

SELECTMEN'S MEETING
MONDAY, JULY 6, 1992
2ND FLOOR MEETING HALL
AYER TOWN HALL, MAIN ST., AYER, MA.

7:00P.M. OPEN MEETING

The Board met with Chairman Jones, Selectman McKinney and Selectman Slarsky.

The Board examined and approved the weekly warrant in the amount of:
Payroll: \$54,014.28
Expense: \$49,106.88

The Minutes of May 19, 1992 were read and amended to attach the corresponding letters referred to in the minutes of 5/19/92 be attached. The minutes were then approved as recorded.

The Board met with Robert Pedrazzi, Sean Farley and Timothy Johnston of the International Association of Firefighters (IAFF), Local 2544 regarding the signing of a Memorandum of Agreement, One Year Extension effective July 1, 1992 creating a new article VI-Court Time, striking July 1, 1989 and inserting July 1, 1993 in Article XXXII, add new language to wage provision, (see copy attached).

Selectman Slarsky moved the Board approve and endorse the Memorandum of Agreement with the International Association of Firefighters Local 2544, seconded by Selectman McKinney, VOTE: unanimous, so moved.

The Chairman Jones stated the Boards pleasure for the cooperation demonstrated by the (IAFF Local 2544) voicing the favorable negotiation process and applauding the Union for their co-operation. Selectman Slarsky stating in these toughest of times, the Board has a great deal of admiration to the Unions making these concessions, Selectman McKinney echoing same sentiments.

The Board met with Terry Flynn, Larry Caldwell and Bruce Rollin representing AFSCME 93 local 1703/DPW regarding the signing of a Memorandum of Agreement One Year Extension effective July 1, 1992 striking the old Section 5. Article XI and inserting a new Section 5, Article XI. Striking the old Section 6 (d) of Article XI and inserting a new Section 6 (d) of Article XI, and by adding a new Section 8 of Article XI. Change July 1, 1989 to July 1, 1992 and June 30, 1992 to June 30, 1993. Add: new language to wage provision. (see copy attached)

Selectman Slarsky moved the Board approve and endorse the Memorandum of Agreement with AFSCME 93 Local 1703, seconded by Selectman McKinney, VOTE: Unanimous, so moved.

Chairman Jones again expressed his admiration to AFSCME 93 Local 1703 for their cooperation. Selectman Slarsky expressed his thanks stating tough times ahead and by the DPW not requesting salary increases jobs have been saved. Selectman McKinney echoing same and hoped all other Town Unions would follow these fine examples.

PLEASANT STREET SCHOOL: AYER HISTORICAL COMMISSION/CALEB
BUTLER LODGE

Chairman Jones requested to step down from the Chair as he was a Mason and a member of the Ayer Masonic Association-Caleb Butler Lodge and requested Selectman Slarsky sit as Chairman. Selectman McKinney also stated he too was a Mason and a member of the Masonic Association and requested to step down as well.

Selectman Slarsky opened the discussion by reading a letter dated July 2, 1992 from David Dakin, Master of the Caleb Butler Lodge (see attached letter) condemning the illegal acts propagated by members of the Ayer Historical Commission against the Caleb Butler Lodge and the Ayer Masonic Association sometime after 8:00P.M. on Tuesday, June 30, 1992. Mr. Dakin wrote these public officials chose to perform illegal acts in the name of the Town of Ayer, specifically storage items from the Masons storage room/rear classroom. Mr. Dakin wrote their actions have created a fire and safety hazard which precludes the Masons from enjoying the premise and therefore have breached the terms of the lease dated June 17, 1989, furthermore by changing the locks the Commission is denying the Masons access to other property located in the rear classroom.

Acting Chairman Slarsky turned the discussion over to Mr. Higgins to detail the events as they occurred regarding this situation.

Mr. Higgins advised the Board of the following:

July 1, 1992 - Memo received from Frank Maxant stating: the Ayer Historical Commission had recovered possession of the northwest so-called rear classroom of the first floor of the Pleasant St. School. Mr. Maxant further wrote that no Town employees were involved in this action and that Town of Ayer property requiring live storage was moved into this room.

July 2, 1992 Mr. Higgins met with Mr. Dakin and Mr. Maxant at the Pleasant Street School to mediate a dispute between the Ayer Historical Commission and the Masonic Lodge by putting back property and replacing locks and provide key to Masons. Mr. Maxant stated he would get back to Tim regarding the Commissions decision. Mr. Maxant was advised that the Board of Selectmen requested the Historical Commission be in attendance at the Selectmen's meeting of July 6, 1992.

Mr. Higgins read into the record the Historical Commissions letter to the Selectmen dated July 3, 1992 (see attached letter from Historical Commission dated 7/3/92) notifying the Board that the Historical Commission was unable to meet with the Selectmen on 7/6/92 and requesting a meeting be scheduled in September 1992.

On Monday, July 6, 1992 the Selectmen's Office received another letter from David Dakin advising the Board as of 4:00P.M. Monday, July 6, 1992 the fire and public safety hazard in the Masonic Apartments of the Pleasant St. School still remains and the Masons still being denied access. (see letter from Dakin 7/6/92)

Acting Chairman Slarsky requested if the Fire Chief was contacted re: fire safety hazard?

Mr. Higgins referred the question to Fire Chief Wellman Parker for clarification: Chief Parker stated on 7/6/92 he entered the Pleasant Street School and inspected the Masonic apartments and found the following violations: Miscellaneous furniture blocking the primary means of ingress and egress to and from the Masonic apartments in violation of 527 CMR 1.06 and obstructions to or on fire escapes, stairs, passageways, doors or windows, liable to interfere with the egress of occupants or the operation of the Fire Department in case of fire.

