

AYER BOARD OF SELECTMEN'S MEETING
MONDAY, DECEMBER 17, 1990
SECOND FLOOR TOWN HALL
MAIN ST., AYER, MA.

7:30P.M. OPEN SESSION

THE BOARD MET WITH CHAIRMAN SLARSKY AND SELECTMAN JONES.
SELECTMAN MCKINNEY ABSENT, DUE TO ILLNESS.

THE MINUTES OF DECEMBER 10, 1990 WERE READ AND ACCEPTED.

THE WEEKLY WARRANT WAS REVIEWED AND APPROVED IN THE FOLLOWING
AMOUNTS: BILLS: \$216,773.55
P/R: \$ 32,018.41

THE BOARD MET WITH DANIEL MCCARTHY OF MCCARTY ASSOC. RE:
DECISION ON TRAFFIC LIGHT FOR PARK AND MAIN ST., AYER, MA.
CHAIRMAN SLARSKY REQUESTED FROM MR. MCCARTHY IF HE HAD
DOCUMENTATION DEPICTING PLANS, INSTALLATION CO., AND TIME FRAME
FOR INSTALLATION. MR. MCCARTHY STATED HE DIDN'T FEEL THIS WAS
NECESSARY HAVING DETAILED PLANS SUBMITTED FOR APPROVAL.
CHAIRMAN SLARSKY STATED HE DID NOT FEEL COMFORTABLE HAVING
NOTHING IN WRITING TO BASE ENTERING INTO AN AGREEMENT WITH
MCCARTHY & ASSOC. SELECTMAN JONES MOVED THAT UPON
ACCEPTABLE CONDITIONS AND DOCUMENTATION RECEIVED BY SUPT.
REDFIELD DEPICTING ROAD IMPROVEMENTS, WATER & SEWER TIE-INS,
INTERSECTION CHANGES, AND PHASED IN DESIGN OF PROJECT, THAT THE
BOARD WAS NOT READY TO COMMIT TO THIS PROJECT. SECONDED BY
CHAIRMAN SLARSKY, SO MOVED

SELECTMEN JONES REQUESTED AT THIS POINT WHAT IS THE PERMITTING
PROCESS FOR OBTAINING A BUSINESS CERTIFICATE AND WHO & WHAT
DECIDES WHEN A NEW BUSINESS COMES INTO TOWN? TIM HIGGINS STATED
HE HAD MET WITH THE TOWN CLERK RE: THIS MATTER AND SHE REFERRED
HIM TO M.G.L. CHAPTER 110 SECTION 5. MRS. BRIGGS STATED THE
BUILDING COMMISSIONER AUTHORIZES THE OCCUPANCY PERMIT FOR THE
BUSINESS WHICH IS UNDER HIS JURISDICTION WITH REGARD TO ZONING.
SELECTMAN JONES STATED HIS CONCERN WITH NO PUBLIC INPUT AND
NOTHING TO REVIEW REGARDING ANY BUSINESS WISHING TO LOCATE IN THE
TOWN OF AYER AND FOR THE SAFETY OF RESIDENTS THIS PRACTICE
SHOULD BE REVIEWED BY THE BOARD AND PLACED AS AN AGENDA ITEM FOR
THE FIRST OF THE YEAR.

EXECUTIVE SECRETARY'S REPORT:

1. THE BOARD WAS UPDATED ON THE TOWN'S INSURANCE BID MR.
HIGGINS ADVISED THE BOARD THAT THREE (3) BIDS WERE RECEIVED BY

THE TOWN:

1. MARKHAM PRIEST
2. MASS. INTERLOCAL INSURANCE AGENCY (MIIA)
3. KIMBALL KOOKE

MR. HIGGINS STATED THAT MIIA WAS THE ONLY COMPANY THAT BID ON ALL OF THE POLICIES. THE BOARD WAS ALSO ADVISED OF THE TOWN NOT PRESENTLY HAVING PUBLIC OFFICIALS LIABILITY OR UMBRELLA COVERAGE AND THAT WITH MIIA THE TOWN WOULD AGAIN BE COVERED UNDER THESE TWO AREAS.

