



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



Broadcast and Recorded by APAC

Tuesday September 15, 2020
Open Session Meeting Minutes

SB Present: Scott A. Houde, Vice-Chair; Jannice L. Livingston, Clerk

Not Present: Shaun C. Copeland, Chair

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

Call to Order: S. Houde called the meeting to order at 6:00pm. S. Houde stated that SB Member Shaun Copeland would not be in attendance.

Pledge of Allegiance: Select Board 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: A motion was made by S. Houde and seconded by J. Livingston to approve the meeting agenda. **Motion passed 2-0.**

Announcements: S. Houde announced that the Annual Town-Wide Clean Up will be held on October 3, 2020 from 9:00 AM – 1:00 PM.

Public Input: None

Superintendent Mark Wetzel, Department of Public Works: *Wastewater Capacity Presentation* – M. Wetzel gave a presentation on the Town's wastewater capacity, stating that he has been approached by several area Towns, business/developments who would like to purchase capacity from the Town of Ayer. M. Wetzel stated that it is important to plan for wastewater capacity because the development of a new supply could take up to 5 years. He reported that the Town currently has approximately 3,400 water and wastewater customers. He has worked with Town Planner Mark Archambault to estimate needed increase in capacity by reviewing current and potential development opportunities in Town. M. Wetzel stated that the Town appears to have sufficient water supply and treatment capacity through 2035. He stated he has had very preliminary discussion with Devens about establishing an interconnection in the future and that he is currently preparing a draft of a new wastewater Inter-Municipal Agreement with Devens, as the current IMA expires soon.

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. He also provided the Town Warrants in the meeting packet. The Fire Chief Search Committee has made a unanimous recommendation of appointing Dep. Chief Tim Johnston as the next Chief of the Department, which will go before the SB for ratification at their next meeting. He stated that the landscaping at Depot Square has recently been completed and Phase III (restrooms and shelter) is slated to start shortly. Facilities is replacing the Town Hall boiler which is was funded by a Green Communities Grant.

COVID-19 Update – R. Pontbriand advised that the situation with COVID-19 remains status quo. He reported that ASRSD has their first day of school tomorrow. The Nashoba Boards of Health will hold a flu clinic in October. To date, all Town revenue collections are on target.

Appointment – Alternate member for Minuteman Nashoba Health Group – R. Pontbriand is recommending that Ms. Barbara Tierney, Town Treasurer/Tax Collector be appointed as the Alternate Member of the Minuteman Nashoba Health Group.

Motion: A motion was made by J. Livingston and seconded by S. Houde to appoint Ms. Barbara Tierney as the alternate member to the MNHG. **Motion passed 2-0.**

Select Board Approval of Select Board Letter for UXO Study, Nashua River – R. Pontbriand stated that PACE (People of Ayer Concerned About the Environment) has requested that the SB send a letter to the U.S. Army in support of the request that the U.S. Army conduct a UXO (Unexploded Ordnance) Study of the Nashua River as the result of a recent incident involving the retrieval/disposal of UXO in the Nashua River. R. Pontbriand stated that the draft letter was in the meeting packet.

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve the draft letter relating to the UXO Study of the Nashua River. **Motion passed 2-0.**

Police Forum Date Selection and Update – R. Pontbriand was joined remotely by Police Chief Bill Murray and announced that Police Forum will be held on Monday October 5, 2020 from 6:00 PM – 8:00 PM via remote participation. The meeting is being held in conjunction with Community Policing Week. R. Pontbriand is asking that all questions be submitted beforehand. An advertisement for the forum will be going out next week. The general format will be an overview of what the Ayer Police Department does, what they don't do and an overview of the operating budget. Then there will be a Q&A segment, where the pre-submitted questions will be answered and then other questions from the audience.

DRAFT FY 2022 Budget and Town Meeting Calendar Review/Discussion – R. Pontbriand presented the first DRAFT of the FY '22 Budget and Town Meeting calendar. He reported that the Assessor's would like to hold the Tax Classification Hearing on Tuesday December 1, 2020. J. Livingston asked if the Town should entertain holding the Hearing as a standalone event. She also stated she would like the Rate Review meetings to be automatically populated every year, so it is on more of a routine schedule. As far as the Solid Waste Rate public hearings, she is hoping that the hearing is not too early in the budget cycle, so the Committee is feeling like they are rushing. R. Pontbriand and J. Livingston agreed that the discussion on timing of the hearing would be discussed at the Rate Review Committee meeting being held in two weeks.

Special Fall Town Meeting DRAFT Warrant Update/Discussion – R. Pontbriand stated that the deadline for warrant article submissions for the Fall Special Town Meeting is Friday Oct. 2, 2020 at 12:00 PM. Thus far the warrant is looking to have the following articles on it: UDAG Replenishments in the Amount of \$230,000 (Deferred from June 15, 2020); Forward Funding of the Town's Pension Assessment in the Amount of \$300,000

(Deferred from June 15, 2020); Stabilization Fund in the Amount of \$949,139 (Deferred from June 15, 2020); Establishment of the Ayer Housing Trust (Placeholder from Affordable Housing Committee); Funding for the Ayer Housing Trust (Placeholder from Affordable Housing Committee/CPC); Authorization for Water/Sewer Extension for Ayer Road in Harvard (Placeholder from DPW). There was initially a placeholder article relating to a request from the Town of Littleton to connect into the Town's sewer, but that has been pulled. R. Pontbriand stated that he also wanted to get a sense about proceeding for the October 26, 2020 Fall Town Meeting, stating that with COVID-19, it could be pushed further back, if needed. The funding in the first three articles, if not acted upon, would remain in Free Cash until a further Town Meeting. J. Livingston stated that the SB could consider putting forth reductions in the financial articles, to reduce the full impact in the future. R. Pontbriand also brought up the possibility of reducing the Town Meeting quorum as allowed by state law in relation to the COVID-19 pandemic. This would be a one-time only reduction to allow for the meeting to proceed if residents are not comfortable coming to a Town Meeting due to the pandemic. Relating to Town Meeting, the SB discussed having non-resident Town Staff in the overflow room to create more space. The SB will have further discussion at the October 6, 2020 meeting.

Approval and Signature of Conservation Restriction for John Carroll Preserve (54 and 56 Littleton Road) – R. Pontbriand is requesting that the SB review, approve, and sign a Conservation Restriction for the John Carroll Preserve (54 and 56 Littleton Road). This CR was approved by the Conservation Commission at their September 10, 2020 meeting. The CR is a requirement of the Town's new Open Space Residential Development (OSRD) and a requirement set forth by the Planning Board.

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve the Conservation Restriction for John Carroll Reserve (54 and 56 Littleton Road). **Motion passed 2-0.**

New Business/Selectmen's Questions: None

Approval of Meeting Minutes:

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve the Meeting Minutes from August 18, 2020. **Motion passed 2-0.**

Executive Session: At 7:06 PM, S. Houde moved to enter into Executive Session pursuant to MGL Chapter 30A, Section 21A, Exemption #6 to consider the purchase, exchange, lease value of real property) for 211 West Main Street and to adjourn from Executive Session. To discuss these items in Executive Session would be detrimental to the Town's negotiating strategy. **By Roll Call Vote:** S. Houde, aye; J. Livingston, aye. **Motion passed by Roll Call Vote 2-0.**

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

Date Minutes Approved by BOS: 6 OCT 20

Signature Indicating Approval: Janine Ree Livingston