

**Selectmen's Meeting
Tuesday, October 31, 2000
2nd Floor Town Hall Meeting Room, Main St., Ayer, MA**

7:00P.M. The Board met with Chairman Sullivan, Selectman Bresnahan, Selectman Pena, Selectman Witherow and Selectman Fay.

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

Agenda Items:

1. **School Committee-Education of Devens Students-** the Board met with Chairman Ann Garber, Maura Feller, Viola Barnes, Charles Jones, Dan Sallet and Supt. of Schools Kevin O'Malley. Ms. Garber read into the record a prepared statement requesting the Selectmen's support of the School Committee's vote to discontinue negotiations with MADev. regarding the education of Devens students (copy attached). There was a brief discussion on the issue. Selectman Bresnahan suggested the Board take this matter under consideration for a future meeting before we take a vote. Chairman Sullivan thanking the School Committee for coming in.
2. **Fire Chief, Fire Station Update-** The Board met with Fire Chief Paul Fillebrown
 1. **Proposed Station-West Main/Park Sts.** The Chief advised to a draft of the Phase I Environmental Site Assessment being submitted by Tata & Howard. The Chief advised to approvals being received by all property owners except Mrs. Yi to inspect their property. The Board was updated to 2500 gallon oil tank being removed from Mrs. Yi's land in Oct. 97 with no evidence of spill-tank was in good condition at time of removal. The Chief advising to Tata & Howard wishing to proceed to Phase II which will place three test wells for soil samples (looking for possible sources of contamination) at a cost estimated at \$5,000-\$10,000. Selectman Bresnahan moved the Board approve funds not to exceed \$10,000 for Phase II of the Environmental Site Assessment/drilling process at the proposed site for the new Fire Station, 2nd by Selectman Pena, VOTE: unanimous, so moved. The Chief suggested the property owners be notified that the Town will be acquiring their property. Selectman Bresnahan moved the Board request Mr. Kreidler to work with Town Counsel and Chief Fillebrown to develop a letter informing the applicable owners of the proposed property that the Town is interested in purchasing those properties as a possible fire station site, 2nd by Selectman Pena, VOTE: unanimous, so moved.
 - Existing Station Update: Selectman Sullivan suggested the Chief contact KVAssociates regarding repair work estimates i.e. roof, mortar.
3. **68 East Main Street-Draft Local Initiative Program Application/Draft Sewer Permit Agreement**

The Board met with Joseph Holmes, Attorney representing Woodland Village and Developer George Carpenter. The Board approved the DRAFT Local Initiative Program (LIP) application "And "Agreement" submitted by Woodland Village Estates, LLC submitted by Atty. Joseph Holmes for Woodland Village for three of the eleven units to be designated LIP units. Selectman Witherow moved the Board authorize the Chairman to sign final agreement, 2nd by Selectman Pena, VOTE: unanimous, so moved. In consideration of the Board of Selectman granting a public benefit waiver to permit 2420/gpd for the condominium development prior to anticipated DHCD LIP approval developer agrees to take all actions necessary to qualify the three affordable units under LIP and obtain DHCD approval of the LIP Application. Further the developer agrees that any building permits issued for the property shall be held by the Board of Selectmen until such time DHCD approves the LIP application and use restriction, as defined by LIP regulation 760CMR 45.02 is executed by the Developer and the Town and recorded. The Developer agrees that any such building permits and sewer capacity waiver issued for the property shall be null and void if the LIP application is not approved by DHCD and or use restriction is not executed or recorded by Jan. 1, 2001 or such later time as agreed upon by the Developer and subject to Town Counsels review and approval. Selectman Bresnahan moved the Board approve the street opening permit to allow completion prior to Nov. 15th deadline 2nd by Selectman Pena, VOTE: unanimous, so moved. The Board waived the Building/Water/Sewer connection fees for the three (3) LIP units for Woodland Village for a sum not to exceed

\$4,500.00, Motion made by Selectman Bresnahan, 2nd by Selectman Pena, VOTE: Chairman Sullivan aye, Selectman Pena aye, Selectman Bresnahan aye, Selectman Witherow nay, Selectman Fay nay, motion carries 3-2. Selectman Witherow moved the Board request Mr. Kreidler to talk with DHCD regarding the lottery ins and outs for affordable housing, 2nd by Selectman Fay, VOTE: unanimous, so moved.

4. Ayer Historical Commission, re: Hands on Museum

The Board met with Thomas McLain, representing the Ayer Historical and Geralyn Miller, of the Hands On Museum-Littleton, MA. The Board entered into a lengthy discussion re: the Lease Agreement negotiations between the Historical Commission and the Museum. Chairman Sullivan moved the Selectmen authorize the Historical Commission through the Town Administrator to negotiate a "Use & Occupancy Agreement" with the Ayer Historical Commission and the Museum and approved by Town Counsel. This Use & Occupancy Agreement will allow the Museum to use the Pleasant Street School until the matter is brought before the Annual Town Meeting this Spring at which time the lease and associated cost i.e painting & repairing the roof of the Pleasant St. School, will be presented for Town Meeting approval. This Use & Occupancy Agreement not to be any liability to the Town of Ayer. Lease documents approved by Town Counsel to be brought back before the Board of Selectmen for final approval and execution, 2nd by Selectman Bresnahan, VOTE: unanimous, so moved.

