

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



*Broadcast and Recorded by APAC*

**Tuesday August 15, 2017**  
**Open Session Meeting Minutes**

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

Robert A. Pontbriand, Town Administrator;  
Carly M. Antonellis, Assistant to the Town Administrator

**Call to Order:** C. Hillman called the meeting to order at 7:02 PM.

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

**Announcements:** None

**Review and Approve Agenda:** R. Pontbriand asked to amend the agenda by removing items number two under the Economic Development Director's Report "Presentation of Special Tax Assessment Agreement – 114 East Main Street/14 Sandy Pond Road" and item number three under Superintendent Wetzel's Report "Update on Parking Management Study and Recommendation".

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

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

•	2017-06-26	17-24	Accounts Payable	\$568,380.93
•	2017-06-26	18-01A	Accounts Payable	\$173,674.54
•	2017-07-20	17-01	Payroll	\$381,317.59
•	2017-07-24	18-01	Account Payable	\$3,114,193.61
•	2017-07-31	18-02	Payroll	\$336,849.25
•	2017-07-17	18-02	Accounts Payable	\$1,829,931.44

**Public Input:** Don Osmer, 1 Mulberry Circle spoke to the BOS about his continued concern about the odor coming from Nasoya Foods. He is asking the BOS hold them accountable because the odor is negatively affecting his quality of life. BOS members expressed their concern with the continual complaints from the neighborhood.

Two representatives from Nasoya Foods stated that they are installing a third scrubber to attempt to address the problem and that they are committed to getting the issue fixed.

BOS members asked for this to be added to the September 5, 2017 agenda to get a progress update.

**Appointment of Administrative Coordinator:** R. Pontbriand introduced Ms. Heather Hampson, the recommended candidate to the position of Administrative Coordinator. He stated that he, Assistant to the Town Administrator Carly Antonellis and Building Commissioner Charlie Shultz conducted the interviews and over 30 people applied. R. Pontbriand is requesting that the appointment be effective Monday August 21, 2017.

**Motion:** A motion was made by G. Luca and seconded by J. Livingston to appoint Ms. Heather Hampson to the position of Administrative Coordinator effective August 21, 2017. **Motion passed 3-0.**

**Chief William A. Murray:** *Appointment of Part-Time Dispatcher* – Chief Murray introduced Ms. Elizabeth Goldsmith, his recommended candidate for the position of part time dispatcher. Ms. Goldsmith has been a Dispatcher since 2012 and has all of the required certifications.

**Motion:** A motion was made by G. Luca and seconded by J. Livingston to appoint Ms. Elizabeth Goldsmith to the position of part time dispatcher effective immediately. **Motion passed 3-0.**

*Appointment of Special Police Officer* – Chief Murray is also requesting the appointment of Harvard Reserve Police Officer Carlton Ford as a Special Police Officer for the purposes of filling details.

**Motion:** A motion was made by G. Luca and seconded by J. Livingston to appoint Officer Carlton Ford as a Special Police Officer. **Motion passed 3-0.**

**Ms. Alicia Hersey, CDBG Program Director:** *FY '15 CDBG – CDF1 Grant* – A. Hersey requested approval for a budget amendment to the CDBG FY'15 grant. She explained that \$14,662.92 will be transferred from housing rehab to cover administration costs.

**Motion:** A motion was made by J. Livingston and seconded by G. Luca to approve transfer in the amount of \$14,662.92 as outlined by Ms. Hersey with signature by the Chair. **Motion passed 3-0.**

**Alan Manoiian, Dir. Community & Economic Development:** *1934 Historic Fire Station Purchase and Sales Agreement* – A. Manoiian presented the Purchase and Sales Agreement and Land Development Agreement as drafted by Town Counsel and signed by the buyer of the 1934 Historic Fire Station. A. Manoiian stated that he was pleased to preserve this important heritage asset in the Town of Ayer. The redeveloped Fire Station will have one unit of low/moderate income housing.

**Motion:** A motion was made by G. Luca and seconded by J. Livingston to approve the Purchase and Sales agreement between the Town of Ayer and C. Donnell Homes, Inc. **Motion passed 3-0.**

**Superintendent Mark Wetzel, Dept. of Public Works:** *Central Avenue Heavy Commercial Vehicle Exclusion Study* – Town Engineer Dan Van Schalkwyk was in attendance on behalf of DPW Superintendent Mark Wetzel. He presented the DPW's Heavy Commercial Vehicle Exclusion Study for Central Avenue. He stated that the BOS can make a determination on the type of exclusion they are seeking (24 hour, night time, rush hour or day time). After that determination is made, the DPW would submit the request to MassDOT for review and approval.

