

SELECTMEN'S MEETING
MONDAY, OCTOBER 18, 1993
2ND FLOOR MEETING ROOM
TOWN HALL, MAIN ST., AYER, MA.

7:30p.m. Open Meeting

Selectman Jones questioned who brought in the cloth mannequin (stuffed figure/dummy) depicting a woman? No one spoke. Selectman Jones removed the figure, which was tied to a chair, to a office on the 2nd floor. John Avila left the meeting room and brought back the figure and requested to have it remain in the hall. Selectmen Jones ordered the figure be taken from the building. Selectman Jones stated that this was a official meeting and the Board would not stand for the meeting being disrupted by a group of irresponsible individuals. The Board requested police officers be brought in to monitor the meeting. Mr. Higgins removed the figure to the Police Station.

The Board met with Chairman Slarsky, Selectman Jones and Selectman Hamel.

Chairman Slarsky requested if there was anyone present who wished to speak?

Mr. William Blute of 6 Jackson St., Mrs. Beatrice Briggs of 18 Lawton St. and Mr. Frank Maxant of 19 Pearl St., Ayer, Ma. requested to be heard.

Chairman Slarsky stated he also wished to address the Fort Devens situation/re-development this evening.

Chairman Slarsky called for a motion to accept the Agenda.

Selectman Jones seconded the motion for discussion. Selectman Jones stated he objected to having Mr. Maxant on this evenings agenda due to his and his friends total disregard for Town Government as demonstrated by the earlier disruption of the meeting. Selectman Jones stated Mr. Maxant and his buddies, hung an effigy of him depicting him as a mindless clone who wasn't capable to hear or make decisions, so as such, he didn't feel capable dealing with anything to do with Mr. Maxant. Selectman Jones also stated Mr. Maxant is quite aware of protocol re: Agenda requests. Mr. Maxant should have contacted the Town Administrator regarding Agenda time.

Chairman Slarsky called for a motion to accept the amended agenda. Hearing none, Chairman Slarsky seconded the motion.

Mr. Frank Maxant stated that he was being punished because of the actions of someone else.

Chairman Slarsky stated Mr. Maxant was speaking out of order and warned Mr. Maxant that if he continued to speak out of turn and

disrupt the meeting he would have him removed. Mr. Maxant kept stating his rights to speak. Chairman Slarsky requested the police officers escort Mr. Maxant out of the building for disrupting the meeting again. Mr. Maxant stated he was leaving under duress and continued to be heard as he left the meeting hall.

Chairman Slarsky called for a five minute recess during this commotion.

Chairman Slarsky requested Mr. Blute state his basis for wishing to be heard by the Board this evening.

Mr. Blute stated he was here this evening regarding the property on Groton St. Mr. Blute stated this property was in deplorable condition. Mr. Blute stated recently there are three (3) dummies hanging by a noose on the property with signs hanging from their necks heckling Town officials. Mr. Blute stated he finds this appalling and embarrassing to the neighborhood. Mr. Blute stated he can't believe this has been going on as long as it has. The owner of the property has a mural painted on his garage, debris all over the area, furniture and appliances on the roof where he sits. Mr. Blute stated this is ridiculous, do something about this. He contacted the local health department seeking assistance with junk/waste materials. The Health Dept. did order him to clean up the area, which he did somewhat. Mr. Blute stated this problem has gone on far to long. Mr. Blute stated his property is impacted by this deplorable mess. In the current real estate market and economic climate he couldn't sell his property because of this blight in the neighborhood.

Selectman Jones stated it is a disgrace, most home owners take pride in their property and try to keep up/fix up. Selectman Jones stated Mr. Avila puts to waste all his creative talent.

Chairman Slarsky stated he is sympathetic to this situation but the Board must operate under the scope of the law but would take action as soon as it was feasibly possible.

Chairman Slarsky requested Mrs. Briggs state her business she wished to speak to the Board about. Mrs. Briggs stated she echoed Mr. Blute's remarks. Mrs. Briggs requested if the Board of Health condemned that property on Groton St. then why was there people living there? The Board requested Mr. Higgins investigate the status of the condemned building regulations.

