

SELECTMEN'S MEETING
MONDAY, DECEMBER 16, 1991
AYER TOWN HALL, SECOND FLOOR MEETING HALL
MAIN STREET, AYER, MA.

7:30P.M. OPEN SESSION

THE BOARD MET WITH CHAIRMAN MCKINNEY AND SELECTMAN JONES,
SELECTMAN SLARSKY ABSENT DUE TO PRIOR COMMITMENT.

THE MINUTES OF NOVEMBER 25, 1991 WERE SET BACK DUE TO
UNAVAILABILITY.

THE WEEKLY WARRANT WAS EXAMINED AND APPROVED IN THE FOLLOWING
AMOUNTS: P/R \$38,367.38
BILLS \$198,472.16

THE BOARD APPROVED THE FOLLOWING 1992 LICENSE RENEWALS:

ALCOHOL: ELEVEN (11) LICENSE'S IN THIS CATEGORY

ROUX'S LIQUORS	\$1,250.00	
AYER PACKAGE STORE	2,250.00	
JACK-O-LANTERN	2,250.00	
C.R. PIERCE	2,250.00	
CARLIN'S RESTAURANT	2,250.00	
THE FORT CORPORATION	2,250.00	
LARRY'S INC. D/B/A ROTOR KLUB	2,250.00	
LASITA INC.	2,250.00	
NASHOBA RESTAURANT	2,250.00	
TINY'S DOUGHNUT TREAT	2,250.00	
TONY'S OF AYER, INC.	2,250.00	\$23,750.00

COMMON VICTUALLER'S LICENSE: TWENTY-THREE (23) LICENSES

AYER SPORTSMEN'S CLUB	50.00
AH GIN WONG RESTAURANT	50.00
SEASONED CHEF-SHAKER HILLS GOLF COURSE	50.00
WOO JUNG RESTAURANT	50.00
FRIOT'S	(NOT PAID)
KENTUCKY FRIED CHICKEN	50.00
ARCHIE'S PIZZA	50.00
ARCHER'S MOBIL	50.00
LEE'S PIZZA	50.00
PAULINE'S VARIETY	50.00
WENDY'S	50.00
PARTHENON PIZZA	50.00
MCDONALDS	50.00
THE DELI	50.00
TONY'S OF AYER	50.00

TINY'S DOUGHNUT TREAT	50.00	
ROUX'S MARKET	50.00	
LARRY'S INC. D/B/A/ ROTOR KLUB	50.00	
NASHOBA RESTAURANT	50.00	
LASITA INC.	50.00	
CARLIN'S RESTAURANT	50.00	
FORT CORP.	50.00	
ANITA'S & PAM'S	50.00	
DUNKIN DONUTS	50.00	1,150.00

AMUSEMENT: SIX LICENSES IN THIS CATEGORY

THE FORT CORP.	100.00	
NASHOBA CLUB	50.00	
CARLIN'S RESTAURANT	350.00	
LARRY'S INC. D/B/A ROTOR KLUB	150.00	
TINY'S DOUGHNUT TREAT	100.00	
PARTHENON PIZZA	100.00	850.00

SUNDAY ENTERTAINMENT LICENSES: FOUR (4) IN THIS CATEGORY

LARRY'S INC. D/B/A ROTOR KLUB (3)	450.00	
FORT CORP. (1)	150.00	600.00

CLASS I LICENSE: THREE (3) LICENSE'S ISSUED IN THIS CATEGORY

CAMPER'S INN	75.00	
GERVAIS FORD	75.00	
TRAILER HOME RENTAL	75.00	225.00

CLASS II LICENSE: ELEVEN (11) LICENSES ISSUED IN THIS CATEGORY

NUKAR AUTO SALES, INC.	75.00	
NUKAR AUTO SALES EXTENSION	75.00	
MARK KNOWLTON-EAST COAST AUTO BROKERS (NOT PD)		
LEON HURD/AYER CORP.	75.00	
KEN WOOD AUTO SALES	75.00	
JOE'S AUTO REPAIR	75.00	
RICHARD'S AUTO SALES	75.00	
REGIS M. MAGNUS-PAC REALTY TRUST	75.00	
J.C MADIGAN	75.00	
MARK'S AUTO-MARK ALEXANDER	75.00	
VEHICLES UNLIMITED-D&H MOTORS	75.00	750.00

