

Selectmen's Meeting
Monday, June 22, 1998
2nd Floor Meeting Room, Town Hall, Main St., Ayer, MA

7:00p.m. The Board met with Chairman Hamel, Selectman Bresnahan and Selectman Sullivan.

The Minutes of 6-8-98 were set back for amendments.

Town Crier: Chairman Hamel opened the meeting by congratulating both Selectman Bresnahan upon his daughter Paula's marriage this past weekend and Selectman Sullivan upon the birth of his first child a son born on June 13, 1998-Liam Samuel Sullivan.

Public Input:

The Board met with Thomas Campbell of 11 Forest Street, Ayer, MA re: Mr. Campbell requesting the Board of Selectmen's assistance with the release his two (2) dogs restrained in the Town's Dog Pound. The Board reviewed with Mr. Campbell discussions with the Animal Control Officer and the Police Department re: violations of the leash law, licensing both kennel and dogs, and dog bite of a boy on Main St. Mr. Kreidler advised the Board to a negotiated fine of \$500.00 being agreed to be paid by Mr. Campbell re: violations. Mr. Campbell stated that he did not have the money but would work off his fine. The Board approved of Mr. Campbell to work off his fine (labor) at the Dog Pound by repairing the roof to the kennel in lieu of the \$500.00 payment and to include that Mr. Campbell to move out of Town with dogs. Materials to be supplied by the Town. The Board requested a document be prepared within the next two weeks for a signed release by the Board and Mr. Campbell. Motion made by Selectman Bresnahan, 2nd by Selectman Sullivan. VOTE: unanimous, so moved.

The Board met with Fire Chief Paul Fillebrown re: Bid Award for the Departments 1960 Chevrolet Fire Truck. Chief Fillebrown stated twelve (12) bids were received. Chief Fillebrown recommended the Board award the truck to the high bidder, Kevin Hardin for the bid award of \$4,600.00. Chairman Hamel called for a motion to award the bid. Selectman Bresnahan moved the Board award the 1960 Chevrolet Fire Truck to Kevin Hardin for the Bid Award of \$4,600.00, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

Chairman Hamel announced the cancellation from the Agenda of the Historical Commission.

Supt. Girouard' Report: see report dated 6-22-98

The Board met with John Deline, P.E. of the Department of Public Works in the absence of Supt. Gary Girouard.

Action Items:

1. The Board met with Mr. Deline re: water & sewer issues. Mr. Deline stated MassDevelopment has approved the purchase of water should the Town elect to upgrade the pipes in order to connect the two communities. Selectman Sullivan moved the Board have Mr. Deline get an estimate re: the cost of water from Mass Development and to price out the cost re: installing a new connecting water line. The Board was advised to a intermunicipal Agreement having to be approved by Town Meeting to formalize the water purchase agreement. Selectman Bresnahan requesting to contact MDFA re: funding for the infrastructure applied against the purchase of water, if needed.

Selectman Bresnahan requested that Sup. girouard prepare a report re: current demand and issues that we have to deal with over the next year and a half as the Town prepares for long term solutions. A review will be held at the next Selectmen's Meeting to give the Selectmen and the public a status on the regional wastewater study.

2. The Board approved the extension request be sent to DEP for the infrastructure to extending the Town's deadline from July 1, 1998 to August 1, 1998 for water withdrawal reduction from Spectacle Pond wells to come into compliance with the Town's certified DEP withdrawal permit.

3. Mr. Deline to report back to the Board re: one of the clarifiers at the WWTP being off-line due to mechanical failure. The Board was advised to costs estimates coming in at \$23,000.00 for the damaged equipment.
4. The Board approved of Water & Sewer Permits being approved/endorsed by Chairman Hamel which had been previously granted. Sewer Permits approved were: 7 Sculley Rd., Lot 20 Calvin St., 205 W. Main, Lot 6 Calvin St., Lot 3 Westford Rd., 110 Oakridge Dr., and Lot 7 Calvin St. Water Permits: Lot 20 Calvin, Lot 6 Calvin St., 38 Pingry, 35 Pingry, 1 Pingry Lot 3 Westford Rd. & Lot 7 Calvin St.
5. Mr. Deline advising the Board to time frame of 9/30 re: future sewer tie-ins. Effective 9/30/98 no new sewer connections will be allowed to the system unless either:
 1. There are gallons of credit available in the sewer bank or
 2. there is a removal of 4 gallons of I/I for every one (1) new gallon of flow permitted.
6. the Board approved of trade of equipment (surplus chlorine feed pumps) with the Town of Sudbury for an electric gate valve turner for the water department.
7. Selectman Sullivan took this opportunity to advise Mr. Deline of a complaint he had received re: a gap between the ramp and dumpster of the Town's brush area which caused an injury to a resident over the weekend. Mr. Sullivan suggested concrete or railroad ties be laid to fill the gap to avoid future injuries to residents.
8. Selectman Bresnahan requested the Grove Pond Schedule be updated re: status, and submitted to the Board. If Mr. Deline runs into problems to flag them to Selectmen as soon as possible.

