

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



Tuesday February 21, 2017
Open Session Meeting Minutes

Present: Gary J. Luca, Chair; Christopher R. Hillman, Vice – Chair (*Entered at 7:07 PM*);
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.

Announcements: None

Review of Warrants: G. Luca stated that he signed the following warrants on behalf of the BOS:

- 2017-02-14 17-16 Payroll \$311,322.46

Review and Approve Agenda:

Motion: A motion was made by J. Livingston and seconded by G. Luca to approve the agenda. **Motion passed 2-0.**

Public Input: None

Mr. Thatcher Kezer, Devens Regional MART Shuttle Service: Mr. Peter Lowitt from the Devens Enterprise Commission was in attendance for Mr. Kezer and presented information on a Devens Bus Route Service that will create bus/shuttle service from companies in the area to commuter rail stops. The service will also connect to the Leominster and Fitchburg area/transit network. Mr. Lowitt stated that the BOS may authorize their MBTA cherry sheet assessment to be reallocated towards the regional shuttle service.

C. Hillman enters at 7:07 PM

Motion: A motion was made by J. Livingston and seconded by C. Hillman to reallocate the MBTA cherry sheet assessment towards the regional shuttle service. **Motion passed 3-0.**

Mr. Mark Wetzel, Superintendent, DPW: M. Wetzel was in attendance to present his recommendation for the award of the Solar Photovoltaic Land Lease RFP. This information was previously presented to the Energy Committee. The Town would not be purchasing electricity, just leasing the land. The Town received 3 proposals. Based on interviews and price, both M. Wetzel and the Energy Committee are recommending the award be given to Citizens Enterprises Corporation because they were the most responsive and responsible bidder.

R. Pontbriand thanked both M. Wetzel and Town Engineer Mr. Dan Van Schalkwyk for their work on the project.

Motion: A motion was made by C. Hillman and seconded by J. Livingston to award and begin contract negotiations with Citizens Enterprises Corporation. **Motion passed 3-0.**

Town Administrator's Report: R. Pontbriand gave a brief administrative update. He stated that a public information session would be held on February 22, 2016 at 6:00 PM at the Town Hall on the Commuter Rail Parking Lot project.

Appointments – R. Pontbriand is recommending the appointment of Shirley Police Officer Kyle Dodge as a Special Police Officer for the purpose of filling details per Chief Murray's recommendation.

Motion: A motion was made by C. Hillman and seconded by J. Livingston to appoint Shirley Police Officer Kyle Dodge as a Special Police Officer for the purpose of filling details per Chief Murray's recommendation. **Motion passed 3-0.**

FY' 18 Budget Discussion – R. Pontbriand stated that at the March 7, 2017 BOS meeting, he and the Town Accountant will present a snapshot of the FY '18 budget.

FY'17 Snow/Ice Deficit Spending – R. Pontbriand reported that due to recent changes in Massachusetts law, he is able to authorize the DPW to deficit spend the snow/ice budget and is reporting it to the BOS as a matter of public record. He authorized the deficit spending on February 13, 2017 per recommendation of the Town Accountant and DPW Superintendent.

Keno Monitor Installation Request – Ayer Convenience, 60 Park Street – R. Pontbriand presented correspondence from the Massachusetts State Lottery Commission regarding an application from Ayer Convenience to install a Keno monitor to an existing Keno-to-Go system. BOS members had no objections, but asked that the Town Administrator's office write a letter asking that the monitor not be placed near the front windows of the store.

66 Westford Road Update – R. Pontbriand stated that the Court authorized the demolition of all structures on the property. This work is underway and is being done in conjunction with the extermination team. All costs for the work will be liened to the property.

New Business/Selectmen's Questions:

Mary Spinner asked about marijuana regulations. R. Pontbriand reported that he has been in contact with Town Counsel and awaiting the promulgations of state regulations.

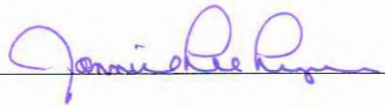
Approval of Meeting Minutes:

Motion: A motion was made by J. Livingston and seconded by C. Hillman to approve the meeting minutes of February 7, 2017. **Motion passed 3-0.**

Executive Session Pursuant to MGL c. 30A, §21A: A motion was made at 7:51 PM by G. Luca and seconded by J. Livingston to enter into Executive Session pursuant to MGL c.30A, section 21A Exemption #3 (Litigation Strategy) *Power v. Carlin's* and to adjourn from Executive Session. G. Luca further stated that to discuss these items in Open Session would be detrimental to the Town's negotiating study. **By Roll Call:** G. Luca, aye; J. Livingston, aye; C. Hillman, aye. **Motion passed by Roll Call 3-0.**

Minutes Recorded and Submitted by Carly M. Antonellis

Date Minutes Approved by BOS: 23mar17

Signature Indicating Approval:  _____