

Selectmen's Meeting
Monday, November 3, 1997
Ayer Town Hall-2nd Floor Meeting Room
Main Street, Ayer, MA

7:00p.m. Open Session

The Board met with Chairman Norstrom, Selectman Hamel and Selectman Bresnahan.

Chairman Norstrom opened the meeting by requesting a Moment of Silence be taken in honor of Ralph H. Richardson, Town Historian who passed away on Thursday, October 30, 1997, at the age of 95.

Chairman Norstrom gave a brief narrative commemorating his invaluable service to the Town of Ayer for over the past seventy (70) years. Chairman Norstrom read into the record various Town boards in which he had served on as well as numerous awards and recognition which had been bestowed upon him.

Town Crier: Chairman Norstrom made the following announcements:

1. Pace Meeting with BRAC officials to be held on November 6, 1997 at 7:00p.m at the Ayer High School.
2. Special Town Meeting Monday, November 17, 1997 at 7:00p.m. at the Ayer High School.

Public Input: Chairman Norstrom requested if there was anyone present wishing to be heard.

The following requested to meet with the Selectmen:

The Board met with a resident of 5 Mechanic St. (off Shirley St.-behind Parthenon) re: having a town tree removed which is presently blocking his driveway. The resident explained to the Board he has been pursuing this endeavor for over a year now and has met with the Tree Warden on numerous occasions-the result being the Tree Warden would not take down a healthy tree. The Board requested the Tree Warden be re-contacted regarding removing the tree which is blocking the driveway and have the resident replace the removed tree with a new one to be planted in a more appropriate location, at the Tree Wardens discretion. . Mr. Kreidler to look into this request.

Mr. Kreidler presented to the board the following water/sewer permits for approval:

23 & 28 Pineridge Dr. - 125 & 128 Oakridge Dr. - 7, 9, & 16 Hibiscus Lane, Lot 67 Pingrey Way and 6 Mountainview Ave., Ayer, MA

Chairman Norstrom announced the Special Town Meeting Warrant Articles were before the Board this evening for discussion due to a request by a citizen who wished to place an article on the warrant by Petition which would place a moratorium on new construction as well as for an article to fund a Water Master Plan, which would provide authorization for borrowing for a Zone II delineation for Spectacle Pond Wells. The Board at this time moved to enter into Executive Session. Selectman Hamel moved the Board enter into Executive Session Pursuant to Chapter 39, Section 23b-Exemption #3 to adjourn and re-enter into Open Session, 2nd by Selectman Bresnahan. VOTE: unanimous, so moved.

7:30p.m. The Board entered into Executive Session.

8:10p.m. The Board re-entered Open Session.

Chairman Norstrom re-opened the meeting ad stating the Board has approved of the two additional warrant articles to be placed on the Special Town Meeting Warrant. Selectman Bresnahan stated the Board approved of the request by the Petitioner to place a moratorium article on the warrant but this was sanctioned by the Selectmen and not a Board of Selectmen's article, they were placing this article on the warrant due to shortness of time for petitioner to gather proper amount of signatures required. The Board approved the November 17, 1997 Special Town Meeting Warrant as amended, Selectman Hamel moved the motion 2nd by Selectman Bresnahan, so moved.

The Board met with Timothy Henzy, Grant Administrator re: a subordination Agreement-Release of

Certificate not to Encumber on Case #90-34 for 39 Pearl St., Ayer, MA. The Board approved the Release of the Certificate not to Encumber per Mr. Henzy's recommendation, Selectman Hamel moved the motion 2nd by Selectmen Bresnahan, VOTE, so moved.

The Board met with Fire Chief Paul Fillebrown, re: the condition of the Town's Fire Station located on Washington St., Ayer, MA. Chief Fillebrown stated the station which was built in the early 1930's is in need of serious repairs. Repairs include: sinking and cracked floors, roof leaks, brick & mortar work, rotted wood & door casings and much needed interior work. The chief stated he was before the Board this evening to request a committee be put together to study the scope of work and cost factor and likelihood of replacing the present station with a new one. Chief Fillebrown suggested the same committee which met re: the new police facility design be contacted. The Board thanked the Chief for bringing this matter before them and took it under advisement.

The Board met with Timothy Henzy and Ida Naparstek, Chairman of the Ayer Historical Commission. Also present this evening were the two architect finalists re: the Mass. Historical Grant Funding for the Town Hall and the Pleasant Street School Feasibility Studies. Mr. Stewart Roberts of J. Stewart Roberts & Associates of Somerville, MA for the Ayer Town Hall and Maximillian Ferro of Preservation Partnership Inc. of New Bedford, MA for the Pleasant Street School. both architects discussed with the Board the deed restrictions needed for funding by the Mass. Historical Com. of which two (2) articles would appear on this Special Town Meeting Warrant seeking the vote of the Town to commence the studies.

