

Selectmen's Meeting  
Monday, February 24, 1997  
Ayer Library-Lower Level Conference Room  
East Main Street, Ayer, MA

7:30P.M. The Board met with Chairman Miller, Selectman Hamel and Selectman Norstrom.

The Minutes of January 27, 1997 and February 10, 1997 were read and accepted.

*Public Input:*

Chairman Miller requested if there was anyone present wishing to be heard Peter Johnston of the Ayer Housing Authority requested to speak re: The Ayer Housing Authority utilizing the DPW gas tanks. Chairman Miller also requested to speak re: his term of office.

Chairman Miller called for a vote to accept the agenda. Selectmen Hamlet moved to approve the Agenda as amended, 2nd by Selectman Norstrom, VOTE: unanimous, so moved.

*Town Crier:* Chairman Miller made the following announcements:

1. The last day for Town Officials to sign blanket ballot is March 7, 1997 at 4:00pm if they are planning to run again on April 28, 1997, or to pull papers. Please contact the Town Clerk's Office for more information.
2. Chairman Miller reminded residents to the Census forms being overdue and to please remit them back to the Town Clerk's Office.
3. The next 4th of July Meeting is scheduled for March 5, 1997 at 7:00pm at the Ayer Library. The Committee is looking for new members. The kick off of the activities begins with a Basket of the Month to be displayed in the window of North Middlesex Bank, tickets to be sold on Thursday evenings and Saturday mornings in front of the bank. March basket to be: St. Patrick's Day theme.
4. The next Comp II Meeting will be March 13, 1997 at 6:30p.m. at the Library, the 2nd Thursday of each month.
5. Chairman Miller thanked all the residents and businesses for coming to the Comp. II workshop last Thursday, February 20, 1997 at the Ayer High School. Chairman Miller hopes more people will get involved and come to the April meeting date and time to be announced.
6. Loaves & Fishes Annual Meeting to be conducted on Sunday March 2, 1997 at 12:30 at the Harvard Cong. Church at the Common, public is welcomed and encouraged to attend.

The Board met with Timothy Henzy, Grant Administrator, re: the Home Program Grant Approval. Mr. Henzy presented to the Board three (3) copies of the Grant Agreement from the Com. of Mass. for services to be performed in conduction with the HOME Homeowner Rehabilitation Program in the Town of Ayer. Mr. Henzy stated the town received \$140,450.00 in funding. Mr. Henzy encouraged Home owners in need of rehabilitation contact his office at 772-8221 for interview. Selectman Hamel moved the Board approve the HOME Program and funding in the amount of \$140,450.00, 2nd by Selectmen Norstrom, VOTE: unanimous, so moved.

On another matter Mr. Henzy requested the Board to endorse the final approval to the subordination agreement presented by the Clients Attorney and approved at the last Selectmen's Meeting this document a Subordination of Certificate not be Encumber for Hous. Rehab. Case #92-58 in the amount of \$14,000.00.

Mr. Henzy presented to the Board a draft letter to the MBTA re: the need for a commuter rail parking facility to be located in the Town of Ayer. Unfortunately, the plans submitted to the MBTA did not meet their approval for the garage. Mr. Henzy's letter would re-affirm the Board's commitment re: the need for additional parking spaces in the town in the upwards of 150-200 more parking spaces due to the increase in the Town's residential population. The biggest demand in the near future being the DEM proposal to construct a rail trail from Ayer to the New Hampshire border. The letter focused on the need and demand

for a parking facility in the Town of Ayer which is supported not only by Town Officials but merchants and residents as well. The Board supported Mr. Henzy's letter to the Transit Realty Authority.

The Board met with Town Administrator James Kreidler. Mr. Kreidler stated Water & Sewer permits for Bennetts Brook and Pingrey Way had been given to him from Robert Smith, Asst. Superintendent of Public Works for approval by the Board. Mr. Smith stated the Board's position re: these permits being approved by the Board to expedite the process required by the Building Inspector. The Board after review moved to approve the two water & sewer permits for lots 49 and 52 Bennetts Brook and 2 Pingrey Way.

The Board met with Peter Johnston of the Ayer Housing Authority. Mr. Johnston stated the Ayer Housing Authority is before the Board this evening re: permission to utilize the Town's gas pumps at the DPW. Mr. Johnston stated he had met with Robert Smith re: this matter and Mr. Smith had no problem with this request as long as proper monitoring is done and gas is paid for. Mr. Johnston stated this is an approved policy stating many Housing Authorities in neighboring towns allow this practice. The purpose being to save money. Chairman Miller called for a motion. Selectman Hamel moved to approve the Ayer Housing Authority to use the Town's gas pumps contingent upon proper monitoring and payment process is in place prior to utilization, 2nd by Selectman Norstrom, VOTE: unanimous, so moved.

