

SELECTMEN'S MEETING
MONDAY, JUNE 8, 1992
SECOND FLOOR MEETING HALL
TOWN HALL, MAIN ST., AYER, MA.

7:30P.M. Open Session

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

The Minutes of May 19, 1992 were read and accepted.

The Weekly Warrant was examined and approved in the following amounts: P/R: \$362,704.30
Expense: \$ 10,308.62

The Board met with Edward Cornellier, Chairman, of the Board of Assessors re: the FY-92 Tax Classification Hearing. Mr. Cornellier presented the Board of Assessors data relevant to making an informed decision allocating the tax burden to include fiscal effects of available alternatives.

Mr. Cornellier presented to the Board and residents in attendance a report depicting seven (7) options the Board of Assessors had prepared outlining the options for residential and Commercial Industrial property value/levy by class/tax rate/and the percent change from FY-91. (see attached) The report encompassed limits and parameters of shifting the tax base.

Chairman Jones thanked Mr. Cornellier and applauded the clarity of the report.

Mr. James Hashem of Diagnostic Instruments requested to speak on the behalf of Murray Clark, Chairman of the Industrial Development Committee. Mr. Hashem read a statement prepared by Mr. Clark requesting the Board's attention to tough economical times and reminded the Board not to hurt the business community in order to keep jobs in town by making the tax rate incompatible with traditional allocations.

Chairman McKinney stated that Ayer is a very unique community having a residential percentage of 42% and a commercial Industrial percentage of 58% stating this is a very significant ratio.

The Board reviewed the different ratios presented and voted on
Option #5: Residential: \$7.73 (10.59% increase)
Commercial: \$13.81 (11.52% increase)

This Option depicted a 2% rate increase. Selectman McKinney moved the Board accept Option #5. as stated above for the 1992 Tax Classification and to not except the Open Space Amendment,

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seconded by Selectman Slarsky, VOTE: unanimous, so moved.

The Board met with William Halligan, Building Commissioner re: the FY-93 Building Department and Budget.

Chairman Jones stated the purpose of this discussion was Town Meeting decimated the Building Department's FY-93 Budget and the Board wanted to know what kind of an operation are we left with.

Mr. Halligan presented two options for the Board to consider regarding the Building Departments FY-93 budget of \$15,000.00

OPTION 1. BUILDING DEPT. - \$15,000.00

Expenses: \$3,500.00
B. Halligan salary: \$11,500.00

Lose Assistant Building Inspector and Secretary.

Twenty (20) hours a week operation: 2 HR/MORNING-2 HR/AFTERNOON

Meet with contractors in the mornings. Process applications on honor system-left under door.

Complaints/Investigations done by priority.
Reports/Violations will be delayed.

OPTION 2. BUILDING DEPT. - \$30,100.00

Keep Asst. Building Inspector \$2,000.00
Keep Secretary 30 hours(1/5) \$2,600.00
Expenses: \$3,500.00
Bill Halligan's salary: \$6,900.00 + \$15,100.00 FEE CAP

Chairman Jones questioned the legality of this fee use.

Selectman Slarsky stated a lot of other towns use fees to augment funding of Salaries.

Selectman McKinney stated he is not uncomfortable with the use of fees to augment the Building Commissioner's salary
Chairman Jones reiterated the legality/feasibility of use of revenue. The Board requested Mr. Higgins to investigate the legality of fees being used to augment salary and to investigate if Town Meeting would decide or if the Board of Selectmen have the authority to implement.

The Board set Sunday, June 14, 1992 at 12:30P.M. to continue this discussion.

The Board met with Fire Chief Wellman Parker re: Fire Alarm abatement request, the Fire Dept. Rules and Regulations and the search process for a new Fire Chief.

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Chief Parker stated the first item re: waiver of fees from the Town's Fire Alarm By-law approved 1/23/92 was requested by the Ayer Housing Authority. Chief Parker stated the Housing Authority currently has two (2) master boxes connected to the Town's Fire Alarm system both served by one entrance cable to the complex. Chief Parker suggested rather than waiving the Housing Authority Fire Alarm fee charge only one (1) \$200.00 fee for the one entrance that feeds the two (2) alarm boxes.

