

Selectmen's Meeting  
Tuesday, October 17, 1995  
2nd floor Meeting Room  
Town Hall, Main St., Ayer, MA

7:30p.m. Open Meeting

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

The Minutes of October 3, 1995 were read and amended to state the former Fire Chief Wellman Parker was instrumental with bringing in the E-911 and also to correct Fort Wachucca to read administration rather than information.

The Weekly Warrant was examined and approved in the following amounts: P/R: \$59,480.59 and expense: \$1,183,783.20.

Chairman Miller welcomed all those present and advised everyone that the Selectmen were not conducting a Public Hearing and that the meeting with the School Committee would be only a vote to fill the unexpired term of School Committeeman William Noeth. The Selectmen would not be taking comments from the floor. A resident requested to speak regarding the vote who requested if the Board would be interviewing the candidates this evening. Chairman Miller stated no the Board was familiar with the four (4) candidates and felt all were qualified to assume the seat. The resident stated his concern that the floor would not be participating in the discussion. Chairman Miller restated the Board's intent by reaffirming this was not a popularity contest that there are four people up for consideration by the Board and School Committee. The resident stated that he had heard the Board had already decided the outcome re: the vote and that the outcome was rumored to being preestablished. Chairman Miller stated the Board had not met to discuss the vote nor had they met at all re: the vote and that this was merely a rumor. The resident stated he was a concerned parent and felt the Selectmen have not spoken on the issue publicly, and that the people present this evening deserved to hear how the Selectmen would determine who would be best qualified to be appointed to the position. Another resident requested if the Board would reconsider interviewing the candidates, due to the Board not knowing the background or contributions each candidate could bring to the position. Chairman Miller stated again it was not the Board's intent to interview the candidates but the Chairman did state the Board had agreed to allow a few minutes for each of the candidates to address the room as to why they wished to be on the School Committee. The Board requested all four of the candidates step forward. The Board requested Dorothy Kron begin the discussion. Ms. Kron stated she had served the Town of Ayer for 39 years in various capacities at the Ayer School Dept. from classroom teacher, remedial reading teacher, school administrator, and finally school psychologist/Chapter 755 chairperson. Ms. Kron went on to state in addition to her many years of service she was very active in educational organizations and served in many leadership roles within these organizations. Ms. Kron stated her purpose in seeking this position would be to continue to work with school administrators and faculty members in providing the best quality education and learning environment for all students within the Ayer Public School system. Ms. Kron stated her 35 years residency as well as her extra curricular educational activities could greatly contribute to the overall endeavors of the School committee in a very positive and productive manner. The Board thanked Ms. Kron for her remarks and requested Karin Swannfeldt to state why she wished to serve on the Ayer School Committee. Ms. Swannfeldt stated she was a life long resident of the Town of Ayer and as an educator her feelings towards our children their education and values are very strong, and she would like to promote the Ayer School Dept. by providing a solid quality education. The Board thanked Ms. Swannfeldt for her remarks and for coming in this evening. Mr. Roland Cooper stated that he ran for the School Committee last April and again now to improve the quality of education in Ayer, and felt vested due to having two children in the system and also having had the opportunity to work on the Education Reform implementation at the Ayer School Department, the Board thanked Mr. Cooper for his interest and welcomed Ann Karayinas, Ms. Karayinas stated her desire to work to promote a quality education and

positive solutions due to the closure of Devens to challenge residential growth. Ms. Karayinas stated today's challenge to service children of working families stating her feelings believing that increased property values and the prosperity of local businesses were directly related to the quality of the Ayer School System. Chairman Miller thanked Ms. Karayinas for her remarks and again thanked all the candidates for offering their individual commitment to serve the Town.

Chairman Miller invited the School Committee to step forward. Present from the Committee: Armand Guarino, Viola Barnes, Kathleen Kidder and Chairman Russell Brown.

Chairman Miller requested of the School Committee their vision /direction of the Ayer School Department. Chairman Brown opened by stating his concern for the upcoming year being a critical time with new programs being implemented and of consistency being important to stay on course and move into the future with a strong educational institution by working with parents and officials to improve the quality of education in the Town of Ayer. Ms. Kidder echoing Mr. Brown's thoughts and pledging to continue to do the best for the children as well as taxpayers of Ayer by beginning this evening with the vote to appoint a new member to serve on the School Committee, Mr. Guarino stated he has served on the Ayer School Committee for eighteen (18) years seven (7) years as a teacher and twenty five (25) years in administration at the Ayer School Department which exemplifies his commitment to education and will vote this evening as he sees fit for the best candidate to serve the Town in this capacity, --Ms. Barnes stated her commitment to the children of Ayer by working towards a strong relationship with the Board of Selectmen by working with community leaders to develop a better understanding of the role of the School Committee and by not dividing the community and to work towards a happy medium by identifying the role of the Committee being to strive for the best education for the children of the Town of Ayer, Ms. Barnes stated she has a mind of her own as demonstrated and that her decision tonight would reflect that.