Chairman Miller requested to take this opportunity to make an official statement. Chairman Miller stated that he will not be taking out papers to run again for Selectmen in April. Chairman Miller stated his appreciation and thanks to residents and officials who supported him. Chairman Miller stated he has enjoyed his tenure of office and thanked Selectman Hamel and Selectman Norstrom and Mr. Kreidler for their support and assistance.

The Board met with Mr. David Burnett of Cellular One, re: Cellular One's proposal to install an antenna on the Town of Ayer Stand Pipes located on Washington St. Mr. Burnett advised the Board to the proposal and presented to the Board a plan depicting the proposed layout. Mr. Kreidler advised the Board that his interpretation of Cellular One's discussion was that only just a discussion re: the proposal not to enter into an Agreement this evening. Chairman Miller opened the discussion to the floor. Mr. James Carrington presented his concerns re: the proposal's proximity to residential neighborhood and school zone and possibility of interference and safety concerns. Mr. Burnett invited Mr. David Maxant of Broadcast Signal Lab. to elaborate on safety issues and compliance standards of Cellular One re: field strengths (power analysis). Mr. Maxant stated Cellular One satisfied all Health and safety levels and felt there would be no problems with interfacing with school zone and residential neighborhood. The only issue which might occur would be with the Fire Dept. call box, which could easily be rectified. Mr. Richard Linde of the Dept. of Public Works addressed his concerns re: safety of DPW personnel maintaining the stand pipes and for their safety on top of the pipes and possible exposure to live device. Mr. Burnett stated the device would be marked and secured as well as training was available to the Town re: maintenance. Mr. Burnett stated to activate and install the device would cause a temporary shut down and the Town would be covered by the nearest transmission site. Mr. Burnett stated Cellular One was aware of the Police Departments Antenna situation and opted to install their antenna at the same time Cellular One is installing theirs at no cost to the Town and separated with a vertical separator. Selectman Hamel requested if representatives had met with DPW, Fire and School officials. Mr. Burnett stated they had only met with the Police Dept. The Board requested Cellular One representative contact the Fire and School re: addressing their concerns. Selectman Hamel also requested Town Counsel: review their contract and take advisement pending Counsel's review. The Board also requested the local media get this information out to the residents to allow for their concerns to be addressed as well. The Board rescheduled this discussion for the March 10, 1997 Selectmen's Meeting. Selectman Hamel moved the above, 2nd by Selectmen Norstrom, VOTE: unanimous, so moved.

The Board met with Janet and Jim Freitas re: Shaker Hills Club House Change of License type from a Beer & Wine License to a Full Alcohol License due to new club house being built. Mrs. Freitas presented to the Board a plan of the proposed new club house. Selectman Hamel read into the record the legal notice which ran in the Nashoba Publications the weeks of Feb. 12th and 19th. Chairman Miller requested if there was anyone present wishing to speak for or against the petition. Ms. Nelson of Bennetts Crossing stated her concerns re: excessive speeding of golf carts and noise by patrons near her home being quite disruptive now with Beer & Wine being served and upgrading the license to full alcohol could be a real concern. Mrs. Freitas stated they have been there for the past two (2) years and cater to a older upscale clientele and was not aware of problems. Problems addressed were resolved with abutter being brought about by employees of Freitas cleaning up. The Freitas stated they will address Mr. Nelson concerns with their employees. Chairman Miller requested the hours of the Club House. Mrs./ Freitas stated the Club House closed at 9:00p.m. and would request the hours be extended to 12:00pm to allow for weddings, parties etc. Selectman Norstrom stated her concern re: use of cart path by motorist seeking another entrance/exit. Atty Levine addressed this by stating cart path was inaccessible presently having a

log blocking the entrance. The Board requested Chief Haapakoski advise the Board to his recommendation. Chief Haapakoski stated the Club House has been in operation for over seven (7) years and the Ayer Police Dept. had only one (1) incident of a minor infraction. The Freitas stated they had a three (3) drink limit and would seek to keep this policy. The Freitas also stated both Janet and Jim had taken alcohol courses and will have their employees attend them as well. Chairman Miller called for a vote. Selectman Hamel moved to grant Janet & Jim Freitas/J&J Chef's Inc. D/B/A The Players Club Grille a All Alcohol License for Shaker Hills Golf Course, Shaker Rd., Ayer, MA 2nd by Selectman Norstrom, VOTE: Unanimous, so moved.

