

Selectmen's Meeting  
Tuesday, April 15, 2003  
Ayer Town Hall, 1<sup>st</sup> Floor Meeting Room, Main Street, Ayer, MA

7:00p.m. Open Session

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

**Public Input:** Chairman Witherow requested if there was anyone present wishing to meet with the Selectmen under Public Input: Leslie Tyler-requested the Board proclaim Saturday, April 26, 2003 as Community Clean Up Day in the Town of Ayer and read a Proclamation to establish the 1<sup>st</sup> Official Community Clean Up Day -Saturday, April 26, 2003, with a rain date of Saturday, May 3, 2003. Selectman Sullivan moved the Board approve the Proclamation read by Ms. Tyler is adopted, 2<sup>nd</sup> by Selectman Bresnahan, VOTE: unanimous, so moved.

Chairman Witherow took this opportunity to publicly congratulate Lucille Dacosta and the students of Ayer High School's Human Rights Squad for their efforts decorating the Main Street of Town with yellow ribbons in recognition of Ayer residents currently deployed during Operation Iraqi Freedom. Chairman Witherow read into the record a Certificate of Appreciation to Ms. Dacosta & her Human Rights Squad students. Chairman Witherow also thanked the ladies of the Friends of Nashoba Valley Medical Ctr. for their contribution of yellow ribbons which decorated Town Municipal Buildings: Mary Medeiros, Louise Bresnahan, Patricia Farley, Trudy Jodka, Ann Laggis, Rosemarie Gionet and Robin Brown.

Chairman Witherow called for a motion to accept the Agenda. Selectman Fay moved the Board vote to approve the Agenda of 4-15-03 as amended, 2<sup>nd</sup> by Selectman Sullivan, VOTE: unanimous, so moved.

**Minutes:** The Minutes of 2-4-03 and 3-18-03 were read and accepted. The Minutes of 2-18-03 and 4-1-03 were sent back for amendments.

**Agenda Item #1. Ayer District Court Grant-** The Board met with Jim Kazeniac, Chief Probation Officer at the Ayer district Court, Ken Bates of Spectrum Health Care/Worcester and Shaun Suhoski, Economic Development Director. Present for the discussion Police Chief Richard Rizzo. Mr. Kazeniac gave the Board the background re the \$500K three year grant to fund the work of staff at the court house for law enforcement agencies in the court's service area of ten (10) communities for the proper treatment and supervision of substance abuse clients. Mr. Suhoski advised the Board to similar programs sponsored by the Bureau of Justice Assistance is in operation presently in Orange, Haverhill, and Framingham. Chief Rizzo stating Ayer has our share of offenders. Selectman Sullivan stating the program is a win-win situation being familiar with courthouse proposal. Selectman Sullivan moved the Board approve the proposal and requested the Town's Office of Economic Development provide the administrative services for the grant and to authorize the Chairman's signature on the grant application, 2<sup>nd</sup> by Selectman Fay, VOTE: unanimous, so moved.

**Agenda Item #2. Water/Sewer Rate Approval-** The Board met with town's consultant Christopher Woodcock re proposed tiered system-two step & three step options and proposed new rates for five Town users: low residential, average residential, restaurant, high residential and large industry. Present for the discussion were several of the Town's heavy industrial users i.e. Joseph Sampson/Cains Foods, John Webster/EPIC, JohnWareham/Nasoya, and Keith Crider/Kleenite Ind. who stated their displeasure of not being informed to tonight's rate setting until shortly before the meeting tonight. Both Sampson & Webster opposed the rate increases for high end users urging implementing higher cost for low-end users citing increases in transportation, energy cost and possibility of having to relocate. After a lengthy discussion the Board moved to postpone setting the water & sewer rates for thirty (30) days. Motion to postpone setting rates made by Selectman Sullivan, 2<sup>nd</sup> by Selectman Maxant VOTE: Selectman Sullivan aye, Selectman Fay aye, Selectman Bresnahan aye, Selectman Maxant aye, Selectman Witherow no, 4-1 motion passes. The Board set April 24, 2003 at 7pm for a working session with the SIU's.

**Agenda Item #3. FY-04 Budget approval**

Town Administrator advised the Board to the Omnibus Article reflecting changes made at the Public Hearing. The Board approved the Omnibus Article as presented. Motion to approve made by Selectman Maxant, 2<sup>nd</sup> by Selectman Fay, VOTE: Selectman Bresnahan aye, Selectman Fay aye, Selectman Maxant aye, Selectman Witherow aye, Selectman Sullivan no 4-1 motion carries.

