



**Town of Ayer
Board of Selectmen
Ayer Town Hall – 1st Floor Meeting Room
Ayer, MA 01432**

Tuesday December 6, 2016
Meeting Minutes

Present: Gary J. Luca, Chair; Christopher R. Hillman, Vice-Chair; Jannice L. Livingston, Clerk
Robert A. Pontbriand, Town Administrator
Carly M. Antonellis, Assistant to the Town Administrator

Call to Order: G. Luca called the meeting to order at 7:00 PM.

Pledge of Allegiance: BOS members and meeting attendees stood and recited the Pledge of Allegiance.

Review and Approve Agenda: C. Hillman asked for an update on the odor issue at Nasoya under Selectmen's questions.

Motion: A motion was made by J. Livingston and seconded by C. Hillman to approve the agenda, as amended.
Motion passed 3-0.

Announcements: G. Luca made the following announcements: the Winter Parking Ban is now in effect; The 15th Annual Holiday Concert Music and Sing Along featuring the Nashoba Valley Concert Band will be held at the Town Hall at 2:00 PM on December 10, 2016; The 17th Annual Tuba Christmas Concert will be held on Sunday December 11, 2016 at 2:00 PM at the Town Hall; Pearl Harbor Day is tomorrow December 7th. C. Hillman stated that the Page Hilltop school held the Lip Sync contest this past weekend and was a success.

Public Input: None

Turkey Crossing Signs for Groton School Road --Mr. Preston O. Campaner: The Board presented Mr. Preston Campaner with a certificate of appreciation. Preston recently wrote the Town and requested the installation of two "Turkey Crossing" signs on Groton Harvard Road.

Mr. Alan Manoian, Director of Community and Economic Development: *Approval of FY' 17 UDAG Funds – Economic Development Budget* – A. Manoian was in attendance requesting approval of \$43,704 from the UDAG budget to fund the annual appropriation to the Economic Development Budget.

Motion: A motion was made by J. Livingston and seconded by C. Hillman to approve the request to fund \$43,704 out of the UDAG account of the Economic Development budget. **Motion passed 3-0.**

Developer Proposal Historic Ayer Central Fire Station - A. Manoian reported that the Town received one proposal in the amount of \$1,000 (one thousand dollars) from Page Moore Realty Trust for the sale of the former fire station located on Washington Street. A. Manoian reported that within the proposal there were multiple requests including: a reduction in building department fees, water and sewer connection fees, a TIF agreement, 21e report, assistance with the application for the National Register of Historic Places, zoning relief and the Town's support for a façade grant through Community Preservation funds.

The BOS felt that the low offer price and the list of requests were not beneficial for the Town. The BOS asked A. Manojan to reassess the condition of the building with the Building Inspector and to get a cost on securing the building during the winter months. A. Manojan will report back.

Motion: A motion was made by C. Hillman and seconded by J. Livingston to reject the bid from Page Moore Realty Trust and to pursue securing the building from the winter elements. **Motion passed 3-0.**

Public Hearing – Tax Classification Hearing: At 7:46 PM J. Livingston read the Public Hearing Notice as advertised in the Nashoba Valley Voice. The BOS was joined by Administrative Assessor Tom Hogan and the Board of Assessors. T. Hogan presented four items as it relates to the FY' 17 tax rate, pursuant to MGL c.40 §56: 1) open space discount, 2) residential exemption 3) small commercial exemption 4) and the adoption of a residential factor. T. Hogan reported that the property values in Ayer increased 5%, which was the most in recent years.

Motion: A motion was made by J. Livingston and seconded by C. Hillman to not adopt item #1, an open space discount up to 25%. **Motion passed 3-0.**

Motion: A motion was made by J. Livingston and seconded by C. Hillman to not adopt item #2, a residential exemption up to 20%. **Motion passed: 3-0.**

Motion: A motion was made by J. Livingston and seconded by C. Hillman to not adopt item #3, a small commercial exemption up to 10 %. **Motion passed: 3-0.**

T. Hogan then detailed several pieces of information that details setting the residential factor.

G. Luca asked if there was any public input. There was none.

Motion: A motion was made by C. Hillman and seconded by J. Livingston to adopt a residential factor of .718708. **Motion passed 3-0.**

Motion: A motion was made by J. Livingston and seconded by C. Hillman to close the public hearing at 8:11 PM. Motion passed 3-0.

