

Selectmen's Meeting
Monday, June 21, 1999
2nd Floor Town Hall-Main Street
Ayer, MA 01432

7:00p.m. Open Session

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

Public Input: Chairman Bresnahan requested if there was anyone present wishing to be heard under Public Input. The following people requested to speak with the Selectmen:

1. Phyllis Palvio, re: improper notification of Pepsi's new access road on Littleton Rd. by ZBA.
 1. The Board requested Mr. Kreidler ensure Ms. Palvio receive all paperwork re: project.
 2. The Board requested the ZBA be sent a letter, re: procedures - abutter notices to avoid this happening again.
 3. The Board requested Ms. Palvio get estimate for the stockade fence she requested and remit back to the Selectmen's Office.
2. Martha Craft, re: hydrant moved on Calvin St. 6-18-99 by (DPW) Water Dept. from across the street/to in front of her house, very upset, no notification.
 1. Supt. Girouard to get estimate to relocate hydrant.
 2. Ms. Craft advised the Board to rumor re: developer changing width of road from 26' to 20'. The Board called upon William Oelfke, Planning Board-Chairman, who advised of the need to contact the Planning Board if there were going to be changes to road. Ms. Craft suggested a Public Hearing be scheduled re: this issue. The Board requested Ms. Craft address this issue at another time due to time constraints and length of Agenda before the Board this evening.
 3. Frank Maxant, re: permission to use Town Counsel, re: Masons extreme use of property (PSS) is lease valid.

Agenda Items

1. ATSDR-Agency for Toxic Substances and Disease Registry/Susan Simon-Executive Summary-Health Assessment

Ms. Simon presented the Board a copy of Public Health Assessment for Fort Devens and requested if the Board had received the FEDX report mailed last week to each of the Selectmen, re: CDC/ATSDR-DHAC-FPB-DOD and advised to comment period being extended to July 26, 1999 from July 18, 1999. Ms. Simon presented to the Board the latest environmental health information sheet re: Fort Devens area residents. Discussion focused on: is the water from municipal wells near Fort Devens safe for drinking? Ms. Simon stated yes-through extensive testing of groundwater, hazardous substances were found in some groundwater monitoring wells at Fort Devens-however, no hazardous substances have been found in water from municipal wells. Area municipal drinking water continues to be tested, and test results indicate the water is safe for drinking and for community use. Ayer's Grove Pond Well water is treated to remove hazardous chemicals and water is routinely tested and treated. Since re-opening the Grove Pond Wells in 1998, the Ayer DPW has treated the water for manganese to ensure the public's water supply is safe and of high quality.

The Board expressed their concern for areas around Grove Pond and Plow Shop posing a health concern re: proximity to Town Park. Ms. Simon advised the Board to no contaminants found at high levels along the shore line of Pirone Park - levels were found higher near the former tannery and interior of ponds advising of no harmful exposures are likely to occur from brief and infrequent contact associated with recreational activities; and as a precautionary measure, health and environment authorities are advising residents not to swim in or eat fish from either pond. Ms. Simon produced an advisory which was distributed last year by ATSDR to area Towns re: Catch & Release/No Swimming at Grove Pond & Plow Shop Ponds and of ponds being posted not to eat the fish or swim in either pond. Selectman Sullivan stated his concern re: what is defined as infrequent contact regarding exposure/skin absorption i.e. retrieval of balls along shore line, wading etc. and especially expressed his dismay with graphic on pamphlet depicting a man standing in the water fishing implies its ok to do so-the graphic should have a line through it stating this issue had been addressed at the last RAB meeting. Ms. Simon advised Board to -sediment contact/exposure- again stating no contaminants were found at high levels along the shoreline of Pirone Park, the highest levels were in the interior of the pond near the old Tanney area. Ms. Simon took this opportunity to introduce Katie

