

Selectmen's Meeting-
Tuesday, April 30, 2002
Ayer Public Library-lower level meeting room, E. Main Street, Ayer, MA

6:45p.m. Open Session

Town Crier: Ms. Spinner announced the presence of the Joseph P. Connors Jr. American Legion Post 139 being present this evening to conduct a brief ceremony in conjunction with the Board of Selectmen for families currently serving in the War against Terrorism. Ms. Spinner introduced Commander James Lucchesi who introduced members of the American Legion Post 139 who were present this evening to assist him: Paul Boisseau, Douglas Friedrich, Walter Forest. Commander Lucchesi gave a brief background re: the "Blue Star Banner", which was first introduced in World War II-for families to hang in their windows depicting they had a family member currently on active duty. Commander Lucchesi read off the names of Ayer families having sons/daughters/fathers/mothers currently serving in the War against Terrorism: Mr. & Mrs. Paul McGuane, Mr. & Mrs James Fay, Mr. & Mrs Donald Carlton, Mr. Robert Maxwell, Mr. & Mrs. Muaau Pau, Mr. & Mrs Harding Bush, Mrs. Roland Cooper & family. Commander Lucchesi presented banners to each of the families along with corsages & pins. The Board thanked the Legion and Ayer families for coming in this evening and congratulated all and wished their loved ones a safe return.

7:00P.M. Open Session

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

The Minutes of 4-16-02 were read and accepted, Motion to approve made by Selectman Fay, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

The Minutes of 4-2-02 were set back for further review.

Public Input: The Board requested if there was anyone present wishing to meet with the Board. Pauline Conley-Stop Signs request: (2) Cambridge St.- intersection of Cambridge & Pearl and the intersection of Cambridge & Adams St. The Board requested the Police Chief's comments and recommendation re: the signs.

Agenda Item #1. Welcome new Selectman

The Board of Selectmen took this opportunity to welcome back Selectman James Fay upon his successful Election and to welcome to the Board Frank F. Maxant upon his successful campaign. Mr. Maxant expressed his sincere gratitude to all and stated he looks forward to working with the Board.

Agenda Item #2. Re-Organization of the Board of Selectmen

The Board opened the floor for nominations for Chairman of the Board of Selectmen. Selectman Bresnahan nominated Jane Witherow for Chairman, 2nd by Selectman Sullivan VOTE: unanimous, so moved. Chairman Witherow opened the floor for nominations for Vice-Chair, Selectman Bresnahan moved the Board nominate James Fay as Vice Chair, 2nd by Selectman Sullivan, VOTE: unanimous, so moved. Chairman Witherow opened the floor for nominations for Clerk, of the Board of Selectmen. Selectman Bresnahan moved the Board nominate Frank Maxant as Clerk, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

Agenda Item #3. Eagle Scout Justin Pedrazzi-Troop #3 Certificate of Recognition

Chairman Witherow welcomed Justin Pedrazzi to the table. Chairman Witherow read into the record a Certificate of Recognition for Justin Pedrazzi for restoring the Conservation Land Signage for Pine MeadowLand Trust the Town's oldest and largest protected conservation area. The Board thanked Justin for his choosing his Eagle Project for the benefit of the Town of Ayer and wished him well upon his future endeavors.

Agenda Item #4. Communications Committee Appointment

The Board met with Kimberly Becker Co-Chair of the Communications Committee. Ms. Becker stated she was here this evening to request the appointment of Crystal Halfkenney of 75 Sandy Pond Rd., Ayer, MA. Selectman Fay moved the Board accept the recommendation of Kimberly Becker and appoint Crystal Halfkenney to the Communications Committee, 2nd by Selectman Bresnahan, VOTE: unanimous, so moved. Selectman Maxant requesting the Board include a 10-min segment on the Agenda to address Town Government issues to provide media coverage. The Board advised Selectman Maxant to Town Crier *time to be used* ~~announcements being utilized~~ for this coverage.

Agenda Item #5 Cable Commission Update

The Board met with Douglas Becker, Chairman of the Cable Commission. Mr. Becker advised the Board to merger between AT&T Broadband and Comcast Corp., which would require the licensing authority to hold a Public Hearing. Mr. Becker stated holding a Public hearing would not change anything, a waste of time, the merger is going to happen anyway, other communities effected have also shared this same philosophy –just a waste of time. Mr. Becker offered to write a letter for the Board approving the merger with Comcast. Selectman Bresnahan moved based upon the recommendation by Mr. Becker the Board approve of the merger with AT&T Broadband and Comcast with expectation that this merger brign more responsive customer service to Ayer subscribers with new company and this vote be placed in the form of a letter to be prepared by Mr. Becker, within the 120-day period from March 1, 2002, 2nd by Selectman Sullivan VOTE: unanimous, so moved.

