

Selectmen's Meeting
Monday, June 2, 1997
Ayer Public Library-Lower Level Conference Room
East Main Street, Ayer, MA

7:30P.M. The Board met with Chairman Norstrom, Selectmen Hamel and Selectman Bresnahan.

The Minutes of April 22, 1997 and May 5, 1997 were read and accepted.

Town Crier:

Chairman Norstrom made the following announcements

1. Ayer High School Graduation to be conducted on Friday, June 6, 1997 at 6:00p.m.
2. Chairman Norstrom extended thank you's to all the participants in the Comp II Study Group which finished up after nine months (Aug 96-May 97) with a special thanks extended to the Ayer Community Planning Committee (ACPC) for their commitment to this project.
3. A weed control update was given for Pine Meadow Pond & Nutting Grove Pond which both ponds were treated on May 27, 1997.
4. Mosquito Spraying dates were presented for June 2, 9, 16, 23, & 30, 1997
5. The next 4th of July Committee meeting date of June 9, 1997/7:00p.m./Town Hall was announced.
6. The start up of the 1997 Arts Picnic Program was announced to residents.

Public Input:

Chairman Norstrom requested if there was anyone present who wished to speak under public input. The following People requested to be heard.

Walter Pickard of Oakridge Dr. requested to speak re: status of Oakridge Dr. project.

Angus Bruce & Atty. Kadison re: Golf Course & Bennetts Brook

Selectman Hamel re: Conservation Commission appointment requests.

Chairman Norstrom called for a motion to accept the Agenda as amended.

Selectman Hamel moved the Board approve the Agenda of June 2, 1997 as amended, 2nd by Selectman Bresnahan, VOTE: unanimous, so moved.

Chairman Norstrom requested Douglas Friedrich to step forward. Chairman Norstrom stated she had requested Mr. Friedrich in to the meeting to congratulate him as Commander of Post 139-American Legion for the wonderful program conducted on Saturday, May 24, 1997. The Board thanked Mr. Friedrich for orchestrating the entire event from the parade to the dedication and program conducted in front of the Town Hall and Park. The Board presented Mr. Friedrich a Certificate of Appreciation for his dedication to the Veterans and Townspeople.

Chairman Norstrom stated the Board had received a request from Manuel Velez, Chairman of the Zoning Board of Appeals regarding a appointment to this Board. The Board met with Mr. Velez who requested the Board appoint Dennis McGillicuddy of 13 Groton Harvard Rd., Ayer,MA to the Zoning Board of Appeals. Mr. Velez stated Mr. McGillicuddy served on the Comp II Committee and has a strong GIS background which would enhance the Board.

The Board based upon Mr. Velez's request moved to appoint Dennis McGillicuddy to the Zoning Board of Appeals effective immediately. Motion moved by Selectman Bresnahan, 2nd by Selectman Hamel, VOTE: unanimous, so moved. The Board thanked Mr. McGillicuddy for serving the Town and expressed their pleasure having him on this Board.

The Board met with Wellman Parker and Detective Mark Coulter of the Ayer Police Dept.

Mr. Parker stated he was before the Board this evening to incorporate the Ayer Explorers into the Civil Defense Program. (Emergency Management) Chairman Norstrom requested to abstain from discussion due to conflict of interest whereas she currently serves as Deputy with the Emergency Management Program. Detective Coulter stated he has approved of the joint venture and has researched possible liability concerns through the Town's carrier who has provided the explorers a \$7.00 individual/yearly insurance policy covering the Town from possible exposure and had obtained a waiver of liability from the carrier. Detective Coulter stated this is a functional sanctioned activity for the police explorers Program. Selectman Hamel moved the Board approve of the request of the Civil Defense Director-Wellman Parker and incorporate the Police Explorers into the Civil Defense Program, 2nd by Selectman Bresnahan. VOTE: Selectman Hamel aye, Selectman Bresnahan aye, Vote 2/3 with Chairman Norstrom abstaining--vote carries motion approved.

The Board requested Alvah DeForge to come forward. Chairman Norstrom read into the record a letter submitted to Mr. DeForge from the Ambassador of the Russian Federation to the United States, Yuli M. Vorontsov. The letter congratulated Mr. DeForge on behalf of the Russian people and awarded him the commemorative medal of the 50th Anniversary of the victory in the great patriotic war (World War II). The medal was awarded to Mr. DeForge for his bravery and personnel contribution to the allied support of Russia during Russia's fight with Nazi Germany. Mr. DeForge displayed the medal presented to him to the Board, and gave a brief history of the allied support given to Russia during World War II. Manuel Velez, Veteran's Agent for the Town of Ayer offered his congratulations and apologized to Mr. DeForge for having to receive his award in the mail and stated had he known he would have called a press conference and honored him in a more dignified manner. Mr. Velez stated he would notify the State Office of Veterans Affairs to acknowledge the award/medal.

