



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



Broadcast and Recorded by APAC

Tuesday August 18, 2020
Open Session Meeting Minutes

BOS Present: Shaun C. Copeland, Chair; Scott A. Houde, Vice-Chair

Not Present: Jannice L. Livingston, Clerk

Also Present: Robert A. Pontbriand, Town Manager

Call to Order: S. Copeland called the meeting to order at 6:00pm.

Remote Access: S. Copeland 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.

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

Approval of Meeting Agenda: There were no amendments/changes to the meeting agenda.

Motion: A motion was made by S. Houde and seconded by S. Copeland to approve the meeting agenda, as amended. **Motion passed 2-0.**

Public Input: There was no Public Input.

Superintendent Mark Wetzel, Department of Public Works:

Change Order #1 for the FY 2020 Main Street streetlights upgrade project in the amount of \$14,400 to Cullen Electrical Contractors, Inc. was presented and recommended for approval by M. Wetzel.

Motion: A motion was made by S. Houde and seconded by S. Copeland to approve Change Order #1 for the FY 2020 Main Street streetlights upgrade project in the amount of \$14,400 to Cullen Electrical Contractors, Inc. as presented and recommended by the DPW Superintendent, for signature by the Chair. **Motion passed 2-0.**

Spectacle Pond Wellfield PFAS Treatment Plant Funding – M. Wetzel provided an overview and update of the Spectacle Pond PFAS Treatment Plant project and requested that the Select Board vote to approve and sign the "Authority to File" which will authorize the Town Manager to execute various funding documents for this project.

Motion: A motion was made by S. Houde and seconded by S. Copeland to approve the "Authority to File" for the Spectacle Pond Wellfield PFAS Treatment Plant funding for signature by the Select Board. **Motion passed 2-0.**

Agreement for Participation in the Central Massachusetts Regional Stormwater Coalition – M. Wetzel presented an overview of the Central Massachusetts Regional Stormwater Coalition which is administered by the Town of Spencer. The Coalition provides services which include reviewing/updating the Town's stormwater bylaw/regulations; identifying illicit discharges; public education and outreach on stormwater management and inspection of outfalls. The Coalition normally charges annual dues of \$4,000 but the dues are now \$1,000. The Coalition will benefit the Town of Ayer's ongoing stormwater management plan and efforts.

Motion: A motion was made by S. Houde and seconded by S. Copeland to approve the Agreement for Participation in the Central Massachusetts Regional Stormwater Coalition for signature by the Select Board.

Motion passed 2-0.

Alan Manoian, Director of Community and Economic Development:

Master Plan Quarterly Update – A. Manoian at the previous request of Select Board Livingston provided the Select Board with a quarterly update of the Town's ongoing implementation efforts of the Master Plan. He stated that the Town had held several successful working luncheons on implementation prior to COVID-19 occurring which has impacted the ability to conduct working luncheons and in-person implementation sessions. He outlined, that the next steps will be to conduct "synthesis sessions" with the Town's Finance Committee, Capital Planning Committee, and Planning Board regarding the funding and implementation of some of the larger items in the Master Plan. He also stated that the Town would like to conduct a larger Master Plan Citizen's Implementation Forum hopefully in the Spring of 2021 if COVID-19 conditions warrant.

S. Houde asked how far along the Town is with the implementation plan in terms of a percentage of goals completed?

A. Manoian stated that he estimated that between 30% to 35% of the Master Plan goals have been completed to date.

S. Houde asked what A. Manoian thinks is the next big item for implementation in the Master Plan?

A. Manoian stated that he believes that the transportation issues identified in the Master Plan are the next big items especially now with COVID-19 as the need for more transportation has presented itself. The Park Street Corridor in terms of the form-based code with on-street parking as well as the intersection of Main Street and Park Street.

S. Copeland asked what MassWorks grant the Town would be applying for?

A. Manoian stated that the Town will be applying for a \$3.5 million-dollar MassWorks Grant for the West Main Street Village Corridor project. This grant will enable the Town to address the various infrastructure and transportation challenges on West Main Street which will result in further economic development. The grant application is a joint effort between the Town of Ayer, the Devens Enterprise Commission, and MassDevelopment.

Approval of FY 2021 UDAG Budget for the Community and Economic Development Office – A. Manoian presented the FY 2021 UDAG Budget for the portion of the Community and Economic Development Office in the amount of \$75,128 and requested that the Select Board vote to authorize.

