

SELECTMEN'S MEETING  
MONDAY, AUGUST 5, 1991  
SECOND FLOOR TOWN HALL  
MAIN ST., AYER, MA. 01432

7:30P.M. THE BOARD MET WITH CHAIRMAN MCKINNEY AND SELECTMAN JONES, SELECTMAN SLARSKY IS ON VACATION.

THE WEEKLY WARRANT WAS EXAMINED AND APPROVED IN THE FOLLOWING AMOUNTS: PAYROLL: \$80,909.01  
BILLS: \$324,297.57

THE MINUTES OF JULY 8, 1991 WERE SET BACK FOR REVIEW DUE TO UNAVAILABILITY IN PACKETS OF 8-3-91.

THE BOARD APPROVED A ONE DAY BEER & WINE LICENSE FOR SHAKER HILLS GOLF COURSE FOR THE MONTH OF AUGUST-1991. FROM AUGUST 1-AUGUST 31, 1991.

PUBLIC HEARING: WATER & SEWER RATES FY-92

CHAIRMAN MCKINNEY OPENED THE HEARING AND TURNED THE FLOOR OVER TO SUPT. REDFIELD FOR OVERVIEW OF THE PROPOSED NEW RATES AND REGULATIONS.

SUPT. REDFIELD RAN THROUGH THE PROPOSED RATES"

WATER RATE:

\*Residential

\$ .70 PER 100 CU. FT. (0-1667 CU. FT/PER MO.) NO CHANGE

\*High usage

\$1.20 " " " " (OVER 1667 CU FT PER MO) \* \$ .20 INC

\$1.20 " " " " (OUT OF TOWN) \* \$ .20 INC

MINIMUM 6/MO WATER BILL CHRG.- \$5.50/PER 6 MO-NO CHNG

RESIDENTS-NO METER/\$10.00 PER/MO. EA. DWELL - " "

INDUSTRIAL-COMMERCIAL/NO METER-BILL DOUBLED-REDOUBLED  
EVERY BILLING CYCLE

SEWER RATE:

\*Residential

\$2.00 PER 100 CU. FT. (0-1667 CU. FT/PER MO.) NO CHANGE

\*High usage

\$3.90 " " " ". (OVER 1667 CU FT PER MO) NO CHGE  
MINIMUM 6/MO SEWER CHRG. \$5.50/PER 6 MO. BILL CYCLE  
SEWER RATE (Cont.)

RESIDENTS NO METER/\$30.00/PER MO. INCREASE \$8.00  
INDUSTRIAL-COMMERCIAL/NO METER-BILL DOUBLED-REDOUBLED  
EVERY BILLING CYCLE.

HIGH STRENGTH BOD5 WASTE-\$.45/POUND - NO CHANGE  
SUSPENDED SOLIDS OVER 200 MG/LITER -\$.45/POUND NO CHG  
ANNUAL USER CHARGES-INDUSTRIAL COST RECOVERY:  
A. FLOW-\$158.04/PER 100 GAL/PER DAY - NO CHANGE  
B. BOD5-\$ 15.99/PER POUND/PER DAY OVER 2000 MG/NO CHG  
C. SUSPENDED SOLIDS-\$5.40/PD/PER DAY " " " " "  
SEPTAGE HANDLING:  
A. AYER- \$40.00/1000 GAL. - NO CHANGE  
B. CONTRACTED MUNICIPALITIES-NO CONTRACTS  
C. NON-CONTRACTED MUNICIPALS-\$50.00/1000 GAL. NO CHG  
WATER CONNECTIONS/INSPECTION FEES-\$50.00/SERV. " "  
SEWER CONNECTIONS/INSPECTION FEES-\$50.00/SERV. " "  
WATER METER TESTING FEES -\$10.00 NO CHANGE  
FIRE FLOW TESTING FEE-\$150.00 TWO MEN-TWO HOURS  
\$60.00 EA ADDITIONAL HOUR  
BLACKFLOW TESTING-\$150.00 TWO MEN-TWO HOURS  
\$60.00 EA. ADDITIONAL HOUR

