

Selectmen's Meeting
Monday, February 8, 1999
2nd Floor Town Hall Meeting Room, Main Street, Ayer, MA

7:00p.m. Open Session

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

The Minutes of January 11, 1999 and January 25, 1999 were set back pending amendments from Selectman Bresnahan.

Public Input: Chairman Hamel requested if there was anyone present wishing to meet with the Selectmen. Diana Vita requested to speak regarding the 4th of July Celebration Committee/99.

Chairman Hamel requested a motion to accept the Agenda as amended. Selectman Bresnahan moved the Board approve the Agenda as amended. 2nd by Selectman Sullivan, so moved.

Diana Vita: Ms. Vita advised the Board to the 4th of July Celebration Committee meetings resuming and the start up of this years fund raising activities. Ms. Vita stated this is her 3rd year chairing this committee and of celebration growing bigger and bigger with each year. Activities planned for 1999's Celebration to be celebrated on Saturday, the 3rd of July include the parade, activities at the park, and ending with the Fireworks display at dusk. The 4th of July "Basket of the Month" is back with the Valentine's Day Basket Raffle to be drawn on Saturday the 13th at the Library's Book Sale. Mr. Kreidler requested if the 4th of July Committee would be joining the 1st Night function. Ms. Vita also took this opportunity to advise the Selectmen that the 4th of July Committee would not be working together with 1st Night, as rumored. Ms. Vita went on to state that the 4th of July Committee does not have the time or people to take on any other function. Fund raising is difficult enough for the activities planned for this year, and hoped that organizers for 1s night would not hurt the 4th's fund raising efforts. Mr. Kreidler stated 1st night is not Town sanctioned and totally a private function. Selectman Hamel advised the Board to Don Messengil not being present this evening to speak about 1st night but she advising everyone to a organizational meeting being conducted on 2/18/99 at the unfinished store located at Aubuchons/Park St. and of the Chamber working with him. The Board thanked Ms. Vita for her update.

1. Thomas Reynolds, Director-Ayer High School Performing Arts-N.E. Music Festival

Mr. Reynolds stated he was before the Selectmen this evening to advise the Board and Town of Ayer residents to the Ayer High School Performing Arts Dept. jointly sponsoring the 72nd annual N.E. Music Festival with the MIT Concert Band from March 18-20, 1999. Mr. Reynolds advised the Board to 500 of the most talented high school musicians from across the six N.E. States will be in Ayer arriving on the 18th of March and performing a free concert at the High School on Friday the 19th at 9:00p.m. in the High School Auditorium. The students will depart on the 20th at 8:00am from the High School. Mr. Reynolds requested citizens who would be able to provide sleeping arrangements for the students to contact him at 772-8600 x 129 and leave a message. Homes are desperately needed for the students and advising that the students would require very little from the host families having a full 3 days activities planned from arrival to departure. Chairman Hamel on behalf of the Board of Selectmen took this opportunity to read a Proclamation into the record welcoming and supporting this N.E. Music Festival to be conducted in the Town of Ayer from March 18-20, 1999 urging Town residents to support and get involved with this wonderful celebration. Mr. Reynolds thanked the Board for their support.

2. Town Government Study Committee

The Board met with Co-Chairman Jane Witherow, Louise Naylor and Mary Spinner. Ms. Witherow opened the discussion by stating the purpose of meeting with the Board this evening was to submit the Committee's report and recommendations. Ms. Witherow gave a brief background of the committee's charge, criteria, background, brief summary of process used, research of other communities, demographics and recommendations to be put before the voters of Ayer at the next Town Election, stating that these recommendations are in the best interest of the Town of Ayer. The three recommendations presented to the Board were: Increase the Board of Selectmen from three members to five members, establish a finance department, and to change the position of Town Treasurer from elected to appointed-provided the incumbent in the position shall be allowed to serve out the balance of their term. Recommendations also presented to the board made in conjunction with the communications Committee were that Town Warrants be mailed to all voters prior to Town Meeting, impose reasonable time limits on voter discussion, only voters at microphones to be recognized by the Moderator, be sure time & date of Annual Town Meeting is convenient, and have a lottery system for determining order of warrant. The Committee also made proposals for implementing changes re: election of Selectmen, Finance Department and Town Treasurer's position. The Committee thanked everyone for their cooperation during the study process with special recognition to the previous study committee for laying the ground work. To that end Ms. Witherow requested the Board appoint another committee for FY-2000 stating the changes warrant another study; the Selectmen were advised to a Public Hearing being held on Tuesday, March 30, 1999 at 7:00p.m. to receive public input. The Selectmen thanked the Committee for their report and all the effort put into it. Chairman Hamel called for a motion to accept the report of the Town Government Study Committee. Selectman Bresnahan moved the Board accept the report as presented and request the Town Administrator contact Town Counsel regarding the legal verbiage for the three articles for inclusion on the Election ballot/Annual Town Meeting Warrant, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

Chairman Hamel announced Representative Robert Hargraves Aid-Ron Engle was present this evening for the Representatives Office Hours and encouraged Town residents to come this evening to meet with Mr. Engle if they have problems or concerns they wish to bring to the Representative's attention.

