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JUN 11 2020

TOWN OF AYER
TOWN CLERK

Shawn Copeland

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



Broadcast and Recorded by APAC

Tuesday May 19, 2020
Open Session Meeting Minutes

BOS Present: Scott A. Houde, Chair; Jannice L. Livingston, Vice-Chair (*via remote participation*); 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.

Approval of Meeting Agenda Motion: S. Houde stated that because Selectman Livingston is participating remotely, all votes will be taken by roll call.

Motion: A motion was made by S. Copeland and seconded by S. Houde to approve the meeting agenda as posted. S. Houde, aye; J. Livingston, aye; S. Copeland, aye. **Motion passed by Roll Call Vote 3-0.**

Announcements: S. Houde made the following announcements:

- The BOS recognized Ayer Paramedics and EMT's for National EMS Week.
- The BOS would like to publicly recognize all graduating Seniors of the Class of 2020 who reside in the Town of Ayer. The deadline for submission has been extended to 12:00 PM on Friday May 29, 2020.

Public Input: None

Superintendent Mark Wetzel, Department of Public Works: *Request for use of UDAG Funds for Solid Waste Invoice* – M. Wetzel recognized the Ayer DPW for Public Works Week. He is requesting approval of the use of UDAG funds to make an emergency repair to the Transfer Station John Deere Loader. S. Houde asked why the Reserve Fund was not being used. R. Pontbriand stated that this is for the Transfer Station Revolving Fund, not a general fund account.

Motion: A motion was made by J. Livingston and seconded by S. Copeland to approve the use of \$23,923.46

from the UGAG account for the emergency repair to the Transfer Station Loader. S. Houde, aye; J. Livingston, aye; S. Copeland, aye. **Motion passed by Roll Call Vote 3-0.**

Treasurer/Tax Collector Barbara Tierney and Finance Manager Lisa Gabree: *Approval of Bond Anticipation and Grant Anticipation Notes*

Motion: A motion was made by S. Copeland and seconded by J. Livingston to approve the sale of \$3,480,425 2.00 percent General Obligation Bond Anticipation Notes (the "BANs") of the Town dated May 28, 2020, and payable May 28, 2021, to Oppenheimer & Co., Inc. at par and accrued interest, if any, plus a premium of \$13,760. Further Voted: to approve the sale of \$1,700,000 2.00 percent General Obligation Grant Anticipation Notes (the "GANs," and together with the BANs, the "Notes") of the Town dated May 28, 2020, payable May 28, 2021, to Oppenheimer & Co, Inc. at par and accrued interest, if any, plus a premium of \$5,500.

Further Voted: that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated April 16, 2020, and a final Official Statement dated May 6, 2020, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a significant events 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 Notes for the benefit of the holders of the Notes from time to time.

Further Voted: 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 Notes and to comply with relevant securities laws. Further Voted: 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. S. Houde, aye; J. Livingston, aye; S. Copeland, aye. **Motion passed by Roll Call Vote 3-0.**

Town Manager's Report: *Coronavirus/COVID-19 Town Preparedness Update* – Chief Pedrazzi and Chief Murray joined remotely to update the BOS on COVID-19. Chief Pedrazzi stated that all firefighters are healthy. There are 38 households in Town with a known COVID-19 diagnosis. He stated that the Fire Department recently applied for assistance under the CARES Act for Personal Protective Equipment. Chief Murray stated that it is quiet at the Police Department and that they have an adequate stock of PPE. He thanked all public safety personnel for their hard work and that all were doing a fantastic job. Both Departments are making retrofits to their buildings so that they may safely meet with the public when reopened.

Administrative Update/Review of Town Warrant(s)- R. Pontbriand referenced the meeting packet memo, which contains a list of all the warrants signed since the BOS last met. He, the Assistant Town Manager and the Finance Director had a call with Cleargov to discuss the FY'21 budget book; the Office of Community and Economic Development hosted a Small Business forum to discuss reopening strategies; the internal Senior Center Project team remotely met with Abacus to discuss the latest plans for a new Center.