\*SEE ATTACHED FY-92 SEWER/WATER RATE & REGULATIONS ATTACHED

MR. JIM HASHEM REQUESTED TO SPEAK AT THIS TIME ON BEHALF OF MURRAY CLARK WHO WAS ON VACATION. MR. HASHEM STATED THAT HE REPRESENTED THE AYER INDUSTRIAL ASSOC. WHO COMMISSIONED COLER AND COLANTONIO REGISTERED ENGINEERS TO CONDUCT A INDUSTRIAL IMPACT ASSESSMENT ON THE TOWN OF AYER'S WATER & WASTEWATER SERVICE WITH SPECIFIC EMPHASIS ON INDUSTRIAL IMPACT ON THESE SYSTEMS WHICH STEMMED FROM INDICATIONS THAT DEFICIENCIES ON THE SYSTEM RESULTED FROM THE STRAINS OF INDUSTRIAL GROWTH IN THE TOWN. MR. HASHEM INTRODUCED MR. JIM COLANTONIO TO THE BOARD. MR. COLANTONIO CONDUCTED A SLIDE PRESENTATION DEPICTING SPECIFICS WHICH THE REPORT CONTAINED.

AREAS OF THE REPORT PRESENTED WERE:  
FLOWS QUANTIFICATION, FINANCIAL CONTRIBUTION, UNACCOUNTED CONSUMPTION, DEFICIENCIES AND INDUSTRIAL IMPACTS.

MR. COLANTONIO CONCLUDED THAT INDUSTRY IN AYER CONSUMES CONSIDERABLY LESS WATER ON A PERCENTAGE BASIS THAN INDICATED IN THE SEA REPORT. GIVEN THE LIMITED SUPPLY OF WATER FROM THE SPECTACLE POND AQUIFER, THE TOWN WILL BE REQUIRED TO DEVELOP THE GROVE POND AQUIFER AS A TREATED SUPPLY WITHIN 5 TO 10 YEARS. INDUSTRIAL CONCERNS IN AYER MUST COMPLY WITH THE TOWN'S INDUSTRIAL PRETREATMENT PROGRAM. MR. COLANTONIO RECOMMENDED THAT THE AYER INDUSTRIAL ASSOC. DEVELOP AND MAINTAIN AN ONGOING DIALOGUE WITH THE TOWN TO ASSURE THAT INDUSTRY IS FAIRLY DEALT WITH IN TERMS OF REGULATORY REQUIREMENTS, COST SHARING AND GROWTH POTENTIAL AS THE TOWN ADDRESSES ITS WATER AND WASTEWATER SYSTEM

## DEFICIENCIES.

SUPT. REDFIELD STATED THAT HE REVIEWED THE REPORT SUBMITTED BY COLLIER & COLANTONIO AND THAT MOST OF THE INFORMATION SUBMITTED TO THE TOWN WAS A YEAR OLD. SUPT. REDFIELD STATED THE NUMBERS PRESENTED BASICALLY STATE THAT INDUSTRY IS PAYING THEIR FAIR SHARE AND HE AGREED WITH THAT STATEMENT. SUPT. REDFIELD'S BIGGEST PROBLEM WITH THE REPORT DEALT WITH THE SEWER PORTION, SPECIFICALLY SUSPENDED SOLIDS NOT BEING ADDRESSED.

CHAIRMAN MCKINNEY REQUESTED SUPT. REDFIELD RELOOK AT THE REPORT SUBMITTED AND COME BACK TO THE BOARD WITH HIS RECOMMENDATION. THE BOARD TOOK THE WATER & SEWER FY-92 RATE UNDER ADVISEMENT PENDING A FULL BOARD VOTE. SELECTMAN JONES MOVED THE HEARING BE CONTINUED UNTIL AUGUST 19, 1991 FOR A FULL BOARD DECISION. SECONDED BY CHAIRMAN MCKINNEY, VOTE: UNANIMOUS, SO MOVED.

