

Selectmen's Meeting
January 9, 1990
Upper Town Hall

7:30PM Open Session

Present: Chairman Jones, Selectman Slarsky, Tim Higgins, Executive Secretary
Absent: Selectman Sifakis

The Board reviewed the minutes of 12/12 and 12/17 and 12/19/89, a motion for approval was made by Selectman Slarsky, seconded by Chairman Jones and passed.

In the next order of business, the Board signed the weekly warrant
Expenses: \$401,362/73 Payroll \$318,578.74

Selectman Slarsky asked if we have to go over budgets, especially with the cherry sheets being decreased. Mr Higgins answered that it will be discussed later in the meeting. He advised the members that local aid will be cut.

Selectman Slarsky noted that we should not be dependent on aid. Tim also noted that the amount to be received would not probably be known until 2-3 days before it was received. Chairman Jones noted that budgets are based on the revenue projection. Selectman Slarsky expressed his concerns that the Governor has lost touch with the needs of the citizens and communities.

Executive Secretary's Report: Tim presented his report. (see report dated 1-9-90) Some Highlights: He noted that the Town was in receipt of \$306,000 in State Emer. Aid, a Special Town Meeting date was established for Jan 30, 1990, he advised the members that free cash was \$250,000, he cautioned that the Town Counsel's legal expenses were high, that only 30% budgeted is left, he informed the Board that the CAC had completed the review of the DEIR from Patriot Energy, and he had delivered the Committee's response to MEPA

He continued that 8 bids had been received concerning consulting services on the Flood Plain revision and recommended the Maguire Group, after a discussion Selectman Slarsky made a motion to give the contract to the Maguire Group based upon the recommendation of the Executary Secretary, and upon the provisions of the Consultant By-Law, and approval of the Town Counsel, seconded by Chairman Jones and passed. Chairman Jones noted that FEMA is requesting the Town's response before the end of January, Tim informed the Board that he would keep them up-dated on the situation, but that this matter should be expedited because of the time frame involved. The Board was in agreement that in "other" business on the report, that these matters should not be discussed, also that they would like to meet with Atty Hillman in the matter of the ABCC licenses. It was agreed that the 89-1 grievance would on the next agenda.

Supt Redfield's Report:

The Board granted approval for the school to donate a 1975 Van to the DPW for use as a shop maintenance vehicle. Supt Redfield asked for a release of an \$80,000 bond concerning Crabtree Develop., (NOTE Sel Slarsky

Board of Selectmen

MEETING TUESDAYS AT 7:00 P.M. • UPPER TOWN HALL • MAIN STREET • P. O. BOX 12 • AYER, MASSACHUSETTS 01432



CHARLES H. JONES, *Chairperson*
EMANUEL A. SIFAKIS, *Clerk*
STEPHEN M. SLARSKY, *Member*
(508) 772-2072

TIMOTHY S. HIGGINS
Executive Secretary
(508) 772-0231

FLOOD PLAIN REVISION PROPOSALS

COMPANY	RATE HOURLY/ JOB
Maguire Group Foxborough, MA	\$80 / \$7,968
Sanford Ecological Southborough, MA	N/A / \$7,900
Schofield Brothers Bolton, MA	\$75-90 / \$3,000
Beals & Thomas Westborough, MA	\$100 / \$7,500 + 5%
Judith Nitsch Engineering Cambridge, MA	\$125 / \$9,200
E.A. Engineering Walpole, MA	\$79 / N/A
Keyes Engineering Providence, R.I.	N/A / \$5,000
Doherty Consulting Wakefield, MA	\$65-\$75 +15% / N/A

*A COMPARISON OF JOB PRICES MAY BE MISLEADING SINCE THE LEVEL AND DETAIL OF THE WORK PROPOSED DIFFERS FROM PROPOSAL TO PROPOSAL. FOR EXAMPLE SOME INCLUDE SITE WORK AND SOME DO NOT. SOME INCLUDE VISITS WITH BOTH THE SELECTMEN AND FEMA AND SOME DO NOT, ETC.

THE DIFFICULTY IN COMPARING APPLES TO APPLES ON JOB PRICES FORCES THE FOCUS OF THE COMPARISON OF COST ON THE HOURLY RATES WHICH ARE RELATIVELY COMPARABLE.

abstained from any discussion on this matter). Approval for the release was granted by Chairman Jones, Supt Redfield also advised him that this had been reviewed by Town Counsel. Mr. Redfield presented a letter from the EPA concerning The Legal Authority for the Town of Ayer Pretreatment Program.

Tim noted that in the case of Rumbo vs the Town, the case was favorable for the Town.

PUBLIC HEARING - HAZARDOUS MATERIAL BY-LAW

Chairman Jones read the notice of the Public Hearing as it had been published in the paper,

Present: Atty Williams from Town Counsel's office.

Atty Williams read the highlights of the By-Law, see attached. He noted that this would regulate storage of hazardous materials, especially within Town wells and water supplies. That the Board of Health or its designee would be the enforcement officer. That the Building Commissioner could be a choice. Also that the Fire Dept, DPW, Police and the Building Commissioner would all be capable. Fines were discussed with the Building Commissioner, he recommended the following:
1st Offense not be less than \$100.00, 2nd Offense not be less than \$200.00, 3rd offense not be less than \$300.00 and each day would involve a separate offense. Tim noted that the Board of Health had been contacted but had made no comment. Atty Williams noted that the Board of Health regulations should include specific information. Chairman Jones asked for comments. It was suggested that this by-law was intended to impede the coal plant, and could lead to legal expenses, that the Town of Ayer is the only organization exempt from the by-law. Selectman Slarsky stated that this Public Hearing is for input only. Supt Redfield stated that this is a by-law with teeth which is needed. He also advised the Board that DEP has granted approval for the Town to store chemicals near the well site. Atty Slade from NEP CO. wanted assurances that his existing facility would be able to operate and requested proper language. Atty Williams stated that he had been in contact with Atty Slade and felt that NEP would use hazardous materials lawfully and that they would be kept in safe locations. Selectman Slarsky made a motion to put the by-law in the STM warrant, to include language as amended (and recommended by Atty Williams), that this is protection for the Town of Ayer, seconded by Chairman Jones and passed. At this point Chairman Jones announced that the Public Hearing was closed.

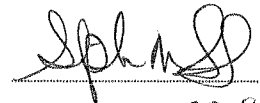
In other matters, Sel Slarsky asked that the Treasurer proceed to place a lien on property abutting the DPW yard and to pursue tax taking. This action should not be for residences. Recycling: It was noted that Mr. Maxant is heading up a committee for this purposes, Mr Maxant noted that three citizens are working with him, and that he will keep the Board appraised. Chairman Jones also requested an update on this program. Sel Slarsky asked that Tim keep the Board informed on insurance for the Town. He also asked about the Truck Traffic Exclusion on Sandy Pond Rd, Tim noted that the Town of Wilmington had counters and that he would be in touch with Jeff Hull to see if Ayer could use these counters. Sel Slarsky

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asked Supt Redfield to have flashing lights installed at the Groton
harvard Rd and Central Ave intersection. Mr Redfield stated he would get
together with the Chief of Police and keep the Board up to date on this
issue.

A motion to adjourn was made by Selectman Slarsky, seconded by Chairman
Jones and passed. 9:05PM

_Note: The Board cancelled the Executive
Session which was scheduled.

 acting
1-23-90 Clerk