R. Pontbriand then recommended that all Town buildings remain closed to the public (and all in person public meetings in Town Buildings remain cancelled with public meetings continuing to use remote public participation technology in accordance with the Governor's Emergency Open Meeting Law Order) until further

notice as the Town prepares its public reopening plans in accordance with the provisions of the State's Reopening Plan which was issued on May 18, 2020. The Board of Selectmen agreed that all Town Buildings should remain closed to the public until further notice to ensure that the public reopening follows the State's Reopening Plan and is safe for the public and all employees.

Town Election and Annual Town Meeting Update – The BOS received an update on preparations for the June 2, 2020 Annual Town Election and the June 15, 2020 Annual Town Meeting from the Town Manager. Both events are scheduled as planned at this time. The update included plans for the Town to implement the practices of social distancing, sanitization, and other best practices to ensure that both events are safe for the public and employees. Both plans will be publicized prior to the events occurring. The BOS discussed use of microphones at the Town Meeting for residents asking questions. R. Pontbriand, the I.T. Department will review. The capacity of the ASRHS auditorium with social distancing standards is about 65 residents. There will be an overflow room set up in the Commons area.

R. Pontbriand then informed the BOS that the CPC has met and have voted the financial recommendations for Articles 27-29. The Town will be doing promotion of all articles prior to the ATM on June 15, 2020.

R. Pontbriand presented a plan recommended by the Town Manager, Town Finance Departments, and the Executive Bi-Board for the FY 2021 Budget and Annual Town Meeting as result of COVID-19. The plan would defer Article 14; Article 25; and Article 26 of the Annual Town Meeting Warrant until the Fall 2020 Town Meeting as a proactive financial planning measure due to COVID-19. A presentation will be made at Town Meeting. Deferring these articles would provide the Town with about \$1.4 M in reserves, which would cover a projected decrease in State Local Aid, which is approximately \$995,000 for FY '21.

The Town has spent about \$18,000 on unanticipated COVID-19 expenses and that figure is projected to rise to \$35,000 by the end of the fiscal year. All costs are being tracked by the Finance Manager.

Motion: A motion was made by S. Houde and seconded by S. Copeland to endorse the Town Manager's proposal to defer Articles 14, 25, 26 to the Fall Town Meeting. S. Houde, aye; J. Livingston, aye; S. Copeland, aye.
Motion passed by Roll Call Vote 3-0.

Reschedule June 2, 2020 BOS Meeting Date Due to Town & State Elections – R. Pontbriand stated that because the Annual Town Election and the General State Election for the State Rep's seat has been moved to June 2, 2020, the BOS will need to reschedule their meeting. BOS members agreed to meet remotely on Wednesday June 10, 2020 at 6:00 PM.

Approval of Emergency Expenditures Related to Covid-19 under G.L. c.44, §31 – R. Pontbriand is requesting the BOS to approve an Emergency Expenditure request up to \$100,000 for unforeseen COVID-19 costs, including, but not limited to overtime, cleaning supplies, PPE, etc. R. Pontbriand presented a DRAFT letter to be submitted to the Massachusetts Division of Local Services, if the request is approved.

Motion: A motion was made by S. Copeland and seconded by J. Livingston to approve the request for the Emergency Spending Authorization up to \$100,000 pursuant to G.L. c.44, §31. S. Houde, aye; J. Livingston, aye; S. Copeland, aye. **Motion passed by Roll Call Vote 3-0.**

New Business/Selectmen's Questions: None

Approval of Meeting Minutes:

Motion: A motion was made by J. Livingston and seconded by S. Copeland to approve the meeting minutes from May 5, 2020. S. Houde, aye; J. Livingston, aye; S. Copeland, aye. **Motion passed by Roll Call Vote 3-0.**

Adjournment:

Motion: A motion was made by S. Houde and seconded by J. Livingston to adjourn at 7:15 PM. S. Houde, aye; J. Livingston, aye; S. Copeland, 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: 6/10/20

Signature Indicating Approval: 