

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



Broadcast and Recorded by APAC

Tuesday June 20, 2017
Open Session Meeting Minutes

Attendance: Christopher R. Hillman, Chair; Jannice L. Livingston, Vice Chair; Gary J. Luca, Clerk

Also in Attendance: Robert A. Pontbriand, Town Administrator

Call to Order: The meeting was called to order in Open Session at 7pm by C. Hillman.

R. Pontbriand requested that the meeting agenda be amended to add two items to the Town Administrator's Report: Grant Extension for the Pleasant Street Infrastructure Project and approval of transfer of title for a Parks Department Truck that has been determined to have no value for the purposes of disposition.

MOTION: A motion was made by G. Luca and seconded by J. Livingston to approve the agenda as amended. Motion passed 3-0.

The Board of Selectmen and the Fourth of July Committee formally recognized Mr. and Mrs. Donald Wallace as the 2017 Grand Marshall's for the Fourth of July Parade.

Public Input: Mr. James M. Fay, Chair of the Fourth of July Committee announced the upcoming events and thanked all of the sponsors for this year's events. Mr. Fay in his capacity as Chair of the Veterans Memorial Garden provided the Board with a brief update on the Veteran's Memorial Garden Committee's efforts to recognize additional Veterans in the Memorial Garden and thanked the Board and the Town for their support.

Mr. David L. Melpignano, the new APAC Community Access Director met with the Board to introduce himself and to discuss with the Board ways in which APAC and the Town can work together to further promote APAC in Town.

Mr. Dan Van Schalkwyk, Town Engineer appeared before the Board regarding the following items:

Purchase Order for a mini-excavator with trailer for the DPW Water Division in the amount of \$68,500.

MOTION: A motion was made by G. Luca and seconded by J. Livingston to approve the purchase order in the amount of \$68,500 for the mini-excavator as presented by the Town Engineer for signature by the Chair. Motion passed 3-0.

Purchase Order for a new street sweeper for the DPW Highway/Stormwater Division in the amount of \$215,697.

MOTION: A motion was made by G. Luca and seconded by J. Livingston to approve the purchase order in the amount of \$215,697 for a new street sweeper for the DPW Highway/Stormwater Division for signature by the Chair. Motion passed 3-0.

Project Change Order for the Washington Street Drainage Improvements Project in the amount of \$10,682.94.

Mr. Van Schalkwyk explained that this change order is for three sanitary sewer spot repairs and the installation of a drainage manhole. The sewer spot repairs were identified by CCTV and are part of proactive maintenance prior to paving. A "tee" connection was discovered during replacement of the drainage trunk line in front of Page Hilltop Elementary School and required the installation of a drainage manhole.

MOTION: A motion was made by G. Luca and seconded by J. Livingston to approve the Change Order in the amount of \$10,682.94 for the Washington Street Drainage Improvements Project as presented by the Town Engineer for signature by the Chair. Motion passed 3-0.

Reserve Fund Transfer for Town Hall Postage Account:

Ms. Lisa Gabree, Town Account/Finance Manager appeared before the Board seeking approval of a Reserve Fund Transfer in the amount of \$1,500 for the Town Hall Postage Account.

MOTION: A motion was made by J. Livingston and seconded by G. Luca for approval of the Reserve Fund Transfer in the amount of \$1,500 for the Town Hall Postage Account as presented by the Town Accountant for signature by the Chair. Motion passed 3-0.

Mr. Robert A. Pontbriand, Town Administrator gave the following Town Administrator's Report to the Board:

Administrative Update: R. Pontbriand presented a brief oral Administrative Update to the Board on various administrative matters since the Board last met on June 6, 2017.

Appointments/Reappointments: R. Pontbriand recommended and requested that the Board vote to appoint/reappoint the individuals to the various committees, boards, and commissions as presented in the June 16, 2017 memo in the Board's packet.