Motion: A motion was made by S. Houde and seconded by S. Copeland to approve the FY 2021 UDAG Budget for the Community and Economic Development Office in the amount of \$75,128 as requested and recommended by the Director of Community and Economic Development. **Motion passed 2-0.**

Approval of Select Board Letter of Support for West Main Street MassWorks Grant Application - A. Manoian requested that the Select Board issue a letter of support for the Town's West Main Street MassWorks grant application which is a joint effort between the Town of Ayer, the Devens Enterprise Commission, and MassDevelopment. R. Pontbriand referred to the prepared, DRAFT letter in the Select Board Meeting packet for the Board's review and consideration.

Motion: A motion was made by S. Houde and seconded by S. Copeland to approve and sign the DRAFT Select Board letter of support for the West Main Street MassWorks grant application. **Motion passed 2-0.**

Town Manger's Report: Robert A. Pontbriand, Town Manager: *Administrative Update/Review of Town Warrant(s)* – R. Pontbriand provided the Select Board with an update on the various activities, initiatives, and projects of the Administration since the Select Board last met on July 14, 2020. He also provided the Town Warrants in the meeting packet which were approved since the Select Board last met on July 14, 2020.

COVID-19 Update – R. Pontbriand advised that the situation with COVID-19 remains status quo since the Select Board last met on July 14, 2020. The Town through its I.T. Department will be conducting an internal survey to further improve upon the Town's remote-work capabilities if the situation with COVID-19 should change requiring employees to work remotely. The Chiefs recently secured some additional PPE for first responders and employees. The Town continue to acquire PPE.

R. Pontbriand provided the Select Board with a Town Revenue Report prepared by the Town's Internal Finance Team which indicates that to date the collection of revenues remains slightly above target. At this time, the Town's revenues have yet to be impacted by COVID-19. The Town's Internal Finance Team will continue to monitor revenues and update the Select Board and Finance Committee monthly. He stated that he welcomes any feedback regarding this one-page Town Revenue Report from the Select Board.

R. Pontbriand also provided the Select Board with a report prepared by the Treasurer/Tax Collector which shows the significant increase in usage of the Town's on-line payments due to COVID-19. The report illustrates that the public continues to use the Town's on-line payment system effectively to conduct various payment transactions safely and efficiently with the Town.

Appointments – R. Pontbriand stated that the Montachusett Joint Transportation Committee (MJTC) needs a representative from the Select Board. The representative is an annual appointment and would attend all MJTC meetings. The Town also has a representative from the Planning Board. The MJTC is involved with regional transportation planning as well as the administration of the Transportation Improvement Plan (TIP).

S. Copeland stated that he would be willing to serve as the Select Board Representative to the MJTC this year since he is currently the representative to MRPC.

Motion: A motion was made by S. Houde and seconded by S. Copeland to appoint S. Copeland as the Ayer Select Board Representative to the Montachusett Joint Transportation Committee (MJTC) for the year 2019-2020. Motion passed 2-0.

Update on Community/Police Forum with Chief Murray, APD – R. Pontbriand was joined remotely by Chief Murray to provide a brief update to the Select Board regarding planning for the upcoming Community/Police Forum. R. Pontbriand advised that he and the Chief have been meeting and propose that the forum due to COVID-19 be conducted remotely on the Zoom Meeting Platform. Additionally, the forum would be hosted/facilitated by the Select Board on a separate evening from the regular meeting. Chief Murray with the assistance of various officers in the Department would provide an overview of the functions and services that the Ayer Police Department provides to the Community. This presentation would also consist of an overview of

the Police Department Budget. Advanced questions from the public will be encouraged to be sent in and there will be a public participation component to the forum. The forum would conclude with next steps for continued dialogue between the Town/Police Department and the Community. The forum should ideally be scheduled to take place in September or early October at the latest.

Approval of Select Board Letter of Support for the Sandy Pond School Association's CPC Application – R. Pontbriand stated that the Sandy Pond School Association has requested a letter of support for their CPC application for Phase II of the Sandy Pond Schoolhouse historic restoration and preservation project. R. Pontbriand referred to the prepared DRAFT letter in the Select Board Packet for the Board's consideration for approval and signature.

Motion: A motion was made by S. Houde and seconded by S. Copeland to approve the DRAFT Select Board letter of support for the Sandy Pond School Association's CPC Application for Phase II of the Sandy Pond Schoolhouse for signature by the Select Board. **Motion passed 2-0.**

