

AYER BOARD OF SELECTMEN'S MEETING
TUESDAY, JUNE 25, 1991
2ND FLOOR MEETING ROOM, TOWN HALL
MAIN ST., AYER, MA. 01432

7:00P.M. The Board met with Chairman McKinney, Selectman Slarsky and Selectman Jones.

The Board reviewed and approved the weekly warrant in the following amounts: Payroll: \$436,705.25
Bills: \$155,704.78

The Minutes of June 10, 1991 were read and accepted.

The Board reviewed the FY-92 appointments. Chairman Mckinney stated that there were 111 names on the FY-92 appointment list. After a brief discussion Selectmen Slarsky moved the Board approve the FY-92 appointments as submitted, seconded by Selectmen Jones. VOTE: unanimous, so moved.

The Board met with the Advisory Board re: \$38,000.00 deficit in the Debt Service Account. Present for the discussion were: Russ Brown, William Oelfke, Marion Smith and Charles Miller, Town Treasurer, Thomas Callahan and Town Accountant, Sharon Summers.

Mr. Callahan stated that the deficit occurred as a result of the unscheduled expenses/interest on notes & bonds: \$13,000 on short term borrowing in May 1990 (Principal was \$370,000.00. \$25,300 charges associated with a \$1.6 million dollar bond initiated in May 1990.

Mr. Callahan recommended to pay the deficit out of Account #200-06 which has a balance of \$50,000.00 with anticipated bills only being \$5,000.00 against this account.

Town Accountant, Sharon Summers stated M.G.L. Chapter 44, did not allow this recommendation advising the Board that the Department of Revenue viewed each and every line item in the budget as a separate appropriation.

The Advisory Board discussed three potential scenarios to the Selectmen:

1. Approve the transfer of funds suggested by Mr. Callahan.
2. Transfer the funds via a Special Town Meeting, timing is problem, Meeting could not be held prior to the end of FY-91. Thereby, causing a deficit rollover into FY-92.
3. Do nothing deficit rollover would remain on books until 8/91 the deficit would be zeroed out in the free cash certification process.

The Advisory Board stated that items 2 & 3 could have a negative impact on current and future bond rating, putting the Town in a competitive position to borrow.

The Board was also made aware of a possible Vocational Education deficit of approximately \$38,000.00. The proposed deficit going into FY-92 now being over \$80,000.00. The Board upon this news and of the State Aid uncertainty requested the Advisory Board to meet with the School Dept. and to scheduled them both for the Selectmen's meeting of July 8, 1991, suggesting the Selectmen may have to go back and re-visit the Articles approved at this years Annual Town Meeting. The Board at this time requested no spending/purchasing on monetary articles approved at this years Town Meeting.

Charles Miller of the Advisory Board advised the Board to Russell Brown being the new Chairman of the Advisory Board effective 7/24/91. The Board welcomed Mr. Brown as Chairman.

Selectman Slarsky stated he would like to have weekly reports submitted to the Board by Department heads advising the Board of upcoming events in their departments, vacations, conferences, problems etc. This procedure would help to avoid dilemma's such as the one before the board presently. Good communication and accountability methods between the Town's department head and Board could eliminate serious problems. The Board left the co-ordination to Mr. Higgins for development.

The Board met with Robert McGinty, Trustee of Shaker Hills Golf Course and Jerome Picca, owner of the Seasoned Chef Catering Service of Concord, Ma. Mr. McGinty requested a One Day Beer & Wine License for July 4, The Golf Courses Grand Opening, 5, 6, 7, 12, 13, 14, 19, 20, 21, 26, 27, & 28th of July 1991. Selectman Slarsky moved the Board approve the One Day Beer & Wine License for Shaker Hills Golf Course so stipulated. Seconded by Selectman Jones, VOTE: unanimous, so moved. Selectman Slarsky relayed the Board's enthusiasium and wished the Club much success stating the Course adds a much needed amenity to the Town. Selectman Slarsky at this point suggested the Harvard Board of Selectmen and the Ayer Board of Selectmen tee off for the fun of it.

