

Selectmen's Meeting
Monday, December 5, 1994
2nd Floor Meeting Room
Town Hall, Main St., Ayer, Ma.

7:30p.m. Open Session

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

The Minutes of November 21, 1994 and November 28, 1994 were read and accepted.

The Weekly Warrant was examined and approved in the following amount: Exp: \$567,577.55

Chairman Hamel stated the Board has amended the December 5th Agenda by removing the School Committee, citing a challenge being made to the validity of the Selectmen's & School Committee secret vote on 11/28/94. The Board to revote the School Committee appointment due to the School Committee's attorney ruling the secret ballot taken at the 11/28/94 meeting was invalid, citing Chapter 41, 1974 amendment, which called for a roll call vote to be taken by the Selectmen and the School Committee. The School Committee contacted the Board earlier and stated they would be unavailable this evening, the Board requested this meeting be scheduled for Wednesday, December 7, 1994, at 7:00p.m. at the Ayer High School prior to the Super Town Meeting.

Chairman Hamel stated the Board would meet with the Town Treasurer and the Chief of Police in this time frame.

Chairman Hamel requested if there was anyone present wishing to be heard. Selectman Miller requested to address the School Committee Appointment, Selectman Slarsky requested to address the Executive Secretary's Search as well as the Super Town Meeting on December 7, 1994 and the Animal Control Officer falling under the Chief of Police's jurisdiction.

The Board met with the Chief of Police, Arthur Boisseau, re: the Associated Press release- placing the Town of Ayer crime rate statistics equal to that of Boston and Lawrence. Chief Boisseau stated Statistics are one thing but the streets are safe; stating the community should have no fear of a crime-ridden Town. Chief Boisseau stated the statistics indicated Ayer as rather high on aggravated assault. Chief Boisseau's stated this is a result of people coming forward; especially regarding domestic violence or threat of it. Chief Boisseau stated the Department computer system is a major factor with regard to reporting. Chief Boisseau stated the Town of Ayer has a full computer system and records make a difference; many other towns in Massachusetts do not and some communities don't bother to report statistics at all, while others cover up in order not to present a poor image.

Chairman Hamel stated statistics are one thing but they don't necessarily translate into crime in the streets. Selectman Miller stated even though it is not best for public relations, looking at the flip side, he would rather see high statistics addressing domestic violence than having it reflected after the fact. The Board thanked Chief Boisseau for coming in and defusing residents concerns.

Selectman Slarsky requested the Board address the possible consideration of having the Animal Control Officer report directly to the Police Dept. The day to day oversight of the animal control office be lodged with the Police Dept. Selectman Slarsky stated residents often call the Selectmen for assistance and time is lost addressing the problem, whereas if residents call the Police Dept. the calls would be handled through the telecommunicators and action would be taken immediately. Selectman Slarsky stated this is a tough job and Mr. Januskiewicz has done a good job but this restructuring would bring more organization to the position. Selectman Slarsky made this discussion into a motion, 2nd by Selectman Miller, VOTE: unanimous. The guidelines to be worked out with the Chief regarding the extent of this oversight. The Board requested the Chief report back in two weeks with his recommendations re: implementation.

The Board on a related matter read into the record the recommendation by Ted Januskiewicz, Animal Control Officer to appoint Donna Torres as Assistant Animal Control Officer. Mr. Januskiewicz indicated he had met with the two candidates and recommended Mrs. Torres based upon her work at the Ayer Animal Hospital and association with animals. Selectman Slarsky moved the Board appoint Ms. Torres contingent upon the review by Chief Boisseau and Ted Januskiewicz, 2nd by Selectman Miller, VOTE: unanimous, so moved. A job description to be drawn up by the Animal Control Officer and submitted to the Board.

The Board met with Thomas Callahan, Town Treasurer re: short term borrowing for the Water Meter Project and the Grove Pond Water Treatment Plant. Mr. Callahan stated this note would be for \$960,000.00 for six (6) months at 4.7% with State Street Bank. Selectman Slarsky moved to accept the recommendation of the Town Treasurer and approve the short term note, 2nd by Selectman Miller, VOTE: unanimous, so moved.

Selectman Miller requested at this time to address the vote by the Board of Selectmen and School Committee on November 28, 1994, at which time both Boards had cast secret ballots provided by the School Committee for the appointment of Vi Barnes to replace Stephen Wells on the Ayer School Committee. Selectman Miller stated he had received phone calls regarding the shabby treatment Ms. Barnes has been given. Mr. Miller stated that Mr. Guarino, Chairman of the School Committee had called and informed the

Board that the School Committee's attorney had ruled the secret ballot was improper, citing a 1974 amendment to Chapter 41. The Selectmen requested the School Committee meet with the Selectmen this evening to revote this appointment and was later informed that the Committee could not be present. This vote was requested to be retaken by the School Committee on December 15, 1994. The Selectmen requested the revoting be done on 12/7/94 prior to the Super Town Meeting due the Selectmen's unavailability for the 15th. Selectman Miller elaborated on Ms. Barnes insight, quick wit and courage due to her integrity and experience. Selectman Miller stated his vote will not change stating Ms. Barnes was clearly his choice. The Selectmen all indicated Ms. Barnes was also their choice, recognizing that all three candidates were good candidates. The Board scheduled Wednesday, December 7, 1994, at 7:00p.m. to revote the required roll call vote for the appointment to the Ayer School Committee, just prior to the Super Town Meeting at the Ayer High School.

