

Selectmen's Meeting  
Tuesday, September 5, 1995  
2nd Floor Meeting Room  
Town Hall, Main St., Ayer, MA

7:30p.m. Open Session

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

The Weekly Warrant was examined and approved in the following amount: P/R: \$65,736.62  
EXP: \$236,235.16

The Minutes of 6-19-95, 7-11-95, 8-15-95, and 9-5-95 to be placed on the Agenda for 9-19-95.

Chairman Miller presented the Fy-96 Firefighters Contract for the Board's endorsement. Chairman Miller stated the Board had approved the contract on 8-15-95 but the contract was not in final format. Selectman Slarsky moved to approve the Ayer Firefighters Fy-96 contract as presented which included a 4% pay increase, 2nd by Selectman Hamel, VOTE: unanimous, so moved.

**TOWN CRIER:** Chairman Miller made the following announcements:  
1. The Towns award of \$600,000 in Community Development Funds for Phase II of the MSCP 95 Program.  
2. St. Mary's Lawn Party September 8 & 9, 1995  
3. Rep. Hargraves Office Hours 9/18/95 at the Ayer Town Hall 7:00 to 8:00pm-2nd floor Meeting Hall.  
4. 4th of July Flea Market 9/14/95 Pirone Park 10:00a.m.  
5. Com. of Mass. new funding for Fire/Police station construction  
6. Congratulations to Bill Noeth-Ayer School Committee member upon his marriage and new home in Shirley, MA.

**PUBLIC INPUT:**

Chairman Miller requested if there was anyone present wishing to be heard. Frank Maxant wished to speak regarding the Ayer Police Department. The Board requested Mr. Maxant contact one of the Board members due to the Town's present litigation. Mr. Maxant stated he was concerned due to the poor image the local papers have been reporting and also questioned Executive Session requesting what is Exemption #3. The Board stated they would be happy to explain Exemption #3 to him after the meeting as well as provide a copy of MGL Exemption 3 literature.

Chairman Miller called for a motion to accept the Agenda as posted. Selectman Slarsky moved the Board accept the Agenda for 9-5-95 as presented, 2nd by Selectman Hamel, VOTE: unanimous, so moved.

The Board met with Grover Baker and Supt. Ouellette re: Mr. Grover's request for a Water/Sewer Variance to the Towns Water & Sewer Regulations. Mr. Baker presented plans to the Board depicting the area on Littleton Road where the variance would be

needed. Mr. Baker stated he was before the Board this evening regarding this request made at the July 11, 1995 meeting for permission to tie three houses onto 1 stub on Littleton Rd. The problem being the Town's Water & Sewer Regulations permitting only one tie-in per sewer connection. Mr. Baker stated he had met with Town Counsel Robert Gardner and Town Counsel had spoken with his Attorney regarding this variance request. The Board requested if the plan had been run by the Town engineer. Mr. Baker stated he distributed copies of the plan the week of August 28, 1995. Supt. Ouellette stated he had not reviewed the plan. The Board reviewed their authority as the Town's Water/Sewer Commissioners and moved the Chairman be allowed to sign off the plan to grant the variance contingent upon Town Counsel's review of the legalities of such a variance being under the Board's auspices or the Zoning Board of Appeals, and pending Supt. Ouellette's full review and approval.

The Board met with John Columbus, Program Grant CoOrdinator of the Town's Mass. Small Cities Program. Mr. Columbus stated he was before the Board this evening to request permission from the Board to negotiate with the low bidder for the Devenscrest reconstruction/infrastructure. The low bidder MPF Corp. of Wrentham. The contractor to start the first phase the first week in October from Willard St. to Willard Court and Grosvenor Street. Hatch & Myrick Streets not included due to funding unavailability. Supt. Ouellette suggested the Board fund \$40,000 of the estimated \$111,000.00 shortfall to complete the entire project from his operational budget from the roadway improvement account which then would have to be reimbursed by a Reserve Fund Transfer at the end of the year. The Board stated their concern with violating the Town Meeting Intent and proposed to conduct a Special Town Meeting to raise and appropriate funding for the remainder of the project. The Board placed this matter on the Selectmen's Meeting for September 19, 1995. Chairman Miller called for a motion regarding Mr. Columbus request to begin negotiations with the low bidder for the Devenscrest reconstruction. Selectman Slarsky moved the Board allow Mr. Columbus to begin negotiations with M.P.F. Corp. at an estimated bid price of \$660,437.69 to include alternate B at a cost of \$66,851.57 contingent upon the availability of funding approved at a Special Town Meeting proposed for November/December 1995 and per Town Counsel review and approval, 2nd by Selectman Hamel, VOTE: unanimous, so moved. Mr. Columbus took this opportunity to personally thank Mr. Kreidler, the Town Administrator for his assistance with prompting EOCD to notify the Town earlier with the FY-95 MSCP Funding Award for Phase II.