Chairman Norstrom took this opportunity to report to Town of Ayer residents that the Recall Petition has been sent to the State for petition to the General Court of Massachusetts to enact the Recall provision as a special act of the Town of Ayer.

Selectman Hamel requested to speak concerning three requests the Board of Selectmen have received from Town residents seeking to serve on the Ayer Conservation Commission. Selectman Hamel stated there has been a great response from residents to serve on this Commission and that the Board has received word that due to the response the Chairman of the Conservation has called a meeting on Tuesday, June 10, 1997 at 7:00pm to meet with all the people requesting to serve on the Commission prior to appointment.

The Board met with Mr. Picard of Oakridge Drive re: status of project, advising board to horrible situation with the sewer project left incomplete and of dust and huge holes left in road. Mr. Kreidler advised Mr. Pickard to Board having before them this evening the contract with D&C Construction to finalize the completion of the project. The road to be paved after all infrastructure is in. The problem being the short fall in funds to complete the project and of Board having to go before Town Meeting to fund the remainder of the work.

The Board met with Angus Bruce, Atty. Kadison, Atty. Lou Levine and Daniel McSweeney re: the sewer tie in on Littleton Rd. Atty. Kadison stated they were present this evening to advise the Board that everything had been worked out between Bruce Homes & the Golf Course re: the pump station. Atty Kadison advised the Board that the Golf Course would be tying into Bruce Home's pumping station and further down the road Bruce Home would be looking to have the Town take over the sewer infrastructure and roadway. The Board stated before this could happen as built plans, inspections all done & completed would have to have occurred. Atty Kadison stated records are on file with the Planning Board as well as with the Building Inspector. Supt. of Public Works Owen O'Riordan stated he would have to go and inspect entire sub-division re: conformance prior to release of bond.

On another matter the Board met with Angus Bruce and Atty. Kadison re: process re: water & sewer permits being approved by Board of Selectmen after approval by Supt. of Public Works. Mr. Bruce stated he was of the opinion that the Board would approve the W&S permits after the Supt. of Public Works had signed off to having been satisfied with

work. Mr. Bruce stated it was his belief that the previous Board had approved of this process to expedite the process whereas the contractor could not get building permits if the water & sewer permits were not signed off. The Board stressed problems with this practice having major problems, requiring the Board's intervention occurring recently i.e. MBTA cease & Decease, golf course etc. which the Board expressed their concerns with. Mr. Bruce stated having delays waiting on the Board of Selectmen's approval every two weeks make for major problems for him re: new owners trying to purchase homes/passing papers, for him especially whereas he deals with modular homes and he cannot take delivery on a timely basis. The Board stated their concern with the TRA cease & Desist and making an exception for him and not for others being a concern. The Board took the water & sewer permits under advisement pending Town Counsel's approval.

Chairman Norstrom announced the cancellation of the Town of Ayer DEC (Devens Enterprise Commission) members from the agenda due to members being unavailable for meeting, re: Mass. Bio-Conversion Project being proposed on the North Side of Devens-the plant would recycle food waste, oils, biosolids-(sludge from wastewater facility) and yard waste to produce 50 tons of animal food or fertilizer. The Board expressed their concern re: this project and re: not receiving prior notice re: this plant coming to Devens.

The Board met with Timothy Henzy, MSCP Grant Administrator. Mr. Henzy requested the Board's support to utilize recapture funds for partial funding (6Mo.) July-Dec. 97 for himself, Martha Reilly and Diane Sullivan. This use of the recapture funds would fund the MSCP office until the next Grant Award for the MSCP 1997 grant round. Mr. Henzy also included a brief detailing his proposal for maintaining the MSCP to include grant accomplishments and proposed FY-98 budget. Selectman Hamel praised Mr. Henzy's performance and moved to support Mr. Henzy's request to utilize the recapture funds for the MSC office staff through December 1997 (approximately \$20,000.00 to be realized).

Mr. Henzy on another matter requested the Board's consideration and hopeful support for the Mass. Incentive Grant to provide funding for a Geographical Information System Needs Analysis. This grant would update Zoning, DPW-roads, hydrology, wetlands, watersheds, flood plains, parcels community facilities and historic resources, wildlife, slopes, topographical contours in Town by combining information. The analysis would allow the Town to hire a consultant to identify how the Town will use and build upon current GIS information. A GIS may play a critical role in assising in delivering the municipal services needed to carry out the goals and objectives defined. Mr. Henzy stated the project has the support of all major Town departments which have a need or information required for GIS. i.e Selectmen, Planning Board, DPW, School, Assessors, Police, Fire, Building, Board of Health, Economic Development and Grants Administration. Selectman Hamel moved the Board support this grant application 2nd by Selectman Bresnahan, VOTE: unanimous, so moved.