Agenda Item #6. Supt. Madigan's Report

1. Littleton Environmental Contract

The Board held off approving this contract until Town Counsel's edits have been completed which need to be incorporated into the contract. Supt. Madigan stated he would have Town Counsel comments back by 5-3-02. The Board scheduled a brief meeting for Friday, May 3, 2002 at 4:30p.m. at the Ayer Police Dept. to review Town Counsel's comments to the Littleton Environmental Contract for the Board's approval.

2. Tata & Howard-Construction Service Contract

The Board approved Tata & Howard's Engineering Services Contract for the Groton Harvard Road Landfill Closure Project not to exceed the amount of \$101,000.00 to furnish construction phase services during Phase II of the capping, 2nd by Selectman Fay, VOTE: unanimous, so moved. Supt. Madigan stated the landfill-capping budget indicates sufficient funding for the construction phase services. Selectman Maxant requested assurances that a Project Manager exercises good judgement when he should be on site if he is not there at all times.

3. Seasonal Hire- The Board approved Supt. Madigan's recommendation to hire John P. Gamelin of 10 Gardner Lane, Ayer, MA to the position of Seasonal Person/Highway Department. Motion made by Selectman Sullivan 2nd by Selectman Bresnahan, VOTE; unanimous, so moved. Selectman Sullivan expressed his pleasure to see a person from the Town hired- always happy to hire local people. Chairman Witherow requesting if person knew that this was a half-year position. Supt. Madigan stated yes.

4. Chapter 90 Approvals - Supt. Madigan presented the Board the finalized Chapter 90 Request forms for their endorsement, updating the board to their approval re the Chapter 90 Roadwork being approved on April 16, 2002 by the Selectmen. Projects for this round of Chapter 90 earmarked for crack sealing of roads, painting of roadway safety lineage, guard rails-W. Main St., and paving of Wright Rd.

5. Sewer Permit-The Board approved a application for connection to the Town's sewerage system for R.M. Ratta Co. 19 Westford Rd., Ayer, MA. Which had failed Title V inspection by Nashoba Board of Health. Selectman Bresnahan moved the Board approve R.M. Ratta's Sewer Permit due to a failed septic system which DEP policy allows, 2nd by Selectman Fay, VOTE: unanimous, so moved.

NEW BUSINESS: Compensation Plan

Ms. Hegarty presented the Board a memo from the Personnel Board dated 4-24-02 which she received earlier this evening. Ms. Hegarty advised the Selectmen to Personnel Board meeting earlier this evening to make their recommendation regarding the Public Hearing conducted on 4-24-02 on the Compensation Plan

submitted by H&R Partners & the Personnel Board. Ms. Hegarty announced that the personnel Board voted to recommend the compensation plan as presented, Ms. Hegarty based upon the recommendation of the Personnel Board recommended the Board's approval the Compensation Plan submitted by H&R Partners and the Personnel Board. Chairman Witherow stated her concerns that the plan still needed "tweaking" before it is presented at Town Meeting not enough clarification. The Board met with Ted Harding of the Personnel Board who advised the Selectmen they should not hold up the employees from receiving their increments due to remaining minor tweaking of the plan. Selectman Fay agreeing and commending the Board for all their work & research bringing the plan up to speed. Selectman Fay moved the Board approve the Fy-03 Compensation Plan as presented by the Personnel Board, 2nd by Selectman Sullivan VOTE: Selectman Fay aye, Selectman Bresnahan aye, Selectman Sullivan aye, Selectman Maxant aye, Chairman Witherow no 4-1 motion passes.

Public Hearing-due to it not being 8:00p.m. the Board went off the posted agenda to meet briefly with the Town Administrator.

Town Administrator's Report

Ms. Hegarty took this opportunity to update the Board and residents to the Town Hall accessibility issues being close to being resolved. Ms. Hegarty gave a brief background status report re: outstanding issues being resolved i.e. interior ramp repaired 1/16th of an inch off, front doors compliant/automatic, brick walkway being worked on this weekend re: leveling/sloping, hand rails being installed, parking lot being van compliant and of variances being requested re: historical main entrance and stairway being left alone now that elevator is installed -MA Office on Disabilities being contacted along with Architect Access Board and feeling that the variances would be approved.

