

Selectmen's Meeting
Tuesday, December 10, 2002
Ayer Town Hall, 1st 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 Board under Public Input, no one stepped forward.

Chairman Witherow called for a motion to accept the Agenda. Selectman Bresnahan moved the Board approve the agenda of 12-10-02 as presented, 2nd by Selectman Fay, VOTE: unanimous, so moved.

The Minutes of October 29, 2002 were read and accepted. Selectman Maxant moved to approve the minutes, 10-29-02, 2nd by Selectmen Bresnahan, VOTE: unanimous, so moved.

The Minutes of 11-12-29 were read and amended page 2. -Agenda Item #4. 6 sentence third word from end of sentence change from policy to by-law. Selectman Sullivan moved to approve the Minutes of 11-12-02 with amendment, 2nd by Selectmen Fay, VOTE: unanimous, so moved.

Agenda Item #1. Atty. Robert Collins-Stratton Hills

The Board met with Atty. Robert Collins who introduced developer David Moulton co-owner with Robert LaCombe regarding an offer to donate conservation land and improvements to Wright Rd. if they construct a 35-lot residential sub-division. Atty. Collins updated the Board to sub-division presently before the Planning Board with a Public Hearing scheduled for January 9, 2003. Atty. Collins stated the land covers over a 500-acre parcels located in the two Towns of Groton & Ayer which is destined to be donated to Mass. Audubon to become a wildlife sanctuary. Atty. Collins requested of the Selectmen how they would like the 125 acres of Open Space which is located in Ayer administered i.e. part of Mass Audubon or owned by the Town of Ayer and kept as conservation land. Improvements to the Wright Rd. area in connection with the Stratton Hills sub-division include removal of the sharp curve in the road near proposed entrance to sub-division and to extend the now dead end water main on Wright Rd. across land the developers own across track of land the Town owns to connect into water main on Sandy Pond Rd. This would increase the pressure and fire flows in the entire area. An emergency road would be constructed to access Wright Rd. to the sub-division. Dams at Long Pond would be improved to correct flooding currently being experienced by residents along sandy Pond. Discussions also included Selectman's Sullivan's suggestion to look at possibility of suitable elevation spot, near Gun Club for possible future 2nd Ayer water tank location and look at deed restriction on land that is going to be donated to Mass Audubon. Selectman Bresnahan moved the Board request the developers meet with DPW Supt. regarding the improvements to Wright Rd. and reserving space for possible standpipe and to bring back a proposal and also requested the Town Administrator speak with Tata & Howard & Supt. Madigan re the possibility of site for possible 2nd water storage tank, 2nd by Selectman Fay, VOTE: unanimous, so moved. The Board thanked Atty. Collins & Mr. Moulton for coming in and took Atty. Collins request for another meeting in January under advisement.

Agenda Item #2. 2003 License Renewals

Common Victuallers License, Amusement, Sunday Entertainment, Class I, Class II and Class III Licenses. The Board reviewed the 2003 License Renewals with Ms. Hegarty. Selectman Bresnahan moved the Board approve the Blanket list as presented, 2nd by Selectman Fay, VOTE: unanimous, so moved.

Agenda Item #3. Economic Development Director's Report.

The Board met with Timothy Hansen, Grant Administrator. Mr. Hansen presented three (3) Subordination Requests to the Board for their review and approval.

1. Subordination Request #01-213 - 122 Willard St., Ayer, MA. Selectman Bresnahan moved the Board vote to approve Mr. Hansen's recommendation to approve a subordination of the Certificate not to encumber to a new first mortgage in the maximum amount not to exceed \$72,000.00, 2nd by Selectman Maxant, VOTE: unanimous, so moved.

2. Subordination Request #93-71 - 10 Lawton Street, Ayer, MA Selectman Sullivan moved the Board vote to approve Mr. Hansen's recommendation to approve a subordination of the certificate not to encumber to a new first mortgage in the maximum amount not to exceed \$67,000.00, 2nd by Selectman Bresnahan, VOTE: unanimous, so moved.
3. Subordination Request #01-210 - 50 Cambridge Street, Ayer, MA Selectman Bresnahan moved the Board approve Mr. Hansen's recommendation to approve a subordination of the certificate not to encumber to a first new mortgage in the maximum not to exceed \$79,800.00, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

Selectman Sullivan moved the Board authorizes the Chairman's endorsement on the three Subordination Requests, 2nd by Selectman Maxant, VOTE: unanimous, so moved.

Ms. Hegarty updated the Board to Community Opportunity Group preparing the next Grant Application re: Scope of Work. Selectman Maxant taking this opportunity to congratulate the Economic Development Director's Office for bringing in the Grants at no cost to the Town of Ayer.

Agenda item #4. Assessor's space request

The Board met with Assessors-Edward Cornellier, Denis Callahan, Sandra Jones and Assessor's Assistant Thomas Hogan. The Assessors reviewed again with the Board their need for more space. Town Administrator Anita Hegarty reviewed with the Board results of possibility of Departments changing their meeting nights, which overall came back unfavorable. Ms. Hegarty reviewed with the Board results of previous meeting/work-shop consensus being not to move Planning Board/ZBA/Con Com offices or the Veterans Offices. Focus of the meeting centered on 2nd floor great hall acoustic problem, noise, and new audio system being installed to make room accessible for meetings. The Board after a lengthy discussion moved to allow the Assessors to move into Conference Room A. once the Great Hall acoustic problem has been resolved, looking at cost of \$5K to \$10K, hopefully, approximately within a year or so. Motion made by Selectman Sullivan, 2nd by Selectman Fay, VOTE: Selectman Bresnahan aye, Selectman Fay aye, Selectman Maxant aye, Selectman Sullivan aye, Selectman Witherow no 4-1 motion passes, Mr. Cornellier stated once the Assessors Office has been relocated to Conference Room A-they will give up the secretary's office and storage room in the rear of the Town Hall. Ms. Spinner stated her earlier conversation with Mr. Hogan re: no need to cut door into room, Assessors agreed as long as Mr. Hogan has access to his office.