Mr. McGinty requested at this time if the Club could possibly extend the Beer & Wine License from the 4th of July through the remaining days of the month of July 1991, Selectman Slarsky moved to amend the date to be from July 4th throughout the remainder of the month of July 1991, seconded by Selectman Jones VOTE: unanimous, so moved.

The Board approved a One Day Beer & Wine License for the Ayer Gun & Sportsmen's Club for the following dates: July 13, 14 & 27, 1991.

The Board met with Micky Ernst, son of the late Edward Ernst, and his wife Lauri re: a Boys & Girls Club in the Town of Ayer. Mr. Ernst stated his father began this dream in 1981 and incorporated the Center in 1983. Ed Ernst had a building designed to include a pool, gym locker rooms, tennis courts etc. Plans were presented to the Board. Mr. Ernst stated that he and

his family were very pleased with the renewed interest and possibility of a youth center. Mr. Ernst stated that there was \$20,000.00 generated through fund raisers and donations in the bank and that the family had begun liquidating the club but now with renewed interest the family would stop the liquidation and pursue this matter for the children of the community. Mr. Ernst stated he would like to pursue funding with the Town's help possibly through the UDAG program. Selectman Slarsky explained to the Ernst's that this was a particularly busy time for the Board with the Fort Devens issue and Town Meeting just concluding, but that the Board would like to see a steering Committee developed to pursue this project. Selectman Jones agreed stating an analysis needed to be conducted to see what the community at large wanted. The Board requested this item be placed on the next selectmen's agenda, and place Mr. Higgins as co-ordinator for this project and the Selectmen's Office be the focal point for this effort.

PUBLIC HEARING: COMMON VICTUALLER'S LICENSE-SHAKER HILLS GOLF COURSE

The Board met with Robert McGinty, Trustee, Shaker Hills Golf Course and Jerome Picca, CCP, Seasoned Chef Catering Service, Concord, Ma.

Chairman McKinney opened the Public Hearing by reading the legal notice which appeared in the Nashoba Publications newspaper. The Chairman requested if all abutters had been notified, Mr. McGinty stated they had. The Board requested a status of the facility and of its operation. Mr. Picca stated that there would be no cooking on the premise, all cooking would be done in Concord. A confection oven would be used for rolls, deserts, & warming. The menu to consist of sandwiches, beverages, salads. The Board requested if Nashoba Assoc. Boards of Health had released the Food Handlers Permit. Mr. McGinty stated that a preliminary inspection had been conducted on 6/2/91 and everything was in order except for the septic permit, which he felt would be ready the week of July 1, 1991. Nancy Cronin, Sanitarian for Nashoba Associated Boards of Health requested the Common Victualler's License be approved contingent upon receipt of the Food Handler's License. Selectman Slarsky moved the Board approve Shaker Hills Golf Course Common Victualler's License contingent upon receipt of Food Handler's License, seconded by Selectman Jones, VOTE: unanimous, so moved.

PUBLIC HEARING: CLASS II LICENSE-STEPHEN TRIANGLE, 100 PARK ST.

The Board met with Stephen Triangle, Mr. Triangle corrected misprint of his name which appeared in the legal notice from John to Stephen. Present for the discussion was William Halligan, Building Commissioner. The Board requested Mr. Triangle's intent for his business. Mr. Triangle stated he was seeking a five (5) car wholesale Class II license. This license would permit him to sell reconditioned cars to dealers not the public. Chairman

Mckinney requested if there was anyone present to speak for or against this license. Mr. Stephen Foshia, owner of My Mechanic, representing the Condo came forward, Mr. Forshia stated his concern re: limitation of parking of vehicles in front of the 13 units, parking lot is small. Building Commissioner, William Halligan stated he concerns regarding the following:

1. He had problem with adequate ventilation at that location for a body shop.
2. Code Requirements.
3. Parking spaces not adequate
4. Tenants breaking the rules there now.

Mr. Halligan restated there were to many problems for the site, to congested, plus permits had not been applied for.

Selectman Slarsky stated he shared the same concerns with the Building Commissioner and could not make a decision without looking at a layout of the facility and where the cars are to be located. Where can he put five (5) cars. The Board requested to continue the Public Hearing until July 8, 1991, re-notify abutters, until the Board can look a blue-print/drawing of the proposed facility.