McGonigle, Public Health Program Associate and Susan Green from NESCAUM-Northeast States for Coordinated Air Use Management. Ms. McGonigal presented the Board NESCAUM's Annual Report. Ms. McGonigal stated she was from the Boston Office and could be reached at 617-367-8540, re: concerns- and advised NESCAUM is a non-profit organization with wide ranging expertise in public policy, chemical engineering, public health toxicology, chemical physics and environmental education. Ms McGonigal advised the Board to NESCAUM staff conducts research, collects and disseminates information and represents the state agencies in regional and national forums. Ms. McGonigal presented a survey to the Board re: fish consumption & mercury awareness from the COM. of MA- re: ponds in Massachusetts to be distributed locally with an analyses of the survey being submitted back to the Town from the Com. of MA - the Board advised NESCAUM reps. to Sandy Pond being Ayer's Town Pond.-re: fishing/swimming activities. The Board thanked all for coming in.

2. William Burke, Devens Director-Walker Rd. & McPherson Rd. reconstruction/Park & W. Main To Verbeck Gate.

Mr. Burke presented to the Board a map depicting Mass Developments presentation to Town of Shirley re: traffic volume to increase with development of Devens-areas addressed were Walker/Front and Patterson (streets/roads) intersection. Mass Development's proposal would close portion of Walker Rd. with remainder of road designated as green space. To improve Walker/Front & Patterson (Streets/Rds.) intersection by building a new access road for trucks leaving and coming onto Devens and not pass through residential neighborhoods. The closed section of road will be claimed as Open Space along the Nashua River. By eliminating the grade crossing on Walker Rd. will benefit traffic flow and open McPherson Rd. The existing grade crossing is a safety hazard due to short sight lines and awkward turning radius which is difficult for vehicles to negotiate. A T-shaped intersection would address those concerns. Mr. Burke stated McPherson Rd. provides access to the development zone at the location of the former airport, a railroad bridge that is too low for vehicles to pass under and with the proximity of the Nashua River precludes any suitable modifications to the existing road layout-the present road frequently is impassible due to flooding: Railroad authorities do not permit towns or the state to construct new at grade crossings further east from the river. MassDev hopes that by closing one crossing another grade crossing will be permitted. The Board requested Shaun Suhoski, Community Development Block Grant Manager to join the conversation re: Park and West Main Street to Verbeck Gate. Mr. Suhoski presented to the Board the Town's 1997 Comprehensive Plan Map developed by VHB which depicted a graphic representation of the West Main Street corridor a \$800,000 to \$1 million dollar gateway process. West Main Street is a old residential neighborhood with commercial properties. Mr. Suhoski suggested to designate West Main St. as a "Target Area" pursuant to Ayer's 1997 Comprehensive Plan and authorize funds from UDAG and Chapter 90 funding for design and engineering of W. Main St. Gateway Revitalization Project The Board directed Mr Suhoski to work with Bill Burke, Devens Director re: the design & engineering of this area. Supt. Girouard to contact Tata & Howard re: establishing a concrete analyses re: cost of proposal. Selectman Sullivan offering to be the Board's liaison re: the West Main Street Gateway Revitalization Project. The Board approved of Selectmen's Sullivan's request.

3. Community Development Grant Manager's Report

- 1.1. The Board approved of the Chairman's signature to the Special Conditions Clearance-Town of Ayer FY-98 CDF (Grant #5129) to be remitted to the Dept. of Housing & Community Dev. Boston, MA. Motion made by Selectman Sullivan, 2nd by Selectman Pena, VOTE: unanimous.
- 1.2. The Board endorsed the contract to Communities Opportunities Group for the Housing Rehabilitation Specialist in the amount of \$22,950.00.
- 1.3. The Board approved Lien Subordination Agreements for Case #'s 94-103 & 94-145 Motion made by Selectman Sullivan 2nd by Selectman Pena, VOTE: unanimous, so moved.
- 1.4. Mr. Suhoski announced a job opening: Department Assistant's position Grade #3@#11.13/hr Closing Date: June 30, 1999-requesting interested residents to contact the CDBG Office.
- 1.5 Mr. Suhoski announced the Public Hearing to be conducted Wednesday, June 23, 1999 at 7:00pm At the Ayer Town Hall, re: FY-99 CDBG Grant. Proposed: \$469,780 to rehab 25 units, this is a Informational meeting and invited new applicants into the program. The Board also moved to

