

SELECTMEN'S MEETING

April 11, 2000

Ayer Town Hall, 2nd Floor Meeting Room, Main Street, Ayer, MA

7:30p.m. The Board met with Chairman Bresnahan, Selectman Sullivan and Selectman Pena. Chairman Bresnahan announced the Board meeting at the Ayer Fire Station prior to opening tonight's meeting at the Ayer Town Hall.

The Minutes of 3-28-00 were continued to 4-25-00.

Public Input: James Fay updated the Board to this year's event being conducted on July 1, 2000 starting at 2:00p.m. with a parade, day long entertainment at Pirone Park to include games, craft & food vendors and entertainment for young & old all day long culminating at dusk with fire works. Volunteers needed please contact the Selectmen's Office.

William Oelfke, Chairman Planning Board-No parking signs request on the railroad side of Faulkner St. due to St. Andrews Church appearing before the Planning Board with a plan for the construction of a parking lot and request for no parking signage on Faulkner Street incorporated into the approval. Cars park on both sides of street in front of the church on Faulkner St. preventing fire trucks from getting through and creating a safety issue for residents in that immediate area. Mr. Oelfke advised to Planning Board approving plan from church with the no parking signs made a part of the approval and for the last three months requesting assistance from the Police, DPW and Selectmen's Office to have these no parking signs erected along the railroad side of Faulkner St. to Forest St. The Board took this matter under advisement.

Town Crier Announcements: Chairman Bresnahan read the announcements listed on the Agenda of 4-11-00 into the record.

AGENDA ITEMS:

1. Fire Station Building Committee-Met at Ayer Fire Station, re: Needs Assessment Site Selection.

2. Town Treasurer-John Horgan, re: bond issues.

Mr. Horgan presented to the Board a \$3,090,000 General Obligation Municipal Purpose Loan of 2000 Bonds at a very favorable interest rate of 5.29%. One of the significant reasons the Town was able to secure such a good rate was the recent Moody's Investment Service Review of the Town's financial disclosure being upgraded from a BAA1 to an A3 rating. The \$3 million bond is comprised of about 20 items 4 or 5 of the items being BAM-Bond Anticipation Notes, with \$2/\$3 million encumbered from last years Town Meeting's borrowing. The Board having endorsed the Bonds earlier stated this is very good news for the Town and thanked Mr. Horgan for coming in and for the spirit of co-operation among staff - all the people who worked on this. Selectman Sullivan praising the efforts of the business community and Townspeople for endorsement of two Tax Incentive Ageements (TIF's) and enlight of the closure of Devens Army base the rejuvenation of the business community at large and the newly established Capital Planning Process helping to make all this possible.

3. James Carrington -Cablevision Short Term Renewal.

Mr. Carrington presented the Board two (2) copies of a Short Term Renewal License granting a non-exclusive cable television renewal license to Cablevision authorizing & permitting the Licensee to operate and maintain a Cable Television system within the corporate limits of the Town of Ayer commencing on April 8, 2000 to July 7, 2000. Mr. Carrington advised the Board to a questionnaire being sent to all Town of Ayer residents and Public Hearing to be conducted by the Cable Commission prior to negotiating/concluding a longer-term agreement. Chairman Bresnahan called for motion to approve the short-term renewal license agreement. Mr. Kreidler advised the Board to Town Counsel approving the agreement to form. Motion to approve made by Selectman Sullivan, 2nd by Selectman Pena, VOTE: unanimous, so moved.

4. Public Hearing-Earth Removal Permit, Richard Silveria for 7 Sculley Rd., Ayer, MA

Chairman Bresnahan opened the Hearing by requesting the legal notice be read into the record. Selectman Sullivan read the notice into the record. Chairman Bresnahan requested if there was anyone present

