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TOWN OF AYER

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10:46 AM lf

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



Broadcast and Recorded by APAC

Tuesday March 5, 2019
Open Session Meeting Minutes

BOS Present: Jannice L. Livingston, Chair; Christopher R. Hillman, Vice – Chair; Scott A. Houde, Clerk

Also Present: Robert A. Pontbriand, Town Manager
Carly M. Antonellis, Assistant Town Manager

Call to Order: J. Livingston called the meeting to order at 7:00 PM.

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

Approval of Agenda:

Motion: A motion was by S. Houde and seconded by C. Hillman to approve the agenda. **Motion passed 3-0.**

Announcements: J. Livingston announced that the BOS will be holding a Special Meeting on at 6:00 PM on Wednesday March 27, 2019 regarding the proposed Ayer Green Residences 40B project located at 0 Washington Street.

Public Input: None

Ms. Alicia Hersey, Community Development Office: *Lien Subordination Request CASE #04-258E & 05-285 – A.* Hersey presented a lien subordination request (line of credit) and explained that it was to consolidate debt for the homeowner. The Town's liens are in effect on the property until July 2020 and February 2021, respectively.

Motion: A motion was made by S. Houde and seconded by C. Hillman to approve Lien Subordination Request Cases #04-258E and 05-285 as presented. **Motion passed 3-0.**

Town Manager's Report: *Administrative Update/Review of Warrant(s)* – R. Pontbriand referenced the Town Warrants in the meeting packet that he reviewed, approved and signed since the BOS last met on February 19, 2019. R. Pontbriand provided a brief Administrative Update to the BOS regarding the various activities, initiatives, and projects of the Administration since the BOS last met on February 19, 2019. He advised that the primary focus of the Administration has been the on-going preparation of the FY 2020 Budget. He advised that the Town's Open Space and Recreation Plan has been completed and submitted to the State for final approval. He advised that union contract negotiations are almost completed. The Master Plan Implementation Plan continues to be a focus of the Administration. The Town's OSHA compliance plan is underway as is the consultant selection process for the Senior Center Feasibility Study. The Administration continues to work on updating the Town's ADA with Pirone Park and Sandy Pond Beach already being completed as part of the Open Space Plan. The Town is waiting on official word as to when the retail marijuana facility will open and the Town is actively working on the proposed Marijuana Bylaw for the Special Town Meeting on June 10, 2019.

FY 2020 Budget Update – R. Ponthriand focused on the proposed FY 2020 Capital Project Budget for his FY 2020 Budget Update. He reviewed the projects and amounts recommended by the Capital Planning Committee and discussed the recommendation of the Capital Planning Committee for a Capital Exclusion for the \$650,000 Fire Engine #2 Replacement. A Capital Exclusion requires passage at both a ballot and at Town Meeting. The ballot would be part of the Annual Town Election on April 22, 2019. A Capital Exclusion unlike a Debt Exclusion, would ask voters to fund the \$650,000 from the tax levy in one year as opposed to borrowing over the course of years like a debt exclusion. Additionally he explained that a Capital Exclusion is not a permanent increase on the tax levy; it is only for one year. R. Pontbriand explained that the reasoning behind the Capital Exclusion from the Capital Planning

Committee is that in two years from now another Fire Truck is going to need to be replaced and it makes financial sense to pay for Engine #2 in one year. R. Pontbriand stated that according to the Assessor's Office, the estimated, one-time cost impact of the Capital Exclusion for Engine #2 would be \$126 for the average residential tax bill and \$223 for the average commercial tax bill.

S. Houde stated that the key to a successful Capital Exclusion will be in the public information and public messaging so voters understand it.

C. Hillman thanked the Capital Planning Committee for all of their hard work.

Request for One Day Beer/Wine License – St. Mary's Parish - R. Pontbriand presented a request from St. Mary's Parish for a one day beer/wine license for Saturday March 16, 2019 from 4:30pm to 9:30pm for a St. Patrick's Day Supper in the Parish Hall.

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve the one day beer/wine license for St. Mary's Parish as presented by the Town Manager. **Motion passed 3-0.**

Approval of MassWorks/MART Invoice – Depot Square - R. Pontbriand requested BOS approval for the MassWorks/MART Invoice in the amount of \$126,284.12 for the Ayer Commuter Rail Parking Project for the MassWorks Grant. Because the grant has been awarded to the Town of Ayer, Ayer must reimburse MART for the completed work, and then once the fund have been paid to MART, the Commonwealth will reimburse the Town the same amount.

Motion: A motion was made by S. Houde and seconded by C. Hillman to approve the MassWorks/MART Invoice in the amount of \$126,284.12 as requested by the Town Manager. **Motion passed 3-0.**

Approval of Representation for KP Law (Police Details Mutual Aid Agreement – Pepperell, Boxborough, Groton and Shirley) - At the request of Town Counsel, R. Pontbriand recommended that the BOS vote to approve the disclosure that Town Counsel, KP Law is currently doing legal work for the Towns of Pepperell, Boxborough, Groton, Shirley and Ayer at the request of the Town of Pepperell regarding the potential development of a mutual aid agreement for police details among regional Towns.

Motion: A motion was made by S. Houde and seconded by C. Hillman to approve the disclosure as requested by Town Counsel, KP Law and presented by the Town Manager. **Motion passed 3-0.**

New Business/Selectmen's Questions: Bi-Board Update (Selectman Houde)- S. Houde provided the BOS with an update of the ongoing activities of the Executive Bi-Board which include, updating the Town's Financial Policies; developing a budget book modelled after the Town of Northborough for Town Meeting; and ongoing efforts to improve public outreach, education, and information on the Town's budget and financial matters.

Approval of Meeting Minutes:

Motion: A motion was made by J. Livingston and seconded by C. Hillman to approve the meeting minutes from February 19, 2019. **Motion passed 3-0.**

Executive Session: A motion was made by J. Livingston at 7:42 PM and seconded by C. Hillman to enter into Executive Session pursuant to M.G.L. c. 30A §21A Exemption #3 (Union Contract Negotiations) *DPW Union*, Exemption #2 (Non-Union Contract Negotiations) *Town Manager* and to adjourn at the conclusion of Executive Session. J. Livingston further stated that to discuss these matters in Open Session would be detrimental to the Town's negotiating strategy. **By Roll Call Vote:** J. Livingston, aye; C. Hillman aye; S. Houde, aye. **Motion passed by Roll Call Vote 3-0.**

Minutes Recorded and Submitted by Carly M. Antonellis, Assistant Town Manager

Date Minutes Approved by BOS: March 19 2019

Signature Indicating Approval: Scott A. Hand