8:35p.m. Selectman Hamel moved the Board enter into Executive Session pursuant to MGL Chapter 39 Section 23b Exemption #8, re: to meet with the Screening Com. Members re: Supt. of Public Works vacancy.

Reporter-kathleen Johnston, on behalf of the Lowell Sun Newspaper objected to the Board entering into Executive Session stating the Executive Session violates the Open Meeting Law. Mr. Kreidler, Town Administrator stated he had spoken with Town Counsel who had advised him that this Executive Session would not be in violation. Kathleen Johnston-reporter for the Lowell Sun made the newspaper's objection again and stated the Lowell Sun will file a complaint with the District Attorney's Office and will be requesting minutes and tape of this Executive Session. Selectman Norstrom 2nd Selectman Hamel's motion to enter into Executive Session, VOTE: Chairman Miller aye, Selectman Hamel aye, Selectman Norstrom aye, unanimous, so moved.

9:15p.m. The Board re-entered Open Session.

The Board met with candidate Owen O'Riordan of Quincy MA, re: the Supt. of Public Works position in the Town of Ayer.

Mr. Owen O'Riordan stated he graduated as a Civil Engineer from the University of Ireland in 1982 and has spend half of his profession career working as a municipal engineer. Mr. O'Riordan stated he was responsible for roads maintenance, construction, design and sanitary services maintenance. Served as Executive Engineer-Area Engineer in Galway, Ireland and was responsible for maintenance of the roads network approximately 200 square miles with a budget of \$2 million. He is a graduate engineer for the design and supervision of sewer networks, catchment and river modeling, ancillary design and Hydraulics programs. Has taught systems hydrology, stochastic hydrology and statistical hydrology with research on flood studies. Is a graduate engineer for former landfill sites, gas leakage controls garbage analysis and collection routing. Mr. O'Riordan stated he has a Masters Degree in Engineering Sciences-Hydrology. Has strong computer skills as well as oral and written skills and deals well with the general public. Mr. O'Riordan stated his Chartered Engineer Status is similar to that accorded to professional engineers in the United States and is highly confident of his ability to obtain his Engineering Certificate in Massachusetts

Mr. O'Riordan stated his wife is here on a scholarship to Boston College, he is married with two children. Selectman Hamel asked if he would re-locate, Mr. O'Riordan stated he would, as it would be in the best interest of the Town and his family. Chairman Miller stressed that the Supt. of Public Works must be technically competent, possess political savvy and be diplomatic-- recognizing the fact that customers complaints are valid and perception of the Department of Public Works invaluable. Chairman Miller stressed the need for good communication skills especially at Town Meeting. Selectman Norstrom stressed the need for strong contract negotiating skills not only with vendors but employee alike, advised Mr. O'Riordan to current projects on board and future projects planned. Chairman Miller advised Mr. O'Riordan that the Board would be meeting in two weeks and that a decision on the position would be made at that time. Chairman Miller thanked Mr. O'Riordan to coming in to meet with the Board.

9:45p.m. The Board met with Mr. Gary Girouard of Douglas, MA , re: the position of Supt. of Public works in the Town of Ayer, MA

Mr. Girouard stated he is a 19+ years professional in municipal management programs to include: water, sewer, drainage installation projects, highway, landfill and wastewater treatment operations. Mr. Girouard stated he has a solid background in equipment, mechanical and technical applications with an operative familiarity with engineering construction standards. Mr. Girouard stated his past experience allowed him the opportunity to work under both Town and City forms of government. Mr. Girouard stated he has worked with budgets ranging from \$500,000.00 to over \$11 million with work forces up to 100+ employees. Mr. Girouard stated his hands on experience is a vital asset to his background of field administration management skills. Mr. Girouard stated he must recently worked in the Town of Seekonk as the Director of Public Works, before that he worked for the City of Gardner Also as the Director of Public Works, and privately for an Engineering Company as an engineer field inspector. Mr. Girouard stated he possess MA Licenses and Certifications in 30+ training related classes. Mr. Girouard stated he is from this area and was looking return. Selectman Hamel stated she had reviewed his resume and found it to be very impressive. Selectman Norstrom echoed Selectman Hamel and again stressed strong negotiating skills. Chairman Miller reviewed with Mr. Girouard the projects currently before the Board one of which being the regionalization of the Town's water Treatment facility the pro's and cons of such a project. The Board advised Mr. Girouard that they will take under advisement the decision re: the Supt. of Public Work's position and will get back to him in two weeks.