**Motion:** A motion was made by G. Luca and seconded by J. Livingston to approve a 24 hour Heavy Commercial Vehicle Exclusion for Central Avenue. **Motion passed 3-0.**

*Ayer Solar East (Landfill) Lease* – D. Van Schalkwyk presented the proposed lease agreement for the Ayer Solar East project. The Town will receive \$26,000 per year for leasing the landfill land to Ayer East Solar, LLC, which is wholly owned and controlled by Citizens Energy.

C. Hillman questioned the \$26,000 payment and thought it could be increased.

The BOS tabled the matter until September 5, 2017.

*Update on Parking Management Study and Recommendation* – This item was tabled until September 5, 2017.

*Streetlight Light Design Update* – D. Van Schalkwyk gave a brief update on the process of converting the street lights to LED's.

**Town Administrator's Report:** *Administrative Update* – R. Pontbriand gave a brief update on a recent meeting with the MBTA about the replacing the fence across from Town Hall; he stated that General Code has begun their review of the Town's Bylaws and regulations. He also reported that MassDOT wants to make some drainage improvements at the Rotary. Finally, Mass Development has contacted the Town regarding planned improvements to the West Main Street Streetscape.

*Opening of Special Fall Town Meeting Warrant* – R. Pontbriand is recommending that the Special Fall Town Meeting Warrant for the Monday October 23, 2017 be opened until 12:00 PM on Friday October 6, 2017. The deadline for Citizens Petitions will also be 12:00 PM on Friday, October 6, 2017 with the Town Clerk's Office.

**Motion:** A motion was made by G. Luca and seconded by J. Livingston to open the 2017 Special Fall Town Meeting Warrant until 12:00 PM on Friday October 6, 2017. **Motion passed 3-0.**

*Retail Marijuana Update* – R. Pontbriand is recommending that the BOS adopt an 18 month moratorium on recreational marijuana sales. He is recommending that it be placed on the Fall Town Meeting Warrant for consideration by Town Meeting. He stated that the 18 month moratorium would allow the state time to promulgate regulations and the Town will have a clearer picture of what the recreational marijuana landscape will look like.

*Proposed Government Reorganization Discussion* – R. Pontbriand asked the BOS for their support and consideration of three warrant articles to be placed on the Fall Special Town Meeting Warrant: 1) change the Town Clerk from an elected position to an appointed position 2) change the two elected positions of Collector and Treasurer to one appointed position of Treasurer/Tax Collector 3) to change the form of government from Town Administrator to Town Manager. R. Pontbriand thanked the members from the internal finance team (Lisa Gabree, Town Accountant; Susan Copeland, Collector/Treasurer/Clerk; and Kevin Johnston, Payroll and Benefits Manager) for attending the meeting and offering their support of the proposed reorganization. The purpose for the reorganization is to centralize the government to implement best practices effectively and efficiently to provide increased services to the residents.

J. Livingston asked the difference between the Town Administrator and Town Manager form of government. R. Pontbriand explained it is largely deals with personnel administration authority.

C. Hillman stated that he would like to see the Tree Warden position to be appointed.

R. Pontbriand thanked the BOS for their input and support and stated that he is working with Town Counsel on drafting language for the Fall Special Town Meeting.

*Amendment #3 Agreement with Mass Development Veteran's Services* – R. Pontbriand presented Amendment #3 between the Town and Massachusetts Development Finance Agency which will extend the Veteran Services Agreement until August 31, 2018.

**Motion:** A motion was made by G. Luca and seconded by J. Livingston to approve Amendment #3 as presented in the BOS packet. **Motion passed 3-0.**

**New Business/Selectmen's Questions:** None

**Approval of Meeting Minutes:**

**Motion:** A motion was made by J. Livingston and seconded by G. Luca to approve the meeting minutes of July 18, 2017. **Motion passed 3-0.**

**Adjournment:**

**Motion:** A motion was made by J. Livingston and seconded by G. Luca to adjourn at 9:34 PM. **Motion passed 3-0.**

Minutes Recorded and Submitted by Carly M. Antonellis

Date Minutes Approved by BOS: 9-5-17

Signature Indicating Approval: 