

Selectmen's Meeting  
Tuesday, May 8, 2001  
Ayer Public Library-lower level meeting room, E. Main St., Ayer, MA

7:00p.m. Open Session

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

**Public Input:**

The Minutes of 3-13-01 were read and accepted.

The Minutes of 3-27-01 were set back for editing.

**Agenda Items:**

**#1. Fire Chief Paul Fillebrown-Emergency Medical Service Week Proclamation.**

The Board met with Fire Chief Paul Fillebrown and Donna Laggis-EMS Director for the Ayer Fire Dept. Chairman Sullivan read into the record a Proclamation declaring the week of May 21<sup>st</sup> to the 26<sup>th</sup>, 2001 as Emergency Services Week in the Town of Ayer requesting EMS volunteers at the Fire Dept be recognized for their service to the Town of Ayer. The Chief & Ms.Laggis thanked the Board for their support. The Board paused for a few minutes to take a picture with the group present this evening.

**#2. David Walsh-President Horn Corp., re: Rail Trail**

The Board welcomed Mr. Walsh to the meeting. Mr. Walsh gave the Board a brief overview of the Horn Corp. and product line both in the Ayer and Groton plants. Mr. Horn advised the Board to the dilemma with the rail trail construction directly behind the Ayer plant impacting his trucks/trailers from entering and exiting their property. The Board was given a short video presentation depicting the Horn Corp. property on Groton St. and rail trail construction presently in progress at the site. Mr. Walsh is working with DEM, Horn Corp. will construct a 4x6 fence beside the rail trail and a 6' easement beside building and fence for trucks to enter and exit the property. Mr. Walsh will keep the Board informed of his negotiations with DEM.

**#3. Pamela Martin-DPW Office Manager re: Reclassification Request.**

The Board met with Pamela Martin, Office Manager of the Dept. of Public Works and Supt. Michael Madigan. The Board reviewed present/past action re: Ms. Martin's reclassification request. Mr. McCann advised the Board to background of classification request dating back to 1-8-01. Ms. Martin was before the Board this evening with a revised job description supported by the present Superintendent of Public Works for the Selectmen consideration and action. The Board voted to approve the job description as presented this evening and requested it be submitted to the Personnel Board for their consideration and recommendation. Motion made by Selectman Pena 2<sup>nd</sup> by Selectman Bresnahan, VOTE: Selectman Sullivan aye, Selectman Bresnahan aye, Selectman Pena aye, Selectman Fay aye, Selectman Witherow no, 4-1 motion passes, so moved.

**#4. Zoning Board of Appeals: The Board met with Dale Taylor, Chairman of the Zoning Board of Appeals (ZBA)**

The Board reviewed the request by the Zoning Board requesting to enact the Consultant's By-law be enacted for Broadcast Signal Lab for a technical review and assistance re: their application to install telecommunication facilities within the Town of Ayer. Two companies have filed with the ZBA:

1. Voice Stream/Omni Point for Pingry Hill owned by F&P Willows Trust
2. Nextell Communications for Bligh Street owned by Regis Magnus/PAC.

The Board reviewed the documentation presented and moved to approve the request. Motion made by Selectman Bresnahan, 2<sup>nd</sup> by Selectman Pena, VOTE: unanimous, so moved.

**#5. Conservation Commission-Weed Control Contract-The Board met with Thomas Poole, Chairman of the Conservation Commission**

The Board reviewed the documentation presented by Mr. Poole for the aquatic management program at Pine Meadow, Sandy and Flannigan's Pond. The Board congratulated the Commission on introducing the new BIO Control an alternative to Chemicals to treat the ponds by introducing beetles and weevils to control the weeds in Town Ponds. Selectman Bresnahan moved to approve the Weed Control Contract with Aquatic Control Technology, regarding MEMO of 5-14-01, for the contract award not to exceed \$18,745.00 2<sup>nd</sup> by Selectman Fay, VOTE: unanimous, so moved.

**BOSMIN5-8-01/PG.2**


**#6. 5-14-01 Annual Town Meeting Warrant Article review, vote to support/not support and assignment of motions.** The Board moved and 2<sup>nd</sup> to support the following articles for the 5-15-01 Annual Town Meeting Warrant. Articles #: 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22- except for Q-Restroom/concession stand-Park Dept., 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 42, 43, 44, 45, 46, 47, 48, 51, 59. The Board voted to not support the following articles: 22-Restroom/concession stand-Park Dept., 38, 39, 50, 52, 53, 54, 55, 56, 57, 58. The Board voted to take no position on the following articles: 2, 40, 41. Selectman Witherow requested to present articles 11, 14, & 49. Selectman Sullivan requested to present articles: 12, 46, & 57. Selectman Bresnahan requested to present articles 16 & 17, the rest of the articles to be distributed amongst Board members.

**#7. Town Administrator's Report:**

1. Electrical Inspector's Fee Increase: The Board voted to support the recommendation of the Building Inspector and approved the Electrical Inspector's fee increase to a flat 50% of the Electrical Permit Fees collected by the Building Department. Motion moved by Selectman Bresnahan, 2<sup>nd</sup> by Selectman Pena, VOTE: unanimous, so moved.
2. The Board moved to accept the recommendation by Supt. Michael Madigan to appoint Michael Cullinan to the position of full time seasonal driver/laborer in the Highway Department contingent upon his successful completion of a physical examination by the Town's Physician. Motion to approve made by Selectman Bresnahan, 2<sup>nd</sup> by Selectman Fay, VOTE: unanimous, so moved.
3. Miscellaneous Signings:
  1. The Board approved Tata & Howards Wellhead Protection Plan contract for the sum not to exceed \$26,300.00. Motion to approve made by Selectman Bresnahan, 2<sup>nd</sup> by Selectman Witherow, VOTE: unanimous, so moved.
  2. The Board approved the Town Accountant's Contract (Lisa Gabree) as submitted and approved by Ms. Gabree and the Town Administrator. Motion to approve made by Selectman Bresnahan, 2<sup>nd</sup> by Selectman Fay, VOTE: unanimous, so moved.
  3. The Board approved Hoyle Tanner Assoc. one (1) year contract for the Industrial Pre-treatment Program for the sum not to exceed \$34,800.00. Motion to approve made by Selectman Bresnahan 2<sup>nd</sup> by Selectman Fay, VOTE: unanimous, so moved.
  4. Selectman Bresnahan moved to approve the Annual Utilization Report for Supt. Madigan pending change of #G. Income to: no activities or use of property other than Board approval has taken place which would result in the generation of income or rent and authorized the Chairman to sign revised document, 2<sup>nd</sup> by Selectman Pena VOTE: unanimous, so moved.

10:00p.m. Selectman Pena moved the Board adjourn from Open Session to enter into Executive Session pursuant to MGL Chapter 39 Section 23b Exemption #3 to adjourn from this Executive Session to re-enter into Open Session for the sole purpose of adjourning the meeting. VOTE: Selectman Sullivan aye, Selectman Bresnahan aye, Selectman Pena aye, Selectman Witherow aye, and Selectman Fay aye, unanimous, so moved.

Open Session adjourned.

 Date: 6/12/01