

2. Park St. - retail dry goods building - F&P Willows Trust

The Board after a brief discussion requested additional time to review the new documentation stating they did not feel comfortable with approving the applications until a careful review had been conducted. Chairman Slarsky requested the Board meet on Saturday, March 9, 1991. Selectman Jones requested no new tie-in be approved until the stand pipes/tanks had been cleaned.

George Carpenter, a local contractor from Groton, Ma. requested to speak to the Board regarding his water application submitted on 11/2/90, prior to the 12/14/90 deadline. Mr. Carpenter stated he had a buyer for the property on Wright Rd. and had entered into a Purchase & Sales Agreement stating his only hold up was with obtaining the water/sewer permits. Mr. Carpenter requested to know if he would get his permits stating he had already obtained building permits. The Board reminded Mr. Carpenter that he entered into Building Permits at his own risk, not being guaranteed water/sewer permits. Chairman Slarsky requested Mr. Carpenter speak with Supt. Redfield concerning this matter. Selectman Jones moved the Board meet on Saturday, March 9, 1991 to review Water & Sewer applications currently before the Board, seconded by Selectman McKinney, VOTE: unanimous, so moved.

The Board moved and seconded to approve a single sewer tie-in for 55 Wright Rd. owned by Gordon Newell. Motion moved by Selectman Jones seconded by Selectman McKinney, VOTE: unanimous, so moved.

3. Supt. Redfield advised the Board of the unexpected resignation of Joseph Sidelinger, mechanic for the Equipment Repair division on March 1, 1991. Selectman Jones moved the Board accept the resignation of Joseph Sidelinger effective March 1, 1991, seconded by Selectman McKinney, VOTE: unanimous, so moved. Supt. Redfield requested Mr Howard Bilheimer, the second most qualified applicant interviewed on 1/22/91 be appointed to the Equipment Repair Division Mechanics position. The Board requested to review the list of applicants on Saturday 3/9/91 before making a decision. Selectman Jones moved this discussion be continued until Saturday, March 9, 1991, seconded by Selectman Jones, VOTE: unanimous, so moved.

4. Supt. Redfield advised the Board not to enter into the agreement with CPF re: discharging 10,000 gal. of wastewater into the towns wastewater collection & treatment facilities due to the discharge being in violation of the Town's Industrial Pretreatment Regulations. Chairman Slarsky requested that HTA submit in writing a letter to CPF explaining the situation.

5. Supt. Redfield advised the Board that the EIR for the Park Square Retail Center addresses all of his water/sewer recommendations. The Board requested from Supt. Redfield how much time he had spent on this project. Supt. Redfield stated approximately five (5) hours total. The Board stated their dismay with Supt. Redfield working on private projects on Town time.

6. Supt. Redfield advised the board of the stand pipes being cleaned on 3/18/91 and shut down. Supt. Redfield stated he would advise the newspapers & cable to advertise this shut down and request conservation measures be taken during this cleaning period. Chairman Slarsky requested the Board be made aware of cleaning date to be sure they stop by and review the cleaning operations.

Chairman Slarsky requested that the applications for the mechanics position be left with Tim for the Board's review.

8:00p.m. PUBLIC HEARING-BOSTON GAS CO.

Chairman Slarsky opened the Public Hearing by reading into the record the legal advertisement for the Hearing published the weeks of 2/20/91 & 2/27/91 in Nashoba Publications newspaper. Present for the Hearing was Francis X O'Leary, and Steve Wells from Boston Gas Co.

The Board reviewed the layout drawing of the proposed line, commencing at West St. down West Main St. Mr. O'Leary stated this was a system improvement line generate from Shirley, Ma. The Board expressed their displeasure with Town of Ayer roads being constantly dug up to accommodate the utility companies, stating the town roads look like a jig-saw puzzle. Chairman Slarsky went on to state the Town had recently completed paving in the downtown area and along West Main St. in conjunction with revitalization of the downtown. Chairman Slarsky expressing his desire for full width repaving made a part of the petition in front of the Board this evening. Mr. O'Leary stated he had met with Supt. Redfield earlier and Supt. Redfield had advised him of completion date by Boston Gas for this petition being May 1, 1991. Chairman Slarsky requested if Boston Gas was willing to share cost with the other utilities for full width re-paving for this petition. Mr. Wells stated this had never been required of Boston Gas and that he would look into this and get back to the Board with his supervisors response. Supt. Redfield requested the following conditions be made a part of the approval of the Boston Gas petition:

1. Complete this project by May 1, 1991 from Mobil station to Pole #10 located on West Main St.
2. Use of flow ABCE fill or other backfill and compaction meted satisfactory to the town's DPW superintendent.
3. 3" bituminous concrete trench patch installed in two (2) lifts.
4. Participate in sharing the cost of installing a full width bituminous concrete overlay with Nashoba Cable, New England telephone, Mass. Elec.
5. Repair after three (3) year-cost prohibited-if trench settles 1/2" in any one spot. (infa-red to be used)

Chairman Slarsky requested if there were any abutters present to speak for or against the petition, no one came forward, so noted.

