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TOWN OF AYER

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



Broadcast and Recorded by APAC

Tuesday May 21, 2019
Open Session Meeting Minutes

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

BOS Absent: Jannice L. Livingston, Chair

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

Call to Order: C. Hillman called the meeting to order at 7:00 PM.

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

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

Announcements: C. Hillman announced the following:

- The Memorial Day Parade will begin at 10:00 AM on Saturday May 25, 2019.
- There will be a Special Town Meeting on Monday June 10, 2019 at 7:00 PM in the High School Auditorium to consider: Non-Retail Marijuana Zoning and the Form Based Code in current Downtown Business District

Approval of Agenda: R. Pontbriand is requesting an amendment to the agenda, to add an item #4 under the DPW Superintendent's report: "Memo of Lease for the Solar Field – Ayer Solar East". S. Houde also asked that the BOS reorganization be tabled until there was a full Board in attendance.

Motion: A motion was made by S. Houde and seconded by C. Hillman approve the agenda, as amended.

Public Input: None

Recognition of Ayer Eagle Scouts: The BOS recognized the following students for achieving the rank of Eagle Scout: Matthew Blood, Alex Conry, Jake Driscoll, Eric Gravelle, Robert Houde, Gregory Kidder, Ryan Kilcommmins, Jason Langlais and James Robinson.

Application for Common Victauller's License: Junction RPD – 60 West Main Street: Sam and Denise Lupoli were in attendance regarding their application for a Common Victualler's license. They are the current owners of Capri Bakery and are looking to open a new restaurant Junction RPD located in the same plaza at 60 West Main Street. There were no concerns from Town Department Heads. Mr. Lupoli hopes to open within the next three weeks.

Motion: A motion was made by S. Houde and seconded by C. Hillman approve the Common Victualler's License for Junction RPD, located at 60 West Main Street. **Motion passed 2-0.**

Application for Sewer Abatement: 24 Grosvenor Street: Mr. Ronald Hernandez was in attendance seeking an abatement on his water and sewer bill, after receiving an invoice of \$759.18 in January. He stated that it is impossible for him and his wife to use that much water. He also stated that his usual bill never goes above \$200. He crawled in his basement and saw no leaks. DPW Supt. Mark Wetzel said that he sent a meter technician to inspect the meter and saw nothing unusual and attributes the leak to a leaky toilet or faucet. Mr. Hernandez said that he had checked all faucets and toilets and again saw no leak.

C. Hillman stated that he understand both sides of the issue. S. Houde said he was willing to reduce the \$759.18 in half given the circumstances.

Motion: A motion was made by S. Houde and seconded by C. Hillman approve an abatement in the amount of \$379.59, leaving the customer with a balance of \$379.59. **Motion passed 2-0.**

Mr. Mark Wetzel, DPW Superintendent: M. Wetzel reported that it was National Public Works Week; the theme for the week is "It Starts Here", which represents the many facets of modern life that grow out of the efforts by the public works professionals across North America.

PFAS Update – M. Wetzel stated that a public notice has gone out on the PFAS issue and the recently passed water ban. Bids for the Grove Pond Treatment Plant are due in on June 5, 2019. He also reported that the DPW is testing point of use filters for sensitive populations. He continues to work with the Army on the MOU regarding funding for treatment at Grove Pond.

Authorization for UDAG Funding – Spectacle Pond – M. Wetzel is requesting that the BOS authorize the use of UDAG funds to complete the preliminary design for the potential treatment of PFAS at Spectacle Pond Water Treatment Plant. The Spectacle Pond wellfield has PFAS levels ranging from 26 to 34 ppt. Because the Massachusetts DEP is developing a maximum contaminant level and have preliminary suggested a MCL of 20 ppt, M. Wetzel is seeking authorization for preliminary treatment for Spectacle Pond.

R. Pontbriand offered a point of information, stating that the motion should include a replenishment mechanism at a future Town Meeting.

Motion: A motion was made by C. Hillman and seconded by S. Houde to authorize up to \$250,000 for the treatment design for Spectacle Pond to address the PFAS issue, to be replenished at a future Town Meeting. **Motion passed 2-0.**

Reserve Fund Transfer for Water Enterprise Fund - M. Wetzel is requesting a Reserve Fund Transfer in the amount of \$30,000 for the Water Enterprise account due to unexpected maintenance for Grove Pond Well 7, pump motor replacement for Spectacle Pond Well 2A, and additional cleaning and redevelopment for Grove Pond Well 6.

