

FINAL Selectmen's Meeting
May 30, 2000
Ayer Town Hall, 2nd Floor Meeting Room, Main St., Ayer, MA

7:00pm Open Session

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

Agenda Items-

1. American Legion-Certificate of Appreciation

The Board opened the meeting by welcoming the American Legion Post 139 to the meeting. Chairman Sullivan stated the purpose this evening having the Legion present was for the presentation of a Certificate of Appreciation for the Legion's efforts organizing the Memorial Day Parade conducted on Saturday, the 27th of May, and all the other formalities leading up to it. Flags, war memorial plaques laid out at local cemeteries in Town. Present for the ceremony was: Robert Goynor, Commander of Post 139, Rev. Ted. Turney, Chaplain, Post 139 and legion members: James Lucchesi, Paul Boisseau, Peter Ellis, Frank Harmon, Douglas Locke. Chairman Sullivan read the Certificate of Appreciation into the record. The Board congratulated the Legion on a job well done and thanked them for coming into the meeting.

Town Crier: Chairman Sullivan read the announcements listed under Town Crier for 5-30-00, adding the Water Dept's bulletin advising residents to white water in their homes brought about by a water pipe break which was repaired –resulting in air in the lines creating the white water. The Water Dept. has been working on this problem and hopefully resolved in a day or so.

Chairman Sullivan took this opportunity to request a Moment of Silence be conducted for two of Ayer's citizens and long time Town employees, who recently passed away, Ruth Coke, Ayer Housing Authority Member and Council on Aging Secretary, retiring from the Ayer School Dept. with twenty years of service. and Beatrice L. Briggs, former Town Clerk/Tax Collector with twenty-five years of service to the Town of Ayer.

Public Input: Chairman Sullivan requested if there was anyone present wishing to speak under Public Input. Mary Spinner requested to meet with the Board re: Pirone Park –bathroom. Ms. Spinner stated she was before the Board this evening regarding a letter which was given to her to be presented to the Selectmen this evening seeking their assistance with having the public bathroom at Pirone Park opened to the residents of Ayer especially the children who use the fields caused by disagreement with Selectmen over funding of new concession stand. Chairman Sullivan advised Ms. Spinner to the Selectmen having no control over another elected board other than writing a letter to the Commissioners and requesting they open the bathroom. The Board stated their dismay with the bathroom being closed. Selectman Witherow updated the Board to Nashoba Boards of Health conducting a site visit and notifying the Ayer Board of Health that the toilets are working and only in need of a good cleaning and removal of storage items placed there ie. machinery, equipment, lime. The Building Inspector has inspected the building and the building is structurally sound. Nashoba is looking into legal action if any, which would require the Parks Commissioners to open the bathroom. Selectman Fay and Bresnahan requesting the Parks Commissioners be notified in writing to rectify area and open the facility immediately. Selectman Fay requesting in the interim a contract for portable toilets be supplied stating Town has an obligation to supply public sanitary facility. Larry Thomas requested if the handicap issue was the driving force re: bathrooms being closed. Selectman Pena advising of cost to rent portable handicap bathroom approximately \$150.00/per month-if this is reasoning behind closing bathroom, UDAG funding could be authorized for this purpose. Chairman Sullivan suggested the Park Commissioner be asked to come into the next Selectmen's meeting. Selectman Witherow suggesting the residents contact the Parks Commissioners and let them deal with what they were elected for. Selectman Bresnahan stating his dismay with argument with Selectmen by punishing the people doesn't make for a lot of sense and residents should make their concerns known to the Park Dept. Mr. Kreidler advised the Board to meeting with Park Dept during budget rounds and being advised to bathroom not safe, not sound and public health issue and never brought up if there was a non-compliance issue with ADA. Selectman Fay moved the Board have the Town Administrator prepare a letter directed

by the Board of Selectmen to the Park Commissioners relative to the lack of bathroom facilities at Pirone Park (note number of residents complaining about this matter) there appears to be no apparent reason to close the bathroom facility, no danger to children, or complaints re: non-compliance/ADA or other and strongly recommend the Park Commissioners re-open the bathroom facility, 2nd by Selectman Pena, VOTE: unanimous, so moved. Selectman Bresnahan stating for the record re: cost of the concession stand, the Selectmen suggested the Park Commissioners bring that request to Town Meeting, which they did not. Selectman Pena updating the Board to Capital Planning Com. requesting the Park Commissioners hold off until the Architect landscaper is finished with the comprehensive study being conducted re: beach & park, and this being the reasoning behind them not bringing the concession stand forward at Town Meeting.