Supt. Girouard's Report: See report dated 11-3-97

Mr. Kreidler stated if the Board needs clarification on any item in Supt. Girouard's report to please see him after the meeting and he would report back to the Board with his findings.

Public Hearing: Common Victualler's License-Exxon Station Park St., Ayer, MA

The Board met with Seth Cohen of First Business Group Co. who is representing DHANLAXMI Corp. on behalf of Anupama H. Bhagat and Hitest Bhagat for Exxon Corp. located at 20-30 Park St., Ayer, MA who were before the Board this evening seeking a Common Victualler's License for a Tiger Mart/Convenience Store. Selectman Bresnahan read the legal notice which ran in the Nashoba Publications newspaper the weeks of Oct. 22 & 29, 1997. The Board welcomed Ms. Bhagat to the Town; and reviewed with Ms. Bhagat the operations of the business i.e. hours, service-products, etc. Chairman Norstrom requested if there was anyone present wishing to speak for or against the license-no one stepped forward. The Board requested if all abutters had been notified. Mr. Cohen presented to Mr. Kreidler the green abutters cards mailed and received to date. Mr. Kreidler reported to the Board that all but three (3) cards have not been returned. Mr. Kreidler recommended the Board approve the license contingent Mr. Cohen submit all three (3) additional cards of receipt of notification prior to the Selectmen's Office releasing the license to DHANLAXMI Corp. Mr. Kreidler advised Mr. Cohen to check with the post office for card disposition and to check back with the Selectmen's Office.

Town Administrator's Report:

Action Items:

1. JBOS: Chairman Norstrom after a lengthy discussion requested the Board take no action re: separating from the Joint Boards of Selectmen with Harvard and Shirley until the Board has individually met with Ayer businesses, citizens and past selectmen to see how they would feel separating from the JBOS.
2. Special Town Meeting November 17, 1997-James Kreidler stated the Warrant has been posted and now includes the two earlier articles: 1. Moratorium on new construction and 2. Zone II Delineation of Spectacle Pond Wells, bring the warrant up now to 29 articles.
3. Mr. Kreidler announced the Town of Ayer's Free Cash has been certified at \$1,226,381.00 as of July 1, 1997 by the Mass. Dept. of Revenue-Div. of Local Services.

BOSMIN11-3-97/PG.3

Paul D.
Paul D. Bresnahan

[Signature]

DEC 1 1997

DATE: _____

Paul D. Bresnahan, Clerk

DEPARTMENT OF PUBLIC WORKS



BROOK STREET
AYER, MASSACHUSETTS 01432
Tel. (508) 772-8240

October 31, 1997

TO: Ayer Business Alliance

FROM: Gary E. Girouard
Superintendent of Public Works

RE: Issues Addressed since meeting 17 October 1997

Dear Alliance Members:

Since our meeting on 10/17/97, I have addressed several issues and they are listed in sequence as addressed on your memorandum dated 10/17/97. They are as follows:

1. Raked along shrubs on Main Street. Also witnessed by Mr. Kelley, I met with Jim Pinard on site and requested he give a written proposal to replace all damaged shrubs. I have not received proposal but will notify you when it becomes available to me.
2. Met with Pete Johnson and we are discussing the possibility of having Boy Scouts Police the main street area sidewalks etc., as part of their ongoing community service and award badge program. Other issues - weeds etc. will be addressed in the Spring and Summer of 1998 with Highway Department and Summer Help Employees.
3. Additional crosswalks along Rt. 2A at the Police Station and Rt. 2A and Rt. 111 at Tiny's Restaurant must be approved by the Mass Highway Department. A letter has been sent to the District Highway Engineer. We are currently awaiting their decision.
4. I have talked with Janet Lewis about the status of the two streetlights at the Yee Property. All the necessary information has been sent to the insurance company and we are currently awaiting a replacement date.
5. The rewiring of streetlights on Main Street is being reviewed by Mass Bay Electric Company. I have attempted to contact the contractor with little success. I will continue to pursue this issue and expedite it 's resolve.
6. Replacement of Guard Rails around Rotary is the State Highway Departments responsibility. I have spoken to Butch Olsen Assistant Maintenance Engineer. He is researching the possible replacement of the guard rail. The Ayer Highway Department is currently measuring to determine how much of the guardrail needs to be replaced on East Main Street. Once those figures are available we will proceed to acquire a proposals for the costs to do a replacement project.
7. The dead limbs on E. Main Street @ Cains Co and the removal of brush was trimmed and removed by the Public Works Department.