Chairman Miller opened the nominations. Selectman Slarsky moved to nominate all of the candidates presented this evening, 2nd by Kathleen Kidder, Vote unanimous, so moved. Chairman Miller called for the vote: Ayer School Committee: Russell Brown voted for Ann Karayinis, Kathleen Kidder voted for Ann Karayinis, Armand Guarino voted for Dorothy Kron, Viola Barnes voted for Dorothy Kron-Ayer Board of Selectmen: Pauline Hamel voted for Dorothy Kron, Charles Miller voted for Dorothy Kron and Stephen Slarsky voted for Dorothy Kron. Chairman Miller requested the Board's Secretary Janet Lewis read the Vote: Ann Karayinis two (2) votes - Dorothy Kron five (5) votes-Dorothy Kron appointed to the Ayer School committee. Chairman Miller thanked everyone for coming in this evening stating with the downsizing of Devens and the new mandates of Ed Reform the Town has been through an emotional time but by working together and maintaining a fiscal prospectus upon which the Boards may disagree on how this is done and he shares sentiments but there will be many more difficult decisions to make and ultimately the Townspeople will have the opportunity to vote in April. Selectman Hamel stating the difficult decision when you have before you four (4) very qualified candidates and unfortunately you can only vote for one. Ms Hamel also took this opportunity to thank William Noeth for his past service on this Committee and again reiterated the Chairman's remarks re: the voters will decide in April on this permanent seat. Selectman Slarsky stated it was his intention this evening to vote for the most qualified candidate who could hit the ground running not just for the School Committee but most importantly for the Town.

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**TOWN CRIER:** Chairman Miller made the following announcements:

Thanked the 4th of July Committee upon news the Flea Market was very successful 10-14-95  
10/5/95 Learning Workshop 3:45p.m. -6:45p.m. Page School  
10-5-95 Public Hearing re: Bike Trail rescheduled to 10-19-95 7:00p.m. Ayer Town Hall  
Halloween to be celebrated in Ayer 10-31-95 from 6:00-8:00p.m.

PUBLIC INPUT: Chairman Miller requested if there was anyone present who wished to be heard: Frank Maxant wished to discuss the Desert Storm Memorial-Selectman Slarsky wished to address the FY96 Appointments re: volunteers who serve on Committees, Commissions and Boards and Selectman Hamel re: the Town's 125 Anniversary Celebration.

Chairman Miller called for a vote to accept the agenda as amended. Selectman Hamel moved the Board approve the Agenda for 10-17-95 as amended, 2nd by Selectmen Slarsky, VOTE: unanimous, so moved

Frank Maxant- Mr. Maxant requested the Selectmen consider having the Desert Storm Wooden Monument be mounted in granite due to the board weathering The Board requested the Veterans Agent and American Legion work with the Board re: establishing a more permanent memorial. Selectman Slarsky stated his desire to complete the FY-96 appointments by having all volunteers contacted by phone their desire to continue to serve this information to be made available to the Board for November Selectmen's Meeting. Selectman Hamel requested Town of Ayer residents who are willing to serve on the 125 Anniversary Celebration please contact the Selectmen's Office especially residents who served on the Town's 100 Anniversary by sending in a letter of interest.

8:00P.M. PUBLIC HEARING: Class II License: Donald Partridge-Partridges Auto Works.

The Board met with Donald Partridge of 146 Willard St., Ayer, MA. Selectman Hamel read into the record the legal notice which appeared in the Nashoba Publications newspaper. Chairman Miller requested Mr. Partridge tell the Board about his business. Mr. Partridge stated he owns the Sunoco Station on Littleton Road and that he had had a Class II License prior but had let the license expire in 1991. The Board requested to see the proposed plan for this use. Mr. Partridge stated he was requesting a license to sell used auto be to located on the front west side of the building on a paved area. The Board requested if there was anyone present who wished to speak for or against the license, no one stepped forward. Selectman Slarsky moved the Board approved the license for the resale of used automotive vehicles for six (6) vehicles only to be displayed on the front westerly side of the lot and that no dissembled vehicles be displayed on front lot, motion seconded by Selectman Hamel, VOTE: unanimous, so moved.