Superintendent Mark L. Wetzel, Department of Public Works: M. Wetzel and Town Engineer Dan Van Schalkwyk were in attendance to discuss the following items:

Sewer Inflow/Infiltration Professional Services Agreement – M. Wetzel stated that this is an agreement with Arcadis US Inc. for Phase 1B Sewer Inflow and Infiltration Investigation. The cost is \$50,000 and involves installation of flow metering equipment.

Motion: A motion was made by C. Hillman and seconded by J. Livingston to approve the agreement between the Town of Ayer and Arcadis US Inc. in the amount of \$50,000 for Sewer Inflow/Infiltration Professional Services with signature by the Chair. **Motion passed 3-0.**

East Main Street Water & Sewer Change Order #2 – M. Wetzel stated that the change order is for additional work on the East Main Street Area water and sewer upgrade project in the amount of \$111,430.06. This Change Order has been reviewed and approved by the USDA.

Motion: A motion was made by J. Livingston and seconded by C. Hillman to approve Change Order #2 in the amount of \$111,430.06 for Cedrone Corp. with signature by the Chair. **Motion passed 3-0.**

MS4 Stormwater Permit Update – M. Wetzel and D. Van Schalkwyk gave a brief presentation of the new Stormwater permit for the Town which will become effective July 1, 2017. M. Wetzel stated there will be new requirements that the Town will be mandated to comply with. Potential future operating budget impacts include: Capital Budget - street sweeper, culvert, storm sewer and outfall improvements; Operating budget - Need to set up and manage permitting and inspections, DPW will need to spend time preparing Notice(s) of Intent, required plans, bylaws, regulations and public education; water quality sampling and lab costs; increased catch basin cleaning costs.

Town Administrator's Report: *Administrative Update* – R. Pontbriand gave a brief administrative update stating that the FY '18 budget process is officially underway. The FY' 18 budget directive will focus on “no new personnel” and level funding of budgets.

Appointments - R. Pontbriand is requesting appointments for the following Committees: Memorial Garden, Mr. Steven Slarsky and Cultural Council Mr. Chris Maloney and Mr. Stephen Quinn.

Motion: A motion was made by C. Hillman and seconded by J. Livingston to appoint Mr. Steve Slarsky to the Memorial Garden Committee for a one year unexpired term to expire on June 30, 2017. **Motion passed 3-0.**

Motion: A motion was made by C. Hillman and seconded by J. Livingston to appoint Mr. Chris Maloney to the Cultural Council for a three year unexpired term to expire on June 30, 2018. **Motion passed 3-0.**

Motion: A motion was made by C. Hillman and seconded by J. Livingston to appoint Mr. Stephen Quinn to the Cultural Council for a three year unexpired term to expire on June 30, 2018. **Motion passed 3-0.**

Appointment of BOS Member to Approve Payroll and A/P Warrants – R. Pontbriand stated that with the passage of the Municipal Modernization Legislation, specifically, MGL c. 41 section 52, as amended allow the BOS to designate a single member to approve payroll and accounts payable warrant provided that the member provides an update of their actions at the next BOS meeting.

Motion: A motion was made by C. Hillman and seconded by J. Livingston to appoint BOS member G. Luca as the authorized BOS member to sign accounts payable and payroll warrants. **Motion passed 3-0.**

2017 License Renewals – C. Antonellis presented the list of 2017 license renewals. She is recommending conditional passage subject to successfully meeting all requirements as set forth by Ayer Bylaw XLII and relevant Massachusetts General Law(s).

Additional License Renewal Requirements, As set forth by Town of Ayer Bylaw XLII and Massachusetts General Law(s)		
Code	License Type	Requirements
Class 1	New/Used Motor Vehicle Dealership License	Proof of \$25,000 Surety Bond
Class 2	Used Motor Vehicle License	
Class 3	Junk Auto Dealer's License	n/a
CV	Common Victualler	n/a
BW	Beer/Wine	Completion of ABCC Form, proof of liquor liability insurance, Fire Inspection by
AA	All Alcohol	
s15	Off Premise/Package Store	

s12	On Premise/Restaurant/Club	AFD
Amusement	Amusement License	n/a
Sunday Entertain	Sunday Entertainment License	n/a