MR. HIGGINS STATED THAT HE HAD MET WITH THE TOWN'S PRESENT CARRIER MARKHAM PRIEST WHO HAD REVIEWED THE BIDS AND STATED THE COVERAGE SUBMITTED BY MIIA WAS VERY COMPETITIVE AND COMPLETE. OTHER AREAS INCLUDED IN MIIA'S PROPOSAL WERE: LOSS CONTROL, CLAIMS REPORTING, REFERENCE CHECKS, SERVICE AND TRAINING. MR HIGGINS RECOMMENDED TO THE BOARD TO AWARD THE CONTRACT FOR PROVISION OF MUNICIPAL INSURANCES TO MASSACHUSETTS INTERLOCAL INSURANCE AGENCY FOR A SUM NOT TO EXCEED \$163,956.00.

SELECTMAN JONES MOVED THE BOARD ACCEPT THE RECOMMENDATION PRESENTED BY MR. HIGGINS WITH AN EFFECTIVE DATE OF JULY 1 , 1991 THROUGH JUNE 30, 1992 AS FOLLOWS: SECONDED BY CHAIRMAN SLARSKY FOR PURPOSE OF DISCUSSION, CHAIRMAN SLARSKY STATED HE WOULD PREFER TO KEEP THE TOWNS INSURANCE POLICIES LOCAL BUT A LOT OF THINGS ARE GOING ON IN INDUSTRY PLUS THE COMPLEXITY OF TOWNS NEEDS VS. FINANCIAL CONSTRAINTS FORCED THE POLICES OUT TO BID TO THE LOWEST BIDDER. CHAIRMAN SLARSKY COMPLIMENTED TIM ON AN OUTSTANDING JOB AND SECONDED THE MOTION ALLOWING FLEXIBILITY TO EFFECTIVE DATE OF COVERAGE DUE TO INDIVIDUAL POLICIES ALL HAVING Different EXPIRATION DATES. VOTE: UNANIMOUS, SO MOVED.

PACKAGE:	\$128,941
LAW ENFORCE:	\$ 10,868
PUB. OFFIC. LIAB.:	2,912
SCH. BOARD LIAB.	2,145
UMBRELLA	9,236
POLICE ACCIDENT	1,630
FIRE ACCIDENT	5,000
ENROLLMENT FEE	3,224

PRESENT FOR THIS DISCUSSION WAS TIMOTHY HOLLAND OF MARKHAM PRIEST WHO STATED AS A PROFESSIONAL IN THE INSURANCE BUSINESS HE KNEW THE COMPLEXITY OF THE TASK AND PRAISED MR. HIGGINS FOR THE INTELLIGENCE AND OBJECTIVELY WITH WHICH TIM HAD APPROACHED THE TASK OF THIS BIDDING PROCUREMENT.

2. THE BOARD WAS ADVISED OF MEETING WITH THE SURROUNDING AREA TOWNS THURSDAY, DECEMBER 20, 1990 AT 7:30P.M. AT ATLANTIC UNION COLLEGE RE: THE POSSIBILITY OF RETAINING A CONSULTANT TO ANALYZE THE EFFECTS OF A SECOND MAJOR AIRPORT AT FORT DEVENS, MASS. THE BOARD WAS ALSO ADVISED OF REQUEST FOR FINANCIAL CONTRIBUTION FOR THIS CONSULTANT. THE BOARD STATED IT WOULD BE PREMATURE TO

TAKE POSITION, CAN'T TAKE AN ACTIVE STANCE SINCE THERE HAS BEEN NOTHING OFFICIAL SUBMITTED. FINANCIAL CONTRIBUTION WAS SET BACK DUE TO MONETARY CONSTRAINTS.

3. THE BOARD WAS UPDATED TO THE STATUS OF THE WEST MAIN STREET BRIDGE. ADVERTISING FOR CONSTRUCTION COULD BEGIN IN MID 1993 WITH A BRIDGE OPENING POSSIBLY IN 1994-95. CONGRESSMAN ATKINS IS TO CALL A MEETING IN HIS OFFICE WITH TOWN OF AYER OFFICIALS AND FORT DEVENS FOR SUPPORT OF WEST MAIN ST. BEING A CRITICAL ACCESS ROAD. IN THAT SAME EFFORT CONGRESSMAN ATKINS EXPRESSED THE POSSIBILITY OF A DELEGATION FROM AYER AND FORT DEVENS TO GO TO WASHINGTON AND FIGHT FOR THIS CRITICAL ACCESS ROAD BEING MORE CRITICAL NOW WITH THE FT. DEVENS BEING A MAJOR DEPLOYMENT BASE AND THE CALLING IN OF RESERVIST DURING THE SAUDI CRISIS.

