

SELECTMEN'S MEETING
APRIL 27, 1993
2ND FLOOR MEETING HALL
TOWN HALL, MAIN ST., AYER, MA.

7:00P.M. OPEN SESSION

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

Selectman Slarsky moved the Board enter into Executive Session pursuant to M.G.L. Chapter 39 Section 23B re: Exemption #2. Seconded by Selectman Hamel, vote: unanimous, so moved.

7:45P.M. Open Session

Chairman Jones and Selectman Slarsky took this opportunity to congratulate Ms. Hamel on her successful campaign and welcomed her to the Board.

Chairman Jones opened the meeting by addressing new changes to the Selectmen's Meeting Agenda. Chairman Jones requested Selectman Slarsky to elaborate. Selectman Slarsky stated in his travels to Booth Bay, Maine he had the opportunity to see a posted Agenda of their Meeting and brought this to the attention of the Board to try out at our meetings. The two (2) new areas on the Agenda are: 1. The Board would vote to accept the agenda as posted and 2. A Public Input time frame for anyone who wished to bring forward any new business before the Board.

Chairman Jones called for a motion to accept the Agenda. Selectman Slarsky moved the Board accept the Agenda, 2nd by Selectman Hamel. Vote: unanimous, so moved.

Chairman Jones moved the Board vote to re-organize. Chairman Jones moved to nominate Selectman Slarsky as Chairman, 2nd by Selectman Hamel, Selectman Slarsky moved to nominate Selectman Jones as Clerk, 2nd by Selectman Hamel, Selectman Jones moved to nominate Selectman Hamel as Member, 2nd by Selectman Slarsky. Motions made and seconded, vote: unanimous, so moved.

The Minutes of April 13, 1993 were unavailable due to preparation of the 1993 Annual Town Meeting Warrant.

The Weekly Warrant was examined and approved in the following amount: P/R: \$340,702.78

Chairman Slarsky apologized for the late start of the meeting due to an earlier Executive Session.

Chairman Slarsky introduced Col. Richard R. Nuttall, Fort Devens new Post Commander. Col. Nuttall thanked the Board for allowing him the opportunity to introduce himself to the Ayer community and the Board. Col. Nuttall stated he wished for a continued strong relationship with the Town through the transition of the base. Chairman Slarsky thanked Col. Nuttall for coming in and endorsed the Town's commitment to the base on behalf of the Board.

PUBLIC INPUT:

Chairman Slarsky recognized Mrs. Irene Miller, Chairman of the School Regionalization Planning Committee.

Mrs. Miller presented to the Board final tallies of the non-binding Survey taken at the Page School during the Election. Mrs. Miller stated the Committee has been looking at various options for possible regionalization. The purpose of the survey was to determine where the community at large was with regionalization and to help the Committee focus their efforts in the direction of where the Townspeople wanted.

Mrs. Miller stated 750 people participated in the survey which was broken out into 4 questions:

1. To what extent are you in favor of school regionalization?

RESPONSES: 408 very 266 somewhat 73 not at all

2. Responses to interest:

457 opportunity to improve educational quality.
232 Secondary school program offerings.
324 Possible financial savings
265 Expanded social/cultural opportunities

3. What extent are you in favor of the Town of Ayer forming a K-12 Regional School District (K-6 will stay in Town)

RESPONSES: 333 very 297 somewhat

4. Do you have children attending Ayer schools?

167 Yes 483 No

Mrs. Miller stated the survey was very interesting in responses but the consensus was in favor of Regionalization. Surprisingly, 56% of the people surveyed did not have children in the system. Mrs. Miller stated she will keep the Board abreast of the

Committees activities. The Board thanked Mrs. Miller for updating the Board on the survey.

The Board reviewed the revised estimate re: the Early Retirement Initiative (ERI) prepared by Kathy Riley of The Segal Co. The packet included the percentage of Employees replaced at 100% with 3 years service/age, Employees replaced at 73% with 3 years service/age, and Employees replaced 100% with 5 years service/age and Employee replaced at 66% with 5 years service/age.

The Board requested to take this under advisement for more review. This information was made available to the Board earlier and the Board did not feel they have had enough time to study the information.

EXECUTIVE SECRETARY'S REPORT: (see report dated 4-27-93)

1. The Board reviewed the latest draft of the Annual Town Meeting Warrant - the Omnibus Article was not available, to be finalized by the end of the week. Mr. Higgins requested if the Board was ready to sign the warrant. Chairman Slarsky requested if the Board wished to postpone the Annual Town Meeting by Two Weeks in order for State & Federal funding sources to come in and the Omnibus Article finalized with firmer numbers.

Selectman Jones moved the Annual Town Meeting be postponed until May 24, 1993, seconded by Selectman Hamel, VOTE: unanimous. The Board requested the media be contacted re: notifying the residents to the postponement as well as Departments/Boards Commissions and Committees.

2. The Board was advised of 40 applications/resumes coming in re: The Supt. of Public Work's position. Mr. Higgins requested the Board's permission to establish a Screening Committee to review resumes and select finalist for the position. Members to this Committee to consist of the following: Mr. Higgins, a Supt. of Public Works from a surrounding community, a representative from the Ayer Industrial Assoc., a member from the Recycling Com., and a citizen at large. Chairman Slarsky requested that Charles McKinney be contacted to sit as the citizen at large. The Screening Com. to meet for the initial meeting on Thursday, May 13, 1993.

3. The Board was requested to readvertise the Economic Development Director's position due to a poor response. The Board approved to readvertising the position.

