

Selectmen's Meeting
Monday, October 19, 1998
2nd Floor Town Hall, Main St., Ayer, MA

7:00p.m. Open Session

The Board met with Chairman Hamel, Selectman Bresnahan and Selectman Sullivan.
The Minutes were amended as presented for October 5, 1998.

The Board set back the State Election Warrant for 11/3/98 pending clarification from the Town Clerk. Chairman Hamel read into the record a request from the Town Clerk requesting residents who have registered to vote through the Registry of Motor Vehicles (DMV) and have not received an acknowledgment from the Town to please call the Town Clerk's at 772-8215 to be sure they are on the voting list, as well as informing Town residents to the voting being conducted at the Page School Cafeteria on 11/3/98 from 7:00a.m. to 8:00p.m.

Town Crier: Chairman Hamel announced the new hours for Halloween Trick-or-Treating to be conducted on Saturday, October 31, 1998 from 5:30p.m. to 7:30p.m. per the recommendation of the Police Chief due to Daylight Savings Time Change. Also residents were advised to Business Alliance sponsoring their Halloween Party on Saturday, October 31, 1998 beginning at 11:00a.m at the Ayer Town Hall with fun & games, 1:00-3:00p.m. trick-or-treating Main St. shops, along with Hayrides from 12:00noon to 3:00p.m.

Public Input: Chairman Hamel requested if there was anyone present wishing to be heard. Robert Isaacs: re: sewer tie-in for his home and being penalized due to his line being between 9-13 feet lower than pumping station the Board requested Mr. Kreidler have Supt. Girouard investigate this matter and report back to him. Mr. Isaacs stated the stop sign requested at the Selectmen's 10-5 Meeting has still not been put up. Mr. Kreidler stated the order for the slow children and stop sign have been requested and are scheduled to be installed the week of October 26th.

Bennetts Brook The Board met with developer Angus Bruce re: the acceptance of maintenance of the roads at Bennetts Brook. Mr. Bruce stated that the paving will be completed for Phases 1 & 2 by the end of October. Phase 1 & 2 are substantially complete. Mr. Bruce stated he was not before the Board re: acceptance of the roads only maintenance (sanding, salt & plowing of roads). This maintenance would then allow the Town's school buses to enter onto the sub-division and not have the students picked up on Littleton Rd., Mr. Bruce stated he would request the acceptance of the roads be placed on the next Annual town Meeting. Town Administrator James Kreidler advised the Board to the Town's By-law accepting Chapter 40 Section 6C: Removal of Snow & Ice from Private Ways advising the Board that the Selectmen may designate the removal of snow & ice from private ways within its limits and open to the public use provided that the removal of snow & ice from such a way shall not constitute a repair of a way. Mr. Bruce stated his recollection/discussion with the Board agreeing that the Town would do this when the paving was completed for Phase 1, 2 & 3. Selectman Bresnahan suggested the following be taken under advisement by the Board 1. Maintenance: Phases 1&2 are completed- Phase 3 has three lots to finish 2. The issue re: school buses not entering subdivision-due to roads not being accepted, a meeting with a representative of School Committee and Mass. Highway re: the Bus Company. should be scheduled to address their concerns. The Board took this matter under advisement. *Concluded - a/-*

The Board amended the Agenda for 10-19-98 with the addition of an Agenda item to be placed after the Park Dept., that being Lauri Nehring re: PACE update.

Munenergy: The Board met with Mr. Grew of Munenergy. Mr. Grew gave the Board a brief overview of the Munenergy Proposal. Mr. Grew stated Munenergy through Select Energy is actively marketing reduced price electricity and energy efficiency. Munenergy has been conducting regional seminars with municipal officials in conduction with the Mass. Municipal Association (MMA) and Select Energy's consultant, National Energy Choice to focus on the significant savings to municipalities. Mr. Grew stated

prior to the enactment of Chapter 164, the act to restructure the electric industry, the local electric utility distribution companies owned, operated and maintained all aspects of the industry. Through Munenergy proposal there are significant potential savings for the communities that participate in this effort. Mr. Grew stated Select Energy is talking with companies across the country ensuring the maximum savings in Massachusetts and based upon the regional seminars and range of informative discussions with municipals there seems to be significant interest in Munenergy's proposal. Local towns joining are Harvard and Lunenburg, due to Central Region of state experiencing higher energy costs. The Board thanked Mr. Grew for coming in and for the presentation expressing need for much more discussion and not having time this evening to dedicate to this subject, again thanking him for information.

Park Dept.:

The Board met with Park Director, Marvin McMiller re: utilization of the Town Hall for Park Dept. activities. Mr. McMiller stated the Park Dept. has taken on additional activities, i.e. piano lessons-gymnastics. Mr. McMiller requested permission to utilize the 2nd floor of the Town Hall for recitals-Piano and other Park related ceremonies/parties on Friday nights, Saturdays & Sundays. The Board requested Mr. McMiller request re: use of the Town Hall on week-ends for Park Dept. parties or special uses, be run by the Building Inspector and Fire Chief re: safety and building codes approval for such uses. Motion made by Selectmen Bresnahan to 1. Use of hall be scheduled through Board's Calendar-in Selectmen's Office, 2. Park Dept. responsible for all clean up, 3. Park Dept. responsible for security of the building (locking up) and 4. Use on Fridays only during evenings not during day-during the time offices are open, 2nd by Selectman Sullivan, VOTE: unanimous, so moved. The Board requested the Park Dept. be placed on the next Selectmen's Meeting Agenda to discuss the Park Dept's intent re: status of prior Board's \$30,000.00 appropriation from UDAG funds for a Youth Center.