Motion: A motion was made by S. Houde and seconded by C. Hillman approve a Request Fund Transfer in the amount of \$30,000 to account 62458- Water Enterprise. **Motion passed 2-0.**

"Memo of Lease for the Solar Field" – R. Pontbriand stated that though the BOS voted to approve and sign a Memo of Lease at the last BOS Meeting, the lawyer's for Citizens Energy are requesting that the BOS vote and sign the attached lease form, however; because J. Livingston is not in attendance, R. Pontbriand is seeking authorization to sign on the Board's behalf. There are not substantive changes or impacts from the previously signed document.

Motion: A motion was made by S. Houde and seconded by C. Hillman to execute the Memorandum of Lease, in Connection with and Arising out of the Lease of Town Property to Ayer East Solar, LLC; and further, that the Ayer Town Manager, Robert A. Pontbriand be authorized to sign said documents on behalf of the Board of Selectmen. **Motion passed 2-0.**

M. Wetzel gave a brief update on the upcoming stormwater project at Carlton Circle.

Mr. Alan Manoian, Director, Community & Economic Development: *Master Plan Implementation Process Update* – A. Manoian was in attendance to update the BOS on the Master Plan Implementation process. He has been facilitating Roundtable Luncheons relating to each chapter of the Plan. The next phase is the synthesis phase, which will initiate discussions about plans for completing goals identified in the plan. He will be submitting quarterly reports moving forward. A. Manoian also stressed the need for Board and Committee members to play an active role in the Master Plan Implementation Process.

4th of July Celebration Update – A. Manoian stated that the Annual Fourth of July Celebration will be held on Saturday on July 6, 2019. The parade will start at 4:00 PM this year, instead of 2:00 PM to reduce the lag time between the parade and the fireworks. A. Manoian is also looking for 22 volunteers to help carry the flag in the parade.

"Clean Ayer" Litter Removal Pilot Program on Westford Rd – A. Manoian reported that he has secured the first sponsorship for the pilot Westford Road program and is looking to expand the program throughout other gateways into the Town of Ayer.

Mr. Mark Archambault, Town Planner - June 10, 2019 Special Town Meeting Update: M. Archambault gave the BOS a presentation regarding the non-retail marijuana zoning bylaw being put forth at the June 10, 2019 Special Town Meeting.

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. R. Pontbriand reported that the groundbreaking event for the commuter rail/rail trail project had gone very well and that MART will be giving a weekly update on the project every Friday. R. Pontbriand was also pleased to announce that the Town of Ayer has been given the "Housing Choice Community" designation by the Baker Administration. He also reported that he had recently met with officials from Woodlawn Cemetery regarding a funding shortfall the cemetery is facing; he will have more to report at a later date. R. Pontbriand also stated that the Groton Harvard Road line was recently repainted and that M. Wetzel is working with the property owner at the site to clear/replant bushes along the roadway. R. Pontbriand then thanked Mary Spinner for planting flowers in the Town's Memorial Garden.

FY '20 Budget Process Review – R. Pontbriand discussed a memo with the BOS, contained in the packet, reviewing the FY' 20 budget process. He reported positive (budget calendar, budget book and earlier negotiating sessions) and negative (low turnout) aspects of the FY' 20 process and made recommendations for FY'21. He will go into further detail when the full BOS is in attendance.

Beer and Wine License Application Process – C. Antonellis asked the BOS for some guidance on the issuing of a Beer/Wine License which became available when the Vineyard's Beer and Wine License was reclassified to an All-Alcohol License. She stated that there are currently three interested applicants and that she is looking for a fair way to proceed forward. BOS members agreed for C. Antonellis to call all applicants and give a deadline for application. The BOS will then conduct a hearing on all three applications.

Approval of June 10, 2019 Special Town Meeting Warrant – R. Pontbriand presented the DRAFT Special Town Meeting Warrant on Monday June 10, 2019 relating to zoning amendments for non-retail marijuana and the Form Based Code in the current Downtown Business District.

Motion: A motion was made by S. Houde and seconded by C. Hillman to approve the Special Town Meeting Warrant and to recommend both articles for the June 10, 2019 Special Town Meeting. **Motion passed 2-0.**

1 Day Beer and Wine License – St. Mary's Parish, 31 Shirley Street, is requesting a one day beer and wine license for their annual block party being held on June 1, 2019 from 12:00 PM – 10:00 PM.

Motion: A motion was made by C. Hillman and seconded by S. Houde to approve the license as requested. **Motion passed 2-0.**

New Business/Selectmen's Questions: C. Hillman asked for an update on the ASRSD Field project.

Approval of Meeting Minutes:

Motion: A motion was made by S. Houde and seconded by C. Hillman to approve the meeting minutes from May 7, 2019. **Motion passed 2-0.**

Adjournment:

Motion: A motion was made by C. Hillman and seconded by S. Houde to adjourn at 9:28 PM. **Motion passed 2-0.**

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

Date Minutes Approved by BOS: 6/4/2019

Signature Indicating Approval: Scott A. Houde