Selectman Slarsky requested at this time to address the Executive Secretary's position. The Board stated they will be looking at other resumes the Screening Committee had interviewed beyond the Committee's top four (4) top candidates. The Board has been giving the Super Town Meeting the highest priority in recent weeks readying the public for a reasoned vote regarding the Fort Devens Reuse Plan and By-laws. The Board will be reviewing the five resumes and hope to return with a decision by January or February. The Board agreed to fill a part-time position in the Selectmen's Office (high school student) to assist in their office.

Selectman Slarsky took this time to emphasize the importance of Town residents to participate at the Super Town Meeting on December 7, 1994 at 7:30p.m. at the Ayer High School stating the critical importance of this vote to the Town of Ayer. The Board stated copies of the By-laws and Reuse Plan are available to Town residents and may be picked up at the Town Hall. The Board stated corrective amendments to the Education and water protection bylaws were approved and included in the by-laws. The Board moved to approve and endorse the Fort Devens Reuse Plan and Bylaws with the amendments addressed. Selectman Slarsky moved the motion 2nd by Selectman Miller, VOTE: unanimous, so moved.

The Board met with Robert Hubbard, MSCP administrator regarding the Mass. Small Cities Program FY-94 Grant Agreement. Mr. Hubbard stated this program entitled the Town to receive \$600,000.00 in Grant funds from EOCD to be used for the infrastructure improvements to the Devenscrest neighborhood. This funding to be paid out over a two year period as well as to continue the housing rehabilitation component. The Board per the recommendation of Town Counsel moved to approve the FY-94 MSCP Grant Agreement. Selectmen Slarsky moved to approve the FY-94 Grant Agreement 2nd by Selectman Miller, VOTE: unanimous, so

moved.

The Board on another matter met with Mr. Hubbard re: the filling of the MSCP Administrator's position. Mr. Hubbard stated the Town had receive some 30 applications for the position. Mr. Hubbard stated the hiring of the administrator would not rule out hiring the present outside firm (Communities Opportunities Group) from administrating and overseeing the grant administrator. Mr. Hubbard recommended to the Board the hiring of John Columbus of East Templeton, MA. Mr. Hubbard stated hiring a Housing/Coordinator is in accordance with the management plan for the MSCP. Mr. Columbus has administered similar MSCP programs for the Town of Warren as well as prepared funding applications. Mr. Columbus has a working knowledge of budgets, financial and contracting responsibilities. The Board approved of Mr. Hubbard pursuing preparation in anticipation of appointing Mr. Columbus as well as to submit requests for proposal to Community Opportunities Group to supervise this position. The Board approved of Mr. Hubbard drafting a contract and to begin discussions/negotiations with Mr. Columbus. The Board requested to review the contract prior to appointment of this position.

The Board on a related matter endorsed the release of liens of property for Bruce Paige and Gloria Oelfke re: MSCP Housing Fy85 grant.

The Board approved of the following Fy-95 License Renewals: All Alcohol, Amusement, Common Victualler, Sunday Entertainment, Class I, Class II, and Class III. (see 1995 renewals attached)

The Board approved of Carlin's Restaurant request for a one hour operating extension for New Years Eve.

SUPT. OUELLETTE'S REPORT: (see report dated 12-5-94)

1. Supt. Ouellette reported to the Board Mr. Kidder of the Highway Dept. slipped & fell on ice and dislocated his shoulder and will be out for a few weeks.

2. The Board voted to endorse the 1994 Traffic Rules & Order voted by the Board of November 21, 1994.

3. The Board was advised to road work nearly completed with the exception of Park St. this area to be closed up by the end of the week.

4. The Board was advised to the water meter installation moving along very well.

5. The Board approved a sewer permit for 15 Vernon St. and were advised of billing error for same address re: previous years payment for sewer and having a septic system. The Board approved

of the fee being waved for the tie-in.

6. The Board requested Supt. Ouellette actively pursue sewer grants to bring Oakridge Drive on line as well as Birch & McDowell.

7. The Board approved of two (2) street lights to be installed at Crabtree Heights/Westford Rd.

The Board met with Atty. Kadison and Angus Bruce re: Bennetts Brook easements required by the Board for the sewer line extension. P

The Board met with Mr. Bruce and Atty Kadison re: the privitely owned sewer line and easements owned by the MBTA and B&M for permission to tie in to the Town of Ayer's sewer lines at Hatch Street to Copeland Drive to Sandy Pond Rd.

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