

Selectmen's Meeting
Monday, February 22, 1999
2nd Floor Town Hall Meeting Room, Ayer, MA

7:00p.m. Open Session

The Board met with Chairman Hamel, Selectman Bresnahan and Selectman Sullivan.

The Minutes of February 8, 1999 were amended-Page 4 additional wording to top of page –not a complete sentence-insert Ayer Park Dept. Officials and bottom of page –last paragraph, to state Selectman Sullivan's wishing to know if the Ayer Historical Commission had discussed the care, custody and control of the Pleasant Street School. Mr. Kreidler advising the Board to letter from Frank Maxant found by him and to be distributed to Board for their review.

Public Input: Chairman Hamel requested if there was anyone present wishing to meet with the Board.

1. Robert Pena re: introduction of Kimberly Becker to the Communications Committee and of Ms. Becker's presentation to the Board of the newsletter format to be distributed to Town of Ayer residents. The Board welcomed Ms. Becker to the Committee and congratulated her on the newsletter format.
2. Martha Craft: Present for the discussion: Louise Naylor, Leo & Margaret Jean. Ms. Craft requested to meet with the Selectmen under Public Input rather than at her Agenda scheduled time re: Fletcher's Pond's weed control program. Ms. Craft stated she was before the Board this evening to present a petition with 120 signatures to the Selectmen and Conservation Commission to take immediate action to address weed problems on Fletcher's Pond without the use of chemicals or herbicides. Ms. Craft stated the weeds are overtaking Fletcher's Pond and will soon be creating similar problems at Sandy Pond. The Board reviewed other options with Ms. Craft i.e. dredging the pond, freezing weeds over winter months & harvesting. Selectman Sullivan suggested a Committee be established to study the problem. Selectman Bresnahan stated the Board had met with the Conservation Commission on a few occasions re: weed control and at the last meeting a mechanical solution could not be found. Mr. Kreidler made the Board aware of the Conservation Commission's Water Quality Report which will report on specialized testing taken on samplings from Town ponds which will identify non-organic substances/phosphates. This report was made part of the Town's Weed Control Program conducted by Jerry Smith of Aquatic Control Technology. This report will be out shortly for the Commission's March 9, 1999 meeting. Mr. Kreidler went on to advise the Board to City of Gardner after dredging of pond utilized material/sand base for their landfill capping and perhaps the Town could consider doing the same if the material was suitable. Mr. Kreidler to follow-up on this process and report back. Selectman Sullivan stated this group of citizens does not want the use of chemicals with this weed control program and it would be very helpful to provide this documentation from the Conservation Commission to this group of individuals. Selectman Sullivan presented the group with herbicides utilized with the Town's Weed Control Program last year, which was given to him from Jennifer Gibbons. The Board requested the Conservation Commission be invited back to meet with the Selectmen along with their consultants after March 9th to revisit the weed control program and urged interested citizens to attend this meeting.
3. Selectmen Sullivan requested the Board place an Executive Session at the end of the tonight's meeting Re: real estate Exemption #6, 2nd by Selectman Bresnahan, VOTE: unanimous, so moved.
1. Chairman Hamel read into the record the Special State Primary Election Warrant of March 16, 1999 submitted by the Town Clerk for their signatures and posting by the Constable. Selectman Bresnahan moved the Board approve the Special State Primary Election Warrant for the Special State Election to be held on March 16, 1999 at the Page School Cafeteria from 7:00a.m. to 8:00p.m. 2nd by Selectman Sullivan, VOTE: unanimous, so moved.
2. The Board met with the Park Dept. re: proposed Ayer Community Youth Center (AYC). Present for the discussion: Lori Brennan and Marvin McMiller. Ms. Brennan presented the Board their vision for a youth community center (AYC) to be located at Pirone Park (basketball court area). Plans presented to the Board depicted a one story, handicap accessible wooden building, with attached gym and functions area. Master Plan developed by Gabriel Vellante, Architect. Ms. Brennan advised the Board to a kick off