PUBLIC HEARING: N.E. TELEPHONE- VICTOR DRIVE

CHAIRMAN MCKINNEY OPENED THE HEARING BY READING THE LEGAL NOTICE WHICH APPEARED IN THE NASHOBA PUBLICATIONS THE WEEKS OF 8/24 AND 8/31, 1991. CHAIRMAN MCKINNEY REQUESTED IF THERE WAS ANYONE PRESENT REPRESENTING THE UTILITY OR ABUTTERS IN THE AUDIENCE.

THE BOARD MET WITH MATT HURLEY REPRESENTING N.E. TELEPHONE. MR. HURLEY PRESENTED A MAP OF THE AREA AND OF THE PROPOSED RELOCATION AND ADDITIONAL POLE LOCATIONS. MR. HURLEY STATED THAT THE PROPOSED RELOCATION WOULD NOT BE PLACED ON PRIVATE PROPERTY THAT THE AREA WAS UNDER DEVELOPMENT AND OWNED BY GEORGE MOORE. SELECTMAN JONES REQUESTED IF THE POLE PETITION WOULD COST THE TOWN ANY MONEY, MR. HURLEY STATED, NO. CHAIRMAN MCKINNEY REQUESTED FOR THE RECORD IF THERE WAS ANY ONE PRESENT TO SPEAK FOR OR AGAINST THE PETITION, NO ONE CAME FORWARD. SELECTMAN JONES MOVED THE POLE PETITION BE APPROVED, SECONDED BY CHAIRMAN MCKINNEY, VOTE: UNANIMOUS, SO MOVED.

THE BOARD MET WITH GARY LUNDQUIST OF MUTUAL OF OMAHA RE: BENEFITS PACKAGE FOR TOWN OF AYER EMPLOYEES. MR. LUNDQUIST ADDRESSED THE CAFETERIA PLAN UNDER CHAPTER 125 OFFERING FREE TAX BASE FOR TOWN EMPLOYEES. MR. LUNDQUIST STATED THAT MUTUAL OF OMAHA IS THE SECOND LARGEST PROVIDER IN THE WORLD, AND THE COMPANY DOESN'T CHARGE PREMIUM-NO CHARGE FOR MUNICIPALITIES FOR OFFERING HEALTH-GROUP TERM INSURANCE AND OF AS LATE LONG TERM DISABILITY INSURANCE. MR. HIGGINS STATED THAT THIS WOULD BE A GOOD LABOR NEGOTIATIONS ALTERNATIVE FOR BARGAINING PURPOSES.

MR. HIGGINS STATED THAT HE IS STILL INVESTIGATING THIS PLAN WITH OTHER MUNICIPALS AND HE WOULD REPORT BACK TO THE BOARD WITH HIS FINDINGS AT THE NEXT SELECTMEN'S MEETING THAT THIS IS A VERY WORTHWHILE PROGRAM SAVINGS UP TO \$125,000 COULD BE REALIZED.

## EXECUTIVE SECRETARY'S REPORT:

1. MR. HIGGINS ADVISED THE BOARD THE FY-92 CHERRY SHEETS HAVE

BEEN RECEIVED THE NET AID FOR THE TOWN OF AYER FOR FY-92 IS \$3,586.336.00. THE TOWN HAS A SURPLUS FROM THE HIGHWAY AID OF \$91,000.00 TO BE MADE AVAILABLE AT YEARS END. THE BOARD WAS ADVISED THAT THESE FUND MAY BE NEEDED TO OFFSET SHORTFALLS IN OTHER REVENUE ACCOUNTS. THE ADVISORY BOARD WAS ALSO SENT COPIES OF THE CHEERY SHEETS. THE BOARD TO BE KEPT ADVISED MONTHLY RE: REVENUE REPORTS.

THE BOARD, UPON THE UPDATE OF THE CHERRY SHEETS, MOVED TO UNFREEZE SPECIAL ARTICLES APPROVED AT THE ANNUAL TOWN MEETING OF JUNE/91 I.E. POLICE CRUISERS, BACKHOE, DETECTIVE, ETC.. MOTION MADE BY SELECTMAN JONES SECONDED BY CHAIRMAN MCKINNEY, VOTE: UNANIMOUS, SO MOVED.

