

SELECTMEN'S MEETING
TUESDAY, MAY 19, 1992
TOWN HALL SECOND FLOOR MEETING HALL
MAIN STREET, AYER, MA. 01432

7:20P.M. Open Session

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

The Minutes of April 18, 1992 were amended to correct date of May 28, 1992 to April 28, 1992 on first page paragraph 4. Second page, paragraph 4 amend voted to agreed. The 4/18/92 minutes were then approved with the two corrections.

The minutes of May 5, 1992 were read and approved.

The minutes of May 9, 1992 were read and approved.

The Weekly Warrant was examined and approved in the following amounts: P/R: \$41,486.65
Expense: \$290,903.93

Chairman Jones opened the meeting by requesting past and current recipients of the "Citizen of the Year Award" to step forward. Stepping forward were: Trudy Jodka-1985, Edward Kelley-1986, Robert Lewis-1987, Gerald Quigley-1988, absent Philip Berry-1989, Donna Laggis-1990 and John Conway-1991. Mr. Timothy Holland, President of the Ayer Chamber of Commerce presented to the Selectmen a Plaque commemorating the past and present recipients of the Citizen of the Year Award to be hung in the Ayer Town Hall. Mr. Holland gave a special tribute to all the recipients. The Board thanked Mr. Holland on behalf of the Chamber for the plaque and requested that it be hung as soon as possible in the lower front hall area of the Town Hall.

The Board met with Ogden Martin Representatives Richard Ubaldi and Barbara Badino re: Presentation regarding Siting Process.

Chairman Jones stated to those present that this is a presentation by Ogden Martin to the Ayer Board of Selectmen this is not a Public Hearing.

Mr. Ubaldi stated several communities are being looked at. Ayer sites have potential whereas Ayer meets company and state requirements such as zoning, compatibility of use with what is going on in the area, and access for trucks.

Mr. Ubaldi gave a brief background of Ogden Martin were they are now and where they would like to proceed, and brought the Town up

to date on Ogden Martin's activities regarding solid waste over the past year in the State. Mr. Ubaldi stated Ogden Martin is a division of Ogden Corp. a Fortune 500 Company. Ogden Martin is involved not only with Solid Waste activities but other service organizations around the country. Ogden operates and maintains different types of facilities i.e airports, sports arenas, movie theaters, convention centers such as Foxboro Stadium.

Ogden is a service company and employs 45,000 people nationwide. Ogden's waste to energy operations now encompass 21 facilities in 15 states and serves approximately 14,000,000 people in disposing of their solid waste needs. Mr. Ubaldi stated one of the reasons Ogden had been looking at various communities in the state is back in November of 1990, President Bush signed into law amendments to the Clean Air Act. Those amendments require incredible strict and lowered emission requirements on new and existing facilities. Ogden Martin has been a leader in that field stating virtually all our facilities meet those requirements right now.

Mr. Ubaldi advised the Board that back in 1985 Ogden had been asked to step in to a project in which an existing facility operated and built by another company was operating on a site in Haverhill with a landfill and burning their refuse in Lawrence. A company called Refuse Fuels. The project was hurting and was not meeting permit requirements Ogden was requested to come in with their expertise and help fix that problem. Ogden cut the size of facility down to 1350 tons a day to a little over 900 tons a day added lots of millions of dollars of equipment to make it burn properly and then built a new facility which is the 1650 ton a day which is the Haverhill facility.

On the site in Haverhill is a landfill an old RDF operation, RDF is a process where you take garbage and chop it up into millions of pieces and burn it in Lawrence. Ogden also operates the State of Arts Mass. Burn. Under the amendments of Clean Air Act the Lawrence facility will have to be investigated very seriously as to what it would cost to upgrade. Ogden's engineers are looking at right now to that upgrade and there is a possibility that it will be upgraded to meet those requirements. A viable option to that would be to build a brand new State of the Arts plant. We would have to meet very strict permit requirements and Ogden has every intention of doing that. Ogden approached that concept to DEP in the fall of 1991 not burning in Lawrence and putting a new company up they were please with Ogden's approach.

There is a State master plan regarding solid waste which requires before you put up any facility that you meet certain criteria. Before any facility was permitted you have to demonstrate you can obtain a strict recycle percentage. A needs analysis also has to be performed to look at the wasteland and determine what the communities are currently using. Size of facility is determined by DEP. Ogden is in the process right now of putting together that needs analysis and is unsure as to what size the facility is

to be possibly somewhat smaller or bigger than the Haverhill facility but in that area. We have looked at several communities we came initially to Ayer/Littleton area number one because you are part of that project, and site meets criteria of company and state. The Company is very much aware of the siting activity that went on for a coal-fired cogeneration plant in this area. The company would avoid siting on an aquifer and would carry out soils analysis on a potential site. Emissions from a Massburn trash incinerator are far less than what a similar coal plant would release. The process draws air in thus cutting odors outside the plant. A constant hot temperature is maintained and through computer analysis the air flow into the furnaces is adjusted depending on the nature of the trash being burned. Gases emitted do not reduce hazardous material to zero but to a low amount that is not injurious to health as long as proportions are maintained. The company would be tied in to the States environmental protection computer to warn if emissions are over an acceptable level. Noise would stay within Local noise by-law requirements all equipment except fans on the outside of stack would be located inside the building. Truck traffic would reach between 12-15 trucks an hour on an eight hour day, Monday-Friday and some Saturday mornings. Ash from the burning would be brought to a landfill in the southern part of the state. Ash is not toxic and would reach the consistency of concrete in the landfill. Ogden wants to be a good neighbor where it settles. Ogden could take wastewater and use it for make up water and remove plant sludge for the community. Jobs generated could be 800 construction jobs and add \$200 million in value to the communities properties. Once the size of the facility is set with DEP the two year process of the NEPA review would take place. The local siting could take up to two years, the plant would not be operational until 1997.

Mr. Ubladi urged a citizen group be formed to include people from different aspects of the Town business, school, DPW, citizens at large to address different points of view.

The Board requested Mr. Higgins to keep in contact with the Company's public relations person Barbara Badino. Chairman Jones stated that Public Hearing would certainly be held re: keeping the public informed as more information becomes available.

Mr. Walter Clancy a resident from Littleton requested to speak at this time. Mr. Jones reiterated that this was not a Public Hearing for citizen participation.

The Board met with Thomas Callahan, Town Treasurer re: Retirees Health Insurance.

Mr. Callahan stated that Town retirees pay 50% towards their health benefits but when they die surviving spouses pay 100% of the health insurance premium and were cancelling their membership due to inability to pay. Mr. Callahan stated he would recommend the Town pay 50% towards the premium of the surviving

spouse of the retiree. The Board was presented background from the March 25, 1962 Town Meeting whereas the Town voted to pay 50% and the Retiree pay 50%. M.G.L. Chapter 32B s 9b supported this vote. Mr. Callahan stated the cost of living has not increased but health coverage is constantly increasing forcing ex-spouses out from coverage due to high cost. The Board recommended the Treasurer draft an Article for the next Town Meeting addressing this matter.

The Board met with Charles Horton, Manager of the Ayer Gun and Sportsmen's Club re: ongoing discussion re: alcohol License for the Club.

Mr. Horton respectfully requested the Board to withdraw the All Alcohol Application and requested to insert a Beer and Wine License. Mr. Horton advised the Board of residents in area not wanting the Club to upgrade the license from a Beer & Wine License. Selectman Slarsky moved the Board accept the letter submitted from Mr. Horton requesting the Beer & Wine License and also designating him as the General Manager/spokesman for the Club, seconded by Selectman McKinney. Mr. Slarsky requested the hours of the operation of the Club be clearly delineated on the license.

