

Selectmen's Meeting
Monday, January 5, 1998
2nd Floor Meeting Hall
Town Hall, Main Street, Ayer, MA 01432

7:00p.m. Open Session

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

Chairman Norstrom opened the Meeting by advising residents to the following important meetings coming up in the month of January under Town Crier:

TOWN CRIER:

1. January 6, 1998-PACE Meeting at 7:00p.m. at the New Police Station Community Room.
2. Thursday, Public Hearing-4-10pm at the Devens Conference Ctr. with representatives from DEP and EPA re: the consolidation of 7 Landfills on Devens to Shepley Hill.
3. Birthday Party Invitation to all Town of Ayer residents in honor of Harriet Maxants 90th Birthday to be held at the Federated Church Sunday, January 11, 1998 from 2-6p.m.
4. Jan. 12, 1998, Monday-Reg. Waste Water Study Com. Meeting-Devens Com. Ctr.
5. Jan. 13, 1998, 6:30pm Restoration Plan. Meeting-Ayer Town Hall
6. Jan. 14, 1998, Coalition for Community Wellness at 1:30p.m. Deacones/Nashoba Hospital.
7. Jan. 14, 1998, Nashoba Chamber of Commerce 5:30-7:00pm Devens Conference Ctr.
8. Jan. 14, 1998, Strategic Planning-School, 7-9p.m. Page School
9. Jan. 15, 1998, Water/Sewer Enterprise Fund Study Com. 4:30pm Town Hall
10. Jan. 19, 1998, Holiday Town Offices closed in observance of Martin Luther King Day.
11. MMA Annual Meeting, Boston Marriott Fri/Sat.-Jan. 24&25, 1998
12. Jan. 26, 1998, Next Board of Selectmen's Meeting

Chairman Norstrom requested if there was anyone present who wished to speak under Public Input. William Oelfke requested to meet with the Board re: Personnel Board Policy. Ross Walters re: the municipal lot on Washington Street.

Chairman Norstrom called for a motion to accept the Agenda. Selectman Hamel moved the Board approve the Agenda as amended, 2nd by Selectman Bresnahan, VOTE: unanimous, so moved.

Chairman Norstrom took this opportunity to congratulate the Dept. of Public Works for the wonderful job of keeping the streets clear of snow and ice from the storm of December 23, 1997; elaborating that school was in session and school buses were assisted along their routes by the DPW. Selectman Hamel stated she had heard Ayer was on the National news having received the greatest amount of snow some 20". The Board requested a letter of thanks be written to Larry Caldwell and Supt. Girouard for the outstanding job.

Chairman Norstrom also took this opportunity to acknowledge the gifts bequeathed to the Town of Ayer from the late Ralph Richardson. Chairman Norstrom read into the record for acceptance by the Town at the next Town Meeting: \$100.00 to Woodlawn Cemetery, Ten Thousand Dollars (\$10,000.00) to be added to the Alfred Page Town Farm Fund, in memory of his grandfather Alfred Page. To the Ayer Planning Board all the plans of land in Ayer which the Town possessed at the time of his death.

The Board under Public Input met with Park Commissioners David Rifflemacher and Russell Norstrom. The Commissioners stated they were before the Board this evening to publicly thank the Felch Family for the donation of land to the Ayer Park Dept. The lot located to the right of the entrance monument in the Park some 300' +/- would allow access to the lower park fields. The Selectmen as well acknowledged their thanks to the Felch Family for this donation and requested a letter be written thanking the family for this donation.

The Board met with William Oelfke, Chairman of the Personnel Board. Mr. Oelfke stated that the Personnel Board had met earlier today to finalize the final draft of the Personnel Policy stating all of the controversial areas had been edited. A copy of this final draft will be made available to Mr. Kreidler and the Board the week of the 12th.

The Board met with Russell Walters owner of 9-11 Washington Street, Ayer, MA re: permission to allow his tenants to park temporally in the Municipal Lot on Washington ST. across from the Fire Staion while he is doing renovations to his building, in exchange for this permission he would plow and maintain the lot during this time. This problem coming about due to the parking ban which is presently in effect. The Board requested the Fire Chief to sit in on this discussion. The Chief stated he was opposed to this request stating problems currently with plowing the lot during storms which impact parking for his volunteers during fire calls and ambulance runs. The Chief reminded the Board that the Federated Church owns the lot and the Town pays the church for municipal parking. Selectman Hamel suggested the possibility of using town hall spaces during the night but advised that vehicles would have to be out for town hall employees. The Board took this request under advisement. Mr. Kreidler to meet with Mr. Walters.

Chairman Norstrom welcomed Walter Razabonni aid to Representative Hargraves to the Meeting. Mr. Razabonni advised the board to the Representative conducting office hours this evening at the Town Hall and welcomed constituents to call or come in to meet with him this evening if they have questions or concerns. The Board thanked Mr. Razibonni for coming in and requested he give Rep. Hargraves a bumper sticker from PACE re: the consolidation of landfills on Devens.

Chairman Norstrom announced the Board would be entering into Executive Session at this time re: litigation stating the Board would be out in a very short time. Chairman Norstrom called for a motion to enter into Executive Session. Selectman Hamel moved the Board enter Executive Sesison pursuant to MGL Chapter 39 Section 23b-Exemption #3, 2nd by Selectman Bresnahan, VOTE unanimous-so moved.

7:20p.m. Executive Session.

7:45p.m. The Board re-entered Open Session.

