

Selectmen's Meeting
Monday, October 18, 1999
2nd Floor Town Hall, 1 Main Street, Ayer, MA

7:00p.m. Open Session

The Board met with Chairman Bresnahan and Selectman Pena. Selectman Sullivan detained with earlier commitment.

Chairman Bresnahan requested a moment of silence be conducted for Harriet Maxant a long time resident of the Town of Ayer who passed away on Sunday, October 11, 1999, at the age of 91. Chairman Bresnahan stated Mrs. Maxant served on the Ayer Planning Board from 1967 to 1978, was a representative to Montachusett Regional Planning Commission for twenty (20) years, past president of the Ayer Women's Club and served the Federated Church in numerous positions.

Town Crier Announcements Chairman Bresnahan made the following announcements:

1. The Board congratulated Robert Brooks Maxwell-Boy Scout Troop #3, attained the rank of Eagle Scout on Friday, October 15, 1999. Chairman Bresnahan advised to Selectman Sullivan attending the ceremony on behalf of the Board of Selectman and presented the Board's Certificate of Recognition & plaque.
2. Chairman Bresnahan announced the DPW will be conducting hydrant flushing through out the Town during the month of October beginning on 10-4-99 through 10-31-99.
3. Planning Board Public Hearing re: Zoning Amendments to be held on Tuesday, Oct. 19th at 7pm-at the Ayer Town Hall. Chairman Bresnahan read the amendments into the record.
4. Board of Health Public Hearing re: Guilford to be conducted Wednesday, October 20th @7pm at the Ayer Town Hall urging all interested residents to attend this important Hearing.
5. Downtown Business Alliance Halloween Party to be conducted on Saturday, Oct. 30th from 9-1pm at the Ayer Town Hall.
6. Halloween Trick or Treating to be observed on Sunday, October 31st from 5-8pm.

Public Input: Chairman Bresnahan requested if there was anyone present wishing to meet with the Board. A resident enrolled in the Housing Rehab. Program whose request had been presented to the board at their last meeting met with the Board re: clarification and documentation re: her oil burner. Chairman Bresnahan apologized for the confusion/misinformation advising her that she did not need to appear before the Board and referred her back to Shawn Suhoski.

AGENDA ITEMS:

1. ***The Board met with the Ayer Board of Health.*** Present for the discussion: Lauri Rosas, Chairman, and members Margaret Kidder and Jane Witherow. Ms. Witherow opened the discussion stating the Board of Health is present this evening to address their Fy-2000 budget deficit due to the costs associated with the mailings/documentation re: the Guilford Proposal. Ms. Witherow stated the Board of Health sent to Town of Ayer residents flyers alerting them to meetings, public hearings etc. concerning this important impact to the Town of Ayer. Mr. Kreidler advised the Board to two options available to the Selectman: 1. Reserve Fund Transfer-whereas the Board of Health as an elected Board would not need approval from the Selectmen to meet with the Advisory Board to request a Reserve Fund Transfer and 2. Prepare a article for the Special Town Meeting Warrant for consideration by the townspeople to fund the deficit in the Board of Health's budget. Selectman Pena requested if the Board thought about evoking the Consultant By-law. The Board moved to allow the Board of Health to evoke the Consultant's By-law should the need arise prior to the next Selectmen's Meeting. Motion made by Selectman Pena, 2nd by Chairman Bresnahan, VOTE: unanimous, so moved.
2. ***Economic Development Director's Report:*** The Board met with Shaun Suhoski and Philip O'Brien Associate of J. Stewart Roberts-Architect for the Ayer Town Hall Exterior Restoration Project.
 1. The Board authorized the re-bidding of the Town Hall restoration project as recommended by the architect and Town Hall Restoration Committee due to all the bids received coming in approximately \$100,000.00 over what the Town has available. Chairman Bresnahan requested what total budget was? \$476,000.00 was response. Mr. Suhoski ran through Alternates 1-5 with

the Board. Mr. O'Brien feeling Alternates 1&2 would definitely be included. Alternates 3-5 possible. Work to commence in spring. Mr. Suhoski updated the Board to the additional landscaping grant not being successful this round but would resubmit this grant application again next year. Chairman Bresnahan called for a motion. Selectman Pena moved the Board accept the recommendation by the architect and Restoration Committee and authorized the re-bidding of the Town Hall Exterior Restoration Project, 2nd by Chairman Bresnahan. VOTE: unanimous, so moved.

7:40p.m. Selectman Sullivan entered the meeting at this time.