8:00p.m. Public Hearing-Earth Removal Renewal-F&P Willows Trust-Willow Rd., Ayer, MA

Chairman Witherow opened the Hearing by requesting the legal notice be read into the record by the Clerk. The Board met with Dan Routhier advising that Paul Routhier could not make the meeting due to being out of the area. Chairman Witherow requested if there were changes to the permit. Mr. Routhier stated no, same amount of material being requested, same route of travel, same hours of operation, no problems with abutters. Chairman Witherow requested if there were abutters present wishing to speak for or against the petition, no one stepped forward. Selectman Sullivan expressed his concern re the Board not looking at site and verifying that there were no changes or detriment to the area, having never seeing the site himself. The Board set Friday to continue the Public Hearing to meet at the site or to individually view site on their own prior to Friday, May 3, 2002, when the Board would take this matter up again at the Selectmen's meeting scheduled for Friday, May 3, 2002 at 4:30p.m. Motion made by Selectman Bresnahan, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

Town Administrator's Report (cont.)

1. The Board moved to approve and endorse the State Sewer Rate Relief funding in the amount of \$19,940.00 from the Dept. of Revenue.
2. The Board Approved the Police Chief's submittal application under the Federal Equitable Sharing Agreement between the Dept. of Justice & the Dept. of the Treasury for law enforcement purposes. Motion to authorize the Chairman's signature made by Selectman Bresnahan, 2nd by Selectman Fay, VOTE: unanimous, so moved.
3. The Board appointed Shaun Suhoski as the Town's representative to the MBTA Advisory Board and the Montachusett Joint Transportation Committee, with Timothy Hansen serving as the alternate to both appointments. Motion to approve made by Selectman Sullivan 2nd by Selectman Bresnahan, VOTE: unanimous, so moved. Appointments effective through June 30, 2002.
4. The Board moved to appoint Anita Hegarty and Michael Madigan to the Devens Wastewater Advisory Committee. Motion made by Selectman Sullivan, 2nd by Selectman Bresnahan, VOTE: unanimous, so moved.
5. The Board moved to approve the Police Chief's recommendation to adjust the Handicapped parking violations fee. Selectman Bresnahan moved the Board adjust the Chief's recommendation from \$10.00 to \$100.00 to \$10.00 to \$50.00 to start out by increasing the fine with a lower amount rather than straight to \$100.00, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

6. The Board re-appointed Manual Velez as Veteran's Agent for another term, which expire on 4-15-03. Motion made by Selectman Sullivan 2nd by Selectman Bresnahan, VOTE: unanimous, so moved.
7. Ms. Hegarty updated the Board to finalized motions being reviewed by Town Counsel.

Selectmen's Questions

Selectman Fay: Requested update re: repair work at present Fire Station. Ms. Hegarty took this opportunity to advise the Board to KV Associates wishing to do presentation at Town Meeting under Department reports.

Selectman Sullivan: Took this opportunity to publicly thank Leslie Tyler, Ruth Rhonemus and Cathy Duprey for all their efforts putting the Clean Up Day together last Saturday. Selectman Sullivan hoping to make this an annual event.

Selectman Sullivan-formal Cell town report from Town Counsel, requesting to add this to Friday's May 3, Agenda Items.

Selectman Sullivan requesting to scheduled a meeting with Water Dept. re: Commissioners taking a pro-active stand on water issues/ban. The Board scheduled this item for the 1st meeting after Town Meeting.

8:30p.m. Selectman Maxant moved the Board adjourn from Open Session to enter into Executive Session pursuant to MGL Chapter 39 Section 23B Exemption #3 to adjourn from that Executive Session to enter in to another Executive Session pursuant to MGL Chapter 390, section 23B Exemption #6, to adjourn from that Executive Session to re-enter into Open Session for the sole purpose of adjourning the meeting, 2nd by Selectman Bresnahan, VOTE: Selectman Maxant aye, Selectman Bresnahan aye, Selectman Fay aye, Selectman Sullivan aye, Chairman Witherow aye, unanimous, so moved.

8:30p.m. meeting adjourned



Frank F. Maxant, Clerk
AYER BOARD OF SELECTMEN

DATE: 6/6/12