

Selectmen's Meeting
Monday, October 5, 1998
2nd Floor Town Hall Meeting Room, Main St., Ayer, MA

7:00P.M. Open Meeting

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

The Minutes of 9-14-98 were read and accepted, the Executive Session Minutes of 8-17-98, 9-16-98 and 9-21-98 were read and accepted.

Chairman Hamel opened the meeting by stating that the Hearings will continue re: the McSweeney Arbitration the next one being scheduled for October 19, 1998-the Hearings to be closed to the public.

Public Input: Chairman Hamel requested if there was anyone present wishing to be heard.

Robert Isaacs-traffic/ speeding lower Oakridge Dr. and sewer connection. The Board approved of a stop sign to be placed at the end of Oakridge Dr.

Doris Ela - Signage Oakridge Dr.

James Williams-re: liability concerns businesses parking on sidewalks/blocking pedestrian traffic-i.e. Acre Gutter, Cumberland Farms, & Kleenite Laundry, and opposition to the re-hiring of Officer McSweeney.

Stephen Magnuson re: Statement re: opposition to the re-hiring of Office McSweeney.

Town Crier: Chairman Hamel made the following announcements:

1. Chairman Hamel announced Representative Hargraves Aid-Ron Englace being at the town hall this evening for the representatives Office Hours and inviting listening Ayer residents to come into the Town Hall the next hour or so to speak with Mr. Englace re: concerns/problems they wish to bring to Rep. Hargraves attention.
2. Chairman Hamel advised Town residents to the Town Hall being closed on Monday, October 12, 1998 in observance of Columbus Day.
3. Halloween to be observed on Saturday, October 31, 1998 from 6-8p.m. in the Town of Ayer.
4. Nashoba Publications Ceremony on Friday, October 9, 1998 from 2-5pm in observance of the Newspapers 30th year of business. Chairman Hamel also stated Nashoba Publications and North Middlesex Saving Bank requesting to proclaim October 30, 1998 as "Ayer looks to the future day". In recognition of the new time capsule being placed in the ground on the

The Board met with the Town Accountant-Lisa Gabree

Ms. Gabree reviewed with the Board the financial statements for the year ending June 30, 1997, Audit Report and Management Letter. Ms. Gabree reviewed with the Board new policies in place regarding the following procedures:

Health Insurance Record Keeping: The Treasurer's Office to provide detail monthly health insurance lists to the School Business office for review-health insurance detail to match up with payroll records on a regular basis.

Accounts Receivable reconciliation: The Town Tax Collector and Town Accountant to reconcile variances to identify discrepancies and reconcile accounts on a monthly basis.

Cash Reconciliation-Library: The Library Commissioners have agreed to provide the Town Accountant and Town Treasurer with copies of reconciled bank statements quarterly to better control cash accounts.

Park Department: Concession stand money to be received by the Treasurer on a weekly basis also to purchase a safe to keep daily receipts in. Purchasing of goods by the Park Dept. concession stand to be put through warrant approval procedure effective immediately.

On another matter the Town Accountant reported to the Board the audit of the Treasurer's Office being properly reconciled in accordance with generally accepted accounting principals and are also properly recorded in the accounting records of the Town Accountant and Treasurer as of April 30, 1998.

Ms. Gabree submitted to the Board, for their consideration, the Auditor's Engagement Letter for calendar years 1998, 1999 & 2000 to examine combined balance sheets of the Town's various funds and accounts and related statements of revenues, expenditures and changes in fund balances. The audit to be a single audit in accordance with generally accepted auditing standards for financial audits contained in Government Auditing standards issued by the comptroller General of the United States and the provisions of OMB Circular-A133, Audits of State and Local Governments. The Board accepted the Auditor's Engagement letter for years 1998, 1999 & 2000 as presented by the Town Accountant. Motion made by Selectman Bresnahan, 2nd by Selectman Sullivan, VOTE, unanimous, so moved.

Mr. Bresnahan requested that Ms. Gabree meet with the Park Dept to verify that appropriate controls are in place, particularly for cash receipts under disbursement, and that Ms. Gabree will report back to the Selectmen with the results of her review.

Lien Abatement: Ms. Gabree presented to the Board backup records for lien abatement-Routhier/Willow Rd., Ayer, MA re: meter readings for calendar years 92-94 estimated high. Ms. Gabree stated she personally had reviewed billing records, actual readings and recommended the Board reduce the lien by \$1,504.17 stating past estimates came in high. Selectman Bresnahan moved the Board approve the lien abatement in the amount configured by the Town Accountant \$1,504.17, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

The Board thanked Ms. Gabree for coming in to meet with the Board and for her report.