PUBLIC HEARING: HANIL RESTAURANT-COMMON VICTUALLER'S LICENSE-3 WEST MAIN ST., AYER, MA.

THE BOARD MET WITH SHI JUNG YI PROPRIETOR OF LEE'S PIZZA REGARDING THE APPLICATION OF A NEW RESTAURANT THE HANIL TO BE LOCATED AT THE REAR OF 3 WEST MAIN STREET, AYER, MA. OFFERING A VARIETY OF KOREAN AND JAPANESE FOOD.

CHAIRMAN SLARSKY REQUESTED PLANS OF THE RESTAURANT AND SEATING ARRANGEMENT FROM MRS. YI. MRS. YI STATED THAT SHE HAD SUBMITTED THE PLANS TO THE BUILDING COMMISSIONER. CHAIRMAN SLARSKY REQUESTED THIS HEARING BE SET BACK TO JANUARY 7, 1991 IN ORDER FOR THE BOARD TO MEET WITH THE COMMISSIONER AND REVIEW THESE EXPANSION PLANS. SELECTMAN JONES MOVED THE PUBLIC HEARING BE CONTINUED TO JANUARY 7, 1990, SECONDED BY CHAIRMAN SLARSKY, VOTE: UNANIMOUS, SO MOVED.

CHAIRMAN SLARSKY ANNOUNCED THE CANCELLATION OF TWO (2) AGENDA ITEMS: 1. CONTINUED DISCUSSION RE: THE POLICE/FIRE STATION. 2. UDAG COMMITTEE REPORT

ON THE SECOND ITEM THE BOARD ENTERED INTO A DISCUSSION REGARDING THE PREVIOUS MEETING ON DECEMBER 10, 1990 AND DECIDED TO COMMIT \$190,000 FOR THE IMPLEMENTATION AND ADMINISTRATION OF THE INDUSTRIAL PRETREATMENT PROGRAM AND THE RE-PAYMENT OF THESE UDAG FUNDS BY THE SEVEN (7) SIGNIFICANT MAJOR USERS OF THIS SERVICE. SUPT. REDFIELD STATED THAT EACH SIGNIFICANT USER WOULD BE CHARGED A PERCENTAGE OF WWIP IMPLEMENTATION AND ADMINISTRATION COSTS. THIS PERCENTAGE WOULD BE CALCULATED BY DIVIDING THEIR TOTAL WASTEWATER DISCHARGE FLOWS. THESE USERS WOULD ALSO BE CHARGED THE APPLICABLE DIRECT COSTS ASSOCIATED WITH THE MONITORING AND ADMINISTRATION UTILIZED FOR THEIR FACILITIES.

SELECTMAN JONES MOVED THE BOARD COMMIT WITHOUT THE TRANSFER OF THESE FUNDS A SUM NOT TO EXCEED \$190,000 OF UDAG FUNDS FOR THE IMPLEMENTATION AND ADMINISTRATION OF THE INDUSTRIAL PRETREATMENT PROGRAM AND THESE UDAG FUNDS TO BE REPAID BY THE SEVEN (7) SIGNIFICANT MAJOR USERS OF THIS PROGRAM OVER A THREE (3) YEAR PERIODS, SECONDED BY CHAIRMAN SLARSKY, VOTE: UNANIMOUS, SO

MOVED.

CHAIRMAN SLARSKY AT THIS TIME BROUGHT UP THE PURPOSE OF THE EXPENDITURE OF UDAG FUNDS BEING FOR CAPITAL NEEDS OF THE TOWN OF AYER AND REQUESTED A COMMITTEE BE DEVELOPED TO LOOK INTO THE POSSIBILITY OF A BOYS & GIRLS CLUB FOR THE CHILDREN OF AYER. THE BOARD REQUESTED CONTACT BE MADE WITH THE BOYS & GIRLS CLUBS OF AMERICA AND THE POSSIBILITY OF FORMING A ADHOC GROUP TO PURSUE DISCUSSIONS WITH THIS GROUP.

