

SELECTMEN'S MEETING  
TUESDAY, DECEMBER 1, 1992  
2ND FLOOR MEETING HALL  
AYER TOWN HALL, MAIN ST., AYER, MA.

7:30P.M. OPEN MEETING

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

The minutes of November 10, 1992, were read and approved.

The Weekly Warrant was examined and approved in the following amounts:  
Pay/roll: \$51,088.32  
Expenses: \$10,730.50

The Board met with Daniel Sweeney and Atty. Richard Larkin re: continuing discussion re: Earth Removal Permit for Bennetts Brook, Ayer, Ma.

Mr. Larkin advised the Board of the original application being submitted in August 1992, requesting removal of 200,000 cubic yards of gravel and since then Mr. Sweeney going before the Planning Board for their review of this request. The Planning Board met with Mr. Sweeney and the original request being scaled down to 18,000 cubic yards. This new request of 18,000 cubic yards would allow Mr. Sweeney to cut the road according to the original plan submitted before the Planning Board.

Daniel Sweeney, stated his father met with the Planning Board on November 5, 1992. Mr. Sweeney's engineers submitted a letter to the Board dated October 19, 1992, from Landtech Consultants of North Chelmsford, Ma. verifying the calculations for the cut/fill quantities for each of the subdivisions roadways. The limit of study incorporated the full length of each roadway. Mr. Sweeney stated the removal would be done via trucks and expected date of completion for removal of the 18,000 cubic yards of fill would be Spring 1993.

The Board addressed concern with gravel covering Littleton Road and creating a hazard for motorist and residents. Mr. Sweeney stated they have addressed this issue and have a method in place with a watering truck being on site and if problem arises they will secure it.

The Board addressed monitoring the quantities of earth being removed and requested Mr. Sweeney to present bills of lading for every 1,000 cubic yards removed. Mr. Higgins to received these slips on a weekly basis and calculate quantities removed up to the 18,000 cubic yard limit.

Selectman Slarsky requested if Mr. Sweeney was aware of the Town's Sewer Moratorium, and of reserve capacity being served on a first come first serve basis. Selectman Slarsky stated this is brought up not to discourage the developer only to advise the developer of this situation, and of sewer line being owned by a private investor. Supt. Redfield advised the Board of the regulations requiring a on site inspector at the site at all times. Thus eliminating problems quickly before problems arise and to monitor work conducted and being responsible for all permits prior to connecting into the Town's resources.

Chairman Jones called for a motion, Selectman Slarsky moved to approve Bennetts Brook Earth Removal Permit for removal of 18,000 cubic yards contingent upon Town Counsel's review of the On Site Inspector regulation, seconded by Selectman McKinney, Vote: unanimous, so moved.

Chairman Jones advised Mr. Sweeney of cost of the permit being \$100.00/per month and of probability of six month permit being issued.

The Board met with William Redfield, Supt. of the DPW and Vicki Paret of Communities Opportunity Group (COG) and Frederick Geisel of GCG Associates, Inc., Lynnfield, Ma. re: Bid Award for the construction of the sixteen inch (16") water main from Main Street to Washington Street. This Bid Award is in conjunction with the 1991 Mass. Small Cities Program-Public Facilities-Water/Sewer.

Bid Awarded to: La Bonne Brothers, Inc.  
7 Maple Street  
Mendon, Ma. 01756

Bid Price: \$287,366.70

Base Bid	\$191,945.10
Additive Alternate No.1	48,921.60
excluding Items ii and 3A	
Additive Alternate No.3	46,500.00
TOTAL:	\$287,366.70

The Board moved to allow Chairman Jones to sign off the MSCP Budget Amendment transferring \$10,000.00 from Administrative Line items to allow the water main project to be completed. Selectman Slarsky moved this motion seconded by Selectman McKinney.

The Board moved to utilize Chapter 90 Funds of \$49,718.00 for the water main construction.

BREAKDOWN:	MSCP FUNDS AVAILABLE:	\$234,510.00
	MSCP TRANSFER (ADMINISTRATIVE)	10,000.00
	CHAPTER 90 FUNDS	49,718.00

TOTAL: \$294,228.00

CONTRACT AWARD \$287,366.70

CONTINGENCY \$6,861.30

Chairman Jones called for a motion to award the Bid for the sixteen inch (16") water main from Main St. to Washington St. Selectman Slarsky moved to award the Bid to LaBonne Brothers, Inc. of Mendon, Ma. for the bid price of \$287,366.70, adding additive alternate #1, excluding items II and 3A, and additive alternative #3, contingent upon approvals required by the Com. of Mass. Executive Office of Communities and Development and the Commonwealth of Massachusetts Department of Transportation. Seconded by Selectman McKinney, VOTE: unanimous, so moved.

**EXECUTIVE SECRETARY REPORT: (SEE REPORT DATED 12-1-92)**

**Action Items:**

1. The Board was advised to the change of the date for the School Forum from 1-14-93 to 1-21-93.
3. The Board moved to appoint David Leslie of the Littleton Police Dept. to the Town's Special Officer List, Mr. Leslie's Academy Training date is: 9-8-87.
4. The Board set December 15, 1992 7:35P.M. for the Town's FY-94 Water & Sewer Rate Hearing.
5. The Board moved to authorize the transfer of \$8,000.00 from the UDAG Acct. to the Ayer Industrial Development Commission to hire a student intern to prepare a description of available land in Ayer and other amenities available to industry.
6. The Board moved to sign off on a Subordination Agreement for Roberta Chase allowing the homeowner to subordinate the Housing Rehab grant to a mortgage which will be required to perform the work.

**SUPT. REDFIELD'S REPORT: (SEE REPORT DATED 12-1-92)**

**ACTION ITEMS:**

1. The Board moved to sign the final contract award of the roadway markings installation contract to Expert Lines of Hanover, Ma.

The Board moved to approve the following license's for 1993.  
(see amended list dated 12-1-92)

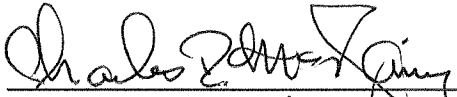
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The Board requested Mr. Higgins contact the Building Commissioner to investigate a code violation at Karen's Restaurant re: door separating lounge area from Pool table area. License's to be held pending investigation by Building Commissioner.

Selectman Slarsky moved the Board adjourn from Open Session to enter into Executive Session pursuant to M.G.L. Chapter 39, Section 23B re: DPW Settlement Agreement, seconded by Selectman McKinney, VOTE: unanimous, so moved

9:25P.M. Open Session ended

9:25 P.M. Executive Session



Charles D. McKinney, Clerk  
AYER BOARD OF SELECTMEN

DATE: 12/15/92