

Selectmen's Meeting
Tuesday, October 18, 2005
Ayer Town Hall, 1st Floor Meeting Room, Main Street, Ayer, MA

Present and Attending-Faye Morrison	X	Chairman, Board of Selectmen
Cornelius Sullivan	X	Vice-Chair
Pauline Conley	X	Clerk
Paul D. Bresnahan	X	Member
Frank F. Maxant	X	Member

7:00p.m. Open Session

Agenda Item #1. Public Input: Chairman Morrison opened the meeting by requesting a Moment of Silence be conducted for Richard Witherow, husband of former Selectwoman Jane Witherow who passed away on Tuesday, October 12, 2005.

Chairman Morrison requested if there was anyone present wishing to meet with the Board under Public Input:

1. Doug Janson-Old Groton Rd.-read statement into record re abutters concerns with safety, legal and liability issues re Board of Assessors letter of 9-14-05. The Board requested to take up this matter at their next meeting (11-1-05) and to invite abutters in for this discussion.
2. Mary Spinner-Requesting the Board dispel rumor that the Selection Committee has already been chosen. Chairman Morrison spoke to rumor and advising to it being untrue, adding that the Board is still interviewing candidates for the Screening Committee as evidenced this evening.
3. Selectman Maxant-Updated the Board to Governor's Transportation Plan for State re Fitchburg Rail-line and closing of Ayer & Shirley's train station and opening new station on Devens. Selectman Maxant advised the Board to Hearing held in Fitchburg and of his and other Ayer residents in attendance at this meeting who voiced their opposition to the closing of the Ayer line. The Board requested the Town's representatives to MART & MRPC (Pat Walsh & James Lucchesi) keep the Board apprised of developments and report back..
4. Selectman Conley re: Parking issues, Downtown Ayer 2 hour zone, Nashua River Rail Trail, handicap curb cut on Central Ave. (Post Office). Selectman Conley reminded the Board to Public Hearing continuation re Shirley Groton Rd. name change to James Brook Way.
5. Chairman Morrison advising the viewing public to Halloween being celebrated in the Town of Ayer on Monday, October 31, 2005 from 6-8p.m.
6. Chairman Morrison requested to add Criteria to Screening Committee under the Town Administrator's Report.
7. Selectman Bresnahan requesting to add a new item under new business to address the Deven Disposition Executive Board.

Chairman Morrison called to a motion to approve the 10-18-05 Agenda as amended. Selectman Sullivan moved the Board approve the agenda as amended, 2nd by Selectman Bresnahan, VOTE: unanimous, so moved.

Selectman Bresnahan moved the Board go off the posted Agenda to take up the Beer & Wine License Transfer scheduled for 7:15p.m., 2nd by Selectman Sullivan VOTE: unanimous, so moved.

Agenda Item #3. Beer & Wine License Transfer of license to Corportion-Vineyard-63 Park St., Ayer. Selectman Conley read the Legal Notice into the record published in the Nashoba Publications the weeks of 10-5-05 and 10-12-05. Chairman Morrison requested if there were abutters present wishing to speak for or against the petition. No one stepped forward. The Board met with Jeffrey Gendron, owner of the Vineyard Package Store. Mr. Gendron advised the Board to his desire to transfer his business to corporation. Selectman Bresnahan moved the Board approve Mr. Gendron's request to transfer License from single proprietor to corporation, 2nd by Selectman Conley, VOTE: unanimous, so moved.

Agenda Item #2. Minutes

Selectman Conley provided the Board copies of amended and original minutes of 7-12-05 and executive session minutes of 7-12-05. The Board after Ms. Conley's presentation moved to approve the Minutes of all future Selectmen's Meeting to include two/three sentences of backup information along with motion and vote of Board. The Board requested copy of APAC video of all Selectmen's Meeting to be kept with Minutes. Open Session Minutes of 7-12-05 Selectman Bresnahan moved the Board approve the amended minutes presented by Ms. Conley and striking appointment date of Veterans Agent from 6-30-05 to 4-30-05, 2nd by Selectman Sullivan. VOTE: Selectman Conley aye, Selectman Bresnahan aye, Selectman Sullivan aye, Chairman Morrison aye, Selectman Maxant abstained 4-1 motion carries.

Executive Session minutes of 7-12-05 Selectman Bresnahan moved the Board approve the Executive Session minutes to include substantial comments/consensus reached, 2nd by Selectman Conley, VOTE: Selectman Bresnahan aye, Selectman Sullivan aye, Selectman Maxant aye, Selectman Conley aye, Chairman Morrison aye, VOTE: unanimous, so moved. Selectman Bresnahan moved that Selectman Conley come back to Board with brief paragraph to be added to Selectmen's Policy re recording of Executive session minutes, 2nd by Selectman Conley, VOTE: unanimous so moved. The Board approved a tape recorder be purchased for the recording of all future Executive Session minutes and tape to be kept with minutes.

