

SELECTMEN'S MEETING
APRIL 13, 1993
2ND FLOOR TOWN HALL
MAIN STREET, AYER, MA.

7:00P.M. OPEN SESSION

The Board met with Selectman McKinney and Selectman Slarsky. Chairman Jones not present due to sitting on Supt. of Schools Search Committee Meeting this evening.

The Minutes of March 30, 1993 were set back due to Chairman Jones not being present.

The Weekly Warrant was examined and approved in the following amount: Payroll \$336,005.96

The Board met with Kathryn Riley from the Segal Co.(Actuaries) re: the Early Retirement Initiative. Ms. Riley presented to the Board a cost analysis of early retirement.

Mr. Higgins stated that nine employees of the Town have expressed interest in the program.

Ms. Riley stated many communities have asked if there is a way to estimate the impact of the Early Retirement Incentive (ERI) Program on Town appropriations. Ms. Riley presented to the Board worksheets to allow the Town to estimate the impact of adopting the ERI Program on this years FY-94 appropriation. Ms. Riley stated the cost of the ERI Program must be paid over a fifteen (15) year period in payments that increase 4.5% per year.

Ms. Riley stated that it is typically not cost effective to offer early retirement unless the Town will not be replacing the positions. Ms. Riley stated that 7 of the 9 employees are school employees and 2 are DPW employees. The School Dept. has stated that the positions would need to be replaced and the same holds true for the DPW. The law allows the Town to amortize the costs over 15 years. Ms. Riley stated to offset some additional liability, there are potential savings to the system if the retiring employees are not replaced. There are additional savings due to the higher contribution rate of employees who are replaced. These costs and savings will be realized when the first actuarial valuation is preformed after the ERI Program is effective. Other considerations are additional non-retirement cost/savings include potential payroll savings, additional Medicare taxes for replacement employees, and additional medical benefits for replacement employees. The Board requested other options available for the Board to consider. The Board requested if there was a way to estimate the impact of the ERI if the Board

chose to reduce the years added to age or service. For each employee it was determined the additional annual benefit that would be payable if 5 years were added to age or service. Based upon interest and mortality assumptions prepared by the Middlesex County Retirement System, it was determined that there would be additional liability associated with those benefits. The additional liability is the amount of money that would have had to be set aside now to pay for those benefits over each employees lifetime. This additional liability doesn't have to be paid for immediately, the liability with the ERI Program may be paid over the next 15 years (FY1994-FY2008) in payments which increase 4 1/2% per year. This results in higher pension appropriations. The Board requested to look at lowering the years both in service and age. Ms. Riley to submit a cost breakdown per the nine employees wishing to participate in the ERI Program for the next Selectmen's Meeting.

Present for this discussion were employees wishing to participate in this Program. Mrs. McGuane stated that when the initial surveys were sent out nine (9) employees were interested but after later review only four (4) are wishing to participate. Mrs. McGuane stated this would lower the costs to the Town.

The Board met with Murray Clark re: the Ayer Industrial Development Commission (AIDC) and the presentation of the Industrial Prospectus.

Mr. Clark reviewed with the Board the final draft of "Ayer Works" compiled and written for the Ayer Industrial Development Committee by Peter Allsopp, Consultant for the AIDC. Mr. Clark reviewed with the Board the contents of the booklet: Fast Facts, Utilities, Zoning & Permitting, Key Map, a Property Index, Parcel Description which includes: Town of Ayer By-laws, Sewer Regulations, Water Rules & Regulations with connection guidelines.

The purpose of the booklet was to market Ayer's Industrial/Commercial/Residential tax base and to attract new growth in Commercial and Residential sectors. Redevelopment of the Base providing a wide variety of existing buildings and land zoned and ready for new industry.

The Board thanked Mr. Clark for the "Ayer Works" document and expressed their strong commitment to Ayer's redevelopment and economic growth.

7:35P.M. PUBLIC HEARING: E-911/RENAMING CERTAIN STREETS IN THE TOWN OF AYER.

Chairman Jones read into the minutes the legal notice which ran in the Nashoba Publications Newspapers the week of April 7, 1993.

Present for this discussion was Wellman Parker, Civil Defense Director and E-911 Co-Ordinator. Mr. Parker opened the Hearing by stating in preparation for E-911 service to the Town of Ayer he had found inconsistencies/duplication of street names and addresses throughout the Town of Ayer. Mr. Parker stated in order for the Town of Ayer to qualify for funding under this E-911 all streets in the Town of Ayer would have to be updated and numbered correctly in order for emergency vehicles to be able to respond quickly and accurately. Mr. Parker listed a few of the streets in the Town where problems have occurred in the past. Those streets listed were:

1. Wachusett Ave. - The Town presently has two (2) such streets listed one off Sandy Pond and one off Highland St.
 2. Off Groton/School Rd. - This Street needs to be named.
 3. Upper Washington St. - This street is also known as Old Ayer Rd., Ayer, Ma. creating confusion.
 4. Lincoln Stree. - Specifically the Adamson property.
 5. Mountainview Ave. - Confusion with Mountain Ave.
 6. Wagon Rd. - Not appearing on Ayer map at all.
 7. Mechanic St. Extension- Currently two in the Town.
- Abutters present questioned Mr. Parker and the Board re: how they intended to correct the deficiencies. Mr. Parker stated he would suggest Wachusett Ave. be clarified with an East or West. Washington St. continue with numbers up to Madigan Lane. Off Groton School Rd. could be named by the residents. Mountain Ave. and Mountainview be clearly marked. The new area by Spectacle Pond be recorded with the Assessors and included on the Town Map. Mechanic Street Extension one to be renamed. The Board stated although street names or numbers may be changed it would not necessarily be required to be changed at the Registry of Deeds due to actual property recorded not being changed only the name or number. Mr. Parker advised all present he would be in contact with everyone as the process continues to make for a smooth and orderly process. The most important detail-is that N.E. Telephone Co. be contacted with residential changes-due to E-911 being the direct entity of N.E. Telephone. The Board thanked Mr. Parker for his work and research into this problem and requested Mr. Parker keep the Board advised of his progress.

