

Selectmen's Meeting  
Tuesday, November 7, 1995  
2nd floor Town Hall Meeting Room  
Main St., Ayer, MA

7:30P.M. Open Session

The Board met with Chairman Miller, Selectman Hamel and Selectman Slarsky.

The Minutes of 11-17-95 were unavailable and set back for 11/21/95.

The Weekly Warrant was examined and approved in the following amount: \$380,599.14

Chairman Miller requested if there was anyone present who wished to be heard under Public Input.

Chairman Miller listed all those who wished to come before the Board:

1. Colleen Norstrom-Ayer Planning Board re: A Guide to Building in Ayer Booklet
2. Dare Officer Harvey LaPrade, re: Dare Contest: Standing up to Peer Pressure
3. Laura Bridges, re: Art Council Appointments
4. Selectman Hamel re: 125th Celebration
5. Chairman Miller re: Eagle Scout Patrick Kitchen Chairman Miller called for a motion to approve the Agenda as amended. Selectman Hamel moved to approve the Agenda of 11/7/95 as amended, 2nd by Selectman Slarsky. VOTE: unanimous, so moved.

TOWN CRIER: Chairman Miller made the following announcements:

1. Town Hall to be closed on Friday, Nov. 10, 1995 in observance of Veteran's Day
2. Winter Parking Ban in effect 11/15/95 at 12:00 midnight to 4-15-95 .-Chairman Miller read the legal notice which ran 11/8/95.

3. Ayer Fire Dept. turkey raffle 11-15-95 at 7:00pm at the Ayer Fire Station-Washington St.

The Board met with Ms Norstrom who requested the Board continue the process which Rob Hubbard had begun re: the streamlining of the permit permitting process. Ms. Nostrum stated with all the new development going on in town this process is needed desperately to advise new home owners/businesses of the Town's polices and permitting procedures. Ms. Norstrom stated the Planning Board is willing to take charge of preparing the booklet for distribution. Ms. Norstrom stated she is before the Board this evening to get permission to go ahead. Ms. Norstrom stated the only problem with getting started is funding. Selectman Hamel suggested UDAG fund the booklet and as far as distribution Chairman Miller suggested the Booklet be put in the Annual Town Report. The Board granted Ms Norstrom to begin and requested her to keep the Board updated.

The Board met with Harvey LaPrade-DARE Officer re: Mr. LaPrade seeking the Board's support re: a art contest to be conducted at the Ayer School Dare Program, posters are to be completed by Dec. 1, 1995 by students in the elementary school. Prizes for the Top three winners in the State DARE program are to received savings bonds. Mr. LaPrade stated the Town's local DARE Program plans to also offer a \$100 savings bond. Posters will be displayed in the Ayer Town Hall. The Board thanked Mr. LaPrade for coming in and thanked him for promoting the peer pressure contest.

The Board met with Laura Bridges re: Arts Council Appointments. Ms. Bridges presented the following people for appointment: Ann Karayianis, Ann Grallert, Janet Bias, John Colvin, Katie Dolan, Carol Suthland, Gail januskiewicz, Joni-Latimer-Brady, Sharon Manly and Terry Wallace. Chairman Miller requested the duration of their terms \, Ms. Bridges stated three (3) years. Selectman Slarsky, moved the Board approve the list as presented, 2nd by Selectman Hamel, VOTE: unanimous, so moved.

Selectman Hamel requested to address the Board re: the Town's 125th Anniversary Celebration. Ms. Hamel stated the first informal meeting for the 125th Anniversary Celebration is planned for Thursday,

November 16, 1995 at 7:00 P.M. at the Ayer Town Hall 2nd Floor Meeting Room. Ms. Hamel urged all interested citizens to come to the meeting.

Selectman Slarsky took this opportunity to thank Cable TV representative Scott Grey for his presence this evening and for addressing sound control measures which needed to be repaired. Selectman Slarsky stated past problems with cable TV reception not being the fault of the Town's but solely Cable's problem.

On another matter Selectman Slarsky requested the status of the Fy- 96 appointments specifically, Boards, Committees and Commissions. The Board's secretary stated all of the appointees had been contacted and all but two had stated their desire to serve. Selectman Slarsky requested the secretary prepare a new list for the Board's review at the 11-21-95 meeting, and to check with other towns re: having background checks run on them.