Selectman Hamel stated she had taken the opportunity to speak with the owner regarding waste/garbage problem. This was taken care of and the area was cleaned up. Money is needed to fix up the property that is why Mr. Avila applied for funding under the Mass. Small Cities Program. Selectman Hamel requested status of appeal to EOCD?

Mr. Higgins stated nothing has been received to date regarding the appeal from EOCD.

Chairman Slarsky stated again, the Board is sympathetic to problem the neighborhood is in but again the Board is limited in what can be done to rectify problem but when the opportunity does arise the Board will take immediate action.

The Board reviewed the Minutes of 9-7-93 and 10-4-93 and took them under advisement until the next Selectmen's Meeting.

The Weekly Warrant was reviewed and approved in the following amounts: P/R:
Exp: \$335,072.58

Chairman Slarsky took this opportunity to address the earlier events of the Selectmen's Meeting stating this is a public meeting and maintaining the meetings propriety requires order and control, we can't allow anyone to speak out of order in the name of freedom of speech.

The Board met with Mr. Higgins and Robert Hubbard, Economic Development Director re: UDAG re-Use Program concept paper. Mr. Higgins stated at the last Selectmen's Meeting the Board had requested he and Mr. Hubbard present an overview of eligible and ineligible activities. Mr. Higgins stated he and Rob were presenting a general concept for the Board to react to. Mr. Higgins turned the discussion over to Mr. Hubbard.

Mr. Hubbard stated Ayer's UDAG funds are classified as miscellaneous revenues by HUD. Activities which may be assisted with these funds are defined by Sec. 105a, Title I of the HUD Act of 1974, as amended. The major restriction is that the funds may not be utilized to pay for the general conduct of government, including preexisting municipal services and public buildings for the general services of buildings for the general conduct of government. Mr. Hubbard stated the legislative boundaries for the Board to consider as general principals for the use of UDAG money.

1. Expend on a Recoverable basis-make loans not grants.
2. As leverage other funds/resources to include municipal general revenues, state & federal grants, bank loans, private capital, and federal assets on Ft. Devens.
3. Obligate the Town to provide basic municipal services, i.e. health, safety and education.
4. Activities which improve the Town's tax base/and create jobs or retain jobs should be given the highest priority.
5. Activities which benefit low & moderate income residents.

*Funding levels-selected eligible activity in priority order

were presented as follows:

- *Economic Development-Revolving Loan Program 40% of total UDAG (approximately \$1.2 million)

- *Planning & Design-25% (approximately \$0.75 million of which \$0.5 million has been committed-recoverable \$0.2 million.

- *Public facilities- 15% (approx. \$0.45 million) Water & Sewer which support economic development/costs are recoverable via assessment.

- *Public Services & facilities-10% (approx. \$0.3 million) not recoverable i.e. drug abuse, library, recreational

- *Rehabilitation/Preservation & Demolition-5% (approx. \$0.15 mil) Mass. Small Cities Program/non-profit organizations

- *General Administration-5% (approx. \$0.15 million)

- *Reserve/Uncommitted-(accumulated interest over a principal/ interest total of \$3 million)

Mr. Hubbard referred the Board to a pie chart he developed depicting the above percentages of UDAG disbursements.

Mr. Hubbard stated general principals should be adopted by the Board. Policies and procedures to guide the program should also be developed for selection into areas Identified by priority.

Mr. Hubbard stated he has spoken with Fran Cloonan and reviewed with her HUD guidelines and procedures. Mr. Hubbard stated other communities have initiated loan programs and he has been in contact with these officials re: their start-up and Ayer could take advantage of their information sharing.

The Board requested Mr. Hubbard put together guidelines/options for the Administrative procedures of the loan program in conjunction with GAP financing. The Board requested this information be provided at the next Selectmen's Meeting. The Board approved the concept but requested the details/options for the guidelines re: requests for UDAG funding be developed for the Boards review.

PUBLIC HEARING: N.E. TELEPHONE CO.- POLE PETITION/WESTFORD RD.

The Board met with Mathew Hurley of N. E. Telephone Co. re: pole petition for Westford Rd. Ayer, Ma. Selectman Jones read into the record the Legal notice which ran in the Nashoba Publications the weeks of 10-7, & 10-14, 1993.

