nd</sup> by Selectman Pena, VOTE: unanimous, so moved. Mr. Gerace stated the 2<sup>nd</sup> issue he is before the Board this evening is suggestions regarding the Fire Station the first being the house beside the current station could be purchased for a garage type structure housing the trucks, eliminating exhaust problems which could be connected to the existing station housing the pick-up trucks/ambulances, offices, etc. saving over a million dollars on a new station. The 2<sup>nd</sup> suggestion would be to build a access road across from Parthenon Pizza which would allow fire trucks accessibility to Park St near DPW as well as accessing Main St area-avoiding traffic congestion. Selectman Pena advised to that area being far to wet for consideration as well as having environmental issues. Mr. Gerace agreeing it is to wet for the station but not for a bridge accessing area. Selectman Bresnahan requesting a Point of Order stating this was to be a five-minute public statement period and suggesting this matter be deferred to the Building Committee. Selectman Bresnahan also quoted the Fire Chief in a recent Lowell Sun article advising at the property on West Main St. across from Parthenon Pizza is preferred for Fire Station if wetland issues raised by Ross Assoc. could be resolved. Selectman Bresnahan moved the Building Committee make a thorough study of that property including the former comments, prior to any further evaluation or expense is undertaken at the Park & West Main St. site 2<sup>nd</sup> by Selectman Fay, VOTE: Selectman Bresnahan, aye, Selectman Witherow aye, Selectman Sullivan aye, Selectman Fay aye, Selectman Pena no 4-1 motion passes. The Fire Chief was invited to participate in the discussion advising to that area being looked at by Committee and issues being access road to narrow for trucks as well as adding to Departments response time, and Ross Assoc. advising to problems with 100 year Flood plan issue major concern. Selectman Pena addressed concerns re: floating foundation/remediation costly.

***Agenda Items***

**#1. Fy-01 Appointments:** Selectman Fay opened the discussion by requesting a 90 day review period/ freeze be initiated re: a few key positions due to outstanding issues presently before the Board i.e Veterans position being contested. Selectman Witherow suggested the Board go through each position individually passing on positions that require review. Positions passed upon: Supt. of DPW, Town Engineer, Veterans Agent, Animal Control Officer, MRPC, Nashua River Watershed Greenway Com. representative, Advisory Board, Communications Com., Conservation Com., Council on Aging, Historical Com., ZBA, Sealer of Weights & Measures, Com. on Disabilities, Industrial Com., Personnel Board, Capital Planning Com., School Strategic Plan. Com., MART-Advisory Com & Joint Transportation Com., 4<sup>th</sup> of July Com., Devens Five Year Review Com. The Board approved all the Fy01 appointments listed who were not passed over with the exception of the abovementioned passed positions. Motion made by Selectman Bresnahan, 2<sup>nd</sup> by Selectman Witherow, VOTE: unanimous. 1. Supt. of Public Works pass

2. Veterans Agent- Selectman Pena moved the Board appoint the incumbent for a

ninety day period effective 7-1-00, and during this 90 day period Mr. Kreidler to conduct a job performance review of this position, 2<sup>nd</sup> by Selectman Fay, VOTE: Selectman Pena aye, Selectman Witherow aye, Selectman Fay aye Chairman Sullivan aye, Selectman Bresnahan nay, motion passes 4-1. Selectman Bresnahan amending this motion to 180 days and direct Mr. Kreidler to define the role of this position by working with the Veterans's Agent -motion not 2<sup>nd</sup>-amendment lost.

