

SELECTMEN'S MEETING  
TUESDAY, JANUARY 5, 1993  
2ND FLOOR MEETING ROOM  
TOWN HALL, MAIN STREET, AYER, MA.

7:30P.M. OPEN SESSION

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

The Minutes of December 15, 1992 were read and accepted.  
The Executive Session minutes of December 15, 1992 were read and accepted.

The Weekly warrant was examined and approved in the following amount: P/R: \$342,286.41

Chairman Jones advised those present that the Board would be entering into an Executive Session re: Labor Relation issues and would be entering back into Open Session at approximately 8:15P.M. Selectman Slarsky moved the Board enter into Executive Session pursuant to M.G.L. Chapter 39, Section 23B re: Labor Relations, to adjourn and re-enter into Open Session, seconded by Selectman McKinney, VOTE: unanimous.

7:40P.M. Executive Session

8:20P.M. Open Session

The Board met with Richard Lefferts of Commonwheel Collaborative and of Hybricon Corp. re: Hybricon's request for a Community Capital Fund application, formally the Economic Development Set Aside (EDSA) Program), administered by the Executive Office of Communities & Development (EOCD). Mr. Lefferts explained to the Board that Hybricon seeks to participate in the Quality Credit Refinancing (QCR) sub-program of the Massachusetts Community Capital Fund. This program is designed to assist those companies whose growth is constrained due to the placement of their loans with the FDIC, Recoll or other Government Agencies. The company would show the ability to grow and provide additional jobs as the result of the use of QCR Funds. The QCR funds would provide Hybricon with the ability to restructure its existing loans and obtain additional working capital to facilitate growth and development of products to meet the emerging design and production standards of the computer and electronics industries. Mr. Leffert stated that the existing UDAG loans will not be adversely effected by this proposal. The collateral expressly pledged to the UDAG loans will not be changed or diminished.

The Board was briefed on Hybricons background being affected by the demise of the Bank of Boston and its loans ending up in the

ReColl Pool. Hybricon was able to get out of Recoll but at great expense to the company. The loans are now held by Fleet in its Managed Asset Division (MAD). The problem there is-MAD collects money but doesn't lend. Hybricon needs access to capital for expansion into a new market. Hybricon would like to eliminate the working capital and substitute it with QCR financing. This would give them the flexibility to expand. This request would have no effect on the UDAG(secured through liens on equipment). Mr. Leffert explained the QCR required the support of the Selectmen. The Board addressed some of their concerns with Mr Leffert by offering to pay down their UDAGS, reduce the payment period, or consolidating the nine (9) separate promissory notes. Hybricon agreed to do this. The Board explained that this complicates our accounting procedures and makes it difficult for the Town's bank to administer the repayments.

The Board set Tuesday, February 2, 1993 for the Public Hearing to be conducted as part of the public participation process.

The Board met with Planning Board Chairman, Russell Smith and Timothy Smith, Planning Consultant regarding the Interium Planning Overlay District (IPOD).

Mr. Smith stated the purpose of the Fort Devens Interim Planning District is to provide the temporary framework to guide the development of the land comprised of the Ft. Dev. military base. The Planning Board finds that the current zoning of Fort Devens is inadequate to address the complex development issues surrounding the reuse of Fort Devens. Until the master Plan for Fort Devens can be completed the IPOD will provide a temporary framework to review development proposals on a case by case basis until more comprehensive zoning can be adopted. Mr. Smith went on to state that the IPOD is not permanent it would terminate in three (3) years, giving the Town enough time to complete a Master Plan. The IPOD will foster the sound development of the Fort due to all private development proposals for the Fort requiring a Special Permit from the Planning Board. Issues to be addressed through the Special Permit process include: traffic, compatibility of surrounding land uses, environment considerations, the adequacy of the existing infrastructure to support the proposed use, compatibility of proposed use with the Master Plan in its current stage of development. It is necessary to complete a Master Plan before adopting permanent zoning rather than just adopt permanent zoning eliminating the IPOD because the Master Plan process will enable the Town to evaluate housing and economic needs, environmental objectives and constraints, infrastructure improvements needs, community values which serve the basic zoning. This process will take a few years to complete, in the interim, it is critical to have a process in place to ensure Fort Devens is developed according to the Towns goals and objectives.

Mr. Smith requested if the Selectmen were ready to schedule a Public Hearing? Mr. Smith stated where a Special Permit is required the Planning Board is required to hold a Public Hearing under Mass. General Laws Chapter 40A giving the public input on development issues on Fort Devens.

Selectman Slarsky stated he was not ready at this point to move ahead requesting more time for review of the IPOD stating that there is no indications from the Land Bank that the land will ever be under control of Ayer, Shirley, Harvard and Lancaster.

Selectman McKinney expressed his pleasure with the IPOD questionnaire presented to the Board. Stating the report was very inclusive and comprehensive.

Selectman McKinney stated he was ready to schedule a Public Hearing.

Chairman Jones stated he felt the same as Selectman Slarsky there is too much involved since there is more than one community committed to this development. This is a very complex situation.

The Board stated his concern re: zoning of the Fort in our Town being coordinated with the three other towns Fort Devens is located within.

Mr. Smith stated the other communities are adopting the IPOD. Plus any Town adopting the IPOD Special Permit Application must submit a copy of the application to the other three towns for their comments. This assist in ensuring that land uses across Town borders will be in harmony with each other and promotes the protection of natural resources which extends over town boundaries. Coordination among the towns will also result in better traffic and capital planning.

The Board to review and address their concerns/issues and took this matter under advisement.

**SUPT. REDFIELD'S REPORT:** (see report dated 1-5-93)

1. The Board was advised of Report submitted by Robert Smith, Chief Plant Operator stating the Town's wastewater treatment facility is now in compliance with the effluent limits set in the Town's wastewater discharge permit.

The Board met with Robert Smith. Mr. Smith stated he felt this was due to the implementation of the IPP, stating since the installation of the Belt Filter Press he is getting much better results in sludge handling. This is also helping the town to get a quality effluent. Mr. Smith stated the only problem he foresees is how the Wastewater Treatment Facility will do during the warmer months, since this is the more difficult operating season.

Mr. Smith stated the daily flows presently are lower than they have been in months, however, flows usually increase in the Spring/Summer. Mr. Smith stated after review he recommends the Town approach DEP about lifting the sewer moratorium. The Board to monitor and review flows and took this item under advisement.

2. The Board awarded Bartlett Construction of Plymouth, Ma. the contract to install or replace guardrails in the Town of Ayer, for the bid award of \$18,400.00, motion moved by Selectman McKinney, seconded by Selectman Slarsky, VOTE: unanimous, so moved.

3. The Board was advised of Mass. Highway's approval to use \$49,718.00 of Ayer's Chapter 90 funds for use with EOCD's Mass. Small Cities project the reconstruction of local roads during the 16" water main installation project. Bonds and Insurance certificates to be made available by GCG and the contractor and rescheduled for 1/19/93 for the Board's signature.

4. The Board was advised of Water & Sewer Rules & Regulations Public Hearing being scheduled for 1-19-93 at 8:00P.M.

5. The Board expressed their thanks to Senator Robert Durand for his diligent efforts relative to the West Main St. Bridge.

EXECUTIVE SECRETARY'S REPORT: (see report dated 1-5-93)

1. Mr. Higgins advised the Board to the Hepatitis B cost analysis and pro's & cons to be available for 1/19/93. The Board requested all health & safety employees be considered for inoculation to include the Transfer Station employees.

2. The Board approved the Chairman to endorse the Executive Office of Communities & Developments 1992 Mass. Small Cities Program Grant Agreement/Contract. Selectman Slarsky moved this motion seconded by Selectman McKinney, VOTE: unanimous, so moved.

3. The Board was advised to EOCD funding the Regional Recycling Grant-CONCEWN. The Grant award was \$20,000.00. The funds will be utilized to create a charter and business plan for a recycling market cooperative. The Grant was funded under EOCD's Service and Innovation or Capacity Building grants.

4 The Board was advised to Middlesex County unable to participate. Corrective action has been enacted and the Board to be advised if passage occurs.

5. The Board was advised of Public Hearing re: Water/Sewer Rules & regulations being set for 1/19/93 at 8:00P.M.

6. The Board was advised of Health & Human Services recommending

The posting of "Catch & Release Fishing Only" and "No Swimming" signs to be posted on the Ayer side of Grove Pond and Plow Shop Pond. The Ayer Board of Health to review this recommendation and once they approve, the signs to be posted. Selectman Slarsky requesting letter be drafted to Federal Government seeking damages to Town of Ayer property and request compensation. Chairman Jones brought up another area of contention re: debris/i.e tires etc. in pond along side of Murphy Knife requesting who is responsible to clean up. Pond debris now more noticeable due to the lowering of water level. The Assessors to be contacted re: property owners.

7. The Board was advised to recommendation to award contract for the Landfill closure to be available for the Selectmen's Meeting of 1-19-93.

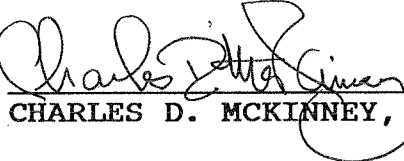
8. The Board was advised to an Economic Summit being scheduled for January 19, 1993 from 8:00a.M. to 2:00P.M. at the Ayer Town Hall. Stan Clausen former manager of the Main St. Program will be conducting the summit.

9. Selectman Slarsky requested at this time to have Cable TV Committee representatives contacted and attend the next Selectmen's meeting re: review of services, complaints, subscribers fee, recent increase and of possibility of bringing in some competition. Selectman Slarsky expressed his dissatisfaction with the present program. Selectman Slarsky moved this motion seconded by Selectman McKinney, VOTE: unanimous, so moved.

Chairman Jones stated he was so dis-satisfied he had his service cancelled six (6) months ago.

Selectman Slarsky moved to adjourn the meeting.

