

SELECTMEN'S MEETING
MONDAY, JUNE 5, 1995
2ND FLOOR MEETING ROOM
TOWN HALL, MAIN ST., AYER, MA.

7:30P.M. The Board met with Chairman Miller, Selectman Hamel, and Selectman Slarsky.

The Minutes of May 22, 1995 were set back due to the Board not receiving them until tonight.

The Weekly Warrant was examined and approved in the following amount: P/R: \$388,944.50

Chairman Miller requested if there was anyone present who wished to be heard under Public Input: The followings items were scheduled for discussion:

1. Weed control of Flanningan's Pond
2. Resident re: COA transportation/Food Surplus
3. Frank Maxant re: MSCP Program management
4. Water/Sewer bills meeting requests
5. Fire Chief-Smoke detector system-Town Hall
6. Non-authorized use of Town equipment
7. Board of Selectmen's Meeting Nights Fy-96
8. Rob Hubbard, re: Land Bank letter to chiefs
appointment of Industrial Devel. Com.

Chairman Miller called for a motion to approve the Agenda of 6-5-95 as amended. Selectman Hamel moved the Board approve the Agenda as amended, 2nd by Selectman Slarsky, VOTE: unanimous.

The Board met with Robert Hubbard, Economic Development Director, re: the Land Banks request to meet with the four towns Police Chiefs and Fire Chiefs incorporating Fort Devens: Ayer, Shirley, Harvard and Lancaster. Mr. Hubbard stated the purpose of the meeting was to discuss public safety issues with regard to the closure of the base. The meeting was to stratigize and recommend proposals only. The Board approved of the Town of Ayer's Police Chief & Fire Chief's participation at this meeting with the contingency that no vote on behalf of the Town be taken without the Board's approval.

On another matter Mr. Hubbard requested the Board re-appoint Linda Webster to the Industrial Development Finance Authority stating her appointment had expired on April 1, 1995. Mr. Hubbard stated Ms. Webster was a valued participant and had expressed interest in a re-appointment. The Board upon the recommendation of Mr. Hubbard moved to re-appoint Ms. Webster to the IDFA and to instruct the Town Clerk to notify the Mass. Office of Business Development and the Secretary of State. Ms. Webster to be appointed to a five (5) year term. Motion moved by Selectman Slarsky, 2nd by Selectman Hamel, VOTE: unanimous, so moved.

The Board met with Thomas Poole and Linda Webster of the Conservation Commission. The Board stated the purpose for the discussion was to update the Board on the status of the weed control activities. The Board reviewed the contract submitted by Town Counsel with revised language to be included by Aquatic Control Technology (ACT) re: pollution liability being incorporated throughout the contract and of Insurance coverage being acceptable. Mr. Poole stated the application was to be conducted on Monday, June 12th, 1995. Mr. Poole advised the Board that residents/abutters were notified by certified mail of the weed control measures to be taken and that two Public Hearings were conducted by the Conservation Commission re: this application; and that a draw down of Flannigan was going on now. Chairman Miller called for a motion. Selectman Slarsky moved the Board approve the Chairman endorsing the contract once Town Counsel has satisfied all legal issues, Selectman Hamel 2nd the motion for discussion. Selectman Hamel expressed her concern re: the safety of the chemicals being used. Mr. Smith stated that the chemicals that were being used meets all DEP's stringent guidelines re: application to residential ponds and also stated the pond should be treated during the early evening and he would prefer the pond be free of people and boating so as to not stir things up in the water. Slight irritation to the eyes may occur while the pond is being treated. The next day everything is back to normal. Mr. Poole stated signs and letters have gone out to abutters of the pond requesting residents not to use pond water to irrigate gardens during the treatment period and to not use the pond as well for swimming or boating. Town Counsel expressed concern for other water ways in the town having to be posted due to flows of ponds feeding off each other. Selectman Hamel stated her concern being that the chemicals be applied at acceptable levels due to school getting out on the 19th of June. Chairman Miller called for a new motion, Selectman Slarsky moved the Board approve, due to the overwhelming support of the residents, the Chairman be authorized to sign the contract and go forward with the process after all legal issues have been resolved by Town Counsel, 2nd by Selectman Hamel, VOTE: unanimous, so moved.

Selectman Slarsky requested the Board develop a policy dealing with residents who are in the arrears with water/sewer bills and who wish to enter into a payment plan for the arrears. Chairman Miller stated a policy had been drafted. Such policy to allow for: 1. A payment plan for up to one (1) year for the arrears. 2. Maintain current bill. Lapse in either arrears or current would terminate agreement and shut off of utilities would be implemented. Selectman Slarsky requested those residents wishing to enter such a plan be contacted to attend the Selectmen's Meeting of 6-19-95. Chairman Miller called for a motion. Selectman Slarsky moved to approve the policy so stated by the Chairman to allow for a payment plan for up to one (1) year for arrears and 2. Current bills must be maintained, 2nd by Selectman Hamel, VOTE: unanimous, so moved.

Selectman Slarsky requested a memo be submitted to the Fire Chief requesting his assistance with the purchase and installation of Smoke/Heat detectors for the Town Hall. Selectman Hamel moved to request the Fire Chief's assistance with the installation of smoke/heat detectors for the Ayer Town Hall, 2nd by Selectman Slarsky, VOTE: unanimous, so moved.

Chairman Miller requested the Board's indulgence of Changing the Selectmen's Meeting nights from Monday to Tuesday evenings beginning June 27, 1995. Chairman Miller stating he will be attending evening classes beginning in July. Chairman Miller also presented the Selectmen's Summer Meeting Schedule for the Board's consideration: July 11, 1995 and August 15, 1995. Chairman Slarsky moved the Board approve changing the Selectmen's Meeting Night to Tuesday beginning on June 27, 1995 and approve the Selectmen's Summer Meeting Calendar so stated, 2nd by Selectman Hamel, VOTE: unanimous, so moved.

Chairman Miller read into the Record a letter from the School Regionalization Planning Committee, Chairman Irene Miller requesting the Board's permission to disband the Committee stating their charge being interrupted with the new Ed Reform mandates and "Choice" programs being introduced to Mass. communities. Selectman Slarsky moved to disband the Committee with regrets and send a letter of gratitude to the members for their contributions to the town, 2nd by Selectman Hamel, VOTE: unanimous, so moved.

Selectman Slarsky requested the Board re-state the Town's policy regarding non-authorized use of Town property by employees. Selectman Slarsky requested a memo be sent out to all Town Dept. Heads requesting them to reiterate the Town's policy to their employees that no employee is authorized to utilize Town property for personal use.

The Board addressed a letter received from a resident of the Pond Street Elderly Housing requesting assistance from he Board re: additional use of the Senior Bus Service to elderly residents and for earlier notification of Surplus Food Distribution dates. The Board requested Janet Lewis to contact "MART" regarding these services and respond back to the citizen with their response.

The Board advised Mr. Maxant that the Selectmen would acknowledge his request to speak with the EOCD representative present this evening as long as the conversation pertained to the program and not become a confrontational situation re: a certain piece of property in Town which was denied by the program.

The Board met with Patrolman David Hoffman of the Ayer Police Department who introduced his new canine partner "Dalton" to the Board. Mr. Hoffman presented to the Board copies of the Boston Police Dept. Certificate of completion of the K-9 Course by

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and "Dalton" over the past fourteen weeks on his own time. The Board thanked Patrolman Hoffman for coming in to introduce "Dalton" to the Board and also to thank him for his commitment to the Town. Selectman Slarsky moved the Board approve the amount of \$1,000.00 for the sheltering and feeding of "Dalton" by the Ayer Police Dept. Selectman Slarsky requested the Town's Insurance Carrier be contacted re: coverage re: liability for the canine to be covered under the Town's insurance. Selectman Hamel 2nd the motion, VOTE: unanimous, so moved.

The Board met with the Ayer Disabilities Commission. Present for the discussion was Lauri Brennan-Chairman, Paul Brennan, and Gail Masci. Ms. Brennan stated she was before the Board relative to a few issued the Commission wished assistance with. Ms. Brennan stated since the resignation of Mr. Higgins the Commission has been without a liaison employed by the Town of Ayer and under ADA Chapter 40-8J the Town is obligated to fill this gap. Ms. Brennan stated the employee does not have to be the Town Administrator it must be someone familiar with ADA regulations and laws, perhaps the Building Inspector or anyone else could sit in on their meetings which are held the third Thursday evenings at 7:30p.m. at the Ayer Town Hall. The focus would be on town issues. Chairman Miller stated the Board has hired a new town Administrator who is coming on board mid July and would like to discuss this matter at that time. Ms. Brennan stated that she has been at the Town Hall on numerous days and has found the handicap ramp at the rear town hall blocked by cars, the door off the ramp to town hall locked and no buzzer/bell operating, which is against ADA requirements. Ms. Brennan stated parking spaces at the rear of the Town Hall should be designated handicap and the Town should have a buzzer/bell system working as well as a bulletin board located upstairs for the handicap community to view. Ms. Brennan stated with the upcoming 4th of July celebration she would like to request handicap parking be made available. The Board stated they appreciated Ms. Brennans concerns but all requests made should be of a short term nature with the Police Dept. leaving the building in the near future more permanent operating equipment and accessibility was to be addressed with the rehabilitation of the Town Hall. The Board thanked Ms. Brennan for coming in and stated the Boards's secretary would contact the 4th of July Committee re: parking assistance.

The Board met with Toni Coyle Hall, Robert Hubbard and John Columbus re: the Towns Mass. Small Cities Program through the Executive Office of Communities & Development monitoring report. Ms. Hall gave the Board a brief update of the grant administration responsibilities. Ms. Hall stated the Board of Selectmen have the responsibility/oversight of program compliance in accordance with the grant agreement. The Selectmen are the authorized signatory for grant agreement (contract) as well as for vendor contracts. The Selectmen reviews/certifies the

accuracy of reports; corrective actions to regulatory non-compliance findings cited in EOCD monitoring reports and annual audit reports. Ms. Hall also reviewed with the Board the local program office responsibilities as well Accounting and the Treasures responsibilities. Ms. Hall stated the Fy-93 monitoring report contained one noncompliance issue re: the water main replacement project. Ms. Hall stated the Town has already begun corrective action to resolve this problem. This matter involved Davis-Bacon Labor Standards Prevailing Wage Provisions. Mr. Hall stated Judy Connell of Communities Opportunities Group has requested restitution to the workers who were under paid. A status report on this resolution to be included in the Town's quarterly report submission.

The Board at this time allowed Mr. Maxant to speak re: the Program administration. Mr. Maxant opening remarks were regarding HUD funding through EOCD the purpose being to assist low-moderate income people to afford housing. Mr. Maxant stated through the Housing Rehabilitation Program- tenants requesting assistance through the program on behalf of the land lord improve the existing housing stock and should therefore be eligible for entrance into the rehabilitation program. Ms. Hall stated it is up to the community how Housing Rehabilitation funds are to be spent. This is a local decision. It is not up to renters if property needs to be improved. The Board thanked Ms. Hall for coming in to the meeting.

The Board met with Lisa Gabree re: Fy-95 Balance Sheet which was in compliance with the Town Auditors findings.

Ms. Gabree reviewed with the Board the Management letter submitted by the Town's Auditor-James Guisti. Ms. Gabree stated the management letter responses came to the board late to Town Meeting. The Board requested the Department Heads be requested to come in to the next Selectmen's Meeting re: corrective action.

Ms. Gabree presented to the Board Mr. Guisti's three year contract renewal which was reduced in price by \$6,000.00 due to her being able to compile many of the report not previously provided. Selectmen Slarsky moved the Board accept the Town Accountant balance sheet for Fy-96 contingent upon annual funding, 2nd by Selectmen Hamel, VOTE: unanimous, so moved.

The Board requested Mr. Guisti be invited in to the next Selectmen's meeting re: his contract renewal.

The Board met with Stephen Muth of Shirley Ma. regarding the continuation of his Common Victualler's License for Park St. former address of Cajun Joe's & Subway. Mr. Muth stated he is in the process of closing the franchise agreement with Subway and is preparing to open a new family restaurant on the other half of the building serving pizza, chicken, ice cream, etc. The name of

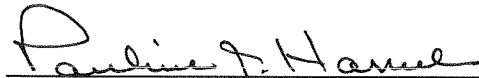
the restaurant to be "The Spot" hours would be Monday-Wednesday 8:00a.m. to 10:00P.M. Thursday-Sat 10:00a.m. to 11:00p.m. and Sunday 12:00 noon to 10:00p.m. Selectman Slarsky stated he was familiar with Mr.Muth having another business in town Dino's. The Board requested if there was anyone present wishing to speak for or against the license. No one stepped forward. The Board requested if abutters had been notified. Mr. Muth submitted copies of abutter notifications to the Board. Mr. Muth stated he is renting the building and has seating for 54. Nashoba Boards of Health have approved of a Food Handlers License for this restaurant.

Chairman Miller called for a motion to approve Mr. Muth's License. Selectman Slarsky moved the Board approve the Common Victualler's License for Stephen Muth for Park St., 2nd by Selectman Hamel, VOTE: unanimous, so moved.

The Board met with the Police Chief Arthur Boisseau and Lt. Donald Haapakoski re: the Cops Fast Grant. The Chief was before the Board this evening requesting to fill this grant with a new patrolman. This is a three year program funding by Federal Funds. The first year funding to be: \$26,000 - 2nd year 25,000 and 3rd year 24,000. The Town of Ayer to pick up after the fourth year. The Chief stated in the past an appointment to the department came from the Reserve List and he personally wished to see a local reserve officer appointed. Selectman Slarsky nominated Matthew Pinard be appointed to this position, 2nd by Selectman Hamel, Vote: unanimous, so moved. The Board requested the appointment letter state all requirement policies of the Board to include a physical examination. The Board welcomed Mr. Pinard to the table and congratulated him upon his appointment.

Selectmen Slarsky moved the Board adjourn the meeting, 2nd by Selectman Hamel, Vote: unanimous, so moved.

9:00p.m. Meeting adjourned.


Pauline J. Hamel, Clerk

Date: 10-3-95