Approval of Easement Deed for 0 Park Street – R. Pontbriand presented the Deed of Easement for 0 Park Street for approval by the Select Board and referred to the memo from the Assistant Town Manager regarding this easement which stated that This item is related to the confirmatory deed approved by the SB on June 30, 2020. F&P Willows Trust recently conveyed 16 Park Street to Bike Realty, LLC – at which time the Trust's failure to reserve the access easement was identified as an issue. Peter Knox, the attorney for the Trust, contacted the Town, and requested that the Town sign a confirmatory deed reserving the access easement. The Town had no issue with the easement, as it would not interfere with the Town's intended use of the Park Street property. This confirmatory deed was drafted, reviewed, and approved by both Attorney Knox and Mark Bourbeau, the attorney for Bike Realty, LLC. The Select Board executed the confirmatory deed on June 30, 2020 and it was recorded. Attorney Bourbeau subsequently determined that he would prefer, from a conveyancing standpoint, to have the access easement conveyed directly to his client, Bike Realty, LLC. It is the same access easement as contained in the confirmatory deed which the Select Board executed in June. The Deed of Easement states that it "supersedes" the confirmatory deed already recorded. The Town is not prejudiced by executing the Deed of Easement. The rights of Bike Realty, Inc., as the new owner of 16 Park Street, are identical to those reserved in the confirmatory deed.

Motion: A motion was made by S. Houde and seconded by S. Copeland to approve the Easement Deed for 0 Park Street for signature by the Select Board. **Motion passed 2-0.**

Execution of National Grid Easement – R. Pontbriand presented the National Grid Easement which was approved by Town Meeting (Article 35 of the June 15, 2020 Annual Town Meeting) for the installation of overhead electric equipment at the Ayer Rail Trail Parking Facility. The Select Board previously approved a license agreement on November 5, 2019 to allow for this work to proceed prior to the Annual Town Meeting to facilitate the opening of the facility. The execution of this easement by the Select Board is the final step in the process.

Motion: A motion was made by S. Houde and seconded by S. Copeland to execute the National Grid Easement as approved by Article 35 of the June 15, 2020 Annual Town Meeting for signature by the Select Board. **Motion passed 2-0.**

Reauthorization of Remaining UDAG Funds (Depot Square) for the Depot Square Landscaping – R. Pontbriand advised the Select Board that MART was able to continue construction of the Depot Square Project during COVID-19. Due to initial delays in the project, the money budgeted in FY '20 for landscaping is unavailable. According to the Town Accountant, there is \$7,450 remaining in the UDAG authorization for the Worthen Dale lawsuit relating to eminent domain. R. Pontbriand respectfully requested that the Select Board reauthorize the use of these available funds to pay for landscaping at Depot Square, for the planting of four trees and over 50

plants in the raised bed planters on-site. The type of plants selected will be very similar to the Rotary Island Plantings which can sustain drought and high heat.

Motion: A motion was made by S. Houde and seconded by S. Copeland to reauthorize the reaming UDAG Funds for Depot Square in the amount of \$7,450 for the purposes of the Depot Square Landscaping. **Motion passed 2-0.**

Opening of the Fall Special Town Meeting Warrant – R. Pontbriand respectfully requested that the Select Board vote to officially open the Fall Special Town Meeting Warrant. He advised that the deadline for all warrant articles and citizens petitions will be at 12pm noon on Friday, October 2, 2020 and that the Select Board will be scheduled to review and approve the Fall Special Town Meeting Warrant at the October 6, 2020 meeting of the Select Board. The Fall Special Town Meeting is scheduled to take place at 7pm on Monday, October 26, 2020 in the Auditorium of the Ayer Shirley Regional High School.

Motion: A motion was made by S. Houde and seconded by S. Copeland to open the Fall Special Town Meeting Warrant for the Ayer Special Fall Town Meeting to take place on Monday, October 26, 2020 at 7pm in the Auditorium of the Ayer Shirley Regional High School with the deadline for all warrant articles and citizens petitions of 12pm noon on Friday, October 2, 2020. **Motion passed 2-0.**

First Meeting of September Date Change (State Primary Election) – R. Pontbriand advised that the Select Board would normally meet on September 1, 2020. However, that is the date of the State Primary Election and per the Secretary of State's Office there are to be no public meetings at a polling place (Town Hall) during an election. He suggested that the Select Board consider meeting on Thursday, September 3, 2020.

S. Copeland stated that he could meet on Thursday, September 3 but asked if the Select Board could meet earlier that day at 5:30pm.

S. Houde stated that he had no issues with meeting at 5:30pm on Thursday, September 3.

The Select Board agreed to meet on Thursday, September 3, 2020 at 5:30pm.

New Business/Selectmen's Questions – There was no New Business/Selectmen's Questions.

Approval of Meeting Minutes:

Motion: A motion was made by S. Houde and seconded by S. Copeland to approve the Meeting Minutes from July 14, 2020. **Motion passed 2-0.**

Adjournment:

Motion: A motion was made by S. Houde and seconded by S. Copeland to adjourn the meeting at 7:17pm.

Motion passed 2-0.

Minutes Recorded and Submitted by Robert A. Pontbriand, Town Manager

Date Minutes Approved by BOS: 155000

Signature Indicating Approval: 