Agenda Item #5. Town Administrator's Report

1. **Fy-04 COLA-** The Board met with the Personnel Board. Present for the discussion: Ted Harding, Dick Rizzo and Pauline Conley. Ms. Hegarty opened the discussion by updating the Board to the Personnel Board's recommendation that the Fy-04 COLA be established at somewhere between 1.5-2% increases. Ms. Hegarty urged the Board establish COLA this evening due to Department Heads needing COLA # due to Budgets for Fy-04 due back in to her by December 20th. After a short discussion with the Personnel Board the both Boards agreed to a 2% COLA. Mr. Harding presented the Board a petition signed by 3/4 of the non-union employees urging the Personnel Board & Selectmen that the COLA for the non union employees be adjusted to fall in line with what the current Town of Ayer Unions are receiving. Selectman Bresnahan moved the Board approve a 2% COLA to adjust the wage schedule, this 2% increase is conditional upon the budget being able to support this increase without employee layoffs, 2nd by Selectman Maxant, VOTE: unanimous, so moved.
2. **Classification Plan-** The Board reviewed the Personnel Board's recommended language to modify the current process in the Personnel Plan relative to position reclassification (rating). The Selectmen stated their concerns re: change from numeric system to point system re: rating system. Selectman Bresnahan suggesting the Personnel Board use the custodial position to demonstrate the new point system & provide work sheet to demonstrate how it works. Chairman Witherow echoing Selectmen's concerns stating process must be simplified/understandable for new volunteers if and when current personnel board members move on. Chairman Witherow suggesting a working session is set re changing over to point system the 1st of the new year, looking at a Monday evening. Selectman Bresnahan moved in the mean time the Personnel Board work with the Town Administrator to approve the custodial job description to fill position 2nd by Selectman Maxant, VOTE: unanimous, so moved.

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3. **Nasoya**-Ms. Hegarty reviewed with the Board Supt. Madigan's memo dated 12-5-02 re: wastewater plant twice experienced difficulties in treatment-Sep & Nov. 2002, not causing violations to NPDES Permit but man hours in time response. Supt. Madigan stated problems caused were traced back to wastewater pretreatment facility at Nasoya by improper operation in Nasoya's pretreatment plant. Supt. Madigan suggesting issuing Administrative Orders to impose administrative requirements along with a \$5K penalty. The Board requested to invite Nasoya's Plant Manager to a Selectmen's Meeting to find out what they are doing to fix problem and look at actual cost -benchmark, DEP fines.
4. **Snow Removal on Sidewalks/Enforcement of By-law.** The Board reviewed Chief Rizzo's existing policy for enforcement of the snow removal by-law. Selectman Maxant to this opportunity to congratulate the Police Dept. for what they are doing stating he was responsible for the request to enforce the by-law and does walk especially along E. Main to rotary and Washington St area and has seen a noticeable difference-something is happening and is working, keep up with existing practice.
5. **MMA Annual Business Meeting Vote Authorization.** Ms. Hegarty advised to the MMA Business Meeting taking place on Saturday, January 11, 2003-during the Annual Conference and advising the Board to Selectman Fay attending. Ms. Hegarty recommended the Board appoint Selectman Fay to act as voting delegate. Motion to appoint Selectman Fay as voting delegate made by Selectman Bresnahan, 2nd by Selectman Maxant, VOTE: unanimous, so moved.
6. **Appointments:** Downtown Devens Working Group. - Selectman Sullivan advised to Phil Berry being appointed as temporary representative to Downtown Businesses. The Board requested to run request for citizen at large to this group on cable & newspaper. Board was notified to meeting on 12th being cancelled.
7. **Department Head time sheets sign off:** Ms. Hegarty informed the Board to Chairman Witherow suggesting weekly Department Head time sheets be signed off by the Town Administrator to verify accountability for Treasurer's Office and for paper trail. Chairman Witherow would sign off Town Administrator's weekly time sheet. Selectman Bresnahan moved the Board approve new policy of Town Administrator signing off Department Head's weekly time sheets, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

Agenda Item #6. New Business

1. **Cannon Relocation**-Selectman Bresnahan stating he is not ready to report at this time.
2. **Veteran's Plaque**- Selectman Fay updating the Board to the Committees criteria. Ayer resident living/dead having resided in the Town of Ayer a minimum of ten years and served during times of war and not recognized elsewhere. Member of the Committee Douglas Friedrich stated he was the only dissenting vote-who presented standard criteria for military residents of the Town as well as problems with the current list of veterans being put on the plaques by favoritism or others being left out. Selectmen expressed their concern not complying with national standard and possibility of having hundreds of people falling into this category. The Board requested the Committee file a written report on its finding and return in January with more finalized information.
3. **Rail Trail MOA**-to be taken up at Selectmen's 12-17-02 meeting.

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 Town Hall Change Orders Claims & Guilford, 2nd by Selectman Fay, VOTE: unanimous, so moved.


Frank F. Maxant, Clerk

DATE:

