



Town of Ayer  
Board of Selectmen  
Ayer Town Hall – 1<sup>st</sup> Floor Meeting Room  
Ayer, MA 01432

**Tuesday December 20, 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 to add the discussion of a public records request to the Department of Agriculture and the MSPCA relative to 66 Westford Road under the Town Administrator's Report Item #3.

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

**Announcements:** None

**Public Input:** None

**Superintendent Mark Wetzel, Department of Public Works:** *Street Light Purchase from National Grid* – M. Wetzel stated that the Town has been in the process of purchasing the street lights from National Grid. National Grid is selling the infrastructure to the Town of Ayer for \$1.00.

**Motion:** A motion was made by J. Livingston and seconded by C. Hillman to execute agreement between the Town of Ayer and National Grid for the purchase of designated street and area lights in the amount of \$1.00 with signature by the Chair. **Motion passed 3-0.**

**Review of Warrants:** G. Luca stated that he had signed the following warrants:

- 17-10 Account Payable \$2,125,958.90
- 17-11 Payroll \$317,251.72

**Town Administrator's Report:** *Administrative Update* – R. Pontbriand gave a brief administrative update stating that the majority of the Administration's time since the last meeting has been focused on 66 Westford Rd. He reported that the FY'18 Capital Planning Budget was underway and that his office has been coordinating training and compliance with changes to the public records law. He also stated that he and the DPW Superintendent have been interviewing firms that responded to the RFP for solar field development on town land.

**Indemnification Agreement** – R. Pontbriand stated that as part of the eminent domain taking of Depot Square, he is asking the BOS to sign an Indemnification Agreement as drafted by Town Counsel. The agreement is to rectify the

title problems with the former property owner having land listed in a corporation's name that was already dissolved.

**Motion:** A motion was made by J. Livingston and seconded by C. Hillman to execute the indemnification agreement as drafted by Town Counsel between the Town of Ayer and Worthen Dale Realty Corp. **Motion passed 3-0.**

*66 Westford Road Enforcement Update* – R. Pontbriand gave an enforcement update relative to 66 Westford Road highlighting that the Middlesex Superior Court had issued a No Trespass Order on the property and that initial estimates for the extermination and removal of debris is upwards of \$75,000 dollars. The primary goal of the Town at this point is removal of the remaining animals and containing the rat infestation until extermination can begin. R. Pontbriand thanked the following people: Building Inspector Charlie Shultz, Health Inspector Bridgette Braley, Animal Inspector Carlene Purdy, Ayer Police Dept. Officers Burns and Callahan and Sgt. Crumpton, Assistant to the Town Administrator Carly Antonellis and the Ayer Water Dept. for their work thus far.

C. Hillman expressed interest in getting the inspectional reports from both the Dept. of Agriculture and the MSPCA. He would like the Town to send a formal letter requesting all inspection reports.

Mr. Peter Edwards, 1 Orchid Lane expressed his concern with the condition of the property.

Ms. Erica Tamlyn, 15 Loon Hill Road asked about containment of the rats. R. Pontbriand explained that the situation is being closely monitored by professional exterminators.

Mr. James Jones, 5 Lilac Lane stated that he has seen evidence of rodent infestation at his property.

Mr. Paul Magno, 5 Rose Lane asked if the Town will be taking measures to reassess the job their inspectors have been doing. J. Livingston stated that a Town employee cannot just walk onto people's property unless they've been given permission.

Mr. Mark Stewart, 21 Loon Hill Road asked about Mr. McNiff entering the property. R. Pontbriand explained that the Middlesex Superior Court has issued a No Trespass Order but that Mr. McNiff may enter the property with a police escort with advance notification to the Town Administrator's Office.

**Motion:** A motion was made by C. Hillman and seconded by J. Livingston to authorize a Public Records Request from the BOS to the Massachusetts Dept. of Agriculture and the MSPCA requesting any and all reports relative to the condition at 66 Westford Road. **Motion passed 3-0.**

*Procurement Threshold Authorization Change* – R. Pontbriand is recommending and requesting a change in contract signature authorization from \$35,000 to \$50,000 pursuant to changes in the procurement thresholds from the Massachusetts Modernization Act. Any purchases of more than \$50,000 must go before the BOS for consideration.

**Motion:** A motion was made by C. Hillman and seconded by J. Livingston to increase the Town Administrator's contract signature approval and authorization to \$50,000. **Motion passed 3-0.**

**New Business/Selectmen's Questions:** G. Luca reported that the 30 day comment period for the MPO is now in effect. G. Luca also recognized A. Manoian for the successful Holiday Tree Lighting and Winter Stroll that took place on December 10, 2016.

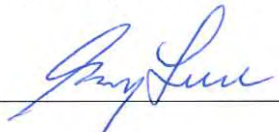
**Approval of Meeting Minutes:**

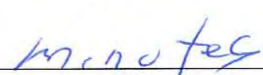
**Motion:** A motion was made by J. Livingston and seconded by C. Hillman to approve the meeting minutes of December 6, 2016. **Motion passed 3-0.**

G. Luca and Board Members wished everyone a Happy New Year.

**Adjournment:** A motion was made by J. Livingston and seconded by C. Hillman to adjourn at 8:44 PM. **Motion passed 3-0.**

**Minutes Recorded and Submitted by Carly M. Antonellis**

Date Minutes Approved by BOS: 

Signature Indicating Approval:  1/17/17