Designate the West Main St. Target Area into the FY-99 CDBG Grant Application to target property owners for housing rehab assistance and strengthen the application. Motion made by Selectman Sullivan 2nd by Selectman Pena, vote: unanimous, so moved.

4. Fire Chief

1. The Board met with the Fire Chief & Tony DiLuzio of KV Associates of Boston, MA. Mr. DiLuzio stated he was before the Board this evening regarding the Need Assessment Services which incorporated Town Counsel's edits. Chairman Bresnahan requesting clarification re: cost/design for current station to correct the deficiencies. Mr. DiLuzio stated the contract for services would be done in three phases: review & evaluate previous study conducted in 9/98, assign responsibility to design architect, review site conditions again & evaluate building & equipment/working condition, this would give the Board bases for establishing estimated cost to support building with projected life as well as the build & relocation of the station. The Fire Chief reviewed deficiencies with the current station being: building land locked, safety and parking. The Board suggested separate design plans be submitted re future build & alternate sites proposed. The Board voted to approve the contract retainer of \$5,000.00 for the Scope of Services Contract presented by Tony DiLuzio for KV Associates. Motion made by Selectman Sullivan 2nd by Selectman Pena, VOTE: unanimous, so moved.

2. The Board awarded the bid for the Fire Dept. Pumper Engine to the low bidder-only bidder to Greenwood Fire Apparatus of North Attleboro, MA for the bid award of \$258,470.00 per the recommendation of the Fire Chief. Motion made by Selectman Sullivan, 2nd by Selectman Pena, VOTE: unanimous, so moved. Fire Chief stated eight vendors called re: specifications with three picking up and only one was received at the Bid opening conducted on June 21, 1999 @ 10:00am

3. The Board approved of a Reserve Fund Transfer for the Ayer Fire Dept. in the amount of \$17,000.00 due to unexpected cost to increased number of fires & medical calls & expenses not budgeted. Selectman Sullivan moved the motion 2nd by Selectman Pena, VOTE: unanimous, so moved.

5. Supt. Girouard's Report- See Report dated 6-21-99

1. Supt. Girouard advised the Board to the following contracts being prepared & readied for their Signatures, all being prior approved on 6-1-99: P.J.Keating-Road Paving-\$204,650.00

Sludge Landfill Closure-- Weston & Sampson- \$368,291.00

Tata & Howard-General Engineering \$2,000.00

2. Permits: The Board approved the following permits: Water: 39 Main St.-Calvin Moore
Water & Sewer Lots 99 & 100 Norwood Ave. Robert Prescott 4 BR.440.gal.ea./lot

The Board approved of a Car Wash-at Dunkin Donuts-Park St.sponsored by Ayer High School Students for Saturday, June 26, 1999 & the opening of hydrant for this activity. Motion made by Selectman Sullivan 2nd by Selectman Pena, VOTE: unanimous, so moved.

3. Selectman Sullivan requested the DPW to dress up the downtown area for the 4th of July i.e. Weed control, clean-up.

Selectman Sullivan requested Supt. Girouard speak with residents who had requested assistance with clean up on E. Main St. Bridge area to see if their concerns have been met re: greenspace.

