

FINAL Selectmen's Meeting  
May 16, 2000  
2<sup>nd</sup> Floor Meeting Room, Town Hall, Main St., Ayer, MA

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

The Minutes of April 25, 2000, were amended to insert Selectman Fay left the room and returned after the vote regarding the Planning Board's Petition re: the Aquifer Protection District-Page 4 -3<sup>rd</sup> paragraph, 7<sup>th</sup> sentence new language to be inserted---also to insert Janet Lewis in section 6-Economic Development Director's Report re: Town Hall renovation and remove she/next to last sentence in that section.

Chairman Bresnahan took this opportunity to recognize Thomas Burrell, MART Van Driver for the Ayer Council on Aging. Chairman Bresnahan read into the record a Certificate of Appreciation presented to Mr. Burrell on behalf of the Board of Selectmen for his seven-(7) years of loyal and dedicated service to the Town's senior citizens. The Board wishes Mr. Burrell well upon his retirement.

**Town Crier Announcements:** Chairman Bresnahan read the announcements appearing on the Agenda. Additional items announced: Planning Board site walk re: sidewalk on Snakehill Bridge scheduled for May 18, 2000 at 6:00p.m. and Mosquito Spray Dates for June 2000 being 5-30, 6-6, 6-12, 6-19 & 6-26, 2000. Transfer Station Stickers available 6-1-00 with major changes being price increase for residents increased to \$60.00, senior citizens \$30.00, commercial \$750.00, additional household sticker \$10.00.

**Public Input:** Chairman Bresnahan requested if there was anyone present wishing to meet with the Selectmen – no one stepped forward.

**AGENDA ITEMS:**

1. **Reorganization of the Board of Selectmen.** Selectman Witherow nominated Selectman Cornelius Sullivan for Chairman, 2<sup>nd</sup> by Selectman Pena, VOTE: unanimous, so moved. Selectman Fay nominated Selectman Pena as Clerk, 2<sup>nd</sup> by Selectman Sullivan, VOTE: unanimous, so moved. Selectman Pena moved the Board create the position of Vice-Chair in the event the Chairman could not be present for a meeting due to another engagement or illness, 2<sup>nd</sup> by Selectman Fay. VOTE: unanimous, so moved. Selectman Pena nominated Selectman Bresnahan for Vice-Chair stating this position is normally given to the outgoing Chairman, 2<sup>nd</sup> by Selectman Witherow, VOTE: unanimous, so moved. Rotation: Cornelius F. Sullivan-Chairman, Paul D. Bresnahan-Vice Chairman, Robert J. Pena-Clerk, C. Jane Witherow-Member and James M. Fay-Member. The Board voted to amend the Board of Selectmen's Policies Section 14 to reflect the newly created position of Vice-Chair, motion to approve made by Selectman Fay, 2<sup>nd</sup> by Selectman Witherow, VOTE: unanimous, so moved. Chairman Sullivan suggested the Town Administer make changes to Board's policies i.e change 3 member Board to 5 member Board and present them at the next Selectmen's Meeting, motion made by Selectman Fay, 2<sup>nd</sup> by Selectman Bresnahan, VOTE: unanimous, so moved.
2. **Appointment Request:** Chairman Sullivan advised the Board to a letter of interest being received from Pauline Conley stating her interest upon serving on the Advisory Board and/or Personnel Board. Selectman Bresnahan moved the letter be submitted to both the Advisory Board and Personnel Board for their recommendation, 2<sup>nd</sup> by Selectman Witherow, VOTE: unanimous, so moved. Selectman Fay took this opportunity to announce the vacancy on the Planning Board and requesting interested citizens to contact the Planning Board's Office stating their interest.
3. **Public Hearing Continuation-Camper's Inn, Littleton Rd., Ayer, MA/Class I License.** Present for the discussion was David Hirsch owner of Camper's Inn, the Fire Chief-Paul Fillebrown and Building Commissioner Gabriel Vellante. Selectman Pena read the original legal notice of 3-22-00 into the record re: the continuance of the Public Hearing. Chairman Sullivan requested if the plan submitted by Mr. Hirsch was acceptable by the Fire Chief & Building Commissioner. Mr. Vellante stated the plan depicted all the areas previously discussed with the exception of the far right of the parking lot not depicting the designated area for drop off vehicles needing repairs which is designated on the map

