

AYER BOARD OF SELECTMEN'S MEETING
TUESDAY, SEPTEMBER 15, 1992
2ND FLOOR MEETING ROOM, TOWN HALL, MAIN ST., AYER, MA.

7:30P.M. OPEN SESSION

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

The Weekly Warrant was examined and approved in the following amounts:
P/R \$ 315,782.65
Exp \$ 434,070.28

The minutes of September 1, 1992 were read and accepted.

The Board reviewed two (2) Sunday Entertainment License renewals for Carlins/Depot Square, Ayer, Ma. for a juke box and pool table. Mr. Higgins advised the Board that Carlin's was not on the yearly license renewal schedule re: this license and that in an attempt to bring this establishment into the yearly schedule Carlin's Sunday Entertainment License renewals were dated 12/31/93 for turn around purposes. This would give Carlin's a three (3) month extension. Selectman Slarsky moved to approve Carlin's Sunday Entertainment Licenses as presented, seconded by Selectman McKinney, Vote: unanimous, so moved.

The Board met with Vicki Paret, Grant Administrator, representing Communities Opportunities Group (COG) re: the Town o Ayer's Fy-92 application for the Mass. Small Cities Program. Ms. Paret presented to the Board copies of the final application. The Application represented request for:
\$380,000-to continue the Town's Rehab. Program
\$312,000-for the replacement of water mains along Central Ave.
\$ 61,000-for administration/Rehab. Dir/Bookkeeper/Director
\$ 18,000-public services-i.e. Loaves & fishes
Selectman Slarsky requesting at this time for \$30,000.00 be added to this application for the Town DPW/Parks Dept. to purchase a weed cutting machine to clear out local town ponds. Ms Paret expressed her concern to the Board that this may be deemed an ineligible request not competing with other communities with more pressing needs. Selectman Slarsky stated upgrading the quality of life through more recreational facilities was very important where recreational facilities are minimal. The Board after much discussion agreed to request Ms. Paret to add this additional request into the FY-92 MSCP application.

The Board met with Ayer Police Chief Arthur Boisseau re: the appointment of a new patrolman at the Ayer Police Department.

Chairman Jones stated the Board had met and interviewed the two patrolmen recommended by Chief Boisseau at the last Selectmen's Meeting. Chairman Jones requested if the Board was prepared to vote on the appointment. Selectman McKinney stated he was prepared to nominate Matthew Harty of Hubbardston, Ma. Selectman McKinney stated both candidates were very well qualified but felt Mr. Harty would bring more commitment to the Town of Ayer. Selectman Slarsky seconded this appointment of Matthew Harty. VOTE: UNANIMOUS, so moved. Chief Boisseau to notify Mr. Harty of the Board's decision. The Board requested all the required criteria be placed in Mr. Harty's appointment letter.

8:15P.M. PUBLIC HEARING: ALL ALCOHOL LICENSE CHANGE OF LOCATION

Chairman Jones opened the hearing by reading the legal advertisement placed in the Nashoba Publications the weeks of September 2, and 9, 1992.

The Board met with Lester Berry Jr. and Atty. Robert Holden re: the petition of Lester Berry Jr. seeking a change of location for C.R. Pierce, Inc. All alcohol Package Store License from 45 Main Street to 25 Main St. (Bookberry), Ayer, Ma.

Mr. Holden stated the reasoning behind Mr. Berry's request was essentially economic. Mr. Holden stated C.R. Pierce is a marginal operation. The consolidation of this enterprise with Bookberry would counter current economics and provide greater attraction to the public. Mr. Holden presented to the Board a diagram of the proposed floorplan depicting the Bookberry premises more than adequate for this purpose. Mr. Holden stated the sale of alcoholic beverages would be isolated in a small area of the store, via a individual liquor cabinet and would not be intrusive.

Mr. Holden stated copies of the Building Permit were available, issued on August 4, 1992 depicting the liquor cabinet and storage room alteration plan.