2. THE BOARD WAS ADVISED OF GOVERNOR'S SEPTEMBER 24, 1991 BALLOT QUESTION OVERRIDE ALLOWING THE BOARD OF SELECTMEN TO VOTE TO PLACE A SPECIAL BALLOT ASKING VOTERS WHETHER TO EXEMPT FROM THE PROPOSITION 2 1/2 LEVY LIMIT SOME OR ALL OF THE AMOUNT BY WHICH "RESOLUTION AID" WAS REDUCED BETWEEN FISCAL 91 AND FISCAL 92. THIS WOULD BE A ONE TIME EXCLUSION NOT INCLUDED IN THE TAX BASE FOR PURPOSE OF CALCULATING FUTURE YEARS LEVY LIMITS, SIMILAR TO DEBT EXCLUSION OR CAPITAL LAYOUT EXCLUSION.

MR. HIGGINS RECOMMENDED THE BOARD NOT PUT THIS BEFORE THE VOTERS, STATING UNLIKE MANY TOWNS AYER WAS ABLE TO BALANCE ITS BUDGET AT TOWN MEETING AND THE TOWN WOULD BE HARD PRESSED TO BE ABLE TO DEMONSTRATE THE NEED FOR AN OVERRIDE.

SELECTMAN JONES STATED THE BOARD WAS UNABLE TO VOTE ON THIS MOTION DUE NOT HAVING A FULL BOARD AND REQUESTED THIS ITEM BE TAKEN UNDER ADVISEMENT FOR A FULL BOARD DECISION.

3. THE BOARD WAS ADVISED OF PROPOSED SPECIAL TOWN MEETING IN SEPTEMBER 1991 TO TAKE UP SEVERAL BY-LAWS UNDER CONSIDERATION. BYLAWS TO INCLUDE: TAXI BY-LAW AMENDMENT, AUTOMATIC SPRINKLER BY-LAW, ACCEPTANCE OF ROADS, ETC. MR. HIGGINS RECOMMENDED MONDAY, OCTOBER 21, 1991 IN ORDER TO HAVE ENOUGH OF A TIME FRAME TO CONDUCT THE PUBLIC HEARINGS WHICH MUST BE HELD PRIOR TO MEETING.

THE BOARD REQUESTED COPIES OF PROPOSED BY-LAWS TO BE MADE AVAILABLE TO BOARD AT THE NEXT SELECTMEN'S MEETING 8/19/91.

4. THE BOARD WAS ADVISED OF TELECOMMUNICATORS CONTRACT BEING APPROVED BY MOTHER UNION AND CONTRACT IN PLACE AT THE AYER POLICE STATION.

5. THE BOARD WAS ADVISED THE FINAL GRANT APPLICATION HAS BEEN FILED TARGETING A HOUSING REHABILITATION COMPONENT AND AN ECONOMIC DEVELOPMENT COMPONENT FOR MAIN ST. MERCHANTS.

THE BOARD REVIEWED THE CONTRACT TO HIRE CONSULTANT COMMUNITIES OPPORTUNITY GROUP AS THE TOWN'S CONSULTANT TO RUN THIS PROGRAM. MR. HIGGINS RECOMMENDED THE BOARD ENDORSE THE CONTRACT IN THE

AMOUNT OF \$3,500 TO COMMUNITIES OPPORTUNITY GROUP FOR PREPARATION OF THE MASS. SMALL CITIES GRANT APPLICATION TO BE FUNDED BY UDAG. OF WHICH \$3,000 IS REIMBURSABLE UNDER GRANT PREPARATION EXPENSES WHICH WOULD REIMBURSE UDAG. SELECTMAN JONES MOVED THE BOARD APPROVE AND ENDORSE THE CONTRACT TO COMMUNITIES OPPORTUNITY GROUP (COG) FOR THE CONTRACT PRICE OF \$3,500.00, SECONDED BY CHAIRMAN MCKINNEY, VOTE: UNANIMOUS, SO MOVED.