4. Town Accountant: The Board met with Lisa Gabree

Ms. Gabree reviewed with the Board the Y2K Booklet prepared by her at the request of Selectman Bresnahan. Ms. Gabree stated the booklet contained information for the Board as to what has been done to date and remains to be done re: Y2K department by department. Ms. Gabree stated 7/1/99 has been the date designated as the deadline for the internal systems. Ms. Gabree stated a letter should be sent out to all departments requiring them to comply with this date. Selectman Bresnahan to work with Ms. Gabree re: this letter and distribution. Ms. Gabree stated the Assessors are the most critical department at this time. The CAMA systems hardware has not been updated since the late 80's and desperately in need of new hardware. Ms. Gabree referred the Board to the memo submitted by Tom Hogan estimating the cost of the new hardware estimated at approximately \$12,000.00. The Board of Assessors in anticipation of time constraints prepared a Reserve Fund Transfer for the Selectmen's consideration. Selectman Bresnahan moved to support this Reserve Fund Transfer as it is a critical element of the Town's financial stability. Selectman Bresnahan requesting a meeting be scheduled with the Advisory Board as soon as possible. Town Administrator advised the Board to the Assessors not needing the Selectmen's authorization re: this Transfer and stated the Assessors could schedule their own meeting for approval. Selectman Bresnahan requesting a firm hard date is established with the Board of Assessors when this hardware & software is anticipated to be operational.

On another matter the Board approved of two Reserve fund Transfers presented by the Town Accountant and approved by the Advisory Board:

1. Building, Casualty & Liability Insurance requested for \$8,000.00 due to increase to Fleet Schedule.
2. Police & Fire Accident Insurance requested for \$4,000.00 which reflected the pro-rated increase to the Fire Department's on-call volunteers increase from a 9 month period to a full year.

The Board set back the Public Hearing re: a Class II License for Gold Star Motors due to scheduling conflict re: the published time and Agenda time.

6. *Town Administrator's Report*

1. The Board awarded the printing of the 1998 Annual town report to Wm. R. Brown Co. of Providence, R.I. contingent for the bid award not to exceed \$4,100.00 contingent upon the company having all the qualifications required if not to award the bid to the 2nd low bidder Len Art Press of Ayer, MA for the bid award not to exceed \$4,868.00. Motion made by Selectman Bresnahan, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.
2. The Board appointed Evelyn Burnham to the Council on Aging per the recommendation of Julia McKinney, Chairman of the council on Aging. Motion made by Selectman Bresnahan, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.
3. The Board appointed the following people to serve on the Deven's 5-Year Review Committee: Frank Maxant, Robert Pena, Gerald Quigley, Thomas Callahan, Pauline Hamel, Paul Bresnahan, Cornelius Sullivan, George Bacon, Kenneth Schultz. The Board also requested a member from the Planning Board be contacted to designate a representative and the DEC members of Ayer also. Mr. Kreider to co-ordinate the meetings.
4. The Board approved the Personnel Policy with amendments to Section 6. -2.6, Page 21 re: safety personnel being required to have a physical examination prior to hire and Page 34 Discipline Section 11-4 Breaking out Sub A & Sub B to insert a hearing provision pages 37 & 38. After a brief discussion the board re: Article 27-Unpaid Lunch & how this article effects some employees the board moved to approve the policy as amended excluding Article #27 until further information/recommendation is presented to the Board by the Personnel Board.