CLASS III LICENSE: TWO ISSUED IN THIS CATEGORY

HARRY SCHWARTZ	75.00	
JACOB SLARSKEY TRUST	75.00	150.00

TOTAL 1992 LICENSE'S PAID TO DATE:		\$27,475.00
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THE BOARD MET WITH SUPT. REDFIELD AND EXECUTIVE SECRETARY TIMOTHY HIGGINS RE: GROVE POND TREATMENT FACILITY-STUDY PHASE-CONTRACT

NEGOTIATIONS WITH CAMP DRESSER MCGEE (CDM).

THE BOARD WAS ADVISED THAT ON 12/3/91 MR. HIGGINS AND SUPT. REDFIELD FINALIZED THE NEGOTIATIONS FOR CDM'S CONTRACT TO PERFORM THE GROVE POND WATER SUPPLY STUDY AND REPORT. THE \$200,000.00 WATER CONTRACT IS BEING REVIEWED BY TOWN COUNSEL ROBERT GARDNER AND TOWN ACCOUNTANT SHARON SUMMERS RE: AVAILABILITY OF FUNDS UNDER THE UDAG PAYBACK FUNDS. SUPT. REDFIELD STATED THAT SEISMIC SURVEYS ARE NEEDED TO BE PERFORMED ON FORT DEVENS AND THE NATIONAL GUARD AREA SHOULD BE SCHEDULED PRIOR TO MID DECEMBER SO THAT THE GROUND IS NOT FROZEN. SUPT. REDFIELD STATED UPON THE APPROVAL OF SELECTMAN MCKINNEY AND SELECTMAN JONES ISSUED THE NOTICE TO PROCEED TO CDM TO PERFORM THE SEISMIC SURVEYS NOT TO EXCEED \$10,000.00 ON THESE SURVEYS. THE BOARD AGREED TO THE NEGOTIATIONS WITH CDM AND AGREED IN PRINCIPAL TO THE CONTRACT PENDING APPROVAL FROM TOWN COUNSEL. MR. SMALL THANKED THE BOARD FOR THE SELECTION OF THEIR FIRM TO CONDUCT THIS STUDY.

THE BOARD MET WITH STEPHEN TRINGALE, RE: CLASS II LICENSE ISSUED TO HIM ON NOVEMBER 25, 1991. MR. TRINGALE STATED THAT HE IS UNABLE TO USE HIS CLASS II LICENSE DUE TO REGISTRY OF MOTOR VEHICLES IN BOSTON STATING THE LICENSE BEING TO RESTRICTIVE, CLASS II LICENSE UNDER CHAPTER 140 SECTION 58 DEFINES A CLASS II LICENSE AS: ANY PERSON WHOSE PRINCIPAL BUSINESS IS THE SELLING OF SECOND HAND MOTOR VEHICLES. MR. TRINGALE STATED BOSTON TOLD HIM HE HAS TO BE ABLE TO SELL WITHIN THE LOCATION. SELECTMAN JONES STATED HE FELT GIVING MR. TRINGALE THE LICENSE BUT DON'T SELL AT THE LOCATION CONFLICTS WITH THE GENERAL LAWS. PRESENT FOR THE DISCUSSION WAS BILL HALLIGAN. MR. HALLIGAN STATED PROBLEM AROSE FROM CONDO ASSOC. RE: LIMITED PARKING AVAILABLE AT THE SITE AND THAT THERE IS NO CONTROL OVER A CONDO ASSOC. WHICH MR. TRINGALE BELONGS TO AT 100 PARK ST. BUSINESS SITE, THAT THERE ARE INTERNAL PROBLEMS DUE TO TIGHT PARKING/WORKING CONDITIONS. HE CAN ISSUE CITATIONS REQUIRING THE CLEAN UP OF SCRAP IRON LITTERED BEHIND THE BUILDING. THE PROBLEM WITH THE SITE IS PARKING IS VERY LIMITED AND RESTRICTING VEHICLES AT THE SITE WOULD BE EFFECTIVE. MR. HALLIGAN STATED HE AND MR. HIGGINS HAD REVISITED THE SITE AFTER TALKING WITH MR. TRINGALE AND SUGGESTED THE BOARD SEEK WRITTEN CORRESPONDENCE FROM THE REGISTRY QUOTING MR. TRINGALE'S RESTRICTION. CHAIRMAN MCKINNEY READ MR. TRINGALE'S LICENSE ISSUED ON NOVEMBER 25, 1991 AND ADDENDUM TO THE LICENSE. CHAIRMAN MCKINNEY STATED THE AREA OF MR. TRINGALE'S BUSINESS IS GENERAL BUSINESS AND THERE ARE OTHER RETAIL BUSINESSES IN THE AREA AND HE SHOULD BE ABLE TO SELL FROM THAT LOCATION, WHOLESALE, THAT IS. AFTER A BRIEF DISCUSSION SELECTMAN JONES MOVED TO REMOVE FROM THE ADDENDUM TO MR. TRINGALE'S LICENSE THE FOLLOWING SENTENCE: "THAT THERE BE NO RETAIL OR WHOLESALE SALES AT THAT LOCATION" SELECTMAN JONES STATED THAT SHOULD SATISFY THE REGISTRY OF MOTOR VEHICLES. CHAIRMAN MCKINNEY AGAIN STATED THIS LANGUAGE REMOVAL WOULD ALLOW MR. TRINGALE TO TRANSPORT HIS FOUR (4) VEHICLES BUT THE BOARD DID NOT WANT ANY PRIVATE RETAIL SELLING OF VEHICLES GOING ON AT THIS SITE. CHAIRMAN MCKINNEY REQUESTED IF MR. TRINGALE UNDERSTOOD THAT, MR. TRINGALE STATED HE DID, WITH THIS UNDERSTOOD CHAIRMAN MCKINNEY

