

Selectmen's Meeting
Tuesday, January 18, 2000
2nd Floor Meeting Room, Town Hall, Main St., Ayer, MA

7:00p.m. Open Session

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

Chairman Bresnahan opened the meeting by asking for a moment of silence in memory of Lester Berry Jr. and Ken Lewis. Chairman Bresnahan also sent along speed recovery wishes to Town Accountant Lisa Gabree who underwent surgery last week.

Public Input: Chairman Bresnahan requested if there was anyone present wishing to meet with the Selectmen this evening:

1. Fire Chief-Paul Fillebrown, re: Fire Station Site Assessment documentation presented to Board for their review and endorsement.
2. Elizabeth Burdertha & Lauri Nehring-PACE, re: Health risks associated with Cell Towers and proximity to schools. Research conducted presented to Board. Selectmen thanked both women for all their assistance and information.

Town Crier: Chairman Bresnahan made the announcements as shown of the Agenda of 1-28-00 as well as the following:

1. Nashoba Valley Chamber of Commerce Shadow Day-2-2-00 with Job Corp students, Ayer High students and students from various Tech Schools. Chairman Bresnahan requested local businesses to sponsor a student at their businesses for a day by contacting the Chamber of Commerce.

AGENDA ITEMS:

1. Chairman Bresnahan-Police Officer Settlement Clarification

Chairman Bresnahan stated he had placed this item on the Agenda for clarification to the Townspeople regarding recent newspaper articles and action taken by the Board; the process used, recommendations by Town's carrier (insurance) and Town Counsel recommendations. Chairman Bresnahan read into the record a letter from former Town Counsel regarding the arbitration, recommending the Board settle case in the best interest of the Town.

2. Snakehill Road Bridge Discussion-

The Board met with Chairman of the Planning Board William Oelfke and Supt. of Public Works Gary Girouard. Mr. Kreidler opened the discussion by stating this matter was brought to his attention by Bill Lawrence a resident of Snakehill Rd. who had delivered to him a petition from the residents in that area protesting a sidewalk being built on bridge. Residents feeling the sidewalk would be more hazardous than practical. Mr. Kreidler stated unfortunately Mr. Lawrence was unable to attend the meeting this evening. Mr. Kreidler presented to the Board a map of the proposed bridge which identified a fishing landing to be constructed on the bridge. The Board stated their concerns re: no guardrail being placed on pond side of landing. Mr. Oelfke stated this plan was not the plan he had originally looked at referring to the original plan endorsed by former Board in 86 which reflected sidewalk being constructed on the bridge stating the current Planning Board did not overrule this decision. The issue before the Board was the cost issue of guardrail to be born by contractor who rebutted cost due to railing not being depicted on original plan. The Selectmen stated again their concerns being more of a safety issue and cost being born by contractor. Mr. Oelfke to research if another plan is on file later than 97 plan reviewed this evening.

3. Spectacle Pond Association: Weed Control Study Grant

The Board met with Beverly Shultz and a member representing the Spectacle Pond Assoc. Ms. Schultz advised the Board to the Associations success with securing a State Grant for the study to clean up the fanwart which has taken over the pond. The Grant is for \$10,000.00 in matching funds. Littleton has matched \$5,000.00 and she was before the Ayer Selectmen seeking the remaining \$5,000.00 due a portion of the pond being in Ayer. Selectman Pena updated the Board to the Ayer Conservation Commission supporting this weed control measure. Selectman Sullivan suggested by funding this portion the grant could seek out other alternatives/options for treatment other than herbicidal. Chairman Bresnahan called for a motion. Selectman Pena moved the Board approve the \$5,000.00 matching funds-funds to be taken from UDAG interest acct., for the weed control study grant for Spectacle Pond, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