MOTION: A motion was made by J. Livingston and seconded by G. Luca to appoint/reappoint the recommendations set forth in the Town Administrator's June 16, 2017 memo to the Board. Motion passed 3-0.

Commuter Rail Project Update:

R. Pontbriand introduced Mr. Mohammed Kahn, Administrator of MART and Mr. George Kahale of MRPC to give the Board an update on the Ayer Commuter Rail Parking and Access Improvement Project.

Mr. Kahn explained to the Board that the project engineers are currently designing the parking deck for the Park Street portion of the project and have done some preliminary designs for the Depot Square portion of the project. It is anticipated that the parking deck engineering designs will be completed in August for review and input from the Town. Mr. Kahn also explained that as soon as the tenants are all out of the Advocates

Building at Deport Square, MART will be prepared to commence with the demolition of the building this Fall. Additionally, MART anticipates the total project to go out to bid over the winter with the goal of construction commencing in the Spring of 2018. MART will continue to keep the Town updated.

Page Hilltop Elementary School Water Quality Issue:

At the request of the Board, the Town Administrator presented a memo from the Superintendent of Schools, Dr. Mary Malone regarding the School District's ongoing plans and efforts regarding the water quality at the Page Hilltop School.

Retail Marijuana Update:

R. Pontbriand discussed with the Board the issue(s) of the legalization of retail marijuana. The State has until July 1, 2018 to complete the regulations for retail marijuana. R. Pontbriand reviewed the timeline and issues as presented to the Board in the Meeting Packet for June 20, 2017. At this time, R. Pontbriand recommended that the Board consider support of a warrant article at the Special Fall Town Meeting in October seeking an 18-month moratorium as it pertains to the issue(s) of zoning. This will enable the Town to have time to further study the issue and for the State's regulations to come out in July 2018. The Board concurred with this approach and will continue to monitor this issue as it can/may continue to change prior to July 1, 2018.

Extension for the Pleasant Street Infrastructure Grant:

On recommendation of the Office of Community and Economic Development, R. Pontbriand recommended that the Board authorize an extension of this grant which expires on June 30th for three additional months so that the project can be properly completed and closed out.

MOTION: A motion was made by J. Livingston and seconded by G. Luca to grant a three month extension for the Pleasant Street Infrastructure Grant as requested by the Department of Community and Economic Development. Motion passed 3-0.

Transfer of Title for a Parks Department Truck of No Value for the Purposes of Disposition:

On request of the Parks Commission, R. Pontbriand explained that the Parks Commission previously deemed the Parks Department Truck to be of no value and voted to dispose of this property. The individual that wanted the truck of no value agreed to remove it from Pirone Park. R. Ponthriand stated that the Board needs to authorize the Chairman to sign the Title for the truck to complete the transfer.

MOTION: A motion was made by G. Luca and seconded by J. Livingston to authorize the Chair to sign the Title for the Parks Department Truck which was previously determined and voted by the Parks Commission to have no monetary value and to be disposed of for the purposes of completing the transfer/disposition. Motion passed 3-0.

Approval of Meeting Minutes for June 6, 2017:

MOTION: A motion was made by J. Livingston and seconded by G. Luca to approve the Board's Meeting Minutes for June 6, 2017. Motion passed 3-0.

Executive Session:

MOTION: A motion was made by C. Hillman pursuant to MGL Chapter 30A, Section 21A, Exemption #2 (Non-Union Contract Negotiations) with the Police Chief and Town Accountant/Finance Manager and to adjourn for the evening at the conclusion of the Executive Session. C. Hillman stated that to conduct these negotiations in Open Session would be detrimental to the Town's bargaining position(s). Motion was seconded by J. Livingston.

Roll Call Vote: C. Hillman, Yes; J. Livingston, Yes; G. Luca, Yes. Motion passed 3-0.

The Board of Selectmen entered into Executive Session at 8:45pm.

Minutes Recorded and Submitted by Robert A. Pontbriand

Date Minutes Approved by BOS: _____

JULY 18, 2017

Signature Indicating Approval: _____

