

Selectmen's Meeting
Tuesday, April 24, 2001

Ayer Public Library-lower level meeting room, East Main Street, Ayer, MA

7:00p.m. Open Session

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

Public Input

1. Douglas Friedrich, Department Service Officer for the American Legion. Mr. Friedrich stated he was before the Board this evening to oppose the re-appointment of Manuel Velez as Veterans Agent for the Town of Ayer. Mr. Friedrich stated he had received numerous (15) complaints from area veterans and family members of veterans. Mr. Friedrich cited Chapter 115 and Chapter 138 infractions. The Board allowed Mr. Velez to respond to this matter by requesting to take up the Veterans Agent's appointment at this time. Mr. Velez stated this vendetta with Mr. Friedrich has been going on for the last ten years. The Board requested if Mr. Velez would like to have an Executive Session with Mr. Friedrich to discuss the American Legion complaints-Mr. Velez stated he didn't care if it was open or closed. Selectman Bresnahan moved the Board continue this matter for thirty (30) days and to schedule Mr. Velez on the Selectmen's Agenda the first Tuesday following the thirty days or May 29, 2001 at 7pm. Mr. Velez will continue to serve as Veterans Agent during this time and written complaints if any should be brought to the Selectmen's office 2nd by Selectman Pena, VOTE: unanimous, so moved.
2. Douglas Becker- Mr. Becker stated he was before the Board this evening to request the appointment of Charles Comeau of 57 Wright road, Ayer, MA to the Cable Commission. Mr. Becker stated Mr. Comeau is a new resident of Ayer with a good background in technology and prior experience. Selectman Pena moved the Board accept the recommendation of Douglas Becker and appoint Charles comeau to the Cable Commission, 2nd by Selectman Fay, VOTE: unanimous, so moved.
3. Chairman Sullivan took this opportunity to announce Representative Robert Hargraves was in the building this evening to conduct office hours from 7-8p.m urging residents to come in to meet with Rep. Hargraves if they have questions or concerns he could help them with.

Agenda Items:

1. Advisory Board recommendations FY-2 Budget & Annual Town Meeting Articles.

The Board met with Mary Spinner, Chairman of the Advisory Board. Ms. Spinner gave the Board the status of the Reserve Fund to date. Ms. Spinner updated the Board to Ayer Fire Dept. \$24K deficit due to on call firefighter volunteers payroll. Ms. Spinner requested the Board's consideration be given to implementing quarterly disbursements instead of the semi-annual distribution to call fire fighters, this should eliminate problem by closer monitoring. Ms. Spinner stated the same boards and departments seek transfers each year suggesting the Selectmen educate them on the use of Reserve Funds being used only for unknown/unforeseen situations and to educate them on proper budgeting practices. Selectman Witherow suggested a working session is scheduled with all Town Boards/Departments when the new Town Administrator comes aboard and to place this matter in a tickler file for Ms. Hegarty. Ms. Spinner stated the Advisory Board's concern with the Park Department's FY-02 Budget requesting an itemized accounting of what comes in and goes out re: Pop Warner sports ensuring The Town of Shirley is paying their share. Ms. Spinner concluded stating the Advisory Board approves all the warrant articles except for the Parks Department. Ms. Spinner requested the Selectmen increase Town Fees starting with All Alcohol Licenses being proposed to be increased from \$3K to \$4K a year. DPW increase Sewer connections from \$500 to \$1,500, increase water tie-ins from \$12,500 to \$15K and Building Department increase all fees by 3% across the board and make recycling mandatory in the town of Ayer. Ms. Spinner also updated the Board to the Electrical Inspector's salary being increase to comparable salary of Gas/Plumbing Inspector suggesting a 50% increase to the current fee schedule. The Board suggested a Public Hearing be scheduled after Town Meeting re: the fee increases.

2. Chief Richard Rizzo-Ayer Police Dept. re: Dispatcher Appointment

Chief Rizzo requested the appointment of Jesse Goguen of Gardner, MA to fulltime dispatcher replacing Sherry Priest who left the department earlier this year. Selectman Bresnahan moved the board accept the Chief's recommendation and hire Jesse Goguen as full time dispatcher to the Ayer Police Dept., 2nd by Selectman Pena, VOTE: unanimous, so moved.

Chairman Sullivan took this opportunity to address traffic concerns on Park St. during the evening commute speaking to the need for a police officer to direct traffic on the corner of Park & Main. Chairman Sullivan requesting a patrolman for a two hour period of time from 4-6pm.

3. Personnel Board-Sub-Committee's recommendations/endorsement.

Present for the Personnel Board: William Plunkett, Richard Rizzo and Lisa Wheeler. Sub-Committee: present Martha Reilly and William Oelfke. Mr. Plunkett stated the Personnel Board has reviewed the Sub-committee's report stating the report was well received and documented. Mr. Plunkett stated the Committee suggested rather than spend funds for an outside consultant to evaluate and recommend compensation and re-classification issues to come up with something in house. Selectman Fay stated when the Personnel Board was first formed there was no human resource expertise and that is the case today. Selectman Witherow agreeing with this concept-leaving it to the discretion of the Personnel Board except when it comes to a position jumping two or more grades then an outside consultant should be called in. Chief Rizzo updated the Board to no evaluation criteria in system to date and advised them to step increases not being implemented to non-union employees only COLA which was unfair. Chief Rizzo stated the purpose of the Step increments was to be based upon a passing evaluation and separate from COLA. An employee receiving a good evaluation by their supervisor would get a Step increment, suggesting on their anniversary date of hire, along with an annual COLA adjustment. Selectman Bresnahan moved the Board leave the language in re: job descriptions jumping two or more grades as recommended in the Sub-committee's Report, 2nd by Selectman Pena, VOTE: unanimous, so moved.

