

Selectmen's Meeting
Tuesday, November 18, 2003
Ayer Town Hall, 1st Floor Meeting Room, Main St., Ayer, MA

7:00p.m. Open Session

The Board met with Chairman Fay, Selectman Bresnahan, Selectman Morrison, Selectman Maxant and Selectman Sullivan.

The Minutes of 9-23-03 and 10-21-03 were read and accepted. Motion to approve made by Selectman Morrison, 2nd by Selectman Bresnahan, VOTE: unanimous, so moved.

Public Input-Chairman Fay requested if there was anyone present wishing to meet with the Board under Public Input. Selectman Sullivan requested the Board amend the Agenda of 11-18-03 by moving the Rollins sewer reimbursement – Moore Drive, request up on the Agenda, to be taken up as the first item on the Agenda this evening, 2nd by Selectman Bresnahan, VOTE: unanimous, so moved.

Chairman Fay requested a Moment of Silence be observed in memory of Reverend Ted Turnley who passed away on November 7, 2003. Rev. Turnley, Pastor of Calvary Baptist Church and very active in Town Affairs and the American Legion.

Chairman Fay called for a motion to approve the Agenda of November 18, 2003 as amended. Selectman Bresnahan moved the Board approve the Agenda of 11-18-03 as amended, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

Chairman Fay took this opportunity to congratulate our local heroes upon their act of Heroism this past weekend –pulling a person out of a burning vehicle on Westford Rd.

Congratulations were bestowed upon Patrolman Terrence McSweeney, who suffered minor smoke inhalation, Fire Dept. –Captain Paul Fillebrown Jr., Lt. Sean Farley, Firefighter Robert Bozek, and Ned Sparrow-Call Firefighter. Chairman Fay stated the Ayer Police Dept. & Fire Dept. planned to hold a ceremony in conjunction with the State at the Ayer Police Dept.-mid January 2004, date to be announced.

Agenda Item #. 1.-Rollins Reimbursement-Moore Drive Sewer Extension

The Board met with Clarence Rollins of 14 Moore Drive, Ayer, MA re his request for a Sewer Bank reimbursement fee. Mr. Rollins stated he submitted his letter (payment) prior to 10-31-03 but never received betterment, and still does not....-not connected to main. Mr. Rollins explained his situation and reasoning for reimbursement request stating DPW advised him to matter being out of their hands. Mr. Rollins updated Board to Town contractor hired in Oct. 03 and putting in sewer line 32" too high at his home- very serious problem. The Board requested to review past minutes re: sewer bank reimbursement fees as well as having Mr. Madigan clarify policy and to place this matter on the next

Selectmen's Agenda. The Board requested Supt. Madigan work with Mr. Rollins to make his home a priority re: re-piping.

Agenda Item #2. Appointments-

1. Community Preservation Committee (CPC)-The Board met with Gary Luca of Groton School Rd., Ayer, MA a three (3) year resident of the Town. Mr. Luca reviewed with the Board his background and reasoning as to why he would like to serve on the CPC. Mr. Luca updated the Board to what brought him out was the fighting amongst Town Officials re CPA surcharge remaining at 1% and not being increased to 3%-feeling taxes are high enough, along with the elevator issue at the elderly housing, feeling other qualifying projects have merit as well. Selectman Morrison stated intent of CPA was for Open Space Preservation. Selectman Maxant stated Town Meeting voted to spend funds for other things. Mr. Luca responded there is only so much money not enough to purchase land. Selectman Sullivan updating Mr. Luca to Town Meeting vote/intent was to support the Community Preservation Act for Open Space, have to start somewhere... Mr. Luca stated he was not opposed to Open Space but felt land purchase not cheap. Selectman Bresnahan stating more important was that when people approved CPC, they wanted investment in Open Space. Town Administrator Anita Scheipers interjected more important, process used when agree/don't agree, take input, steps taken before voting. Chairman Fay stated the Board had a memo from Chairman of Commission advising to unanimous vote of commission in favor of Mr. Luca's appointment and Mr. Luca stating he is not opposed/against Open Space and has given the Board a fair representation of his opinion. Mr. Luca stated he hoped the Board did not only appoint people that fit their criteria. Selectman Morrison stated the Board's job is to make valid appointment to serve purpose of committee. Selectman Maxant stated most people choose not to serve when there is internal fighting going on and admired his stepping up to the challenge. Chairman Fay called for a motion. Selectman Sullivan moved the Board vote not to appoint Mr. Luca to the CPC, 2nd by Selectman Morrison VOTE: Selectman Sullivan aye, Selectman Morrison aye, Selectman Bresnahan no, Selectman Maxant no, Chairman Fay no, 3-2- motion fails. Selectman Maxant moved the Board appoint Mr. Luca to the CPC, 2nd by Selectman Bresnahan for discussion suggesting the appointment be until 6-30-04. Pauline Conley, Chairman of the CPC advised to term established at Town Meeting- that term being until 6-30-05. Selectman Bresnahan rescinded his amendment. Motion made by Selectman Maxant to appoint Gary Luca to the CPC for the period ending 6-30-05, 2nd by Selectman Bresnahan, VOTE: Selectman Bresnahan aye, Selectman Maxant aye, Chairman Fay aye, Selectman Sullivan no, Selectman Morrison no 3-2 motion passes.