The Board requested if abutters were notified, Atty. Holden presented to the Board certified letter green cards and a list of abutters. Chairman Jones requested if there were any abutters present who wished to speak for or against the petition. No one spoke or came forward. Mrs. Harriet Maxant requested of the Board what are the require distances for the location of a package store to churches and schools. The Board stated they were not aware of any distances but the Alcoholic Beverage Control Commission would be the final approval agency should their be a problem. Selectman Slarsky moved to approve the change of location for C R Pierce from 45 Main Street to 25 Main St., Ayer, Ma. Seconded by Selectman McKinney, Vote: unanimous, so moved.

PUBLIC HEARING: BUILDING DEPT. FEE SCHEDULE

Chairman Jones opened the Hearing by reading the published legal notice placed in the Nashoba Publications the weeks of October 2, and October 9, 1992.

The Board met with Wellman Parker, Chairman of the Building Fee Study Committee along with Calvin Moore and Paul McGuane. The Committee presented the Board their recommendations to the Building Dept. fees and permits. The Committee reviewed with the Board residential fees, commercial/business fees and industrial fees. The Committee's report depicted current rates adopted by the Board on 3/28/89 and their recommendations to plumbing, electrical, gas, building: residential, commercial and industrial permits as well as garages, sheds, wood stoves, swimming pools, signs, demolition and occupancy permits. The Board expressed their concern for establishing a complete listing to include fence, roof replacement, etc. The Board also expressed concern with language wording. Mr. Moore stated he felt the Board could move to adopt the fees now stating he felt the new fees would not dramatically impact the FY-92 revenues. Mr. Halligan, Building Commissioner stated according to the new fee schedule a new one family home would reduce fees by 60% in revenues collected. Selectman Slarsky suggested to the Committee that the new fee schedule not be instituted until FY-94 to insure FY-93 deficit spending. The Board also requested Town Accountant Sharon Summers to investigate impact on reductions of Building Dept. fees on FY-93 projections and to compute impact. Chairman Jones requested of the Committee when they could meet for a public hearing with a new entire listing of all permits and fees, Chief Parker stated mid October, 1992. The Board moved to reschedule a Public Hearing for October 13, 1992 re: the proposed new Building Dept. fee schedule.

The Board met with Richard Leffert representing Commonwheel Collaborative of Leominster Ma. regarding the submission of a Economic Development Set Aside Grant for Nashoba Valley Express Co., Inc. looking to relocate to Central Ave. Ayer from Shirley, Ma.

Mr. Leffert briefly explained the EDSA Grant to the Board stating this grant provides "Gap Financing" for job creating economic development projects. EDSA awards grants to communities that lend funds to the business undertaking the project. EDSA funds cannot exceed 33% of the total project cost. The loans can be subordinated to other lenders and require the personnel guarantees of all the principals and major stockholders. Mr. Leffert explained that Nashoba Valley Express Co. operates a freight and warehouse operation presently in leased facilities in shirley and seeks to relocate to self contained independent facilities with rail service. Mr. Leffert introduced Mr. Robert Hebb to the Board. Mr. Hebb stated he has negotiated an

agreement to purchase 104 and 105 Central Ave., Ayer, Ma. The total project cost is estimated at \$330,000.00 which includes site acquisition, building rehabilitation and general development costs.

The Board welcomed this relocation in these tough economic times and applauded the efforts of Mr. Hebb for creating jobs in this area. The Public Hearing for this proposal was announced for Tuesday, September 29, 1992 at 8:00P.M. at the next selectmen's meeting, Town Hall.

EXECUTIVE SECRETARY'S REPORT: (SEE REPORT DATED 9/15/92)

1. Mr Higgins advised the Board of a meeting he had with two Ayer residents re: improving the basketball courts at the Town beach and requesting the Boards assistance with this request. The Board met with Ann Drapeau and Marvin McMiller who requested from the Board \$5,800 to improve these facilities. The Board requested Mr. McMiller & Mrs. Drapeau contact the Park Dept. as well as public input and suggested a Public Hearing be conducted re: the Board seeking a grant or possibly using UDAG funds to create a new facility or make improvements for public recreation.