AGENDA ITEMS

2. Appointments

The Board made the following appointments: Advisory Board-the Board unanimously voted to accept the recommendation by James Carrington, Chairman of the Advisory Board and appointed Pauline Conley of 40 Cambridge St., Ayer, MA to the Advisory Board. Motion to appoint made by Selectman Bresnahan, 2nd by Selectman Witherow. Zoning Board of Appeals The Board met with Manuel Velez, Chairman of the Zoning Board of Appeals and unanimously voted to accept the recommendation of Mr. Velez to appoint Kathleen Mohr of 50 Fletcher St., Ayer, MA, Member to the Zoning Board of Appeals. Motion made by Selectman Bresnahan, 2nd by Selectman Pena. Devens Open Space & Recreation The Board unanimously accepted the recommendation of Selectman Pena and voted to appoint Edward Denmark, Lt. At the Ayer Police Dept., to the Devens Open Space and Recreation Com. Motion made by Selectman Pena, 2nd by Selectman Fay. MRPC-Selectmen's delegate to MRPC- the Board unanimously voted to appoint Selectman Fay for this position. Motion made by Selectman Pena, 2nd by Selectman Bresnahan.

2. Lauri Nehring-PACE

1. **Moore Army Airfield**-The Board met Laurie Nehring, Ms. Nehring advised the Board to current PACE activities: Moore Army Airfield-specifically watching a very large contaminant traveling underground of a chemical PCB which has gone right down to bedrock, as deep as ninety feet down calling the board's attention to the Map site OAC50. on and around the Moore Army Airfield. The contaminants have traveled close to a half mile traveling north and east and under Rt. 2A questioning what effect the plume has effected south and west of the airfield particularly under and around the Nashua River. Selectman Bresnahan moved the Board send a letter to the Army requesting to follow the request of PACE and DEP to install three (3) permanent monitoring test wells on the west side of the Nahsua River closest to point XSA-97-53X to the depth of bedrock., 2nd by Selectman Pena, VOTE: unanimous, so moved. Ms. Nehring advised the Board to the RAB meetings scheduled for the 2nd Thursday of each month at 7pm the next one being June 8, 2000.
2. **Parker School Students**-Ms. Nehring advised the Board to the Parker School Math & Science Class/Math Science Technology students got involved with the Merrimack River Watershed Council running a stream team program. The entire class 60 students are doing a very detailed in-depth study of the Spectacle Pond water sub-basins. Students on a daily basis are taking water samples from all the tributaries going into the pond and analyzing them for phosphates/sulfates/oxygen looking for possible sources of contamination working through the Spectacle Pond Association. Chairman Sullivan stated the work of the Parker School students dovetails another issue which was to be brought up later in the evening by Shaun Suhoski-Economic Development Director, a grant funded by DEP -on behalf of the Town for projects for the protection of well heads including Zone 1 & 2 well areas, for up to \$45,000.00. Ms. Nehring elaborated on types of projects that could be utilized for such a grant i.e. protection of well-heads, water protection program, using the grant to hire a consultant to look at potential problems such as spillage getting into the Spectacle Pond Aquifer, threats to our water supply. Chairman Sullivan stated the need for professional consulting regarding potential assessment to our water supply the cost for this assessment by Tata & Howard would be in the area of \$2,200.00 Chairman Sullivan requesting if the Board of Selectmen would approve of such funding for this assessment, stating we would be in a better position to protect our wellheads. Chairman Sullivan requesting the Board's pleasure regarding applying for the grant and funding Tata & Howard's assessment. Selectman Witherow moved the Board approve the grant application an authorize the

expenditure of not to exceed \$2,200.00 from UDAG Funds for Tata & Howard to conduct assessment, 2nd by Selectman Bresnahan VOTE: Selectman Bresnahan aye, Selectman Witherow aye, Chairman Sullivan aye, Selectman Pena nay, Selectman Fay nay, VOTE 3-2 motion passes.

4 .Economic Development Director's Report

The Board met with James Kreidler covering for Mr. Suhoski who was not present. Mr. Kreidler reviewed with the Board his meeting with Shaun Suhoski, Economic Development Director, and J. Stewart Roberts architect for the exterior restoration of the Town Hall, regarding their proposal for consideration of the renovation/interior restoration of Town Hall. Mr. Kreidler announced the successful negotiations with the architect securing an additional savings to the Town of \$10,000.00 reducing their original proposal down to \$125,000.00. The Board moved to accept J. Stewart Roberts proposal for the interior restoration of Town Hall and to award J. Stewart Roberts the contract for the interior restoration of Town Hall. Motion to approve made by Selectman Bresnahan, 2nd by Selectman Pena, VOTE: unanimous, so moved.

5. Department of Public Works Issues:

Supt.'s position: Mr. Kreidler advised the Board to a meeting being scheduled early next week with the Screening Committee to review all the applications received to date. The Board appointed Manual Velez to also serve on the Screening Committee. The Board approved a letter be sent to James Drapeau of the Water Dept. who also requested to serve on this Committee but advising him to no indicate that the Board would not be appointing any employees of the DPW to serve on this committee. Motion made by Selectman Bresnahan, 2nd by Selectman Fay, VOTE: unanimous, so moved.