The Board met with Richard Linde of the Water Dept. Mr. Linde presented to the Board amendments to the Town's Water & Sewer Regulations, specifically the cross-connection Rules & Regulations. Mr. Linde stressed the need to revise the rules & regulations stating the regulations have not been amended since 1988. Mr. Linde stated the Town's need for this amendment and the amendment having pasted DEP as to approved language. (see amendment) Selectman Norstrom moved to approve the amendment as presented 2nd by Selectman Hamel, VOTE: unanimous, so moved.

The Board met with Henry Wysk re: Exxon Gas Station's proposed Beer & Wine License for Park St., Ayer, MA. re: Exxon Public Hearing continuance of Feb. 10, 1997. Selectman Hamel read into the record the legal notice of 2-10-97. Mr. Wysk presented plans of the proposed renovations to the Board depicting the "Tiger Mart" which would house the Beer & Wine. Discussion centered around the drive-through window variance, traffic, and of Mr. Wysk being before two boards presently. Mr. Wysk updated the Board stating he had obtained signed plans from the Planning Board last Thursday and the Zoning Board were not aware of the Beer & Wine License being requested for the location. Selectman Hamel stressed the traffic study being conducted as part of the Comp II Plan and need for impacts to be known. Selectman Hamel requesting how can the Board issue license without Planning & Zoning issues in place. Chairman Miller addressed the need of the Board being business friendly and other issues not prerequisite of the Board. Chairman Miller stated the Comp II encourages revitalization and presenting a positive image. Selectman Norstrom moved the Board wait until a meeting is conducted with the Planning Board and Zoning Board. Chairman Miller stated his fear of giving these Board more credence than due. Motion 2nd by Selectman Hamel, VOTE: Selectman Hamel aye, Selectman Norstrom aye, Chairman Miller no. Motion passes.

10:45p.m. The Board took a five minute break.

10:50p.m. Open Session resumes.

***Town Administrator's Report:***

**ACTION ITEMS:**

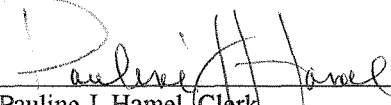
- 1.. The Board approved of Hoyle Tanner to present a alternative to a full blown plan for the Town of Ayer re: evaluation of Regionalization of the Town's Wastewater Treatment Plant, for Town Meeting. Funding to be pursued by Town Administrator from Devens.
2. The Board was advised to FY-98 Town-wide Budget message being requested for level funding as well as a 5% reduction . Mr Kreidler also advised the Board to memo going out to all departments requesting permission for all purchases over \$250.00, requiring his approval.
3. The Board was advised to David Ross meeting with the contractor for the Oakridge Dr. Sewer project and of a number of areas having clerical errors re: billing.
4. The Board approved of funding up to \$6,00000 to Mass. Elec. for the upgrading of the lights in Town especially downtown Ayer contingent upon Electrical inspectors evaluation and funding availability.
5. The Board was advised to Mass. Highway Engineer Margaret O'Meara approving of two Town concerns and correcting them. The drainage problem on Rt.2A being corrected due to repaving. and of sidewalk being approved for the West Main St. Bridge.
6. The Board approved of the Conservation Commission being the awarding authority re: executing the award for the Town's Weed Control Program for area ponds.

***Police Chief's Report:***

- 1.. The Board was advised to two of the departments cruisers being down and need for replacement.
2. The Board was advised to Town Counsel's review of the contract to AMG and of two revisions being accepted by AMG. The Groundbreaking ceremony to be conducted on Monday, March 17, 1997 at 10:00a.m. on Park St.
3. The Board was advised to the closing date of 2-28-97 for the two (2) patrolmen's positions and of 20 applications being received to date.
4. The Chief stated he had a back-up for the Dog Officer's position. The Board requested Mr. Kreidler run this position by the Personnel Board re: job description and compensation. Mr. Kreidler to report back to the Board in two weeks.

11:50p.m. Selectman Hamel requested the Executive Session scheduled for this evening be continued due to the late hour and moved the board adjourn the meeting, 2nd by Selectman Nostrum, VOTE: unanimous, so moved.

11:50P.M. Open Session adjourned.

  
Pauline J. Hamel, Clerk  
AYER BOARD OF SELECTMEN

Date: 3-24-97