SECONDED SELECTMAN JONES'S MOTION, VOTE: UNANIMOUS, SO MOVED.

EXECUTIVE SECRETARY'S REPORT:

1. THE BOARD WAS ADVISED OF THE MASS. SMALL CITIES GRANT BREAKOUT RE: THE PROGRAMS FUNDED UNDER THE GRANT:

1. HOUSING REHABILITATION:	\$372,980.00
2. INFRASTRUCTURE-WATER MAIN REPLACEMENT:	\$312,200.00
3. ADMINISTRATION:	\$ 66,275.00
TOTAL AWARD:	\$751,455.00

THE BOARD REQUESTED A LETTER OF APPRECIATION BE SENT OUT TO MARY PEDULA, SECRETARY OF EXECUTIVE OFFICE OF COMMUNITIES & DEVELOPMENT AND STATE REPRESENTATIVES: HORNBLOWER, HALL AND DURAND.

MR. HIGGINS APPRISED THE BOARD TO THE TIME FRAME OF THE RFP BEING APPROXIMATELY 30 DAYS TO HIRE THE CONSULTANT TO ADMINISTER THE GRANT AND ACTUAL RESIDENTIAL PARTICIPATION BEING SIXTY (60) DAYS OR APPROXIMATELY THE MIDDLE OF FEBRUARY 1992.

THE BOARD THANKED MR. HIGGINS FOR HIS WORK IN PREPARING THE GRANT AND FOR BRING THE GRANT TO FRUITION.

2. THE BOARD WAS PRESENTED A RECOMMENDATION FROM MR. HIGGINS FOR THE POLICE CHIEF SCREENING COMMITTEE. THE FOLLOWING PEOPLE WERE RECOMMENDED BY MR. HIGGINS TO SERVE ON THE COMMITTEE: CHIEF JAY RIDER, POLICE CHIEF OF GROTON, MA., CHIEF WELLMAN PARKER, FIRE CHIEF OF AYER, MA., JOHN PETRIN, EXECUTIVE SECRETARY OF HARVARD, MA., REVEREND PHILIP GOFF, PASTOR OF THE FEDERATED CHURCH IN AYER, AND MR. HIGGINS. MR. HIGGINS THANKED ALL OF THOSE WHO HAD APPLIED TO SERVE ON THIS COMMITTEE AND APOLOGIZED TO THOSE WHO WERE NOT SELECTED. MR. HIGGINS STATED THE SCREENING COMMITTEE WOULD NARROW THE APPLICATIONS TO SEVEN OR TEN (7 OR TEN) CANDIDATES AND HOPEFULLY PRESENT THE TOP THREE TO THE SELECTMEN. SELECTMAN JONES MOVED THE BOARD APPROVE MR. HIGGINS RECOMMENDATION AS PRESENTED, SECONDED BY CHAIRMAN MCKINNEY, VOTE: UNANIMOUS, SO MOVED.