Selectman Hamel took this opportunity to advise the Board to her discussions with the MBTA re: upgrading the Town's present commuter station. Chairman Hamel reported to the Board on long and short term proposals. Short term planning could include the current commuter shell and parking area being upgraded. The other proposal from the MBTA would be to design a new train waiting area and have a community group build it with the supplies and materials being funded by the MBTA, the Town would have to maintain the upkeep. Long term plans would be for a more substantial train station whereas the Town would compete for funding along with other communities. Selectman Sullivan suggesting this larger scheme would call for more planning and esthetics for the entire area. Economic Development director, Diane Sullivan to keep the Board updated regarding this proposal.

Public Hearing Continuance: Alcohol License-Exxon Tiger Mart-Park Street, Ayer, MA

The Board re-opened the Public Hearing of June 6, 1998. Present for the discussion: Hitesh and Anu Bhagat and Seth Cohen.

Mr. Kreidler requested if the last abutter's notification card had been received. Mrs. Bhagat presented the card to the Town Administrator. The Board ran through their concerns re: the sale of alcohol beverages with the owners. Selectman Hamel advised the Board to Victory Mkt. having been refused a Beer & Wine License in 1978 due too having minors working in the building and read the decision of the Board of Selectmen in 1978 into the record.

Selectmen Sullivan stated he disagreed with the rational of denying the permit due to having to many establishments selling alcohol in the area. Opening another liquor store would not increase demand-if someone wished to purchase alcohol he could obtain it elsewhere.

Selectman Sullivan stated he is a strong proponent of free enterprise and competition. Selectman Bresnahan after satisfying his concerns moved the Board approve the Beer & Wine License for Exxon Tiger Mart with the following contingencies:

1. No selling of Beer or Wine without proper documentation of proof of age, which is stored in the computer data base for each sale.
2. Minors (under age 21) are not allowed to be employed by this business, or any other business, in the building where the Beer & Wine is located.
3. All products to be sold from the two (2) coolers located closest to the pay point.
4. Security cameras to cover area where alcohol beverages are displayed and on the cashier.
5. All alcohol beverages to be stored under lock & key when sales are not allowed.
6. No internal displays with alcohol, i.e beverages (display items with out alcohol approved only).
7. No single/individual containers of beer, malt or wine coolers to be sold-with the exception of large (750 ML) and up bottles of wine.
8. No external signs/displays advertising alcohol beverages.

Selectman Sullivan 2nd this motion. VOTE: Chairman Hamel-no, Selectman Bresnahan-aye, Selectman Sullivan-aye, 2-1 vote, motion passes.

Selectman Bresnahan placed the owners on notice that they would be subject to arrest if patrolman observed underaged employees handling alcohol beverages and that the police would be monitoring-spot checking to ensure compliance- and that the Selectmen are very committed on contingencies and will not bend the rules.

Police Chief's Report:

The Board was advised to the Citizens Police Academy beginning Wednesday July 9, 1998 from 7-9 pm in the Department's Community Room and running for ten weeks

Action Items:

1. Selectman Bresnahan moved the Board after meeting with Chief Rizzo to change the organizational structure of the Ayer Police Department to provide for four (4) sergeants.
2nd by Selectman Sullivan, Vote: unanimous, so moved.