Economic Development Director's Report: See Report dated 10-2-98
The Board met with Diane Sullivan, EDD, re: a Lien Sub-Ordination originally placed before the Board on 9-14-98, re: Case #164 needing amendment- minor adjustment to be made-Middle Initial of applicant on subordination Agreement needing to be spelled out and to adjust the date on the agreement to actual closing date. Motion to approve this request made by Selectman Bresnahan, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

Ms. Sullivan reported back to the Board re: Department of Environmental Management (DEM) Agreement with the Town of Ayer' Rail Trail. Ms. Sullivan stated the Agreement was approved by DEM with the following Addendum: for the parking lot area. *The Town of Ayer shall establish, and from time to time may revise, a policy for the use of the parking lot that takes into consideration the anticipated demands of trail users as well as the general public. In the event that DEM receives complaints from trail users concerning the lack of adequate parking, it shall provide written notice thereof to the Ayer Board of Selectmen. The town and the DEM shall thereafter cooperate to develop a revised policy that will ensure the accomplishment of the purposes of this Agreement.* Selectman Bresnahan read the above addendum into the record and moved the Board approve the addendum as so stated, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

The Board approved the 93 Capitol Funds Close-out Report for Nashoba Express, Central Ave., Ayer, MA submitted and recommended by Ms. Sullivan- motion made by Selectman Bresnahan, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

The Board approved of the letter to be submitted to Secretary Moynihan re: upgrading the MBTA stop in downtown Ayer to accommodate current and anticipated activity. Selectman Sullivan requesting the MBTA upgrade the station itself as well. Selectman Bresnahan moved the Board approve Ms. Sullivan's letter to Secretary Moynihan and to incorporate Selectman Sullivan's amendment, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

The Board moved to amend the Agenda by meeting with Richard Rakip prior to going into Executive Session. Selectman Bresnahan moved this Agenda item, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

8:00p.m. PUBLIC HEARING: Change of Directors/Officers for Jack-O-Lantern of Ayer, Inc. 2 Littleton Rd., Ayer, MA 01432. The Board met with Atty. Charles Lessa and Richard Rakip. Chairman Hamel opened the Hearing by reading the Legal Notice into the record. Chairman Hamel requested if there were any abutters present wishing to speak for or against the petition. No one stepped forward. Mr. Lessa stated he was before the Board this evening to update the business records with the ABCC and to transfer the stock (100 shares) to Michael Rakip. Presented to the Board at the Hearing: new license, Form 43, Form 997, Form A, Lease Agreement, Standby Collateral Agreement (Pledge), Form C, Record of Special Meeting of Directors of Jack-O-Lantern of Ayer, Inc. The Board approved the Transfer of Stock 100 Shares to Michael Rakip. Selectman Bresnahan moved the motion, 2nd by Selectmen Sullivan, VOTE: unanimous, so moved.

8:31p.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 #6, 2nd by Selectman Sullivan, VOTE: unanimous, so moved. Chairman Hamel stated this Executive Session to be very brief-(10 minutes).

8:42p.m. The Board re-entered Open Session.

The Board met with Marvin McMiller, Park Director, Lori Brennen, Park Commissioner and Rita Cooper and Mary Sperazzo from the Playground Committee.

The Board reviewed with the Playground Committee the responsibilities regarding the maintenance of the playground, funding and safety recommendations/requirements. The remaining balance in the Playground Account was stated to be \$1,500.00. **These funds which will be used for playground maintenance will be kept under the custody of the Playground Committee and transferred for expenditure to the Park Dept as required. The Selectmen will work with the Park Dept for the inclusion of appropriate expense in the fiscal 2000 budget.** The Board approved of the transfer of the custody and control of the Playground at Pirone Park (Leathers) to the Park Dept.

The Board met with Lori Brennen re: the Devens Open Space & Recreation Committee. Ms. Brennen read into the record her letter to the Board of Selectmen dated 9/16/98 in which Ms. Brennen stated her displeasure with the Devens Agenda being self serving, with their own agenda working towards accomplishing it regardless of input from the surrounding communities. Ms. Brennen stated she has attended meetings and read the comprehensive material presented by Devens which ultimately focused on developing Devens for monetary profit and not for the benefit of the Towns which make up Devens.