2017 License Renewals		
Business Name	Business Address	License Type
Toreku Tractor & Equipment, Inc.	4 Littleton Road	Class 1
Gervais Inc.	5 Littleton Road	Class 1
Trailer Home Sales	1 Fitchburg Road	Class 1
L-3 Communications	90 Nemco Way	Class 1
Central Collision Center	121 Central Avenue	Class 2
Don's Auto Sales	9 Bishop Road	Class 2
J.C. Madigan, Inc.	8 Shaker Road	Class 2
Terranova Auto Body	40 Littleton Road	Class 2
Sean's Auto & Truck Center, Inc.	42 Littleton Road	Class 2
Rt 2A Auto Sales, Inc.	77 Fitchburg Road	Class 2
Power of Honesty, Inc.	179 West Main Street	Class 2
Harry Schwartz & Sons, Inc.	20 Sandy Pond Road	Class 3
Subway	1 Mill Street	CV
Ayer Convenience	60 Park Street	CV
Deven's Pizza & Deli	210 West Main Street	CV
McDonald's Restaurant	2 Sandy Pond Road	CV
Wendy's Restaurant	2 Barnum Road	CV
Woo Jung Restaurant	174 West Main Street	CV
Verona Pizza & Seafood	18 Park Street	CV
Dunkin Donuts	18 Park Street	CV
Dan's Place	200 West Main Street	CV
Ayer Gulf	26 Park Street	CV
The Cottage Restaurant	18 Main Street	CV
Wok & Roll	49 Park Street	CV
Lazy Mary's	30 Littleton Road	CV
Taco Bell	4 Sandy Pond Road	CV
Union Coffee	25 Main Street #1	CV
Tipo Taco's	35 Main Street	CV
Lamp and Dragon	41 Main Street	CV
The Vineyard	63 Park Street	s15BW
Ayer Shop 'n Save	22 Fitchburg Road	s15BW
Ayer Package Store, Inc.	48 Main Street	s15AA
Traffic Circle Liquors, Inc.	2 Littleton Road	s15AA
Barnum Road Liquors, Inc.	1 Barnum Road	s15AA
Archer's Mobil	70 Main Street	s15BW; CV
Chung Ge Market	210D West Main Street	s15BW; CV
Pauline's Variety	67 1/2 East Main Street	s15BW; CV
Ayer Gun & Sportsmen's Club	225 Snakehill Road	s12BWC; CV
Carlin's	7 Depot Square	s12AA; CV; Amusement; Sunday Entertain;

2017 License Renewals		
Business Name	Business Address	License Type
Billiard's Café	39 Main Street	s12AA; CV; Amusement; Sunday Entertain;
Mango Grill	38 Littleton Road	s12AA; CV
Lucia's Tavola Ristorante	31 Main Street	s12AA; CV
Markoh's on Main	43 Main Street	s12AA; CV
Shaker Hills Country Club	146 Shaker Road	s12AA; CV
Tiny's Restaurant	2 Groton School Road	s12AA; CV; Amusement
Nashoba Club	14 Central Avenue	s12AA; CV; Amusement
Parthenon Pizza	60 West Main Street	CV; Amusement
New England Flatbread & Ale Company, Inc.	9 Main Street	s12AA; CV

Motion: A motion was made by C. Hillman and seconded by J. Livingston to conditionally approve the 2017 License Renewals subject to successfully meeting all requirements as set forth by Ayer Bylaw XLII and relevant Massachusetts General Law(s). **Motion passed 3-0.**

MART Project Update/Depot Square Relocation Update – R. Pontbriand stated that the interim fence would be going up in Depot Square within the coming weeks. R. Pontbriand also reported that the Town should see conceptual designs from the Architect within the month and that the Rail Trail Transfer to the Town was finally moving ahead.

New Business/Selectmen's Questions: C. Hillman asked to discuss the persistent odor issues at Nasoya Foods. He would like to explore the possibility of fining the company if the problem persists.

Approval of Meeting Minutes:

Motion: A motion was made by J. Livingston and seconded by C. Hillman to approve the meeting minutes of November 15, 2016. **Motion passed 3-0.**

Adjournment: A motion was made by J. Livingston and seconded by C. Hillman to adjourn at 9:15 PM. **Motion passed 3-0.**

Minutes Recorded and Submitted by Carly M. Antonellis

Date Minutes Approved by BOS: 20DEC16

Signature Indicating Approval: 