

AYER BOARD OF SELECTMEN'S MEETING
TUESDAY, FEBRUARY 2, 1993
2ND FLOOR MEETING ROOM
TOWN HALL, MAIN STREET, AYER, MA.

7:00P.M. The Board met with Chairman Jones, Selectman McKinney and Selectman Slarsky.

The Board met with Timothy Holland, President of the Ayer Chamber of Commerce re: The Economic Development Summit Report.

Mr. Holland reviewed with the Board Mr. Stan Clauson's Report to the Board of Selectman and the Downtown Merchants dated January 27, 1993. Mr. Clauson addressed the Ayer Economic Summit held on January 19, 1993 at the Ayer Town Hall stating forty seven (47) representatives of business and government were present at the six (6) hour conference/summit.

Mr. Holland explained that participants were told that the objectives of the conference were two-fold: to bring forward new ideas for Ayer's future development and to work towards consensus on key strategies for economic development. Mr. Holland stated the uncertainties surrounding the disposition of Fort Devens should not be permitted to have a chilling effect on other economic development initiatives. Mr. Holland stated the Agenda was divided into three (3) sessions:

1. What is the most important thrust for Ayer's economic development future.
 2. To clarify these ideas and recognize common themes which emerged from them.
 3. Specific objectives.
- following the first session, ideas were reviewed, amplified and clarified. The participants agreed on a short list of five (5) themes:
1. Leadership, key person, accountability/timeliness
 2. Marketing Plan/inventory labor base
 3. Funding
 4. Master Plan/Development vision-time plan 1-25 years
Regional/Town -infrastructure.
 5. Political initiatives: education, Ft. Dev., others

The participants ranked the various initiatives and action items into a priority list as follows:

1. Hire and Economic Development Coordinator. Establish a development committee or authority to oversee and implement development initiatives.

2. Write a Master Plan for Ayer. Establish a committee to oversee the development of the plan.

3. Seek funding sources for new development and business retention. Undertake political activities on behalf of the community to secure appropriate benefits and address significant issues.

4. Streamline permit process through clearer articulation and simplification of regulations wherever possible.

5. Market Ayer through efforts involving the entire community.

Mr. Holland recommended the Board move to act on the first two (2) items as quickly as possible and undertake the remaining three (3) areas in conjunction with items one and two.

Chairman Jones thanked Mr. Holland for his presentation and applauded Mr. Clauson's summit. Stating it was a tremendous program and report. Selectman Slarsky moved the Board go forward with Mr. Holland's recommendations and hire a Economic Development Coordinator as soon as possible in order to keep the momentum going. Selectman McKinney seconded the motion for discussion stating a job description needs to be developed with a clear and objective task. Selectman Slarsky amended his motion to include a Committee be formed to develop the job description i.e. a member from the Chamber of Commerce, Industrial Assoc., citizen at large, schools, and include the Town of Shirley due to businessmen from Shirley as well as officials present at summit, etc. Selectman Slarsky volunteered to sit on this committee as Liaison for the Board and that body.

Chairman Jones stated once the Coordinator is on board he would begin process to update the Town's Master Plan.

Motion made by Selectman Slarsky to appoint a Committee to create the job description for the hiring of a Economic Development Coordination and to hire this person as soon as possible, seconded by Selectman McKinney, Vote: unanimous, so moved.

EXECUTIVE SECRETARY'S REPORT: (see report dated 2-2-93)

1. The Board was advised to surveys sent out to Town of Ayer employees re: Early Retirement Program. (re: level of interest) Board to be advised when all information is available.

2. Board moved and seconded to establish a "GIFT" account per MGL c. 44, s 53a specifically for 4th of July Celebration. Selectman Slarsky moved this motion, 2nd by Selectman McKinney, VOTE: unanimous, so moved.

3. The Board was advised to new Company moving to Ayer. Cantania Spagna a vegetable oil processing and packaging company relocating from Somerville to Ayer to the Stony Brook Industrial Park.

4. Mr. Jack Wroble of Westford was appointed as one of Ayer's two representatives to the Development Corp. Advisory Group.

5. The Board was advised to Town Counsel still investigating the

Wheeler property lines.

6. The Board moved to add Rte. 2A Auto Sales to the list of authorized towers for the town of Ayer. Selectman McKinney moved the motion, seconded by Chairman Jones. Selectman Slarsky abstaining. Vote: Selectman McKinney aye, Chairman Jones aye, Selectman Slarsky abstained, so moved.

7. The Board was advised to Mr. Higgins contacting HUD re: Historical Com. for opinion on the eligibility of their request for funding (\$15,000.00) from UDAG to renovate a classroom on the 1st floor of the Pleasant St. School for use as a museum.