8. Brush was removed along the west side of Sandy Pond Road and Rotary and Central Avenue.

9. Police ISSUES.

10. Mass Highway, Assistant Maintenance Engineer, Mr. Butch Olson assured me the Traffic Sign, which is leaning at the Rotary and E. Main Street will be fixed. Also, we have relocated the MBTA sign. Mr. Kelley will also be contacted as to a preferred location of an additional MBTA Directing Passengers to the allotted parting area in the Main Street area.

11. As stated at the meeting, grass cutting will be on a schedule. Probably cutting grass will be accomplished on Fridays of every week as needed.

F.Y.I. Roadway sweeping will be conducted along Main Street and East Main Street early Friday mornings at approximately 4 A.M. weather permitting.

If further information is required or additional assistance is needed, please contact my office at your convenience.

GARY E. GIROUARD
Superintendent
AYER DPW

CC: Board of Selectmen
Town Administrator
Ayer Business Alliance
Highway Department

MEMORANDUM

To: Board of Selectmen

Fr: Ayer Business Alliance

Date: October 17, 1997

Re: Ten items to be addressed within the next 90 days.
by the Board of SelectmenTo: GARY
FROM: DIANE
SULLIVAN

1. Remove dead tall shrubs and replant new ones in the voids along Main Street between the East Main Street bridge and the Treasure Chest Shop.
2. Weed and sweep the sidewalks from the Barnum Gate to the rotary, along East Main Street from the rotary to downtown, along West Main Street from the Verbeck Gate to downtown, along Park Street from Tiny's Restaurant to downtown, along West Street, along Pleasant Street and along Washington Street.
3. Make an additional crosswalk crossing Park Street in front of the new Police Station, make an additional crosswalk crossing Rte. 111 to Tiny's Restaurant and make an additional crosswalk crossing Rte. 2A to Tiny's Restaurant.
4. Replace the melted globe on the street lamp in front of the Yee property and fix the other street lamp post in front of the Yee property which is leaning and about to fall over.
5. Rewire the street lamps on Main Street so that the street lamps can accommodate bulbs with more wattage.
6. Replace the guardrails around the rotary and along East Main Street that have been damaged in snow storms in past years.
7. Trim the dead limbs hanging off the big pine tree in front of the East Main Street entrance to the Cains Company.
8. Remove the brush along west side of Sandy Pond Road between the rotary and Central Avenue, which was trimmed by the DPW earlier this year.
9. Continue using a police officer for traffic control at the intersection of Park and Main Streets. Have another police officer assigned to traffic duty at the intersection of East Main Street and the Groton-Harvard Road.
10. Fix the signage at the intersection of the rotary and East Main Street, which is leaning. Also, relocate the MBTA sign to the southern side of the intersection of the rotary and East Main Street in a location where it will not be obscured by a guard rail.

TOWN WARRANT
TOWN OF AYER
Special Town Meeting
November 17, 1997

Commonwealth of Massachusetts
Middlesex, ss

To any constable of the Town of Ayer

Greetings:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Ayer, qualified to vote in Town Elections and affairs to meet at the Ayer High School/Middle School, Laura S. Leavitt Auditorium, Washington Street, Ayer, MA on Monday the seventeenth day of November AD 1997, at seven o'clock in the evening (7:00p.m.) then and there to act on the following Articles:

ARTICLE 1. To see if the Town will vote to fix the salary and compensation of elected officers of the Town of Ayer, as provided by Section 108, Chapter 41 of the General Laws, as amended, take any action thereon or in relation thereto.

	May 12, 1997 ATM	Nov. 17, 1997 STM	Supplemental Appropriation
Treasurer:	\$28,574.00	\$29,721.00	\$1,147.00
Town Clerk:	\$14,695.00	\$15,285.00	\$ 590.00
Tax Collector:	\$17,961.00	\$18,681.00	\$ 720.00

ARTICLE 3. To see if the Town will vote to raise and appropriate and/or appropriate from other available funds the sum of Three Hundred Seventy Seven Thousand Seven Hundred and Twenty Dollars (\$377,720.00) to Department 200 Finance line item 05 Insurance (Health and Life) to supplement the FY98 appropriation, this appropriation to be under the control of the Treasurer, or take any action thereon or in relation thereto.

ARTICLE 4. To see if the Town will vote to raise and appropriate and/or appropriate from other available funds the sum of Fifty One Thousand One Hundred Dollars (\$51,100.00) to Department 300 Public Safety line item 02 Fire Department to supplement the FY98 appropriation. This appropriation is to fund three (3) additional firefighters and to purchase miscellaneous supplies and is to be under the control of the Fire Chief, or take any action thereon or in relation thereto.

