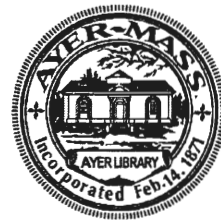


RECEIVED

MAY 22 2019

TOWN OF AYER



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

Broadcast and Recorded by APAC

Tuesday May 7, 2019
Open Session Meeting Minutes

BOS Present: Jannice L. Livingston, Chair; Scott A. Houde, Clerk

BOS Absent: Christopher R. Hillman, Vice – Chair

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.

J. Livingston announced that C. Hillman would not be attending due to illness.

Approval of Agenda:

Motion: A motion was made by J. Livingston and seconded by S. Houde to table the reorganization of the Board to the next meeting on May 21, 2019. **Motion passed 2-0.**

Motion: A motion was by S. Houde and seconded by J. Livingston to approve the agenda, as amended.

Motion passed 2-0.

Announcements: S. Houde announced the following:

- Town Manager Robert Pontbriand will hold a FY 20 Budget and Warrant Public Forum tomorrow Wednesday May 8, 2019 at 6:00 PM in the Community Room at the Ayer Police Station.
- The Annual Town Meeting is Monday May 13, 2019 at 7:00 PM in the High School Auditorium.
- The Ayer Post Office is holding a Food Drive on Saturday May 11, 2019 from 2:00 PM – 6:00 PM

Public Input: None

Approval of Meeting Minutes:

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve the meeting minutes from April 10, 2019 and April 16, 2019. **Motion passed 2-0.**

Public Hearing – Maxant Industries, Inc. – Flammable Storage License – 28 Harvard Road: S. Houde opened the Public Hearing by reading the Public Hearing Notice as advertised in the Nashoba Valley Voice on April 19, 2019.

Mr. Jesse Johnson from Bohler Engineering was in attendance on behalf of the applicant Maxant Industries. Mr. Johnson gave an overview of the All Town Gas Station site at the former Maxant building on Harvard Road. Fire Chief Robert Pedrazzi was in attendance and stated that there were no issues with the application and that he has gone over the plan with the State Fire Marshall's Office. There were no abutter's in attendance.

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve flammable storage license for Maxant Industries as presented, with signature by the Chair. **Motion passed 2-0.**

Motion: A motion was made by J. Livingston and seconded by S. Houde to close the public hearing at 7:10 PM. **Motion passed 2-0.**

Mr. Mark Wetzel, DPW Superintendent: M. Wetzel informed the BOS that the Town recently received the MVP Climate Change Grant in the amount of \$35,000.

Ayer DPW Fill-A-Truck Food Drive – The Town of Ayer Public Works Department is joining hundreds of Public Works Departments from across New England to collect non-perishable food to support local community food bank needs. The DPW's Fill A Public Works Truck Food Drive will be occurring during National Public Works Week and will support the Loaves & Fishes Food Pantry.

PFAS Update – M. Wetzel informed the BOS that bids for the Grove Pond Treatment Project will be open on June 5, 2019. He hopes to execute the contract on June 18, 2019. M. Wetzel reported that he has continued to work with the Army on finalizing the MOA for the Grove Pond Treatment project. Next week, the DPW will be working with DEP to test Point of Use Filters. M. Wetzel then gave the BOS a brief update on the PFAS issue at Spectacle Pond.

Proposed Outdoor Watering Ban – M. Wetzel asked the BOS to consider a Mandatory Outdoor Water Ban. The proposed ban would be effective May 15, 2019. M. Wetzel stated that due to the PFAS contamination, he is recommending that all outdoor watering be banned until the new PFAS treatment facility is online.

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve the Outdoor Water Ban as presented by M. Wetzel. **Motion passed 2-0.**

Approval of Ayer East Solar Documents – M. Wetzel presented four documents (Landowner Consent, Lease Estoppel, Amendment to Lease, and the Memo of Lease) for approval relating to the Ayer East Solar Project, which is the land being leased at the former capped landfill by Citizen's Energy.

