

Selectmen's Meeting
Monday, September 8, 1997
Ayer Library-Lower Level Conference Room
East Main Street, Ayer, MA 01432

7:00p.m. Open Session

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

The Minutes of August 11, 1997 were amended to correct typo on page 2-paragraph 4 correct name from Fire Chief Bresnahan to Fire Chief Fillebrown.

Public Input:

Chairman Norstrom requested if there was anyone present wishing to speak under public input: The following people requested to meet with the Selectmen:

William Oelfke requested to speak re: Planning Board issue.

Town Crier: Chairman Norstrom made the following announcements:

1. AC/PC (Ayer Community and Planning Committee) will be conducting a informative meeting re: the consolidation of the seven landfills on Devens. Ms. Norstrom stated that representatives from the Dept. of Environmental Protection Association (DEP) as well as the Environment Protection Agency (EPA) will both be present to discuss the impacts to the surrounding Towns. Chairman Norstrom urged all residents especially those in the West Main St.-Scully Rd. and Shirley St. areas to attend, and also on Thursday, September 25, 1997 another meeting will be held on Devens at the former Officer's Club sponsored by the Nashua Water Rivershed.
2. The next School Strategic Planning Meeting to be held on Wednesday, September 10, 1997 at 7:00pm at the Page School-Profession Development Room.
3. The next Public Workshop re: the proposed Zoning Changes to be held on Tuesday, Sept. 16, 1997 at 6:30p.m. at the Ayer Town Hall, 2nd Floor Meeting Hall. Chairman Norstrom again urged all residents to attend and become part of the process-let their voices be heard.
4. The Public Hearing continuation re: the proposed BIO Conversion Plant on Devens to be conducted on Wednesday, Sept. 16, 1997 starting at 7:00p.m. at the Devens Inn formally the Officer's Club.
5. The next meeting for the Ayer Coalition for Community Wellness is scheduled for Thursday morning, September 18, 1997 at 8:00a.m. at Deaconess Nashoba Hospital's Founder's Room.
6. The Oktoberfest Committee is looking for new members. People interested should contact Diana Vita at 772-0661 or Ruth Rhonemus.
7. Farmer's Market every Saturday Through October from 8:00a.m. to 1:00p.m. Depot Sq.

Chairman Norstrom welcomed the Ayer Police Explorers to the Meeting and advised all those present this evening that 12 young people have recently graduated from the Police Explorers Academy-and extended special thanks to the Ayer Fire Dept. for funding the 12 explorers.. Chairman Norstrom introduced Mark Coulter-Detective, with the Ayer Police Dept. and Leader of the Ayer Police Explorers who presented Certificates of Achievement to the following graduates: Stephen Dubois, Noah Gibson, Kevin Humphreys, Kristine Manning, Michael Mauti, Alan Norman, Steve Pau, Jeremiah Phelps, Stephanie Pinter and Nathen Carter Webb, Steven and Stan Pau unavailable due to attending football camp... The Board congratulated all the graduates upon this accomplishment. Mr. Coulter introduced Wellman Parker, Director of Emergency Planning who was present this evening to introduce to the Town the Ayer

Police Explorers who would be working under him as Auxiliary Police Explorers. Mr. Parker presented Civil Defense badges to the following Police Auxiliary Explorers: Noah Gibson, Kevin Humphreys, Michael Mauti, Alan Norman, Stan Pau, Steve Pau, Stephanie Pinter and Wayne Sears Jr.

Detective Coulter took this opportunity to thank his associate advisors: Mrs. Diana Vita, Regina Pau, Stacey Vear, Patrolman Todd Crumpton and Reserve Officer Matthew Callahan for all their help and assistance with the program.

Chairman Norstrom requested Diana Vita and Paul Poirier step forward. Chairman Norstrom stated the purpose for the Board meeting with Diana & Paul was to thank them for their contributions to the Town's 4th of July Celebration. Chairman Norstrom stated both Diana & Paul were unavailable on August 11, 1997 when the Board presented Certificates of Appreciation to Town Officials for their contributions to the best event ever.

Chairman Norstrom presented Diana Vita a plaque for Chairing the 1997 Celebration and wishing her success with future endeavors. Chairman Norstrom presented Paul Poirier, Master of Caleb Butler Lodge a plaque for the Masonic Associations contribution setting up, and feeding of over 400 parade marchers as well as for their financial contributions to the celebration. Selectman Hamel and Selectman Bresnahan echoing Chairman Norstrom's remarks.

Mr. Oelfke stated he had wished to speak under Public Input to advise the residents to the Zoning By-laws workshop tomorrow evening which was mentioned earlier in the evening by Chairman Norstrom.