ARTICLE 5. To see if the Town will vote to raise and appropriate and/or appropriate from other available funds the sum of Twenty One Thousand Three Hundred Forty Eight Dollars (\$21,348.00) to Department 500 Human Services line item 06 Library to supplement the FY98 appropriation, this appropriation to fund increased operating expenses due to the new library addition and to be under the control of the Library Commissioners, or take any action thereon or in relation thereto.

ARTICLE 6. To see if the Town will vote to raise and appropriate and/or appropriate from other available funds the sum of Twenty Four Thousand Dollars (\$24,000.00) or other sum or sums of money, for the purchase of one new police cruiser for the use of the Town's Police Department, this appropriation to be under the control of the Chief of Police, or take any action thereon or in relation thereto.

ARTICLE 7. To see if the Town will vote to raise and appropriate and/or appropriate from other available funds the sum of Fifteen Thousand Dollars (\$15,000.00) to Department 300 line item 01 Police Department to supplement the FY98 appropriation in order to provide local matching funds required by Federal Community Policing Grant, this appropriation to be under the control of the Chief of Police, or take any action thereon or in relation thereto.

ARTICLE 8. To see if the Town will vote to raise and appropriate and/or appropriate from other available funds the sum of Five Thousand Dollars (\$5,000.00) or other sum or sums of money for the purpose of providing senior citizens and disabled homeowners with a real estate tax payment voucher program approved by the Town Administrator or take any action thereon or in relation thereto.

Commission a preservation restriction on the property known as the Ayer Town Hall, shown as Lot 231 on Assessors Map 26, on such terms and conditions as the Selectmen may determine, or take any action thereon or in relation thereto.

ARTICLE 15. To see if the Town will vote to authorize the Ayer Historical Commission to grant to the Commonwealth of Massachusetts by and through the Massachusetts Historical Commission a preservation restriction on the property known as the Pleasant Street School, located at 62 Pleasant Street, Ayer, MA, described: (1) in a deed from John G. Park, et al. to the Town of Ayer, dated May 16, 1893 recorded with Middlesex South District Registry of Deeds, Book 2200, Page 510; (2) in a deed from Mary G. Paine to the Town of Ayer, dated May 7, 1906 recorded with said Deeds, book 3229, Page 526; and (3) in a deed from Levi W. Phelps to the Town of Ayer, dated April 30, 1906 recorded with said Deeds, Book 3229, Page 533; on such terms and conditions as the Ayer Historical Commission may determine, or take any action thereon or in relation thereto.

ARTICLE 16. To see if the Town will vote to amend the Ayer Zoning Bylaw by amending *Article I-Purpose and Policies*, or take any action thereon or in relation thereto.

(Please refer to the document entitled: *Zoning Revisions For Ayer, Massachusetts. Final Amended Language. Prepared for Planning Board. Oct 15, 1997.* Available in Selectmen's Office, Town Clerk's Office, the Library and at Town Meeting.)

ARTICLE 17. To see if the Town will vote to amend the Ayer Zoning Bylaw by amending *Article II Definitions and Non-conforming Uses*, or take any action thereon or in relation thereto.

(Please refer to the document entitled: *Zoning Revisions For Ayer, Massachusetts. Final Amended Language. Prepared for Planning Board. Oct 15, 1997.* Available in Selectmen's Office, Town Clerk's Office, the Library and at Town Meeting.)

ARTICLE 18. To see if the Town will vote to amend the Ayer Zoning Bylaw by amending *Article IV Table of Uses*, or take any action thereon or in relation thereto.

(Please refer to the document entitled: *Zoning Revisions For Ayer, Massachusetts. Final Amended Language. Prepared for Planning Board. Oct 15, 1997.* Available in Selectmen's Office, Town Clerk's Office, the Library and at Town Meeting.)

ARTICLE 19. To see if the Town will vote to amend the Ayer Zoning Bylaw by amending *Article V Dimensional Requirements*, or take any action thereon or in relation thereto.

ARTICLE 25. To see if the Town will vote to appropriate and borrow, for a term not to exceed twenty (20) years, the sum of Fifty Thousand Dollars (\$50,000.00), or other sum or sums of money, to construct a dechlorination facility for waste water treatment to comply with Department of Environmental Protection (DEP) consent order. This appropriation to be under the control of the Board of Selectmen, or take any action thereon or in relation thereto.

