

SELECTMEN'S MEETING
MONDAY, AUGUST 12, 1996
PAGE SCHOOL-PROFESSIONAL DEVELOPMENT ROOM
WASHINGTON STREET, AYER, MA

6:00P.M. OPEN SESSION

The Board met with Chairman Miller and Selectman Hamel. Selectman Slarsky absent.

Chairman Miller opened the meeting by stating the Board would be interviewing the three candidates selected by MMA Consulting Group, the Organization hired by the Town for the Police Chief recruitment and selection process.. Chairman Miller requested everyone's permission for the Board to meet in Executive Session for a few moments to consult with Town Administrator James Kreidler and Steven McGoldrick, representing MMA Consulting Group prior to beginning the interviews.

6:10p.m. Executive Session

6:20p.m. Open Session resumed. The Board met with Candidate #1. William Chaisson of Wellesley, MA. Chairman Miller requested Mr. Chaisson start off the discussion by giving the Board an overview of his qualifications. Mr. Chaisson stated he is presently employed as a Police Lieutenant in the Town of Wellesley coming up from the ranks of patrolman to Lieutenant at the Wellesley Police Dept. Mr. Chaisson stated he holds a Bachelor of Science Degree in Law Enforcement and has over 20 years of law enforcement with strong budgetary experience, has a good grasp of community policing principals and is very active in youth activities. The Board conducted a question and answer session with Mr. Chaisson, re: leadership, management, professional achievement and goals. The Board thanked Mr. Chaisson for coming in. Selectman Hamel advised Mr. Chaisson of Selectman Slarsky's unavailability due to a business conflict and stated his regrets for missing tonight's meeting and discussion with him.

The Board met with Candidate #2. Donald Haapakoski of Ayer, MA. Chairman Miller welcomed Mr.. Haapakoski and requested Mr. Haapakoski give the Board a brief overview of his qualifications. Mr. Haapakoski stated he has over twenty (20) years of police experience, and is currently serving as the Board is aware as Acting Police Chief. Mr.. Haapakoski stated he began his career in Templeton and as been with the Town of Ayer Police Dept. for fourteen years rising from the ranks of patrolman to sergeant to lieutenant to Acting Chief. During his tenure as Acting Police Chief Mr. Haapakoski stated he has been busy creating new policies governing the operation of the department which provides for community responsibly, communication and proactiveness. Mr. Haapakoski stated if he was successful in his bid for chief it is his intention to change the fiber of the police department from a reactive mediocre department to a proactive high performance department serving the interest of the Town of Ayer is the best way possible. Mr. Haapakoski advised the Board he plans to continue his education towards his Bachelor of Science Degree in Public Administration/Criminal Justice at Clark University with his goal being for a law degree. The Board conducted a question and answer session with Mr. Haapakoski re: leadership, management, professional achievements and long range goals. The Board thanked Mr. Haapakoski for coming in. Selectman Hamel advised Mr. Haapakoski of Selectman Slarsky's unavailability due to business conflict and stated his regrets for missing tonight's meeting and discussion.

The Board met with Candidate #3-Dennis Pinkham from Marshfield, MA. Chairman Miller welcomed Mr. Pinkham and requested Mr. Pinkham give the Board a brief overview of his qualifications. Mr. Pinkham stated he holds a Masters of Science Degree in Communications/Public Affairs from Boston University and has over eighteen years of law enforcement experience in the military. Mr. Pinkham stated he currently serves as Deputy Director of the Massachusetts Criminal Justice Training Council where he is establishing a standardized municipal police training program. Mr. Pinkham stated he has strong communication skills, is well versed in community policing skills, is well versed in community policing principals with extensive skills in human resources, budget, training and management. Mr. Pinkham

stated he is very familiar with Ayer having served at Fort Devens from 1981 to 1986 as Deputy Chief of Police. The Board conducted a question and answer session with Mr. Pinkham and thanked him for coming in. Selectman Hamel advised Mr. Pinkham to Selectmen's Slarsky business trip which kept him from attending this evening's meeting and participating in the interview process.

The Board requested their decision, regarding the Police Chief's appointment be taken up later in the meeting-the Board to revisit this item under the Town Administrator's Report.

