

Selectmen's Meeting  
Tuesday, August 28, 2001  
Ayer Library-lower level meeting room, E. Main St., Ayer, MA

7:00p.m. Open Session

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

The Minutes of 8-14-01 were set back pending revisions.

**Public Input:** Chairman Pena requested if there was anyone present wishing to meet with the Selectmen. No one stepped forward.

**Agenda Item #1.-Fire Station Sub-Committee, re: RFP-Project Manager**

The Board met with Chief Fillebrown, Wellman Parker-spokesman for the group, James Pinard, Arthur Boisseau, Arthur Pedrazzi, William Adamson, Donald Wallace, and Sean Murphy. Mr. Parker updated the Board to the Committee's process i.e, land takings, demolition and soil removal/ gravel brought in. The Committee wishing to bring aboard a Project Manager to oversee and coordinate site & development. The Board reviewed the criteria submitted by the Committee. Selectman Witherow moved the Board authorize the Fire Station Committee go forward with the RFP for the Project Manager consulting services, 2<sup>nd</sup> by Selectman Sullivan, VOTE: unanimous, so moved. The Board approved the 2nd Phase of the Project to advertise for a architect as presented by Mr. Parker and issue a RFQ for this phase, Selectman Witherow moved the Board accept the Request for Qualifications submitted by the Committee and go forward to advertise this request in the Central Register and local papers 2<sup>nd</sup> by Selectman Bresnahan, VOTE: unanimous, so moved. The Board thanked the Committee for coming in.

**Agenda Item #2. Richard Harrison-80 Sandy Pond Rd., Ayer, MA** The Board met with Richard Harrison-80 Sandy Pond Rd., Ayer, MA re: installing a berm in front of his house. Mr. Harrison stated he has never had a problem with water until Road was resurfaced in the mid 90's and the Town removed the berm in front of his driveway. The Town removed the berm and replaced it but not where it was originally located, the DPW placed it out two feet further into the road. Mr. Harrison advised the Board to berm being hit every winter by plows. Mr. Harrison went back to DPW and requested again to have the berm put back where it was originally. The DPW came back and repaired the berm but did not move it. Supt. Madigan came down and looked at berm and offered to remove it. Mr. Harrison stated he went down to Town Hall and met with Ms. Hegarty, reflectors were discussed along with the installation of a pipe. Mr. Harrison again stated the only solution to this problem is to put the berm back were it was originally. The Board reviewed different alternatives with Mr. Harrison ie. cut bushes back, granite curbing, etc. The Board requested Supt. Madigan respond back to the Board with his recommendation for the next Selectmen's meeting.

**Agenda Item #3. Community & Economic Development Director's Report**

The Board met with Shaun Suhoski re: his draft list of activities for the Fy-02 CDBG application:

Hous. Rehab. (12 units @ \$17K/ea)	\$204K
Hous. Rehab Prog. Delivery (admin)	\$45K
Planning-Update 1994 Hous. Needs Assessment	\$25K
Public Social Services (Loaves & Fishes)	
Hous., Counseling & Assistance	\$23K
PSS Program Delivery (staff & monitoring)	\$3K
General Admin. (limit 18%-actual est. 11.8%)	\$40K
TOTAL	\$340K

The board reviewed Mr. Sushoski's proposal and after a brief discussion Selectman Witherow moved the Board approve the Fy-02 CDBG Grant Application as presented by Shaun Suhoski, 2<sup>nd</sup> by Selectman Fay, VOTE: unanimous, so moved.

Waiver Request-10-E. Main St., Ayer, MA Case No 01-189.

Selectman Bresnahan moved the Board approve a waiver of the local programmatic rules for Case No. 01-189 so that the property may be assisted through the Fy-01 Housing Rehabilitation Program as requested by Mr. Suhoski, Director of the Housing Rehab. Program in a memo dated 8-24-01, 2<sup>nd</sup> by Selectman Sullivan, VOTE: Selectman Bresnahan aye, Selectman Witherow aye, Selectman Sullivan aye, Selectman Fay aye, Chairman Pena no, 4-1 motion passes. Chairman Pena expressing his concern re: fairness to program one landowner benefiting twice in program.