ARTICLE 26. To see if the Town will vote to transfer the sum of Seventy Three Thousand Dollars (\$73,000.00) to provide funds a for Water Master Plan for the Town of Ayer; such transfer to come from Article 26 of the May 13, 1996 ATM which provided authorization to borrow for a Zone II delineation for Spectacle Pond Wells. This appropriation to be under the control of the Board of Selectmen, or take any action thereon or in relation thereto.

ARTICLE 27. To see if the Town will vote the following sums of money to refurbish the Grove Pond Wells and to make all necessary water and sewer line connections to the new Grove Pond Water Treatment Facility:

Appropriate and borrow, for a term not to exceed twenty (20) years the sum of Seven Hundred Thousand Dollars (\$700,000.00); and

Transfer unexpended borrowed funds from Article 2, February 20, 1996 STM, purchase of Fire Ladder Truck, the sum of Nineteen Thousand Seven Hundred and Twenty Four Dollars (\$19,724.00)

This appropriation to be under the control of the Board of Selectmen, or take any action thereon or in relation thereto.

ARTICLE 28. To see if the Town will vote to accept the Town of Ayer's Comprehensive Plan as developed over the past three (3) years by the Ayer Comprehensive Planning Committee (ACPC), or take any action thereon or in relation thereto.

ARTICLE 29. To see if the Town will approve a moratorium on new construction in the Town of Ayer for a minimum of twelve (12) months or until a full study of the infrastructure, including but not limited to water and sewer, fire, police, transfer station and recycling, and zoning is completed and reported on to the Town in a public forum, whichever comes later. Said moratorium not to apply to development in progress at the time of approval by the vote of the taxpayers, or take any action thereon or in relation thereto.

DEPARTMENT OF PUBLIC WORKS UPDATE

WATER DEPARTMENT

Ongoing construction at Grove Pond Treatment Facility is proceeding.

Further discussion with Tata & Howard regarding Zone II delineation at Spectacle Pond Wells and a master plan. Topics included the need for zone II delineation study, future water sources, CAD distribution and mapping and possible future expansion of our withdrawal permits. I feel the sooner we move ahead with these issues the better informed we and the public will be.

Work at the Spectacle Pond treatment facility is continuing. In house and M.C.I. personnel are currently painting filter tank, etc. at the facility.

Restocking of supplies is ongoing - meters, pipe, repair clamps.

The department is continuing to struggle keeping up with inspections, roadway marking for construction, water breaks, general maintenance and meter reading. Additional personnel should alleviate some of this backlog.

Distribution system flushing is ongoing - no complications.

HIGHWAY DEPARTMENT

Ongoing road rehabilitation and paving - weekly notices have been sent to local cable T.V. as to the areas under construction during the week.

- berm replacement at Reggio Register on Shirley Street
- 100' of berm on Whitcomb Ave, as well as a drain pipe to divert water and replaced 20' of guard rail for safety reasons
- 135' of sidewalk was replaced on Elm Street - finish hot top will be place as soon as possible
- placed gravel around wheel chair ramp at Town Hall, painted lines, placed signs
- base top was placed at the following locations:
 - Whitcomb Avenue
 - Pleasant Street
 - Lawton Street
 - Pearl Street
 - Norwood Avenue
- assisted with grinding of roads, assisted with hauling of gravel and debris to D.P.W.

WASTE WATER TREATMENT DEPARTMENT

Daily routine maintenance and testing at treatment plant is ongoing. Oak Ridge residents are continuing to tie into sewer main.

Currently making arrangements to tie two properties not stubbed for sewer acceptance. Will try to connect in the next two weeks.

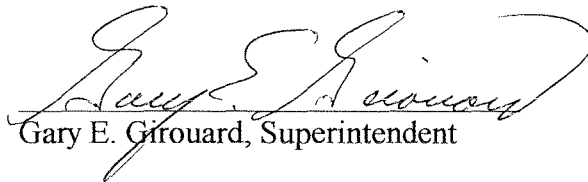
MISC. AND TRANSFER STATION

Dan Scott was operated on on Monday, October 27th. Dan has spoken to me - everything went well. He will be out 4-6 weeks. Personnel from various departments are covering during his absence.

Winter is approaching and the equipment is being readied for snow & ice fighting.

I am currently soliciting prices for a multi-function sand spreader. Uses will vary from sand/salt spreading in the winter months to dump truck hauling capabilities - hot mix and loam. I will produce the information and forms to possibly purchase this piece of equipment with Chapter 90 funds. The truck it will be attached to is the truck given to us by the fire department last year.

Also, the need for three new snow plows exists. I will forward the proposals as they become available.



Gary E. Girouard, Superintendent