PUBLIC HEARING: TRANSFER OF CLASS II LICENSE-MARKS AUTO

The Board met with Mark Alexander, partner of Mark Knowlton of Mark's Auto, 63 Park Rd., Ayer, Ma. regarding the transfer of Class II License from Mark Knowlton to Mark Alexander. Mr. Alexander stated he had bought his partner out of the business the first of the month, June 1991. The Board requested the limit of vehicles on the license to stay in effect (no more than 75 cars on site). Selectman Slarsky requesting a written document from Mark Knowlton surrendering his interest in the Class II license before it is transferred. Selectman Slarsky moved the Board approve the transfer of the Class II from Mark Knowlton to Mark Alexander contingent upon the written release from Mark Knowlton, seconded by Selectman Jones, VOTE: unanimous, so moved.

EXECUTIVE SECRETARY'S REPORT:

1. The Board met with Brian Pelletier and Ronald Plutnicki, P.E. of Massachusetts Elec. regarding explaining the process Mass. Elec. will use to notify Ayer customers about the surcharge Mass. Elec. will use to recoup its construction costs to place the Towns electric system underground as part of Ayer's downtown revitalization. The Board reviewed with Mr. Plutnicki the letter Mass. Elec. will be sending out explaining the Town's decision authorized by Article 28, of the town's by-laws approved at the Annual town Meeting of June 8, 1987 Article XXXV-Removal of Overhead Poles and Wires. A surcharge of 2% beginning August 1, will be added to Town of Ayer residents monthly bills to be shown as a separate line item entitled "underground surcharge" for approximately two and one half (2 1/2) years or until the final cost of the project is recovered. The Board requested a copy of

the total costs, to be broken out, to be submitted to the Board prior to the Town residents being billed. Mr. Plutnicki stated that cost is roughly \$310,000.00. Selectman Slarsky requested Mr. Plutnicki submit total revenues received from the Town to date as well. Mr. Plutnicki stated this information to be received by the Board the first of July, 1991.

2. The Board was advised that Paul Cormier will be replacing Harvey Laprade as President of Local #345 while Mr. Laprade is out on sick leave.

3. The Board reviewed the written documentation submitted by Harry Grossman of the Dept. of Revenue advising the Board of Selectmen that they can legally sign a warrant which would overdraft an account specifically in this case the debt service account. Also advised that in accordance with Mass. General Laws Chapter 44, Section 33b, the Town Meeting by a vote is the only mechanism to transfer from one appropriation to another use.

4. The Board was advised the Town has received written confirmation that PERA has accepted the recommendation of the county to retire John Wyman.

5. The Board was advised that the Town received a \$4,445.00 dividend as a result of the good claims experienced in FY-87. These funds will be utilized to offset the FY-92 premium.

6. The Board was advised of the two State Aid versions being debated: HOUSE: \$3,411,272
SENATE: \$3,520,156

and the Town's projection being \$3,494,725. The Board with the uncertainty of the State Aid numbers requested to freeze all FY-92 future purchases and to re-visit the School Dept. EEO request of \$80,000.00 approved at this years Annual Town meeting in anticipation of the EEO grant not being funded. The Board requested the Advisory Board meet with the School Dept. to see what has transpired, did the school receive this years appropriation or not? and would the School Dept. be willing to give back the funds? The Board requested a memo be sent out to all Town department heads requesting freezing all future spending.

SUPT. REDFIELD'S REPORT

1. The Board approved Supt. Redfield's bid awards for the following D.P.W. supplies:

1. Hydrated Lime-J.C. Madigan, Harvard, Ma.
2. Uniform/Rug Rental-Kleenite, Inc. Ayer, Ma.
3. Compressed Chlorine Gas, Jones Chem, Merrimack, N.H.
4. Polymer, Secodyne, Inc. Detroit, Mi.
5. Solar & Rock Salt-Granite State Min.-Portsmouth, N.H.
6. Sodium Hypochlorite-E.F. King & Co.-Norwood, Ma.
7. Potassium Permanganate -CW Lordon, Pepperell, Ma.
8. Super Unleaded Gasoline-CW Lordon, Pepperell, Ma.