3. *Public Hearing-Class II License Transfer-Gold Star Auto*

The Board apologized to Mr. Lenzi & Mr. Godfrey for the delay due to conflict of Agenda and posted meeting in newspaper. Chairman Hamel opened the Hearing by requesting the Legal Notice be read into the record. Selectman Bresnahan read the notice into the record. Chairman Hamel requested if there were any abutters to speak for or against the petition. No one stepped forward. The Board met with Walter Godfrey-present owner of Gold Star Auto Inc. and new owner Philip Lenzi. Mr. Lenzi stated he would not be changing anything but the name from Gold Star Auto Inc. to Gold Star Motors. Selectman Bresnahan requested if he held a Class II License previously. Mr. Lenzi stated he operated a dealership in Westford, MA for four (4) years. Selectman Bresnahan requested if he had problems in Westford, stating he would not want those type of things following him to Ayer. Mr. Lenzi stated he had no problems. Chairman Hamel called for a motion to approve the Transfer of Class II License to Philip Lenzi for Gold Star Motors, 63 Fitchburg Rd., Ayer, MA. Selectman Bresnahan moved to approve the transfer, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

5. *Supt. Girouard's Report: see report dated 2-5-99*

1. The Board met with representatives from Weston & Sampson, Michael Scipione, Vice President nad Darrell Thompson re: the Town of Ayer's Sludge Landfill. Supt. Girouard advised the Board to the firm completing the design and first phase of the assessment. Mr. Scipione and Mr. Johnson advised the Board to meeting with DEP on 1/7/99 re: the assessment report and findings. Mr. Scipione stated that based on this meeting and subsequent discussion additional tasks are necessary to complete the assessment of the landfill site in preparation for the closure. The tasks were necessitated due to the levels of total metals detected in groundwater samples and limited number of points available for the determination of groundwater flow. The next step of the assessment would be the collection of three sediment samples, 3 surface water samples, installing two piezometers, and conducting one more groundwater monitoring. Additional funding required for this assessment required: Scope of work \$4,500.00, sediment samples: \$3,500.00 and piezometers: \$3,000.00. Weston & Sampson will then amend the Assessment Report and present the findings to DEP. Weston & Sampson requesting the abovementioned amendment to their existing contract with the town for the amount of \$11,000.00 with this approval Weston & Sampson will initiate work immediately to avoid delays to the construction schedule. Discussion included possible inaccurate lab readings, impact to wetlands and suitability

after capping for conservation uses by the Town and prior ownership of land belonging to Devens and of possible dumping. After a brief presentation and discussion Chairman Hamel called for a motion re: the Change-order request. Selectman Bresnahan moved the Board approve the Change Order for Weston & Sampson for the amount not to exceed \$11,000.00 for the Sludge landfill closure, funding to be from current DPW budget-the board to make the necessary funding arrangements as needed, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

Supt. Girouard reviewed with the Board a more detailed listing depicting the number of buildings/homes which are not connected to the sewer system in the Town of Ayer.

Supt. Girouard requested the Board hire a new truck driver for the DPW due to recent hire Wayne Babineau of Pepperell, MA returning to his previous place of work. Supt. Girouard requested the Board hire James Reynolds of Ayer, MA be appointed truck driver with the stipulation Mr. Reynolds be required to attain the required operator's license for front-end loaders within three months. Selectman Bresnahan moved the Board hire James Reynolds of Ayer, MA with Supt. Girouard's stipulation so stated, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

The Board approved a sewer permit for 3 Jonathan Drive in compliance with the new Sewer Bank Policy.

Chairman Hamel requested of Supt. Girouard if matter at Devenscrest is resolved pertaining to correspondence received by Board from resident. Supt. Girouard stated it has and reviewed plowing procedures DPW personnel use for snow removal from main street and side roads with the Board.

6. Town Administrator's Report (continued)

5. Mr. Kreidler advised the Board to meeting with the Ayer Court House and representatives of the Town of Ayer Parks Dept. and Library having been held and of proposals receiving good reception for use of Town parking areas being approved for the use of the Court House. A proposal was given to the Library for a limited amount of parking spaces for use by Court House Employees who will be issued stickers. A meeting with the Library Trustees is scheduled later this month to present the proposal and hopeful approval. The Park Commissioners were also receptive for the use of 20-30 parking spaces at Pirone Park for use by the Court House contingent plowing be done by Court House contractor in the winter months. Long term purchase of the house is also underway with new legislation being promulgated. Mr. Kreidler announced St. Andrews also is underway with the construction of a new parking lot and is also interested in helping out with additional parking spaces for the court house.

6. The Board approved of the request by the Golden Agers to use the Town Hall on June 11 & 12, 1999 for a bazaar contingent upon the Fire Chief's support and approval.

7. The Board was advised to letters of interest being put out re: hiring of new Labor Counsel for the Town due to recent retirement of present counsel.

