

*Selectmen's Meeting
Monday, September 20, 1999
2nd Floor Town Hall Meeting Room, Main St., Ayer, MA*

7:00p.m. Open Session

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

The Minutes of 9-7-99 were set back pending amendments from Chairman Bresnahan.

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

Chairman Bresnahan called for a motion to accept the Agenda of 9-20-99, Selectman Sullivan moved the Board approve the Agenda of 9-20-99, 2nd by Selectman Pena, VOTE: unanimous, so moved.

Public Hearing: Ayer Board of Assessors: Fy-2000 Tax Classification Hearing: The Board met with Assessors Denis Callahan and Sandi Jones and Assessor's Assistant Thomas Hogan. Chairman Bresnahan requested the Hearing be opened by reading the Legal Notice into the record. Selectman Sullivan read the legal notice into the record. Assessors Assistant-Thomas Hogan presented the Selectmen the Assessors FY-2000 Tax Rate Summary including: Fy-2000 Valuation, Fy-2000 Tax Levy, Fy-1999 Tax Data along with Fy2000 Historical Levy Percentages for tax years 1996-2000. Mr. Hogan ran through the determination of a discount factor of up to 25% for all land identified as Open Space, the determination of a Residential Exemption of up to 20%, the determination of a Small Commercial Exemption of up to 10% and the adoption if a Residential Factor for the purpose of determining the percentage tax burden to be borne by each class of property. The Board of Selectmen accepted the report by the Assessors and moved to accept the recommendation of the Board of Assessors and approved the Town of Ayer's Fiscal Year 2000 Tax Rate-shifting 68.1845% CIP and 31.8155% Residential or \$11.32 per thousand residential and \$21.63 per thousand commercial/industrial. Actual percentage change over Fy-99 in dollars per year residential: \$37.00 and \$258.00 commercial/industrial. Motion made by Selectman Sullivan to approve the residential factor of 67.4861% for Fy-2000, 2nd by Selectman Pena, VOTE: unanimous, so moved. Chairman Bresnahan closed the Hearing and thanked the Board of Assessors for their valuable input and Mr. Hogan for the summary and presentation this evening. Mr. Hogan advised the listening public to tax bill going out on October 1, 1999.

Town Crier: Chairman Bresnahan made the following public announcements:

1. Rep. Hargraves conducting Office Hours this evening in the Town Hall from 7-8pm. Ron Englade will be sitting in for the Representative.
2. Council on Aging "Shine Program" start-up 9-22-99 from 10-12noon at Senior Center.
3. Planning Board wk/sh re: Cluster & Wireless Communications By-laws 9-23-99 @7pm ATH
4. Regional Wastewater Treatment Meeting /9-22-99 @6:30pm
5. Change of Command-Lt. Col Edward Murdo 10-1-99 @11am
6. Semi-annual flushing program start-up 10-4-99 through 10-31-99 3-11pm stopping from 5-7pm
7. Communication Committee reminder to Town Depts. re: information to be submitted for the October Newsletter to be sent in ASAP.
8. Chamber of Commerce breakfast meeting this Wednesday morning 9-22-99 at 7:30am at the Devens Commerce Center.

The Board approved the minutes of 9-7-99 with amendments made by Chairman Bresnahan.

The Board to take up the Sunday Entertainment License Renewal under the Town Administrator's Report along with the re-submittal of the Beer & wine License for AM/PM Gas d/b/a/ Ayer Exxon-Park St.

Agenda Items:

1. Building Commissioner, re: Building Dept. Fees Increase

The Board met with Gabe Vellante, Building Commissioner, Wellman Parker, Electrical Inspector and Mr. Robert Friedrich Plumbing/Gas Inspector. Mr. Vellante stated he was before the Board this evening to propose fee increases for the Wiring and Plumb/Gas Inspectors. Mr. Vellante suggested doubling the cost

of living increase to his inspectors to bring them up to date with other Towns. Mr. Vellante advised the Board to permit fees not being updated since 1993. Wellman Parker and Robert Friedrich presented a comparison fee survey conducted with neighboring Towns stating most of the inspectors in these Towns receive a regular salary. Ms. Mary Spinner member of the Advisory Board advised the Selectmen to her Board currently reviewing all Town fees and to be making recommendations to the Selectmen in the near future. The Board encouraged Mr. Vellante to work with the Advisory Board. The Selectmen requested Mr. Vellante submit additional information in writing stating they did not have enough information before them this evening to support a increase.

