

Selectmen's Meeting
Monday, January 11, 1999
2nd Floor Town Hall Meeting Room, Main St., Ayer, MA 01432

6:30p.m. The Board met with Chairman Hamel, Selectman Bresnahan and Selectman Sullivan.

Chairman Hamel opened the Meeting by stating the purpose of the Selectmen Meeting at 6:30p.m. was to conduct the Presentation of the Town's Boston Post Cane to the oldest resident in the Town- found to be Mildred Pillman Allen who is ninety seven (97) years old and a life long resident of the Town of Ayer. Mrs. Allen was born on November 20, 1901. Present this evening were family and friends of Mrs. Allen to participate in her receipt of the cane. Please see attached bio of Mrs. Allen. Also attending the presentation this evening was Representative Robert Hargraves who presented Mrs. Allen with a Proclamation from the State House upon this prestigious occasion. The Board of Selectmen presented Mrs. Allen and her Daughter, family and associates with corsages. Chairman of the Board of Selectmen-Pauline Hamel gave a brief history of the Boston Post Cane and of previous Ayer residents who have held the cane. The Board then presented Mrs. Allen with a Certificate of Recognition and a beautifully decorated with fresh flowers- Boston Post Cane to be held by Mrs. Allen and returned to the Town by her family. After a short ceremony the Selectmen welcomed everyone present to enjoy a beautiful cake decorated for the occasion by Elaine Clemmens- and punch. Mrs. Allen thanked every one for coming and the Selectmen for the wonderful ceremony.

7:25p.m. Open Session

Chairman Hamel announced to the viewing public the reason for the late start due to the Presentation earlier this evening of the Boston Post Cane to Mildred Allen a lifelong resident of the Town of Ayer.

Public Input: Chairman Hamel requested if there was anyone present wishing to meet with the Board. Lori Nehring requested to meet with the Board re: PACE concerns with a proposed new sub-division Snake Hill Ridge; and Guilford Railroad's proposal for a unloading facility on Willow Rd. Donald Messengil requested to meet with the Board re: a 1st Night Celebration.

The Minutes of 12-14-98 were amended as follows:

1. Selectman Bresnahan moved the board reserve \$30,000.00 of UDAG funds for the Park Dept. for a Youth Community Center use, subject to specific approval of a proposal by the Board of Selectmen.
2. Selectman Sullivan requested to insert back-up information re: 56 East Main St., Ayer, MA why this matter was before the Board-Page 2 #2.
3. Selectman Sullivan requested the correct time of the Volunteer Fair on Saturday 1-23-99 be corrected that time being from 11:30am to 2:30p.m.

Public Input:

The Board met with Lori Nehring of PACE re: PACE's concerns and to summarize what PACE has been doing. Ms. Nehring advised the Board to PACE's review of the Snake Hill Ridge Environmental Notification Form and updated the Board to the walk with MEPA representative David Shepardson on Saturday, January 16, 1999. Ms. Nehring expressed PACE's concern for the size of the project and direct impact on Town infrastructure when water/sewer and under severe constraints with numerous Consent Orders from DEP, traffic, impacts to schools, environmental impacts on wetlands, runoff and ground water recharge. Re: Guilford Railroad Ms. Nehring recapped and updated the Board to PACE's concerns presented to the Ayer Planning Board at the Public Hearing for Guilford's Auto Unloading Facility proposal. Specifically: impact on the spectacle Pond Acquirer, water quantity/quality issues, impact to traffic, diesel exhaust, light & noise pollution, Guilford's previous environmental record, traffic studies 6/98, and to serious health concerns re: gas additive found to contaminate water-MTBE in New England. Ms. Nehring also presented numerous petitions to the Selectmen opposing Guilford's proposal to build a auto transfer station in the Town of Ayer.

Selectman Sullivan stated the Selectmen's pro-active stance re: Guilford by requesting Town Boards, Committees, Departments and Commissions meet with Town Counsel from Kopelman & Paige on February 10, 1999, time to be developed later, to become better educated with Town Counsel's assistance when new proposals, developments come into Town. Ms. Nehring applauded this meeting and suggested it be open to the public as well. The Board thanked Ms. Nehring for meeting with the Board and for her update on PACE's concerns and recommendations.

The Board met with Donald Messengil who stated he was before the Board this evening to advise the Board to his attempt to conduct a 1st night in the Town of Ayer. Selectman Bresnahan cautioned Mr. Messengil that the function would be of a private nature and not a town function. Selectman Sullivan suggested Mr. Messengil be present at the Volunteer Fair on Saturday the 23rd to seek support and volunteers re: this function.