7:40p.m. The Board opened the regular portion of their meeting.

Chairman Miller requested if there was anyone present wishing to be heard. Mr. Maxant requested to speak re: Town Counsel and Land Bank.

The minutes of 7-15-96 and 7-22-96 were read and accepted. Selectman Hamel moved to accept the minutes as written, 2nd by Chairman Miller, VOTE: unanimous, so moved.

TOWN CRIER: Chairman Miller made the following announcements:

1. 8-13-96 Conservation Commission Meeting re: two (2) items re: new developments proposed in Town which have perked interest from area residents. 1. Auto unloading facility at Willows Rd. and Fletcher's Pond new subdivision.
2. 8-14-96 Recreational Advisory Meeting at 5:30p.m. F.D. Commerce Ctr.
3. 8-18-96 Ayer Sportsmen's Club B-B-Q 12:00 noon to 7:00p.m.
4. 8-20-96 DEC Meeting 7:00p.m. F.D. Commerce Ctr.
5. 8-28-96 the first day of school in Town of Ayer-all grades.
6. 8-28-96 last day to register to vote for September primary on 9-17-96 Town Clerks office will be open on the 28th of August until 8:00p.m.
7. last date to register to vote for November Presidential Election is 10-16-96
8. The Board advised of their September/96 Meeting Schedule: 9-3-96 and 9-17-96 change back to Tuesday evenings.

The Board met with Frank Maxant: Mr. Maxant requested the Board reexamine present Town Counsel's dual role serving as Town Counsel for the Town and Commissioner for the Land Bank citing several conflict of issues. The Board advised Mr. Maxant of the need to having the person he is referring to present for such discussion and possible need of Executive Session to address such matter.

Mr. Maxant on another matter requested the Board to research the coincidence of Devens related Public Hearing to Town Public Hearings/Meeting being conducted on the same evenings and questioned level of participation from Ayer due to Devens scheduling their meetings to minimize comments from Ayer residents. The Board thanked Mr. Maxant for his input and took this discussion under advisement.

FY-96 TAX CLASSIFICATION PUBLIC HEARING CONTINUATION from 7-22-96

The Board entertained discussion from town residents re: their concerns.

William Oelfke stated his concern that residents have the opportunity to comment stating Public Hearing conducted on 7-22-96 expressed only one side of the issue Commercial, the residential side was not addressed. Mr. Oelfke stated industry used much more of local services, i.e. water/sewer and should pay a higher share. Mr. Maxant expressed his belief that more money that is in local economy strengthen it and businesses who pay higher tax rate get bigger deductions. Debra LaPoint, President of the Nashoba Valley Chamber of Commerce stated the Chambers concern for the smaller businesses who are stuck in the Commercial/Industrial percentage who may leave due to higher end of tax rate forced on them.

Selectman Hamel requested the Board accept Selectman Slarsky's letter of 8-12-96 which was read into the record due to his unavailability to attend the meeting this evening and

requested the Board to maintain the Town's traditional split rate and accept the Board of Assessors recommendation and vote to approve Option #3-Multiple Rate: RES: \$9.34 and CIP: \$17.41. stating Ayer has one of the lowest per capita incomes in MA.

Selectman Hamel stated she agreed with Selectman Slarsky and moved the Board accept the Board of Assessors recommendation of Multiple Rate Option #3 Residential: \$9.34 and CIP: \$17.41, 2nd by Chairman Miller. Chairman Miller echoed both Selectman Slarsky's and Selectman Hamel's remarks stating Town residents tolerate noise, traffic and this is good trade off to maintain a low tax rate and with respect to Industrial community the residents share burden in other ways.

The Board met with representative from the Westover Job Corp. Center, also present for this meeting was Carolyn Washburn representing Congressman Meehan's Office.

Chairman Miller welcomed all of the visitors from the Westover Job Corps. and thanked them for coming in to share in the discussion regarding the Town of Ayer's proposed Job Corp. Facility to be built at the Verbeck Housing area on Devens.