wishing to speak for or against the permit. Abutters announced their presence. Chairman Bresnahan advised them the Board would get back to them later in the meeting. Mr. Silveria advised the Board to amount of gravel to be removed incorrectly advertised not 88 cubic yards should be 800 cubic yards. The Board noted the Selectmen's paperwork being submitted correctly to the newspaper and the newspaper incorrectly advertising amount of gravel to removed. Chairman Bresnahan opened the Hearing by advising Mr. Silveria to having the Building Inspector look into this because a citizen complained of the activity and significant amount of gravel being removed from the area as well as being advised to back taxes owed the Town of Ayer by him. Selectman Sullivan stated approximately \$22,000.00. Chairman Bresnahan questioned Mr. Silveria as to why he removed gravel from the Town without a permit. Mr. Silveria stated he owned the property and did not know he had to have a permit to remove earth to build a structure on the property which is his intent. Selectman Sullivan addressed the taxes due to the Town of \$22,000.00 which consists of Real Estate and Personal Property taxes. Selectman Sullivan advised Mr. Silveria to the position the Board of Selectmen regarding back taxes by applicants appearing before them looking for permits of some sort, we ask for reports on what's outstanding. Mr. Kreidler advised the Board to Town approving a local option statute in 1991 giving them the authority, as the permit granting authority, to reject or deny any permit that comes before the Selectmen to somebody that has outstanding taxes or fees due the Town. Chairman Bresnahan read through the paperwork submitted to him from the Town Clerk, one piece of property having outstanding taxes in the amount of \$16,900.00 due since 1995, another piece having \$2,800.00 outstanding, another piece of property with \$2,026.00 outstanding, and another piece with \$4,826.00 outstanding for a total of \$21, 838.00. Mr. Silveria advised the Board to \$16,900.00 being Personal Property and being in dispute for property he does not store or own with the Board of Assessors. He is in contact with his accountant pursuing this matter presently. Mr. Silveria stated he paid his real estate taxes three (3) days ago for ½ year. Selectman Sullivan stated unless there is some formal complaint filed with the Board of Assessors, or the case is in litigation, he would recommend the Board deny the Earth Removal Permit. Selectman Pena moved the Board not issue the permit until we have a letter from the Tax Collector stating the back taxes are paid. Selectman Sullivan moved the Board deny the permit, 2nd by Selectman Pena, VOTE: unanimous, so moved.

5. Economic Development Director's Report: See report dated 4-7-00

The Board met with Shaun Suhoski.

ACTION ITEMS:

1. Request from Ice House Partner's Inc.-for Town's approval to obtain water and sewer utility service from Devens. This request would be for permission to connect across West Main St. to MassDev. infrastructure contingent that Ice House Partner's Inc. be subject to the following conditions:
 1. Ice House Partner's Inc. (IHP) shall obtain a street opening permit from the DPW and comply with any conditions therein whether the water and/or sewer utilities are installed via trenching or underground boring;
 2. IHP shall provide "as-built" plans detailing the location of any such water and/or sewer tie-ins to the DPW; and
 3. Upon notice by the Town of the availability of municipal water and/or sewer service to the property at 323 West Main ST, IHP shall, upon request of the Town, connect to such Town of Ayer services within a period of one (1) year from such notice. The Town of Ayer shall not exercise this provision for a minimum period of ten (10) years from the date of the execution of the agreement. Selectman Pena moved the Board approve Ice House Partner's Inc. (IHP) water & sewer connections to MassDev's wastewater and water systems as requested in the memo dated 4-11-00 from Liisa Dowd Business Manager of IHP, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.
2. Mr. Suhoski announced the receipt of Ayer's Farmer's Market Grant Award from the State office of Food and Agriculture –Executive Office of Environmental Protection in the amount of \$700.00 and matched with \$700.00 from the Town's Office of Economic Development. Mr. Suhoski announced this grant award due in great part from the work of Ruth Rhonemus to further market activities for the Ayer Farmer's Market. Mr. Suhoski requested the Board's permission for his endorsement of the Grant Award. Selectman Pena moved the Board's approval, 2nd by Selectman Sullivan, VOTE: unanimous, so moved. The Board congratulated Ms. Rhonemus for her work on behalf of the Town.

3. The Board approved the Fy-00 Community Development Block Grant Housing Rehabilitation Program Contract (3 copies) with Communities Opportunities Group for Housing Rehabilitation Services for the Fy-99 Grant in the amount, not to exceed \$35,000.00 for twenty five (25) units of rehabilitation. Selectman Sullivan moved to approve the contract, 2nd by Selectman Pena, VOTE: unanimous, so moved.