The Board met with DPW Supt. O'Riordan, re: Bennetts Brook 2A sewer connection and Shaker Hills Golf Club connection. Supt. O'Riordan based upon his examination and recommendation of Town Counsel requested the Board approve the connections as the pumping station meets DPW standards and approval. Supt. O'Riordan cautioned against accepting the sub-division prior to submission of as built (construction drawings) were not in place.

The Board approved of the Grove Pond Water Filtration Facility's request for payment for work completed through April 30, 1997 on Contract #1 in the amount of \$32,537.50 in accordance with the application for work completed as stated. Selectman Hamel Moved the payment 2nd by Selectman Bresnahan, VOTE: unanimous, so moved.

The Board addressed Mr. O'Riordan's leaving and replacement process. The Board requested a new Screening Committee be formed to consist of a member of the Personnel Board, Engineering, Business community, citizen at large. Mr. Kreidler suggested the following people be contacted to serve: William Oelfke, Joseph Sampson of Cain's Corp a high strength user, David Ross re: Engineering background, and Curt Balchunas as citizen at large.

The Board met with the Police Chief Donald Haapakoski. Chief Haapakoski requested the Board's support for a cash match of \$17,000.00 for a \$50,000.00 Cops & Kids Grant that addresses substance abuse and violence as well creating a positive interaction between the youth and police through educational and recreational opportunities. Target age group would be middle school group. Selectman Hamel moved the Board take \$17,000.00 from the Community Center Account to fund this matching funds request, 2nd by Selectman Bresnahan. vote: unanimous, so moved.

The Board approved two signs be placed on Westford Rd. per the recommendation of Chief Haapakoski. One at the intersection of Westford Rd., Sandy Pond and Willow Rds indicating Willow Rd. is the route to routes 2-2A & 495, and a sign on Willow Rd. & Sandy Pond Rd. indicating that Westford Rd is the route to the Industrial Park & Rt. 119. Motion moved by Selectman Hamel, 2nd by Selectman Bresnahan, VOTE: unanimous, so moved.

The Board requested Mr. Kreidler contact Mass. Highways re: new light poles for West Main St. re: whose responsibility for putting them up & need for more lights.

The Board approved of Change Order for Briggs Co. for the new police station site re: soil testing due to more work being involved than originally budgeted for. The Change Order was approved in the amount of \$6,400.00. Motion made by Selectman Bresnahan, 2nd by Selectman Hamal, VOTE: unanimous, so moved.

The Board was advised to Sgt. Denmark being in Russia with an international Police exchange program for two weeks.

The Board approved the cruiser repairs to the K-9 vehicle in the amount of \$1,014.00

TOWN ADMINISTRATOR'S REPORT: Action Items

1. The Board approved of the purchase of twelve (12) 150 watt high pressure luminaries to replace the twelve (12) existing 100 watt luminaries along Main St. from Mass Bay Electrical Corp. for the sum of \$4,110.00. The process to take approximately thirty days. Motion made by Selectman Hamal, 2nd by Selectman Besnahan. VOTE: unanimous, so moved.

The Board was advised to the Open Meeting Violation submitted to the A.G. Office by the Lowell Sun re: entering into Executive Session to discuss the selection process-- interviewing DPW finalist being within the confines of the law. The Board of Selectmen were not in violation.

The Board requested the Town Administrator distribute a memo advising Town Hall staff and the Police Dept. not to park on the lawn in the rear of the Town Hall, effective immediately.

The Board approved a UDAG transfer in the amount of \$6,000.00 to bring the 2nd floor bathroom into compliance with ADA standards. Mr. Kreidler advised the Board to Gabe Vellante preparing the plans at no cost to the Town. Mr. Kreidler also advised the Board to the ramp in the rear of Town Hall being in compliance within code. Selectman Hamel moved the motion to transfer \$6,000.00 from UDAG to bring the 2nd floor bathroom into compliance with ADA standards contingent that the funds be replenished at the Special Town Meeting anticipated for November/97.

The Board requested Mr. Vellante be thanked for his assistance to this project and for developing the plans to move this project along.

The Board approved the easement and monetary payment of \$1,000.00 to Donald Guthrie for a perpetual easement for sewer pump station being shown as utility easement recorded on 3-10-97 by David E. Ross with the Middlesex South District Registry of Deeds in Book 12271 page 588.

The Board requested Mr. Kreidler to write a letter to DOD requesting to re-acquire the Fort Devens Elementary School and to word the letter after clean up would like to regain custody and control of the school, cc: state reps, Town of Shirley, Bob LaRochelle.

10:30p.m. Selectman Hamel moved the Board adjourn from Open Session to enter into Executive Session pursuant to M.G.L. Chapter 39, Section 23b, Exemption #3, re: the Building Dept. to adjourn from Executive Session to re-enter Open Session for the sole purpose of adjourning the meeting, 2nd by Selectman Bresnahan. VOTE: unanimous.

10:30p.m. Open Session ended.


Paul D. Bresnahan, Clerk

Date: _____