The Board met with the Fire Chief Paul Fillebrown and Chairman of the Advisory Board James Carrington re: the Departments request for a Reserve Fund Transfer for a new Punch Tape. Fire Chief Fillebrown stated he would like to wait until the Annual Town Meeting for this request but he has serious concerns that this vital piece of equipment will fail again and is unreliable should a alarm be received . A new punch tape would cost the Town approximately \$3,350.00 and this would be a 1960's model, a brand new fire monitoring system would cost the Town approximately \$9,000.00. Mr. Carrington stated he had met with the Fire Chief re: this request and agreed with the Chief this transfer was indeed necessary. Mr. Carrington proposed the Board fund the \$9,000.00 request stating the Board's agreement to recommend the Transfer. The Fire Chief requested to fund \$2,000.00 from the Fire Alarm Revolving Account bring the Reserve Fund Transfer to \$6, 275.00. Mr. Carrington again reinstating the Advisory Board's position to fund the entire amount of \$9,000.00. The Board moved to approve the Reserve Fund Transfer in the amount of \$6,275.00 and to reduce the Fire Alarm Revolving Account by \$2,000.00 Motion made by Selectman Hamel 2nd by selectman Slarsky, VOTE: unanimous, so moved.

TOWN ADMINISTRATOR'S REPORT: See report dated 10-17-95

**Action Items:**

1. The Board requested Mr. Kreidler invite MMA Consulting group in to meet with the Board re: Classification Plan.
2. The Board was advised to legislation filed re: Construction Grant for new Fire & Police buildings.
3. The Board agreed to review Superior Officers Step increase for Sgt. Denmark at 11/7/95 meeting.
4. The Board approved the authorization of \$6,500.00 from the DPW Fy-96 Budget for the new bathroom to be located at the new DPW building, Motion made by Selectman Slarsky 2nd by Selectman Hamel, VOTE: unanimous, so moved.
5. The Board approved a Fall clean Up Day for 11/4/95 from 9:00a.m. to 3:00a.m. at the Brush Dump
6. The Board was advised to correspondence being received by the Town from the State Office on Disabilities re: bathroom accessibility for public meetings of two (2) hours or longer duration. The Board was advised to Disabilities Commission requesting the upstairs bathroom be made handicap accessible. Town Counsel stated the Board could ask for a waiver re: this mandate due to Town Hall renovations being needed when the Police Dept. vacates the building.
7. The Board was advised to the interviews being scheduled for 11-8 re: the Economic Dev. position.
8. Selectmen's Meeting dates for Nov. & Dec. were set for Nov. 7 & 21 and Dec. 12 & 19, 1995
9. The Board directed the Town Administrator to submit a letter on behalf of the Board to the Commerce Ctr. re: Public Safety RFP due to the Town being exposed to excessive coverage which the Town will not be able to cover.
7. The Board requested the Town Administrator to contact Steve Joncas at the Commerce Ctr. re: \$16,000.00 allocation for parking be used to mitigate additional parking in the Town of Ayer.
8. The Board requested a letter of appreciation be written to parents of Jeremy Januskiewicz re: the flag pole dedication at the rotary.

The Board met with the Chief of Police re: patrolman's appointments. Chairman Miller stated the purpose of the meeting this evening to clarify the patrolmen's appointment issues of 8-15-95 which were brought up after the appointment of a specific individual.

Present for the discussion were: Mark Richards and his attorney, Attorney Leonard Kesten., Chief Arthur Boisseau and Lt. Donald Haapakoski.

Chairman Miller requested if Mr. Richards wished Open Session or Executive Session-Mr. Richards elected Open Session. Chairman Miller requested if Mr. Richards understood why the Board requested this meeting. Mr. Richards stated yes. Chairman Miller opened the discussion by stating after the vote by the Board on 8-15-95, to appoint two (2) officers to the Ayer Police Dept. information became available to the Board, after the approvals were made, the validity of those approvals will be determined this evening whether the Board will enforce or rescind those approvals.

Selectman Slarsky stated he did not share those views and that he had not received nor heard any new information which would change his vote.

Chairman Miller reflected on the two (2) month delay being necessitated one by Mr. Richards attorney requesting to reschedule due to the observance of Jewish Holidays and also due to the Boards meeting schedule. Chairman Miller requested again if Mr. Richards wanted an Open Session due to some of the questions may be embarrassing to him and other officers in the department. Mr. Richards stated yes.

