

Selectmen's Meeting
Monday, November 1, 1999
2nd Floor Meeting Room, Town Hall, 1 Main St., Ayer, MA

6:00p.m. Open Session

The Board met with Chairman Bresnahan, Selectman Sullivan and Selectman Pena.

Chairman Bresnahan opened the meeting by stating the purpose of meeting this evening was to review the November 15, 1999, Special Town Meeting Warrant articles. Chairman Bresnahan called for a ten minute recess.

Chairman Bresnahan reopened the meeting. The Board met with Economic Development Director Shawn Suhoski and James Hashem of Agility Inc., Copeland Drive, Ayer, MA. The Board voted to support the Tax Increment Financing Agreement submitted by JFH Real Estate Trust/Agility, Inc. for the property located at 4 Copeland Drive Ayer, MA which is located within the Town of Ayer's Economic Opportunity area. The property having a total land area of 269,200 square feet, containing a 15,800 sq. ft. structure occupied by Agility Inc. shown on the Town of Ayer Assessor's Map as Map 28 Parcel 124. the (TIF) would allow JFH Real Estate to receive a tax exemption on the incremental increase in value of the property for a period of Twenty (20) years, commencing in 2001 and ending in 2020. The incremental increase in value is that created by a 30,000 sq. ft. construction expansion of the light industrial facility and any appurtenances valued at over \$2 million dollars. The exemption schedule is as follows:

Year One:	90%	exemption of the increment
Year Two:	80%	" " "
Year Three:	60%	" " "
Year Four:	40%	" " "
Year Five:	20%	" " "
Years Six through 20	01%	" " "
Year 2021 and subsequent	0%	" " "

The Board based their decision on: 1. The project will not overburden the Town's infrastructure and utilities that service the Economic Opportunity Area. 2. The Project will increase employment opportunities for the region-particularly Town of Ayer residents (30 jobs) and 3. that the Town request the project be designated as a Certified Project for the term of the years outlines within the TIF Agreement. motion made by Selectman Pena, to approve the Tax Increment Financing as presented to the Selectmen in a report dated 11-1-99, the Board agrees further to offer their support and recommendation for approval at the Special Town Meeting on 11-15-99, subject to final approval of the project by the State's Economic Development Subordinating Counsel 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

Chairman Bresnahan re-opened the meeting by advising all present to the Agenda items before the Board this evening being Aquifer Protection District By-law discussion and Special Town Meeting Articles. Chairman Bresnahan stating the Board's intent this evening to eliminate the significant concerns addressed by the industrial community and move on with this Aquifer Protection District by-law. Chairman Bresnahan advised the meeting to Selectman Pena and Jane Witherow of the Board of Health meeting this morning with the Ayer Industrial Association to address issues with the members of the Association whose businesses are located in the Zone II for Spectacle Pond Wells, have with the By-law as proposed and controlling Zone II activities. Selectman Pena advised the meeting as a result of this earlier meeting a agreement was reached on several minor language changes which would remove ambiguities in the proposed By-law. Mr. Pena advised to the proposed By-law being placed on the warrant with the same language that had been voted at the Annual Town Meeting and that the changes would be amended on the Special Town Meeting floor. Changes agreed upon: Page 4. Vii a. strike and insert or, vii c. strike a Through d above e, xii strike may insert any, Page 6 vi strike lesser insert greater, 7 a strike in conjunction With -Page 7. C. remove shall insert may, Page 8.iii strike Board of Selectmen insert Water Commissioners, Page 9. Strike ZBA insert SPGA. Chairman Bresnahan requested these changes be Prepared and distributed for any one who wishes to view them prior to Town Meeting.

Three other articles represent unpaid bills from 1999, legal services-\$47,927.00, County Retirement-\$19,000.00 and insurance for Fire Casualty to cover new vehicle in the amount of \$4,153.00. Eight articles by the Planning Board regarding zoning revisions approved at the Annual Town Meeting but struck down by the Attorney General due to a minor technicality in the legal notice that advised to written copies of the proposals being made available in the Town Hall-Selectmen's Office. The Board approved of an article supporting a Tax Increment Financing Agreement for Agility Inc. and an article offering Town Boards to present reports or update activities. This specifically for the Board of Selectmen to report on the progress of the Town's Wastewater issues and options available. Chairman Bresnahan commenting that this issue not being brought to the Town regarding decision making only bringing forward for informational purposes. Selectman Pena moved the Board approve the sixteen (16) article warrant for the Special Town meeting on November 15, 1999, 2nd by Selectman Sullivan, VOTE: unanimous, so moved. The Board endorsed the warrant for posting by the Town Constable. Present for the signing Town Clerk-Ann Callahan. The Board acknowledged the Town Clerk for coming out this evening to endorse the Special Town Meeting Warrant. The Town Clerk requesting to announce the last date to register to vote at this Town Meeting being November 5, 1999, until 8:00pm in the Clerk's office.

Public Input: Chairman Bresnahan requested if there was anyone who wished to meet with the Board Under Public Input-the following people requested to meet with the Board: Jane Witherow, Board of Health and Donald Messengil re: 1st Night.