currently as a display area. The Fire Chief requested the yellow line depicting the fire lane be carried along the left side of the building approximately twenty feet (20') as well as writing fire lane in the lane itself. The Chief also requested time line for clean up of right side of the building. Mr. Hirsch responded August 2000. The Chief responded he would like the clean-up take place prior to August for fire safety. Mr. Hirsch stated it would be virtually impossible to have it cleaned up sooner, adding that area has been there for twenty plus years building up. The Fire Chief again stated he would like to see that area started immediately for clean up. Selectman Bresnahan moved the Board extend Mr. Hirsch's license for thirty days (30) or June 30<sup>th</sup>, 2000, to make the amendments made in the plan suggested by the Fire Chief and Building Commissioner and document this approval is based upon clearing a eight foot (8') path in the back east side (entire length of building) of the building by June 1, 2000, and total clean up of the entire area by August 31, 2000, 2<sup>nd</sup> by Selectman Fay, VOTE: unanimous, so moved.

**4. *Selectman Witherow, re: Board Efficiency Issues:***

The Board reviewed with Selectman Witherow her suggestions regarding ideas concerning expediting issues which come before the Board, such as having department heads submit weekly reports, submit goals & objectives, would save a lot of time at meetings, DPW work items i.e. street openings, repairs don't have to come before the Board. Selectman Bresnahan agreeing with Selectman Witherow re: shortening meeting time by perhaps instead of having weekly verbal reports conduct monthly meetings with department heads on different days of the month, would be more efficient. Selectman Pena clarifying Selectman Witherow's suggestion stating her intent would be for department heads to submit reports instead of appearing before the Board, she stated yes. Selectman Fay moved Department Heads give a verbal report quarterly to the Selectmen in person at a regularly scheduled meeting as well as submit a monthly status report, 2<sup>nd</sup> by Selectman Bresnahan for discussion requesting a friendly amendment adding that the monthly report and quarterly report tie in with their goals & objectives. Amendment accepted, VOTE: unanimous, so moved. The Board requested Mr. Kreidler send a memo out to all department heads assuring them that if they need to meet with the Board on non-discretionary items or budget requests they will be permitted to do so. Motion made by Selectman Bresnahan, 2<sup>nd</sup> by Selectman Pena, VOTE: unanimous, so moved. Selectman Witherow also suggested to conduct general meetings with all the Town Department Heads to keep abreast of all Town issues and to encourage better communications between departments. Selectman Bresnahan suggested semi-annual meetings/seminars be conducted and to inquire if department heads would be in favor of this. The Board requested Mr. Kreidler to look into this.

**5. *Personnel Board –Reclassification Procedure*** –The Board met with Chairman James Carrington, Members Philip Goff and William Plunkett. Chairman Sullivan opened the discussion by advising to purpose of discussion being revaluation process used by the Board for non-union employees. Mr. Carrington reviewed with the Board Section 5 Classification Plan of the Town of Ayer Personnel Policies and procedures. Chairman Sullivan advised the Board to concerns raised at the Annual Town Meeting re: Park Director's position being graded at 5 and reclassified by the Personnel Board to a Grade 11 which caused a great deal of controversy at Town Meeting. Mr. Carrington advised to the procedure followed by the Board. Selectman Bresnahan requested if there was a policy in place which would notify the appointing authority when a position jumps substantially from one grade to another, as in the case of the Park Director from a Grade 5 to a Grade 11, requesting how the Boards could work together to make the policy work. Mr. Kreidler advising the Board to keep the discussion generic subject matter having not notified the Park Dept. of this discussion. Mr. Carrington reviewed with the Board the job description prepared by the MMA study and the description presented and prepared by the Park Dept. and the Board's role meeting with the employee and Department asking what this person is doing today that differs from their original description prepared by the MMA. The next step is meeting with the Town Administrator who grades the value of the job through rating sheets. Selectman Witherow requested if Mr. Carrington is guiding the person in writing this job description. Guiding the Department head to write the job description, is there anywhere in the policy where Mr. Carrington has to provide information on how to write a job description. Selectman Witherow stated your giving them information asking them to list different things, and then your grading them, isn't this a conflict. Discussion focused on comparable jobs in other communities, supervision, qualifications, etc. Selectman Bresnahan suggested the Board should be

concerned how much you're coaching them and then judging them. Chairman Sullivan stated comment made tonight are twofold: . Trying to avoid the appearance of a conflict, by assisting with the criteria they are looking for and avoid the personal contact that is necessary to get the information that is needed. William Plunkett Requesting the Personnel Board conduct a reality check on how a level 5 position went to a level 11 position. Mary Spinner of the Advisory Board requested how can you judge or promote anyone without a job evaluation, which is not being done by departments. The Selectmen concurred with Ms. Spinner. The Board thanked the Personnel Board Members for coming in to meet with the Board.