6. Town Administrator's Report

1. The Board approved of the revised blanket FY-2000 appointments with the exception of: Separate vote re: Town Counsel Services & Conservation Commission: Motion made to re-appoint Kopelman & Paige made by Selectman Pena, Chairman Bresnahan stepped down to 2nd the motion-VOTE: Selectman Pena-aye, Chairman Bresnahan-aye, Selectman Sullivan-nay, 2-1 vote, motion passes. Selectman Pena moved to appoint Kopelman & Paige as Labor Counsel, Selectman Bresnahan stepped down to 2nd the motion, VOTE: Selectman Pena-aye, Chairman Bresnahan aye, Selectman Sullivan-nay, 2-1 vote, Motion passes. The Board held off on appointment of Mary Spinner to the FY-2000 appointments pending clarification from her on what Town Government Committee/Board/ Commission she would like to serve on.

2. The Board approved of the following Reserve Fund Transfer:

1. Parking Tickets: \$350.00-Motion made by Selectman Sullivan, 2nd by Selectman Pena.

2. Management Support-\$3,500.00-Motion made by Selectman Pena, 2nd by Selectman Sullivan

3. The Board approved of the Chairman's endorsement for SRA Funding under the Water Pollution Abatement Trust Interim Loan Program for \$270,000.00 @ 1.825% interest per annum, per the recommendation of Town Accountant, Lisa Gabree. Motion made by Selectman Pena, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.
4. The Board moved to accept the resignation of Emanuel Sifakis from the Historical Commission effective immediately due to poor health, Selectman Sullivan moved to accept the resignation of Emanuel Sifakis with regrets, 2nd by Selectman Pena, VOTE: unanimous, so moved.
5. Mr. Kreidler presented the Board a calendar for the Selectmen's Meeting through December 1999. The Board voted to meet through the summer months and review the calendar presented.
6. The Board endorsed the Selectmen's General & Office policies.
7. The Board to meet on Monday, June 28, 1999 to review the Development Office structure.
8. Mr. Kreidler presented the Board a Draft submission requirements and information re: rental space on water tower i.e Town of Ayer's Water tanks-Washington St. for the Board's review.
9. Mr. Kreidler advised the Board to banner update re: permission by the Moore family and Berry Family to place reinforcement bolts in their prospective buildings for the Town's banner to be hung from and of Mr. Gionet the contractor for the Page Block willing to put these bolts in for the Town. Mr. Kreidler advised the Board to Town securing information from the Town's insurance carrier re: liability re: the banner being covered under the town's general liability. The Fire Chief advised the Board to past problems with the banner and of area where the banner is proposed to be hung being a wind tunnel and of banner tearing and ripping off cable & of cable snapping as well. The Board took this under advisement.
10. The Board approved the Fy-2000 Wage Rate presented by Town Accountant Lisa Gabree, motion made by Selectman Sullivan 2nd by Selectman Pena, VOTE: unanimous, so moved.
11. The Board approved an extension request to the Town's moratorium for Mrs. Yi's until August 31, 1999. Selectman Sullivan moved to approve the moratorium pending 8-31-99 resolution, and payment of the full amount Selectman Pena 2nd Selectman Sullivan's motion for discussion-requesting the area on Park & Main Street were fencing has been erected be filled in with plastic stripping i.e. dark green; the Board requested Mr. Kreidler contact Mrs. Yi regarding this request, motion 2nd by Selectman Pena, VOTE: unanimous, so moved,

10:25pm Selectman Sullivan moved the Board adjourn from Open Session to enter into Executive Session pursuant to MGL Chapter 39, Section 23b re: Exemption #3, to adjourn from this Executive Session to enter into another Executive Session pursuant to MGL Chapter 39 Section 23b Exemption #3, to adjourn from this Executive Session to enter another Executive Session pursuant to MGL chapter 39, Section 23b, Exemption #3 to adjourn from this Executive Session to re-enter into Open Session for the sole purpose of adjourning the meeting, 2nd by Selectman Pena, VOTE: unanimous, so moved.

10:25p.m. Open Session adjourned.

DATE: _____

Cornelius F. Sullivan, Clerk
AYER BOARD OF SELECTMEN