fundraiser being planned for March 27, 1999 from 1-3pm at the Ayer Town Hall. Ms. Brennan presented Goals & Objectives associated with developing the community center. Community Questionnaire results of October 18, 1998 reflecting support for improvements to the Town Park. Use of Schools/Devens fee comparison for sports programs. Ayer school facilities over utilized and unavailable for Park Dept. programs. Mr. Kreidler advised the Park Dept. to be cautious regarding use of donated funds for the development of the Ayer Youth/Community Center. Mr. Kreidler advised the Board to Town Counsel rendering an opinion as to the authority and procedure for dedication of funds donated by private parties and businesses for the support of the AYC. Town Counsel referred to MGL C44 s53a, which earmarks such funds. Such funds must be deposited with the Treasurer and segregated in a special account. The balance in this gift account may be expended for the purpose specified by the donor at any time without specific appropriation by Town Meeting, upon the approval by the Board of Selectmen. Donors must be instructed to clearly indicate on the face the check or in writing that the gift is made specifically for that purpose only. Ms. Brennan requested the status of the \$30,000.00 UDAG appropriation that is on hold. Selectman Bresnahan stated based upon the project being approved by Town Meeting the UDAG funds would be available. Selectman Sullivan urged the Park Dept. to establish an operating budget advising to the Town of Groton fundraising over a three (3) year period the establishment of their operating budget for their community center. Selectman Bresnahan urged Park Officials to capital expenses being budgeted and to keep in mind operating expenses could run as high as \$100,000.00-\$200,000.00/yearly. The Board congratulated the Park Dept. on working hard and long on this project and doing a great job.

4. Fire Chief: Mr. Kreidler reported to the Board on behalf of Chief Paul Fillebrown due to the Chief being ill that the chief has submitted to the Board the request to increase the Town of Ayer's Ambulance base rate from \$206.81 with the new Medicare allowable rate of \$224.26. The Chief stated the town had not increased the fees since 1995. Selectman Bresnahan moved the Board accept the recommendation of Chief Fillebrown and increase the Ambulance Rate from \$206.81 to \$224.26 the new 1999 Medicare allowable rate, 2nd by Selectman Sullivan, VOTE: unanimous, so moved. Selectman Sullivan suggested ambulance supplies/expenses be budgeted into the new rate structure rather than from Department's budget relating from ambulance services. The Chief to meet with the Board at later date to discuss this possibility.

3. MSCP HOUS. REHAB PROGRAM INTERVIEWS

The Board met with MSCP Program Manager, Diane Sullivan. Ms. Sullivan presented the two- (2) finalist to the Board regarding the MSCP-Grant Administrator's position and the MSCP Housing Rehabilitation Specialist position.

Hous. Rehab. Specialist: The Board met with Jeffrey Mathai of Medford, MA. Mr. Mathai stated he worked in the town of Ayer from 1994-1996 in this capacity for the Town's consultant-Communities Opportunities Group (COG). Mr. Mathai stated he has been working in the field of construction rehabilitation/renovation for twenty years, the last four in a setting that is structured for low moderate income families using Federal and State funding. Mr. Mathai stated he has a well rounded understanding of current building codes, construction standards, materials and their uses. From Ayer Mr. Mathai went to work in Medford. The board reviewed with Mr. Mathai program attributes he could bring to the Program along with duties & responsibilities of the position. After a brief discussion The Board moved to accept the recommendation of MSCP Program Manager, Diane Sullivan and appointed Jeffrey Mathai to the position of Housing Rehabilitation Specialist. Salary: fee for service on a contracted basis, working as needed and required to coordinate tasks with the fourteen (14) month program, and in conformance with the Job description so stated.