4. Advisory Board: Town Fees and Rate Recommendations

The Board met with Chairman of the Advisory Board James Carrington and Member Mary Spinner. Mr. Carrington reviewed with the Selectmen Town fees currently charged by various Departments which haven't been increased for years as far back as 1985. The Board reviewed with the Selectmen process used And rational behind their recommendations. The Advisory Board advised the Board to many of the fees having guidelines under Mass. General Laws as to limits, which may be imposed. The Board reviewed with the Board their written recommendations. The Board of Selectmen congratulated the Advisory Board on all their research and effort put into the documentation. The Board requested the report submitted by the Board contain additional columns depicting the limit allowable by law to charge, logic behind proposed increase, and why the Board is proposing the increase. I.E. regional, statutory limit, etc. the format to be changed to reflect what rational was used to come up with new figures. The Board thanked the Board again for all their information and requested a Public Hearing be scheduled to hear and act on the recommendations.

5. Economic Development Director's Report: (see report dated 1-18-00)

The Board met with Shaun Suhoski. Present for the discussion was Philip O'Brien, architect with J. Stewart Roberts for the Ayer Town Hall Exterior Restoration Project (Bid Award). Mr. O'Brien reviewed with the Board the base bid with alternates 1-5 broken out: Alternates included 1. Windows for the front of building/head house/gables 2. Remaining windows in building, 3. Walkways. 4. Site Landscaping and 5. Memorial Garden. and low bid received. Bid Opening was conducted on 1-5-00, with bids ranging from low of \$405,000 to high of \$502,000. The Board reviewed with Mr. O'Brien the option of awarding the bid to the low bidder with Option #1 and to include option #2 for consideration and separate funding mechanism -- the contractor to make alternate #2 part of award. Mr. O'Brien to research State Law if allowable to pick up Alternate #2 with bid award as stated. Selectman Pena moved the Board hold off on making award this evening having just received the information and until Mr. O'Brien has had a chance to research adding alternate #2 to award and suggested the Board award the Bid at the next Selectmen's Meeting in February 2-1-00, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

The Board approved the Chairman endorsement on the Fy-98 Community Development Block Grant-Quarterly Report for quarter ending December 31, 1999. Motion to approve made by Selectman Pena, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

Mr. Suhoski updated the Board to sitewalk being conducted at Court House the 1st week in February by DCAM regarding Ayer District Court parking project.

Mr. Suhoski updated the Board to correspondence being received from Montachusett Regional Planning Commission along with memo from Town of Groton, re: the rail trail. The forum is being proposed for late February 2000.

6. Supt. Girouard's Report (see report dated 1-14-00)

The Board met with Supt. Girouard. Present for the discussion Jack O'Connell from Tata & Howard. Mr. O'Connell ran through the Hydro Geological Groundwater Discharge Proposal stating Tata & Howard had acquired the history information from MassDev. re: groundwater Zone 2 and their Wastewater disposal area. This information being of great value to prepare the computerized model and estimate of cost regarding site. Cost associated with monitoring wells required by DEP for six additional wells plus existing wells estimated at over \$100,000. But due to information coming in from Devens the cost associated with this evaluation was dramatically reduced down to \$55,000.00. Mr. O'Connell estimated draft to be ready within 90 days for submittal to DEP. Selectman Sullivan moved the Board approve funding of up to but not to exceed \$55,000.00 for the Hydro Geological investigation for the proposed site of the groundwater discharge area for wastewater, service to be performed within 90 days to include all requirements to protect the Town, 2nd by Selectman Pena, VOTE: unanimous, so moved.

On another matter Mr. O'Connell updated the Board Water Management Act withdrawal of water with DEP. The Town of Ayer will not need to amend current permit as long as the Town continues to balance the two (2) water supplies. The Town must submit letter to DEP stating same. Consent order to be amended by DEP.

The Board awarded the Crabtree Water Booster Pump Station bid to Barbato Construction for the bid award of \$120,773.00 and to require Resident Engineer on site for an additional \$5,200.00 motion made by Selectman Sullivan 2nd by Selectman Pena, VOTE: unanimous, so moved.