INFORMATIONAL ITEMS

1. The Board approved the Chairman's signature on the Fy-98 & Fy-99 Community Development Block Grant Quarterly Reports submitted by the Economic Development Director for the period ending 3-31-00. Motion to approve made by Selectman Pena 2nd by Selectman Sullivan, VOTE: unanimous.
2. The Board was advised to two applicants submitting revised RFP's for the Park Dept.'s Master Planning and of Weston & Sampson being selected as planning and landscape architect consultant for not-to-exceed ten thousand dollars (\$10,000.00). EMG of Fitchburg being the other applicant. The Park Dept. the awarding authority, to sign off on the contract this Thursday evening (4-13-00)
3. The Board was updated on the Ayer District Court Parking having been advised to DCAM and Trial Court Division proceeding with the land acquisition and environmental testing.
4. Mr. Suhoski updated the Board to the revised cost estimate for the Ayer Town Hall interior restoration being reduced down by a Construction Design Architect hired by J. Stewart Roberts from the 98 cost proposal submitted of \$2.4 million dollars. The new figure reflects cost reduction of \$400,000.00 or \$2 million dollars to complete the interior restoration to the Ayer Town Hall. Mr. Suhoski ran down the cost reductions with the Selectmen.

Town Administrator's Report:

1. Fy-01 Budget Review & approval.

Chairman Bresnahan opened the meeting by stating this Budget review for Fy-01 is the 2nd review the 1st one being the Public Hearing conducted on 3-22-00. Tonight's meeting is with the Advisory Board. Present for the discussion Lisa Gabree, Town Accountant. Mr. Kreidler presented the revised Fy-01 Budget, which reflected revisions, made at the Public Hearing with the Board's comments from that meeting. The Board was advised to Tie-in sheets reflecting total budget accounting including enterprise funds and balance of \$7,000.00

DEPT. 100 -General Government

Selectmen \$127,330.00- Selectman Pena moved to approve, 2nd by Selectman Sullivan-unanimous, so moved.

Town Counsel \$100,00.00-Selectman Sullivan moved to approve, 2nd by Selectman Pena-unanimous, so moved.

Town Clerk- \$39,549

Moderator - \$440.00

Parking Tickets- \$600.00

Town Hall Maint.-\$29,300

Registration & elec.-\$11,380

Municipal Park.- \$5,000

Postage- \$15,000

American Legion \$400

Memorial Day \$1,300

4th of July \$5,000

Communications \$4,725

Selectman Sullivan moved to approve Dept 100 as stated, 2nd by Selectman Pena, VOTE: unanimous.

DEPT. 200 -FINANCE

Town Acct. \$100,785

Assessors \$107,694

Tax Collector \$51,439

Treasurer \$74,154

Health Insurance \$1,150,000

Fire-Casualty \$62,000

Workers Comp \$32,000

Unemployment \$26,386

County Pensions \$479,000

Notes & Bonds \$611,957

Interest \$297,795

Insurance Fire \$29,000

Tax Title \$5,000

Bank Charges \$9,900

FICA \$104,000

Advisory Board \$985 Selectman Sullivan moved to approve Dept. 200 as stated, 2nd by Selectman Pena, Unanimous

Dept. 300-public Safety

Police \$1,227,488
 Fire \$607,509
 Building \$38,807
 Civil Defense \$2,000
 Animal control \$9,950
 Animal Inspector \$314
 Tree Warden \$7,500

Selectman Sullivan moved to approve Dept. 300 as stated, 2nd by Selectman Pena, VOTE: unanimous

Dept. 400-Public Works

Public Works \$691,092
 Street Lighting \$52,000
 Care of Graves \$745

Selectman Sullivan moved to approve Dept. 400 as stated, 2nd by Selectman Pena, VOTE: unanimous.

Dept. 500-Human Services

Council on Aging	\$43,797	Selectman Pena Moved approval 2 nd by Selectman Sullivan, VOTE: unanimous
Board of Health	\$18,195	" " " " " " " "
Nashoba BOH	\$26,740	" " " " " " " "
Parks Dept.	\$78,535	Sullivan " " " " " " " "
Veterans Services	\$23,665	" " " " " " " "
Library	\$333,254	" " " " " " " "
Disabilities Com.	\$2,550	" " " " " " " "

Dept. 600-Education

Gen. Education \$7,921,044
 Transportation \$364,000
 Adult Ed. \$2,000
 Vocational \$168,240

Selectman Sullivan moved to approve Dept. 600 as stated above, 2nd by Selectman Pena, VOTE: unanimous.