Grants Administrator: The Board met with Shaun A. Suhoski of Garner, MA. Mr. Suhoski stated he is presently employed by the City of Gardner, as their Grants Administrator/Project Director working under Gardner's Community Development & Planning. Town Administrator James Kreidler at this time requested the Board allow him to remove himself from the table and all discussion. Mr. Kreidler presented the Board a "letter of disclosure" to place himself on record due to his personal and professional relationship with Mr. Suhoski. Mr. Kreidler advised the Board that he had also presented this letter to the Town Clerk for recording earlier in the day. Mr. Suhoski stated he has demonstrated a successful

record in Gardner securing over \$8.7 million dollars in grant funds: to include housing rehab, infrastructure improvements, planning studies, public safety, recreational and educational programs-for may serving as project manager. Mr. Suhoski stated he is familiar with State & Federal Grant Programs to include CDBG and HOME funded rehab as well as meeting all programmatic requirements established by HUD and the State Dept. of Housing & community Development. Mr. Suhoski reviewed with the Board his educational background and professional experience to include Historic Grants, i.e Gardner's City Hall Annex restoration, through Mass. Historic Matching Grant Program. The Board reviewed with Mr. Suhoski his background & challenges to this position. Mr. Sushoski stated he has been directly involved in this field for the past five years and has prepared and administered several housing related programs most notable the MSCP grants and looks forward to hopefully administrating the same in the Town of Ayer. The board conducted a brief question & answer interview with Mr. Suhoski and thanked him for coming in. Chairman Hamel called for a motion. Selectman Sullivan moved the Board vote to accept the recommendation of the MSCP Program Manager, Diane Sullivan and appoint Mr. Suhoski to the position of Grant Administrator for the Town of Ayer's MSCP Program, 2nd by Selectman Bresnahan, VOTE: unanimous. Ms. Sullivan to negotiate the terms of Employment. The Personnel Board to review the job description and pay grid and report back to the Board.

4. Restoration Committee: The Board met with MSCP Program Administrator Diane Sullivan re: the Town Hall Restoration Project. Present for the discussion: J.Stewart Roberts, Architect, Philip O'Brien, his assistant, Restoration Committee members Ann Callahan and Ruth Rhonemus. The Board stated the purpose of meeting with the Committee and architect was to receive status of how the work would proceed less the \$100,000.00 funding downsized from the original matching funds request. The Board reviewed with the Architect their goal to do as much work as possible less the \$100,000.00 loss. Mr. Roberts reviewed with the Board estimates on various segments of work required to restore the historic integrity as well as making it watertight. Mr. O'Brien reviewed with the Board all the work needed with this renovation project with cost estimates associated. Mr. O'Brien prioritized the tower should be first in line due to the many leaks associated with the upper town hall offices, the slate roof and flashing, gutters, downspouts, front & side porches and replacement of aluminum windows with wooden ones. Risk areas outlined were painting of woodwork, metal trim, repair of masonry cracks, leaks, tiles and chimneys that have all deteriorated. The cleaning of masonry and repainting of black band of brick on the exterior of the building. Mr. O'Brien ran through the process of repainting of masonry estimated at \$165,000.00 by itself. To fully restore the outside of the Town Hall was estimated at approximately \$400,000.00. After a brief discussion the Board voted to approve the estimated cost of \$218,000.00 (see attached recommended scope and priority list submitted by J. Stewart Roberts) and requested the three items at the lower part of the scope be listed as a series of alternatives which could be selected for including in a contract depending upon quotations of which would be reflected in the bid. (Landscaping, concrete cleaning/re-pointing, and ramps). Mr. Roberts to come back with a reduced/revised scope of work with add/alternatives.

On another matter Ms. Sullivan advised the Board to MRPC sponsoring a breakfast workshop on Brownfield legislation dealing with industrial sites, vacant & unutilized buildings she will update the Board later.

4. Taken up earlier under Public Input

7. Supt. Girouard's Report: see report dated 2-19-99

Action Items:

1. The Board endorsed the approved Change Order for Weston & Sampson in the amount of \$11,000.00
2. The Board requested the Town Administrator remit letters to Representatives Hargraves & Hall seeking their assistance in securing Chapter 90 funding to State Highways due to the proposed state budget and Transportation Bond Bill not containing Chapter 90 Funding.
3. The Board was advised to the deed from Crabtree Development being prepared for sign over to the town being readied for the next Selectmen's Meeting; for the pumping station to be located at Crabtree Heights entrance. Supt. Girouard ran through the Bid timeframe with the Board-design/construction bid out mid March. Bid process about 5-6 weeks/Central Register 3 weeks.