3. Animal Control Officer insert name of Donald May
4. MRPC representative William Oelfke insert James Fay as alternate. Selectman Bresnahan moved the appointment 2<sup>nd</sup> by Selectman Pena, VOTE: unanimous.
5. Nashua River Watershed Greenway Rep.-Selectman Bresnahan requested Ms. Wray submit in writing what her involvement is and activities of this Committee to the Board, 2<sup>nd</sup> by Selectman Pena, VOTE: unanimous, so moved.
6. Cable TV Com. -Selectman Pena moved the Board appoint the Commission so stated, 2<sup>nd</sup> by Selectman Bresnahan, VOTE: unanimous, so moved.
7. Advisory Board-Selectman Bresnahan moved Mr. Kreidler request of the Advisory Board what they perceive their role is, 2<sup>nd</sup> by Selectman Pena, VOTE: Selectman Bresnahan aye, Selectman Witherow aye, Selectman Fay aye, Selectman Pena aye, Selectman Sullivan nay VOTE: 4-1 motion passes.
8. Communication Com.-Selectman Pena moved to delete Andrew Grant, 2<sup>nd</sup> by Selectman Witherow, VOTE: unanimous, so moved.
9. Conservation Com. -Selectman Witherow moved to reappoint all listed, 2<sup>nd</sup> by Selectman Pena VOTE: unanimous.
10. Council on Aging: Selectman Witherow moved to re-appoint the Council so stated and to include the appointments of John Cerelli and Katherine Mull, 2<sup>nd</sup> Selectman Bresnahan, VOTE: unanimous.
11. Historical Com. Selectman Fay moved the Historical Commission be re-appointed for a ninety day period pending receipt of their Goals & objectives along with their current activity to the Board of Selectmen, 2<sup>nd</sup> by Selectman Witherow, VOTE: unanimous, so moved. The Board requested Mr. Kreidler contact Mrs. Moore regarding clarifying her letter to the Selectmen re: her intent.
12. Zoning Board of Appeals Selectman Bresnahan moved the Board remove Robert Ancil from the Board, and add the name of Kathleen Mohr, 2<sup>nd</sup> by Selectman Witherow, VOTE: unanimous, so moved.
13. Sealer of Weights & Measures: Selectman Bresnahan moved to re-appoint Eric Aaltonen, 2<sup>nd</sup> by Selectman Pena, VOTE: unanimous, so moved.
14. Com. on Disabilities: Selectman Bresnahan moved the Board pass on the Disabilities Com. pending verification from Lori Brennan re: her interest 2<sup>nd</sup> by Selectman Pena, VOTE: unanimous, so moved.
15. Industrial Dev. Finance Authority-Selectman Witherow moved the Committee be re-appointed, 2<sup>nd</sup> by Selectman Bresnahan, VOTE: unanimous, so moved.
16. Personnel Board: Selectman Bresnahan The Board moved to accept the resignation of Olga Pender from the Personnel Board, 2<sup>nd</sup> by Selectman Pena, Vote: unanimous, so moved. Selectman Fay moved the Board reappoint the members so stated, 2<sup>nd</sup> by Selectman Bresnahan, VOTE: unanimous, so moved.
17. Capital Plan. Com. -Selectman Bresnahan moved the Board re-appoint Mary Spinner, James Carrington Paul Bresnahan and Robert Pena-Alternate, 2<sup>nd</sup> by Selectman Fay, VOTE: unanimous, so moved.
18. School Strategic Plan. Com.-Selectman Pena moved the Board appoint Selectman Bresnahan to the School Strategic Com, 2<sup>nd</sup> by Selectman Fay, VOTE: unanimous, so moved.
19. MART Advisory Board: Selectman Fay moved the Board appoint Selectman Bresnahan, 2<sup>nd</sup> by Selectman Pena VOTE: unanimous, so moved.

20. MART Joint Transportation Com. Selectman Fay moved the Selectmen appoint James Lucchesi to the MART Trans Co., 2<sup>nd</sup> by Selectman Pena, VOTE: unanimous, so moved.
21. 4<sup>TH</sup> of July Com. Selectman Fay moved the Board appoint Selectman Fay to the 4<sup>th</sup> of July Com. 2<sup>nd</sup> by Selectman Pena, VOTE: unanimous, so moved.
22. Devens Five Year Review Com. Selectman Witherow moved the Board re-appoint the Devens Five Year Review Com., 2<sup>nd</sup> by Selectman Pena, VOTE: unanimous, so moved.
23. Devens Open Space & Recreation Com. Selectman Bresnahan moved the Board re-appoint Selectman Pena and Edward Denmark to this committee, 2<sup>nd</sup> Selectman Pena, VOTE: unanimous, so moved.

***Agenda Item #2. Cell Tower Proposal***

Mr. Kreidler advised the Board to a proposal received from Curt Balchunas re: Bligh St Site proposal for a cell tower. Mr. Balchunas stated he would privately lease the land for twenty years and then deed the land over to the Town. Mr. Kreidler advised the Board to a WWII well on that parcel which is very deep and clean. Mr. Kreidler advised the Board to host of permitting issues re: this proposal. Chairman Sullivan advising the Board to "hot spots" in that area. Selectman Bresnahan also stating Mr. Balchunas has had water tested on numerous occasions and has tested clean and wishing to investigate his offer. Selectman Fay requested the Selectman forward this matter (Curt Balchunas's letter) to the Planning Board for consideration at their next scheduled meeting, 2<sup>nd</sup> Selectman Pena, VOTE: Selectman Pena aye, Selectman Fay aye, Selectman Witherow aye, Selectman Bresnahan aye Chairman Sullivan no, 4-1 motion passes.

***Agenda Item #3. Economic Development Director's Report***

1. Mr. Suhoski advised the Board to CDBG application being due for Fy-2000 on 7-17-00 for the Community Development Block Grant and is seeking the Board's input re: strategizing for this new round. The Board set Wednesday, July 5, 2000, at 6p.m to meet with Mr. Suhoski re: the Fy-00 Community Development Block Grant. Selectman Witherow requested Mr. Suhoski prepare a synopsis prior to this meeting.