AGENDA ITEMS

1. Fire Chief

The Board met with Fire Chief Paul Fillebrown re: Architect's Report on the Ayer Fire Station. Selectman Sullivan opened the discussion by requesting the qualifications of the architect with regard to Fire Stations. Chief Fillebrown stated the Building Commissioner Gabe Vellante had recommended him to the proposal before the Board this evening. The Chief ran through areas of concern with the present station mentioned in the report. The Board requested a more accurate accounting of cost to repair the station and/or replacement cost. The Board requested the Town Administrator meet with the Fire Chief and develop a cost proposal regarding repairs needed vs. replacement cost. Selectman Sullivan took this opportunity to stress the importance of the Board's Capital Expenditure Plan for the next five (5) years, this project being placed on the forefront of such a plan.

2. Police Chief

The Board met with Chief Rizzo regarding his request to hire four (4) Prisoner Watch Personnel. The Chief recommended Diana Vita, Stacey Vear, Wayne Seers and Stephanie Pinter be hired to fill these positions. Selectman Bresnahan moved the Board approve the Chief's request and appointed the above as Prisoner Watch Personnel. 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

On another matter the Chief advised the Board to the 2nd Citizens Police Academy being conducted and starting on Feb. 17, 1999 from 6-9p.m. at the Ayer Police Station-Community Room for residents eighteen (18) years of age & older as well as local businesses. The Chief stated applications are available at the Department as well as Town Hall and the library. Selectman Hamel congratulated the Chief on the Program and thanked him for coming in.

3. Supt. Girouard's Report:

Action Items:

1. The Board made the Following amendments to the Sewer Bank Policy.

Page 1 no changes

Page 2: bottom of page to read: Person or entity shall be defined at the discretion of the sewer Commissioner's. Equitable allocation shall be the applicable standard for defining person or entity.

Page 3: Part 3 #1: applicants pays a one time non-refundable fee of \$1.00 per gallon per day for the amount of daily flow allowed by the proposed sewer permit.

Page 4. C- 2nd paragraph the amount of \$100.00 be inserted for the fine

Page 4. Last paragraph: insert: any failure of the Ayer Sewer Commissioners to exercise one or any or their rights under this policy shall not be deemed a waiver of any of their rights.

Selectman Bresnahan requested the Town of Ayer Sewer Bank Allocation and Permit Policy be accepted with the above amendments, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

2. Earth Tech: per the recommendation of Town Administrator James Kreidler, due to recent developments with Tata & Howard the consultant hired to review Earth Tech's proposal wishing to also be considered to submit a proposal for this project; the Board approved of Mr. Kreidler & Supt. Girouard to present analyses and recommendation at the next Selectmen's Meeting with regard to Earth Tech's proposal; re: scope, design, build & operate a regional waste water treatment facility as well as scenerio with Ayer going it alone.

3. The Board approved Supt. Girouard's recommendation to hire Wayne Babineau of Pepperell to the vacant truck driver's position, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.
4. The Board approved of the part-time Recycling attendant being paid from the existing Solid Waste Budget.
5. The Board approved of the profession services contract for the Flashing Lights at Central Ave and Groton Harvard Rd. not to exceed \$1,000.00.
6. The Board endorsed Tata & Howards Professional Services contract for the Capping of the Sanitary Landfill which was approved 2 ½ years ago but improperly signed off. The Board voted to re-sign the contract to clean up the paperwork. Contract for Professional Services for the Landfill not to exceed \$12,900.00.
7. The Board requested the new sewer bank policy be put in place for a new project (14 homes) which has not been before the Planning Board..
8. The Board revisited the request for water & sewer permits for 56 East Main St. The Board after a short discussion referred the individual to utilize the newly inacted Sewer Bank Policy rather than setting a precedent and setting criteria for water & sewer permit issuance.
9. Chairman Hamel brought to the Board's attention a matter which she received a call on concerning Cumberland Farms/Park St. plowing in sidewalks and to advise citizens that the DPW had nothing to with this matter it was solely Cumberland's action. The Board requested Mr. Kreidler to research who is responsible for enforcing the By-law re: sidewalks.

On other areas of concern the Board requested a stop sign be installed at the end of Calvin St./Snakehill Rd. And the school zone 35MPH speed sign be taken down and replaced with "Slow Children" signage.

Mr. Kreidler also informed the Board to the Street Light request for Westford Rd./Sandy Pond Rd. having been ordered.