5. THE BOARD WAS ADVISED THAT HYBRICON'S UDAG INTEREST CHARGES ARE STILL NOT AVAILABLE AT THIS TIME, TOWN COUNSEL STILL IS REVIEWING.

6. THE BOARD WAS ADVISED OF TOWN RESIDENTS CALLING MR. HIGGINS RE: MASS. ELEC. UTILITY SURCHARGE ATTACHED TO THEIR MONTHLY BILLING. MR. HIGGINS STATED HE HAD PERSONALLY CALLED MASS. ELEC. AND STATED HIS DISMAY FOR MASS. ELEC. ATTACHING HIS NAME TO THEIR NOTICE. MR. HIGGINS PRESENTED TO THE BOARD RECENT COST ANALYSIS RECEIVED BY HIM FROM CAROL CONTE, MASS. ELEC. DISTRICT MANAGER DEPICTING A VERY INFORMATIVE COST BREAKOUT TO INCLUDE VENDORS HIRED FOR THE RECONSTRUCTION AS WELL AS LABOR AND EQUIPMENT CHARGES. THE BOARD REQUESTED MR. HIGGINS PUT A NOTICE IN THE PAPER ADVISING RESIDENTS OF THE SURCHARGE AND TO BE SURE TO RECAP THE VOTE OF THE TOWN.

7. THE BOARD WAS ADVISED TO MCI-SHIRLEY BEING CONTACTED TO DO REPAIR WORK FOR THE TOWN SPECIFICALLY THE UPPER TOWN HALL MEETING ROOM. THIS WORK TO BE DONE BY THE INMATES FREE OF CHARGE AS FAR A LABOR THE TOWN WOULD INCUR COST FOR MEALS AND SUPPLIES. THIS WORK TO BE SCHEDULED FOR SEPTEMBER 1991.

8. THE BOARD RECEIVED A REQUEST FROM TOWN ACCT. SHARON SUMMERS REQUESTING THE BOARD APPROVE A BI-WEEKLY EXPENSE WARRANT. THIS WOULD FREE UP THE TOWN ACCOUNTANT TO BE ABLE TO CONCENTRATE ON OTHER RESPONSIBILITIES AND ALSO HAS OBVIOUS CASH MANAGEMENT ADVANTAGES. SELECTMAN JONES MOVED TO APPROVE THIS REQUEST, SECONDED BY CHAIRMAN MCKINNEY, VOTE: UNANIMOUS, SO MOVED.

9. THE BOARD WAS REMINDED OF THE NEXT MEETING OF THE SELECTMEN WITH HARVARD, SHIRLEY AND LANCASTER BEING HOSTED BY SHIRLEY AT 7:30P.M. AT THE SHIRLEY TOWN HALL RE: FT. DEVENS RE-USE.

10. THE BOARD WAS ADVISED TOWN COUNSEL IS STILL REVIEWING N.E. SHRIMP'S AMENDMENT TO THE UDAG AGREEMENT.

THE BOARD WAS REQUESTED TO REVIEW THE LIST RE: THE FORT RE-USE COMMITTEE: MR. HIGGINS RECOMMENDED THE FOLLOWING BE INCLUDED ON THIS COMMITTEE:

ONE MEMBER FROM THE PLANNING BOARD  
CONSERVATION COMMISSION  
ADVISORY BOARD  
HOUSING AUTHORITY  
AYER INDUSTRIAL ASSOC.  
AYER CHAMBER OF COMMERCE  
ZONING BOARD OF APPEALS

AND THE FOLLOWING PEOPLE:

WILLIAM MARSHALL  
JOHN KELLEY, NCH  
BILL REDFIELD  
NEVILLE MARKHAM  
BOB LEWIS  
2 COMMUNITY AT-LARGE MEMBERS

THE BOARD REQUESTED MR. HIGGINS ADVERTISE IN THE PAPER FOR THE TWO AT LARGE MEMBERS.