Present for the discussion: Joseph Morin Director of Operations E.C. Co-Op, Knoxville, TN
Norma Mitchell, Deputy Center director-Westover Job Corp.
Lillian Coamel, Community Relations Liaison, WJCC
Edward Moynihan, Manager/Administration & Support WJCC
Kevin Irving Manager Security WJCC
3 students at the WJC Center: George Torres, Jonathan Harrington and Blant Sells.
Richard Martin Deputy Director
Albert Glastetter, Director WJCC
Marcia Buckley, Project Manager WJCC

The Board opened the discussion by stating their concern re: problems being reported to them re: the Job Corp Center at Westover. The Board turned over the floor to Acting Police Chief Donald Haapakoski who elaborated on reports about increased crime in Chicopee and riots at the Center itself. Mr. Joseph Morin presented to the Board a packet of information re: the Westover Job Corp Center. Mr. Morin stated the Job Corp policy and program to the Board and presented to the Board a letter from Chicopee Mayor Joseph L. Chessey who praised the concept and favorable impact on the City of Chicopee who went on to write that Chicopee counts on Job Corp students among its many volunteers who work on several community projects. Edward McDermott former Westfield mayor and current president of the WJCC Community Relations reviewed with the Board minor incidents one at a dance and one gang related matter which were both handled by the State Police. Mr. McDermott stated most of the young people he has met just need a break, and didn't find violence a factor stating 95% of the time they contribute is to the community. Mr. Morin stated the Job Corp.'s strict policy including "Zero tolerance for drugs" and no violence. Most of the activities are positive noting several public works projects which otherwise could not have been done due to financial constraints. Mr. Morin introduced the three students who had made the trip to Ayer who reported on their different level of studies and expectations upon leaving the center. Mr. Morin expressed his excitement having the opportunity at Devens to build a center from the bottom up with new buildings housing a cafeteria, dormitories, academic facilities, recreational facilities and warehouses with bids going out in the summer of 1997. Total new jobs for the area is estimated to be between 100-130. A center Advisory Committee of citizens from the Town will be established to provide feedback for the center and carry news back to the town. Mr. Morin elaborated on the different vocations to be offered at the Devens Ctr. ranging from: building construction, computer technology, allied health, trade business, clerical and painting. Selectman Hamel stated her concern that Townspeople had not been contacted re: vocations for this area. Mr. Morin stated the key to the center is working with the community, the center works hand in hand with the local high school especially with school to work programs. Carolyn Washburn took this opportunity to welcome questions or assistance to residents from

Congressman Meehan's Office. The Board again thanked everyone for coming in and shedding some light on the policy of the Job Corp Center and addressing the Board's concerns.

PUBLIC HEARING: Class II License -Denis Finnerty/85 Central Ave. Ayer, MA

The Board met with Mr. Finnerty of 111 Oakridge Dr. Ayer, MA re: his petition for a Class II Licensee for 85 Central Ave., Ayer, MA Selectman Hamel read into the minutes the legal notice which ran 7/31/96 and 8/2/96 in the Nashoba Publications. Mr. Finnerty stated the site is zoned for business and his plans were solely for the resale of used vehicles (25) he had no intention of repair or assembly only reconditioning which would include buffing, waxing cleaning of vehicles. Chairman Miller stated the Board had received two (2) letters regarding his application one for the business and one against the business. Chairman Miller requested if there were abutters present who wished to speak for or against the petition. Mike Bennett requested to speak re: concerns he had to the business, one being esthetics and noise re: towing service and security lights which was addressed by Mr. Finnerty re: no small engine repair or assembly would be done on premise or towing. The Board requested the Fire Chief address his concerns. Fire Chief Paul Fillebrown stated his concern re: fire trucks being able to access the building, re: fire lane to be established completely around the building and no parking to be permitted in front of the bay doors. Also the chief warned the Board to dangerous intersection if vehicles blocked visibility on the left side of lot (Groton Harvard Rd.) Mr. Finnerty stated he planned to place barriers on the lot in front of the questionable intersection so as to not block the view and to clearly define the exits and entrances to the site. Selectman Hamel requested Mr. Finnerty take the time to introduce himself to Mr. Hudlin and explain to him what type of business he was looking to establish to eliminate their concerns. Mr. Ralph Edwards of Oakridge Dr. stated he came in due to fact the paper did not state the business was to be located on Central Ave and he thought it was to be located on Oakridge Dr. The Board requested Mr. Finnerty present a definitive plan depicting the location of the 25 cars and also showing the exits and entrances.