9. #2 Fuel Oil-HB Knowles Inc. Lincoln, Ma.
Motion to approve Awards made by Selectman Slarsky, seconded by
Selectman Jones, VOTE: unanimous, so moved.

2. The Board was advised of George Carpenter's request for the Town to accept a Tri-Party Agreement in lieu of a performance and material bond for a proposed sewer extension to service three (3) new homes on Wright Rd. The Board denied Mr. Carpenter's request to enter into a Tri-Party Agreement and requested Mr. Carpenter take out a \$50,000.00 Bond for the Town to hold in escrow. Motion moved by Selectmen Slarsky, seconded by Selectmen Jones, so moved.

3. Supt. Redfield reminded all residents of the town that there is a voluntary water restriction in Town presently no watering outside from 5:00a.m. to 6:00p.m. Supt. Redfield stated the Water treatment facility was very close last Wednesday, June 19, 1991 to kicking on Grove Pond Wells due to heavy consumption levels being reported. The Board requested supt. Redfield place this voluntary water restriction back in the newspaper & put on cable.

4. Selectman Slarsky took this time to report to the Board that he had taken the opportunity today to drive around town with the Superintendent and look at Town roads and maintenance capability. Selectman Slarsky stated his concern that due to budget constraints manpower is very low in the D.P.W. Highway Dept. and that this dept. was down to three (3) men to do repairs, culvert cleaning, etc. and this is a very serious situation. The DPW has lost from 6-20 positions in the past two (2) years. Selectman Slarsky stated he has apathy for the Town DPW and that residents should be made aware of this situation and that repairs and maintenance would be done as soon as possible and for the Town residents to be patient.

PARK DEPT. APPOINTMENT

The Board met with Chairman Januskiewicz and Mark Donell of the Ayer Park Dept. regarding an appointment to fill the vacated seat of Karin Dynice. Mr. Januskiewicz recommended Mark Bush and Mark Donell recommended David Riffelmacher. Selectman Slarsky stated both recommendations were good and requested if the Chairman and Mr. Donell had any reservations to appointing both candidates. Mr. Januskiewicz and Mr. Donell stated they had no problem with this and thought it was a good idea. Selectman Slarsky moved the appointments of Mark Bush and David Riffelmacher be appointed temporary Park Commissioners until the next annual Town Election scheduled for April 1992 or special Election whichever comes first, seconded by Selectman Jones, VOTE: unanimous, so moved.

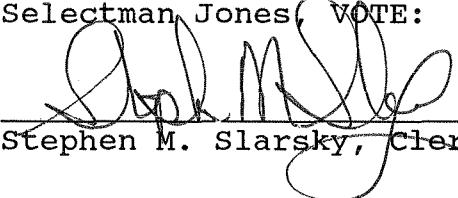
POLICE DEPT. APPOINTMENT

The Board met with Chief Connors regarding an appointment to the Ayer Police Dept. to replace John Wyman who's county retirement

disability had been approved. Chief Connors recommended the Appointment of Edward Denmark of Ayer, Ma. The Board requested if Mr. Denmark was Academy Trained. Chief Connors stated no. The Board requested if Mr. Higgins had heard back from the union regarding adopting a provision to protect the Town's interest when hiring untrained personnel to staff the position of patrolman. The Board stated the town currently pays approximately \$10,000.00 to train a officer at the academy. The Board requested a one year agreement commencing completion of the patrolman's graduation from the academy. Paul Cormier, President of Local 346A was in the audience and stated that the Union has not had time to review due to Harvey LaPrade being in the hospital and the Unions wishing to make this provision part of the Negotiations. Union has concern re: layoffs and job security. The Board requested Mr. Higgins to pursue this provision at his earliest possible time.

Selectman Slarsky based upon the recommendation of Chief Connors moved the Board approve the appointment of Edward Denmark to patrolman, effective upon the Chief getting a Academy date. All appointment language and policy to be in effect for new untrained hires as past practiced. Seconded by Selectman Jones, VOTE: unanimous, so moved.

9:35 Selectman Slarsky moved the Board adjourn, Seconded by Selectman Jones, VOTE: unanimous, so moved.


Stephen M. Slarsky, Clerk

Date:

