

SELECTMEN'S MEETING
TUESDAY, OCTOBER 27, 1992
2ND FLOOR MEETING ROOM
AYER TOWN HALL, MAIN ST., AYER, MA.

7:30 OPEN SESSION

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

The minutes of September 29, 1992 and October 13, 1992 were read and accepted. Selectman Slarsky abstaining due to his unavailability of both meetings due to Fort Devens's issues.

The weekly warrant was examined and approved in the following amounts:

P/R:	\$335,721.83
Exp:	\$137,648.88
Total:	\$473,370.71

Chairman Jones announced the Board approved the Town Treasurer's request to issue a one (1) million (\$1,000,000) tax anticipation note for thirty (30) days. The Treasurer advised the Board that cash reserves are at \$400,000. The cash shortage is due to a delay in processing the property tax bills. The Assessors had to seek DOR approval to issue estimated bills for the first half of FY-93, they are meeting with DOR to resolve concerns re: data sampling, the Treasurer expects the bills to go out well within the thirty day period.

The Board endorsed two (2) bonds each at \$500,000. One note is with Fleet bank at an interest rate of 3.21% the other is with State Street Bank at the interest rate of 3.37%. The notes will mature on November 28, 1992.

The Board met with Park Commissioner's Laura Callahan and Mark Donell and also with two concerned citizens: Ann Drapeau and Marvin McMiller, re: continuing discussion-Youth Programs.

Mr. Higgins gave a brief status update re: meeting with the above as well as with Micky & lauri Ernst on Thursday, October 22, 1992. Mr. Higgins stated he met with the above to examine all recreational needs with regard to full year activities for youth programs in the Town of Ayer. The group examined the needs of the community and generated a list of projects. It was agreed that two (2) of the projects stand out as priorities.

1. Facilities Building
2. Basketball Court at Sandy Pond Beach

Mark Donell presented to the Board a plan of the proposed building, approximate size to be 15'x28' concrete block depicting a two (2) story building. First floor to contain kitchen area

and rest rooms (boys/girls), second floor to be used for storage of equipment/materials and meeting room. The first floor would have outdoor windows to serve as a concession stand.

Selectman Slarsky

stated the building would have to be handicap accessible and comply with building and sanitary codes as well as with Federal compliance with Fair Labor Standards. Selectman Slarsky requested if there was a functioning sewer line in the area? Mr. Donell stated yes within one hundred feet (100') of the proposed site. Site of proposed building to be located adjacent to Kiddie Junction. Mr. Donell stated labor would be volunteers the cost of the building would be for materials only.

The Board questioned liability re: coverage of volunteers during construction, this to be checked out with Town's Insurance Carrier and documentation to be submitted to the Board of this extended coverage.

Mrs. Callahan stated a modern kitchen facility would provide the Park Dept. the opportunity to operate an effective concession Program. Mrs. Callahan stated surrounding communities have generated as much as \$25K per year in profit through concessions. These funds go right back into youth programs (little League, Pop Warner, Softball etc.) This is a very effective way of generating revenue for youth services. Mrs. Callahan stated the Park Dept. budget has been reduced down to \$26,000 per year. If the Board of Selectmen would support using UDAG funds to construct this building the Park Dept. would have the ability to generate an additional \$25K per year doubling the amount spent on Park Dept. programs currently. Volunteers would also staff the concession stand.

Chairman Jones requested that a person be delegated to coordinate and be responsible for the overall construction and administration of the project. Park Commissioner Chairman, Mark Donell stated he would see to that. Mr. Donell stated he has knowledgeable construction background.

Selectman Slarsky requesting Mr. Donell formalize the plans with the Building Commissioner, Nashoba Assoc. Boards of Health and the Department of Public Works.

Selectman Slarsky moved the Board agreed in principal with the concept, the Park Department to come back to the Board with more information before going forward, the Board to review the UDAG requirements during this time, seconded by Selectman McKinney, VOTE: unanimous, so moved.

The Park Dept. reviewed with the Board the second priority request for the basketball courts at Sandy Pond Beach. The Board stated they felt the same findings as detailed with the request for the building should be put in place re: this request as

well. The Board felt both of these requests should be handled at one time. Spring 1993 was decided as to the timeframe. The Board again stated they agreed with the concept, but still needed additional information i.e. re: bubblers, sinks, toilets, DPW work related areas, i.e asphalt, back-hoe to fill in low lying areas. The Board agreed to make one (1) decision re: both requests after reviewing UDAG requirements. Mr. Higgins to coordinate activities and report back to the Board. The Board stated with the closing of Fort Devens, land and buildings will be coming available and short term planning should be discussed at some future date. The Board thanked all present for the discussion and commended them for the work they had done putting together the listing of priorities and research for this meeting.