Chairman Bresnahan called for a motion to accept the agenda. Selectman Sullivan moved to approve the Agenda as amended, 2nd by Selectman Pena, VOTE: unanimous, so moved.

Town Crier: Chairman Bresnahan made the following announcements

1. Rep. Robert Hargraves is conducting Office Hours at the Town Hall this evening welcoming the viewing public to come into the Town Hall this evening up til 8pm to meet with the representative If you have questions or concerns.
2. Chairman Bresnahan announced the brush dump will be open the next four (4) Saturdays for residents doing their fall clean-up (leaves & brush) from 8am to 4pm
3. Chairman Bresnahan announced the Special Town Meeting date of 11-15-99 urging all residents to attend this most important meeting starting at 7pm at the Ayer High School Auditorium.
4. The Winter Parking Ban was announced beginning 11-15-99 through 3-31-00 all motor vehicles must be removed from all public streets in the Town of Ayer from 12:00midnight to 6:00am.
5. The Town Hall will be closed on Thursday, Nov. 11, 1999 in observance of Veterans Day.
6. The Board took a moment to thank the Ayer Library Children's Librarian for the Halloween Party at the Town Hall sponsored by the Downtown Business Alliance which also sponsored the Trick & Treating of downtown merchants and hayrides on Saturday from 1-3pm. Special recognition to North Middlesex Savings Bank for the three (3) \$50.00 bonds and Phil Berry for the three (3) Ty Bears presented to the three essay contest winners.

The Board took this opportunity to recognize Contance Fitch upon her retirement from the Ayer Public Schools for her 25 years of dedicated service as secretary to the Supt. of Schools. The Board presented Mrs. Fitch with a Certificate of Recognition.

The Minutes of 9-6-99, 9-20-99 and 10-4-99 were read and accepted. Motion to approve made by Selectman Sullivan, 2nd by Selectman Pena, VOTE: Unanimous, so moved.

The Board met with Jane Witherow from the Ayer Board of Health. Ms. Witherow advised the Board of Health will be conducting a Public Information Meeting on the Septic Grant Program approved at the Annual Town Meeting re: Title V on Thursday, November 4th, 1999 at 7pm at the Ayer Town Hall. Funding is available for septic repairs and tying into Town Sewer. Selectman Sullivan noted that 13% of residents in the Town of Ayer are not hooked up to sewer and requested if the Board of Health has targeted this group of residents to funding availability. Chairman Bresnahan requested Supt.Girouard work with the

Board of Health to identify residents in sensitive areas. Ms. Witherow stated the deadline for grant applications is December 15, 1999.

The Board met with Donald Messengil re: 1st Night activities for 12-31-99. Mr. Messengil reviewed with the Board funding commitments received to date and planned activities to be hosted at the Federated Church, Ayer Library and the Ayer Town Hall with St. Andrews Hall as a back-up. Mr. Messengil advised the Board to everything in place and paperwork ready to be sent off to Boston re: registration with Commonwealth for 1st Night Organizations hosting activities. Mr. Kreidler advised the Board to registration in Boston dependant upon organization being sanctioned/endorsed by the Town. This activity run by Mr. Massengil not a Town sanctioned activity solely private venture. The Board voted to deny the request of the Committee for use of the Town Hall. Motion to deny made by Selectman Pena, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

AGENDA ITEMS:

1. The Board met with a delegation of Ayer Library Trustees regarding a Joint Appointment to fill the vacancy on the Board of Trustees created by the resignation of Stephen Salka.. Present for the vote were: Philip Goff, Penny Kelly, Norma Parker, Neville Markham and Carol Callahan from the Library Trustees. Penny Kelly placed the name of Thomas Gibbons of Jonathan Drive, Ayer, MA for nomination to Trustee, 2nd by Philip Goff, VOTE: Board of Selectmen (individually poled) unanimous, Vote of Library Trustees attending and voting (individually) unanimous, so moved.
2. The Board met with Fire Chief Paul Fillebrown and Emergency Management Director Wellman Parker, re: Y2K status update. Mr. Parker advised the Board to Emergency Management Planning Meeting conducted at the Ayer Police Dept. on the 22nd of September with local area safety officials i.e police , fire, health. Mr. Parker advised to printed materials being presented to officials for businesses and family checklist re: Y2K precautionary measures. Fire Chief Fillebrown advised the Board to Town of Ayer being on standby with additional personnel should the need arise but feeling everything is under control and of no major problems anticipated and to treat this as you would to prepare for a storm. The Board suggested copies of these materials be circulated at the schools and made available to Town of Ayer residents and businesses, again, as a precautionary measure. The Board suggested copies be made available at the Town Hall, Library, Elderly Housing and public safety departments. The Board addressed the need to make available generators should the need be for use at the schools, Town Hall and elderly housing, as well as flashlights/lanterns for the elderly to defray use of candles and fire potential. Mr. Parker to work with Supt. Girouard re: portable units and available generators at Devens being reserved. The Board thanked the Chief and Mr. Parker for their update.
3. The Board met with the Fire Chief regarding his Goals & Objectives. Areas reviewed with the Board were: Fire Station –find solution ie structure, fumes, space, operations, etc. this presently being addressed through Assessment Committee—Training/Firefighter & Volunteers to 1&2 level—Hazardous Materials Training, EMS Training—Fire Prevention-SAFE Grant Program –expand Program to include older grades in school---Chain of Command-Develop Captains exam for current personnel. And lastly to date the Y2K objectives/Medical & Safety equipment have been met. Hazardous Waste By-law, and upgrading of the Town hydrants was suggested by the Board as other objectives they would like to see being pursued. Chairman Bresnahan also requested the Chief review the Town's -ambulance service re: fees. The Board thanked the Chief for his report.
4. **Economic Development Director's Report: (see report dated 10-29-99)**
The Board met with Shawn Suhoski, Economic Development Director.
 1. Hous. Rehab Case #98-107. Mr. Suhoski reported on the background of the case. The Board approved the Communities match of funds due to hardship. Motion made by Selectman Sullivan 2nd by Selectman Pena, VOTE: unanimous, so moved.
 2. Former Hous. Rehab Case #95-157. Septic System failed and need to comply. Mr. Suhosko gave the Selectmen a brief background on this case. Selectman Sullivan suggested the client contact the Ayer