3. THE BOARD WAS ADVISED OF WRITTEN RESPONSE BEING RECEIVED ON 12/10/91 FROM MASS. D.P.W. REGARDING CLARIFICATION OF MASS. D.P.W.'S POSITION ON THE TRAFFIC LIGHT. THE RESPONSE FROM THE MASS. D.P.W. COMING FROM THOMAS MCLOUGHLIN, DIRECTOR OF PUBLIC/PRIVATE DEVELOPMENT UNIT.

MR. MCLOUGHLIN'S POSITION, ADVISORY ONLY, WAS TO SUPPORT MS. CONSTANCE RAPHAEL POSITION THAT THE INTERSECTION IS NOT NECESSARILY DANGEROUS AND THAT A TRAFFIC SIGNAL IS REQUIRED.

AFTER A BRIEF DISCUSSION WITH DANIEL MCCARTHY, CONTRACTOR, MR. ROBERT DONELL AND MR. THOMAS FLAGG, DEVELOPERS, SELECTMAN JONES MOVED, PREDICATED UPON MR. HIGGINS PREPARATION AND WRITTEN

RECEIPT OF CLARIFICATION FROM THE MASS. D.P.W. RE: THE TRAFFIC SIGNAL FOR PARK AND MAIN STREET, AYER, MA. THE BOARD VOTE TO ELIMINATE THE TRAFFIC SIGNAL AT PARK AND MAIN ST. AND MOVE FORWARD WITH THE PROJECT, SECONDED BY CHAIRMAN MCKINNEY, SO MOVED.

4. THE BOARD WAS ADVISED OF LETTER GOING OUT TO GOVERNOR WELD REQUESTING ASSISTANCE WITH THE WEST MAIN ST. BRIDGE AND OF THE LETTER BEING FORWARDED TO THE GOVERNOR THROUGH THE REDEVELOPMENT BOARD.

5. THE BOARD WAS ADVISED OF BRIEF BEING SUBMITTED ON 12/3/91 RE: BUSACK ARBITRATION.

6. THE BOARD WAS ADVISED OF TENTATIVE ONE DAY WORKSHOP TO BE CONDUCTED AT THE AYER HIGH SCHOOL ON TUESDAY, JANUARY 28, 1991 BY THE LAND BANK TO DEAL WITH EMPLOYEE ASSISTANCE, REGIONALIZATION, AND PL-874 DUE TO THE CLOSURE OF FORT DEVENS.

7. THE BOARD WAS UPDATED ON THE TOWN OF PEPPERELL INTERESTED IN EXPLORING THE POTENTIAL OF SHARING THE AYER TRANSFER STATION. THE BOARD WAS ADVISED OF MEETINGS BEING HELD WITH SUPT. REDFIELD, MR. HIGGINS & PEPPERELL'S SOLID WASTE COMMITTEE TO WHETHER AYER CAN ACCOMMODATE PEPPERELL'S NEEDS. THE BOARD WAS ADVISED TO SAVINGS- COST & MAINTENANCE & DEBT SERVICE REALIZED SHOULD THIS ARRANGEMENT BE AUTHORIZED.

8. THE BOARD WAS ADVISED OF A MEETING HELD BY MR. HIGGINS AND B&M (GUILFORD INDUSTRIES) THE WEEK OF DECEMBER 9, 1991. B&M ARE VERY INTERESTED IN WORKING WITH THE TOWN AND THE LAND BANK TO PURSUE POTENTIAL DEVELOPMENT OPPORTUNITIES ON FORT DEVENS WITHIN AREAS OF THE RAIL LINE. THE BOARD WAS ADVISED THAT MR. HIGGINS SCHEDULED THEM ON THE NEXT AGENDA OF THE JOINT BOARDS AND THE LAND BANK.

