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TOWN OF AYER
TOWN CLERK

2:25pm *ly*

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



Broadcast and Recorded by APAC

Tuesday February 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: R. Pontbriand asked to amend the agenda by removing the report of the Director of Community and Economic Development from the agenda. The matter has been tabled to February 19, 2019.

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

Announcements: J. Livingston announced that Nomination Papers for various offices are available in the Town Clerk's Office.

Public Input: None

Approval of Meeting Minutes:

Motion: A motion was made by S. Houde and seconded by C. Hillman to approve the meeting minutes from January 15, 2019. **Motion passed 3-0.**

C. Hillman thanked the coaches and staff of the Nashoba Valley Unlimited Basketball program.

Public Hearing – Application for All Alcohol Beverages License – Sec. 15 Package Store - The Vineyard, LTD, 63 Park Street: S. Houde opened the public hearing at 7:05 PM by reading the Public Hearing Notice as advertised in the Nashoba Valley Voice. J. Livingston gave a brief history stating that this measure was approved by the May 14, 2018 Town Meeting. Mr. Gendron has a current beer and wine license, but is seeking to change it to an All Alcohol.

Mr. Patrick Diamond asked if this affects the number of eligible marijuana retail operations. J. Livingston reported no, as Town Meeting has set the number of retail licenses to 1.

C. Hillman stated that he supported it because Mr. Gendron is a longtime business owner, but heard rumors he was going to sell it.

There was no public input.

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve the All Alcohol Beverages License for the Vineyard pursuant to Chapter 328 of the Acts of 2018. **Motion passed 3-0.**

Motion: A motion was made by J. Livingston and seconded by C. Hillman to close the Public Hearing at 7:10 PM. **Motion passed 3-0.**

MART Commuter/Rail Trail Lot Project Update: R. Pontbriand introduced MART Deputy Director Bruno Fisher and MRPC Transportation Planner George Kahale. R. Pontbriand was pleased to announce that MART has awarded the bid successfully. B. Fisher stated that there were 6 bids received and 5 were within a close range. The bid was awarded to Hutter Construction out of New Ipswich, New Hampshire. MART's attorney Mirick O'Connell of Worcester is drawing up the contract which will go to Hutter on February 19, 2019. B. Fisher reported that the contract will allow for 365 days for construction, but feels it will be completed sooner.

J. Livingston asked when the shovels will go in the ground. B. Fisher said depending on weather and the amount of frost, work could begin sometime in March. He also reported that MART is working with St. Mary's Parish to utilize their parking lot as a satellite location during construction.

C. Hillman asked what is in store for Depot Square. B. Fisher stated that they have requested \$350,000 in this year's Capital Improvement Plan from the state. R. Pontbriand also reported that a meeting is in the process of being set-up between MassDOT, MART, MBTA and relevant Town officials.

R. Pontbriand stated that he will be convening a meeting between the Town's public safety officials and MART to discuss the interim parking plan. Also, once the contract between MART and Hutter is complete, a construction schedule will be provided to the BOS.

ASRSD FY '2020 Budget Presentation and Field Project Update: ASRSD Superintendent Dr. Mary Malone was joined by Business Manager Bill Plunkett. Members of the Ayer Finance Committee and Ayer Shirley Regional School District Committee were in attendance, but not participating.

ASRSD Chair Jonathan Deforge called the ASRSD Committee to order at 7:30 PM.

Dr. Malone and B. Plunkett gave an overview of the ASRSD FY' 20 budget. The FY' 20 assessment increase is \$419,092, which represents a 3.9% increase. The proposed budget includes the following highlights: new elementary math/social studies teacher, a half-time preschool teacher, new Chromebook carts and other enhancements. The budget also retains all teaching positions while maintaining reasonable class sizes.

Dr. Malone stated that the District has been involved in lobbying the legislature to make changes to the Chapter 70 program, which was last updated in 1993. She stated that spending requirements far outpace the Chapter 70 monies received from the Commonwealth.

C. Hillman asked if there was any benefit to having the funding for the School Resource Officer being paid by the school district, as opposed to the Town of Ayer.

S. Houde stressed the need to sync up the town's capital budget with the school's capital budget. He mentioned that there a lot of questions relative to the future of Page Hilltop and wants to make sure it is on everyone's radar.

J. Livingston asked about an update on the field project. Dr. Malone stated that their consultant is in the process of identifying costs to mitigate the safety and ADA issues.

BOS members thanked Dr. Malone and B. Plunkett for their presentation.

DPW Report – Mr. Dan Van Schalkwyk, Town Engineer: *Award of Highway Storage Garage Bid* – D. Van Schalkwyk reported that the Town received 7 bids for the Highway Storage Garage. The low bidder is Nadeau Corporation from South Attleboro. He is recommending execution of the Notice of Award to Nadeau Corporation.