The Board went off the posted agenda due to being ahead of schedule and took up the Town Administrator's Report.

***Agenda Item #6 Town Administrator's Report***

***FYI's***

1. Ms. Hegarty reminded the Board to Five Year Review Meeting scheduled for 8-30-01 @ 7pm at the Ayer Police Dept.-Community Room and the JBos Steering Com. Meeting being scheduled for 9-5-01 at 4:30pm and the actual JBos Meeting may be rescheduled due to Aspen Sq. LIP Lottery being held on same day & same parties wishing to attend both events, the Board to be kept apprised.
2. Ms. Hegarty advised the Board to Shaun and her going into DHCD in Boston on 9-6-01 to advocate on behalf of Volunteers of America's Grant (\$450K) assisted living project at the Old Ayer Hospital. (formally Woodford of Ayer)
3. Ms. Hegarty advised the Board to Sec. Galvin's Office being contacted re: Town's request for Emergency Funds for the Town Halls Restoration Project. (requesting \$57,750.00 50% of the additional plastering cost). Ms. Hegarty updated the board to Sen. Resor and Rep's Hall & Hargraves advocating on the Town's behalf to Sec. Galvin re: this funding request.
4. Ms. Hegarty updated the Board to Community & Economic Development Office advertising the Grant Administrator's position within the next two weeks.
5. Two Water Permits-KTR Auto-99 Fitchburg Rd., Ayer, MA-one permit for a 2" water main service and one permit for a 6" water main service. Motion to approve made by Selectman Bresnahan, 2<sup>nd</sup> by Selectman Fay, VOTE: unanimous, so moved.
6. Ms. Hegarty recommended the Board approve the crosswalk request submitted by the owners of Nashoba Restaurant on Central Ave. advising the Board to Chief Rizzo, the Fire Chief and Supt. Madigan agreeing to the need. Ms. Hegarty advising the Board to Supt. Madigan awaiting Board's approval re: painting. Selectman Bresnahan moved the Board approve and authorize the DPW to install crosswalk painting as approved by Chief Rizzo in his memo dated 8-1-01, 2<sup>nd</sup> by Selectman Sullivan, VOTE: unanimous, so moved.
7. The Board authorized \$48.75 to Deborah Cole for expenses under the West Main St. Water Main Project. Motion to approve made by Selectman Bresnahan, 2<sup>nd</sup> by Selectman Sullivan, VOTE: unanimous, so moved.

***Agenda Item #3 Public Hearing -Transfer of All Alcohol Package Store License -Jack-O-Lantern of Ayer, Inc. Michael Rakip to Traffic Circle Liquors Inc. Stephen Gervais and Mark Fermanian***

Chairman Pena opened the Hearing by requesting the Clerk read the legal notice into the record published in the Nashoba Publications Newspapers the weeks of 8-17-01 & 8-24-01. Atty. Cassidy apologized to the Board for coming back before them again due to the ABCC not recognizing a LLC partnership for a Package Store License forcing the Petitioner to file a new application with the Board forming a new corporation from TCL, L.L.C. to TCL, Inc. Atty. Cassidy also advised the Board to Mr. Fermanian attending the Ayer Sportsmen's Club Alcohol Training Seminar. Chairman Pena requested if there were abutters present wishing to speak for or against the application, no one stepped forward. Chairman Pena called for a motion. Selectman Bresnahan moved the Board approve TLC Inc.'s All Alcohol Package Store License Application, 2<sup>nd</sup> by Selectman Sullivan, VOTE: unanimous, so moved.

**Town Administrator's Report (cont.)** Ms. Hegarty presented the Zoning Board of Appeals Appointments recommendations submitted by the Chairman Dale Taylor. Ms. Hegarty advised the Board to the Zoning Board of Appeals submitting their recommendation for Louis Marino and Murdo MacLeod. Selectman Sullivan moved the Board appoint Murdo MacLeod and Louis Marino to the Zoning Board of Appeals, 2<sup>nd</sup> by Selectman Bresnahan, VOTE: unanimous, so moved.