8:15P.M. PUBLIC HEARING - CLASS II LICENSE-19 FITCHBURG RD. Selectman Slarsky read into the record the legal notice which appeared in the Nashoba Publications the weeks of March 31, 1993 and April 7, 1993. Chairman Jones requested if Mr. Arvidson had notified all the abutters to the proposed property. Mr. Arvidson presented to Chairman Jones certified green letter cards establishing his notification of abutters.

The Board met with Gary Arvidson and William Halligan, Bldg. Commissioner re: the proposed Used Car Lot for Fitchburg Rd. the

Turbo Lube Site. Mr. Arvidson presented a plan layout for the operation. Mr. Arvidson requested a Used Car License for four (4) vehicles to be located on the front side of the Turbo Lube Station. Mr. Arvidson stated no repairs would be made on Site only cleaning and detailing work. The cars would be bought at the Auto Auction and sold back once finished. Mr. Arvidson stated but this would not preclude him from selling to an interested party. The Board requested of Mr. Halligan if he had problems or concerns with the operation of a Class II License for this location. Mr. Halligan stated zoning for that operation is permissible under the Town's Zoning. Chairman Jones requested if there was anyone present to speak for or against the application, no one stepped forward. The Board requested if Mr. Arvidson would be doing any repairs, dismantling of motor vehicles at this site. Mr. Arvidson stated he would be cleaning and detailing vehicles only. Selectman Slarsky stated that he knew the Arvidson family and that they run a good clean business in the Town of Ayer as demonstrated by present facility. Selectman Slarsky moved the Board approve the Class II License for Gary Arvidson contingent that the license be granted for only four (4) used vehicles to be allowed on premise and displayed on paved lot for resale, and that no repairs be made on site. Selectman McKinney seconded the motion, VOTE: unanimous, so moved.

The Board met with Robert Smith, Acting Supt. of Public Works re: the possibility of retaining engineering services to review Town projects.

Mr. Smith stated that it has come to his attention as Acting Supt. that he may have to make decisions on construction contracts and drawings for projects within the Town of Ayer requiring sound engineering practices. Mr. Smith stated he felt it would be in the Town's best interest to have on retainer an engineer or engineering firm for him to consult. Mr. Smith stated he has received several calls from companies/individuals he has worked with in the past offering him to call them if he has any problems, although greatly appreciated he felt uncomfortable taking advantage of their offers for professional services. Mr. Higgins stated these services would be on a case by case basis. The Board requested Mr. Smith filter his requests through Mr. Higgins and the Board would respond in writing.

ACTING SUPT. OF PUBLIC WORKS REPORT: see report dated 4/13/93

1. Mr. Smith requested permission from the Board re: loaning of the Town's Street Sweeper to the Town of Shirley for 2 to 3 weeks. Shirley agreed in lieu of payments they would replace the brooms on the equipment. The Board requested a letter be sent to the Town of Shirley re: Shirley accepting the liability and responsibility should something happen to the equipment. The Board applauded the co-operation between the Towns and encouraged this shared service. Mr. Davan to be contacted re: scheduling.

2. The Board was advised to the Department of Environmental Protection (DEP) newly enacted regulation 310 CMR 19.017, requiring the Town Waste Disposal Facility being prohibited from accepting glass & metal containers.

No control waste will be accepted at the Haverhill facility, any glass/metal will be returned, and charged all reloading and handling costs.

Mr. Smith stated in the past the Town of Ayer promoted recycling as a voluntary effort, but now should be mandatory. This would force waste separating in the hand of the individual using the facility not the employees. The Board requested the Recycling Committee be contacted for clarification of the rules and regulations.

3. Mr. Smith advised the Board he has requested an Extension be granted to LaBonne Bros. from EOCD, due to inclement weather. LaBonne Bros. are working on the 16" water main from Washington St. to Central Ave.

4. The Board was advised to the new Basketball Court being underway at Sandy Pond Beach.

5. The Board was advised to problem with time restraints re: Chapter 90 funds being expended to pave Groton Harvard Road, due to water/sewer mains being trenched at the same site by a developer and of possibility the project will not make its deadline of June 30, 1993. The Board took this matter under advisement.

6. Mr. Smith reviewed with the Board current projects he is presently working on. Selectman Slarsky requested to go on the record re: conflict of interest due to him being a Trustee at one of the Banks, owning property, the Town is working with. The Board felt that there is no conflict being that the projects/property differ in nature and complexity requiring a full Board's review.

Selectman Slarsky moved the Board adjourn from Open Session to enter into Executive Session pursuant to M.G.L. Chapter 39, Section 23B re: DPW Grievance-back pay, to adjourn and re-enter Open Session for the sole purpose of adjourning.

9:15P.M. Executive Session.

date: _____

Charles H. Jones, Clerk