4. Annual Town Meeting Warrant-The Selectmen requested Article 16 & 17 be reversed placing seventeen ahead of sixteen. The Board requested to leave Article 43 & 44 separate under the Zoning Articles instead of combining them putting Article 44 back on the Warrant, bringing the total of the Annual Town Meeting articles to 59. Article 17 the Board requested to strike the amount of \$5, 246,000.00 and put in its place the amount of \$5, 035,500.00.

NEW BUSINESS:

1. The Board moved to approve the UDAG interest funding of \$1,000.00 be granted to the Council on Arts after school program which will be matched by the State. VOTE: Selectman Pena aye, Selectman Bresnahan aye, Chairman Sullivan aye, Selectman Fay no and Selectman Witherow no motion passes 3-2.
2. The Board reviewed Atty. Hyland's letter re: the SHAVE Program informing the Board to DOR's approval of the article so stated.

8:45p.m. The Board took a five-minute break

8:50p.m. The Board re-entered Open Session

5. Supt. Madigan's Report-

1. The Board approved a water/sewer permit for 7 Pingrey way for a single family house per the recommendation of Supt. Madigan. Motion to approve made by Selectman Bresnahan, 2nd by Selectman Pena, VOTE: unanimous, so moved.

The Board approved a one time Sewer Abatement in the amount of \$422.11 for 11 Church St. contingent the owner of the property move the water meter, at his own expense. Motion made by Selectmen Pena, 2nd by Selectman Bresnahan, VOTE: unanimous, so moved

Selectman Aye.
Witherow

2. Supt. Madigan advised the Board to the State of MA declaring the Winter storm of March 5 through March 7, 2001 as Federal Disaster. As such, the Federal Government will reimburse communities 75% of Public safety expenses during this two-day period. (i.e. overtime-DPW staff, use of DPW equip., use of sand & salt, contracting cost as well as Fire & Police Expenses) Supt. Madigan advised the Board to the State requesting the Town to designate a representative from the Town to oversee the reimbursement and offering his service for this undertaking. Selectman Bresnahan moved the Board appoint Supt. Madigan as the Town's representative to MEMA for the March 5-7, 2001 Federal reimbursement, 2nd by Selectman Pena, VOTE: unanimous, so moved.

3. The Board approved the Contract to D.L. Maher for the redeveloping of Grove Pond Well #2 using the aqua freed method, steam cleaned, set, tear down & removal surging turbine, remove & re-install pump, chemically treat and redevelop well-labor, disassemble, inspect & paint pump, video inspection for the contract sum of \$16,085.00. Selectman Bresnahan moved to approve D.L. Maher's contract as stated and recommended by Supt. Madigan for the sum not to exceed \$16,085.00, 2nd by Selectman Pena, VOTE: unanimous, so moved.
4. The Board approved the One-(1) year Contract with Hoyle, Tanner Assoc. for the Industrial Pre-Treatment Program (IPP) for the sum not to exceed \$34,833.00. Motion to approve made by Selectman Pena, 2nd by Selectman Bresnahan, VOTE: unanimous, so moved.
5. The Board moved to put the total cost re: the Hybrid cost for the WWTP at Devens back to the original cost estimate of \$5,035,500.00 and strike the ATM Warrant article figure of \$5,246,000.00, Motion made by Selectman Witherow, 2nd by Selectman Bresnahan, VOTE: Selectman Witherow aye, Selectman Fay aye, Selectman Sullivan aye, Selectman Bresnahan no, Selectman Pena no Vote 3-2 motion passes.
6. West Main St. Project-Supt. Madigan updated the Board to the Bid Opening on 4-18-01 @2pm at the DPW (see Memo from Supt. Madigan dated 4-23-01) three (3) bids received: VP Holman Cost., R.M. Pacella Inc., S.B. Contracting. Tata & Howard reviewed the bids and recommended the bid be award to VP Homan Const. for the bid award of \$487,356.35. Mr. Madigan advised the board to the lowest bid being to high over the \$420,000.00 approved at the ATM. Mr. Madigan ran through options available to reduce the scope of the project one being not including the railroad crossing and 12" water main on Sculley Rd. and only replace and install 12" water mail along West Main St. from Mechanic St. to Rogers St. and down Rogers St. to the railroad. The Board directed Supt. Madigan, Shaun Suhoski, the Town Accountant to work with Town Counsel for a joint recommendation to be put to writing and report back to the Board, 2nd by Selectman Pena, VOTE: unanimous, so moved. Selectman Pena wishing to be included under Chapter 90 a full-width road re-surfacing.

10:10p.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 to re-enter into Open Session for the sole purpose of adjourning the meeting, 2nd by Selectman Bresnahan, VOTE: unanimous.


Robert J. Pena, Clerk

AYER BOARD OF SELECTMEN

-DATE: 6/12/01

chg TO James M. Fay,
Clerk