Board of Health. Jane Witherow reported on earlier this evening the availability of funding for septic system assistance for situations such as this. Selectman Pena moved the Board deny Case #95-157 for assistance under the Com. Dev. Block Grant due to violation of Grant Policy to award additional funding to the same household two years in a row, and suggest the client contact the Board of Health for a grant application into the Septic Program currently made available to Town of Ayer residents for failed systems tying into Town sewer 2nd by Selectman Sullivan, VOTE: unanimous, so moved.

Selectman Sullivan took a moment to discuss the meeting with the Downtown businesses last Monday and of the focus of the meeting by the merchants looking at UDAG funds being utilized by the Town to assist the downtown businesses with improvements to façade, expansion etc. Selectman Sullivan suggested the Board direct Shawn to review & evaluate the UDAG Policies re: granting/loaning money to our downtown merchants 2nd by Selectman Pena, VOTE: unanimous, so moved.

Mr. Kreidler took this opportunity to announce the Town's award from the MBTA re: upgrade of T-station for design/build.

Supt. Girouard's Report: (see report dated 10-29-99)

1. The Board moved to appoint Ronnie Pemberton to the temporary position of wastewater mechanic with a caveat- a letter be placed with the appointment stating this appointment does not automatically entitle Mr. Pemberton to the position, Motion made by Selectman Pena, 2nd by Selectman Sullivan, VOTE: unanimous, so moved.
2. The Board moved to approve two (2) road-opening permits: one for Boston Gas at 13 High St. new service and one for the Page Block property. Motion made by Selectman Sullivan, 2nd by Selectman Pena, VOTE: unanimous, so moved.
3. The Board approved two additional wastewater discharge permits for J.P. Sullivan: one 700 gallons/per day to accommodate the flows that will result from the proposed construction of a dormitory building that will house the seasonal workers at the apple orchard. Selectman Sullivan moved to approve this request, 2nd by Selectman Pena, VOTE: unanimous, so moved. The other discharge request for a 1,540 gallons per day the estimate for the collection of current wash water that is used in the processing of the apples. The Board stated of the 1540 gallons allowed under the current sewer bank policy 660 is their available capacity and 880 is the exemption. Selectman Sullivan moved to approve the 880 gallon exemption under environmental concerns that by granting these permits would be beneficial to the Town, 2nd by Selectman Pena, VOTE: unanimous, so moved.
4. Supt. Girouard ran through the Informational issues with the Board. (see report) as well as condition of street lights downtown re: position of poles looking off center, identifying areas in Town for the Board of Health to target re: tying into town sewer through the Septic Grant Program and trees blocking signs along Main St. and status of unpaid water bills

TOWN ADMINISTRATOR'S REPORT

1. The Board approved the 2000 Alcohol License Renewals for: PACKAGE STORES ALL ALCOHOL: Ayer Package Store, C.R. Pierce d/b/a Bookberry, Jack-O-Lantern of Ayer, Inc, --BEER & WINE PACKAGE STORES: BAP Ram d/b/a Roux's Liquors and AM/PM Gas d/b/a/ Ayer Exxon --CLUB LICENSE: Ayer Sportsmen's Club-- ALL ALCOHOL RESTAURANTS: LaSita, Inc., Carlins, J.P. O'Hanlon's, Tiny's, Nashoba Club, Shaker Hills Golf Club and Autumn Woods contingent upon review by Town Counsel to investigate if the Licenses can be approved on an interim basis, while the Advisory Board investigates fee increases, should Town Counsel determine this is not possible the licenses will be approved as submitted, with the exception of the Fort Corp. Motion made by Selectman Sullivan 2nd by Selectman Pena. VOTE: unanimous, so moved.
2. The Board was updated to requests coming in from residents on Groton Shirley Rd. residents re: reduced speed requests/slow children signage this brought forward as FYI notice to be passed along to Chief of Police.

9:00p.m. Selectman Sullivan moved the Board adjourn the meeting, 2nd by Selectman Pena, VOTE: unanimous, so moved.