

Final copy
Selectmen's Meeting
Tuesday, September 25, 2001
Ayer Public Library-lower level meeting room-East Main Street, Ayer, MA

7:00p.m. Open Session

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

Chairman Pena announced Rep. Hargraves Office Hours this evening at the Ayer Library from 7-8p.m. urging Ayer residents to stop in to meet with the Representative if they have issues/concerns he could help them with.

Public Input: Chairman Pena requested if there was anyone present wishing to meet with the Board, no one stepped forward.

The Minutes of 8-14-01 were read and accepted. Motion to approve made by Selectman Fay, 2nd by Selectman Witherow, VOTE: unanimous, so moved.

The Minutes of 8-28-01 were read and accepted. Motion to approve made by Selectman Fay, 2nd by selectman Witherow, VOTE: unanimous, so moved.

Agenda Item #1. Chief Rizzo, re: Patrolmen Appointments

The Board met with Chief Rizzo who advised the Board to the Department having four open police officer positions. The Chief updated the Board to holding interviews on September 5, 2001 with the Department's Interview Board consisting of: himself, Sgts. Murray & LaPrade and Detective Brian Gill. The Committee received over 70 applications of which ten (10) interviews were held and the field narrowed down to the three (3) candidates before the Board this evening.

The Chief introduced **James D. Wilson** of Shirley, MA who has sixteen years of service as a patrolman and holds an Assoc. Degree in Criminal Justice. The Chief recommended the appointment of James Wilson to patrolman in the Ayer Police Dept. pending satisfactory completion of physical and psychological examinations. Selectman Sullivan moved the Board appoint James Wilson to the full-time Patrolmen's position per the Chief's recommendation contingent upon satisfactory completion of physical and psychological examinations 2nd by Selectman Bresnahan, VOTE: unanimous, so moved.

The Chief introduced **Brian F. Cunningham** of Framingham, MA who has been a police officer in Newton, NH since 1999 and holds a Bachelor's Degree in Political Science. The Chief recommended the appointment of Brian Cunningham to patrolman in the Ayer Police Dept. pending satisfactory completion of physical and psychological examinations. Selectman Bresnahan moved the Board appoint Brian Cunningham to the full time Patrolman's position per the Chief's recommendation contingent upon satisfactory completion of physical and psychological examinations, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

The Chief introduced **Christopher D. Newbould** of Nantucket, MA who has been a police officer in Nantucket since 1998 and holds a Bachelor's Degree in Criminal Justice. The Chief recommended the appointment of Christopher Newbould to patrolman in the Ayer Police Dept. pending satisfactory completion of physical and psychological examinations. Selectman Bresnahan moved the Board appoint Christopher Newbould to the full time Patrolman's position per the Chief's recommendation contingent upon satisfactory completion of physical and psychological examinations, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

Agenda Item #2. Town Administrator's Goals & Objectives

The Board met with Ms. Hegarty, Town Administrator. Ms. Hegarty reviewed with the Board her Goals & Objectives.

Selectman Bresnahan expressed his concern re formation of policy re: leadership to Department Heads. Selectman Bresnahan requested the Town Administrator have all Department Heads establish their Goals & Objectives who are under the Board of Selectmen. The Town Administrator to get direction from the Selectmen regarding Dept. Heads G&O and to establish a deadline to receive them by. Selectman Sullivan requested the Board of Selectmen prioritizes their individual Goals & Objectives. The Board to submit their goals & objectives to the Town Administrator within the next week for her to compile for the next Selectmen's Meeting. Chairman Pena called for a motion. Selectman Bresnahan moved the Board accept the amended version of the Town Administrator's Goals & Objectives, 2nd by Selectman Fay, VOTE: unanimous, so moved.

Agenda Item #3. Town Administrator's Job Description

The Board met with Ms. Hegarty, Town Administrator. Ms. Hegarty reviewed with the Board the revised Town Administrator's Job Description. Ms. Hegarty turned the discussion over to Chairman Pena who formulated new Job Description. The Board ran down the draft job description with Ms. Hegarty who offered her input and suggestions re revisions. Selectman Fay addressed Grant Writing concerns should be bulleted in case of employee leaving position should be able to delegate/oversee. Selectman Bresnahan: requesting to remove the word and from opening paragraph under Definition first line after administrative. Under Essential Functions: item 1. Add following language after words responsible for: ***providing leadership to***, 2nd Page 4th paragraph- remove word all from third line. Page 2 -7th paragraph change language to state responsible for coordinating asset management plan with Department Heads for all Town owned property including buildings, grounds and equipment. Ms. Hegarty requesting to tighten up ADA transportation & administrative responsibilities & report back to the Board. Page 2. 5th paragraph re: procurement services insert word applicable since Town is not responsible under procurement for School Dept. Page 2. 8th paragraph combine with last bullet on page one or place one after each other. Selectman Sullivan under Minimum Qualifications: concern expressed re: removal of Bachelor's Degree. Knowledge, Ability & Skill add word superiors to 2nd paragraph line one after words as well as. Knowledge, Ability & Skill add the word negotiation after word oral, 2nd line after writing add words communication skills. The last area discussed was last italic paragraph re job description constituting an employment agreement, adding addendum. Ms. Hegarty to check with Town Counsel as well as re: physical requirements. Chairman Pena called for a motion to accept the job description. Selectman Bresnahan moved Ms. Hegarty make the above amendments to the job description and return to the Board for their next meeting, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