Town Counsel Robert Gardner stated the Ayer Historical Commission executed a lease with the Ayer Masonic Association on 6/17/89. Town Counsel stated he did meet with the Historical Commission in December 1990 regarding the ongoing dispute and hoped a mutual resolution of the differences had occurred but obviously had not.

Acting Chairman Slarsky stated the Board of Selectmen had not been involved in this dispute and that the Board had turned over jurisdiction of the Pleasant Street School to the Historical Commission.

Acting Chairman Slarsky stated the Board has conducted a hearing of facts, this is a very unfortunate situation and extremely serious. Acting Chairman Slarsky requested a Public Hearing be scheduled as soon as possible regarding seriousness of situation with violations of both fire and safety codes. Acting Chairman Slarsky requested the Ayer Historical Commission be notified by certified mail as well as the Ayer Masonic Association of a Fact Finding Hearing to be scheduled for Thursday, July 9, 1992 at 7:30 P.M. in the Boards Meeting Room, Town Hall. Acting Chairman Slarsky moved to direct the Historical Commission to return all property belonging to the masons, which was removed from the rear classroom of the Pleasant Street School, placed back into the rear classroom within twenty four (24) hours eliminating the fire and safety violations, motion seconded and carried.

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BOSMIN7-6-92/PG4.

The Board called Mark Goldstein, North Central Chamber of Commerce, re: Ready Resource Loan Program. No Show.

The Board met with Fire Chief Wellman Parker. Chief Parker advised the Board of the retirement of Arthur Pedrazzi from the Ayer Fire Dept on June 30, 1992. Chief Parker praised Mr. Pedrazzi as a diligent worker and one who will be greatly missed.

The Board requested to have a letter sent to Mr. Pedrazzi requesting him to be present at the next selectmen's Meeting.

Chief Parker submitted the Board a list of firefighter candidates who applied for the position vacated by Mr. Pedrazzi. Chief Parker stated he appointed a committee consisting of retired Fire Chief George Donahue, Deputy Chief Paul Fillebrown, Captain Peter Johnston and Ayer Firefighters Union President Robert Pedrazzi to make recommendations. It was the recommendation of the Committee and Chief Parker to recommend the appointment of Charles Dillon to the position of EMT/Firefighter. Selectman Slarsky moved the Board accept the recommendation of Chief Parker and appoint Charles Dillon EMT/Firefighter for the Town of Ayer contingent upon established employment criteria, seconded by Selectman McKinney, Vote: unanimous, so moved.

The Board on another matter was updated on the Middlesex County Retirement process re: Chief Parker's extension request. Mr. Higgins advised the Board that no communication has been received from the retirement system. Mr. Higgins towards that end advertised the position in local papers/closing date set for July 24, 1992. The Board was advised of difficult process requesting an extension beyond 65 years of age. Mr. Higgins cited Holliston, Ma. case whereas a Home Rule Petition had to be formalized for Petition to the legislature to grant an extension beyond 65 years of age.

The Board requested to hire Chief Parker as a consultant to the Ayer Fire Dept. to train new Chief. Chairman Jones questioning Chapter 85E, taking out of service and appointing as Consultant. Selectman Slarsky moved to hire Chief Parker as a Consultant upon his sixty fifth (65) birthday, seconded by Selectman McKinney, Vote: unanimous, so moved.

The Board requested packets be prepared re: applications received to date for the Chief's position.

PUBLIC HEARING: ABOVE/UNDERGROUND STORAGE TANKS-J.P. SULLIVAN

The Board met with Mark Whitehill of Joseph P. Sullivan & Co., Ayer, Ma. seeking a above ground 12,000 gallon diesel oil storage tank and an underground 4,000 gallon gasoline storage tank.

Chairman Jones opened the Hearing by reading the legal notice which ran in the Nashoba Publications Newspaper the weeks of 6/24/92 and 7/1/92. Mr. Whitehill submitted certified green cards mailed to abutters.

The Board reviewed with Supt. Redfield his concern with tanks location over aquifer. Chief Parker stated that he has no problem with tanks they are doubled walled with observation wells. A state of the arts operation to bring the tanks into the 90's.

The Board addressing concerns requested if there was anyone present to speak for or against the petition, no one came forward.

Selectman Slarsky moved to grant the license, seconded by Selectman McKinney, Vote: unanimous, so moved.

The Board met with Police Chief Arthur Boisseau re: the resignation of a part-time telecommunicator, Janice Kasila (dispatcher) effective July 12, 1992 and requesting permission to advertise to fill the position The Board approved the request to advertise to fill the position.

On another matter the Chief requested permission of the Board to appoint out of town Special Police Officers. The Chief stated these appointments were done annually until the last few years. The Chief stated it now becomes a necessity to re-instate these appointments for extra-territorial arrests. The Chief presented scenarios to Board and problems encountered by the officers. The Board requested a letter of Agreement be prepared spelling out the responsibilities/jurisdictions of these Special Out-of-Town officers.

SUPT. REDFIELD'S REPORT: see attached report dated 7/6/92.

9:05P.M. Selectman Slarsky moved the Board adjourn from Open Session and enter into Executive Session pursuant to M.G.L. Chapter 39 Section 23B re: DEP administrative order/Groton Harvard Rd. Transfer Station to adjourn and enter into another Executive Session pursuant to M.G.L. Chapter 39 Section 23B re: police deployment to adjourn and enter into Open Session for the sole purpose of closing the meeting, Seconded by Selectman McKinney Vote: unanimous, so moved.

Charles McKinney

Date: July 20, 1992