4. Mr. Higgins requested the Board vote to authorize the Chairman's signatures on two (2) copies of Nashoba Valley Express Co., Inc. Massachusetts Community Capital Fund Application. This request also required the Board of Selectmen's following resolution: The Board of Selectmen hereby authorize the Chairman to apply for, accept and expend any funds awarded by the Com. of

Ma. in connection with the proposal of Nashoba Valley Express Co., Inc. or its nominee to acquire and rehabilitate the facility on Central Ave., Ayer, Ma. Resolution moved by Selectman Jones, 2nd by Selectman Hamel. VOTE: unanimous, so moved.

5. The Board was advised of Don Leistikow, Recycling Committee Chairman, submitting a disclaimer re: Chapter 268A Disclosure. (conflict of interest) Mr. Leistikow stated he will be taking a part-time staff position as Executive Director of CONSEWM Inc. until June 30, 1993. This disclosure of financial interest requires filing with the Town Clerk and be approved by the Board of Selectmen. (See Chapter 268A Disclosure attached). The Board moved to accept the disclosure, and approved Mr. Leistikow's position as Executive Director for CONSEWM Inc. but due to direct conflict of interest serving on the Ayer Recycling Committee to remove Mr. Leistikow as an official member of the Recycling Committee to avoid the appearance of a conflict with CONSEWM. Motion moved by Selectman Jones, Seconded by Selectman Hamel, VOTE: unanimous, so moved. The Board requested to relay to Mr. Leistikow that they hope he continues to work in a advisory capacity to the Recycling Committee. The Board extended Mr. Leistikow a warm thank you for his outstanding contributions establishing the Town's Recycling Program and best of luck with CONSEWM.

The Board met with William Noeth and Neville Markham re: the School Dept's FY-94 Budget. Mr. Higgins advised the Board that the Advisory Board and the School Committee have reached agreement on the School's FY-94 Budget: \$7,894,925.00.

Mr. Noeth advised the Board to areas addressed in the FY-94 Budget:

- * \$55,000.00 decrease over FY-93
- * The closing of Fort Devens's Elementary School at a savings of approximately \$200,000.00
- * Includes a 4% pay raise for teachers which balanced out the savings of closing F.D. School
- * Assumes a loss of 200 students
- * Eliminates 8 teaching positions and several support positions.

The Selectmen took under review the FY-94 School Budget presented to the Board. Mr. Noeth stated the School Committee feels it has made a good faith effort to reduce the FY-94 budget, yet still maintains the quality of the budget and the educational programs they expect to have next year.

The Board on another matter met with Town Counsel- Robert Gardner, Mr. Noeth and Mr. Markham re: Education Legislation re: Fort Devens. Mr. Higgins updated the Board to latest developments re: short and long term objectives of Ayer and Harvard.

Senator Durand suggested a "sunset provision" be added to Harvard's Legislation, it would allow choice money to go to Harvard as the law intended but it would avoid setting any precedent that would create future obligations on the Town of Ayer.

Town Counsel stated all parties agree that any legislation must also insulate the Town of Ayer against long term possibility that it would be held responsible for providing education to any occupants of the base after 1995. Town Counsel stated he incorporated language requiring putting the Town in which the students resides held responsible for educating that child after July 1, 1995. Mr. Noeth stated the School Committee views this as acceptable. Town Counsel elaborated Ayer will get 75% for Choice students, plus P.L. 874- Harvard gets the full amount of the per student cost from DOR through a deduction on Ayer's Cherry Sheet. More importantly from the Town of Ayer's prospective effective 1995 Harvard will have responsibility for educating students that reside within its borders.

Town Counsel stated objectives allowing the towns to receive School Choice reimbursement from Ayer for FY-93, 94, & 95 is to risky to commit having Ayer responsible for Fort Devens. i.e Homeless, Loss of PL-874 and the Educational Reform Bill. Instead recommend Harvard consult with DOR/DOE.

Long Term beyond 1995 Ayer should hold to State Law which puts obligation on the host community, no legislation required.

The Board thanked Town Counsel for updating the Board on this legislation and requested Mr. Gardner keep them posted on changes to this legislation.

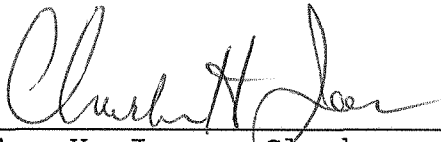
The Board met with Robert Smith and George Carpenter, re: GAC Homes Inc. requesting a detour on Groton Harvard Road be installed for 15 working days beginning at 7:00A.M. to 7:00P.M. Monday through Friday. This request was in an effort to minimize the time required to install water/sewer connections on Lots 1-10\Groton Harvard Rd. Mr. Carpenter stated the water/sewer permits were approved in Jan. 1993 with a deadline of June 30, 1993 for completion of trenches to side of road. Mr. Smith stated his concerns with the Chapter 90 deadline for completion of the paving for leveling course. Mr. Smith stated Chapter 90 specifically mandates all funds be expended prior to June 30, 1993. Chairman Slarsky stated his concern with closing this road for any period due to local residents and emergency vehicles not being allowed to pass. Selectman Hamel also addressed her concerns with this detour being on a very heavily traveled route, i.e. hospital, transfer station. Selectman Jones also agreed this detour would not be in the best interest of the Town. Selectman Slarsky requested Mr. Smith to contact the State for an

extension re: paving the leveling course and report back to the Board. The Board stated they would consider the detour
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should blasting occur or if utilities in the road create problems. Chairman Slarsky felt GAC should be required to complete the project by the June 30th deadline. Mr. Smith to report back to the Board re: extension.

Selectman Jones moved the Board adjourn the meeting, 2nd by Selectman Hamel. VOTE: unanimous, so moved.

10:15P.M. Meeting adjourned.



Charles H. Jones, Clerk
AYER BOARD OF SELECTMEN

DATE

5/11/93