8. The Board was advised to citizens requesting to sit on the Cable Commission. (10 citizens requesting to fill 4 vacancies)

9. The Board moved and seconded to appoint Stephen E. Salka of 5 Elm St., Ayer, Ma. to fill the unexpired term of Penelope Kelley. Selectman McKinney moved the motion 2nd by Selectman Slarsky, VOTE: unanimous, so moved.

10. The Board set Wednesday, Feb. 24, 1993 to meet with the Shirley Board of Selectmen to discuss possibility of shared services. Meeting to be conducted at the Bull Run at 7:00P.M.

The Minutes of January 19, 1993 were read and accepted.

The Weekly warrant was reviewed and approved in the following amount: \$356,265.81.

7:35P.M. PUBLIC HEARING: UNDERGROUND STORAGE TANK
G.V.M. REALTY-22 WEST MAIN ST., AYER, MA.

Chairman Jones opened the Hearing by reading the Legal Notice which ran in the Nashoba Publications Newspaper the weeks of January 20 & 27, 1993. Present for the Hearing was Fire Chief Paul Fillebrown. Mr. George Moore presented green certified mail cards to the Chairman re: abutter notification.

Chief Fillebrown stated this permit would be for an 4000 gallon underground split tank holding: 2,000 gallons of gasoline and 2,000 diesel fuel. The Chief stated he was satisfied with site preparation and Mr. Moore has complied with guidelines of the Town's By-law. Supt. Redfield requested a set of plans be submitted to him for file.

Chairman Jones requested if there was anyone present to speak for or against the permit, no one came forward. Selectman Slarsky per the recommendation of the Fire Chief moved to approve the permit for GVM Realty, 2nd by Selectman McKinney, Vote: unanimous, so moved.

8:00P.M. PUBLIC HEARING HYBRICON CORP. SEEKING MASS. COMMUNITY CAPITAL FUNDING FROM EOCD

The Board met with Richard Leffert, Commonweal Collaborative and Michael Haywood. Present for the discussion was Rolando Kurs, Chief Financial Officer for Hybricon.

Chairman Jones opened the Hearing by reading the Public Hearing Notice which ran in the Nashoba Publications newspaper the weeks of January 20 & 27, 1993.

Chairman Jones turned the floor over to Mr. Lefferts, consultant for Hybricon Corp. Mr. Lefferts presented to the Board a project summary statement. (see attached)

Mr. Lefferts stated Hybricon Corp, seeks the support of the Town of Ayer in applying to EOCD for a loan under the Massachusetts Community Capital Fund (MCCF). Mr. Lefferts explained this program (MCCF) is the successor to the Economic Set-Aside (EDSA) Program. MCCF provides gap financing for economic development in eligible communities. The community receives a grant from EOCD and then lends the funds to the designated business. MCCF funds can be used for the purchase of capital equipment, acquisition of real estate, new construction or rehabilitation, working capital and refinancing. The funds are then loaned by the community to the participating company under rates, terms and conditions set by EOCD during the underwriting process. There is no limit on the number of applications or dollar amount a community may submit or request in a given year. EOCD makes a direct grant of up to 7% to cover local costs of project administration. EOCD may permit a community to reuse the loan repayments through the preparation of a program re-use plan which adequately demonstrates that the funds will continue the activity from which such income was derived. Hybricon and its consultants will work with the town to prepare a income reuse plan. The loan repayments, if the amount of \$500,000.00 is approved will be approximately \$108,000.00 per year. As a victim of the collapse of the Bank of New England, Hybricon has developed an aggressive strategy to refinance its existing real estate, equipment and working capital debt. An important component of that strategy is to utilize \$500,000.00 from the Qualified Credit Refinancing sub-program of the MCCF to refinance the working capital line of credit. It is critical to Hybricon's growth to refinance and restructure its finances. The current growth plan, based upon the exciting new Future business plus products, anticipates the hiring of approximately 50 additional employees by the end of 1996. Recognizing the current economy of the Town of Ayer hard hit by the closing of Fort Devens and that UDAG repayments are an important financial resource for encouraging economic growth Hybricon is prepared to increase its quarterly UDAG payments by \$2,500.00 if the proposed \$500,000.00 MCCF application is approved.

Chairman Jones requested if there was anyone present to speak for or against this application. No one came forward.

James Hashem, President of Ayer Industrial Association on the absence of Murray Clark, Chairman of the Ayer Development Commission requested to read a letter into the record from Mr. Clark requesting the Board of Selectmen's support to Hybricon's application for a MCCF loan. Mr. Clark stated "There is no better way to create jobs in Ayer than by encouraging and helping an existing business to increase its work force. The Town can send a positive message to the business and industrial community by supporting this application as well as helping to create jobs in the community".