The Board took this license under advisement to 9/9/96.

The Board met with Diane Sullivan-Economic Development Director. Ms. Sullivan presented to the Board copies of the Mass.Econ. Dev. Incentive Program. Ms. Sullivan reviewed with the Board the benefits to cities & towns and to business along with the economic opportunity it would provide to promote economic stability by demonstrating to businesses how to grow, expand and locate in Economic Opportunity areas. Ms. Sullivan ran through the application process with the Board and emphasized the benefits 5% tax investment credit, 10% abandoned building tax deduction, and local real estate tax incentives. Ms. Sullivan advised the Board to a meeting being scheduled for Monday, April 19, 1996 at 10:00a.m. at the Town Hall and welcomed the Board, Assessors, Town Administrator to this informative meeting. Ms. Sullivan requested that the Board delegate a member of the Board of Selectmen attend. Chairman Miller offered to attend on behalf of the Board.

On another matter Ms. Sullivan presented the Board Mr. Mullins Enhancement study developed from the Charett. The study focused on the background of Ayer, improvement programs, goals & objectives of the merchants, downtown districts, parking and traffic issues, strengths and weaknesses, opportunities, gateways, zoning the Ayer market report, signage, and the consultants evaluation of downtown i.e. trees, abandoned buildings, MBTA commuter rail, intersections, sidewalk problems and solutions. Towards this end Ms. Sullivan requested Colleen Norstrom to attend this evenings meeting to review with the Board recommended changes to the zoning by-law due to the Town of Ayer's bylaws being outdated. This could be addressed by having VHB allow the Town to sub-contract the Town's Zoning By-law issues to John Mullin which would be funded under the Town's Comprehensive Phase II Plan. Ms. Norstrom reviewed with the Board problems the Planning Board has encountered. Ms. Norstrom stated the Planning Board has worked with two of the Town economic developers and all have agreed there is a real problem with our by-laws they are outdated and ineffective for the extremely important job they are intended for. The Planning board's goal is to try and make changes to allow the boards to work with information that will protect the town, stand up in court and easily be understood by board members.

Bylaws are so vague it cost the Town added expense of needing Town Counsel's opinion or court time. The frustration of the board members having their hands tied unable to do what they are elected for which is to protect the Town and lead it in a growth direction that is safe and economically sound and consistent with what the town wants.

Ms. Norstrom stated Mr. Mullin came before the Planning Board and explained what he could do for the Town and the Planning Board voted unanimously to come before the Selectmen and request John Mullin be brought in as a subcontractor to work specifically with the Boards to address the Planning Boards concerns with the bylaws on an individual basis.

Selectman Hamel moved the board give Ms. Sullivan permission to negotiate with VHB to hire subcontractor James Mullin to evaluate and recommend changes to the Town of Ayer's zoning by-laws to be funded under the towns' Comprehensive Phase II Plan, 2nd by Chairman Miller, VOTE: unanimous, so moved

Chairman Miller advised Ms. Sullivan to a recent letter the Board had received from local businesses on Park St. re: disrepair of an abandoned building on Park St and seeking the Board's assistance with having this building addressed. Chairman Miller requested Ms. Sullivan contact the Building Inspector, and to schedule a meeting with him, Diane and himself for next week to address this matter.

The Board met with the Fire Chief and Town Counsel Robert Gardner re: the Town's current disability insurance for volunteer EMT's and call firefighters. The Chief advised the Board to a situation which has come up due the injury of volunteer EMT at a recent fire. The EMT has been out of work with this injury for four weeks and has incurred as well as the injury the loss of pay. The Town's current policy only pays up to \$200.00 a week this individual earned \$500.00 a week. The Fire Chief stated it is not right when the department has a call volunteer EMT/Firefighter injured they should lose their livelihood. Town Counsel reviewed with the Board the current Fire Dept. coverage and statutes. The Board requested the Town Administrator schedule a meeting with the Town's carrier MIIA to review options available to the Town to increase the disability insurance, as soon as possible and also to request the Police Chief sit in on this meeting.