4. **Selectman Sullivan** advised the Board to being approached by presiding Judge at the Ayer Court House re: people in the court house having their cars tagged/towed due to the extreme shortage of available parking on Prospect St. Chairman Hamel stated the restricted parking along Prospect St. is due to emergency vehicles unable to get through street when cars are parked on both sides of street. Selectman Sullivan stated the number of parking spaces needed by jurors now that Ayer is holding Jury Sessions. Selectman Sullivan urged new correspondence be sent to State Representatives, the Governor and Senators re: renewing pressure to take the house which sits in the middle of the court house parking area for additional parking spaces and to schedule a meeting with the Library, Park Dept. and Judge to address possible use of parking spaces at the library and Town park during court sessions.

5. **Selectman Bresnahan** requested that the Selectmen include the subject of goals & objectives in the Annual Budget/Town Meeting process. Selectman Bresnahan presented the Board an example of Fy-2000 goals & objectives for their consideration and comment.

6. Town Administrator's Report

Action Items:

1. Mr. Kreidler reviewed with the Board his Fy-2000 Budget Message sent out to all Town Boards, Departments, Committees and Commissions. The Board requested a calendar re: time lines up to Town Meeting.
2. The Board appointed Kimberly Becker to the serve on the communications Committee per the recommendation of Robert Pena Chairman and encouraged other Town residents to also come out on Jan. 23rd to the Volunteer Fair and meet with other Town Boards seeking Volunteers.
3. The Board approved of Sylvia' Haven Walk-A-Thon beginning in Ayer at the Town Hall scheduled for May 22, 1999 at 12:00 noon, contingent upon the Police Chief's approval and DPW Supt. Clearing of sidewalks.
4. The Board to take up the final revised copy of the Personnel Policy at the Selectmen's Meeting on 1-25-99.

5. The water bill of Mr. Gerald Wood was discussed including a proposal from Mr. Kreidler to give Mr. Wood two and a half (2 1/5) years to pay the bill with no interest. No motion was made on Mr. Kreidler's proposal. Selectman Sullivan made a motion to reduce the \$10,000.00 bill to \$4,500.00 and give Mr. Wood six (6) years to pay at no interest, while staying current on future bills. A lien will be placed on the property for the outstanding balance. Mr. Bresnahan declined to 2nd the motion, stating that this type of reduction was unfair to other citizens. Chairman Hamel stepped down to 2nd the motion VOTE: Chairman Hamel aye, Selectman Sullivan aye. Selectman Bresnahan no. Motion passes 2-1
6. The Board approved to continue the moratorium on Mr. Yi's payments to the Treasurer for the Water & Sewer arrears until after May 99 as requested by her attorney.
7. The Board approved of ENSR being hired as the consultant recommended by the JBOS Steering Com. For the Communities Connected by Water Proposal, with a disclosure statement..
8. The Board appointed Diane Sullivan to serve as a temporary appointment on the Communities connected by Water Grant to assist Mr. Kreidler until a Town resident/volunteer is found to serve in this capacity.
9. The Board approved the agreement submitted by Pierce Lamb Architects to conduct a independent review the project scope for the Town Hall presented by J. Stewart Robert's for the Town Hall Renovation Proposal for a award not to exceed \$1,800.00.
10. The Board approved of the endorsement by the Chairman on the Fy-99 MSCP Acceptance Agreement Documents for the Grant award of \$360,000.00. The Board congratulated Ms. Sullivan on the writing of this grant.
- 11 Mr. Kreidler advised the Board to the final comment period being 1-25-99 re: the Devens Landfill consolidation. Comments should be forwarded to James Chambers- BRAC or channel through the Selectmen's Office.
12. Chairman Hamel advised the Board to her involvement with a situation at Victory Market over the holidays and of complaints she received from residents and a Town of Groton individual shopping at Victory re: a disgusting mess at the drop off box for used cloths having garbage/trash mixed in. Mr. Kreidler stated his involvement dealing with the vendor and the market re: rectifying problem.
13. The Board authorized a letter stating the firm of Palmer & Dodge is the town's legal counsel re: labor disputes and be allowed to relinquish a file.

7& 8 Executive Sessions

10:45p.m. Selectman Bresnhan moved the Town adjourn from Open Session to enter into Executive Session pursuant to MGL Chapter 39, Section 23b Exemption #3 to adjourn and re-enter into another Executive Session pursuant to MGL Chapter 139 Section 23b Exemption #6 to adjourn from this meeting for the sole purpose of adjourning the meeting, 2nd by Selectman Sullivan, VOTE unanimous, so moved.


Paul D. Bresnahan, Chairman

DATE: 5/18/1999