Dept. 700-Management Support

Zoning Board \$12,742
 Historical \$500.00
 MRPC \$1,459
 Conservation \$12,287
 Weed Control \$20,000 VOTE Selectman Pena aye, Chairman Bresnahan aye, Selectman Sullivan no VOTE 2-1
 Planning Board \$14,512
 Printing \$11,950
 Computer Support \$21,000

Selectman Sullivan moved to approve Dept. 700 as stated, 2nd by Selectman Pena, VOTE: unanimous.

2. Annual Town Meeting Warrant

Article 2 Reports-Approved Selectman Pena 2nd Selectman Sullivan, VOTE: unanimous
 Article 3.Salaries- \$90,030 Elected Officials Sullivan Pena "
 Article 4. Omnibus -\$15,220,864 " " "
 Article 5.Enterprise Solid Waste \$508,078 " " "
 6. Ambulance \$43,553 " " "
 7. Sewer Dept \$813,679 Pena Sullivan "
 8. Water Dept \$1,077,928 " " "
 9. General Town Business TIF Ice House Approve Sullivan, 2nd Pena, VOTE: unanimous
 10 Library Aid a Sum of \$ " " " "
 11. Dispatchers 3% raise \$3,345.00 " " " "
 12 DEBT Exclusion- Town Hall \$2 million Pena Sullivan revised \$1,997,000.
 13. Fire Station \$500,000 Pena Sullivan
 14 Sewer Line \$365,000 Sullivan Pena
 15 Borrow Central Ave. Lift Station \$12,000
 16 Water system Hydrant Replacement \$10,000
 17 Fire Station Repairs \$150,000
 18 Fire Dept. Pagars \$8,500
 19 Fire Dept Protective Cloths \$40,000
 20 Police Cruiser \$25,000
 21 Software upgrade \$36,000
 22 School Dept.-Page/Hilltop project \$115,000
 Articles 15-22 Approved Selectman Pena, 2nd By Selectman Sullivan except Article 19
 23. Raise *Approp
 24 Zoning Map \$20,000
 25 Fields Pirone Park \$13,500

26 Copier-Town Hall-\$12,000
27 Raise & Appropriate 1st years interest charge authorized by 5-8-00 Town Meeting
28 Chain Saw- \$3,200-Tree Warden Selectman Pena approved articles 23-28, 2nd Selectman Sullivan, UNANIMOUS
29 Reserve Fund \$110,000 Sullivan Pena
30 Stabilization \$193,320 "
31 Revolving Funds-Fire Alarm
32 Fire Dept. -Hazardous Materials
33 4th of July
34 School Dept-Tuition Articles 31-34 Sullivan Pena
35 Asbestos removal from Town Hall-\$11,500
36 Borrow-repayment from \$982,000-UDAG-Water main replacement Articles 31-36 approved by Selectman Sullivan, 2nd by Selectman Pena, VOTE: Unanimous
37 Reclassification- \$6,724/Town Clerk Asst. & Park Director -motion Sullivan, 2nd by Pena, VOTE: Unanimous
40 Wireless By-law
41 Cluster By-law-Articles 40&41 moved for approval by Selectman Sullivan, 2nd by Selectman Pena-Unanimous

3. **DPW Issues:** Mr. Kreidler requested these items be continued to 4-25-00 due to him not having the time to review them in a timely fashion – having just received them earlier today.
4. The Board approved a sewer permit for Cathy Pickard at 16 Pineridge Dr., Ayer, MA. Motion to approve made by Selectman Sullivan, 2nd by Selectman Pena, VOTE: unanimous.
5. The Board signed the April 24, 2000 Election Warrant. Present for the signing Constable Clark Paige. Motion to approve made by Selectman Sullivan, 2nd by Selectman Pena, VOTE: unanimous, so moved.

10:35p.m. Selectman Sullivan 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 Executive Session to enter into another Executive Session pursuant to MGL, Chapter 39, Section 23b, Exemption #6 to adjourn from this Executive Session to enter into Open Session for the sole purpose of adjourning the meeting, 2nd by Selectman Pena, VOTE: unanimous, so moved.

10:35p.m. Open Session concluded.

DATE: _____

Cornelius F. Sullivan, Clerk
AYER BOARD OF SELECTMEN