The Board stated the Town prefers to have a consistent policy but have granted exemptions in the past. Chief Parker stated in as much as the Housing Authority pays fees for all other utilities but does not pay taxes to the Town of Ayer, then this one (1) fee is not unreasonable.

Selectman McKinney moved to charge the Ayer Housing Authority \$200.00 for one entrance charge that feeds two alarm boxes. Chairman Jones seconded. Selectmen Slarsky abstaining from the discussion and vote due to conflict of interest.

The Board complimented Chief Parker on the establishment of the Rules and Regulations Policy for the Ayer Fire Department. The Board requested Chief Parker publicize the availability of the policy to the residents. The Board moved to accept the Rules and Regulations as presented by the Chief. Motion made by Selectman McKinney, seconded by Chairman Jones, Selectman Slarsky abstaining from discussion and vote due to conflict of interest.

Chairman Jones requested the Chief sign off and date policy for proper credit to him for the establishment of the policy.

On the last item Mr. Higgins advised the Board that he is in contact with the Middlesex County Retirement System on behalf of Fire Chief Parker requesting a ninety (90) day extension beyond the compulsory retirement age clause, in this case after July 31, 1992 to allow the Town to conclude the search and be able to train the new chief under Chief Parker.

Selectman Slarsky stated this has been an extremely productive four (4) years and commended the chief for his dedication as well as for his willingness to stay on the additional time to allow for a smooth transition of the position.

Chairman Jones expressed his sadness with Chief Parker retiring and thanked him for a tremendous job done. Selectman McKinney echoing the same.

EXECUTIVE SECRETARY'S REPORT:

1. Mr. Higgins presented the Centrex Phone System Contract to the Board for signature. This new telephone system will connect all departments except the school to this system.

Selectmen Slarsky moved the Board approve the installation of the Centrex Phone System and authorize the Chairman to endorse the Agreement, seconded by Selectmen McKinney, VOTE: unanimous, so moved.

2. Mr. Higgins advised the Board that a sample of a Personnel By-law was submitted to all Town Dept. Heads on Friday, June 5, 1992 and that a meeting will be conducted on June 29, 1992 with all Dept. heads to blueprint the Town of Ayer's concept into draft. Mr. Higgins earmarked a final revision for late summer for the Board's review.

3. Mr. Higgins reviewed upcoming meetings and events with the Board:

Ayer Industrial Assoc.	-	June 11, 1992 - 8:00P.M.
		Horn Corp.
Joint Boards	-	Legislation filed establishing the Development Corp.
Soft Second Loan Program-		Submitted to EOCD 5-27-92
		The Board requested this item be placed on the Selectmen's Agenda for 8/22/92. Bank requested to participate.

4. The Board was advised of Stony Brook Assoc. offering to convey 3.37 acres of land to the Ayer Conservation Commission. The Commission has indicated a desire for the land and is investigating Stony Brook's offer to see if there are any stipulations to this offer, The Commission seeks the Boards consideration re: this matter. The Board requested the Conservation Commission be requested to appear at the next Selectmen's Meeting scheduled for June 22, 1992, to discuss this offer.

5. Mr. Higgins advised the Board to the TIP report being submitted from MRPC advising the Town of the West Main Street Bridge being scheduled for construction in 1994. Mr. Higgins advised the Board letters were prepared and sent to Senator Durand, Representative Hall and Representative Hornblower requesting their support urging the Mass. D.P.W. to make the replacement of the West Main St., #1-19-7 an immediate priority siting the East Main Street Bridge deterioration also posing an unacceptable risk to the community.

6. Mr. Higgins advised the Board to a Press Release being received by the Selectmen's Office late this afternoon from Fort Devens Public Affairs Office re: PLOW SHOP POND:

NO SWIMMING, CATCH AND RELEASE SIGNS TO BE POSTED AT PLOWSHOP POND.

Mr Higgins read the release stating army officials ~~have~~ recommended to the Town of Ayer and adjacent property owners that Plowshop Pond be put off limits to swimming and that a catch and release fishing program should be initiated. Officials stressed that while contact with pond sedimentation and the consumption of fish caught in the pond could be hazardous, both Fort Devens and Ayer water supplies are safe to drink.