Selectman Slarsky requested the cost of a Beer & Wine License. Mr. Higgins stated \$1,250.00. Mr. Horton stated the Club could not afford that price with the lose of functions due to not serving alcohol, their main source of revenue. Mr. Higgins stated the range for Club licenses started at \$100.00 up to \$500.00 a year. Mr. Horton requested the Club be charged the \$100.00 fee. Selectman McKinney agreed with that amount.

Chairman Jones read into the record the Police Chief's memo dated May 15, 1992 stating the records at the Ayer Police Station showed no records of unlawful activity or licensing violations by the present membership of the club. Chief Boisseau stated the club has always maintained an operation of high quality throughout the years. Membership activities have been governed and controlled by the reigning officers. Membership is restricted to a certain number of members restricting the general public as walk-ins.

Chairman Jones called for a motion. Selectman Slarsky moved to approve the Ayer Gun and Sportsmen's Club Beer & Wine License to include the hours of the operation for the established fee of \$100.00, seconded by Selectman McKinney, Vote: unanimous, so moved.

The Board met with Irene Miller, Patricia Casavecchia and Patricia Walsh regarding a request for UDAG assistance for the Ayer Regionalization Planning Committee.

Mrs. Miller presented to the Board a letter dated May 15, 1992 from the Committee stating the committee's role is severely

impacted due to budget constraints to fully explore all the variables necessary to make informed decisions concerning regionalization. Mrs. Miller requested a letter of credit for \$10,000.00 be committed by the Selectmen. This money would ensure the Town carefully plan and take actions to guarantee the needs of the community are met. The Committee presently does not have the staff or financial capability to undertake all of the necessary activities without securing funding. Mrs. Miller stated the Committee contacted all State Offices to include the Dept. of Revenue regarding funding options for regionalization. There is no funding available through grants or other sources at this time.

The Board stated they strongly support the efforts of the Regionalization Planning Committee and stated they were encouraged by the progress that has been made. The Board voted to commit the sum of \$10,000.00 from the Urban Development Action Grant (UDAG) account to assist the Committee in this formidable task.

EXECUTIVE SECRETARY'S REPORT:

1. The Board was advised that the Mass. Small Cities would be starting up June 10, 1992 and that approximately 30 homes would qualify for rehabilitation. The Board was advised to a Lottery being suggested by Communities Opportunity Group as the fairest way for participation. The lottery would be driven on a qualified assessment of clients, once approved they would be given a lottery number for selection into the program.

2. The Board was advised of 6 candidates wishing to be on the Industrial Planning Commission. The Board reviewed the listing and recommended five on the list. Selectman Slarsky stated the Commission in the past has always had five members. One person on the list is currently serving the Town in numerous other areas and he felt would restrict his work to this Commission. Appointed to the Commission were: Francis Callahan, Murray Clark, Gerald Quigley, Edward Kelley and Donald Haaposkie.

Supt. Redfield's Report:

1. Supt. Redfield presented to the Board two (2) sewer connections:

Single family house - 3 bedrooms 330/gal. per day located at Lot 5 Wright Road issued to GAC Homes, Inc.

Single Family house - 3 bedrooms 330/gal. per day located at Lot 6 Wright Road issued to GAC Homes, Inc.

The Board authorized the Chairman to approve the two sewer applications.

Selectman Slarsky expressed his concern re: public safety of the

residents of the area due to construction and requested contractor be notified of this and required to have police officers on duty re: traffic.

Selectman Slarsky moved the Board adjourn from Open Session to enter into Executive Session pursuant to M.G.L. Chapter 39 Section 23B re: Impact Bargaining Session-DPW reassignment to adjourn and enter into another Executive Session pursuant to MGL Chapter 39 section 23B re: DPW Grievance, seconded Selectman McKinney.

9:00P.M. Open Session Adjourned

Charles E. McKinney
Clerk, Bd of Selectman