Lauri Nehring-PACE Update:

Ms. Nehring thanked the Board for allowing her to report on PACE activities this evening. Ms. Nehring stated she was very pleased to announce PACE's award of an additional grant from the U.S. Environmental Protection Agency under the Technical Assistance Program (TAG). Ms. Nehring stated Pace just received \$25,000.00 and expects to be awarded an additional \$25,000.00 totaling \$50,000.00 by the early part of 1999. These funds will serve to continue to study the environmental issues at the former Ft. Devens Military base. Ms. Nehring advised the Board to the sites which are still active and being studied: the Army's proposal re: off site/on site landfill consolidation, 2. ecological studies of Grove Pond, Plow Shop Pond and Nonacoicus Brook, 3. the remediation of Shepley's Hill Landfill-the 2nd largest landfill in all of Massachusetts, as well as two new sites 4. Moore Army Airfield, and the Fort Devens Sewage Treatment plant. Ms. Nehring made a plea to listening Ayer residents that PACE is always looking for new members-stating the more citizens participation, the more we can do. Ms. Nehring stated PACE is also been attending Planning Board meeting due to concern with Guilford Railroad's proposal to construct a 34 acre parking lot near neighborhoods in Westford Rd. & Willow Rds. in an environmentally sensitive area-on top of the aquifer which charges Ayer's Spectacle Pond Wells. The Board congratulated PACE on the Grant Award and thanked Ms. Nehring for her update.

Economic Development Director's Report: Mr. Kreidler stated he would be presenting Ms. Sullivan's Report this evening.

Action Items:

1. Mr. Kreidler presented to the Board fifteen (15) Notices of Release of Certificate not to Encumber by Case # which have completed their five (5) year Agreement with the Town in partnership with the Mass. Small Cities Program for consideration of funding if their property was not mortgaged or sold, or whereas no beneficial interest or title was transferred before the expiration of five (5) years following project completion. Submitted before the Board were Cases #: 91-02, 91-03, 91-06, 91-07, 91-10, 91-13, 91-16, 91-19, 91-20, 91-21, 91-22, 91-23, 91-26, 91-27, 91-03-01. Selectman Bresnahan moved the Board

approve the lien releases as read by the Town Administrator, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

2. Mr. Kreidler advised the Board to Ms. Sullivan receiving price quotes on paint, rugs, wiring regarding the move of the Economic Development Office from the 2nd floor of the Town Hall-behind the stage to the third floor of the building. (supplies being ordered based upon MCI-Prisoners doing work) This move being made with the Park Dept. to accommodate a handicapped Park Commissioner to make accessible the handicap parking and ramp at the rear of Town Hall. Mr. Kreidler stated Ms. Sullivan had quotes for \$400.00 regarding the wiring/phones, paint supplies \$380.00, and rugs estimated to come in at approximately \$400.00. Mr. Kreidler stated Ms. Sullivan has the \$780.00 in her budget for the carpet and paint but would need \$400.00 from Town Hall Maintenance for the wiring and was before the Board this evening requesting the \$400.00 for this wiring. Selectman Bresnahan moved the Board approve the \$400.00 from Town Hall maintenance for the wiring, 2nd by Selectmen Sullivan, VoTE: unanimous, so moved.

Town Administrator's Report:

Action Items:

1. Mr. Kreidler advised the Board to Mass. Historical approving the landscape changes submitted by Diane Sullivan on behalf of North Middlesex Savings Bank for the development of a pocket park to be located on a portion of the Town Hall site. The Plan would relocate the stone monument, remove two trees, and create the walkway leading to public parking along Newton St. to the rear of the Town Hall; remove the granite curbing along Main St. to form the entrance of the park as well as constructing a octagonal sitting wall in the interior courtyard, with a new fountain to be added to the scheme of things. The fountain in front of the Town Hall will remain there. Mr. Kreidler stated Mass Historical Commission approves of all of these changes under the terms of the preservation restriction agreement in compliance with M.G.L. Chapter 184, ss 31-33. Mr. Selectman Sullivan moved the Board sign the Licensing Agreement between the Town of Ayer and North Middlesex Savings Bank drafted and reviewed by Town Counsel-Kopelman & Paige, 2nd by Selectman Bresnahan, VOTE: unanimous. Selectman Bresnahan took this opportunity to request the Board support Nashoba Publications and North Middlesex Savings Bank's Request to Proclaim October 30, 1998 as Ayer Looks to the Future Day. Motion made by Selectman Bresnahan, 2nd by Selectmen Sullivan, VOTE: unanimous, so moved. Mr. Kreidler stated work would begin the week of October 26th with the large fir tree & smaller tree in rear of Town Hall coming down and the Civil War Monument being moved to other side of building with other monuments the week of October 26th..
2. The Board appointed Denis McGillicuddy to the Communications Committee, and Lisa Doig, Asst. Town Treasurer to serve as the alternate to the Minuteman Nashoba Health Group, Motion made by Selectmen Sullivan, 2nd by Selectmen Bresnahan, VOTE: unanimous, so moved.
3. Mr. Kreidler announced the resignations of the following people from Town Boards/Commissions: Gloria Pendrake-Advisory Board, Barbara Mack-Advisory Board, Philip Dynice-Cable Commission and Ellen Tremont from the Council on Aging. Selectman Sullivan moved to accept the resignations with regret, 2nd by Selectman Bresnahan, VOTE: unanimous, so moved. the Board requested the vacated positions be advertised via newspaper/cable.
4. The Board was advised to the Town of Groton interested in extending the Ayer/Devens Economic Target Area (ETA) to access tax incentives. Selectman Sullivan elaborated on this request stating Groton's project - the renovation of the historic mill cannot be possible without the Town of Ayer. The Town of Groton's Historic site has fallen into disrepair and this renovation project has time constraints there is a precedent to limit ETA designations to meet the strategy of the community. The Economic Assistance Coordinating Counsel has designated 34 Economic Target Areas in Massachusetts. Ayer & Devens was however designated by statute, communities can elect to either be partially or wholly within a designated target area. The Board requested this item be placed for further discussion on the next Board's meeting in November.
5. Mr. Kreidler advised the Board to the Town's Consultant By-law Article XXXVIII gives the Board of Selectmen the final decision to the choice of any independent consultant after the list has been compiled

subject to the Town's Public Bidding By-law in this case the Planning Board re: the Guilford Railroad Project. The Board took this opportunity to invite Ms. Nehring to participate with the Consultant solicitation process on behalf of PACE. Ms. Nehring thanked the Board and accepted on behalf of PACE.

6. The Board approved the Reserve Fund Transfer for the Ayer Fire Dept. in the amount of \$3,050.00, for the repairs to the 1985 surplus truck received from the DEP.

7. The Board was advised to MART solitating comments from riders through a survey-Commuter Rail Parking Improvements. Areas of solicitation being: Fitchburg, Littleton. The Board requested Shirley and Ayer are heard from as well.

8. The Board requested the Personnel Policy & Procedures be scheduled to be finalized at the next Selectmen's Meeting in November.

New Business:

1. The Board requested the Building Commissioner/Zoning Officer and Police Chief be contacted re: enforcing the Un-Registered/Abandoned Car By-law i.e. West Main St., Columbia St..

2. Selectman Bresnahan suggested the Devens Open Space & Recreation Committee be re-considered and possibly seperating the Open Space component from the recreation component.

3. The Board took this opportunity to thank Ayer residents for responding to the Townwide Questionnaire sent out by the Communications Committee and urged those who haven;t yet sent their's in to please do so-your input is very much appreciated.

Supt. Girouard's Report: See report dated 10-16-98

Mr. Kreidler advised the Board he would be presenting Supt. Girouard's Report this evening.

1. The Board was advised to Town's Insurance Carrier notifying Town to responsibility lying with contractor re: car incidents during new street construction on Washington St. and of paving being completed by Oct. 22, 1998. The Board expressed concern regarding car incidents during this construction, and requested Supt. Girouard and Police Dept. be contacted re: incidents.

2. The Board awarded the Bid for uniforms/rugs/etc. and fuel-unleaded and diesel based upon the recommendation of Supt. Girouard to: Kleenite for \$19,333.30 and the fuel bid to C.W.Lorden for unleaded based upon the Boston Tank Car Price \$0.60+ \$02.9, Motion made by Selectman Bresnahan, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

3. The Board awarded the roof repair for the DPW garage to Anthony Rogers of Ayer the low bidder for \$7,300.00 to be funded from the DPW Fy-99 operating budget. Motion made by Selectman Bresnahan, 2nd by Selectmen Sullivan, VOTE: unanimous, so moved.

4. Mr. Kreidler advised the Board to Crabtree Heights water solution options: pumping station \$120,000.00 with back up coming in at \$230,000.00, or supplying individual pumps to each house for approximately \$1,000.00 ea. Question is whose responsibility is it to fund this- homeowners or Town. Mr. Kreidler advised the Board to additional option of having Tater & Howard develop water hydraulic model. There is funding under the Town's Water Master Plan for this model. If Town had this system on board Crabtree's problem would have been identified. The Board approved of Tata & Howard contract not to exceed \$4,000.00 for engineering work on the expansion of withdrawal from the Town's Spectacle Pond Water Site and the flow test to identify current & future water related issues.

10:20p.m. Selectman Bresnahan moved the Board adjourn from Open Session to enter into Executive Session pursuant to M.G.L. Chapter 39, Section 23b Exemption #3, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

10:20p.m. Open Session ended.

DATE: _____

Paul D. Bresnahan, Clerk
AYER BOARD OF SELECTMEN.