4. The Board approved a sewer permit under the Town's Sewer Bank Policy for J.P. Sullivan Co. located on Barnum Rd. Ayer, MA Motion made by Selectman Bresnahan, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.
5. The Board requested the DPW send out a mailing to all residents along Fletcher's Pond to hook up to Town sewer or loose discount beginning the week of March 8, 1999 through March 22, 1999 due to area being in an environmentally sensitive area. The Board was made aware of 80% of residents in that area being tied in at present.
6. the Board reviewed the complaint by a resident concerning actions by DPW employee re: snow plowing on her street. Supt. Girouard stated he had taken earlier action by sending resident letter stating plowing policy for that area in Town and of employee following DPW policy. The Board stated the best solution to ongoing problem was to change route with another driver to eliminate personality conflict, stating the DPW employee was a good worker with no prior complaints.
7. Supt. Girouard to make a new recommendation to fill the Highway Division's Truck Driver position at the next Selectmen's Meeting.
8. Supt. Girouard advised the Board to Town Engineer's position being narrowed down and hopeful to have a recommendation for the Board at their next meeting.

TOWN ADMINISTRATOR'S REPORT:

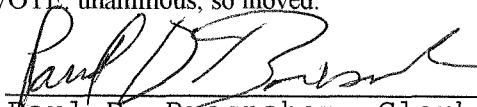
Action Items:

1. The Board were advised to FY-2000 Budget Binders being prepared for their next meeting.
2. The Board requested Bill Marshall be contacted re: timelimits of appointments for town of Ayer DEC Members and also what Governor's recommended time limits are.
3. The Board was advised to Town Counsel reviewing the Groton ETA Legislation-specifically Chapter 498 to determine if a Super Town Meeting would have to be conducted by the three towns to adopt the new legislation under the Re-Use Plan. The Board requested the Ayer Hous. Authority be contacted re: comments/concerns re: competition to grant funding opportunities if Groton's ETA is approved for the assisted living complex.
4. The Board approved Article 27 Amendment to the Personnel Policy allowing employees to make up unpaid lunch break by increasing their hours by 2 & ½ hours a week.
5. Mr. Kreidler announced an orientation meeting for Town employees to review the Personnel Policy prior to implementation to be conducted on Thursday, February 25, 1999 at 1:00p.m. in the 2nd Floor Meeting Room of Town Hall, a memo has been sent to all departments advising of this meeting.

NEW BUSINESS:

1. The Board was advised by the Town Administrator to Planning Board requesting Zoning By-laws with amendments being requested to appear in the Town Meeting Warrant approximately 32 pages and cost associated with this additional printing.
2. The Board was reminded to concerns/questions re: brief submitted by Town Counsel needing to be back within next few days.
4. The Board was advised to meeting re: Court House Parking being conducted with Library Trustees and to the Trustees approving of a number of parking spaces at Library parking lot being approved for Court House employees. Mr. Kreidler also advised the Board to Park Dept. officials also approving of Pirone Park parking lot being approved for Court House parking overflow.
5. The Board was made aware of problem Fire Department personnel is having re: parking lot being filled with vehicles from residents of apartment house and of problem employees/volunteers are having when fire alarm is activated. The Board requested a meeting be scheduled to address this problem and to invite the Police Chief to attend.
6. The Board was advised to Chairman of the Board of Health requesting advice re: Animal Control Officer reporting to the Police Chief and how the Board of Health monitor's this position which is mandated by the State.

10:35p.m Selectman Bresnahan moved the Board adjourn from Open Session to enter into an Executive Session pursuant to MGL Chapter 30 section 23b Exemption #6 Real Estate, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.


Paul D. Bresnahan, Clerk

DATE