The Board met with Fire Chief Paul Fillebrown re: Mutual Aid Agreement. Chief Fillebrown advised the Board that he has applied for membership to the Mid-State Mutual Aid District of Fitchburg. Chief Fillebrown stated presently the Ayer Fire Dept. belongs only to the Mass. District 6 Mutual Aid out of Chelmsford, which is delegated by the State. Chief Fillebrown advised the Board that no drills or meeting have occurred within the last six (6) months. Prior to District 6, the Ayer Fire Dept. belonged to the Northern Middlesex Mutual Aid District, it has since been disbanded. Chief Fillebrown stated it would be to the Town of Ayer's advantage to join Mid-State due to three (3) of Ayer's neighboring Towns (Shirley, Harvard and Fort Devens) which we rely upon for Mutual Aid, already belong and are radio connected to Ayer in case of major fire, haz-mat incident, or other disaster they would handle Ayer's communications and dispatching of equipment. Mid-State are also connected with Chem-Trec hazardous material center in Washington D.C. and have a low bid packet for fire equipment purchases of all kinds. Chief Fillebrown stated the only disadvantage to joining would be possibly being called to a major city like Fitchburg/Leominster on mutual aid for an extended time, but would never strip a Town of their Public Safety personnel or equipment. The annual dues to join is \$100.00. Chief Fillebrown stated he highly recommended joining Mid-State.

Selectman Slarsky agreed with the Chief's recommendation, to become a part of Mid-State.

Selectman McKinney agreeing that this mutual aid district would greatly benefit the Town of Ayer.

Chairman Jones requested if the Chief had the \$100.00 dues available in his budget, Chief Fillebrown stated he did.

Selectman McKinney moved the Board accept the recommendation of Fire chief Paul Fillebrown and moved the Town of Ayer Fire Dept. join with Mid-State Mutual District, funding of dues to come out of the Fire Dept. budget, seconded by Selectman Slarsky, VOTE:

unanimous, so moved.

Chief Fillebrown met with the Board on a second matter, Fire Fighting Gear. Chief Fillebrown advised the Board that Thomas Leonard, Asst. Director of Fire Training has informed the Ayer Fire Dept. that as of Jan. 1, 1993, the Mass. Firefighting Academy will adopt a policy re: firefighting gear stating firefighters participating in Fire Academy classes or programs which full gear is required, the firefighter gear must be N.F.P.A. approved. Roll-up boots which the Dept. currently utilizes, would no longer be sufficient. Chief Fillebrown stated the departments turnout coats and most the helmets are in compliance. Chief Fillebrown also stated most of the men, including himself have purchased their own bunker pants, which as of January 1, 1993 are not approved, due to not meeting N.F.P.A. standards. Chief Fillebrown advised the Board that former Chief Parker recommended a two (2) phase program for firefighting gear replacement. Town Meeting appropriated \$10,000 for Phase I but due to subsequent budget cuts Phase 2 has not been enacted. Chief Fillebrown recommended the Board consider taking \$14,925 from the Reserve Fund or UDAG to purchase the needed equipment/gear up to N.F.P.A. standards by Jan. 1, 1993. This \$14,925 would bring all the full-time employees as well as the call-volunteers into compliance.

The Board expressed their concern with 2 1/2 starting to hit public safety hard. The Board stated this is an emergency situation.

Selectman Slarsky stated the Board has three (3) options: wait until Town Meeting in May, Reserve Fund or conduct a Special Town Meeting the first week in December. Chief Fillebrown stated it will take at least two (2) to three (3) months to get the equipment.

Chairman Jones requested Mr. Higgins get the Advisory Board appraised of the problem. Chairman Jones moved the Board support and endorse the Fire Chief's recommendation what ever the method is. Seconded by Selectmen McKinney. The Board requested Mr. Higgins advise the Advisory Board of request.

The Board reviewed the possibility of conducting a Special town Meeting on the 1st or 3rd of December 1992 for emergency items only. The Board reviewed other pending emergency requests: Hepatitis B shots for all emergency responders, new dump truck, brush truck, police cruiser/s. Chairman Jones stated only emergency items tentatively schedule for 1st week in December.

Chief Fillebrown updated the Board to the E-911 program, advising the Board to the next obstacle being cataloging house numbers in the Town of Ayer by July 1993. Towns that are ready will be funded first.

Mr. Higgins stated he had spoken to Wellman Parker regarding this issue. Mr. Parker was Fire chief when the House Numbering By-law was adopted by the Town in May 1992. Mr. Parker has been on top of the problem from the very beginning and recently Mr. Higgins had spoken with the former Chief and requested if he would be interested in assuming the responsibility of bringing the Town into compliance with the house numbering by-law. Mr. Higgins stated Wellman had expressed interest and he would get together with Mr. Parker and finalize the arrangements.

The Board approved the Fire Chief's request to fly the Department's Turkey Raffle Banner over Main St. from 11/1/92 to 11/19/92.

EXECUTIVE SECRETARY'S REPORT:

1. Mr. Higgins presented to the Board the UDAG report. Mr. Higgins advised the Board that there is \$2.3 Million in account. with a micro loan and a EDA pending. The Board took this under advisement. Chairman Jones stated he was very hesitant to move forward due to the pending closure of Fort Devens.

2. The Board was advised to correspondence received from Representative Augusta Hornblower regarding her letter submitted to Gov. Weld expressing her concern with delays re: the Federal Bureau of Prisons going forward and urging the Governor to deal with the delays.