SUPT. REDFIELD'S REPORT:

1. THE BOARD APPROVED THE CONTRACT AWARD TO PROVIDE ENGINEERING SERVICES FOR THE IMPLEMENTATION AND ADMINISTRATION OF THE TOWN OF AYER'S WASTEWATER INDUSTRIAL PRETREATMENT PROGRAM (WWIPP) TO HOYLE TANNER & ASSOCIATES FOR THE BID AWARD OF \$74,228.00. SELECTMAN JONES MOVED THE BOARD APPROVE SUPT. REDFIELD'S RECOMMENDATION AND AWARD HOYLE TANNER & ASSOC. THE CONTRACT FOR THE TOWN OF AYER'S WASTEWATER INDUSTRIAL PRETREATMENT IMPLEMENTATION AND ADMINISTRATION FOR A SUM NOT TO EXCEED \$74,228.00, SECONDED BY CHAIRMAN SLARSKY, VOTE: UNANIMOUS, SO MOVED.

2. THE BOARD APPROVED THE RECOMMENDATION OF SUPT. REDFIELD AND APPOINTED OKIE SHUTMATE TO THE POSITION OF RECYCLING/PERMIT COORDINATOR TO THE GROTON HARVARD RD. SOLID WASTE TRANSFER STATION FOR 18 HOURS PER WEEK AT A RATE OF \$5.00 PER HOUR. SELECTMAN JONES MOVED THE BOARD APPROVE THE RECOMMENDATION OF SUPT. REDFIELD AND APPOINT OKIE SHUMATE TO THE POSITION OF RECYCLING/PERMIT COORDINATOR FOR THE TOWN OF AYER SOLID WASTE TRANSFER STATION NOT TO EXCEED TWENTY HOURS PER WEEK.

3. THE BOARD WAS REQUESTED PERMISSION FROM SUPT. REDFIELD TO ADVERTISE THE MECHANICS POSITION AT THE DPW DUE TO EMPLOYEE BEING TERMINATED. SELECTMAN JONES MOVED TO ALLOW SUPT. REDFIELD TO ADVERTISE POSITION, SECONDED BY CHAIRMAN SLARSKY, VOTE: UNANIMOUS, SO MOVED.

4. THE BOARD WAS ADVISED THAT AS OF 12/17/90 NO MORE MOTOR VEHICLES WILL BE ALLOWED INTO THE TRANSFER STATION FACILITY BY PROHIBITING ACCESS TO THE FLOOR OF THE TRANSFER STATION AND COMMERCIAL HAULERS INSTRUCTED TO USE WINDOWS LOCATED AT THE SIDE OF THE BUILDING.

5. THE BOARD WAS ADVISED OF THE TOWN RECEIVING TODAY THE DECLARATION OF STATE OF WATER EMERGENCY AND ORDER PWS ID NO. 2019000 ISSUED TO THE AYER DEPARTMENT OF PUBLIC WORKS, WATER DIVISION. THE BOARD REQUESTED COPIES OF THIS ORDER BY 1/7/90 AND TO LET BILL HALLIGAN KNOW OF THE APPROVAL BY DEP.

6. THE BOARD MADE KNOWN A LETTER RECEIVED FROM A GROTON SCHOOL RD. RESIDENT WHO ADVISED THE BOARD OF HIS INTENT TO OBTAIN 400+ SIGNATURES IN ORDER TO BE PLACED ON THE TOWN'S ANNUAL TOWN MEETING WARRANT REQUIRING SELECTMAN SLARSKY TO RESPOND TO A RULE

VIOLATION WHEREAS OFFICER SULLIVAN WAS NOT RE-APPOINTED,
2. APOLOGY FOR PUTTING HIS OWN OPINION BEFORE TOWN'S BEST
INTEREST 3. CHOOSE NOT TO RESPOND.

