

Selectmen's Meeting
March 27, 1990

7:30PM Open Session

Present: Chairman Jones, Selectmen Slarsky and Sifakis and Timothy Higgins, Executive Secretary

The Board reviewed the minutes of 3/13/90 a motion for approval was made by Selectman Sifakis and seconded by Selectman Slarsky and passed.

The Board signed the weekly warrant: Payroll \$29,822.68 and Expenses \$199,872.82.

The Board reviewed an application for a one day beer and wine license for the Ayer Gun and Sportsman Club, a motion to approve the license was made by Selectman Slarsky seconded by Selectman Sifakis and passed.

PUBLIC HEARING

Boston Gas Petition Present: Francis X. O'Leary

Chairman Jones read the notice of the Public Hearing as it appeared in the newspapers. Mr. O'Leary explained that the Gas Co., wanted to put in a gas line to service Kentucky Fried Chicken, which would be put in as soon as weather conditions allowed. A motion to approve the request was made by Selectman Slarsky seconded by Selectman Sifakis, in a discussion the Board requested that construction materials be removed from other Gas Co., job sites in the Town, Mr. O'leary agreed to do this, the motion was then passed.

IBPO Complaints:

Present: Chief Connors, Officers Bonner, Coulter, Cormier Murray, Busack, LaPrade and O'Connell. Also present: IBPO attorney Mark Hazard. Chief Connors opted to keep any discussion in Open Session. Mr. Higgins presented packets for the Board's review, with complaints which led up to the vote against the Chief, from the IBPO. Officer Coulter assured the Board that the Chief had answered the grievances within five days. He stated that these packets gave the information as to why a vote of no confidence had been taken against the Chief.

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The Board agreed that they needed time to review the information contained in the packets and that this matter would be put on the next agenda. Mr. Higgins asked that the IBPO bring in copies of the minutes of the meeting where the vote of "no Confidence" took place, Mark Coulter agreed to do this.

At this point in the meeting an Executive Session was scheduled. Selectman Slarsky made a motion to enter into Executive Session pursuant to MGL Chapter 39 Section 23, only to come back out for a Public Hearing, RE: Labor Strategy Session (90-1) seconded by Selectman Sifakis, and the motion passed.

9:00PM Open Session

Public Hearing - Coutu License Renewal Present: Mr Gary Balboni

Mr Balboni of ET&L who excavates the property assured the Board that he had the same operations as last year. One resident of the area expressed her concerns with noise and dirt. After a discussion and assurances from Mr. Balboni that the street would be swept properly and trucks would not be lined up waiting at the gate, Selectman Slarsky made a motion to renew the license, seconded by Selectman Sifakis, all in favor and the motion passed.

Again at this point in the meeting, a motion was made by Selectman Slarsky to enter into Executive Session, pursuant to MGL Chapter 39 Section 23B, regarding a grievance, seconded by Selectman Slarsky and the motion passed.

9:40 Open Session

Executive Secretary's Report (see Tim's report on file)

Mr. Higgins noted that under his first item was the Ogden Martin financial documentation. Present were representatives of Odgen, Atty Flink, Bill Mack and Hulic Ratterree the vice preseedent of operations in Haverhill MA who replaced Tom White, Supt. Redfield and Atty Gardner. Tim reminded the Board that they should be aware that the recently enacted Uniform Procurement Act states in part that after April 30, 1990 towns must go out to bid for solid waste disposal agreements and also that the terms and conditions of the agreements be approved by a Town Meeting. It was noted that the Board was in receipt of some of the financial records of the company, to review, and that there was five weeks remaining to Selmin32790pg3

remaining to re-negotiate the contract. Supt Redfield recommended that this be done. The Board expressed some concerns that Groton was paying a lower rate and how that would look to Ayer citizens if Ayer paid more than the Town of Groton. Chairman Jones noted that that the Board would have to defend the rate to be charged. The Board asked that Mr. Higgins, Atty Gardner, and Bill Redfield, continue to meet concerning the contract and that re-cycling should be included in these discussions. Mr. Mack stated that the company was willing to re-negotiate in a good faith effort, but he could not offer any guarantee that re-negotiating a contract would not occur again within 2 years. He added that he could not offer assurances. Atty Gardner added that this was not a comforting situation, but that both parties have to proceed in a good faith effort. Supt Redfield asked about a trend in regional waste and requested charts, he also noted that there had been a dip in tonnage after the scales started operating.

In conclusion it was determined that the members would have a packet

to review and that more data would be forthcoming.

In other matters Tim noted that he had been advised by special counsel that a request for a reimbursement of legal fees for a disputed water bill, that the Town was not obligated to pay. The Board asked that Tim write to Mr. Wood concerning this matter.

Tim noted that the services from the DPW at the Police Department and School Department will be cut back. The Board reviewed and signed two non-binding referendum questions for the upcoming election ballot. One, a Town Manager type of government, and the other if the State should return 40% of revenue collected in taxes. Mr. Higgins also noted that there would be a meeting the 28th at the High School on the Environmental Impact relative to the realignment of Fort Devens. Also that the House Bill #5424 regarding the coal plant is scheduled for a hearing before the local affairs committee for April 11, 1990, he noted that he would try to attend to represent the Board.

10:30PM At motion to adjourn the meeting was made by Selectman Slarsky, seconded by Selectman Sifakis, all in favor and the motion passed.

Emanuel Sifakis