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve the Landowner Consent Agreement. **Motion passed 2-0.**

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve the Lease Estoppel. **Motion passed 2-0.**

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve the Amendment to the Lease. **Motion passed 2-0.**

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve the Memo of Lease. **Motion passed 2-0.**

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. He thanked Town of Ayer Employees for participating in the Town wide Ayer Clean-Up. R. Pontbriand also reported that the Nashua River had recently been designated as a Wild and Scenic River. He also informed the BOS that he will be holding a Budget and Town Meeting Warrant Forum on May 8, 2019 at the Police Station.

Reserve Fund Transfer – Tree Warden – R. Pontbriand presented a Reserve Fund Transfer in the amount of \$3,000 for the Tree Warden. He reported that the funding was to cover the clean-up of 5 dead pine trees, which posed a public safety risk.

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve the Reserve Fund Transfer in the amount of \$3,000 in account 01294 "Tree Warden". **Motion passed 2-0.**

New Business/Selectmen's Questions: *Bi-Board Update (Selectman Houde)*– S. Houde gave a brief overview of the recent Bi-Board Meeting, which focused on the Budget Book and presentation materials for Town Meeting.

Approval of General Obligation Bonds: Treasurer Barbara Tierney and Finance Director Lisa Gabree asked the BOS to approve the sale of \$8,740,000 in General Obligation Bonds.

Motion: A motion was made by S. Houde and seconded by J. Livingston that the maximum useful life of the departmental equipment listed below to be financed with the proceeds of the borrowing authorized by the vote of the Town passed May 14, 2018 (Article 13) is hereby determined pursuant to G.L. c.44, §7(1) to be as follows:

<u>Purpose</u>	<u>Borrowing Amount</u>	<u>Maximum Useful Life</u>
Ambulance	\$300,000	10 Years

And that the sale of the \$8,740,000 General Obligation Municipal Purpose Loan of 2019 Bonds of the Town dated May 16, 2019 (the "Bonds"), to FTN Financial Capital Markets at the price of \$9,474,239.21 and accrued interest is hereby approved and confirmed. The Bonds shall be payable on May 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2020	\$580,000	5.00%	2030	\$345,000	3.00%
2021	560,000	5.00	2031	345,000	3.00
2022	540,000	5.00	2032	345,000	3.00
2023	525,000	5.00	2033	345,000	3.00
2024	520,000	5.00	2034	345,000	3.00
2025	395,000	5.00	2035	345,000	3.00
2026	395,000	5.00	2036	345,000	3.00
2027	390,000	5.00	2037	345,000	3.00
2028	390,000	5.00	2038	345,000	3.00
2029	370,000	3.00	2039	345,000	3.05

And that the Bonds maturing on May 15, 2041 and May 15, 2044 (each a "Term Bond") shall be subject to mandatory redemption or mature as follows:

Term Bond due May 15, 2041

<u>Year</u>	<u>Amount</u>
2040	\$125,000
2041*	125,000

Term Bond due May 15, 2044

<u>Year</u>	<u>Amount</u>
2042	\$125,000
2043	125,000
2044*	125,000

*Final Maturity

And that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated April 24, 2019, and a final Official Statement dated May 1, 2019 (the "Official Statement"), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

And that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

And that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds for the benefit of the holders of the Bonds from time to time.

And that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Bonds and to comply with relevant securities laws.

And that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other

documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal [building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b) at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Bonds were taken in executive session, all in accordance with G.L. c.30A, §§18-25, as amended. **Motion passed 2-0.**

Adjournment:

Motion: A motion was made by S. Houde and seconded by J. Livingston to adjourn at 7:50 PM. **Motion passed 2-0.**

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

Date Minutes Approved by BOS: May 21 2019

Signature Indicating Approval: Sarah A. Houde