

**SELECTMEN'S MEETING  
MONDAY, OCTOBER 21, 1996  
PROFESSIONAL DEVELOPMENT ROOM  
PAGE SCHOOL-WASHINGTON ST. AYER, MA**

**7:30P.M. OPEN SESSION**

*The Board met with Chairman Miller and Selectman Hamel.*

*Chairman Miller opened the meeting by reading a Announcement from the firm of Palmer & Dodge the Town of Ayer's Special Town Counsel, that an investigator from that law firm has been hired to carry out an investigation to supplement the Ayer Police Chief's investigation of his department and will be handling the complaints filed with the Town Administrator, re: alleged police misconduct which would address the procedure for filing of complaints. Selectman Hamel objecting to this procedure stating this was not the understanding she had with the Atty from Palmer & Dodge, re: how complaints would be handled. Selectman Hamel stated this is an independent investigation and should be done entirely independent of the police department and town hall requesting that no involvement with the complaints be filtered through the town hall requesting all complaints be mailed directly to the investigator stating the lack of trust by people making complaints of town hall involvement.*

*Mr. Gerald Wood addressed the floor re: his lack of trust of the police department and Mr. Kreidler. Mr. Millen of Pepperell stated he filed a criminal complaint against an officer of the Ayer Police Department and wished he hadn't because this officer intimidated him at the Ayer Court House. Mr. Wood stated he had met with the Ayer Police Chief outside of Town Hall and had a long talk with him in which he discussed complaints and produced documentation which was placed in front of the Chairman and requested he read. Mr. Gregory Stocks also addressed the meeting advising the Board to his seeking a higher level of legal action against the Town. Mr. Stocks also produced a document for the Board's review and placed it on the Selectmen's table.*

*Mr. Wood addressed the role of Selectmen under Public Input which led to discussion of resignation/recall. Chairman Miller apologized to Mr. Wood for his sharp reply and challenged him to recall him and encouraged Mr. Wood seek his seat on the Board. This led to Mr. Wood stating law suits/class action suits brought against the Town may be so big the Town may have to seek to become unincorporated and become a ward of the state.*

*The Board took no action on the procedures for the filing of complaints at this time.*

*Chairman Miller called for a motion to accept the Agenda as stated. Selectman Hamel moved to approve the Agenda of 10-21-96 as presented, 2nd by Chairman Miller, VOTE: unanimous, so moved.*

*TOWN CRIER: Chairman Miller announced local events taking place in the Town commencing from 10-26 96 to 11-12-96. Please refer to Cable T.V. viewing.*

*The Board met with Chief Haapakoski who announced the Town Halloween observance being Thursday, October 31, 1996 from 6-8pm and also reviewed Halloween safety advice for small children and parents.*

*Chief Haapakoski reviewed with the Board his interviewing of six (6) very qualified/strong candidates for the patrolman's vacant position in the department as well as updated the Board to the status of the Lieutenant's position being pulled together.*

*The Chief advised the Board to working with the town's Grant Administrator seeking to apply for a training grant for officers handling violence against women as well as filing for a state grant to upgrade the departments computer system and tying into the State's system.*

*The Board met with Nosoya Foods Inc. representatives, President Fred Eaton and Vice President Fred Ceconi re: a proposal for relocating to the abandoned N.E. Shrimp building at NEMCO Way. Present for the discussion were: Andrew Branz, Michael Ho, Michael Gaffin, Alan Neelans, Kate Demsey from the office of Congressman Martin Meehan, Karen Baptiste from the Massachusetts Office of Business Development, Roy Angel, Massachusetts Office of Business Development and Sean Calnan also from the Massachusetts Office of Business Development.*

*Mr. Eaton opened the discussion by stating his company was founded in 1978 to provide good healthy clean food products using tofu as its top sales item. Mr. Eaton stated he had started his business in a small Leominster, MA barn producing 600,000 pounds of tofu a year. Mr. Eaton stated the company now produces 200,000 pounds of tofu a week with his growth estimated in double digits in recent years topped with a 24% growth rate.*