On another matter the Board met with William Oelfke re: a request for the Board's support of a Special Town Meeting to be held on Nov. 17, 1997 to be devoted to proposed zoning changes. Mr. Oelfke stated the Planning Board and ZBA will be conducting workshops to update, clarify and improve the Town's current zoning bylaws. The first workshop to be conducted on September 16, 1997 at the Ayer town Hall starting at 6:30p.m. The Board also reviewed the need for another Special Town Meeting later in the year devoted to putting money back into budget held back at the Annual Town Meeting in May of 97.

On another issue Mr. Oelfke requested to meet with the Selectmen re: the Personnel Policy, The Board set Thursday, September 18, 1997 at 8:00p.m. to review the policy with the Personnel Board, 2nd floor town hall.

The Board met with Diana Vita re: the plans for the 4th of July Committee/97's Oktoberfest. Ms. Vita stated the event would be held at the Ayer Sportsmen Club Saturday, October 4 and 5th, 1997. Saturdays events included a chicken B-B-Q along with a Fireman's Dry Muster starting at 1:00p.m. with local competition being held with Town Business teams, a German band will play German music from 6 to 11 inside the Club with a small admission fee. Events were still being planned for Sunday along with the B-B-Q. Anyone interested in helping should call Diana, Ruth or Janet in the Selectmen's Office.

The Board met with Murray Clark, Paul Routhier and Martin Wallace members of the Devens Enterprise Commission. Chairman Norstrom thanked the members for coming in. Chairman Norstrom took this opportunity to congratulate Mr. Routhier on his Open House and Tour of his Recycling Facility last Friday, September 5, 1997. Chairman Norstrom advised the Board to Mr. Routhier receiving National notoriety with his facility. Mr. Routhier stated over 6 million tires are recycled a year into productive by-products and fill for roadways which reduces the overall funding for road projects in this country.

Selectman Hamel stated the purpose of meeting with the DEC Members this evening was to advise them of the Board's vote last year not to support the consolidation of the seven landfill sites on Devens to Shepley Hill due to the close proximity to Ayer and Ayer's well fields and not knowing the impact of such a consolidation. Selectman Hamel stated her

disappointment in the Town of Ayer's DEC members supporting such a consolidation. Selectman Hamel advised that EPA officials had contacted the restoration committee who called the Board of Selectmen due to the seriousness of such a consolidation to the Town

of Ayer. Town Administrator James Kreidler stated the Board wished to meet with the DEC members to open a line of communication and establish a good working relationship with the two bodies. Mr. Clark stated he voted to support the consolidation and still felt the consolidation was the best way to go stating the DEC members recommended the relocation/closure of the seven small landfills to one state of the art facility which would be monitored very carefully by EPA and DEP with heat sensors and monitoring borings. Selectman Hamel requested why consolidation couldn't be done on south post which would not effect the town of Ayer stating her concern for residents living along West Main St., Scully Rd. and Shirley St. due to the close proximity to the wells. Mr. Routhier stated it was his impression that everything in the landfills would be mined and hazardous material trucked out and disposed of properly. Mr. Clark stated ultimately the Federal Government will make the final decision and under Chapter 498 the Development of Devens he felt assured the by-laws imposed would certainly contain more than adequate protective provisions.

Selectman Hamel stated the Board of Selectmen made the DEC appointments to establish local representation on the DEC for Town of Ayer officials and residents to bring back the Town of Ayer's opinions concerning serious issues. It is embarrassing to the Board of Selectmen to vote one way and members of the Town's DEC voting another way. Mr. Clark stated he was not aware of the Board's vote nor feelings on this matter. In the future it would be helpful to be aware of Selectmen's meeting dates when DEC issues are on the Agenda. Selectman Bresnahan stating it might be helpful to request Mr. Chambers be invited to the meeting tomorrow evening 9/9/97 at the Town Hall. Selectmen Bresnahan stated there are other meeting being proposed re: this matter on Devens-Thursday, September 25, 1997 at the Devens Inn by the Nashua River Water Shed. Selectman Hamel stated these are critical issues and should always be pre-discussed prior to taking a vote. The Board thanked the DEC members for coming in.

Public Hearing: Woody's Common Victualler's License-210 West Main St., Ayer, MA

The Board met with Douglas Schwartz and Kathleen Moran. Chairman Nostrum read into the record the Public Hearing Notice which ran in the Nashoba Publications newspaper the weeks of August 27, 1997 and September 3, 1997. Town Administrator James Kreidler stated that one person is no longer involved with the business. Edward Denmark had advised him that he had removed himself from the business and no longer is a partner/principal of the business. Chairman Norstrom requested if there was anyone present who wished to speak for or against the license. No one stepped forward. Chairman Nostrum requested if all abutters had been notified. Mr. Schwartz stated they were. Chairman Norstrom called for a motion. Selectman Hamel moved the Board approve the Common Victualler's License for Woody's, 2nd by Selectmen Bresnahan, VOTE: unanimous, so moved.