Selectman Slarsky moved the Board Hybricon's MCCF application stating anything the Board could do to support the industrial base is critical, 2nd by Selectman McKinney encouraging existing businesses to stay in the Town of Ayer.

Mr. Lefferts requested a motion allowing the Chairman to sign application authorizing the Chairman to award and expend funds to Hybricon as requested. Motion moved by Selectman McKinney 2nd by Selectman Slarsky VOTE: unanimous, so moved.

8:25P.M. Chairman Jones closed the Public Hearing.

The Board met with Supt. Redfield and the Water Rate Study Committee re: the continuation of the FY-93 Water/Sewer Rates and Rules and Regulations.

The Committee through the recommendation of the Board reviewed with the Board their request of restructuring the Water Rate figures to reflect raising the High User calculation from 20,000 to 26,000 so as to not penalize a large family for consumption.

Ms. Norstrom stated she met with the Water Clerk and ran consumption reports with the assistance of the Town Accountant to identify residents in the High User category. What she found was only three (3) families were in this High User category. Mrs. Norstrom checked with the Assessors Office to be sure all addresses were residential and single family homes. 2 of the 3 turned out to be justifiable: one running a day care out of her home and one with heavy summer watering of lawn. The 3rd was a single family with a large family.

Selectman Slarsky upon the recommendation and review of the Water Study Committee moved to set the 1993 Water & Sewer Rates:

RESIDENTIAL:

Standard water rates = \$.90/100 cubic ft. .20 increase
Standard sewer rates = \$2.00/100 cubic ft. .60 increase

COMMERCIAL:

Demand water rates = \$1.60/100 cubic ft. .60 increase
Demand sewer rates = \$2.00/100 cubic ft. \$1.90 decrease

2nd by Selectman McKinney, VOTE: unanimous, so moved.

Selectman Slarsky moved the Board adopt the following exemption under the Rules & Regulations:

Single family may apply for exemption through the water appeal process for a lower rate/billing under 10,000 cubic feet,
2nd by Selectman McKinney, VOTE: unanimous, so moved

The Board met with Nick Sifakis, Chairman of the Cable Commission Town Counsel per the request of the Selectmen on January 19, 1993 read into the record a letter drafted by town Counsel to the FCC. (see attached letter) Town Counsel reviewed with the Board the requirements set forth under the Cable Act and the Regulatory process.

The Board heard complaints from town citizens re: cable box charge being excessive and unnecessary. Cable fees excessive compared to other communities. The Board stated Nashoba Cable President, Alan Davis was contacted to be present this evening but unable to attend due to illness. Mr. Davis to attend the Selectmen's meeting of 2-16-93.

Selectman Slarsky requested if it were possible to have another supplier contacted while we are being served. Town Counsel to investigate and get back to the Board.

In an attempt to gain control through a regulatory body the Board requested assistance for Mr. Sifakis, Chairman of the Cable Commission through publically requesting citizens interested in serving on this Commission contact the Selectmen's Office.

Mr. Higgins stated ten (10) people had responded and Mr. Sifakis was prepared to make his recommendations of appointment. Mr. Sifakis recommended the appointments of John Busack, Ralph Hoffman and James Bridges to serve on this committee. Mr. Sifakis also requested all those interested in serving on this committee to please attend the Commissions meetings. Mr. Sifakis requested a seven member Commission be approved to ensure a quorum at all times. Town Counsel to review this request. The Commission to appoint remaining member/members.

SUPT. REDFIELD'S REPORT: (see report dated 2-2-93)

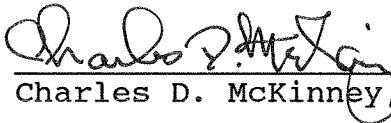
1. The Board endorsed eight (8) copies of the construction contract for the 16" water main from Washington St. to Central Ave. funded under the EOCD Grant-MSCP.

2. The Board endorsed three (3) copies of the contract to install guardrails on any street in the Town of Ayer.

3. Selectman Slarsky moved to amend Hoyle Tanner & Associates contract for Industrial Pretreatment Program (IPP) for the Town of Ayer through December 31, 1993. Ms. O'Brian supplied written documentation outlining IPP for the Town of Ayer. Motion moved by Selectman Slarsky 2nd by Selectman McKinney, VOTE: unanimous, so moved.

Selectman Slarsky moved the Board adjourn from Open Session and enter into Executive Session pursuant to MGL Chapter 39 s 23B re: N.E. Shrimp Co. (NESCO) to adjourn and re-enter Open Session for the sole purpose of adjourning, seconded by Selectmen McKinney VOTE: unanimous.

9:15P.M. Executive Session



Charles D. McKinney, Clerk

DATE 3/2/93