Motion: A motion was made by S. Houde and seconded by C. Hillman to approve execution of the Notice of Award to Nadeau Corporation in the amount of \$746,600 with signature by the Chair. **Motion passed 3-0.**

Update Traffic Regulations with List of Existing One-Way Streets – D. Van Schalkwyk is requesting an update to the 1939 Traffic Regulations to include a list of all one way streets in the Town of Ayer, as referenced in the BOS packet.

Motion: A motion was made by J. Livingston and seconded by C. Hillman to amend the Traffic Regulations of the Town of Ayer, adopted on May 23, 1939 and effective on July 10, 1939, by adding to Article VII, One-Way Streets, the list of existing one way streets as included in the packet. **Motion passed 3-0.**

Adoption of Prospect Street (Westbound from School Street to Elm Street) as One-Way Street – D. Van Schalkwyk stated that as part of this year's CDBG Program, Prospect Street will be reconstructed. He is requesting that a section of Prospect Street be made One-Way to improve functionality and improve parking in the Court House area.

Motion: A motion was made by S. Houde and seconded by J. Livingston to amend the Traffic Regulations of the Town of Ayer, adopted on May 23, 1939 and effective on July 10, 1939, by adding Prospect Street – Westbound from School Street to Elm Street - to the list of One-Way streets in Article VII, One-Way Streets. **Motion passed 3-0.**

Municipal Vulnerability Preparedness Grant Letter of Support – D. Van Schalkwyk informed the BOS that the DPW is applying for a grant from the Executive Office of Energy and Environmental Affairs to prepare a plan for addressing climate change resiliency and implementing priority projects. He stated that it is advantageous to become a MVP community for other grant opportunities.

Motion: A motion was made by S. Houde and seconded by C. Hillman to approve the Letter of Support as drafted in the packet for the MVP Grant Application. **Motion passed 3-0.**

Town Manager's Report: *Administrative Update/Review of Warrant(s)* – R. Pontbriand referenced the Town warrants in the packet which he reviewed and approved since the BOS last met. He provided the BOS with an update of various activities, initiatives, and projects of the Administration. He advised that on Feb. 19th, Superintendent Pigeon of the NVTHS will appear before the BOS to discuss the FY 2020 NVTHS Budget assessment and the proposed accelerated school roof project. Additionally, Chief Murray will appear to provide a public update including an update on the Police Radio Project. He will be joined by Superintendent Wetzell to discuss with the BOS the Groton Harvard Road/Central Ave intersection.

Appointments – Council on Aging (2) – R. Pontbriand reported that he has received two letters of interest in the two open seats on the Council on Aging Executive Board from Ms. Kathryn Pfaltzgraff and Ms. and Janine Nichipor. He is requesting appointment for terms to end on June 30, 2019.

Motion: A motion was made by C. Hillman and seconded by J. Livingston to appoint Ms. Kathryn Pfaltzgraff and Ms. and Janine Nichipor to the Council on Aging Executive Board, terms to expire on June 30, 2019. **Motion passed 3-0.**

FY 2020 Budget Update – R. Pontbriand reported that he, Assistant Town Manager C. Antonellis and Finance Director/ Town Account L. Gabree continue to meet with Department Heads regarding their budget requests. He also reminded the BOS that the deadline for initial comments from the BOS and Finance Committee are due on 2/8/19. R. Pontbriand stated that the Capital Planning process has been completed.

Rail Trail Lot Eminent Domain Takings – R. Pontbriand and C. Antonellis are respectfully requesting that the BOS approve an Order of Taking pursuant to Article 30 of the 2018 Annual Town Meeting relative to the taking of portions of land adjacent to the Rail Trail. The reason for this taking is a condition from the Commonwealth of Massachusetts when the Rail Trail Lot was transferred to the Town. Three private property owners have portions of the Rail Trail running through their back yard from when the Commonwealth laid out and paved the Nashua River Rail Trail.

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve the Order of Taking as presented. **Motion passed 3-0.**

Adopt a Street Program – R. Pontbriand noted that he has been working with the Community and Economic Development Director A. Manoian about an Adopt a Street Program. He is proposing a pilot program on Westford Road. BOS members agreed that if the pilot program is successful, the program should be expanded to the main corridors of Town.

New Business/Selectmen's Questions: *Internet in Ayer (Selectman Livingston)* – J. Livingston asked the Administration to look into the possibility of Ayer becoming its own Internet Service Provider (ISP). She would like a report back around June.

Patrick Diamond, volunteered to become part of the exploratory committee.

M. Spinner, 8 Myrick Street then asked about the Regional School Agreement as it relates to the elementary schools.

Adjournment:

Motion: A motion was made by C. Hillman and seconded by J. Livingston to adjourn the meeting at 9:06 PM.

Motion passed 3-0.

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

Date Minutes Approved by BOS: 2/19/2019

Signature Indicating Approval: 