The Board awarded the security system installation at the DPW administrative offices to Renaud Electrical for the low bid award not to exceed \$1,793.00. Motion made by Selectman Sullivan, 2nd by Selectman Pena, VOTE: unanimous, so moved.

The Board appointed the following people to the Town's re-innacted Recycling committee: Douglas Becker, Daniel Scott, John Sullivan, Vivian Winchester, Ruth Rhonemus and Selectman Sullivan. Motion made by Selectman Pena, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

The Board reviewed the Wright Road Sewer Extension , Willow Rd. Sewer extension and the Town Engineers position with Supt. Girouard.

7. Town Administrator's Report

1. Devens Housing discussion- the Board reviewed Mr. Kreidler's Housing Issues documentation dated 1-8-00 re: what the town wants for preferences/benefits for Ayer residents re: affordable units. Mr. Kreidler reviewed setting up subsidy for Ayer residents through a State Grant or use of UDAG Funds to buy down the interest rate which would subsidize the rate for the life of the loan. To establish a waiting list for pre-qualified residents to be maintained by the Ayer Housing Authority & compensated by MassDev. The Board to get back to Jim with their preferences.
2. The Board was reminded to Devens 5 Year Review Workshop scheduled at the Devens Conference Ctr. on Jan. 20, 2000 starting at 7pm.
3. Mr. Kreidler deferred this discussion over to Chairman Bresnahan. Chairman Bresnahan read into the record a letter from the Commissioners of Trust Funds dated 1-18-00 advising of Town Counsels research re: conflict in purchase of mutual funds by member of Commission. Chairman Bresnahan stated the Commissioners were required to sell mutual funds and deposit the funds back into a money market based upon Town Counsel recommendations. The Commissioners also requested Francis Callahan be designated an exemption as a Special Municipal Employee. Selectman Pena moved the Board accept the Commissioners letter and re-invest the funds into a money market and designate Francis Callahan a Special Municipal Employee, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.
4. The Board met with Thomas Jones re: his Class II License Application for 200 West Main St., Ayer, MA. Chairman Bresnahan read into the record a letter from Gabe Vellante, Building/Zoning Officer. Selectman Sullivan requested the Board require the owner of property of 190 West Main St. clean up site since they no longer have a Class II License who are also the owners of 200 West Main St. and have them dispose of debris behind 200 West Main St. as well. Mr. Jones stated at the 200 West Main St. address he runs a currier business and repair shop for motor vehicles which is not required to have a Class II License. Selectman Pena moved to reject the Class II License application since Mr. Jones does not need it and require Gabe Vellante to investigate having 190 & 200 West Main St. cleaned up pursuant to Town of Ayer Nuisance By-law, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.
5. The Board approved of Mr. Kreidler to research and report back to the Board on Delta Dental Insurance Plan for Town of Ayer employees to be born totally by the employee at no expense to the Town. Selectman Sullivan moved the approval 2nd by Selectman Pena, VOTE: unanimous, so moved.
6. The Board approved of Mr. Kreidler working with the Cable Commission Members regarding contract negotiations and renewal being on track prior to deadline.
7. The Board approved of Mr. Kreidler to work with the Town Treasurer, Town Collector and Town Accountant to establish a policy and procedures regarding outstanding liens advising the Board to outstanding balance estimated at around \$372,000.00 in lost revenues.
8. The Board moved not to expend funds re: the rehabilitation of the old police station being not timely to spend funds while Town Hall renovation restoration project is going on. On another matter Selectman Sullivan requested the Police Chief report back to the Board re: the diesel problem status.
9. The Board voted to re-enforce their support for the Devens Wastewater Facility accepting septage at their next meeting.

BOSMIN1-18-00/PG.4

Selectman Pena moved the Board adjourn the meeting, 2nd by Selectman Sullivan

10:33p.m. Meeting adjourned.

DATE: _____
Cornelius F. Sullivan, Clerk