9:35P.M. Meeting adjourned

  
CHARLES D. MCKINNEY, CLERK

DATE: Jan 19, 1993

# Board of Selectmen

MEETING TUESDAYS AT 7:30 P.M. • UPPER TOWN HALL • 1 MAIN STREET • AYER, MASSACHUSETTS 01432



CHARLES H. JONES, *Chairperson*  
CHARLES D. MCKINNEY, *Clerk*  
STEPHEN M. SLARSKY, *Member*  
(508) 772-2072

TIMOTHY S. HIGGINS  
*Executive Secretary*  
(508) 772-0231

## EXECUTIVE SECRETARY'S REPORT

January 5, 1993

### 1. FY 92 MASS SMALL CITIES

I need the Chairman's signature on the grant agreements for the recently approved funding to continue on with the Housing Rehabilitation grant program (\$436,000). ✓

### 2. RECYCLING GRANT

EOCD has funded the recycling grant application of several area communities (Ayer is a participant) in the sum of \$20,000. As you will recall, the funds will be utilized to create a charter and business plan for a recycling market cooperative. The grant was funded from EOCD's FY 93 Service and Innovation or Capacity Building grants. Mr. Don Liestikow was the driving force behind the application. ✓

### 3. EARLY RETIREMENT UPDATE

Several months ago I reported to the Board on the fact that communities within Middlesex County were unable to participate in the recently enacted early retirement system due to procedural problems with the way the County set up its funding schedule.

Recently the County offered corrective legislation which it was hoped would resolve the problems. Unfortunately, there are lingering problems and Middlesex County is still unable to participate. Unless the Governor signs the corrective legislation, which it appears he will not, we will be unable to participate in the Early Retirement Initiative (ERI). ✓

### 4. WATER & SEWER RATE SETTING HEARING

The continuation of the public hearing has been scheduled for our next meeting - January 19th.

Exec Secretary

1-5-93

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5. POSTING OF GROVE POND AND FLOW SHOP POND

Health & Human Services is recommending the posting of "Catch and Release Fishing Only," and "No Swimming" signs on the Ayer side of Grove Pond and Flow Shop ponds. The Board of Health is scheduled to review this recommendation at their next meeting (January 12th). Supt. Redfield is prepared to post the appropriate areas as soon as the Board of Health so votes.

6. LANDFILL CLOSURE - ENGINEERING SERVICES

At our first meeting in December the Board directed Supt. Redfield and I to meet with CDM to negotiate the terms of a contract for engineering services related to the closure of the landfill. Our initial meeting was held on December 17th. CDM will be making minor modifications to the scope and will present revised contract. We expect to have a recommendation to award for your next meeting.

7. WEST MAIN ST. BRIDGE

The Mass Highways Department has notified us that the bridge has been put on their priority list.

I have scheduled a meeting with the newly appointed District Highway Supervisor to review this project and other highway related matters, such as CH. 90 funds.

8. ECONOMIC DEVELOPMENT SUMMIT - January 19th

(8:00 a.m. - 2:00 p.m.)

Ayer Town Hall

Mr. Stan Clauson, former manager of the Main Street Project, will be the facilitator. (See attached for Agenda)

Other - Please see your Exec. Session section of the book for information concerning the New Eng. Shrimp UDA6!

# DEPARTMENT OF PUBLIC WORKS



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

## Superintendent Redfield's Report on the DPW Activities for the Board of Selectmen's Meeting, January 5, 1993

1. I have received the attached December 24, 1992 letter from Robert Smith, Chief Plant Operator stating that the Town's Wastewater Treatment Facility is now in compliance with the effluent limits set in the Town's Wastewater Discharge Permit. Over the last 19 months the incoming concentrations of BODs and Suspended Solids has been gradually reduced by the implementation and administration of the Industrial Pretreatment Program. The installation of the belt filter press and the transfer of an employee from the Solid Waste Division to the Wastewater Division has improved our solids handling so that it is now in compliance with the discharge permit. Therefore, it is recommended that the Town write a letter to DEP requesting the lifting of Administrative Order Docket #753.
2. Award the contract for guardrail replacement and installation to Bartlett Consolidated of Plymouth, MA. See attached December 21, 1992 letter of recommendation for award.
3. The Town received Mass Highways' approval to use \$49,718.00 of the Town's Chapter 90 funds for use in conjunction with E.O.C.D.'s \$310,000.00 for reconstructing the local roads during the 16" Water Main Installation Project.  
  
GCG and the contractor are now assembling bonds and insurance certificates and when the Town receives this documentation and Town Counsel and Town Accountant have reviewed and approved this contract, it will be presented to the Board for their signatures.
4. Attached is a copy of the Legal Notice that will be published in the Public Spirit notifying the citizens of Ayer of the January 19, 1993 Water and Sewer Rules and Regulations changes.
5. For the Board's information, attached is Senator Robert A. Durand's December 19, 1992 letter advising the Town of the status of the West Main Street bridge replacement project.
6. Attached is the Action List of Projects being worked on by the DPW staff, dated December 31, 1992, for the Board's review.