Agenda Item #4. Town Administrator Screening Committee Applicants

The Board met with Nick Laggis-representing the Ayer Business Alliance, Pauline Hamel, resident and former Selectman and Michael Guzzo, resident and current Town Accountant in Boxborough, MA. Selectman Bresnahan advised to Robert Pena unable to attend this evening. The Board reviewed with each of the candidates their background and reasoning for wishing to serve on this committee and thanked them all for their willingness to serve the Town in this capacity and coming in to meet with the Board.

Agenda Item #5. -Fire Chief New Fire Station

1. **BARR Inc.-Change Order #7-** Selectman Sullivan moved the Board approve \$1,032.00 for 15 days Compensory/compulsory time, 2nd by Selectman Maxant, VOTE unanimous, so moved.
2. **KVA-Extension of contract Amendment #5-** Selectman Sullivan moved the Board approve KV Association Contract through December 2005 re construction of new Fire Station and authorize the Chairman's signature in the amount not to exceed \$8K/month, 2nd by Selectman Conley, VOTE: unanimous, so moved. The Board reiterated their desire not to commit/spend UDAG funds for furniture. Mr. Keller gave the Board a print out depicting \$129K of UDAG Funds being earmarked for \$129K re telephone equipment-Logic Communications-\$16,546, Radio Equipment-\$29,533, and Dispatchers Center-\$83,500 for a total of \$129,578.00.

Agenda Item #6. -Police Chief-Richard Rizzo-Downtown Parking-

Chief Rizzo reviewed with the Board his Downtown Parking Memo dated 9-14-05 re alleged complaints received by Board re Police Dept not ticketing motorist in the Town's downtown business zone (2-hour parking areas Main, Pleasant & West Streets). Chief Rizzo advised the Board to his attending the Downtown Business Alliance Meeting on 9-7-05 ~~meeting~~ with business leaders and updating them to the Town's traffic rules & regulations. Chief Rizzo reviewed with the Board the Town's current two (2) hour zones advising to no current zones located on both sides of street along Main St. (downtown) on West Street and two additional zones one on Columbia and Pleasant St. only at south of the driveway to Fletchers. The Chief advised the Board to the need for additional signage be erected along Main Street Eastbound & Westbound (see attached report) and suggested examples of signs he thought appropriate. The Board reviewed with the Chief increase in all day parkers in the two hour zones and requested to begin aggressively ticketing those violating the two hour zone. The Chief reviewed with the Board his suggestions for new two (2) hour zones: Columbia west side from Newton to Main St., Washington St. east side from Main to 15 Washington St. and when Fire Station moved the two hour zone begin +50 ft from Main St. and continue 30 feet from Main St. to open up corner to turning traffic. Pleasant St. -West side from Main St. heading north for 226ft. north of Main St. -West St. from Main St. heading north +55ft.

The Chief reported to the Board the approximate number of signs and hardware needed and cost estimated at around \$700.00 and recommending the DPW purchase & erect the signs and order be filed with Town Clerk in Traffic file. Selectman Bresnahan moved the Board to direct the Chief to implement his 9-14-05 Downtown Parking Plan and copy Fire Chief, and DPW and verify with Supt. Madigan availability of funding for new signage, 2nd by Selectman Sullivan, VOTE: unanimous, so moved. The Board reviewed with the Chief the rail trail parking request per the Department of Environmental Management's MOU and the Town requiring the Town to reserve adequate number of parking spaces for the Nashua River Rail Trail users. Selectman Conley moved after a short discussion the Board post and reserve five (5) parking spaces exclusively for rail trail users, for 4/5 hours, wording of signs to be developed by Chief of Police and cc Fire Chief, 2nd by Selectman Bresnahan, VOTE: unanimous, so moved. The Board reviewed with Chief status of Town Clerk's request for a no parking sign to be erected in the handicap parking area of Town Hall specifically under the Town Accountant's window. The Chief advised to sign being order and not in as yet and he will advise when available.

Agenda Item #7 Office of Community & Economic Development

The Board approved the following contracts number 2A-2H submitted by Mr. Suhoski

- Amendment to Agreement #2A-Donald Bucchianeri/dba Bucchianeri Mgt. Serv. Increase by \$15K & not to exceed \$49,650. Selectman Bresnahan moved to approve 2nd by Selectman Conley, Vote unanimous.
- Amendment to Agreement #2B-Donald Bucchianeri/dba Bucchianeri Mgt. Serv. Increased by \$6K and not to exceed \$38K. Selectman Conley moved to approve, 2nd by Selectman Sullivan, vote unanimous, so moved.
- Agreement #2C-Donald Bucchianeri/dba Bucchianeri Mgt. Serv. Motion to approve made by Selectman Sullivan 2nd by Selectman Conley, VOTE: unanimous, so moved. (6-units)
- Agreement #2D with Christine Caulfield dba Caulfield Envir. Not to exceed \$6K. Motion made by Selectman Bresnahan, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.
- Agreement 2E John Farrar d/b/a Community Revitalization Consultants. The Board held off on this contract
- Close Out Agreement Fy-02 CDBG Agreement 2-F Selectman Bresnahan moved the Board approve the close out agreement and authorize the Chairman's signature, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.
- Programmatic Agreement CDBG Program 2-G Historic Preservation. Selectman Sullivan moved the Board approve the Agreement and authorize the Chairman's signature, 2nd by Selectman Conley, Vote unanimous, so moved.
- The Board voted to designate Shaun Sushoki Environmental Certifying Officer for the Town of Ayer and authorize the Chairman's signature. Motion to approve made by Selectman Bresnahan, 2nd by Selectman Conley, VOTE: unanimous, so moved.
- Mr. Suhoski advised the Board to his latest new Grant Award in the amount of \$15K Get the Lead Out the Board congratulated Mr. Suhoski upon all this funding awards this year including this newest one.
- Mr. Suhoski presented the Devens Disposition Executive Board's State Economic Funding Award in the amount of \$254,557.05 for the Board's approval. Selectman Bresnahan moved the Board approve the grant award and authorize the Chairman's signature, 2nd by Selectmen Sullivan, VOTE: unanimous.

Agenda item 8- INTERIM TOWN ADMINITRATOR'S REPORT

1. Mr. McCann presented the amended motions for the 10-24-05 Fall Town Meeting.
2. The Board approved two sign requests for Town Hall: St. Andrews Xmas Fair 11-12-05 to be placed up 11-1-05 through 11-12-05. Motion made by Selectman Maxant, 2nd by Selectman Conley, VOTE: unanimous, so moved. Nashoba Medical Ctr. Green Sale for 12-5-05 to be placed up on 11-21-05 through 12-5-05. Motions made by Selectman Bresnahan, 2nd by Selectman Conley, VOTE unanimous. Custodian Dan Sherman to be responsible for location of signs at Town Hall.

3. Mr. McCann advised the Board to Fy-06 Tax Classification Hearing scheduled for 11-1-05
4. The Board approved Council on Aging's request to utilize the old Fire Station once vacated to house the senior van during this winter season subject to Fire Chief's approval for this season only. Motion made by Selectman Sullivan 2nd by Selectmen Maxant, VOTE: unanimous, so moved.
5. The Board requested the Chief research his records re Call Fire-fighters 3% COLA for Fy-05 advising to no record of approval by Board being made.
6. The Board moved to voice their strong support be submitted to the MBTA re passing a resolution expressing support for improved services and commuting times on the Fitchburg line but voicing their strongest opposition to any suggested closure of Ayer's longstanding commuter rail station and letter ^{to be} cc'd to MPO, MBTA, State Representatives, MRPC, MART, Governor, Lt. Governor, Town of Shirley, MADEV, and James Eldredge. Motion made by Selectman Sullivan 2nd by Selectman Bresnahan, VOTE: unanimous, so moved.
7. Mr. McCann announced the State Dept. of Revenue CPC award in the amount of \$93,534 to the Town of Ayer, the Board requested Rick Gilles be notified of award.
8. Mr. McCann presented Autumn Ridge Water & Sewer Permits on behalf of Supt. Madigan for the Board review and approval. Selectman Conley moved the Board approve Water/Sewer permits for Lots 101, 102, 103, 104, 105, & 106, and 6 unit building 101-106, 2nd by Selectman Maxant, VOTE: unanimous, so moved.
9. Chairman Morrison opened the discussion on the Screening Committee for the Town Administrator. The Board agreed to a seven person committee with the Interim Town Administrator serving as an advisor. The Board moved and 2nd to approve a sitting Selectmen also sit on this committee. Motion to approve made by Selectmen Morrison 2nd by Selectman Bresnahan, VOTE: 3ayes and 2no's
Selectman Maxant and Selectman Conley voting no, motion passes.

Selectman Conley voiced her displeasure with advertisement running in the Beacon and Boston Globe noting inaccuracies i.e. job title-never adopter Chapter 41 S23a, and Town does not have Charter, compensation advising to compensation plan depicting salary and expressing her concern resumes going to Chairman of Selectmen and not to Screening Committee.

The Board moved and 2nd to extend the meeting to 10:22p.m. Motion made by Selectman Maxant, 2nd by Selectman Sullivan VOTE: unanimous, so moved.

Selectman Bresnahan updated the Board to DDEB Scenarios before Board re Devens as Town and scenario moving boundaries and towns take back own land. Selectman Bresnahan requesting feedback from members.

Selectman Sullivan took this opportunity to admonish Selectman Maxant's letter to Judge Kilmartin at the Ayer District Court written on behalf of Board and requesting this item be placed on upcoming Selectmen's Agenda.

Selectman Maxant updated the Board to Town Hall roof leaking over the week-end and he & Mary Spinner appraising Roof Contractor and leaks being taken care of quickly thanks to Mary's effort and publicly thanking Ms. Spinner for her taking lead.

Selectman Conley requesting status of curb cut on Central Avenue from Supt. Madigan.

10:22p.m. Selectman Maxant moved the Board adjourn the meeting, 2nd by Selectmen Sullivan, VOTE: unanimous, so moved

10:22p.m. Meeting adjourned