Chairman Jones expressed his thanks to Rep. Hornblower. Selectman McKinney requested Mr. Higgins read Rep. Hornblower's letter into the record stating her letter says it all.
(See attached letter)

Selectmen Slarsky stated for clarification purposes the Redevelopment Board is not the Land Bank, the Redevelopment Board had no obstacle with relocating a prison on Fort Devens, no opposition at all.

3. The Board was presented for their endorsement letters prepared by the School Committee, thanking the Congressional Delegation for their support of the Ayer School system through the transitioning of Fort Devens.

4. Mr. Higgins presented to the Board copies of Fort Devens Property Disposal sheets submitted to all Department re: potential for securing certain properties/equipment from Fort Devens for Town use. The departments have been advised that this is a first cut, and the Selectmen will review all requests to determine which are to be included in the final request.

5. Mr. Higgins reported Army Deputy assistant Secretary, Paul Johnson has responded to the boards letter advocating for a

timely siting of the prison. Mr. Johnson stated that a decision is to be made by the end of November.

The Board was advised to Paul Cronin and Senator Durand being present at the Ayer Industrial Assoc. Meeting on thursday, October 29, 1992 at 8:00a.m. and also of Senator Edward Kennedy endorsing Robert Durand at J.P. Routhier's facility on Willows Rd. on Wednesday, October 28, 1992 at 2:30p.m.

The Board was advised to the School Department submitting the required information to the Department of Revenue and the Department of Education re: the loss of students to the Choice Program.

Mr. Higgins advised the Board of meeting with Neville Markham, Irene Miller and himself being scheduled later this week re: Regionalization issues/impact of choice. The Board discussed the possibility of having the Regionalization Committee update the residents of their study at the Special Town Meeting, Mr. Higgins to look into and get back to the Board.

SUPT. REDFIELD'S REPORT:

1. Supt. Redfield presented to the Board a Project request requesting use of Chapter 133, Acts of 1992 funds for the Groton-Harvard Rd. reconstruction, approved on 10/13/92 by the Board of Selectmen. This project will commit the additional \$49,718 received under the Chapter 90 Highway funds freeing up \$49,718 for use on other Town Rds. and will not have a expenditure time limit on its use.

2. The Board moved to rescind its award to Municipal technologies Corp. of 9/22/92, and authorized supt. Redfield to readvertise the bid proposals for the guardrail installation. Motion moved by Selectman Slarsky, seconded by Selectman McKinney, VOTE: unanimous, so moved.

3. The Board was advised to Boston Gas resurfacing West St, Cambridge St., and Central Ave. Paving to be performed by Middlesex Corp. on 10/28/92.


4. The Board was advised of the transfer Station being closed Wednesday, Nov. 12, 1992 (Veteran's Day) the Transfer Station will be opened on Monday, Nov. 9, 1992 as an alternate date.

5. The Board was advised the DPW will be changing work hours to 7:00a.m. to 3:30p.m. beginning 10/26/92.

6. The Board was advised of Supt. Redfield performing every other month the solid waste disposal and handling inspections.

BOSMIN10-27-92/PG.7

9:30P.M. Selectman Slarsky moved the Board adjourn the meeting,
seconded by Selectmen McKinney, VOTE: unanimous, so moved.



CHARLES D. MCKINNEY, CLERK
AYER BOARD OF SELECTMEN

Date: Nov 10, 1992



The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES
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DIANNE TRAUBER
ADMINISTRATIVE ASSISTANT

Committee on
Ways and Means
Rules
Post Audit and Oversight
Monitor
Second Division of the House
National Board Member
American Legislative
Exchange Council

October 26, 1992

His Excellency
Governor William F. Weld
State House, Room 360
Boston, MA 02133

Dear Governor:

I firmly believe that your efforts to revitalize the economy via the redevelopment of Fort Devens are being thwarted by recent actions taken by members of the Land Bank and Fort Devens Redevelopment Board.

The siting of a minimum security prison making use of the Cutler Army Hospital was well received by the abutting communities and had appeared to be close to fruition until the Land Bank and Fort Devens Redevelopment Board went off in another direction.

Officials from the Federal Bureau of Prisons have stated that if the hospital is not available in a timely manner they would prefer to look elsewhere for existing medical facilities rather than consider new construction. Land Bank/Redevelopment Board is suggesting that the Federal Bureau of Prisons build a new medical center on the North Post and locate the prison there under the guise of saving the golf course.

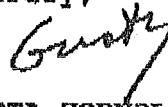
Why would a Land Bank/Redevelopment Board spokesman tell federal officials that Cutler Army Hospital is not a good asset?

This region is in dire need of jobs now and the Land Bank/Redevelopment Board appears to be an obstacle to rather than a facilitator of redevelopment. With all parties - state, local, regional and federal -- seemingly in agreement, this action by Land Bank/Redevelopment Board only further fosters distrust and contempt and serves to undermine the progress being made with regard to the siting of a federal prison facility at Fort Devens.

The desire to maximize options for redevelopment in this instance would appear to put a viable and desirable proposal at risk.

Your attention to this matter would be most appreciated.

Sincerely,



AUGUSTA HORNBLOWER
State Representative

AH/jc