The Board went off the posted Agenda to meet with the Police Chief.

The Board approved the Chief's letter to the Mass. Department of Highways requesting speed zones for several commuter streets in Town stating over the past few years the Town of Ayer has experienced a dramatic increase in the volume of motor traffic in and out of Town. Chief Rizzo listed roads and included the 85<sup>th</sup> percentile speed along with his suggested rate of speeds for these streets as requested by citizens for consideration . Streets surveyed were: **Washington St.** (AKA Old Groton Rd.) the 85<sup>th</sup> speed percentile for this street were 41, 42, 44 Chief Rizzo requested to set the speed for this street at 30mph siting the hospital zone, nursing home and two sharp curves, **Washington St.**(by Schools) the 85<sup>th</sup> percentile speed being 36mph requesting 25mph, siting 7 school driveways, densely settled residential area, **West Main St.** 4 area along this street.85<sup>th</sup> percentile speed 35mph requesting 25mph siting intersection Park & W. Main St. busiest intersection in Town, 85<sup>th</sup> percentile 41mph requesting 30mph partially business and densely populated residential area, 85h percentile 47mph requesting 40mph partially business area & barren stretch of roadway in Harvard, **Harvard Rd.** 85<sup>th</sup> speed percentile 42 requesting 35mph siting rotary, condominium project, businesses, **Groton Shirley Rd.** 85 speed percentile 40 requesting 30mph siting densely populated residential area, small children, **Pleasant St.** 85<sup>th</sup> speed percentile 32-33mph requesting 25mph siting densely populated residential area, school children, bus stops, **Snakehill Rd.** 85<sup>th</sup> percentile speed 31 requesting 20mph siting public beach, narrow road, heavy pedestrian traffic, fishing, sharp curves in road. The Board moved to accept the Chiefs recommendations re: lowering various road speeds in the Town of Ayer listed in his letter to the Mass. Dept. of Highways dated 5-12-00 to be sent along to the state and the Chairman being authorized to sign the letter once the Chief has amended his letter. Selectman Pena requesting a friendly amendment to include Sandy Pond Road Beach area, motion accepted. Motion made by Selectman Bresnahan, 2<sup>nd</sup> by Selectman Fay. VOTE: unanimous, so moved.

The Board approved the Chief's recommendation to appoint John MacDonald Patrolman filling the vacated position of Mathew Hardy contingent upon his successful completion of the Police Academy and physical examination by the Town of Ayer s Physician and other criteria recommended by the Chief. Motion to appoint John MacDonald patrolman made by Selectman Pena, 2<sup>nd</sup> by Selectman Fay, VOTE: unanimous. Chairman Sullivan stepped down to move the Chief to create a policy regarding having academy trained officer paid by the Town agree to stay with community for a period of time from starting date of employment or employee must repay the Town for the Academy training, subject to Town Counsel's review and Union approval, 2ndy by Selectman Witherow, VOTE: unanimous, so moved.

#### ***Economic Development Director's Report:***

##### ***Informational items:***

1. The Board set May 24, 2000 at 7:30p.m. to meet at the Ayer Library for a workshop focusing on a single issue item-Renovation to the Ayer Town Hall re: location of town hall offices during renovation, change orders, management plan & analysis, designer selection options and proposed timeline. Motion made by Selectman Bresnahan, 2<sup>nd</sup> Selectman Pena VOTE: unanimous, so moved.
2. Mr. Suhoski updated the Board to Environmental report re: testing at the Ayer Town Hall being received re: soil/debris/dust/air samplings as a result of construction activities performed on the exterior of the Town Hall. Random samplings were taken re levels of lead paint dust & airborne concentration caused from sanding/scraping windows and repointing the brick construction. Test results for most of the settled dust and paint samples collected from interior surfaces were well below allowable limits except for room 4. whereas special cleaning is suggested to be done

3. Mr. Suhoski reviewed with the Board the Town's DEM Historical Landscape grant application in the amount of \$34,000.00 for the 2<sup>nd</sup> half of the Town's exterior renovation restoration.

On another matter Mr. Suhoski advised the Board to the Army National Guard on Devens offering to clean and paint the cannon in front of the Town Hall in keeping with field pieces of that era as well as replacing the tires.

The Board requested Mr. Suhoski to look into securing a grant for the preservation of the Elm Tree in front of Town Hall as well as look into cost of replacing the slate roof on the commuter shelter located on Main St. per the request of a local businessman looking to restore the station to its former state.

