

AYER BOARD OF SELECTMEN'S MEETING
MONDAY, DECEMBER 10, 1990
SECOND FLOOR TOWN HALL, MAIN ST., AYER, MA.

7:30P.M. OPEN MEETING

THE BOARD MET WITH CHAIRMAN SLARSKY, SELECTMAN JONES AND SELECTMAN MCKINNEY.

THE BOARD SIGNED THE COMMON VICTUALLER'S LICENSE FOR DUNKIN DONUTS HAVING BEEN APPROVED BY NASHOBA ASSOCIATED BOARDS OF HEALTH FOR THEIR FOOD HANDLERS LICENSE AND OBTAINING THE OCCUPANCY PERMIT FROM THE BUILDING COMMISSIONER, FORMS ON FILE WITH LICENSE.

THE WEEKLY WARRANT WAS REVIEWED AND APPROVED IN THE FOLLOWING AMOUNTS: P/R: \$338,587.13
BILLS: \$185,558.74

THE MINUTES OF NOVEMBER 27, 1990 WERE READ AND APPROVED AS AMENDED.

THE BOARD MET WITH MARTY KRETSCH REGARDING THE PRELIMINARY DESIGN PRESENTATION OF THE POLICE STATION. THE BOARD WAS PRESENTED COPIES OF THE FINAL REPORT AND SUPPLEMENTS OF THIS STUDY.

MR. KRETSCH STATED THE REPORT OUTLINED FOUR (4) COMPONENTS:

- 1.) NEED WAS DEFINED FOR A NEW POLICE STATION.
- 2.) SITE LOCATION WAS DETERMINED.
- 3.) DESIGN OPTIONS
- 4.) COST

MR. KRETSCH WENT THROUGH THE METHODOLOGY USED IN THE DEVELOPMENT OF THE REPORT, BUILDING IN COMPARATIVE PROCESSES INVESTIGATED AS WELL AS DETAILED ANALYSIS OF AYER AND ALSO THE RECOMMENDATIONS OF THE MMA STUDY. THE BOARD WAS UPDATED TO SIZE OF PROJECT AND THE ORGANIZATIONAL STRUCTURE OF THE BUILDING RELEVANT TO SECURITY, ACCESSIBILITY, STAFF EFFICIENCY, RESPONSE TIME AND LOCK-UP FACILITIES.

CHAIRMAN SLARSKY REQUESTED IF MR. KRETSCH HAD INVESTIGATED THE POSSIBILITY OF THE ESTABLISHMENT OF A DUAL STRUCTURE, HOUSING THE AYER FIRE DEPT. AND POLICE DEPT. TOGETHER. MR. KRETSCH STATED HE WAS HIRED TO INVESTIGATE THE FEASIBILITY OF THE POLICE STATION ONLY AND FELT THIS CONCEPT WOULD BE PROBLEMATIC FOR BOTH DEPARTMENTS, IF HOUSED TOGETHER AT THIS SITE. MR. KRETSCH CITED SIZE OF AREA MAJOR ISSUE AND FIRE CHIEF ADAMANT THAT SITE LOCATION WAS NOT CONFORMING FOR EMERGENCY REASONS.

THE BOARD ENTERED INTO A DISCUSSION REGARDING OPTIONS EXPLORED BY MR. KRETSCH CONCERNING OTHER AREAS LOOKED INTO FOR SITING THE FIRE STATION , I.E. WASHINGTON ST., PLEASANT ST. SCHOOL, PARK ST. AND THE COMBINED BENEFITS OF THE TWO (2) DEPARTMENTS HOUSED TOGETHER. (FINANCIAL, SHARED DISPATCHER, ECONOMICS). CHAIRMAN SLARSKY RE-REQUESTED IF MR. KRETSCH HAD DESIGNED THE FACILITY SO THAT NO ADDITIONAL STAFFING BE NEEDED TO OPERATE THE FACILITY. MR. KRETSCH STATED THAT NO ADDITIONAL STAFFING WILL BE NECESSARY TO OPERATE THE FACILITY BUT THAT ROOM FOR ADDITIONAL PERSONNEL HAD BEEN BUILT IN.

THE BOARD REQUESTED CHIEF PARKER BE PUT ON THE SELECTMEN'S AGENDA FOR 12/17/90 RE: CONTINUING DISCUSSION/FEASIBILITY STUDY FIRE/POLICE STATION AT THE PARK ST. LOCATION.

THE BOARD MET WITH ALAN DAVIS, PRESIDENT OF NASHOBA CABLE, WESTFORD, MA. PRESENT FOR THIS DISCUSSION WAS TOWN COUNSEL REGARDING CABLE RATE INCREASE FOR TOWN OF AYER. CHAIRMAN SLARSKY EXPRESSING THE BOARD'S DISMAY REGARDING THESE NEW INCREASES CITING THE POOR ECONOMIC CLIMATE AND YEARLY INCREASES BECOMING EXCESSIVE OVER THE PAST FIVE YEARS. CHAIRMAN SLARSKY STATED BASIC RATE BEING \$8.95 WHEN FIRST OFFERED IN 1985 DOUBLING FIVE YEARS LATER TO \$16.95 IN 1990. NOW A NEW FEE BRINGING BASIC CABLE UP TO \$18.95 IS BEFORE THE TOWN AGAIN. MR. DAVIS WAS REQUESTED TO CLARIFY FOR THE BOARD THE NEW RATE INCREASE. MR. DAVIS STATED THE TOWN OF AYER HAS PRESENTLY A 1600 SUBSCRIBERSHIP. BASIC HOME RATE IN 1985 WAS AROUND \$28.00 WHEN FIRST OFFERED, AVERAGE BILL PRESENTLY IN 1990 BEING \$33.00 NOT NEARLY APPROACHING DOUBLE. MR. DAVIS ELABORATED ON COST INCREASES: GASOLINE, VEHICLE MAINTENANCE, BANKING OBLIGATIONS ETC.

MR. DAVIS STATED THAT NASHOBA'S CABLE'S FEES ARE MUCH LOWER THAN SURROUNDING COMMUNITIES PLUS NASHOBA OFFERS A GREATER SENIOR DISCOUNT OF 20% TO RESIDENTS 65 OR OLDER..

TOWN COUNSEL REQUESTED HOW MANY RESIDENTS ARE MADE AWARE OF LOCAL ORIGINATION, AND REQUESTED IF A TRADE OFF COULD BE GIVEN FOR REDUCTION IN COST? OFFICE IN AYER, COULD IT BE CLOSED TO SAVE MONEY? COULD CHANGES IN BASIC CHANNELS BE REDUCED TO LOWER COST? THE BOARD REQUESTED MR. DAVIS TO SUBMIT ANALYSIS OF THESE OPTIONS.

THE BOARD MET WITH TOWN CLERK/TAX COLLECTOR BEATRICE BRIGGS, THE BOARD OF ASSESSORS, TOWN ACCOUNTANT AND MEMBERS OF THE ADVISORY BOARD REGARDING A REQUEST FOR TRANSFER FROM THE RESERVE FUND IN THE AMOUNT OF \$2,640. MRS. BRIGGS STATED THAT SHE HAD RECEIVED WORD FROM THE REGISTRY OF MOTOR VEHICLES THAT THEY WILL NOT BE PROVIDING THE FIVE (5) COPY FORMAT AS CUSTOMARY. MRS. BRIGGS EMPHASIZED THE NEED OF HAVING THESE MULTIPLE COPIES FOR RECORD KEEPING.

CHAIRMAN SLARSKY REQUESTING EXPLANATION FROM STATE AS TO WHY THIS

SERVICE WAS BEING DISCONTINUED. TIM HIGGINS TO PURSUE, LETTER TO BE SENT TO DEPARTMENT OF REVENUE.

THE BOARD AFTER A BRIEF DISCUSSION APPROVED THIS COMMITMENT OF FUNDS. SELECTMAN MCKINNEY MOVED THE BOARD COMMIT THIS TRANSFER, IF NEED BE, AT THE END OF THE FISCAL YEAR. SECONDED BY SELECTMAN JONES, VOTE: UNANIMOUS, SO MOVED. WILLIAM OLEFKE MOVED THE ADVISORY BOARD APPROVE THIS COMMITMENT TO THE END OF THE FISCAL YEAR, SECONDED JOSEPH OSBALDERSON. VOTE: UNANIMOUS.

EXECUTIVE SECRETARY'S REPORT:

MR. HIGGINS REQUESTED THE BOARD GO OFF THE POSTED AGENDA TO ENTER INTO AN EMERGENCY EXECUTIVE SESSION PURSUANT TO M.G.L. CHAPTER 39, SECTION 23B. TOWN COUNSEL, ROBERT GARDNER WAS PRESENT TO ELABORATE ON THE OPEN MEETING LAW REQUIREMENTS STATING THERE WAS NO VIOLATION OF THE OPEN MEETING LAW DUE TO EMERGENCY SITUATION. TOWN COUNSEL STATED THAT A AGENDA COULD HAVE BEEN POSTED IF JOHN WYMANS LETTER HAD BEEN RECEIVED SUNDAY, DECEMBER 9, 1990 AND THE URGENCY OF SAID LETTER RELEVANT TO THE RETIREMENT BOARD WHICH MEETS WEDNESDAY EVENING, DECEMBER 12, 1990 IN WHICH THERE IS A POSSIBILITY THEY WILL BE DISCUSSING THIS PARTICULAR SITUATION THAT WOULD BE CONTRARY TO THE OFFICERS WISHES WHICH IS IN THE LETTER DATED 12/10/90 SO THEREFORE, GIVING THE PRACTICALITIES OF NOT BEING ABLE TO GET THE BOARD, THE OFFICER, THE CHIEF AND THE UNION A TOGETHER ON WEDNESDAY NIGHT, AND GIVING TOWN COUNSEL A LITTLE LEAD TIME INTO WHICH DIRECTION THIS WHOLE THING WOULD GO, TOWN COUNSEL REQUESTED THIS DISCUSSION GO INTO EXECUTIVE SESSION.

CHAIRMAN SLARSKY REQUESTED FROM JOHN WYMAN IF HE WISHED OPEN OR EXECUTIVE SESSION-JOHN WYMAN STATED EXECUTIVE.

SELECTMAN JONES MOVED THE BOARD ENTER INTO AN EMERGENCY EXECUTIVE SESSION FOR THE PURPOSE OF THE REQUEST OF SGT. JOHN WYMAN OF THE AYER POLICE DEPT. PURSUANT TO M.G.L. CHAPTER 39 SECTION 23B PHYSICAL CONDITION, REGARDING A REQUEST FOR RE-INSTATEMENT, TO ADJOURN AND RE-ENTER OPEN SESSION SECONDED BY SELECTMAN MCKINNEY, VOTE: UNANIMOUS, SO MOVED.

9:05P.M. EXECUTIVE SESSION

9:55P.M. SELECTMAN MCKINNEY MOVED THE BOARD ADJOURN FROM EXECUTIVE SESSION TO RE-ENTER OPEN SESSION, SECONDED BY SELECTMAN JONES, VOTE: UNANIMOUS, SO MOVED.

9:55P.M. OPEN SESSION

EXECUTIVE SECRETARY'S REPORT

1. THE BOARD WAS UPDATED TO MEETING SCHEDULED FOR WEDNESDAY, DECEMBER 12, 1990 AT 3:00P.M. AT THE AYER TOWN HALL WITH THE MASS. AERONAUTICS COM. (MAC) AND SURROUNDING COMMUNITIES

REGARDING MAC'S RECOMMENDATION OF FT. DEVENS AS THE FIRST AND SECOND PRIORITY SITES FOR A SECOND MAJOR AIRPORT.

2. THE BOARD WAS UPDATED ON THE TOWN OF AYER'S WATER EMERGENCY DECLARATION. THE BOARD WAS ADVISED OF A NEW SUBSECTION 2B WHICH WOULD ALLOW THE BOARD TO GRANT TIE-INS IN THE EVENT OF CERTAIN SPECIFIC EMERGENCY SITUATIONS, I.E. PUBLIC HEALTH, WELL CONTAMINATION, AND ALSO A NEW SECTION 3 WHICH WOULD ALLOW THE TOWN TO TERMINATE THE MORATORIUM IN THE EVENT THE TOWN IS ABLE TO STAY WITHIN SAFE YIELD OF THE AQUIFER.

SELECTMAN MCKINNEY MOVED THE BOARD AGREE IN PRINCIPAL TO THE DRAFT DECLARATION OF STATE OF WATER EMERGENCY AND ORDER PENDING FULL REVIEW BY SUPT. REDFIELD AND TOWN COUNSEL, SECOND SELECTMAN JONES, VOTE: UNANIMOUS. SO MOVED.

SUPT. REDFIELD ON ANOTHER MATTER PRESENTED TO THE BOARD A LETTER TO JOHN DESMOND, COM. OF MA., DEPT. OF ENVIRONMENTAL PROTECTION, WATER SUPPLY DIV., REQUESTING DEP TO DETERMINE IF THE TOWN OF AYER GROVE POND WELLS #019-01G AND #19-02G ARE DESIGNATED AS A SURFACE WATER SUPPLY OR A GROUNDWATER SUPPLY SOURCE. SELECTMAN JONES MOVED THIS REQUEST, SECONDED BY SELECTMAN MCKINNEY, VOTE: UNANIMOUS, SO MOVED.

3. THE BOARD WAS ADVISED TO NUMEROUS COMPLAINTS BEING RECEIVED REGARDING DIRT BIKES AND MOTOR VEHICLES USING THE HOLLIS BRANCH FOOT PATH LOCATED NEAR GROTON ST. AND OF THE DUMPING OF TRASH IN THAT AREA. MR. HIGGINS STATED HE HAD RECEIVED OFFICIAL WORD TO GO AHEAD WITH THE PLACING OF BOULDERS TO THE ENTRANCE OF THAT TRAIL FROM DEP AND WISHED TO SEEK SUPPORT FROM THE BOARD TO DIRECT THE DPW TO INSTALL THE BOULDERS AS SOON AS POSSIBLE. THE BOARD APPROVED THIS ACTION.

4. THE BOARD WAS ADVISED OF LETTER RECEIVED FROM MCCARTHY ASSOC. REQUESTING CLARIFICATION FROM STATE DPW IF LIGHT IS NECESSARY FOR PARK & MAIN ST. THE BOARD WAS ADVISED THAT THE TOWNS POSITION HAD NOT BEEN REPRESENTED PROPERLY TO MASS. DPW AND COPIES OF RECOMMENDATIONS FROM THE POLICE DEPT, DPW, AND PLANNING BOARD HAD BEEN FORWARDED TO MASS. DEP.

5. THE BOARD WAS ADVISED THAT THE INSURANCE BIDS HAVE BEEN RECEIVED, A RECOMMENDATION TO AWARD WILL BE SCHEDULED FOR 12/17/90.

6. THE BOARD WAS ADVISED OF THE RECYCLING GRANT APPLICATION BEING COMPLETED AND SUBMITTED TO DEP-DIV. OF SOLID WASTE FOR 3 TRAILERS.

CHAIRMAN SLARSKY REQUESTED AT THIS TIME FOR UPDATE ON THE WEST MAIN ST. BRIDGE BE SCHEDULED FOR 12/17/90.

SUPT. REDFIELD'S REPORT:

1. SUPT. REDFIELD REQUESTED THE BOARD AWARD THE CONTRACT FOR

ENGINEERING SERVICES FOR IMPLEMENTATION AND ADMINISTRATION OF THE TOWNS WASTEWATER IND. PRETREATMENT PROGRAM (WWIPP) TO HOYLE TANNER & ASSOC. FOR THE BID AWARD OF \$74,228.00 AND AUTHORIZE THE USE OF \$190,000 OF UDAG PAYBACK FUNDS . THE BOARD REQUESTED THIS ITEM BE SET BACK TO 12/17/90 WHEN UDAG MONEY ALLOCATIONS ARE FINALIZED.

2. SUPT. REDFIELD ADVISED THE BOARD THAT THE RFP FOR ENGINEERING SERVICES ASSOCIATED WITH THE DESIGN AND CONSTRUCTION OF AN IRON AND MANGANESE REMOVAL TREATMENT FACILITY TO SERVICE THE GROVE POND WELLS WAS READY IN DRAFT FORM AND HE WISHED TO REQUEST PERMISSION TO USE TOWN COUNSEL FOR REVIEW OF THIS RFP. THE BOARD APPROVED THIS REQUEST.

3. THE BOARD REQUESTED SUPT. REDFIELD REVIEW APPLICANTS FOR THE RECYCLING-TRANSFER STATION POSITION AND BE READY TO REPORT/RECOMMEND THREE (3) APPLICANTS FOR 12/17/90. SUPT. REDFIELD STATED HE WILL DO HIS BEST TOWARDS THIS REQUEST.

10:20P.M. SELECTMAN JONES MOVED THE BOARD ADJOURN FROM OPEN SESSION TO ENTER INTO EXECUTIVE SESSION PURSUANT TO M.G.L. CHAPTER 39, SECTION 23B REGARDING PENDING LITIGATION AND THEN TO ADJOURN TO RE-ENTER OPEN SESSION FOR THE SOLE PURPOSE OF ADJOURNING THE MEETING, SECONDED BY SELECTMAN MCKINNEY, VOTE: UNANIMOUS, SO MOVED.

10:20P.M. THE BOARD ENTERED INTO EXECUTIVE SESSION.

10:55P.M. SELECTMAN JONES MOVED TO ADJOURN FROM EXECUTIVE SESSION AND RE-ENTER OPEN SESSION TO ADJOURN MEETING, SECONDED BY SELECTMAN MCKINNEY, VOTE: UNANIMOUS, SO MOVED.

10:55P.M. MEETING ADJOURNED.

Chas H Jones

12/17/90