2. The Board met with Don Leistikow of the Recycling Committee re: a Regional Recycling effort he is promoting. Mr. Leistikow stated he is seeking a grant along with other towns to establish a non-profit business, a regional cooperative marketing venture for recyclable material. Mr. Leistikow stated volunteers in many towns including Ayer have been able to market more readily recyclables in the larger quantities supplied as a group then they can as individual communities. Mr. Leistikow requested of the Board permission to allow Mr. Higgins to work with the Committee to pursue and write this proposed grant. The Board approved of this request. Mr. Higgins to advise the Board more on this as it develops. The Board on another matter requested the established chain of command be followed re: employees directives siting a problem with the Transfer Station CoOrdinator this past week.

3. The Board reviewed the report submitted by Supt. of Schools, Neville Markham re: School Choice on the estimated financial impact to Ayer as a result of School Choice. The Board requested Town Counsel be contacted to investigate issues and obligations to determine whether there is anything the town can do in response to the loss of children to this program.

4. The Board was advised to a tentative meeting being scheduled in Boston by the Land Bank for Friday, September 25, 1992 to bring together officials of the Town and Department of Education for a brainstorming session. To be included at this meeting were the following: A member of the Board of Selectmen, A member of

the School Committee, Supt. Markham, Jack Berberian, the School Regionalization Planning Committee, Sharon Summers and Mr. Higgins along with State Representatives. Selectman Slarsky expressed outrage at the Land Bank interfering in this matter stating they have done nothing positive for the Town and have only contributed to mis-information and delays with regards to Fort Devens. Selectman Slarsky requested the Land Bank be contacted to reschedule the meeting in Ayer whereas only two people would have to travel the distance as opposed to ten from the Town.

Mr. Higgins elaborated on this meeting stating the purpose is to provide the town an opportunity to make a direct appeal for assistance with the regionalization effort. Mr. Higgins advised the Board that the Dept. of Education has been very receptive to working with the Town on this matter.

5. Mr. Higgins advised the Board of the next Joint Board of Selectmen's Meeting being Sept. 17, 1992 at the Shirley Town Hall. Mr. Higgins advised the Board of the four Joint Board's administrators meeting with other local communities and briefing them on the Joint Board's activities. Mr. Higgins meeting for next week are as follows: SEPTEMBER 17, 1992, Clinton 10:00A.M. Boxborough 12:30P.M. AND Maynard 2:00p.m.

6. Mr. Higgins advised the Board included in their weekly packets were the procedures for Charter Adoption. Mr. Higgins requested the Board postpone discussion on this matter until Sept. 29, 1992.

SUPT. REDFIELD'S REPORT: (SEE REPORT DATED 9-15-92)

1. The Board review Supt. Redfield's Action list for the week of Sept. 10, 1992.

2. The Board award the following contracts per the recommendation of Supt. Redfield:

1. Type 1 Bituminous Concrete: Middlesex Corp., Chelmsford, Ma.
2. Guardrails installation/replacement: Municipal Technologies, Bellingham, Ma.
3. Roadway markings: Expert Lines, Hanover, Ma.

4. The Board approved the Chairman's endorsement of sixteen (16) water & sewer connections for Garner lane Sub-Division, issued to GAC Homes, Inc. of Groton, Ma. The Board requested a one (1) year expiration date be placed on the permits.

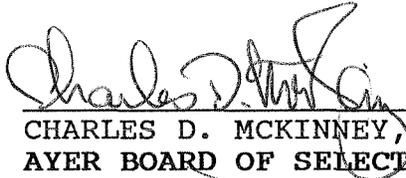
5. Supt. Redfield advised the Board of a request from GAC Homes requesting the release of \$15,000.00 of their \$20,000.00 Bond issued for the installation of the sewer main along Wright Rd. Supt. Redfield calculated the full width road where it was disturbed and reported the \$5,000.00 will cover the re-paving

cost. Selectmen Slarksy requested the Board walk the area prior to release of funds. The Board advised Supt. Redfield to notify GAC Homes of the site walk by the Board prior to release of funds.

Chairman Jones announced the cancellation of the scheduled Executive Session by the IBPO.

11:20P.M. Selectman Slarsky moved the Board adjourn the meeting, seconded by Selectman McKinney, VOTE: unanimous, so moved

11:20P.M. Meeting adjourned.



CHARLES D. MCKINNEY, CLERK
AYER BOARD OF SELECTMEN

DATE: Sep 29 1992