5. Selectman Sullivan, re: Shepley Hill Landfill: postponed to next meeting

6. Personnel Policy Review Committee Final Report-Selectman Fay made the presentation on behalf of the Committee. Present for the meeting: Selectman Witherow, Martha Reilly, William Oelfke and Lisa Wheeler. Selectman Fay gave a brief overview of the Committees Final Report, highlighting the Committees areas of concern, Appointing Authority, Reclassification Criteria-creating a Human Resource position, training in classification/reclassification, Performance Reviews, Benefits, Problem Resolution and other recommendations made by the Committee. The Board thanked the Committee for their report and effort put into it. The Board moved to hire an outside consultant re: compensation, Motion made by Selectman Witherow, 2nd by Selectman Fay, VOTE: unanimous, so moved. Selectman Bresnahan requested the Board meet with the Committee on Thursday, November 9, 2000, at 7pm to discuss the report prior to acceptance. Motion made by Selectman Bresnahan, 2nd by Selectman Pena, VOTE: unanimous, so moved.

7. Supt. Madigan's Report:

1. Supt. Madigan updated the Board on the Wastewater Treatment Plant-Mr. Kreidler advised the Board to DEP having two (2) Reports one from Hoyle Tanner and one from Tata & Howard both recommend the regional option based upon economics and technology is the most feasible and should be pursued based upon their technical evaluation this option rises to the top. The letter from DEP says the Town of Ayer recommended Regionalization. The Board disagreed with this statement stating it is not accurate. Selectman Bresnahan stated that is the point and that needs to be corrected.
2. Supt. Madigan advised the Board to a round table meeting with all parties involved with the wastewater issue held on Monday, October 30, 2000 at 1:00p.m. at the Ayer Library lower level meeting room, invitations were sent out to all the SIU's, Earth Tech, Tata & Howard discussion focused on all options available and recommendations. Supt. Madigan advised to another meeting being scheduled for 11-6-00 at 9a.m. at the DPW Office.
3. The Board reviewed the DRAFT Consent Order Amendment submitted by DEP Board members to offer their individual comments to Mr. Kreidler within the next few days. Mr. Kreidler to work with Supt. Madigan and Town Counsel to draft a response for the Board's approval.
4. PERMITS:
3 ½ Calvin Street, Ayer, MA -Sewer Permit-failed septic system-Selectman Bresnahan moved the Board approve the sewer permit for 3 ½ Calvin St. for two bedrooms 220/gpd, 2nd by Selectman Pena, VOTE: unanimous, so moved.

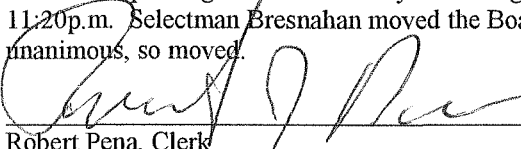
TOWN ADMINISTRATOR'S REPORT

1. Golden Agers Sign Request-Town Hall-Selectman Bresnahan moved the Board approve the request by the Golden Agers to place a sign announcing their Xmas Bazaar to be held at the Senior Ctr on Dec. 2, 2000, from 9am to 2pm sign to be displayed in front of Town Hall from Nov. 17, 2000 to December 2, 2000, 2nd by Selectman Pena, VOTE: unanimous, so moved.
2. Personnel Board appointment-Lisa Wheeler, Selectman Bresnahan moved the Board accept Lisa Wheeler's request for appointment to the Personnel Board, this request to be submitted to the Personnel Board for their recommendation, appointment to be made at the next Selectmen's Meeting, 2nd by Selectman Fay, VOTE: unanimous, so moved.
3. Board Policies: Mr. Kreidler presented to the Board the Employees Performance Appraisal Draft for their consideration and requested the Board review and mark-up and submit back to him. Banner/Signs Policy to be submitted to the Board for their next meeting.
4. Telecommunications Update
 1. Site Walk-Mr. Kreidler updated the Board to the site walk conducted today with representatives from Telecommunications Companies/Cell Tower Companies. Mr. Kreidler advised to areas walked were: DPW Yard Brook St., Grove Pond Site, Landfill and Spectacle Pond. The recommendations from the Telecommunications technicians was that the Brook St. site was a fantastic site. Commentaries to be provided by the Telecommunication representatives to the Town within the next couple of weeks. Areas looked at on Brook Street were: wastewater treatment plant location, sludge landfill area, brush dump. Mr. Kreidler reviewed with the Board pole leasing strategies employed by various carriers and their associated fees.
 2. DEC Hearing-Nov. 28, 2000, @6:30pm to take comment to erect a tower on the Moore Army Airfield. There may be up to five towers located on Devens at the airport. The Board expressed interest re: how this would effect the Ayer Tower/s.
5. All Alcohol License Renewals-The Board reviewed the Alcohol License Memo to be sent out to all Alcohol Licensee re: their renewals, license fee and required training class to be conducted by Alcohol Intervention Methods for all pourers/servers employed by the license holder, this program being certified for three years for alcohol interventive methods. The cost for the training \$20.00/per person to be conducted at O'Hanlon's Restaurant on Monday, December 4, 2000 from 6:00pm to 9:30pm. Selectman Bresnahan moved the Board approve the required training for all Alcohol License servers/pourers for their 2001 renewal- to attend the training seminar within ninety days of this date, 2nd by Selectman Pena, VOTE: unanimous, so moved. Selectman Pena moved the Board have the Treasurer's Office check verify that there are no outstanding taxes owed by all 2001 licensees prior to renewing their licenses, 2nd Selectman Bresnahan, VOTE: unanimous, so moved.

NEW BUSINESS -Mr. Kreidler had no new business this evening

SELECTMEN'S QUESTIONS: Chairman Sullivan requesting the letter be submitted to the Political delegation, re: Guilford issues prior to Labor Day weekend, confirming those issue and requesting what actions they are taking. Letter to presented at the next Selectmen's meeting.

11:20p.m. Selectman Bresnahan moved the Board adjourn the meeting, 2nd by Selectman Pena, VOTE: unanimous, so moved.


Robert Pena, Clerk

AYER BOARD OF SELECTMEN

DATE: 3/22/01

APPROVED 12/28/00