2. Town Accountant: The Board met with Lisa Gabree

The Board reviewed with Ms. Gabree her Goals & Objectives for the Accounting Department and Y2K update/status report.

1. Ms. Gabree ran through her G&O with the Selectmen:

To Provide Professional financial accounting services, Reliable information for reporting/decision making purposes, to provide technical support to all Town Departments, to Assist the Town in long-range planning, to expand the staffing level of the accounting department to provide timely & professional services, to provide appropriate/affordable automated environment for Town's financial accounting system, to review financial system re: Y2K compliance and to plan for future software needs and explore possibility of hiring a computer systems administrator when Town converts to a network environment. Chairman Bresnahan requested Ms. Gabree put together a time-table/schedule regarding cash-revenue/expenditure reporting.

Y2K Udate: Ms. Gabree advised the Board to critical time for her in the next few months closing out 1999 and the end of the Year Report due into DOR mid October. Ms. Gabree requested the Selectmen take the lead at this time with Y2K Ms. Gabree provided the Board a statistical/background report for the whole Town of Ayer re: Y2K advising the Selectmen to current Town-wide needs being the installation of a "Patch Upgrade", emergency response, and back-up of information by departments kept current. Ms. Gabree advised the Board to School and Library being requested to submit additional data re: compliance documentation and requiring additional monitoring. All other areas in Town falling into place with standards and meeting DOR guidelines.

3. Public Hearing: Joint Pole Petition NET & Mass Elec-Willow Rd. Ayer, MA

Chairman Bresnahan opened the Hearing by requesting the Legal Notice be read into the record. Chairman Bresnahan requested if there was anyone present wishing to speak for or against the petition. No one came forward. Selectman Sullivan read the legal notice into the record. The Board met with Mr. George Boyle representing Bell Atlantic. Mr. Boyle reviewed with the Board Bell Atlantic's petition. To remove the pole on the left side of Berkshire Boulevard and replace it further up the road - this request coming in from car carrier service due to the large trucks having difficulty navigating the corner and hitting post due to the street light's proximity to the corner. Chairman Bresnahan called for a motion. Selectman Sullivan moved the Board approve the Joint Mass. Elec. & Bell Atlantic Pole Petition for Willow Rd., 2nd by Selectman Pena, VOTE: unanimous, so moved.

4. Chief of Police: re: Truck traffic and IOD Policy.

The Board met with Chief Richard Rizzo. Chief Rizzo updated the Board to site survey by Mass. Highways District Engineer indicated that it appeared feasible for a truck exclusion for the road to be put in place provided it is not suitable for such traffic. Chief Rizzo stated favorable factors for consideration are the neighborhood being exclusively residential and also that it is a recreational area-with the Town Beach located on the road. Also considered was the accessibility to Rts. 119 & 2A. for the truck traffic. Selectman Sullivan suggested the intersection of Willow Rd-2A is in Littleton as well as a portion of the roadway Ayer work with the Town of Littleton, and Mass Highways to reconfigure this intersection with a traffic light; advising to Town of Littleton requesting in the past to work with the Ayer on this area concern.

On another matter the Board met with Chief Rizzo re: approval to fill a vacant patrolman's position created by the resignation of Patrolman- David Hoffman. The Board gave Chief Rizzo authorization to advertise the position. Motion made by Selectmen Pena, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

Selectman Sullivan requesting a letter is sent to Mr. Hoffman thanking him for past service. The Board approved Chief Rizzo's recommendation to appoint Stacey Vear and Robert Finn as on-call dispatchers. Motion made by Selectman Pena 2nd by Selectman Sullivan, VOTE; unanimous, so moved.

The Board approved of the Chief's request to hire Meditrol Inc. of Chicopee, MA to manage two cases at the Ayer Police Dept. re: injured on duty. Chief Rizzo stated both officers are on light duty and Meditrol could provide the necessary releases, letters and their expertise in dealing with these types of cases. Selectman Pena moved to approve Meditrol Inc. of Chicopee, MA be hired to assist with injured on duty employees at the Ayer Police Dept., no 2nd to this motion. Chairman Bresnahan stepped down to 2nd this motion. VOTE: Selectman Pena aye, Selectman Sullivan no, Chairman Bresnahan aye, motion carries 2-1.

5. *Economic Development Director's Report:* see report dated 9-3-99.

1. Lead Paint Policy: the Board re-visited the lead paint policy discussion. The Board approved the policy requiring testing for lead paint if a child under the age of six is to live in a dwelling unit built prior to 1978. Selectman Pena requested the stipulation be added that the policy applied only to program applicants. The Board also requested a provision be included to supply the homeowner involved with lead paint removal be given sufficient educational information on the dangers of lead paint and laws & requirements having to be met as well as information to assist homeowners keeping their properties architectural details intact while taking care of lead paint problems. The Board requested Mr. Suhoski look into offering up to \$15,000.00 through the rehab program for lead paint abatement instead of the current \$5,000.00.
2. The Board approved Subordination Request Case # 93-106 and Case # 93-130. Motion to approve made by Selectman Sullivan 2nd by Selectman Pena, VOTE: unanimous, so moved.

5. *Selectman Sullivan, re: dam at Long Pond and Alcohol License holder discussion.*

Selectman Sullivan requested status of correspondence received from DEP re: dam not in compliance at Long Pond and responsibility of who? On another matter Selectman Sullivan requested establishment be called in re: notice to the Selectmen from the Office of the Atty. General that this establishment has been involved serving prior to a motor vehicle violation four times in the last six months. Selectman Sullivan stated it is incumbent upon the Selectmen to investigate and take action when appropriate.

6. *Town Administrator's Report:*

The Board approved of the renewals of Carlin's Sunday Entertainment Licenses for pool tables & juke box, Motion made by Selectman Sullivan 2nd by Selectman Pena VOTE: unanimous, so moved.

The Board approved of the resubmittal of AM/PM Gas d/b/a Ayer Exxon Beer & Wine License Application to the ABCC approved by the Board of Selectmen on 6-1-99. Motion made by Selectman Pena, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

1. The Board approved the E-Mail Policy to be utilized and distributed to all Town Departments. Motion made by Selectman Pena, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.
2. The Board set back the discussion re: non-profit postage mailing stamp.
3. Mr. Kreidler updated the Board to the status of the Town Engineer's position advising that he and Supt. Girouard have completed a job description and that the Personnel Board will be looking at the Position's salary not being sufficient to attract the qualified candidate.
4. The Board approved a request by Karen Swanfeldt on behalf of Pop Warner to sell candy bars on Saturday, September 25, 1999.
5. The Board approved to support the Devens Enterprise Commission's Integrating Sustainable
6. Economic Development into a Watershed Context grant on behalf of the communities of Ayer, Harvard, Shirley, Lancaster by submitting a letter of support.
7. The Board approved the Treasurers bond certificates/Mass. Water Pollution Abatement Trust in the amount of \$270,000.00 for a low-interest loan to help fund the current study of infiltration and inflow into the Town's sewer system. Motion made by Selectman Sullivan 2nd by Selectman Pena, VOTE: unanimous, so moved.

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Selectman Sullivan moved the Board adjourn from Open Session to enter into Executive Session pursuant to MGL Chapter 39, Section 23 Exemption #6 to adjourn from that Executive Session to re-enter into another Executive Session pursuant to MGL Chapter 39 Section 23B Exemption #6 to adjourn to reenter into Open Session for the sole purpose of adjourning the meeting, 2nd by Selectman Pena, VOTE: unanimous, so moved.

date: _____
Cornelius F.Sullivan, Clerk