1. DPW Staff positions update: Office Manager and Part-time Secretary. Mr. Kreidler to present job descriptions to the Board for these positions at their next meeting. Matter taken under advisement for 6-13-00.
2. The Board accepted the resignation of Richard Priest-Water Meter Reader effective 6-9-00. Motion made by Selectman Bresnahan, 2nd by Selectman Pena, VOTE: unanimous, so moved.
3. The Board denied the leave of absence request by Richard Priest. Motion to deny request made by Selectman Bresnahan, 2nd by Selectman Pena, VOTE: unanimous, so moved.

4. Permits:

The Board approved Street Opening Permits for Neil Caddagon of 9 Wachusett Ave., Ayer, MA for new gas service the 11 Lincoln St for Brian Waite for gas service set back for additional information. Motion to approve by Selectman Bresnahan, 2nd by Selectman Pena VOTE: unanimous, so moved. Sewer Permit- The Board approved a sewer permit for 139 Central Ave., Ayer, MA for a failed septic system. Motion to approve made by Selectman Pena, 2nd by Selectman Bresnahan, VOTE: unanimous,

5. **Water Ban Signs:** The Board approved of signs to be placed in 3 or four convenient locations reminding citizens to the water ban still in effect-odd/even days. The Signs to be neatly lettered and displayed.

6. Town Administrator's Report:

1. See Update from above given under DPW issues.
2. The Board approved three Reserve fund Transfers for the following departments:
 1. Selectmen's Offices: \$3,800.00. Motion to approve made by Selectmen Pena, 2nd by Selectman Fay, VOTE: unanimous, so moved.
 2. Parking Tickets: \$300.00 Selectman Bresnahan moved to approve transfer, 2nd by Selectman Pena VOTE: unanimous, so moved.
 3. Town Hall Maintenance \$5,000.00 Selectman Fay moved to approve transfer, 2nd by Selectman Bresnahan, VOTE: unanimous, so moved.
3. The Board reviewed the 1st Draft of the Fy-01 Town appointments. Mr. Kreidler advising Board to positions being staggered according to the Town's by-law as well as sending out letters of interest to all volunteers insuring their interest. Committees deleted: Y2K, Town Government. and committee added: Capital Planning.
- 4.. Selectmen's Policies & Procedures
 1. Add change from 3 Member Board and creation of Vice-Chairman's position.
 2. Timely submittal of minutes.
5. NEW BUSINESS:
 1. AMTRAK Vegetation Management Plan-Conservation Commission has submitted a letter Letter to the Selectmen re: Amtrak's Order of conditions -no work be conducted in Zone II

Mr Kreidler to look into Mass Elec's. Yearly Operation Plan to check if they operate near the Zone II as well.

2. The Board was advised to complaints received re: Cable Audio/Visual quality of the Selectmen's Meeting . Selectman Bresnahan moved the Cable Committee elevate the quality of audio quality of the Selectmen's Meeting and Town Meeting, 2nd by Selectman Pena, VOTE: unanimous.

SELECTMEN'S QUESTIONS:

1. The Board requested letters be sent out re: all citizen's complaints received by the Selectmen's Office acknowledging receipt and who complaint has been forwarded to and cc: Board of Selectmen and if personal in nature it would only go to that Selectman to complaint was sent to. Selectman Witherow moved the Board change the Selectmen's Policies & Procedures to address the issue to correspondence as discussed above, 2nd by Selectman Bresnahan, VOTE: unanimous, so moved.
2. The Board requested Mr. Kreidler look into the status re: signs request for St. Andrews Church and the CourtHouse.
3. The Board requested Department Heads submit along with their FY01 Goals & Objectives their accomplishments from previous year along with previous years Goals & Objectives. Motion made by Selectman Bresnahan, 2nd by Selectman Pena, VOTE: unanimous, so moved.
4. The Board requested the Building Inspector address Temporary Signs for more conformity due to complaints being received whereas one business is sited and others not.
5. The Board was updated on the preliminary injunction re: Deaconess Nashoba Hospital and Fallon Health being heard 5-25-00 with Judge taking it under advisement.
6. The Board requested status of street light consultant.
7. The Board was advised to Mr. Mauro's position at the DPW being filled on a temporary basis by a college student until his return to work.
8. The Board requested memo go out to Dept. Heads re: submitting written monthly reports along with one report being submitted monthly for the Boards review.
9. Selectman Bresnahan requesting the minutes of 5-17-00 be edited to include Mr. Plunkett of the Personnel Board, comment for the Personnel Board conduct a reality check on the job that went from level 5 to level 11.

10:20p.m. Selectman Pena moved the Board adjourn from Open Session to enter into Executive Session pursuant to MGL Chapter 39, Section 23B Exemption #2, 2nd by Selectman Fay, VOTE: unanimous, so moved.

DATE: _____

6-13-00

Robert J. Pena, Clerk
AYER BOARD OF SELECTMEN