1. The Board per the recommendation of Chief Rizzo voted to appoint Michael Edmunds and Mark Coulter to sergeant. Chief Rizzo stated nine officers took the Sergeants test only two officers passed the score required for the sergeants position, those men being Mark Coulter and Michael Edmunds. Chief Rizzo request both Mark Coulter and Michael Edmunds be promoted to Sergeant one of which would cover the swing shift.

Chairman Hamel called for a motion. Selectman Sullivan moved the Board approve the Chief's recommendation and appoint Michael Edmunds and Mark Coulter to Sergeant, 2nd by Selectman Bresnahan, VOTE: unanimous, so moved. Chief Rizzo stated a formal swearing in ceremony would be planned for later in the week at the department.

2. The Board per the recommendation of Chief Rizzo voted to appoint Judith Hadley to the vacant Telecommunicator's position. Motion made by Selectman Bresnahan, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

Town Accountant.

Action Items:

1. The Board approved a Reserve Fund Transfer for the Accountant's Department #01135 in the amount of \$950.82 to cover the increase in the Assistant Accountant's hours when the position was reallocated to 30 hours a week from 20 hours. The remaining ten hours being covered under the MSCP Grant. Motion made by Selectman Bresnahan, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

2. The Board authorized Wiltel to provide telecommunications management services to the Town of Ayer. Wiltel to serve as the Town's representative for Bell Atlantic. This service to be provided to the Town of Ayer at no cost to the Town. Motion made by Selectman Bresnahan 2nd by Selectmen Sullivan, VOTE: unanimous, so moved. The Board approved of Chairman Hamel's endorsed of the Agreement.

Town Administrator's Report:

Action Items:


1. The Board approved of the new Job Description for the Town Accountant Lisa Gabree -new job description more accurate. Motion made by Selectmen Bresnahan, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.
2. The Board approved the following to be appointed to the Town Government Study Committee: Robert Anctil, Thomas Casey Sr., Charles Jones, Charles McKinney, Louise Naylor, Mary Spinner, Thomas Welham and Jane Witherow. Motion Made by Selectman Bresnahan 2nd by Selectman Sullivan, VOTE: unanimous, so moved.
3. The Board approved of the following to be appointed to the Communications Study Committee: Louis Marino, Robert Pena, Michael Woffenden, and Jennifer Gibbons. Motion made by Selectman Bresnahan, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.
4. The Board approved of a working out of grade salary adjustment for Martha Reilly while the Selectmen's Secretary was on vacation. The Board approved the amount of \$295.20 to be paid to Martha Reilly. Motion made by Selectman Bresnahan, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.
5. The Board approved the FY-99 Appointments for employees only--The Board waiting upon confirmations from all Town Committees, Boards & Commissions of their desire to continue on their individual Boards, Committees and Commissions.
6. Mr. Kreidler announced to the viewing audience the start up of the new SHAVE Program (Senior Handicap Ayer Volunteer Exemption Program) for FY-99 requesting interested citizens to contact the Selectmen's Office for more information and to pick up a new application. Applicants to be over 65 years of age or handicapped, volunteering one hundred hours (100) of work and must be a Town of Ayer resident. A lottery will be held if more than ten qualified applicants apply. Mr. Kreidler stated this will be the first time participants will receive preference.
7. The Board approved of the Treasurer's Bond anticipation Note presented by Mr. Kreidler in the amount of \$750,000.00 with a interest rate of 3.98% per annum. Motion made by Selectman Bresnahan, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.
8. The Board was updated to latest development re: Shepley Landfill Consolidation being closer to offsite disposal. BFI has come up with a figure that comes within \$1 million vs on site. Mr. Kreidler stated the off site solution becomes a viable alternative given the one million comes close to the cost of the Army's on site disposal recommendation.

New Business:

The Board was advised to the Treasurer's Assistant accepting another position in another municipality effective June 30, 1998. The Board was advised to job posting advertised and of in house postings going out.

10:20p.m. Selectman Bresnahan moved the Board adjourn from Open Session to enter into Executive Session pursuant to M.G.L. Chapter 39 Section 23B Exemption #3, to adjourn to re-enter into another Executive Session pursuant to M.G.L. Chapter 39, Section 23B Exemption #3 to adjourn to re-enter into Open Session for the sole purpose of adjourning the meeting, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

10:20p.m. Open Session ended.

 Date: 8/17/1998
Paul D. Bresnahan, Clerk