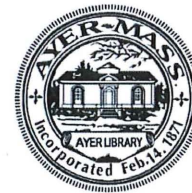


Town of Ayer
Meeting of the Ayer Board of Selectmen
Ayer Town Hall – 1st Floor Meeting Room
Ayer, MA 01432



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Tuesday March 17, 2020
Open Session Meeting Minutes

BOS Present: Scott A. Houde, Chair; Jannice L. Livingston, Vice-Chair; Shaun C. Copeland, Clerk

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

Call to Order: S. Houde called the meeting to order at 6:00 PM.

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

Remote Access: S. Houde stated that pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, MGL Chapter 30A, Section 18 and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Ayer Board of Selectmen is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort has been made to ensure that the public can adequately access the proceedings as provided in the Order. S. Houde then gave the directions to the public on how to call into the meeting.

Approval of Revised Meeting Agenda Motion:

Motion: A motion was made by J. Livingston and seconded by S. Copeland to approve the revised meeting agenda as posted. The agenda amendment removed the Town Planner's presentation and the Ayer Recycling Committee's presentation on a proposed plastic bag ban. **Motion passed 3-0.**

Town of Ayer Coronavirus/COVID-19 Preparedness Update: R. Pontbriand was joined by Police Chief William Murray and Fire Chief Robert Pedrazzi, who also serves as the Town's Emergency Management Director. R. Pontbriand stated that the Town of Ayer continues to be proactive while maintaining public health and safety and essential government services. He stated that the Town issued a directive on March 14, 2020 which was based off information provided by local, state and federal resources. The directive includes closing all Town buildings to the public, as well as all outdoor facilities. All public meetings will be cancelled through March 30th while the Town acquires the proper software to accommodate remote participation for all boards.

Chief Pedrazzi said that they are still operating as normal they can. They are really focusing on decontamination and proper usage of personal protective equipment (PPE). He also stated that for questions about inspections to please call the Fire Department. He stated that PPE all over the country is in high demand.

Chief Murray stated that the Department members are trying to make the public feel safe. He stated that the biggest change they've made is their assistance to the Fire Department on calls. They will attend the scene and assist in life threatening emergencies. The Department uses Littleton PD as a back-up.

S. Houde asked that if a person calling suspects they have symptoms of COVID if they should inform the dispatcher. Chief Murray said yes, absolutely.

S. Houde also reminded people that disinfecting wipes are not flushable.

R. Pontbriand asked members of the public with questions, to contact the Board of Selectmen's Office with any questions. He then asked the BOS to consider extending the directive to March 30, 2020 and to revisit the Directive at the March 30, 2020 Water & Sewer Rate Hearing when the Board will next convene. He is also recommending that the ban extend to all outdoor recreational facilities such as the Pirone Park, Sandy Pond Beach and the Dog Park.

Motion: A motion was made by J. Livingston and seconded by S. Copeland to extend the order through Monday March 30, 2020 and to include all outdoor recreation facilities as presented by the Town Manager. **Motion passed 3-0.**

Chief William A. Murray, Ayer Police Department: *Downtown Parking Plan Implementation/Enforcement* – Chief Murray stated that due the Covid-19 pandemic, that the Department is not overly concerned with parking, due to a lack of cars attempting to park. The Chief stated that there are several areas that need to be posted. Chief Murray has recently corresponded with St. Andrew's Parish, who was initially concerned about their prisoners being cited during Sunday mass. The Chief said that there would be no issues for St. Andrew's Parish in that regard.

Town Manager's Report: *Administrative Update/Review of Warrant(s)* - R. Pontbriand provided an administrative update of the various activities, initiatives, and projects of the Administration since the BOS last met. He also referenced the Meeting Packet for a list of Payroll and Accounts Payable Warrants that have been signed since the last meeting. He stated since the Board is meeting on Monday March 30, 2020 for the FY '21 Water and Sewer Rate Hearing, he suggested that the BOS review the Town Directive that evening, which closes all public buildings and facilities. The Special State Election for the State Rep.'s seat is still scheduled for March 31, 2020; but he and the Town Clerk are awaiting additional information from the Secretary of State's Office.

Appointments – Cultural Council – R. Pontbriand is recommending the appointments of Mr. Norman Carey and Mr. Henry Pare to the Cultural Council for two unexpired terms, which will expire on June 30, 2022.

Motion: A motion was made by J. Livingston and seconded by S. Copeland to appoint Mr. Norman Carey and Mr. Henry Pare to the Cultural Council for terms expiring June 30, 2022. **Motion passed 3-0.**

Application for Change of Manager – Ayer Gun & Sportsmen's Club – 225 Snake Hill Rd. - C. Antonellis referenced her memo to the BOS in the packet and stated that though the BOS approved this Change of Manager application on December 4, 2019; the ABCC returned the application to the Town without approval because the Club's Officer and Directors were not current with the Secretary of State's Office. She reported that the issue has since been corrected.

Motion: A motion was made by S. Copeland and seconded by J. Livingston to approve the Change of Manager for the Ayer Gun & Sportsmen's Club from Robert Briggs to Donald Anderson. **Motion passed 3-0.**

Refinance of Ayer LIP Unit, 13 Auman Street, Devens – R. Pontbriand presented a refinance request for a LIP housing unit on behalf of the Office of Community and Economic Development. The approval would then be subject to DHCD approval.

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve the LIP unit refinance request for 13 Auman Street. **Motion passed 3-0.**

Discussion on Bylaw Request Re: State Law and Potlucks – R. Pontbriand stated that at the last meeting, the BOS was approached by Ms. Cindy Lavin regarding her request for a to place an article on the Town Meeting Warrant to codify the state law relating to Pot Luck dinners. This request was sent to Town Counsel for legal review and Counsel has advised that this statute is not a local acceptance statute; Town Counsel also does not recommend that the Town adopt a bylaw echoing state statute. He stated that the State Law c.94 sec. 328A governs this issue. He is recommending that the BOS do not move forward with placing this on the Town Meeting Warrant.

J. Livingston stated that the purpose of the request comes out of a place of confusion and the issue got pretty big. She said the submitters were looking for reassurance that the Town will follow the state law. She stated that the bottom line is that we reassure people that we are following the state law.

S. Houde stated that he did not feel it was necessary to place on the Warrant, as it is already a state law.

Approval of Meeting Minutes:

Motion: A motion was made by J. Livingston and seconded by S. Copeland to approve the meeting minutes of March 4, 2020. **Motion passed 3-0.**

Executive Session pursuant to MGL Chapter 30A, Section 21A: At 6:43 PM a motion was made by S. Copeland and seconded by J. Livingston to enter into Executive Session pursuant to MGL, Chapter 30A, Section 21A Exemption #3 (Contract Negotiations) Town Hall/Clerical Union Contract MOA; Exemption #2 (Non-Union Personnel) Finance Manager Personal Services Contract; Exemption #2 (Non-Union Personnel) Town Clerk Personal Services Contract; Exemption #2 (Non-Union Personnel) Police Chief Personal Services Contract and to adjourn at the conclusion of Executive Session. S. Copeland further stated that to discuss these matters in Executive Session would be detrimental to the Town's negotiation strategy. **By Roll Call Vote:** S. Houde, aye; J. Livingston, aye; S. Copeland, aye. **By Roll Call Vote 3-0.**

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

Date Minutes Approved by BOS: May 5, 2020

Signature Indicating Approval: 