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The Board met with Fire Chief Paul Fillebrown re: Firefighter/EMT Appointments. The Chief stated he would like to take this opportunity to publicly thank Jim Kreidler, Town Administrator, Larry Cole and Lt. Farley for their participation sitting on the Screening Committee which reviewed over twenty five applications, screened down the resumes to nine, conducted interviews and scored each individual based upon qualifications and experience. The Chief stated he was before the Board to present the three (3) finalists for the three positions recommended by the Screening Committee and himself: Jeromy Januskiewicz, Frank Fowler, and Robert Bozek-all three (3) candidates are from Ayer. Selectman Hamel moved to appoint the three finalist based upon the recommendation of the Chief and Screening Committee, 2nd by Paul Bresnahan, VOTE: unanimous, so moved.

The Chief on another matter took this opportunity to thank Mark Dixon and Larry Caldwell of the DPW for their assistance with an emergency situation at the Fire Station when heating pipes broke. Mark & Larry dug up the floor and removed the concrete saving valuable time & money. The Chief thanked both men for teamwork between departments. The Board requested letters of appreciation be sent to both employees.

The Board met with Tony DiLuzio of KV Associates re: the new police station.

Mr. DiLuzio advised the Board to substantial completion was achieved on October 15, 1997, and since that time both KV & Stahl Assoc. have been monitoring the contractors action regarding punchlist items not completed. Mr. DiLuzio stated AMG remains committed to completing the project it has been difficult to get sub-contractors in to perform the punchlist related work. Mr. DiLuzio stated this punchlist time commitment has exceeded the closeout phase with KV & Stahl Assoc. Mr. DiLuzio requested the Board authorize additional services based upon administrative work of 90 hours at \$60/hr. or \$5,400.00 for Stahl Assoc. and \$7,250.00 to KV Assoc. due to change orders.

The Board after a lengthy discussion moved to have Town Counsel prepare a notice of default to AMG Construction and to begin the process to deduct monetary costs associated with professional fees associated with the closing out of the project. Selectman Hamel moved the motion, 2nd by Selectmen Bresnahan. VOTE: unanimous, so moved.

Public Hearing: Earth Removal Renewal Permit-F&P Willows Trust-Willow Rd., Ayer, MA Selectman Hamel read into the record the legal notice advertised in the Nashoba Publications Newspaper the weeks of 12-24-97 and 12-31-97. The Board met with Daniel Routhier standing in for Paul Routhier who was not available to attend the meeting due to another commitment. Mr. Routhier advised the Board to no changes in the quantity and material to be removed. The Board requested if there was anyone present who wished to speak for or against the permit. No one stepped forward. The Board requested if all abutters were notified. Mr. Routhier produced certified mailings into the record. The Board based upon past performance and dust control measures being in place moved to approve the permit. Selectmen Hamel moved the approve the renewal 2nd by Selectmen Bresnahan. Vote: unanimous, so moved.

Supt. Girouard's Report: See report dated 12-31-97

Action Items:

1. The Board reviewed the documentation presented by Chief Rizzo re: Nuisance By-law reminding residents that they are responsible for the removal of snow and ice from sidewalks along Main Street as well as curb cuts being the responsibility of store owners. The Board requested the newspapers and cable be contacted to notify residents of this by-law.
2. The Board awarded the contract for the Water Line/Waste Line to N. Granese & Sons, Inc. of Marblehead, MA for the bid award of \$131,551.90 the low bidder for this project. Motion made by Selectmen Hamel, 2nd by Selectmen Bresnahan, Vote: unanimous, so moved.
3. The Board endorsed Tata & Howard's Contract for the water line and well improvements at Grove Pond-approval granted at Selectmen's Meeting of 12-19-97.
4. The Board to review the Town Engineer's Job description presented by Supt. Girouard to be advertised the week of 1-12-98.

Town Administrator's Report:

Action Items:

1. The Board took the Shave Program appointments under advisement pending further review of funding options.
2. The Board moved and approved of a Reserve Fund Request for the Council on Aging in the amount of \$10,202.40, to fund the position of Council on Aging Director.
3. Mr. Kreidler advised the Board to the FY-99 Green Sheets (budget reports) being made available to Town Departments early next week. Police & School Depts. looking at impacts School-loss of PL874 and Police re: utilities running new facility.
4. Mr. Kreidler reviewed with the Board the new Ad-Hoc Committees advising all have met and have begun their investigations.
5. Web Page the Board was advised to Library being selected to house Web Page for convenience of all Departments wishing to utilize. The Board requested all information on Web Page be reviewed by the Selectmen prior to airing.
6. The Board was advised to cost to rehab the old police station coming in between \$20,000 and \$40,000 for use by the Park Dept. The Board took this information under advisement being that this rehab is only a temporary solution. Selectman Hamel advising Board to \$30,000 being available from UDAG request last year by Park Dept. for Youth Ctr.
7. The Board requested an Environmental analyses be requested on donation of Land by Felch Family.
8. The Board requested the \$3,000.00+ funding remaining in the Comp II Plan be funded for GIS training for the Planning Board's Administrative Assistant.

9:45p.m. Selectman Hamel moved the Board adjourn from Open Session to enter into Executive Session pursuant to M.G.L. Chapter 30 Section 23B Exemption #3 to adjourn from that Executive Session to enter into another Executive Session pursuant to M.G.L. Chapter 39 Section 23b, Exemption #3 to adjourn from this Meeting to enter into Open Session for the sole purpose of adjourning the Meeting, 2nd by Selectmen Bresnahan, Vote: unanimous, so moved.