Chairman Miller addressed the letter from the School Superintendent re: request to meet with the Board of Selectmen in Executive Session on 11-15-95 to discuss Fort Devens Students provision re: educational services to students residing currently on Fort Devens, and also to participate with the interviews re: Mr. Russell Brown's vacated seat on the School Committee. Chairman Miller stated he will be unavailable due to attending a class and Selectman Slarsky stated he had a prior commitment. Selectman Hamel stated that she would go and report back to the Board.

#### 8:00p.m. PUBLIC HEARING-EARTH REMOVAL PERMIT-BENNETTS BROOK

The Board met with Angus Bruce Developer of Bennetts Brook and Attorney Charles Kadison, also attending the meeting was Colleen Norstrom, Town Counsel Robert Gardner, Representative from David Ross Assoc. and Building Zoning Officer Gabe Vellante. Mr. Kadison stated his client was before the Board this evening re: a Earth Removal Permit for the Bennetts Brook Sub-Division. Mr. Kadison stated the sub-division was built per plans approved by the Ayer Planning Board. The problem the developer has and certified by David Ross Engineers was that the banking run from 10-20 feet and homes are set back with angles to steep for driveways creating a safety hazard. Ross Engineers have redesigned the plan and modified grades. Mr. Caron of David Ross Assoc. presented plans to the Board depicting steep angles in the Pingery Hill and Robins Road areas of the subdivision. Ross Assoc. looked at different ways to relocate the gravel within the subdivision and ran into problems with the Conservation Commission re: grades to steep and erosion concerns. Mr. Caron stated with a 80,000 cubic yard Earth Removal Permit the developer could setback from street a 3-1 slope from the lot to natural grading with a 5% grade from the road to back edge of lot 3% being the steepest for Robins and South side of Pingrey. Mr. Caron stated the Planning Board looked at changing the grading of the road which created other problems i.e Conservation. Chairman Miller requested the Planning Board's recommendation. Ms. Norstrom stated the Planning Board has no decision with a 2-2 vote. Mr. Vellante cited problems when earth is moved around that you forget where you started and suggested the Board request a Topographical map of the site. Mr. Vellante stated it is difficult to determine if more earth was removed without a topo. Town Counsel stated he had met with the Golf Course re; this matter and the Golf Course has no problem and concurs with the earth removal. Town Counsel stated his concern that trucks (1000 of them+) only be allowed to exit through this subdivision site: Selectman Slarsky moved to approve the Earth Removal Permit contingent upon the following: 2nd by Selectman Hamel, Vote: unanimous, so moved.

1. Earth Removal be approved for 80,000 cubic yards of which 10,000 cubic yards would remain on site.
2. Truck traffic only be permitted for work with in this subdivision only. Harvard truck traffic not permitted to exit from Bennetts Brook Sub-Division (Morgan)
3. Ross Assoc. to monitor earth removal and submit a report to Town Counsel, Plan. Board, Selectmen re: weekly of amount of earth removed.
4. A topographical map of the area be done prior to earth removal and submitted to building inspector
5. Hours of operation Monday -Friday 8:00am to 5:00pm
6. Route: Robins Rd. Bennetts Crossing to Rt. 2A.
- 7 Six Month removal \$500.00 expires May 1996

8. Tires to be rinsed off and run over a 40' pad of crushed stone to remove excess earth prior to leaving site as well as run a street sweeper at least once a week and more often as necessary.

The Board met with Chief Boisseau re: the Board's endorsement of Police Academy Waivers for newly appointed patrolmen Mark Richards and Brian Gill. Chief Boisseau stated by signing off the waivers the Department can put the officers to work while awaiting academy training-the next academy being scheduled by the State for the first of the year. Chairman Miller called for a motion. Selectman Hamel moved to approve the Board endorse the Police Academy waivers for Mark Richards and Brian Gill, 2nd by Selectman Slarsky, VOTE: unanimous, so moved.