Ms. Hegarty presented to the Board BATG's final Contract Amendment #3 for technical assistance to Tata & Howard in the amount of \$29K. Selectman Witherow moved the Board approve Amendment #3 re: BATG Environmental's Contract with Tata & Howard not to exceed \$29,000.00, 2<sup>nd</sup> by Selectman Bresnahan, VOTE: unanimous, so moved.

**Agenda Item #4. Public Hearing-Pole Petition-Sandy Pond Rd.**

Chairman Pena opened the Hearing by requesting the legal notice be read into the record by the Clerk which was published in the Nashoba Publications the weeks of 8-8-01 & 8-15-01. The Board met with Kelly Ann Condon representing Verizon who reviewed the Joint Pole Petition with the Board on behalf of Mass Elec. & Verizon, Ms Condon updated the Board to current wires (AT&T, MA Elec. & Cable) being attached to a tree, and the pole would be replacing that problem at Sandy Pond Rd. Chairman Pena requested if there were abutters present no one stepped forward. Chairman Pena called for a motion. Selectman Bresnahan moved the Board approve the Joint Pole Petition for Sandy Pond Rd., Ayer, MA 2<sup>nd</sup> by Selectman Witherow, VOTE: unanimous, so moved.

**Town Administrator's Report (cont.)**

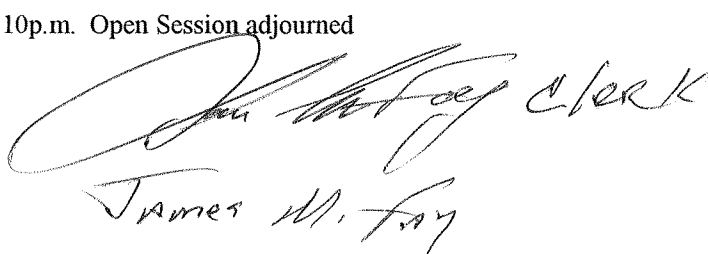
Special Speed Regulations No. 6077-A-The Town Administrator reviewed with the Board Chief Rizzo's proposals re: the following streets in the Town of Ayer submitted to MassHighways for their approval: Washington St.-northbound replacing speed from 35mph to 30mph., Washington St.-southbound, replacing speed from 35mph to 30mph. The Town originally had request 25/mph for this area. Special Speed Regulation #7793: Ms. Hegarty updated the Board to speed reduction for Sandy Pond Rd of 25/mph was not approved based upon the 85percentile did not support the reduction. What would be allowable is advisory signage diamond shaped sign stating "beach ahead" & sign stating 25/mph to provide the necessary warning to the motorist. Ms. Hegarty reviewed all the Street speed changes with the Board recommended in a letter from Ma Highways dated 8-9-01. (see attached). Ms. Hegarty requested the Board accept Chief Rizzo's recommendation to approve the Special Speed Regulations #7793 & 6077-A. Motion to approve made by Selectman Witherow, 2<sup>nd</sup> by Selectman Fay, VOTE: Selectman Bresnahan aye, Selectman Witherow aye, Selectman Fay aye, Chairman Pena aye Selectman Sullivan no VOTE: 4-1 motion passes. Selectman Sullivan stating his concern for Groton Harvard Rd and need for eliminating left hand turn.

Moore Dr.-Washington St. Sewer discount connecting onto new sewer extension. Ms. Hegarty reviewed with the Board the past Oakridge Dr. Sewer Extension and residents being given a reduced fee of \$100.00 to tie in with deadline of 18months given residents to pull permit, due to environmental concerns. The Board requested the Town Administrator look into cost to Town for tie-ins to each home and report back.

**New Business:** Selectman Fay applauded Boy Scout Troop #3 for all recent Eagle Scouts recognized this past year and praised leadership of Troop Leaders for all their effort.

Selectman Sullivan moved the Board adjourn from Open Session to enter into Executive Session pursuant to MGL Chapter 39 Section 23B, Exemption #3 to adjourn to re-enter into 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, 2<sup>nd</sup> Selectman Fay, VOTE: Chairman Pena aye, Selectman Witherow aye, Selectman Fay aye, Selectman Bresnahan aye, Selectman Sullivan aye, unanimous, so moved.

9:10p.m. Open Session adjourned

 clerk Date: 9/23/01