9. THE BOARD WAS ADVISED OF A REQUEST FOR SNOW PLOWING OF AN UNACCEPTED ROAD OFF WASHINGTON ST. SUPT. REDFIELD STATED HE WAS AWARE OF THE AREA AND THE PROBLEM WITH THIS REQUEST IS, THE TOWN IS LIABLE AND SHOULD NOT BE PLOWING PRIVATE ROADS ONLY PUBLIC ROADS. THIS PARTICULAR AREA HAS A GRAVEL ROAD AND NO TURN AROUND AND THIS ROAD POSED THREAT TO EQUIPMENT AND LIABILITY FOR TOWN/RESIDENTIAL DAMAGES. THE BOARD REQUESTED SUPT. REDFIELD SUBMIT A LIST OF PRIVATE/UNACCEPTED ROADS IN THE TOWN. THE BOARD TABLED THIS MATTER PENDING MORE INFORMATION.

10. THE BOARD WAS ADVISED TO FY-93 BUDGET PREPARATIONS AND MR. HIGGINS ATTEMPT TO HAVE A BUDGET MESSAGE AND FORMAT OUT TO ALL DEPARTMENT HEADS BY THE END OF DECEMBER 1991. MR. HIGGINS ADVISED THE BOARD THAT WITH THE RECESSION AND THE LOSS OF FORT DEVENS THE FY-93 BUDGET WILL BE VERY COMPLEX. THE BOARD WAS ADVISED PRELIMINARY REVENUE PROJECTS INDICATE A SUBSTANTIAL DECREASE. FREE CASH IS ANTICIPATED TO BE 0 IN FY-93, STATE AID TO BE DECREASED BY 10% AS WELL AS FEDERAL SCHOOL ASSISTANCE. SUBSTANTIAL REDUCTIONS IN SPENDING WILL BE REQUIRED TO BALANCE

FY-93'S BUDGET. DEPT HEADS ARE TO SUBMIT BUDGETS DEPICTING A 5%, 10%, 15% & 20% REDUCTION TO INDICATE SPECIFIC PERSONNEL, EQUIPMENT, EXPENSES, AND PROGRAMS TO BE ELIMINATED AND SAVINGS REALIZED BY THESE REDUCTIONS. TIME FRAME FOR ALL BUDGETS DUE IN WILL BE JANUARY 31, 1992.

SUPT. REDFIELD'S REPORT:

1. SUPT. REDFIELD PRESENTED A DRAFT LETTER ADDRESSED TO THE COMMONWEALTH OF MASSACHUSETTS, DEPT. OF ENVIRONMENTAL PROTECTION (DEP). THIS LETTER TO EXPLAIN THE TOWN OF AYER'S WATER SUPPLY CAPACITY RE: THE TOWN'S DECLARATION OF STATE OF WATER EMERGENCY. SUPT. REDFIELD STATED THAT THE DEPRESSED ECONOMY OF THE AREA CAUSED BY THE NATIONAL ECONOMIC RECESSION AND ANNOUNCEMENT OF THE CLOSURE OF FORT DEVENS HAS REDUCED THE TOWN'S WATER USAGE. SUPT. REDFIELD STATED THE TOWN'S LATEST MAXIMUM DAILY WATER USAGE DEMAND OF 2,229,100 GALLONS/DAY OCCURRING ON JUNE 27, 1991 GAVE THE TOWN A 12% RESERVE OF ITS 2.5 MGD APPROVED PUMPING CAPACITY FOR THE SPECTACLE POND WATER SUPPLY FACILITIES. THE TOWNS CURRANT AVERAGE DAILY DEMAND IS 1.5 MGD OR 1.0 MGD OF RESERVE AVERAGE DAILY DEMAND. THE BOARD WAS ALSO ADVISED THAT NEGOTIATIONS HAVE BEGUN TO UPGRADE AND A TREATMENT STUDY CONTRACT WITH CAMP DRESSER & MCKEE. THIS IS THE FIRST STEP TOWARDS REDEVELOPMENT OF THIS WATER SUPPLY TO BE IN FULL COMPLIANCE WITH THE DRINKING WATER REGULATIONS. SUPT. REDFIELD STATED CONSIDERING THE CURRENT REDUCED WATER USE AND PROGRESS BEING MADE WITH GROVE POND WATER SUPPLIES, HE FELT IT WOULD NOT BE APPROPRIATE TO CONTINUE THE WATER EMERGENCY DECLARATION. BUT SHOULD THE TOWN AGAIN EXCEED THE SAFE YIELD OF THE SPECTACLE POND WATER SUPPLY OR IS DELAY OCCURS WITH THE GROVE POND WELLS THE TOWN MAY AGAIN REQUEST ASSISTANCE FROM DEP TO INITIATE AGAIN THE STATE OF WATER EMERGENCY. SELECTMAN JONES MOVED THE BOARD LIFT THE MORATORIUM PER SUPT. REDFIELD'S RECOMMENDATION BUT LETTER TO MR. JAMES FULLER BE EDITED FROM MAY AGAIN TO WILL AGAIN DECLARE A STATE OF WATER EMERGENCY FOR THE TOWN OF AYER IF THE TOWN EXCEEDS THE SAFE YIELD OF THE TOWNS WATER SUPPLY. SECONDED BY CHAIRMAN MCKINNEY, VOTE: UNANIMOUS, SO MOVED.