Agenda Item # 4. Town Administrator's Report

1. Ms. Hegarty presented the Board the approved ABCC Alcohol Licenses for the Board's endorsement: Amy's Provisions-Wine Only Alcohol License -One Barnum Rd., Ayer, MA. and Page/Moore Café Inc. -Calvin Moore-31-47 Main St., Ayer, MA.
2. Ms. Hegarty presented the Council on Aging Director's recommendation to appoint Marianne Brouillette as part-time van driver for the COA. Chairman Pena called for a motion. Selectman Fay moved the Board accept the Town Administrator's and Council on Aging Director's recommendations and appoint Marianne Brouillette to the part-time COA Van Driver's position, 2nd by Selectman Bresnahan, VOTE: unanimous, so moved.
3. The Board approved the Fy-02 Blanket appointments. The Board to sign the amended list in Selectmen's Office. Motion to approve amended Fy-02 Appointments made by Selectman Sullivan, 2nd by Selectman Bresnahan, VOTE: unanimous, so moved.
4. Ms. Hegarty presented the DPW Contract award on behalf of Supt. Madigan for the Central Avenue Drainage project awarded earlier today. Supt. Madigan recommended the Board award the project to R. M. Pacella for the bid amount not to exceed \$24,900.00. Chairman Pena called for a motion. Selectman Sullivan moved the Board award the Central Ave. Drainage contract to R.M. Pacella per the recommendation of Supt. Madigan for the bid award not to exceed \$24,900.00, 2nd by Selectman Fay, VOTE: unanimous, so moved.
5. Ms. Hegarty presented the DPW contract for engineering & construction services for Long Pond & Balch Pond Dams per Supt. Madigan's recommendation. Supt. Madigan recommended the contract be

awarded to Weston & Sampson for engineering service in the amount of \$36,487.00 and contract preparation in the amount of \$8,500.00. Selectman Bresnahan moved the contract be awarded to Weston & Sampson in the following amounts Engineering: \$36,487.00/contract preparation \$8,500.00, for a total bid award not to exceed \$44,987.00 per Supt. Madigan's recommendation, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

6. The Board reviewed Richard Harrison complaint on Sandy Pond Rd., Ayer, MA re: Mr. Harrison's request to replace the berm removed in 99 by the DPW during the sewer installation. The Board reviewed the 3 options provided by Supt. Madigan along with cost breakouts. After review and discussion the Board approved Option #3-remove two (2) bushes and move curb two feet (2') closer to house at the estimated cost of \$460.00. Motion to approve Option #3 made by Selectman Bresnahan, 2nd by Selectman Fay, VOTE: unanimous, so moved.
7. The Board reviewed the Stop the Noise Resolution submitted by Robert Casey. Selectman Sullivan read the Resolution into the record and moved the Board vote to accept the Resolution, 2nd by Selectman Bresnahan VOTE: Selectman Sullivan aye, Selectman Bresnahan aye, Selectman Witherow no, Selectman Fay no, Chairman Pena no, motion defeated by a 3-2 vote. The Board voted to write a letter to the Federal Aviation Administration seeking their assistance re: noise from low flying planes. Motion made by Selectman Witherow, 2nd by Selectman Fay, VOTE: Selectman Witherow aye, Selectman Bresnahan aye, Selectman Fay aye, Chairman Pena aye, Selectman Sullivan no motion passes by 4-1 vote.
8. The Board voted to table the request to discount the Moore Dr./Washington St. sewer tie-ins for residents pending further clarification from Supt. Madigan to define proposal. Selectman Bresnahan moved the Board approve a \$200.00 tie-in fee, 2nd by Selectman Pena, VOTE: Selectman Bresnahan, no, Selectman Fay aye, Selectman Sullivan no, Chairman Pena aye, motion fails by 2-2 vote with Selectman Witherow abstaining.
9. The Board to submit their concerns re: the Devens Five Year Review Phase 1 report to Town Administrator in writing by 10-5-01 for the 10-11-01 joint meeting with Devens and JBos.
10. Ms. Hegarty reminded the Board to JBos Steering Com Meeting on 10-3-01 @4:30p.m., JBos Regular Meeting Wednesday October 10, 2001 @7pm and Joint Meeting with JBos & MaDev. on 10-11-01 @9am. Ms. Hegarty advising the Board she forwarded draft letter to Board earlier today addressing certain items to be addressed at this joint meeting and requesting the Board review and edit back to her by Thursday of this week.
11. The Board rescheduled the discussion re: Communities Connect by Water Report due to incomplete copy presented to the Board, this item to be agendaed to the next Selectmen's Meeting on October 9, 2001.
12. The Board approved a sewer connection for 29 Wright Rd-Title V failure. Motion to approve made by Selectman Sullivan 2nd by Selectman Fay, VOTE: unanimous, so moved.
13. Ms. Hegarty advised the Board to representative request being made by DEC for a citizen to meet with DEC to review changes to the DEC Regulations.
14. The Board was updated by Ms. Hegarty to the status of the Weed Control Program by the Conservation Commission.

New Business: Selectman Witherow requesting the Board schedule Zelda Moore on the Agenda of 10-9-01 re: her correspondence received this week.

9:10p.m. Selectman Fay moved the Board adjourn from Opens Session to enter into Executive Session pursuant to MGL Chapter 39 Section 23b Exemption #3 to adjourn from that Executive Session to re-enter into another Executive Session pursuant to MGL Chapter 39 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 Sullivan VOTE: Selectman Fay aye, Selectman Witherow aye, Chairman Pena aye, Selectman Bresnahan aye, Selectman Sullivan aye motion passes, Open Session adjourned.

9:10p.m. Open Session adjourned

James M. Fay, Clerk-Ayer Board of Selectmen

DATE: 10/23/01