The Chief on another matter advised the Board to the need of UDAG funding for additional cost associated with the new addition to the fire station. The Chief advised the Board to contractor running into ledge to run the sewer line as well as to reshingle the south side of the present roof where it joins the addition. The cost for this additional work \$5,700.00 the chief advised the Board to the deficit at the start of construction being \$13,900.00. A total UDAG request of \$20,000.00 was requested by the Fire Chief. Selectman Hamel moved the Board approve the \$20,000.00 UDAG Transfer for the fire station addition to house the new aerial ladder truck, 2nd by Chairman Miller, VOTE: unanimous, so moved.

TOWN ADMINISTRATOR'S REPORT:

Mr. Kreidler advised the Board to the Library Trustees being placed under his report due their disagreement with the Town's new pay classification for Library employees. Chairman Miller opened the discussion by seeking to work toward a common ground and a resolution as it relates to the towns newly adopted Personnel By-law. Timothy Holland speaking for the Trustees opened by stating the Library is an autonomous Board created under by a 1894 act of the Legislation. Mr. Holland stated the Trustees dispute came about when their version of what library employees would receive for Fy-97 was rejected by Town Hall. Mr. Holland also emphasized the lack of communication to the Trustees from the Town Hall. Mr. Kreidler disputed this lack of communication stating that he and Town Accountant met with Mary Ann Lutch and had her agreement on the pay classification plan for the library employees and submitted documentation to the Trustees backing his statement. Mr. Holland stated that state law takes precedence

loam is permitted anywhere in the Town of Ayer in connection with the construction of buildings, driveways, etc., provided that the material be stock piled on the site until completion of the project and that no less than six inches (6") of top soil shall remain over the disturbed area. The Board reviewed Mr. Carpenter's request and moved to approve 3,500 cubic yards of soil to be conducted in accordance with Section 3 of Article IV of the Zoning By-laws in which no less than six inches (6") of top soil shall remain over the disturbed surface after the transfer of loam has been accomplished. Motion moved by Selectman Hamel, 2nd by Chairman Miller, VOTE: unanimous, so moved.

Mr. Kreidler presented to the Board Treasury Bonds from Fleet National Bank submitted to the Board from the Town Treasurer Thomas Callahan in anticipation of taxes. The bond requested: \$2,665,000.00 for two (2) months. dated Augst 22, 1996 and payable October 15, 1996. Selectman Hamel moved the Board endorse the bonds presented by Mr. Kreidler on behalf of the Town Treasurer, 2nd by Chairman Miller. VOTE: unanimous, so moved.

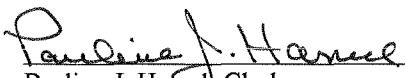
The Board moved to take up the appointment of the Police Chief. Selectman Hamel moved the Board vote to appoint Donald Haapakoski to the position of Police Chief for the Town of Ayer, 2nd by Chairman Miller for discussion. Chairman Miller requested to put a caveat of appointment to Mr. Haapakoski that he finish up his degree program. Selectman Hamel moved to rescind her earlier motion and moved to appoint Donald Haapakoski as Chief of Police for the Town of Ayer with caveat that he finish his degree program, 2nd by Chairman Miller, VOTE: unanimous, so moved. The Board congratulated Chief Haapakoski on his performance over the past months.

Mr. Kreidler requested if the Board wished to address Mr. Haapakoski's salary. Mr. Kreidler presented to the Board the compensation chart for the Chief of Police position, the Board reviewed with Mr. Kreidler the chart and moved to accept step G13-3 for Chief Haapakoski's new rate of pay. Selectman Hamel moved to accept Mr. Kreidler's recommendation of Salary Step G13-3 for Chief Haapakoski, 2nd by Chairman Miller, VOTE: unanimous, so moved.

11:15p.m. The Board moved to adjourn the meeting.

11:15p.m. Selectman Hamel moved the Board adjourn the meeting, 2nd by Chairman Miller, VOTE: unanimous, so moved.

11:15p.m. meeting adjourned.


Pauline J. Hamel, Clerk
AYER BOARD OF SELECTMEN

DATE: 9-9-96