Chairman Nostrum requested the Board go off the posted Agenda and meet with the Town Administrator due to being ahead of schedule.

Town Administrator's Report:

1. Mr. Kreidler presented the new Police Chief's contract to the Board for their review and endorsement. Mr. Kreidler reminded the Board they had reviewed this document two weeks ago when Mr. Rizzo was appointed. The Board reviewed the three (3) year contract with a six (6) month probationary period having a without cause clause for dismissal. The new contract mirrored prior chief's contract. Chairman Norstrom requested why a weekly salary was inserted instead of customary practice using annual. Mr. Kreidler stated the Treasurer's Office had requested the change to simplify bookkeeping. Selectmen Hamel moved the Board approve the contract for Police Chief Frank Rizzo, 2nd by Selectman Bresnahan, VOTE: unanimous, so moved.

Mr Kreidler presented the Supt. of Public Works contract for the Board's review and endorsement. This contract also having been run by the Board previously. Mr. Kreidler stated this contract also reflected the previous superintendents contract including a (6) month probationary period. Selectman Hamel moved the Board approve Mr. Girouard's contract as presented, 2nd by Selectmen Bresnahan, VOTE: unanimous, so moved.

2. Mr. Kreidler requested direction from the Board re: the Town's Zoning Map re: funding the revisions needed to the map (4 areas). Mr. Kreidler stated the present Zoning map was drawn incorrectly. The Planning Board and Zoning Board both agree to the need to have the Map done correctly. The proposed cost to correct the map is between \$5-10 thousand dollars which would include the ground work. Mr. Kreidler stated there is -0- funding. The Board has two (2) options a Reserve Fund Transfer and UDAG funding with an option to reimburse at Town Meeting. Both Boards have reviewed the matter with Town Counsel who stated inaccurate information was given at Town Meeting and should be amended to correct districts. Setting a Town Meeting date is predicated upon Certification of Free Cash by DOR. The Board requested to meet with members of the ZBA and Planning Board at the next Selectmen's Meeting in two weeks. Selectman Hamel requesting that Town Counsel be aware of Town Meeting Vote.

The Board broke from meeting with the Town Administrator to meet with Charles Miller, from the Mass. Office of Business Development. Mr. Miller stated his purpose this evening to meet with the Board was to discuss a Tax Incentive Program similar to what was given to Nasoya earlier this year. New legislature has passed allowing communities to target economic target areas through a regional effort. He was before the Board this evening to review the merit of such a proposal and present an opportunity to the Town of Ayer to foster economic growth through a 5-10% tax credit/special tax assessment. Ayer has been identified as a Economic Opportunity Area and as such could compliment current businesses by offering new companies incentives for locating to Ayer and recruit other established businesses to relocate to Ayer. Mr. Miller elaborated on employment being the key component-the creation of new jobs. The Board requested this be run by Diane Sullivan the Town's Economic Development Director who would charged with driving the program and also with the Town's Industrial Development Finance Agency (IDFA).

The Board met with Chief Donald Haapakoski who introduced the new Town of Ayer Police Chief, Frank Rizzo. Chief Haapakoski stated this was the first day of work for Chief Rizzo and Chief Haapakowski's last day would be 9/19/97.

The Board approved two change orders for the new police station. Both change orders to be transferred from Engineering to Building expenses: \$2200.00 & \$34,604.00.

Chief Haapakoski advised the Board to the new Police Station building being on schedule with a Grand Opening scheduled for the week of October 13, 1997.

Chief Haapakoski advised the board to a request for a crosswalk being made for Cambridge St. and Washington St. stating the need by parents wishing to secure their children's safety when crossing the street to access school buses. Selectman Hamel moved the citizens request for the painting of a crosswalk at the corner of Washington St., and Cambridge St., 2nd by Selectmen Bresnahan, VOTE: unanimous, so moved.

The Board addressed correspondence they received this week from a citizen displeased with the services of the Animal Control Officer. Chief Haapakowski stated the Animal Control Officer has been placed under his control and requested complaints re: Animals should be directed to the Ayer Police Department for deposition.