Mr. Hurley stated the petition was for 1 JO new pole, 2 JO existing poles to remain and 1 JO pole to be removed. The pole that is being removed presently sits in the middles of the driveway into the old Crabtree Land, this new pole will be placed to the side of the driveway. Chairman Slarsky requested if there was anyone present who wished to speak for or against the petition. No one stepped forward. Selectman Jones upon further

9:00a.m.

7. Chairman Slarsky reported on residents in Pine Ridge/Oak Ridge area complaining about huge drop in road due to road reconstruction. The area was not marked creating an unsafe condition for area residents who complained to Selectman Slarsky. Selectman Slarsky requesting better marking/warnings be posted in the future.

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8. Mr. Higgins advised the Board to Wellman Parker (Civil Defense Director) requesting the Board approve the names of streets for the new sub-division (old Crabtree) off Westford Rd. Mr. Higgins stated Mr. Parker had approved of the street names: Mulberry Circle and Hibiscus Drive. Chairman Slarsky requested if the Planning Board had approved of the names, Mr. Higgins stated yes. Selectman Jones moved the Board approve the names of Mulberry Circle and Hibiscus Drive with the approval of the Planning Board, seconded by Selectman Hamel, VOTE: unanimous, so moved.

9. The Board approved the Police Chief's recommendation to observe Halloween on October 31, 1993 from 6:00p.m. to 8:00p.m. Selectman Jones read into the record the Chief's safety recommendations.

10. Selectman Hamel took this opportunity to discuss the signage at the foot of the East Main St. bridge. Selectman Hamel stated Mr. Rydowski had complained to her that he had requested a STOP sign be posted due to hazardous area and the Town erected a YIELD sign. Selectman Slarsky requested Supt. Ouellette elaborate. Supt. Ouellette stated he wanted to erect a stop sign there but could not due to STOP Signs having to be authorized by State. Selectman Hamel requesting someone contact Mr. Rydowski of situation.

Chairman Slarsky stated he had requested Fort Devens redevelopment be placed on this evenings agenda due to direction the Land Bank is taking with this redevelopment. Chairman Slarsky requested the Board come back with their thoughts on what the Town of Ayer wanted with regard to this redevelopment. Chairman Slarsky requested this be made a agenda item for November 1, 1993.

The Board met with Karen Mukaisu and Atty. Barry Dynice re: Larry's Inc. D/B/A Karen's Alcohol License. Present for this discussion was Police Chief Arthur Boisseau and Town Counsel Robert Gardner.

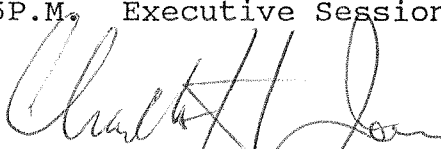
Chairman Slarsky opened the discussion stating the Board had taken action three (3) months ago limiting the hours of operation

of Karen's due to violations of the Liquor Control Act. The Board stated they had restricted the club hours of July, August & September 1993 to 11:00A.M. to 11:00P.M. due to several events.

Chairman Slarsky requested of the Police Chief if there has been any problems/concerns with the establishment during the last three (3) months. Chief Boisseau stated the Ayer Police Dept. has had no reports of problems during this time. Chairman Slarsky stated the purpose of this evening meetings is to determine if the Board should re-establish the original hours of operation of Larry's Inc. D/B/A/ Karen's. Selectman Jones stated due to the establishments conformance and of the Police Chief's report he moved to re-establish the original hours of operation of Larry's Inc. D/B/A Karen's from 9:00a.m. to 1:00a.a. through December 31, 1993. Selectman Hamel 2nd the motions, VOTE: unanimous, so moved.

9:45P.M. Selectman Jones moved the Board adjourn from Open Session to enter into Executive Session pursuant to M.G.L. Chapter 39 Section 23b regarding Hybricon UDAG Agreement, to adjourn from that Executive Session and re-enter Open Session for the sole purpose of adjourning the meeting, 2nd by Selectman Hamel, VOTE: unanimous, so moved.

9:45P.M. Executive Session



Charles H. Jones, Clerk
AYER BOARD OF SELECTMEN

Date: 11/1/93