**Agenda item #4. May 12, 2003 Annual Town Meeting Warrant**-Ms. Hegarty presented the finalized May 12, 2003 Annual Town Meeting Warrant for the Board's endorsement. **Article 22 discussion**- Shaun Suhoski, Economic Development Director advised the Board to funding availability from IDFA earned interest on non loaned funds approximately \$282,402 IDFA Committee willing to release for assistance in reducing deficit and to assist with downtown redevelopment advising this being a legitimate use of funds and still be able to maintain IDFA revolving loan funds without jeopardizing program Selectman Sullivan moved the Board leave Article 22 as now stated in warrant, 2<sup>nd</sup> by Selectman Bresnahan VOTE: unanimous, so moved. **Article 21 discussion**: Selectman Sullivan moved the Board vote to amend Article 21: to state only Item 2 A&B, 2<sup>nd</sup> by Selectman Maxant VOTE: 2-3 motion fails. Selectman Bresnahan moved the Board vote to approve **Article 21 items** 1. A, 2-A B & C, 3-A, 2<sup>nd</sup> by Selectman Fay, VOTE: 4-1 motion carries.

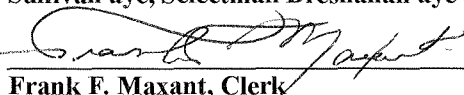
Selectman Bresnahan moved the Board approve the May 12, 2003 Annual Town Meeting Warrant without edits, 2<sup>nd</sup> by Selectman Fay, VOTE: 4-1 motion carries.

**Agenda Item #5. Town Administrator's Report:**

1. **Veteran's Agent Appointment**-the Board appointed Manuel Velez as Veterans's Agent effective April 1, 2003 to April 14, 2004. Motion made by Selectman Sullivan 2<sup>nd</sup> by Selectman Bresnahan, VOTE: unanimous, so moved.
2. **Pirone Park Concession Stand**- Selectman Bresnahan moved the Board approve the Concession Stand project as submitted by the Park Dept. for the bid award not to exceed \$180,728.00 to D. Wayne Contracting Co. and authorize the Chairman's signature on the award. Motion to award made by Selectman Bresnahan, 2<sup>nd</sup> by Selectman Fay, VOTE: unanimous, so moved.
3. **Water & Sewer Permits-Pirone Park Concession Stand**-the Board approved a 2" and 4" water & sewer permit for the Park Dept. Motion to approve made by Selectman Sullivan, 2<sup>nd</sup> by Selectman Fay, VOTE: unanimous, so moved. The Board requested the Commissioners respond back to the Selectmen why a 2" line was also needed.
4. **Groton Shirley Rd. Culvert Bid Award**-The Board awarded the Game Farm Rd. Culvert Replacement to the low bidder Framingham Excavating Co., for the bid award not to exceed \$34,900.00 recommended by Supt. Madigan. Motion to award made by Selectman Sullivan 2<sup>nd</sup> by Selectman Bresnahan, VOTE: unanimous, so moved.
5. **COA Reserve Fund Transfer**-The Board approved a Reserve Fund Transfer for the Council on Aging in the amount of \$1,400.00 to assist with unforeseen activity expenses requested by Director Karen Swanfeldt. Selectman Bresnahan moved the Board approve the COA Reserve Fund request in the amount not to exceed \$1,400.00, 2<sup>nd</sup> by Selectman Fay, VOTE: unanimous, so moved.
6. **COA Sign Request-Blood Drive**-The Board approved of the Council on Aging's Blood Drive scheduled for 5-13-03 at the Ayer Town Hall-Great Hall/2<sup>nd</sup> Floor and the placement of signs at the Rotary, Town Hall, Transfer Station and on private property with the land owner's permission. Motion to approve made by Selectman Bresnahan, 2<sup>nd</sup> by Selectman Fay, VOTE: unanimous, so moved.
7. **FYI's status update given on Norstrom-Pierce Ave. complaint** referred to Community & Economic Dev. Office to obtain funding assistance.

**FEMA Reimbursement** the Board was updated to \$21,710 in FEMA aid being requested for snowstorm of 2-17-03 due to the storm being classified disaster relief eligible.

9:50p.m. Selectman Maxant moved the Board adjourn from Open Session to enter into Executive Session pursuant to MGL Chapter 39 Section 23B Exemption #3 re: Guilford litigation & contract negotiations, 2<sup>nd</sup> by Selectman Fay, Vote: Selectman Maxant aye, Selectman Fay aye, Selectman Sullivan aye, Selectman Bresnahan aye and Chairman Witherow aye, unanimous, so moved.

  
Frank F. Maxant, Clerk

-Date: 5/4/03