Selectman Slarsky cautioned the Board that no names be mentioned and that he had reviewed the documentation and saw nothing which would lead him to be here tonight.

Town Administrator, James Kreidler gave the Board an overview of what had transpired prior to the 8-15 appointment and of the potential issues re: Mark Richard's appointment and the credibility of the appointment. Mr. Kreidler reviewed the process re: Police Dept. appointments. The Board receives a recommendation from the Chief, the Board votes to appoint, a letter is sent to the candidate explaining the terms and conditions of the appointment-the person elects to accept the appointment with contingencies, the first shift is scheduled after person is sworn in by Town Clerk. Chairman Miller directed the next question to Chief Boisseau, Chairman Miller stated he specifically requested if the Chief had conducted background checks on the candidates on 8-15-95 and the Chief had responded that he had. Chief Boisseau stated he was made aware of an incident on 8/6/95, whereas the Ayer Police Dept. responded to a complaint re: a loud party in progress at Grosvenor St. at which Mark Richards was present. The party was a testimonial Mr. Richards who was getting married -Mr. Richards was intoxicated and minors were present drinking alcohol. Mark Richards was issued a verbal warning re: minors being there and of underage drinking and excessive noise. The patrolmen went back to the station and shortly thereafter Mark Richards called the station. Mr. Richards was mad and demanded that no one ever come to his home again and issue him a noise restraint. The investigating officer called back and a verbal confrontation took place. Chairman Miller requested if the Chief was aware of this on the 15th? The Chief stated yes, he had counseled Mark Richards and gave him a verbal warning. Chairman Miller requested why this information was withheld from the Board. Chairman Miller stated another incident had also been brought to the attention of the Board on 10/13/95 Mr. Richards in his capacity as a EMT/Volunteer Fireman, had responded to a call from Karen's Lounge and there was an issue re: the procurement of property taken from Karen's. Fire Chief Fillebrown stated in his report dated 12/29/94 the department had responded to an alarm at Karens and while there Mr. Decot had approached the men and offered a light fixture to anyone who wanted it. No one took the fixture. The document alleged that Mark Richards went back and took it. The Chief stated never did any property leave on Ayer Fire Dept. Equipment.

The Board reviewed the documentation presented with Town Counsel and Atty. Kesten-reviewed were: Memo's from Lt. Haapakoski to Chief Boisseau dated: 8-7-95 & 9-13-95, report from Patrolmen Crumpton & Pinard dated 9-12-95, report from Reserve Officer Gill dated 9-9-95 with a copy of log 8-6-95 Chairman Miller requested if the Chief knew what Lt. was referring to in his typed remark that these are the type of problems that seem to follow this officer. Chief Boisseau stated attitude perhaps specifics he did not have. Chairman Miller requested Lt what he was referring to in his memos to the Chief the Lt. stated unsubstantiated information. Chairman Miller stated there is no consistency here.

Selectman Slarsky stated this is a witch hunt-- problem with Ayer Police Dept. with different camps he was aware of incident listened to discussion this evening and still has no issue.

Selectman Hamel disagreed stating Selectman Slarsky had information Chairman Miller and she did not have, and had she had the information she would not have voted the way she did. Chairman Miller stated party was secondary that fact that a complaint had been registered represents a double standard in the way Police Officers are handled. If you knew you were up for a promotion you should have been on the best of your behavior especially if an appointment was pending.

Chairman Miller stated the Board is looking at Chief Boisseau, to have not shared this information with the Board, he has to wonder why. That this is an embarrassment to the Board not having been privy to this information, the Board will not put up with this, it is disgraceful - disgusted with whole situation.

Chairman Miller requested if the Chief still supported his original recommendation. Chief Boisseau responded yes.

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Chairman Miller called for a motion re: to approve the original motion. Selectman Hamel moved to not support the original approval of 8-15-95, Selectman Slarsky moved to support the Chief's recommendation. Chairman Miller again requested of the Lt. if he could substantiate his written memo to the Chief. The Lt. stated unsubstantiated incidents. Based upon lack of substantiated documentation the Board took no action..

Selectman Slarsky moved to adjourn the meeting, 2nd by Selectman Hamel Vote: unanimous, so moved.  
10:30p.m. meeting adjourned.

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Pauline J. Hamel, Clerk

AYER BOARD OF SELECTMEN