Chairman Miller took this opportunity to present the Board copies of Goals & Objectives for the Boards consideration. Mr. Miller stated the purpose being to put the Board back on course stating the Devens closure and reuse process has caused the Board to lose focus on Town related issues/matters. Chairman

Miller stated the need for the Board to adopt a more structured  
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approach to providing leadership and guidance to Department Heads through direct reports. Mr. Miller suggested the Board define their own top priorities and communicate them in writing for the next Selectmen's Meeting for distribution to Departments head later in October 95. This process to be done at the start of each fiscal year for distribution to department heads and townspeople. To begin monthly meetings with Department heads commencing Tuesday, September 12th, 1995 at 7:30a.m. and request each department head submit a rough draft of their goals and objectives to open communications to ensure their being able to attain their goals. Chairman Miller requested Performance Reviews be completed by May 1 of each year for personnel following under their auspice to provide the mechanism to evaluate contracts and for the contracts to be negotiated and signed in a timely matter. The Board agreed with the Chairman and moved to support the proposal submitted by the Chairman. Selectman Slarsky moved to accept the goals and objectives submitted by Chairman Miller 2nd by Selectman Hamel, VOTE: unanimous, so moved.

The Board requested the Town Administrator submit a report to the Board for the Selectmen's 9/19/95 meeting.

**SUPT. OUELLETTE'S REPORT: See Report dated 9-15-95**

1. Contract with P.J. Albert to be amended with a Memorandum of Understand to provide for a project manager on site to close up the work they have started. Future work to be monitored.

2. The Board endorsed the State Aid to Highways/Cherry Sheet Distribution re: spending attributed to votes and appropriations taken at Town Meeting for Highway associated cost amounting to \$1,893,852.00 as well as Chapter 85 2nd half funding request in the amount of \$197,992.00.

3. Supt. Ouellette stated the trash container to haul trash to Ogden Martin is in place and the Town will begin hauling its own trash next week at a savings of \$20,000 to \$25,000 a year.

4. The Board requested Supt. Ouellette look at what other towns are paying for trash disposal not that Ogden Martin is up to \$60.62/ton and may be willing to drop to \$49.00/ton once a contract has been negotiated for two years.

5. The board was advised to brush dump being closed down due to trash & construction debris being dropped off there all brush now to be sent to Transfer Station.

6. The Board was advised to Bruce Rollins returning to work 9/18/95.

7. The Board was advised to Haley & Ward being responsible for

Hazardous waste spill at the Grove Pond Well Fields.

8. The Board was advised to DPW Building moving along well.

9. The Board was advised to Environmental Police issuing EPA enforcement orders re: Item 7 (hazardous spill) DPW yard-filling in of a wetland re: placement of reclaim asphalt on top of the gravel fill and Pirone Park basketball court possibility of Park Dept. pushed a small amount of fill into the Wetland. Supt. Ouellette stated he contact our Conservation Commission and Tom Poole who visited the sites with him. All DPW employees have be warned re: filling in of wetlands.

The Board requested the Park Dept. be notified re: violation and advised to never fill wetlands again.

8:45p.m. Selectman Slarsky moved the Board come out of Open Session to enter into Executive Session pursuant to MGL Chapter 39, Section 23b re: Exemption #3, 2nd by Selectman Hamel, VOTE: unanimous, so moved.

Pauline J. Hamel  
Pauline J. Hamel,

Date: 10-3-95

Clerk