2. The Board met with James Hashem, President of Agility, Inc. Copeland Drive, Ayer, MA. Chairman Bresnahan advised the Board to Mr. Hashem's planned expansion and potential of a TIF certified project application from the State re: this expansion. Mr. Hashem gave the Board a brief background re: his company and product line advising the Board to his company being in Town for sixteen (16) years, employing 120 people presently and not a large consumer of water/sewer. Mr. Hashem requested the Board's consideration for tax relief which would trigger the State Program which would give the Company an extra 2% tax investment credit. The Board requested this matter be placed before the Board again at the next Selectmen's Meeting for a decision for Town Meeting. Chairman Bresnahan requested Mr. Suhoski review what differentiates Mr. Hashem's request from any other expansion that would occur in the Town in the next fifteen years. Selectman Sullivan requested Mr. Suhoski present to the Board a policy/plan for all businesses expansion to offer a level playing field.
3. West Main St. Gateway: Mr. Suhoski reviewed with the Board the five (5) zones of work and estimated project cost of \$1.1 million dollars to include granite curbs, bituminous sidewalks from Verberk gate to Mass. Highway Bridge and connecting again to Union St. to which time would switch over to concrete sidewalks to match downtown theme, which would include water main replacement. Selectman Sullivan requested if the DPW's Enterprise Fund could factor in the borrowing mechanism for purpose of water main work/adjustment in water rates to carry the loan. Mr. Kriedler responded the Town is already subsidizing the Water Enterprise Fund from the General Fund so if you took on an additional \$300,00.00 worth of capital you would be subsidizing it again. Selectman Sullivan stated his intention being raising the rates. Chairman Bresnahan requested this project be submitted to the Advisory Committee and Capital Planning Committee for their review and recommendation. Mr. Kriedler acknowledging spending \$300,000.00 on infrastructure to leverage \$700,000.00 in Grant money is a great avenue to pursue. Selectman Sullivan questioned whether underground conduits were being programmed for this area along with Devens planned upgrades. Chairman Bresnahan elaborated on Devens having funds on reserve to assist with Town of Ayer upgrades i.e. Park & Main St. and Verbeck Gate/McPherson Rd. area. Selectman Sullivan requested to find out just how much of a contribution Devens can make given those two intersection improvement projects.
4. Mr. Suhoski presented his FY-2000 Work-plan for the office of Community & Economic Development. The Board requested Mr. Suhoski prioritize his department's objectives and come back before the Selectmen to review them at another meeting. Selectman Sullivan requesting the Selectmen set the priorities for the Town. Mr. Suhoski to meet with each of the Selectmen off line to review his list of priorities.
5. Mr. Suhoski updated the Board to the Rehab. Specialist's recommendation re: the boiler replacement taken up earlier in the evening by the Selectmen. Mr. Suhoski stated the recommendation is for a new boiler to provide for a long term solution. \$4,900.00 was the value for replacement. Mr. Suhoski stated he concurred with this recommendation and requested the Board grant a case waiver for Case #98-96 as stated, and further waive the case limit for Case # 98-96 to include alternate #1 at a cost of \$4,900.00 or lowest received bid, not to exceed ceiling of \$29,150.00. Selectman Sullivan moved the Board approve the case limit for case #98-96 to include alternate #1 for the oil fired burner in an amount not to exceed \$4,900.00 or lowest bid received, for a total project award for case #98-96 not to exceed \$29,150.00, 2nd by Selectman Pena, VOTE: unanimous, so moved.

The Board took this opportunity to congratulate Mr. Suhoski on the award of \$469,780.00 Community Development Block Grant funds.

Mr. Suhoski advised the Board to copy of the Quarterly Report authorized by the Chairman at the last month being included in the packet for their review. Mr. Suhoski requested if the Board has questions or concerns to please contact him.

Mr. Sushoki reminded the Board to the Public Hearing being conducted on Monday, November 1, 1999, at 6:30p.m at the Ayer Town Hall. re: the Housing Rehab Program Guidelines. Mainly increasing the program's per unit/guideline maximum to \$20,000.00 and to discuss increasing the amount allowable re: lead paint abatement.

3. Public Hearing-Common Victualler's License-Amy's Candies, 1 Barnum Rd., Ayer, MA

The Board met with Amy Cozzens's of Littleton, MA. Chairman Bresnahan requested the Legal Notice be read into the record. Selectman Sullivan read the notice into the record. Chairman Bresnahan requested if there was anyone present wishing to speak for or against the application. No one stepped forward. Ms. Cozzens stated her intent to open a candy shop limited retail, mostly wholesale and internet, having owned a previous business elsewhere. Mrs. Cozzens stated she would be manufacturing the candy at the 1 Barnum Rd. location. The Board requested if she had a "Food Handler's License" she stated she did from the Nashoba Associated Boards of Health. Hours of operation would be Monday through Saturday from 9-5pm. Ms. Cozzens presented samples to the Selectmen of her candy. The Board thanked her and wished her good luck. Chairman Bresnahan called for a motion to approve the license. Selectman Pena moved the Board approve the Common Victualler's License for Amy Cozzens -Amy's Candies at 1 Barnum Rd., Ayer, MA 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

8:20p.m. Chairman Bresnahan called for a ten minute recess.

8:30p.m. The Board re-entered Open Session.

4. Selectman Bresnahan-Downtown Businesses re: Downtown Devens discussion

Selectman Bresnahan opened the discussion by stating the Selectmen's intent to create a coordinated effort with the Ayer Businesses re: the Downtown Devens Study. Present for the discussion: Nick Laggis-P.N. Laggis Clothing, Phil Berry-Bookberry, Edward Kelley-Kelly's Hallmark, Donald Masengill-Furniture to Finish, James Sandborn-Golden Comics and Shawn Suhoski-Economic Dev. Director. Chairman Bresnahan stated this meeting came about from the workshop at Devens last week, re: Downtown Devens study re: multiple objective to create a commercial environment/retail district on Devens. Phil Berry speaking on behalf of the Ayer businesses expressed concern and fear that MassDev. Would create an unfair playing field for retail businesses settling on Devens offering subsidized rentals and allowing chainstores the opportunity to relocate on Devens. Mr. Berry expressing Ayer businesses have the impression Devens is moving away from original principals under which Devens redevelopment was based on which was creating jobs for local people and not competing with local businesses. Transportation being a major barrier re: transporting people from Devens to downtown Ayer. Selectman Sullivan suggested a plan of action to include putting pressure upon MassDev. But also touting what Ayer businesses have to offer and seeking Town incentives to help local businesses improve/expand their businesses as well as beckon new businesses to Ayer. Chairman Bresnahan stated Ayer businesses concerns being paramount in the Selectmen's eyes requesting Mr. Suhoski to meet with each business in town to get a sense of their concerns.

5. Supt. Girouard's Report: (see report dated 10-15-99)

1. The Board approved the Chapter 90 State aid road Funds Memorandum of Agreement in the amount of \$60,080.00. Motion to approve made by Selectman Sullivan, 2nd by Selectman Pena, VOTE: Unanimous.

2. The Board awarded the contract for the Bi-Annual Testing of Backflow Prevention Devices for the water services to the low bidder Donald Thurber for the annual cost of \$9,800.00. Motion made by Selectman Pena, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.
3. The Board requested Town Counsel review the Change Order submitted by Bull Environmental in the amount of \$19,991.00 for the synthetic liner installed at the Sludge Landfill.
4. The Board approved of Sandy Pond Rd. Residents being notified per the Town's quarterly news letter which would give out a number to the DPW highway re: responses by residents to whether or not they wanted a sidewalk installed on Sandy Pond Rd.
5. The Board approved the Administrative Consent Order issued to CPF for violating their industrial discharge permit for surpassing their allowed maximum daily flows. Motion to approve made by Selectman Sullivan, 2nd by Selectman Pena, VOTE: unanimous, so moved.
6. The Board approved the addendum to Tata & Howards general engineering agreement regarding their involvement with current wastewater issues
7. The Board agreed to meet at 6:15pm on November 1, 1999, at Josephine Hurley's home re: the Flashing Light on Central Ave. re: impact to her home.
8. The Board was advised to water pipe repairs being made to Sculley Rd. and Littleton Rd. Littleton Rd. residents, Devenscrest, the Condominiums, Bennetts Brook and Autumn Woods Restaurant to be notified of more serious repair impacting service for 6-8 hours the week of October 25, 1999.

TOWN ADMINISTRATOR'S REPORT

1. The Board set the Special Town Meeting date for Monday, November 15, 1999.
2. The Board was advised to the ZBA seeking comments from Town Board's re: E. Main St. Town Houses being proposed by 7 C's for this area. Information included in Selectmen's packets.
3. The Board reviewed the Project Summary presented by KVA Assoc. re: Ayer Fire Department Needs Assessment and updated to RFP being placed in newspaper.
4. The Board met with Donald Masengill re: 1st Night 2000 and requested Mr. Masengill submit back to the Board a detailed budget analyses based upon the Committees request for use of the Town Hall and safety/security personnel. Budget and Operation Sheet to be included.
5. The Board scheduled the next Devens Five Year Review Com. Meeting for 11/17/99 at the Ayer Town Hall at 6:30p.m.

10:49p.m. Selectman Sullivan moved the Board adjourn from Open Session, 2nd by Selectman Pena.
VOTE: unanimous, so moved.

-DATE: _____

Cornelius F. Sullivan, Clerk
AYER BOARD OF SELECTMEN