Meetings attended focused on going back to the area towns to plea for funds to develop recreational facilities which Devens will in turn charge area Towns for use. Ms Brennen stated Ayer has needs of its own and money would be better spent enhancing local programs rather than giving it away. Ms. Brennen went on to vent her frustration to the Board stating when she attempted to address specific concerns with the Devens strategy her questions/concerns were either avoided or ignored. Ms. Brennen felt her time and energy would be better utilized working towards Ayer and submitted her resignation. The Board reviewed with Ms. Brennen past and present performance re: use of facilities, i.e. fields, sports arena, etc. and users

Town Administrator's Report:

1. Mr. Kreidler reminded the Board to meeting with the Town Gov. Study Com. tomorrow 10-6-98 at 6:00pm at the Ayer Police Dept. Community Room.
2. Mr. Kreidler announced the date for the Annual Mass. Municipal Assoc. Conference in Boston Jan. 15-17, 1999 and urged the Board to respond as soon as possible, if they plan to attend due to reservations needing to be confirmed by the middle of October.
3. Mr. Kreidler advised to the Town of Shirley hosting the next JBOS Meeting. The meeting to be held at the new Library on October 14, 1998 at 7:00p.m.
4. The Board was advised to the Planning Board exercising their jurisdiction by invoking the Consultant By-law provision in the Town of Ayer's By-laws regarding the Guilford Railroad project/Willow Rd. to investigate environmental, noise, traffic, lights, and property values concerns expressed by residents.
5. The Board endorsed Mr. Kreidler as the Certification authority to the Massachusetts Department of Environmental Protection, Bureau of Municipal Facilities as to authority to file applications for State Financial Assistance (SRF) for the construction of Water Pollution Abatement Facilities for the Town's Infiltration/Inflow Study.
6. Mr. Kreidler advised the Board to the SHAVE Program receiving 13 applications for this round and of applicants being matched up with departments. Mr. Kreidler again urged interested Ayer residents 60 years of age or older and handicapped residents to contact the Selectmen's Office (772-8220) if they wish to participate in this round as there are still openings available. The Board was also advised to Cable running this Program on the local access station.

New Business:

1. The Board referred the request by Chandler Machine for street signage to the Ayer Police Dept.
2. The Board voted to support the Player's Guild with their objective to obtain the former Playhouse/Theater on Devens.
3. The Board was advised to Fire Chief reporting two remaining tanks at the Pleasant Street School property which must be removed prior to the end of the year to be in compliance with new mandates re: underground tanks.
4. The Board requested the Planning Board get a copy of the report from EPA concerning the soil contamination on Willows Rd.

Supt. Girouard's Report: (see Report Dated 10-2-98)

ACTION ITEMS:

1. The Board after meeting with Supt. Girouard, Tata & Howard Representatives Jack O'Connell and Susan Morin approved the investigation of a alternate well site at James Brook located between Groton School Rd. and Deaconess-Nashoba Hospital. The Board authorized a letter be sent to the property owner. Selectman Bresnahan also requested town conservation land also be investigated specifically land near Erskine or Pine Meadow Pond, **and the well on Curt Balchunas' property at Grove Pond also be looked at.** Selectman Sullivan suggested the area of land owned by the Ayer Gun Club also be looked at.
2. The Board award Tata & Howard the contract to design a satellite well and install test wells at the Spectacle Pond wellfield for the contract amount of \$12,800.00 Motion made by Selectman Bresnahan, 2nd by Selectmen Sullivan, VOTE: unanimous, so moved.
3. The Board awarded the contract for the design of the closure plan for the Wastewater treatment Plant's Sludge landfill to Weston & Sampson not to exceed \$60,900.00, funding to come from UDAG. Motion made by Selectman Bresnahan, 2nd by Selectmen Sullivan, VOTE: unanimous, so moved.
4. Supt. Girouard to present at the next Selectmen's Meeting the new guardrail placement areas funded through Chapter 90.
5. The Board requested Supt. Girouard research options re: the Mulberry Circle low Pressure problem for residents in that area.

fees associated with this use. The Board requested this item be placed on the Steering Committee Meeting with the JBOS on the October 8th Agenda. **Mr. Bresnahan requested that Ms. Brennan attend the next JBOS meeting for the objective of eliminating the confusion.**

6. The board requested Mr. Kreidler to investigate potential of upgrading the West Main St. Area with Devens and or through TIP funding. This would include the area from Park St. to Verbeck Gate.
7. The Board authorized Supt. Girouard to begin painting the crosswalks and handicap spaces along Main St.
8. The Board approved the following Sewer Permits: 60 Littleton Rd., 64 Littleton Rd., 11 Calvin St., 42 Pineridge Rd. and 26 Pineridge Rd. Water & Sewer Permits for Guilford Transportation and 99-102 Norwood Ave. set back for further investigation.
9. The Board was advised to hydrant flushing to begin next week starting at 3:30p.m. to 10:30p.m. The Board requested this flushing be advertised via cable & newspaper.

11:25p.m. Selectmen Bresnahan moved the Board adjourn from Open Session to enter into a Executive Session pursuant to M.G.L. Chapter 39, Section 23b, Exemption #3 re: contract negotiations, to adjourn from this Executive Session to enter back into Open Session for the sole purpose of adjourning the meeting, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

11:25 Open Session ended.

-DATE: _____

Paul Bresnahan, Clerk

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