*Mr. Eaton expressed the need for the firm to expand its business from its present 30,000 sq. ft. building but wishing to stay in the area. Mr. Eaton stated the Ayer facility is the most viable with people in the firm excited about the prospects in Ayer. Mr. Eaton stated the firm currently now employees 77 people and with the move would be looking to hiring an additional 45 more people, and looking at longer range plans and the introduction of a new product line could expand the companies work force upwards to 175 additional jobs. Mr. Ceconi introduced the Board to Nasoya's product line. The product is based on tofu the low fat highly nutritious food product made from soy beans, products displayed included Nayonaize, a mayonnaise substitute produced by Nasoya and bottled at Cains in Ayer. Five different kinds of salad dressing, vegiburger, vegidog, and oriental pastas. The company hopes to take on a line of soy milk drinks made in California by the firm of Vitasoy which Nasoya is a wholly owned subsidiary of. The former N.E. Shrimp building provides plenty of processing room with a treated floor to take the water used in the manufacturing process. Tofu does not have a smell associated with it as did the shrimp processing.*

*Mr. Eaton stated the current building owners FDIC has a "do diligence period" with Nasoya which concludes on 10-25-96. The Company has a 30 day period in which complete arrangements must be made to close on the property. Mr. Eaton stated discussions have been held with the State and the company to work in good faith with the Town to make a good partnership.*

*Ms. Sullivan, Economic Development Director for the Town of Ayer explained the State and Town's involvement with providing incentives. Karen Baptiste explained the Mass, Office of Business Developments effort with regard to help with developing incentives. A 5% Investment Tax Credit on this \$16 million project could amount to \$800,000.00 and a 10% abandoned building tax deduction could also be put in place. Local real estate tax incentives must also be put into place. Two options discussed were: special tax assessment which would phase in property taxes in 25% increases over a five year period or the revenue anticipated from the new value of the real estate can be exempted-may be used to pay a betterment fee in place of a real estate tax. Both options would require Town Meeting approval of the incentive plan chosen. Town Administrator, James Kreidler, stated after concurring with the Town Clerk a Special Town Meeting could be scheduled for Nov. 21, 1996.*

*The Board approved the need for a Special Town Meeting to be scheduled on Thursday, November 21, 1996, at the Ayer High School. Motion moved by Chairman Miller 2nd by Selectman Hamel, VOTE: unanimous, so moved.*

*Chairman Miller and Diane Sullivan have scheduled a meeting with the Town's local Boards to review local permits required on 10-24-96 for this project.*

*Chairman Miller announced the cancellation request by the Library Trustees, from the Agenda of 10-21-96-the Trustees are wishing to wait until there is a full Board of Selectmen.*

**TOWN ADMINISTRATOR'S REPORT:**

1. Mr. Kreidler advised the Board to the Memorandum of Understanding on the Open Space and Recreation Plan being reviewed by Special Town Counsel-Judy Pickett. Mr. Kreidler advised the Board to concerns re: major recreational uses such as the golf course, Mirror Lake and playing fields having very little reference. Selectman Hamel stating her concerns re: the Town of Ayer having to provide funding for Devens recreation and Open Space programs or for use by a town team using a Devens playing field. Chairman Miller also expressing concern re: traditional areas of the base providing recreational uses i.e. Mirror Lake -and of those uses being taken away now that the army is gone. The Board requested Atty. Pickett be provided with the latest draft of the Open Space & Recreational Plan and provide a response to the JBOS for the October 28, 1996 meeting.

2. Mr. Kreidler advised the Board to the deadline re: the SHAVE (Seniors Handicap Ayer Volunteers Exemption Program) being over/closing on the 18th of October. Mr. Kreidler advised the Board to ten funding awards being established and ten applicants submitting applications. Mr. Kreidler stated there would be no need to conduct a lottery and that he would begin scheduling meetings with department heads.

Chairman Miller called for a motion to adjourn the Open Session portion of the Meeting and enter into Executive Session.


Selectman Hamel stating she could not make the motion to enter into Executive Session due to the Executive Sessions involving her. With that Selectman Hamel removed herself from the table and seated herself in the spectators section.

Town Administrator James Kreidler stated the lack of a quorum would in most cases allow the Rule of Necessity being invoked but due to only one (1) member of the Board able to participate in the discussion/decision this would not be proper and a meeting could not be conducted with the IBPO officers (9 officers were present) this evening.

Chairman Miller stated this issue would have to be brought up after Nov. 18, 1996. The Special Town Election when there will be a full board.

Town Administrator James Kreidler stated Selectman Hamel could sit in on the final Executive Session due to discussion focusing on Union Contracts other than the IBPO's, with that Selectman Hamel moved to enter into Executive Session pursuant to MGL Chapter 39, Section 23B, Exemption #3, re: Union Contracts, 2nd by Chairman Miller, VOTE: unanimous, so moved.

9:00p.m. Open Session ended.

  
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Pauline J. Hamel, Clerk

DATE: 11-4-96