8. The Board was advised to next JBOS Meeting scheduled for Wednesday, Feb. 10, 1999 at 7:00pm with the Town of Lancaster Hosting. The Board took this opportunity to discuss the North American Van Lines facility being proposed near the Town of Ayer's drinking water-re-charge area and of their concern for this site. The Board voted to submit a letter to the DEC who is meeting on 2-9-99 re: this facility and state Ayer's concern if the abovementioned facility is approved, that the water that will be discharged into the proposed storm-water retention basin be tested on a quarterly basis to test for any contamination which would negatively effect the Town's drinking water supply. The Board requested these test be conducted at the storm water out-fall as it is released into the basin. The Board requested the results be submitted to Supt. Girouard.

9. The Board took the Selectmen's Policies under advisement.

10. The Board was made aware of licensing agreement re:the blocking of NEMCO Way being brought to the Board's attention by Town Counsel who was advised of matter by the Atty. General's Office. Town Counsel wished to advise the Board to group of private residents in Ayer & Littleton having this agreement with Sanvel that now belongs to Guilford Railroad and that the Town of Ayer was granted some rights under the original agreement. Mr. Kreidler stated this was brought up just as an advisory matter.

11. The Board approved of the Town Clerk's recommendation to implement the change to the number of Park Dept. Elected officials by voting one new member to the Park Dept. for the next two elections. The first new member being elected this spring.
12. The Board moved to accept the report by the Town Administrator re: the history of the Mass. Small cities Program and to take no further action.

NEW BUSINESS

1. A Conference call re: scheduling the Town Dept. Meeting with Town Counsel Joel Bard, Town Administrator and Selectmen Sullivan was scheduled for Wednesday, Feb. 10, 1990 at 2:00pm to go over the perimeters of the discussion.
2. The Board awarded the contract to Advanced Security Systems of Groton, MA for the basic alarm system (\$8,434.00) to include motion detector (\$1,553.00) for the Town Hall for the total award of \$9,985.00 contingent the system will be re-usable with the renovations to the Town Hall. Funding to be paid from existing Article previously approved at Town Meeting.
3. Mr. Kreidler advised the Board to DEP requesting a decision re: Regional WWTP if Town is regionalizing or going it alone. Mr. Kreidler to call DEP re: time extension needed re: public hearings to be conducted and more information needed before such a decision can be made.
4. Mr. Kreidler advised the Board to the Town Report needing to be readied by the Board for inclusion in the 1998 report and of Chairman being charged with this responsibility.
5. Selectman Bresnahan requested that the DEC appointment of Murray Clark be scheduled for discussion at the next Selectmen's Meeting
6. ***Economic Development Director's Report***

The Board met with Diane Sullivan re: the Administration of the new MSCP Grant award for the Housing Rehab Program. Ms. Sullivan advised the Board to 17 homes being programmed for rehab under this grant award along with Administration/staffing positions: The Board reviewed with Ms. Sullivan the positions and salary proposed: Program Director-Grant Administrator \$42,000.00, Part-time bookkeeper \$25, 110.00 Rehab specialist: \$25,000.00. Two of the three positions were advertised one not that being for the present bookkeeper on staff. Ms. Sullivan advised the Board to interviews being scheduled and of finalist to be presented to the Selectmen.

Ms. Sullivan advised the Board that the Town was not successful in obtaining the Mass Historic Grant for the Pleasant Street School. Selectman Sullivan asked about the status of the care, custody and control of the Pleasant Street School. Selectman Hamel stated that the Historical Commission had met and discussed this matter and Chairman of the Historical Commission-Frank Maxant had given Mr. Kreidler a letter with several questions which needed to be addressed by the selectmen before the two boards could have meaningful discussion regarding short or long range usage of the school. One of the questions regarding short term centered around the question of whether Town Hall offices would have to be relocated to the Pleasant Street School when inside restoration begins. The next meeting of the AHC would be on 2-18-99 and the Historical Commission was hopeful that further discussion would take place relative to this discussion at this meeting. Selectman Bresnahan stated that the UDAG funding request remains unsolved until care, custody and control is determined. Selectman Hamel also reported that the AHC had not received official notification from the Masons that they would not be renewing their lease when it expires in July 1999.

Ms. Sullivan stated that she was in the process of drafting UDAG documentation and will meet individually with Selectmen when the draft is completed.

10:30p.m. Selectman Bresnahan moved the Board adjourn from Open Session to enter into Executive Session pursuant to MGL Chapter 390 Section 23 b re: Exemption #3 to adjourn and enter into another Executive Session pursuant to MGL Chapter 39 Section 23b re: Exemption #3 to adjourn and re-enter into Open Session for the sole purpose of adjourning the meeting, 2nd by Selectmen Sullivan, VOTE: unanimous, so moved.

10:30pm Open Meeting closed.

-DATE:

Pam/ [Signature] 5/18/1999