

Selectmen's Meeting Minutes
Tuesday, October 8, 2002
Town Hall-1st Floor Meeting Room-Main Street, Ayer, MA

7:00 Open Meeting

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

The Minutes of 9-3-02 were read and accepted. Motion to approve made by Selectman Fay, 2nd by Selectman Bresnahan, VOTE: unanimous, so moved.

The Minutes of 9-17-02 were read and amended to reflect a 2-2, motion fails vote by the Board regarding Page 2 Water & Sewer Rate Study.

Public Input: Chairman Witherow requested if there was anyone present wishing to meet with the Board under Public Input: Selectman Fay, re: Veterans Monument Committee. Selectman Fay advising to the 1st meeting of Committee to be held on Tuesday, October 22, 2002 at 7pm at the Ayer Town Hall.

Agenda Item #1. Ayer Board of Assessors-Fy-03 Tax Classification Hearing.

The Board met with Assessors Edward Cornellier and Denis Callahan who introduced Assessor's Clerk Thomas Hogan. Chairman Cornellier turned the floor over to Thomas Hogan who would be conducting the Hearing this evening. Chairman Witherow requested the Selectmen's Clerk to open the Hearing by reading the Legal Notice into the record. Selectman Maxant read the legal notice posted in the Nashoba Publications Newspaper the weeks of September 23, 2002 and October 2, 2002 into the record. Mr. Hogan reviewed with the Board the requirements of MA GL Chapter 40 S56 which necessitates the Selectmen conduct a Public Hearing to make a decision allocating the tax burden including the fiscal effect on the available alternatives to include: Open Space Discount (up to 25%), Residential Discount (up to 20%), Small Commercial Exemption (up to 10%), and the adoption of a residential factor for the purpose of determining the percentage tax burden to be borne by each class of property. The Board after a brief overview voted not to approve the Open Space Discount of up to 25%, motion made by Selectman Bresnahan, 2nd by Selectman Fay, VOTE: unanimous, so moved. The Board moved to not approve a residential exemption of up to 20%, motion made by Selectman Bresnahan, 2nd by Selectman Fay, VOTE: unanimous, so moved. The Board moved to not approve a small commercial exemption of up to 10%, motion made by Selectman Bresnahan, 2nd by Selectman Fay, VOTE: unanimous, so moved.

The Board voted to adopt a 65% residential factor increasing the CIP percentage to 63.6944% and the residential percentage to 36.3684% for a residential tax rate of \$9.54 and a Commercial/Industrial rate of \$21.23. Motion made by Selectman Bresnahan, 2nd by Selectman Fay, VOTE: unanimous, so moved.

On another matter the Assessors met with the Board re: space request/allocation. Present for this discussion Thomas Poole, Chairman-Conservation Com., James Lucchesi, Chairman Planning Board, William Oelfke, Planning Board and Jessie Creamer, Planning Board. Mr. Poole stated his concern re: not being aware of offices being relocated and of his Commission putting up with a lot of moving around and not willing to be placed in that situation again. Mr. Lucchesi expressed concerns re furniture not fitting properly/ being very tight. Selectman Bresnahan offering suggestion of having the Assessors place the maps in small conference area in front of Treasurer's Office to free up counter space which is one of the main areas of contention with Assessors or to place Melissa (Treasurer's Asst.) in Claire's office and move Claire into Treasurer's Asst.'s space. Chairman Witherow expressed her opinion of not being in favor of moving the offices around and suggested the Assessor's remove the large meeting table & chairs from Mr. Hogan's office and have the Assessors utilize the conference room for their weekly meetings to free up space. Chairman Witherow requested a working session be held with all the proposed effected offices. Ms. Hegarty to develop date and confirm with all Town Hall Department heads involved.

Agenda Item #2. Fee Study Committee

1. The Board met with Selectman Fay, Chairman of the Fee Committee. Selectman Fay took this opportunity to publicly thank Mary Spinner, Chairman of the Advisory Board for all her help and assistance serving on the Committee and being the pioneer behind this effort to eliminate current deficits. Selectman Fay also thanked Lisa Gabree and Selectmen Witherow and Bresnahan for their participation serving on the Committee as well as local businessmen and Department Heads..

Selectman Fay presented the Board the Committee's analysis and recommendations. Selectman Fay stated overall, fees charged by most Town Departments & offices fell in line with a few exceptions. Selectman Fay stated the Committee recommended the following fees be increased:

Building Department-3% fee increases across the board.

Building Department-Establish new fee for violators who don't pull permits recommending tripling the associated fee i.e. sign, pool, building etc.

Building Department-Separating the Building Inspector's Office from the ZBA re: zoning violations.

Zoning Board of Appeals-possible creation of new position- Zoning Enforcement Officer.

Sewer Rate Increase-\$0.73 increase per 100 cubic feet to \$3.23

Sewer Connection Fee-increase from \$500.00 to \$1,500.00

Parking Tickets-conduct survey with neighboring Towns re their current fees and raise Ayer's accordingly.

Selectman Fay stated the Committee endorsed the Town Accountant's recommendation for a Water & Sewer Rate Study to investigate a tier structure reflecting SIU's over 10,000cu/ft. and investigate if another tier is in order for users under 500cu/ft.(low end users) implementing these recommendations would help to eliminate the current deficit in the Sewer Enterprise Fund.

2. **Public Hearing Request- The Board set November 12, 2002 for the Public Hearing re: Proposed Fee Increases.**

Agenda Item #3. Town Administrator's Report

1. The Board approved of the amendment to S.O.M. Contract for the Pleasant Street School Roof Project. Changing the type of the amount under Compensation from \$51,470.00 to \$52,470.00. Selectman Maxant advised the Board to George Bacon advising Historical Com. to water leak and suggested the Board hold check until the Commission looks into. Motion to approve amendment made by Selectman Sullivan 2nd by Selectman Fay, VOTE: unanimous, so moved.
2. Ms. Hegarty presented the Chapter 90 Project Request for the purchase of a new six- (6) wheel dump truck approved on October 1, 2002 for the Board's endorsement. Selectman Bresnahan moved the Board endorse the Chapter 90 Project Request submitted by Supt. Madigan, 2nd by Selectman Fay, VOTE: unanimous, so moved.
3. Ms. Hegarty presented the Park Dept's roofing contract for the Bathroom at Pirone Park requesting the contract awarded to Pinnacle Roofing on 10-1-02 in the amount of \$4,500.00 be rescinded and revoked. Ms. Hegarty requested the Board award the contract to Pinnacle in the amount of \$7,300.00 stating the earlier vote did not include the necessary alternatives. Selectman Bresnahan moved the Board vote to rescind the Board's vote on 10-1-02 made to Pinnacle Roofing in the amount of \$4,500.00 and vote to approve Pinnacle's roofing contract not to exceed \$7,300.00, 2nd by Selectman Fay, VOTE: unanimous, so moved.
4. Ms. Hegarty requested the Board not take up the Loaves & Fishes Contract in Open Session due to potential litigation issues and vote to take this up later this evening in Executive Session to address Town Counsel's concerns. Selectman Bresnahan moved the Board vote to take this matter up later in the evening under Executive Session re: Loaves & Fishes Contract, 2nd by Selectman Fay, VOTE: unanimous, so moved.

New Business:

1. Selectman Maxant raised his concerns re missing/loose slates on Town Hall roof and requested Mr. Suhoski have contractor look at.
2. The Board reviewed a request from Combination #1 for their annual Turkey Raffle Sign to be placed on Carlton Circle. Selectman Fay stating his concerns re: circle being a memorial for Carlton family and not for the displaying of signs. The Board requested to look at Sign Policy established by the Board.

8:30p.m. Selectman Maxant moved the Board adjourn from Open Session to enter into Executive Session pursuant to MGL Chapter 39 Section 23b re: Crabtree, sewer fees, Guilford, Loaves & Fishes, Contracts and others as needed, 2nd by Selectman Bresnahan, VOTE: Selectman Bresnahan aye, Selectman Fay aye, Selectman Sullivan aye, Selectman Maxant aye, Chairman Witherow aye, VOTE: unanimous, so moved.


Frank F. Maxant, Clerk

AYER BOARD OF SELECTMEN

-DATE: 5/6/04