

Selectmen's Meeting
Tuesday, February 17, 2004
Ayer Town Hall, 1st Floor Meeting Room, 1 Main Street, Ayer, MA

7:00p.m. Open Session

The Board met with Chairman Fay, Selectman Bresnahan, Selectman Morrison, and Selectman Maxant. Selectman Sullivan absent due to vacation.

Public Input-Chairman Fay requested if there was anyone present wishing to meet with the Board under Public Input. No one stepped forward. Selectman Maxant requested the Board publicly recognize and congratulate Ida Naparstek honored with the title Member Emerita of the Ayer Historical Commission for her long term as a commission member and being a founding member of the Ayer Historical Commission. Selectman Maxant stated through Ms. Naparstek's association Grants became possible i.e. Mercantile District, Internships, etc. Selectman Maxant also denoted Ms. Naparstek's long tenure serving as a Library Trustee as well. The Board congratulated Ms. Naparstek and paused for a photo.

Minutes: The Minutes of 1-6-04 and 1-20-04 were read and accepted. Motion to approve the minutes of 1-6-04 & 1-20-04 made by Selectman Morrison, 2nd by Selectman Bresnahan, VOTE: unanimous, so moved.

Ms. Schiepers also requested the Board take up two new items under Executive Session re: Personnel issues and Town Counsel update re: pending litigation and under New Business to add the Town Clerk's March 2, 2004 Primary Election Warrant for the Board's endorsement.

Selectman Bresnahan requested to update the Board on the Devens Disposition Committee Meeting.

Chairman Fay called for a motion to approve the Amended Agenda. Selectman Bresnahan moved the Board approve the Amended Agenda for 2-17-04 so stated, 2nd by Selectman Maxant, VOTE: unanimous, so moved.

Chairman Fay announced Representative Hargraves aide Ron Englade present this evening to conduct Office Hours for Rep. Hargraves from 7-8pm at the Town Hall.

Agenda Item #1. Appointments

1. Communication Committee-Loreen Thurman

The Board met with Loreen Thurman-of 179 W. Main St., Ayer, MA re the Communications recommendation to appoint Ms. Thurman to serve on this Com. Ms. Thurman gave the Board a brief background - professional business woman owns & operated Loreen's Lenses a digital imaging service and formerly a research analysis/software troubleshooter which would help the Communications Com. greatly. Selectman Bresnahan moved the Board appoint

Ms Thurman to the Communications Com, effective to June 30, 2004, 2nd by Selectman Morrison. VOTE: unanimous, so moved.

2. Library Trustee- Present for the discussion- Paul McGuane, Chairman-Library Trustees, Members: Neville Markham, Ida Naparstek, Carol Callahan, Norma Parker and Joanne Quigley. The Board met with Karen Gibbons re the Library Trustees recommendation of Ms Gibbons to fill the unexpired term of Trustee Carol Callahan. Mr. McGuane endorsed Ms Gibbons recommendation on behalf of the Library Trustees. Selectman Morrison moved the appointment of Karen Gibbons to be appointed to the Library Trustees until the next Town Election (April 04), 2nd by Selectman Maxant, VOTE: unanimous, so moved. Selectman Bresnahan took this opportunity to thank Carol Callahan for her many years of service serving as a Permanent Trustee and whose seat Ms. Gibbons would be filling.

Agenda Item #2. Ambulance Rates-Ayer Fire Dept.-

The Board met with Fire Chief Paul Fillebrown-re Constar the Town's Ambulance Billing & Collection Service updating the Department to the new 2004 Medicare Allowed Amounts Rate Increases. The Board reviewed with the Chief the Medicare Fee Schedule new Allowed Rate Increases. After a brief discussion the Board approved the Basic Life Support-Emergency (BLS) be increased from \$307.10 to \$328.79 and the ALS 1-Emergency be increased from \$364.67 to \$390.43 and every thing else stay the same. Motion to approve the rate increase so stated made by Selectman Bresnahan, 2nd by Selectman Morrison VOTE: unanimous, so moved.

Agenda Item #3. Economic Development Director's Report

1. **Housing Program Waiver**-The Board met with Timothy Hansen, Program Manager for the Housing Rehabilitation Program. Mr. Hansen Presented a Single Case Waiver for Case # Fyo3-255E re: financial hardship for a disabled resident/client demonstrating need, a waiver of the owner's match was recommended by Mr. Hansen subject to the owners executing a fifteen recapture lien on the property. The Board approved Mr. Hansen's recommendation of the single case waiver for Housing Rehabilitation Case # 03-255E based upon the representation of financial hardship. Motion to approve made by Selectman Maxant, 2nd by Selectman Morrison VOTE: unanimous, so moved. Chairman Fay suggesting Job Corp is contacted re maintaining ramp for this resident.

2. **Shirley Street Affordable Housing**-The Board met with Shaun Suhoski, David Woods, Habitat for Humanity of North Central MA, Construction Manager and Steve Boczenowski, Groton's Build Chairman, re Shirley Street Lot to become the first Habitat House in Ayer. Mr. Suhoski updated the Board to Habitat being the lone respondent to the Town's Request for Proposals to construct a single family affordable home the town had acquired through a check of the Assessor's records for an appropriate town owned site. Town Meeting approved the Board of Selectmen to oversee the use of the site. Mr. Suhoski stated the project would return a property to the tax rolls and clean up the site. Selectman Morrison moved the Board approve the proposal submitted by Habitat for Humanity, 2nd by Selectman Bresnahan, VOTE: unanimous. Selectman Bresnahan questioning if Ayer residents could be given priority. Mr. Boczenowski advised to three criteria applicants must meet: urgent need for quality housing, family must meet income

guideline approximately \$30K/yr. and ability to pay back low interest mortgage provided (\$60K approximately) and lastly commit to 300 hours of work to assist the Habitat organization i.e. construction/other. Preference can not be given to Ayer but selection would be from those in need from this Habitat, although family selected could be from this area. The Ayer project would start in September with a proposed finished time line of early 2005. Selectman Morrison stating work on a Habitat is a great motivating project it builds a great sense of community and took this time to acknowledged and thank the commitment of the School Dept through Supt. O'Malley and High School Teacher Lucille DaCosta and members of the community Heather Hanley and Amanda Norton.

3. Ayer Drug Court Program Contract-The Board set this matter back pending their review. Mr. Suhoski advising the Board to Spectrum Health Care's representative unable to attend the meeting this evening but advised the Board to Town Counsel's review and approval of Spectrum Health Care's proposal. The Board scheduled this matter for their next meeting when Spectrum's representatives will be able to meet with the Board.

4. Office of Economic Development Re-Organization- The Board met with Mr. Suhoski re: proposal to upgrade his office rather than adding to staff to deal with growing work load. Mr. Suhoski reviewed with the Board his proposal to increase hours and upgrade two positions: project manager for Housing Rehabilitation and a program developer. This change would add approximately \$20K to salaries and benefits. Mr. Suhoski stated funding for these positions would cost nothing to the Town; salaries and benefits are entirely grant funded. Selectman Bresnahan moved the Board approve the management structure re-organization changes in principal with Mr. Suhoski to return to the Board with funding breakout requests, 2nd by Selectman Morrison, VOTE: unanimous, so moved.

5. Moore Tax Increment Financing Request (TIF) The Board met with Mr. Suhoski re: a Tax Increment Financing Request from Calvin Moore to help him finance the rehabilitation of the Spaulding Block. Mr. Suhoski updated the Board to Mr. Moore's plans for the renovation of 3,500 sq. ft. of commercial space on the 1st floor and approximately 5,800 sq. ft. of residential space on the upper two (2) floors. Mr. Suhoski advising to substantial investment of Mr. Moore... construction could total \$1.1 million. Mr. Suhoski recommended a ten (10) year TIF. To qualify for a TIF the project must bring new jobs to the Town. Mr. Sushoski stating the Spaulding Block could create up to fifteen (15) full-time new jobs and upwards of 30 new jobs. Mr. Suhoski advising to Mr. Moore's Page Moore Block restoration now fully occupied and providing in the neighborhood of 60 jobs showing proof of Mr. Moore's previous TIF that added jobs could be expected. Selectman Maxant moved the Board support placing the Spaulding Block TIF on the Town Meeting Warrant, 2nd by Selectman Morrison, VOTE: unanimous, so moved. Selectman Bresnahan stated the major reason for this request is that the upper two floors will be converted for eight apartment units of affordable housing. Selectman Bresnahan suggested requesting additional financial detail/verbiage. **Mr. Suhoski mentioned in terms of additional information, that he and Selectman Bresnahan discovered that Mr. Moore's proposal has a real estate tax per year figure that is understated and needs to be corrected before submitting article for Annual Town Meeting approval.**

Agenda Item #5. Town Administrator's Report

Smith Family Land Sale-Town's Right of First Refusal-MGL C61A-

Ms. Scheipers recommended per Town Counsel the Board continue discussions re strategy for this proposal due to Town Counsel finding insufficiencies in the P&S between the Smiths & Calvin Moore & Gillis Homes. Selectman Maxant voiced his dismay stating the Town has traditionally welcomed development -project meets needs of community/commending the project. Selectman Morrison voicing her though to use caution-be mindful of the abutters concerns and reserve comment.

40B Project Intent-Willows-Willow Rd., Ayer, MA-The Board authorized Ms Scheipers to activate the 40B Committee: Police Chief, Fire Chief, Shaun Suhoski, DPW Supt, Member of Planning Board and Zoning Board and School Dept. to begin discussions with the developer. Proposal is for a 40B Project consisting of 94 houses of which 24 would be affordable on a 27 acres piece of land off Willow Rd. Selectman Morrison moved the Board authorize Ms Scheipers to activate the Committee bring about a friendly affordable housing project taking in the needs of the Community as well as interests of developer, 2nd by Selectman Maxant, VOTE: unanimous, so moved.

Stoney Brook Park Land Donation-The Board requested a site walk of the land donation be made with the Conservation Commission, Planning Board, DPW and Selectmen-land lies within Zone 2. Town Administrator to submit request to above Departments and get back to Board with firm date.

ACEC Great Ponds Steering Committee: The Board authorized the posting of the position on Cable and requested the Conservation Com. designate a member to serve on this Commission.

Train Whistle Bans: The Board authorized including the Town of Ayer in the MA Municipal Assoc. (MMA) request to continue the ban on railroad crossings in late night hours. Selectman Bresnahan also requested the Board add the Willow Road crossing along with the Snakehill Rd. crossing already banned. Motion to approve made by Selectman Bresnahan, 2nd by Selectman Maxant VOTE: unanimous, so moved.

Assessors Prior Office Space Request-The Board was advised to two requests coming in for the Assessor's prior office space; one from the Veterans Agent and one from Town Clerk-Ann Callahan to keep the former office as a meeting room by placing a larger table in room to accommodate use for meeting room. The Board requested the Town Administrator contact the Veterans Office for an activity count of people coming in to meet with the Veterans Agent. Janet Lewis to prepare calendar for Board depicting current meeting room users.

Rt.2A Rest Stop Hearing-Ms Scheipers updated the Board to the Hearing being conducted by the State scheduled in Harvard at the Harvard Elementary School Cafeteria on 2-25-04. The Board requested Mr. Suhoski who will be attending the Hearing with local business owners expressing their concern re: their businesses being affected if such a proposal was approved also express the Board's concern with the project and support Harvard's opposition of the plan.

Devens Land Acceptance-Donation Cemetery Space-The Board was updated to UDAG funds being confirmed by Shaun Suhoski as an appropriate use to pay for costs

associated with survey-due to time constraints- this article will not appear on the Annual Town Meeting in May 2004 and will be prepared for the Fall Town Meeting Warrant.

FYI's The Board was advised to Sen. Resor's Office emailing Governor's proposed budget. Executive Session scheduled this evening: DPW & Town Administrator's contract negotiations, DPW Grievance-Step 4 and Smith land.

Selectmen's Questions/New Business

Selectman Morrison: Thanked Town Treasurer-Denis Callahan for recent update re: availability of funds, ban fees- brighter budget picture.

Request for update on the Baby Safe Haven Legislation-Town Administrator advised to no new info-still waiting on House/Senate vote.

Selectman Maxant: Requested ZBA look into complaint received re Willow Rd. property old EDART Bldg. bought by local businessman-trees removed lost noise buffer. North Post discussion-Town Administrator updated the Board to date of March 2, 2004 scheduled for discussion with William Burke.

Selectman Bresnahan-Devens Disposition Steering Com.- Selectman Bresnahan updated the Board to Committee raising question to seek change in the Devens -enabling legislation-Chapter 498 changing the five bodies that would be allowed to vote on Devens Disposition (Boards of Selectmen in the three Towns-Ayer, Shirley & Harvard, MADEV, and DEC). Selectman Bresnahan stated MADEV is requesting to add Devens residents to the list. Selectman Maxant stating such a change would require Town Meeting Warrant Article in Ayer, Harvard & Shirley. Selectman Bresnahan advising to this being extremely premature due to the Steering Committee not yet agreeing to discuss issue advising to present Selectman Maxant's request when a 2nd disposition committee is functioning.

Fy-05 Budget-Health Insurance need to meet develop strategy-municipal side ...also School Committee Request-re: Medicare funds be allocated to School for Fy-05.

10:00p.m. Selectman Morrison moved the Board adjourn from Open Session to enter into Executive Session pursuant to MGL Chapter 39 Section 23B re: DPW & Town Administrator's Contract negotiations, DPW Grievance, and Smith land sale, 2nd by Selectman Maxant, VOTE: Selectman Bresnahan aye, Selectman Morrison aye, Selectman Maxant aye, Chairman Fay aye, unanimous, so moved.

10:00p.m. Open Session adjourned.

DATE: _____

Faye L. Morrison, Clerk
AYER BOARD OF SELECTMEN