CHAIRMAN SLARSKY STATED THAT THE BOARD TOOK VOTE ON OFFICER
SULLIVANS REAPPOINTMENT NOT SINGLE INDIVIDUAL. THIS VOTE WAS FOR
THE BEST INTEREST OF THE TOWN, BEING A SELECTMEN HAS NOT ALWAYS
BEEN A VERY POPULAR POSITION, CAN'T MAKE EVERYONE HAPPY.
SELECTMAN JONES AGREED WHOLEHEARTEDLY WITH THE CHAIRMAN STATING
THIS IS A SINGLE FOCUS ISSUE AND THAT THE BOARD RESPONDED TO
THIS INDIVIDUALS LETTERS AND EVEN TOOK THEM UP IN OPEN SESSION.
SELECTMAN JONES STATING THIS WAS A MUTE POINT, DECISION WAS
UPHELD IN COURT REGARDING MR. SULLIVANS NON-REAPPOINTMENT.

8:45P.M. SELECTMAN JONES MOVED THE BOARD ENTER INTO EXECUTIVE
SESSION PURSUANT TO M.G.L. CHAPTER 39, SECTION 23B RE: IBPO
GRIEVANCE TO ADJOURN AND RE-ENTER INTO OPEN SESSION, SECONDED BY
CHAIRMAN SLARSKY, VOTE: UNANIMOUS, SO MOVED.

9:30P.M. SELECTMAN JONES MOVED TO ADJOURN FROM EXECUTIVE SESSION
AND RE-ENTER OPEN SESSION, SECONDED BY CHAIRMAN SLARSKY, VOTE:
UNANIMOUS, SO MOVED.

9:30P.M. OPEN SESSION

THE BOARD MET WITH KAREN BLOWEY, STANDING IN FOR KEITH RUMBO,
REGARDING MR. RUMBO'S TAXI LICENSE RENEWAL. MS. BLOWEY STATED
THAT KEITH RUMBO WAS OUT OF TOWN AND COULD NOT BE PRESENT FOR THE
MEETING. CHAIRMAN SLARSKY REQUESTED THIS MATTER BE POSTPONED
UNTIL JANUARY 7, 1991, THE BOARD'S NEXT MEETING DATE, WHEN MR.
RUMBO COULD BE PRESENT FOR MEETING. SECONDED BY SELECTMAN JONES.
VOTE: UNANIMOUS, SO MOVED.

THE BOARD APPROVED THE FOLLOWING 1991 LICENSE RENEWALS:
REQUESTING THAT LICENSEE'S OWING BACK TAXES BE HELD PENDING TOWN
COUNSEL'S REVIEW.

ALL ALCOHOL:

LARRYS INC.
AYER PACKAGE STORE
C.R. PIERCE
LASITA
JACK-O-LANTERN
CARLINS
FORT CORP.
TONY'S RESTAURANT
NASHOBA RESTAURANT
TINY'S RESTAURANT

BEER & WINE:

ROUX'S LIQUOR

COMMON VICTUALLER:

ROUX'S
TINY'S DONUT TREAT
ANITA & PAMS
FRIOT
NASHOBA RESTAURANT
TONYS RESTAURANT
PARTHENON RESTAURANT
THE FORT CORP.
ARCHERS MOBILE
CARLINS RESTAURANT
KENTUCKY FRIED CHICKEN
ARCHIES PIZZA
MCDONALDS
WENDYS
PAULINES VARIETY
WOO JUNG RESTAURANT
LASITA RESTAURANT
AH GIN WONGS RESTAURANT
LEES PIZZA
LARRYS INC.
THE DELI

AMUSEMENT LICENSE:

LARRYS INC.
PARTHENON PIZZA
CARLINS RESTAURANT
NASHOBA RESTAURANT
TINYS RESTAURANT
FORT CORP.

CLASS I LICENSE:

CAMPERS INN
GERVAIS FORD
TRAILER HOME SALES

CLASS II LICENSE:

LEON HURD
KENWOOD AUTO SALES
RICHARDS AUTO SALES
MARKS AUTO SALES
J.C. MADIGAN
JOES AUTO REPAIR
VEHICLES UNLIMITED
NU-KAR AUTO SALES
NU-KAR AUTO SALES EXTENSION

CLASS III LICENSE

RICHARDS AUTO SALES
HARRY SCHWARTZ

9:40 P.M. SELECTMAN JONES MOVED THE BOARD ADJOURN THE MEETING,
SECONDED BY CHAIRMAN SLARSKY, VOTE: UNANIMOUS, SO MOVED.

9:40P.M. SELECTMEN'S MEETING ADJOURNED.

CHARLES H. JONES, CLERK

DATE: _____