2. Temporary Veterans Agent-1-1-04 to 4-5-04

The Board met with Manny Velez who introduced Bernard Sweeney Veterans Agent presently for the Town of Shirley and Lancaster. Mr. Velez advised to his taking a temporary leave of absence due to a recent development in his health-heart problem. Mr. Velez stated Mr. Sweeney is best man to take his place during

his absence advising to Mr. Sweeney being a 30 year veteran and Veterans Agent in Town of Shirley for past twelve years. Chairman Fay stated he is well aware of Mr. Sweeney's background having served with him on Devens-well qualified. Selectman Bresnahan questioning his ability to oversee three offices and noting hours in Shirley 1 day a week, Lancaster 2 hours and Ayer on Monday evening from 7-9 as well as Ayer Senior Center total of 7 hours. Mr. Sweeney stated no set hours demand warrants hours. Selectman Bresnahan moved the Board should not appoint a temporary agent until we decide whether Manny was getting a leave of absence. Selectman Bresnahan moved the Board approve a leave of absence for Manny Velez from January 1, 2004 to April 5, 2004, 2nd by Selectman Morrison, VOTE unanimous, so moved. The Board appointed Bernard Sweeney temporary Veterans Agent in the Town of Ayer from 1-1-04 to 4-5-04 recommended by Manny Velez, 2nd by Selectman Morrison VOTE: unanimous, so moved.

3. JBOS Open Space & Recreation Vacancy Announcement-the Board requested an ad be placed on cable & newspaper announcing the vacancy and requesting interested residents contact the Town Administrator regarding this position.

Agenda Item #3. Sandy Pond Road Status

The Board met with Chief Richard Rizzo and Town Administrator Anita Scheipers.

Ms. Scheipers updated the Board to signage for essential areas in Town being researched and submitted by Chief Rizzo as follows:

Rotary: directional signage with potential of adding warning/advisory sign-
Informational

- outer edge of rotary at corner of Gervais Ford indicating which businesses can best be accessed by taking Rt 2A.
- Signage to notify trucks that use of Sandy Pond is discouraged.
- Signage by area of new carwash indicating which businesses can best be accessed by taking Sandy Pond Rd.
- installation of a visible street sign for Sandy Pond Rd.
- Sandy Pond Rd. approaching Central Ave. -no signage proposed
- Sandy Pond Rd. approaching Westford Rd- 2 signs presently one is blank should be removed-other one should be relocated to right side of road
- Westford Rd approaching intersection Willow/Sandy Pond Rd.-sign opposite intersection should be replaced with directional arrow indicating Rt 495 and Rt 2 to left.
- More signs needed at Willow Rd indicating to take left onto Rt. 2A to access Rt 495 and a right to access Rt 2A. (need approval of Town of Littleton to install)
- MA Highway request Sign #2 Heavy Commercial Trucks be placed on Rt 2A heading toward Ayer to remind trucks to avoid Sandy Pond Rd.
- Central Ave. heading east approaching Sandy Pond Rd.- place a sign #2 just before intersection to remind any trucks heading down Central Ave. from the Town to voluntarily not use Sandy Pond Rd.
- place sign just before intersection clearly indicating the roadway heading east changes from Central Ave and becomes Sandy Pond Rd.

-Sandy Pond approaching Town Beach-place advisory speed limit sign on either side of Sandy Pond Rd. to encourage all traffic to reduce speed limit to 35MPH.
-Encourage Voluntary Truck Exclusion for Trucking Firms-letters have been sent to local trucking firms asking them to participate in a voluntary truck exclusion, this letter to be followed up with a second letter which will explain the four pronged approach we intend to use to reduce impact of truck traffic on Sandy Pond Rd.-letter to be sent out when a more defined idea of signage improvements is finalized-this letter to include out of town truckers contributing to truck traffic.
-Devens Trucking-Selectman Bresnahan to continue to work with Meg Delorier at MADEV to seek voluntary participating of Devens Trucking companies to avoid use of Sandy Pond Rd., an update will be forthcoming from Meg advised Selectman Bresnahan..
-Joint meeting with Town of Littleton-Selectmen on Rt. 2 Improvements-a call was placed to Town Administrator in Littleton wishing to schedule joint meeting with Littleton & MA Highways re: intersection improvements-a date to be developed and Board notified.

The Board thanked Chief Rizzo and Ms Scheipers for all their work. Selectman Sullivan requesting adding additional sign at rotary directing traffic to Devens-to avoid lost trucks downtown and along side streets. Selectman Maxant reiterated Littleton Road signs notifying W-bound drivers of Right turn onto Willow Rd.

Agenda Item #4. Town Administrator's Report

1. **Water Permit-184 West Main St.-4"** service 12 Bedroom structure. Selectman Bresnahan moved to approve the water permit per Supt. Madigan's recommendation, 2nd by Selectman Morrison, VOTE: unanimous, so moved.
2. **Sewer Permit-184 West Main St.-1320GPD** discharge Selectman Bresnahan moved the Board approve the permit per Supt. Madigan's recommendation, 2nd by Selectman Morrison, VOTE: unanimous, so moved.
3. **Superior Sealcoat Inc. Contract**-The Board awarded the crack sealing services bid award to Superior Sealcoat Inc of Wilmington MA at the unit price of \$3.51 per gallon with total value not to exceed \$9,900.00. Motion to approve made by Selectman Bresnahan, 2nd by Selectman Morrison, VOTE: unanimous, so moved.
4. **JBOS Disposition Steering Com**-The Board moved to approve the make up of the Disposition Steering Com as presented. 1 Selectman, 1 Planning Board member from **Ayer, Harvard & Shirley**, one MADEV rep, **1 Devens business person** and 1 Devens resident. Motion to approve made by Selectman Bresnahan, 2nd by Selectman Morrison VOTE: unanimous, so moved.
5. **Bike Riding/Skateboarding**-the Board reviewed the Chief's recommendation in response to complaints from local businesses aka Business Alliance-the Board moved to place volunteer signage along Main St. . . Motion made by Selectman Sullivan 2nd by Selectman Bresnahan VOTE: unanimous, so moved.

NEW BUSINESS:

Selectman Sullivan-Street lights-Main St. calls received re: lights on during day. Ms. Scheipers advised to working being done on them -replacing parts all lights on Main Street repaired this week.

Selectman Maxant-Advising to Winter Parking Ban going into effect 11-30-03 and also alerting residents to Nuisance By-law-to not pile snow onto sidewalks. Town Administrator-requesting Board Development Proposal is approved. Selectman Maxant moved the Board approve the contract to Change Dynamics not to exceed \$1,000.00, 2nd by Selectman Morrison, VOTE: unanimous, so moved.

The Board reviewed the resignation by the Tree Warden John Flagg and requested he be invited into the next Selectmen's Meeting to discuss his reasons for resigning with the hope he reconsiders.

8:45p.m. Selectman Morrison moved the Board adjourn from Open Session to enter into Executive Session pursuant to MGL Chapter 39 Section 23b, Exemption #3 Town Accountant's Contract, Selectman Maxant 2nd for discussion. Selectman Maxant objecting to Executive Session feeling matter should be in Open Session does not warrant Executive Session. Town Accountant Lisa Gabree requesting Executive Session. VOTE: Selectman Bresnahan aye, Selectman Morrison aye, Selectman Sullivan aye, Chairman Fay aye, Selectman Maxant no, 4-1 motion carries.

8:45p.m. Open Session concluded.

DATE: _____

Faye L. Morrison, Clerk
AYER BOARD OF SELECTMEN