The Board met with both Chief Haapakoski and Chief Rizzo regarding the Lieutenant's appointment. Chief Haapakoski stated both he and Chief Rizzo have met with Sgt. Edward Denmark re: this position and he and Chief Rizzo request the Board to appoint Edward Denmark to the Lieutenant's position. Selectman Hamel moved the Board appoint Edward Denmark per the recommendations of both Chief Haapakowski and Chief Rizzo, 2nd by Selectman Bresnahan, VOTE: unanimous, so moved. The Board congratulated Mr. Denmark of his appointment along with a gathering of Mr. Denmark's family and friends.

Supt. Girouard's Report: Dated 9-8-97 see attached.

Action Item:

1. The Board voted to keep the Mandatory Water Ban in place, per a letter received from DEP stating the Town is still exceeding its permitted capacity..
2. The Board approved the following Sewer Permits: 20, 22, 114, 115, 118, 131 & 149 Oakridge Drive and 18 Pine Ridge Dr. 22 Wright Rd., and 203 Snakehill Rd., Ayer, MA
3. The Board reviewed parking spaces in front of Kleenite on Park St. being reconsidered by State which refused such parking two (2) years ago.
4. Selectman Hamel requested Supt. Girouard look into placing a sidewalk walk on upper Washington St. to the Hospital, stating residents have been requesting this sidewalk for over a year now.
5. The Board requested Street lights out on the East Main ST. Bridge be replaced as soon as possible and have broken lamp post replaced at the foot of the bridge.
6. The Board approved Change Order #4 to the Grove Pond Treatment Facility in the amount of \$6,750.23 to connect the fire alarm system requested by Chief Fillebrown to the municipal system.
7. The Board approved Change Order #5 tot he Grove Pond Treatment facility recommended by the former Supt of Public Works for the chlorinating system which would eliminate chlorine gas and substitute liquid chlorine in its place for a safer working and storage environment.
8. The Board was advised to the Devenscrest water meters replacement by ABB.
- 9.The Board award the paving contract to P.J. Keating Inc. for \$25.94/ton for the Oakridge Drive Project.

Town Administrator's Report: Continued from earlier in the evening.

The Board met with Paula Boyle of HTA re: the full facilities plan of the Town of Ayer's Waste Water Treatment Plant report. See report dated 9-8-97. Ms. Boyle advised the Board to the treatment plant is approaching capacity addressing high volume strengths which requires pretreatment process, and the hauling of their sludge to other treatment facilities. The Board discussed other alternatives with Ms. Boyle re: installation of tanks at each industry or possibly a central tank at the wastewater treatment facility with the purpose of holding the sludge until it could be fed into the system during off-peak times. Longer term options would be to seek out alternatives on Devens seeking to undertake a waste load allocation study into the amount of effluent from a wastewater treatment plant to be allowed into the Nashua River. The Board advised Ms. Boyle to the Towns high strength users meeting will Bill Burke at the Devens Conference Ctr. next week and requested her to attend to scope out possible cost factors and upgrades needed.

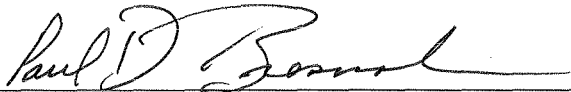
Mr. Kreidler reviewed the current documentation with the Board re: the MBTA Easement for a sewer line on Littleton Rd. TRA is requesting a credit be given towards future connections at Bennetts Brook, this mechanism would allow the Town the benefit of the easement without any outlay of funds. The present price for the easement from TRA is in the amount of \$55,000.00 he Board deferred this to Town Counsel for his recommendation.

Mr. Kreidler advised the Board to the current upgrade to the downtown lights is of no benefit and he is pursuing a higher upgrade to the wattage & ordering bigger ballast's.

Mr. Kreidler requested the Town compensate Pamela Martin the DPW Office Manager with a one time only stipend of \$500.00 (\$50.00/wk for 10 weeks) for overseeing the DPW office while the Town was without a superintendent. Selectman Hamel moved to approve the \$500.00 stipend 2nd by Selectmen Bresnahan, VOTE: unanimous, so moved. The Board requested to recognized Ms. Martin at the next Selectmen's Meeting.

The Board approved the Treasurer's request to approve the bonding of \$1.865 million dollars in anticipation of revenue due to the Annual Town Meeting funding not occurring as normally scheduled.

Selectmen Hamel moved the Board adjourn from Open Session to enter into Executive Session pursuant to M.G.L. Chapter 39, Section 23b, Exemption #3, re: IBPO grievance.
to adjourn from that Executive Session to enter into another Executive Session pursuant to MGL Chapter 39 Section 23b, Exemption #3 re: DPW issue to adjourn from that meeting for the sole purpose of adjourning the meeting.



Paul Bresnahan, Clerk

AYER BOARD OF SELECTMEN

DATE: 9/22/97