2. THE BOARD UPON SUPT. REDFIELD'S RECOMMENDATION APPOINTED RONNIE PERBERTON TO THE POSITION OF RECYCLING/PERMIT ASSISTANT. HOURS OF WORK: 18 HOURS PER WEEK - SALARY: \$5.00 PER/HOUR. MOTION MADE BY SELECTMAN JONES, SECONDED BY CHAIRMAN MCKINNEY, VOTE: UNANIMOUS, SO MOVED.

3. THE BOARD WAS UPDATED RE: THE STATUS OF THE AUBUCHON HARDWARE STORE BACKUP THAT OCCURRED ON 11/25/91, A COPY OF MR. ROBERT SMITH'S REPORT SENT TO TOWN'S INSURANCE CARRIER.

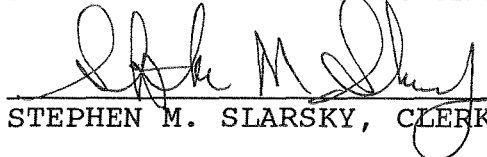
4. THE BOARD REVIEWED THE TOWN'S NEW WATER POSTCARD GENERATED AT THE DPW WITH NEW WATER AND SEWER BILLING FORMAT. THE BOARD REQUESTED SUPT. REDFIELD INFORM THE TOWN RESIDENTS OF THE NEW POST CARD BILLING PROCESS IN THE NEWSPAPER PRIOR TO BILLING.

5. THE BOARD REVIEWED THE BELT FILTER PRESS AWARD AND LETTER OF

PROTEST FROM THE LOWEST BIDDER W. HICKEY CO., INC./NO. ATTLEBORO, MA. SELECTMAN JONES MOVED THE BOARD AWARD THE BID TO WATERLINE CONTINGENT UPON APPROVAL FROM COMMONWEALTH OF MASS. DEPT. OF LABOR & INDUSTRIES AFTER HEARING, SECONDED BY CHAIRMAN MCKINNEY, VOTE: UNANIMOUS, SO MOVED.

9:00P.M. SELECTMAN JONES MOVED THE BOARD ADJOURN FROM OPEN SESSION TO ENTER INTO EXECUTIVE SESSION PURSUANT TO MG.L. CHAPTER 39 S 23B RE: POLICE DEPLOYMENT TO ADJOURN FROM THIS EXECUTIVE SESSION AND ENTER INTO EXECUTIVE SESSION PURSUANT TO M.G.L. CHAPTER 39, SECTION 23 B RE: EDWARDS GRIEVANCE TO ADJOURN AND ENTER INTO EXECUTIVE SESSION PURSUANT TO MGL CHAPTER 39 S 23B RE: CONTRACT STRATEGY SESSION IBPO 346A, TO ADJOURN TO RE-ENTER OPEN SESSION FOR THE SOLE PURPOSE OF ADJOURNING THE SELECTMEN'S MEETING. SECONDED BY CHAIRMAN MCKINNEY, VOTE: UNANIMOUS, SO MOVED.

9:00P.M. MEETING ADJOURNED

 Clerk. DATE: Jan 28, 1992
STEPHEN M. SLARSKY, CLERK