2. West Main St. Corridor-Tata & Howard has completed the water main project the next phase for Tata & Howard is to conduct a survey for the West Main Street Improvements for Engineering Services. Mr. Sushoki reviewed with the Board the basic services advising to the preliminary planning phase including a scale plan, locus, estimate re: engineering services completed and now entering the survey phase of West Main St to Shirley Town line to include roadway layouts evaluation re: preliminary evaluation of the existing sewer and drain systems on W. Main St. re estimates of existing pipes & upgrades based on land area & service connections, prepare technical specifications for the reconstruction of W. Main St. for 5 zones meeting requirements of DEP stormwater management and the specifications of the 8" & 12" water mains in accordance with Tata & Howards Water Distribution Study. Mr. Suhoski advised the Board to the payment structure identified in Section 5 of the contract for the basic design delineated in Contract dated 8-16-99-breaking the proposal out for this phase in four sections: Section 1.3.1 Survey: \$26,000—Section 1.3.2 Evaluation of Sewer & Drain system: \$5,000---Section 1.3.3. Roadway plans and specifications: \$15,000 and Section 1.3.4. Water Mains plans & specifications: \$8,000. Total recommended for this phase \$54,000. Selectman Pena moved the Board approve Mr. Suhoski's recommendation outlined above for a total not to exceed \$54,000.00, 2<sup>nd</sup> by Selectman Fay, VOTE: unanimous, so moved.

3. Staffing in the Com Economic Dev. Office stating historically that office has been staffed with 2.5 positions. Mr. Suhoski updated the Board to his office working at 1.5 level and workload heavy/tasks. Mr. Sushoki updated the Board to recently being advised to his part-time staff position person resigning. Selectman Bresnahan requested Mr. Suhoski work with Mr. Kreidler to put a proposal together re: staffing his office based upon funding requirements, 2<sup>nd</sup> by Selectman Pena, VOTE: unanimous, so moved.
4. Chairman Sullivan requested Mr. Suhoski report back on the Court House Parking Lot.
5. Selectman Fay moved Selectman Pena act as the Selectmen's liaison for the Town Hall Restoration 2<sup>nd</sup> by Selectman Bresnahan, VOTE: unanimous, so moved

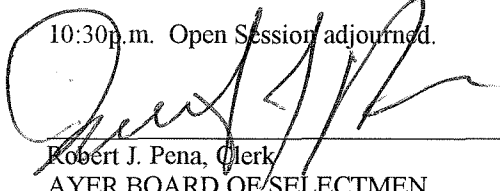
**AGENDA ITEM #3. Town Administrator's Report**