The Board met with Ann Drapeau and Marvin McMiller of the Ayer Park Department. Ms. Drapeau stated she was before the Board this evening re: Mr. McMiller being involved in a truck accident involving his own truck while working at Pirone Park. Ms. Drapeau stated as part of the job description for the Park Dept. Director a truck was required and built into the job description. Mr. McMiller sustained damage to his rear bumper by backing into a pole while picking up trash at the park. Mr. Kreidler the Town Administrator stated the Town's Insurance carrier had been contacted and refused the claim stating the town's policy does not cover damages to employees personal vehicles. The Board sympathized with the employee stating it was indeed unfortunate but moved to disapprove the claim stating it would set bad precedent. The Board requested the Town Administrator send out a letter to all Town personnel re: the Town's policy re: use of their personal vehicles and of proper liability being carried.

Selectman Slarsky on another matter requested the Park Dept. respond to correspondence he had received in the mail and get back to the Board with their findings. Selectman Slarsky stated his concerns regarding a similar matter repeating itself again.

TOWN ADMINISTRATOR'S REPORT: (see report dated 11-7-95)

ACTION ITEMS:

1. The Board requested the Town Administrator invite both Consultant Groups in to the next Selectmen's meeting 11-21-95
2. The Board requested to take under advisement until 11-21-95 the decision re: designer selection . to review the Chiefs recommendation and information again at the 11-21 Selectmen's Meeting
3. The Board approved back pay to Sgt. Edward Denmark stating the Board agreed Sgt. Denmark is entitled to be paid at the 2nd step of the Contract between the Superior Officers and the Town of Ayer. Sgt.Denmark being grandfathered to this step retroactive to July 1, 1995.
4. The Board requested DARE officers be given a letter of appreciation re: DARE Grant of \$10,000.00 awarded to the Town of Ayer.
5. The Board requested the Town Administrator write a strong letter to Peter Donahue at the Mass. DPW stating towns dismay of West Main St. Bridge being bumped off TIP until 1996 and to also recruit Steve Joncas support to back town's position re: safety hazard. Also request Mr. Donahue to attend the Selectmen's Meeting of 11-21-95 re: explanation.
6. DPW to erect "No Hunting" signs at Pirone Park near Grove Pond to be erected only on Town property.
7. The Board were given RFP's for Town Counsel review, re: handicap bathroom and new boiler.
8. The Board endorsed two letters re: the Public Safety RFP response to Devens rejecting proposal Parking Study request of \$16,000 be directed at downtown Ayer.
9. The Board set Monday 11-13-95 at 7:30AM to meet with representative from Harvard and Cellular One, Town Counsel and the Chief of Police re: Antenna located in Harvard.
10. The Board approved of the appointment of Dennis McGillicuddy as Special Municipal Employee/GIS coordinator for the Town of Ayer, Ma.

BOSMIN11-7-95/PG.4

The Board approved the FY-96 Alcohol License Renewals for the following establishments:

Tonys, Tiny's Donought Treat, LaSita Inc, Nashoba Club, The Fort Club, Carlins Restaurant, Jack-O-Lantern, Ayer package Store, Roux's Liquor, C.R. Pierce D/B/A Bookberry, Ayer Gun & sportsmen Club Jang Soo BBQ Restaurant. Motion moved by Selectman Hamel, 2nd by Selectmen Slarsky, VOTE: unanimous, so moved.

SUPT. OUELLETES REPORT : (see report dated 11-7-95)

ACTION ITEMS:

1. The Board approved four (4) sewer permits for McDowell St. #'s 4, 7 & 8 and 39 Sandy Pond Rd.
2. The Board approved of the Chairman's signing the Harbor Tunnel Clay Distribution Application.

The Board met with John Columbus re: the Mass. Housing Partnership Fund. The Board requested Mr. Columbus write up guidelines -scope of details to include John's duties & hours involved.

The Board was advised to MSCP FY-95 Contract not being ready and to be submitted to the Board for the Selectmen's Meeting of 11-21-95.

Selectman Slarsky moved the Board adjourn the Meeting to enter into Executive Session pursuant to MGL Chapter 39 Section 23b Exemption 3 re: IBPO Grievance to adjourn and re-enter another Executive Session pursuant to MGL Chapter 39 Section 23, re: Superior Officer's Grievance to adjourn to enter into Open Session for the sole purpose of adjourning the meeting, 2nd by Selectman Hamel, VOTE: unanimous, so moved.

11:00 p.m. Open Session Ended

Pauline J. Hamel, Clerk                      DATE:  
AYER BOARD OF SELECTMEN