**DPW Issues:**

1. The Board was updated to status of applicants/resumes submitted re: the Superintendents position. The Board authorized the advertisement of the position for a second time due to the small pool of qualified applicants. The Board authorized Mr. Kreidler to organize the selection of a Screening Committee to include himself, one or two Selectmen, two/three residents, local Engineering firm. Motion made by Selectman Bresnahan, 2<sup>nd</sup> by Selectman Fay, VOTE: Selectman Bresnahan aye, Selectman Fay aye, Selectman Witherow aye, Selectman Sullivan aye, Selectman Pena nay, 4-1 Motion carried.
2. The Board was advised to a meeting to be conducted on May 18<sup>th</sup> to inspect the Beaver dam on West Main Street which is backing up onto residents properties at West Main St. and Mechanic St. Extension. A representative from the Department of Fisheries & Environmental Law Enforcement will conducting a site inspection at that time. The Board was updated to other areas in Town also having problems with beavers and seeking assistance. The Town to have a representative from the Water Dept. attend this meeting- Mr. Kreidler advising Board to attending this meeting, if possible, having a earlier appointment.
3. The Board was advised to No Parking Signs being approved by Chief of Police and work order submitted to DPW for signage along side of Courthouse (School St. to the corner) by the DPW as soon as their workload permits.
4. The Board was advised to repairs being made to Post Office sidewalk where resident was injured, by the DPW. The Board requested the DPW employees be thanked for their fast response to correct the situation.
5. The Board requested the DPW/Town hire a consultant to review the Town's overall street light needs in the downtown area and to look into additional insurance premium for replacement cost for the 7 broken lamps/poles caused by motorists/hit & run accidents.
6. MBTA Driveway Opening. Selectman Bresnahan moved the Board vote to ratify MBTA permit, 2nds by Selectman Fay, VOTE: unanimous, so moved.

**Town Administrator's Report:**

1. The Board was advised to Spectacle Pond Wells taking a third lighting strike and of DPW water dept. personnel being called in.
2. Mr. Kreidler advised the Board to Crabtree Heights sub-division's catch basin sinking due to the use of wood anchoring being used to level basins. The sub-division passing inspection due to wood pilings not detectable under cover. The Board requested Mr. Wolantis be contacted re: rectifying situation and to have Planning Board be made aware of problem. Mr. Lucshesi suggesting photo's be taken of catch basins and kept on record. Chairman Sullivan stepping down to make this motion, 2<sup>nd</sup> by Selectman Pena, VOTE: unanimous, so moved.
3. Mr. Kreidler advised the Board to local restaurant offering to conduct a TIPS Course re: serving of alcohol beverages by trained personnel, at his establishment for all Town of Ayer liquor establishments. The Board requested Mr. Kreidler research this request for a future meeting. Motion made by Selectman Bresnahan, 2<sup>nd</sup> by Selectman Fay, VOTE: unanimous, so moved.
4. Selectman Bresnahan took this opportunity to read into the record a letter from Deaconese Nashoba Hospital re: Fallon Health Insurance notifying members to their canceling their Senior Plan with them and of injunction hearing scheduled for early next week. Selectman Bresnahan requesting letters to Town representatives be written after next Tuesday seeking their support and assistance with this

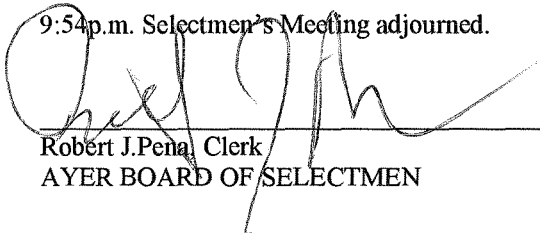
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breach of contract. Letters to be written to Congressman Meehan, Representative Hargraves and Hall, 2<sup>nd</sup> by Selectman Pena Vote: unanimous, so moved.

5. The Board approved the sign request for the Golden Agers Flea Market to be erected in front of Town Hall for their event scheduled for 6-3-00. The Board requested a Policy be drafted for future signage requests. Motion to approve made by Selectman Bresnahan, 2<sup>nd</sup> by Selectman Pena, VOTE: unanimous, so moved.
6. Mr. Lucchesi representing the American Legion met with the Board to officially invite the Board of Selectmen to participate in this years Memorial Day Parade.

9:54p.m. Selectman Bresnahan moved the Board adjourn the meeting, 2<sup>nd</sup> by Selectman Pena, VOTE: unanimous, so moved.

9:54p.m. Selectmen's Meeting adjourned.

  
Robert J. Pena, Clerk

AYER BOARD OF SELECTMEN

DATE: \_\_\_\_\_

6-13-00