1. Personnel Policies & Review Committee: Mr. Kreidler advised the Board to two people requesting to serve on this Committee: William Oelfke and Lisa Wheeler. Selectman Witherow requesting to serve. Selectman Bresnahan requesting the Selectman structure and define the role of this committee. Selectman Witherow stated the role of the Committee would be to review the Personnel Policy. Selectman Fay also expressed his desire to serve on this Committee. Chairman Sullivan called for a motion: Selectman Pena moved the Board appoint Selectman Witherow, Selectman Fay, Lisa Wheeler and William Oelfke to serve on the Personnel Policy Study Committee, 2<sup>nd</sup> Selectman Bresnahan.  
VOTE: unanimous, so moved.
2. Selectmen's General Policies & Office Procedures. Mr. Kreidler advised the Board to updates in their packets with amendments reflecting number of Selectmen from three to five. Changes reflected in bold type. Policy 00-01 included Page 23 Manager's Written Report submitted semi-monthly. Mr. Kreidler requested the Board review the policies and comment back to him.
3. DPW Director's Interview Structure. Mr. Kreidler reviewed with the Board the basic template he prepared re: questions/criteria for interviewing the candidates with the Board. See attached list dated 6-20-00. Mr. Kreidler recommended the same order of questions/criteria be used re: interviewing each candidate. Selectman Fay requested time schedule be determined re: interviewing candidates. Selectman Bresnahan suggested an hour be scheduled with each candidate with an additional 20min between interviews for the Board to review comments, commit to a four hour period for a quality interview including reporting structure who he reports to, as well as Engineering requirements of him or additional staff. Selectman Witherow referring back to job description which went out to candidates. Chairman Sullivan requesting pay grade established. Selectman Bresnahan requesting background references be conducted. Mr. Kreidler suggesting the Board select a date separate from their regular scheduled meeting due to the length of time being allotted for the interviews. The Board selected 7-5-00 to meet with Shaun at 6pm re: a one agenda item, 7-11-00 for interview the candidates for the DPW candidates beginning at 6pm and the next regular scheduled Selectmen's Meeting on 7-18-00. Mr. Kreidler took the Selectmen's additional request to develop in to the questions/criteria. i.e. problem resolution, re-location time frame, ability to read and understand plan, grant funding. The Board reviewed the grid evaluation procedures.
4. New Business: Guilford issue Chairman Sullivan advised the Board to Senator Resor and State representative willing to help the Town re: the Guilford issue. Selectman Fay moved the Town invite the Town's state delegation consisting of our State Senator & two state representatives to a meeting with the Board of Selectmen re: assistance to the Town re: Guilford preferably on the 18<sup>th</sup> of July Selectmen's Meeting, 2<sup>nd</sup> by Selectman Witherow, VOTE: unanimous. The Board discussed inviting other Town Boards to attend and agreed to meet separately so as to not appear biased. Selectman Fay withdrew his earlier motion, Board moved to withdraw. Selectman Bresnahan suggested two members of the Board of Selectmen meet with that delegation and report back. Selectman Bresnahan moved Selectman Sullivan and Selectman Pena-Selectman Bresnahan as alternate meet with this delegation and report back to the Board, 2<sup>nd</sup> by Selectman Fay, VOTE: unanimous, so moved.
5. Permits: Street Opening Permit-Kevin Horgan -Westford Rd. approved by the Board of Health. The Board requested Mr. Caldwell-DPW Foreman sign off the permit in the future. Selectman Witherow requested if the street opening was designated on the plan-challenging opening on side road not Westford Rd. Selectman Witherow moved the Board approve the street opening permit contingent the plan designate the street opening is on plan submitted and approved by Planning Board, 2<sup>nd</sup> by Selectman Bresnahan, VOTE: unanimous, so moved.
6. Street Opening Permit-Boston Gas-JP Sullivan Co. dormitory Building for migrant workers. The Board approved this permit contingent upon the permit being Dig Safed and approved by DPW. Selectman Bresnahan moved the approval contingent upon permit being Dig Safed & approved by DPW, 2<sup>nd</sup> by Selectman Pena, VOTE: Selectman Bresnahan aye, Selectman Pena aye, Selectman Fay aye, Chairman Sullivan aye, Selectman Witherow nay. 4-1 motion passes.. Selectman Witherow stated she does not like approving anything without seeing it first.
7. Mr. Kreidler advised the Board to Planning Board having three (3) candidates for the vacated seat of James Williams, which will be coming before the Board in the near future.

8. Mr. Kreidler presented the Aquatic Control Contract on behalf of the Ayer Conservation Com. Selectman Pena moved the Board approve the Aquatic Control Technologies Contract per the request of Ayer conservation Com in the amount not to exceed \$16,410.00 contingent upon Insurance liability form be presented prior to award per the recommendation of Town Counsel, 2<sup>nd</sup> by Selectman Bresnahan VOTE: Selectman Pena aye, Selectman Bresnahan aye, Selectman Fay aye, Selectman Witherow aye Chairman Sullivan no, motion passes 4-1.
9. Mr. Kreidler updated the Board re: the ENF submitted by Mr. Hicks for a proposed development in Town the Board authorized a letter be sent to Secretary of Environmental Protection re: this environmental notification form not being in conformance with the Town of Ayer's Sewer Bank and require the applicant respond to that. Motion moved by Selectman Pena, 2<sup>nd</sup> by Selectman Bresnahan, VOTE: unanimous, so moved.
10. Selectmen's Questions:
  1. Selectman Fay: Safety issue re: 65 Groton School Rd. re: trees being trimmed. Traffic signs/control one way street Newton St. Bank parking lot & Town's parking lot. Have Chief Rizzo look at and DPW place signs up. The Board requested Tree Warden determine if Public or private tree.
  2. Selectman Sullivan re: WBZ Radio Show regarding Housing on Devens. & handicap care request for Shirley resident re: Town of Ayer Selectmen writing letter to visiting nurses association asking for their assistance for this resident, 2<sup>nd</sup> by Selectman Fay, VOTE: unanimous.
  3. Children riding bikes on Main St. sidewalks asking Chief of Police to request officers speak to children re: walking bikes on sidewalks.

10:30p.m. Selectman Pena Moved the Board adjourn from Open Session to enter into Executive Session pursuant to MGL Chapter 30 Section 23B re: Exemption #2, 2<sup>nd</sup> by Selectman Bresnahan, VOTE: unanimous, so moved.

10:30p.m. Open Session adjourned.

  
Robert J. Pena, Clerk

AYER BOARD OF SELECTMEN

DATE: Aug. 22 2000