According to Tim Prior, Fort Devens Environmental Officer, curtailing of swimming and the catch release program were recommended because of contaminants found in pond sediment samples taken as part of the installations Superfund Program. The pond borders the Army's Shepley's Hill Landfill, a national Priorities List Site that has tested positive for low levels of metals in the past.

The results of the testing indicate that a positive excess cancer risk exists, Prior stated. The preliminary figures exceed the U.S. Surgeon General's acceptable range of risk. Prior pointed out, however, that the results were preliminary and they indicated a possible risk. The study assumes unrestricted recreational fishing and direct skin contact with the sediment to an adolescent for a ten year period. We have no actual human exposure data at this time. The results of the sediment testing by Ecology and Environment, Inc. the Armys contact agency, were released by the Army to members of the Installations Superfund Technical Review Committee June 1, 1992 as part of a summary of Remedial Investigations at the landfill. The technical Review committee includes officials from Environmental Protection Agency, the State Dept. of Environmental Protection as well as local representatives.

Among the heavy metals discovered and possibly traced to the land fill are arsenic, cadmium, barium, manganese and iron.

The Army plans to do more extensive sediment, water, and fish samples as well as a close inspection of the Plowshop Ponds ecosystem beginning this summer.

The Board stated they have been aware of this situation for approximately 6 six weeks having been notified by Supt. Redfield who is on the Superfund Committee, the Board requested at that time Supt. Redfield contact DEP, State Dept. of Fisheries, EPA and local health agencies regarding situation and requesting area be posted no fishing-Health risk.

Selectman Slarsky requested Fort Devens be notified to have Grove Pond Wells also be tested immediately for possible contamination.

6. The Board was advised of a request from Jane Lewis to

organize an Old Fashion 4th of July picnic on the 4th to be held on the grounds of the Ayer Sportsmen's Club. Chairman Jones wished Ms. Lewis the best of luck undertaking this endeavor and stated the Board supported her effort.

SUPT. REDFIELD'S REPORT:

1. Supt. Redfield submitted the DPW Action list of June 4, 1992.
2. The Board endorsed Supt. Redfield's letter to Ogden Martin expressing the Town's intent to purchase two (2) trailers and discontinue renting the trailers from RFA and transportation of Ayer's solid waste. The Town's trailers and transportation to be implemented around August 1, 1992. The Board approved the authorization for Chairman to sign the letter, moved by Selectman Slarsky, seconded by Selectmen McKinney, Vote: unanimous, so moved.
3. Per the recommendation of the Solid Waste Study Committee Supt. Redfield requested the Board to authorize up to \$6,000.00 from the UDAG Payback Funds for the purchase of the Two (2) trailers. Selectman Slarsky requested the Supt. look around market for the trailers see whats out there. Supt. Redfield not to put a dollar amount in the bid proposal and to investigate other ways to pay for trailers but UDAG funds are committed.
4. The Board per the recommendation of Supt. Redfield ap[ointed Ronnie Pemberton to the position of part-time Equipment Operator to be assigned at the Grotn Harvard Road Recycling and Disposal facility effective June 14, 1992. Selectman McKinney moved the appointment seconded by Selectmen Slarsky, Vote: unanimous, so moved.
5. The Board per the recommendation of Supt. Redfield appointed Kevin Westover to the position of part-time Asst. Equipment Operator assigned to the Groton Harvard Rd. Recycling and Disposal facility effective upon his first day of employment. Selectman Slarsky moved the appointment, seconded by Selectman McKinney, Vote: unanimous, so moved.
6. The Board was advised of letter received by the Supt. from Shaker Hills Golf Course President, Robert McGinty disclaiming repairs to be made to Shaker Road, allegedly damaged during construction of the golf course by truck traffic.
7. The board was advised of Water & Sewer bills being mailed on June 1, 1992 for April and of May's readings being mailed between June 15 and June 30, 1992. Supt. Redfield advised the Board to no future delays/backlogs anticipated in the water & sewer bills.

9:55P.M. Selectman Slarsky moved the Board adjourn from Open Session to enter into Executive Session pursuant to M.G.L. Chapter 39, Section 23B re: Investigative Exemption. Seconded by Selectman McKinney, VOTE: unanimous, so moved.

DATE: _____

CHARLES D. MCKINNEY, CLERK