SUPT. REDFIELD'S REPORT:

1. THE BOARD APPROVED AND AWARDED THE CONTRACTS TO THE FOLLOWING:

FERRIC CHLORIDE:	E&F KING, NORWOOD, MA.
INSTRUMENTATION CONTRACT:	FISHER & PORTER CO., DANVERS, MA.
ROADWAY MARKINGS:	MARKINGS, INC. PEMBROKE, MA.

SELECTMAN JONES MOVED THE AWARDS, SECONDED BY CHAIRMAN MCKINNEY, VOTE: UNANIMOUS, SO MOVED.

2. THE BOARD WAS ADVISED OF DEBRIS BEING REMOVED LODGED IN THE CONTROL GATE AND REPAIR THE GATE ON E. MAIN ST. POND.

3. THE BOARD MET WITH HOYLE TANNER REPRESENTATIVE RELEVANT TO HOYLE TANNER LETTER OF 7/15/91 REQUESTING THE BOARD ALLOW THEM TO REDUCE THEIR PROFESSIONAL LIABILITY INSURANCE COVERAGE FROM \$2,000,000.00 TO \$1,500,000.00 IN THE AGGREGATE AND THE DEDUCTIBLE FROM \$250,000.00 TO \$75,000.00.

HOYLE TANNERS REPRESENTATIVE STATED THIS REQUEST WAS DUE TO BUSINESS BEING SLOW AND OF RESULT OF MUCH SMALLER SIZE OF THE HTA & TFM LEVEL OF BUSINESS IT WAS APPROPRIATE FOR HTA TO RENEW THEIR INSURANCE WITH A SIGNIFICANTLY REDUCED DEDUCTIBLE. IF THEY DID NOT DO SO, THE FINANCIAL VIABILITY OF THE FIRMS COULD BE SERIOUSLY COMPROMISED BY THE EXPOSURE TO THE HIGHER DEDUCTIBLE IN THE EVENT OF ONE OR MORE CLAIMS AGAINST THE FIRMS.

HOYLE TANNERS REPRESENTATIVE STATED THE TOWN WOULD NOT LOSE ANY SIGNIFICANT PROTECTION DUE TO THE LOWER LIMIT OF LIABILITY STATING HTA HAS NEVER HAD A CLAIM IN EXCESS OF \$1,500,000.00.

SUPT. REDFIELD STATED HE MET WITH TOWN COUNSEL AND TOWN COUNSEL RECOMMENDED AGAINST THE REDUCED DEDUCTIBLE AND FELT THIS RECOMMENDATION COULD NOT BE JUSTIFIED. THE BOARD AGREED WITH TOWN COUNSEL AND SUPT. REDFIELD. SELECTMAN JONES REQUESTED SUPT. REDFIELD INVESTIGATE WHETHER THE TOWN'S INSURANCE REQUIREMENTS ARE TO HIGH AND BE PREPARED TO COME BACK WITH A RECOMMENDATION.

THE BOARD REVIEWED SUPT. REDFIELD'S REPORT TO THE TOWN OF GROTON RE: WATER & SEWER INTERMUNCIPAL AGREEMENT RE: TRACY ELIADES PROPOSAL TO TIE INTO TOWN OF AYER WATER & SEWER.

ON ANOTHER MATTER THE BOARD MOVED TO INCLUDE THE INCLUSION OF  
CONCEPTIONAL ZONE II DELINEATION OF THE SPECTACLE POND WELLS AS  
PART OF THE SCOPE OF SERVICES FOR THE GROVE POND WATER SUPPLY  
STUDY AND REPORT.

10:00P.M. SELECTMAN JONES MOVED THE BOARD ADJOURN FROM OPEN  
SESSION. SECONDED BY CHAIRMAN MCKINNEY, VOTE UNANIMOUS, SO  
MOVED.

10:00P.M. MEETING ADJOURNED.

*Stephen M. Slarsky*

DATE:

*8/26/91*

*by*  
STEPHEN M. SLARSKY, CLERK

AUGUST 19, 1991