

Selectmen's Meeting
Monday, November 25, 1996
Page School-Professional Development Room
Washington St., Ayer, MA

7:30p.m. Open Session

The Board met with Chairman Miller, Selectman Hamel and newly elected Selectman Coleen Norstrom.

The Board welcomed Ms. Norstrom to the Board and congratulated her on her election on Monday, November 18, 1996.

Public Input:

Chairman Miller requested if there was anyone present who wished to speak under Public Input: Mr. James Hamilton requested to speak re: his landlord/tenant complaint. Chairman Miller advised Mr. Hamilton that this could not be discussed due this matter being before the courts and in litigation with the Town. Mr. Hamilton became very loud and boisterous demanding the Board let him speak. Chairman Miller warned Mr. Hamilton that he was out of order; and, if he would not refrain from his shouting that he would be removed from the meeting. Mr. Hamilton again demanded to be heard. Chairman Miller then requested Mr. Hamilton be escorted out of the meeting. Mr. Hamilton was escorted out of the Meeting by the Chief of Police.

Mr. Gerald Wood requested at this time to speak re: the Police Investigation. Chairman Miller cautioned Mr. Wood that there is an investigation in process and process to follow re: complaints. Mr. Wood stated he was before the Board re: the address for citizens to send in complaints being incorrectly reported in the he newspaper. Mr. Wood stated he wished to advise the Board to incorrect zip code reported and letters never getting to Mr. Gants. Chairman Miller requested the Town Administrator state the correct address into the record. Mr. Kreidler read the proper address into the record with the correct Zip Code.

Mrs. Corine Sherry requested to meet with the Board re: the residents living on Angard Lane, Mechanic St. Ext. and Brook Street who were present this evening to present to the Board a Petition re: excessive noise, traffic and speed of trucks from a business located on Brook St. Ms. Sherry read into the record the petition signed by twelve families from the above listed streets in the area. The Board moved to take this matter under advisement, pending review by the Zoning Officer, Police and Board. Selectman Hamel moved the motion 2nd by Selectman Norstrom.

The Board met with Philip Berry re: the extended hours of the six (6) Alcohol establishments in the Town of Ayer who were approved for the 2:00a.m. closing time be granted to keep the 2:00a.m. closing hour for 1997. Chairman Miller requested the Chief of Police advise the Board to his support the request. Chief Haapakoski stated he had no concerns or complaints re: the extended hours. Selectman Hamel moved the Board renew the extended 2:00am closing for 1997, 2nd by Selectman Norstrom, VOTE: unanimous, so moved.

Mr. Berry stated he also was before the Board this evening on behalf of the Downtown Business Alliance who have also prepared a Petition to be presented to the Board with 21 businesses who have supported the petition that the Selectmen investigate the efficiency of the street lights on Main Street and also to study traffic and pedestrian controls to alleviate existing dangerous conditions-this being prompted by the recent accident last week which a pedestrian was hit on Main St. The Board moved to take this request under advisement. Motion moved by Selectmen Hamel, 2nd by Selectman Norstrom.

Mr. Wood requested to speak again re: granting residents an extension to the December 2, 1996 cut off re: submitting complaints to Mr. Gants. Mr. Wood requested a two week extension to 12-15-96. Chairman Miller stated the Board would be meeting with Gants after Thanksgiving and expressed his concern with

Town Administrator's Report:

Action Items:

1. The Board to review the Department head contracts took under advisement until 12-9-96.
2. The Board moved to accept the donation from the Ayer Industrial Association in the amount of \$1,000.00 toward the Ayer Learning Leadership Program at the Ayer Public Schools. The Board thanked the Association for their support. Motion to accept the award made by Selectman Hamel, 2nd by Selectman Norstrom, Vote unanimous, so moved.
3. The Board moved to approve a request by the Town Clerk, Ann Callahan for the rental of a voting machine for testing at a cost of \$200.00.
4. The Board moved to support a part-time (20) hour position at the DPW office for clerical assistance to the Office Manager. The Board requested the position be posted as soon as possible. Motion made by Selectman Hamel, 2nd by Selectman Norstrom, VOTE: unanimous, so moved.
5. The Board was advised to the Regional Wastewater Treatment Public Hearing being canceled for 12-4-96 and of the Comprehensive Plan Workshop being placed at that same date and time at the Ayer High School auditorium.

9:50pm the Board took a five minute recess

9:55p.m. The Board met with the Ayer Police Dept. I.B.P.O. members President Terrence McSweeney, Vice President Mark Bonner and Treasurer Jolene Romalho.

Selectman Norstrom requested at this time the IBPO and Selectmen meet in Executive Session. Terrence McSweeney speaking on behalf of the I.B.P.O. requested Open Session.

Selectman Hamel stated Open Session if the I.B.P.O. so requested. Selectman Hamel removed herself from the table and joined the I.B.P.O. members on the floor. Terrence McSweeney opened by stating Selectman Hamel interfered in a police investigation and became involved in the arrest of her nephew. McSweeney stated Selectman Hamel put the officers at risk, creating unsafe working conditions. The Union demanded an apology and assurances it would not happen again. Selectman Hamel stated she had filed for a ruling by the State's Ethics Commission regarding any violations in her capacity as Selectman and would abide by their ruling. Bonner stated the entire situation is getting out of control and agreed the Union should wait for a ruling by the Ethics Commission.

The second IBPO grievance also involved the same ruling by the Ethics Commission and the IBPO again agreed to wait for the ruling.

The Board met with Mark Coulter and his attorney re: five (5) Grievances. Chairman Miller requested if Patrolman Coulter wished Open Session or Executive Session Mr. Coulter chose Open Session.

Mr. Coulter was represented by Kevin McCoy and Garrett Mohoney, IBPO Attorney.

All five (5) grievances filed by Patrolman Coulter were regarding his reassignment from Detective and other issues; all were denied by the Chief and he was before the Board this evening re: an appeal. Grievances included: reassignment from Detective status to a patrolman effective 10-6-96, disciplinary action taken against Officer Coulter, written reprimand against Officer Coulter, written warning for speaking to Selectman re: a complaint aired on cable and assignment of Officer Bonner to Detective without being qualified. Issues discussed was whether status of "Detective" was technically an approved title or assumed to be honorific. The Board discussed whether the Police Chief had the authority to reassign the Detective position or if it was a violation of Union contract. The Board also discussed the Annual Appointments which included the "Detective's" position.

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The Board with the consent of Officer Coulter's attorney requested Henry Stewart to be present at the next Selectmen's Meeting for input. The Board took this matter under advisement to the next Selectmen's Meeting scheduled for 12-9-96.

12:50a.m. Selectman Hamel moved the Board enter into Executive Session pursuant to M.G.L. Chapter 39, Section 23b, Exemption #3 re: pending litigation, 2nd by Selectman Nostrum, VOTE: unanimous, so moved.

12:50a.m. the Board entered into Executive Session.

 Date 
Pauline J. Hamel, Clerk
BOARD OF SELECTMEN