The Board stated they agreed in principal with the conditions laid out by Supt. Redfield re: the full width overlay and requested to take the petition under advisement, pending approval from Boston Gas officials. Full width repavement to include: West of West St. between second entrance of Service Station to pole #10 on West Main St.

Selectman Jones moved the Board approve the petition in principal to the five part conditions laid out by Supt. Redfield, and for Boston Gas to participate with the other utilities for full width repavement of area. Seconded, by Selectman McKinney, VOTE: unanimous, so moved.

EXECUTIVE SECRETARY'S REPORT:

1. The Board reviewed the Town Election ballot question re: citizens voting to support or not support the construction of a new Police Station, and the funding source.

The Assessors and Treasurer's Office to provide information necessary to assess the impact to the tax rate should a debt exclusion pass.

2. The Board was advised that Mr. Higgins was working on the language for the home rule petition to see if the voters will support a change from an elected to an appointed treasurer.

3. The Board was advised to the Regionalization Committee no able to provide status of regionalization at this time.

4. The Board was advised of the Tax Classification Hearing being scheduled for Monday, March 18, 1991 at 7:30p.m.

5. The Board was advised of a potential need for a transfer from the Reserve Fund being informed by Supt. Markham to cover a shortfall in the Vocational Education Budget.

6. The Board was updated to the latest developments regarding the proposed Airport. The Blue Ribbon panel (Aeronautics Com.) will meet on March 25, 1991 to vote of the short list of sites submitted by their consultants, March 26, 1991 the Aeronautics Com. will vote on the recommendation of the Blue Ribbon Panel. The Board was advised of the next meeting with the local area towns is March 5, 1991 at 7:30p.m. at Atlantic Union College. The Board was advised of Bob Gardner and Tim meeting with Senator Durand at the State House and of contact being made with Desrochers who stated the panel would not be voting on the short list, all agreeing the process was flawed.

7. The Board was advised of Town Accountant, Sharon Summers successful effort in achieving reimbursement of \$6,300.00 from our insurance company for expenses related to one of the towns patrolmen.

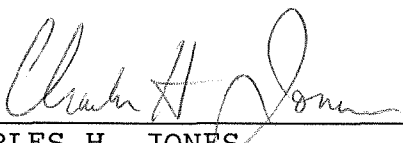
8. The Board was made aware of correspondence coming from MMA requesting cities and towns to submit back to them the magnitude of the shortfall in various municipalities for fy-92 this information will be sent to the house and senate to depict just how hard communities would be hurt by another year of cuts to local aid.

9. The Board reviewed the Saturday morning meeting with the School Committee conducted on March 9, 1991 relative to the towns policy on the closing of year end balance into free cash to include PL-874 funds. Chairman Slarsky stated that the Town Accountant in accordance with General Laws and accepted Town procedures, on June 30, 1990 the Town Accountant closed the FY-90 books. On September 28, 1990, F. Ellis Fitzpatrick, Asst. Director of Accounts at the Massachusetts Department of Revenue certified the Towns free cash at \$1,224,287.00 which included the \$300,000.00 school department fy-90 unspent funds.

The Board stated what has been done is correct and to further assure the accurateness of this action the Board moved to accept this practice for closing the towns financial records in the future, Selectman Jones moved this motion, seconded by Selectman McKinney, VOTE: unanimous, so moved.

9:05p.m. Selectman Jones moved the Board adjourn from Open Session to enter into Executive Session pursuant to M.G.L. Chapter 39 Section 23B re: disability retirement of a police officer to adjourn this executive session and re-enter another Executive Session pursuant to M.G.L. chapter 39, section 23B re: pending litigation, Barnum Point to adjourn and re-enter Open Session for the sole purpose of adjourning the meeting. Selectman McKinney seconded the motion, VOTE: unanimous, so moved.

9:07p.m. Open Session adjourned.

 DATE: 3/18/91

CHARLES H. JONES