

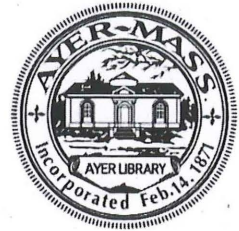
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MAY 18 2022

TOWN OF AYER
TOWN CLERK

9:55

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



Broadcast and Recorded by APAC

Tuesday April 19, 2022
Open Session Meeting Minutes

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

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

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

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

Approval of Meeting Agenda: R. Pontbriand asked to have a #4 added under the DPW Director's report for a water ban update and to table #4 (Woodlawn Cemetery) under the Town Manager's Report until the next meeting.

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve the meeting agenda, as amended.
Motion passed 3-0.

Public Input: None

Recognition of Deputy Chief Jennifer D. Bigelow, Ayer Police Department: The Board was joined by Chief Brian Gill and Deputy Chief Jen Bigelow. Deputy Chief Bigelow was recently appointed to the rank of Deputy Chief. Deputy Bigelow thanked the Board and her family for supporting her. The Board congratulated her and she was sworn in by Town Clerk Susan Copeland.

Mark Archambault, Town Planner: *Briefing on MBTA Communities Act* – M. Archambault gave a presentation on the MBTA communities Act. He stated that Towns served by the MBTA have to ensure that zoning around MBTA transit stops provide for multi-family housing at a certain density. Multi-Family (MF) Zoning districts must be of a 'reasonable size' (min. of 50 acres) with housing at a Gross Density of 15 units per acre. By December 31, 2022 communities must submit an action plan or request for compliance to DHCD. By December 31, 2024 commuter rail communities must have adopted zoning consistent with MBTA Communities. The Town has applied for and received a DLTA grant and will be working with MRPC to achieve compliance.

Overview of ATM Articles 30 & 31 – M. Archambault said that the Planning Board will be putting forth 2 simple "housekeeping" zoning bylaw warrant articles. The first is to re-alphabetize the definitions and to refine the definition of dwelling unit to be more consistent with the State building code. The second warrant article is to fix an error in the minimum lot size in the Light Industrial Zone from 120,000 square feet to 20,000 square feet.

Chief Timothy P. Johnston, Ayer Fire Department: *Overview Fire Pumper & Debt Exclusion (Article 14 of the ATM Warrant)* - Chief Johnston and Deputy Fire Chief Januskiewicz presented information on the upcoming debt exclusion article regarding the purchase of a new fire engine pumper. The Department is looking to replace a 1993 Engine 4. NFPA 1901 recommends replacement after 25 years, which would be 2018. Chief Johnston explained that in a standard fire, the first engine pulls up and hoses are pulled to begin fighting the fire. The second engine then pulls up to assist with the attack and allows for 2,000 gallons of water per minute to fight the fire. Deputy Januskiewicz stated that the replacement of the engine will help the department maintain their rating, which would translate into lower fire insurance premiums for home and business owners. Chief Johnston stated that the average property tax increase will be between \$12 - \$21 for residential property and between \$20-\$34 on the commercial, industrial and personal property. Chief Johnston stated that if anyone had additional questions that they should call the Fire Department. R.

Pontbriand stated that this is a two-part process whereby it will appear on the Town Meeting Warrant and will be a question on the local election ballot on May 10, 2022.

Alan Manoian, Director, Community and Economic Development: *Main Streets Regional Pocket Forests Pilot Project* – A. Manoian stated he was approached by the Devens Enterprise Commission about pursuing a Municipal Vulnerability Planning Grant. The proposed Ayer/Devens Neighborhood “Pocket Forest” Pilot Project would engage local residents within neighborhoods that are located in close proximity to historic freight railroad lines & trucking routes, that through time have lost their neighborhood street shade trees. He is asking for a letter of support from the Select Board.

Motion: A motion was made by J. Livingston and seconded by S. Houde to authorize a letter of support from the Select Board to the Massachusetts Office of Environment and Energy for the Main Streets Regional Pocket Forest Pilot Project. **Motion passed 3-0.**

Dan Van Schalkwyk, DPW Director: *2022 – 2024 Paving and Road Treatment Contract Award* – D. Van Schalkwyk stated that bids for 2022 through 2024 Road Paving and Treatment were opened on April 8, 2022. This is for Chapter 90 projects and includes paving and sealing of roads. The contract is awarded for one year with the option of extending the contract for two additional years. The Town received 4 bids for the road paving portion of the contract and PJ Albert Inc. of Fitchburg, MA is the low bidder. The Contract also had separate bid items for specialized pavement treatment preservations. The Town received 1 bid for rubberized chip seal from All States Construction, Inc. He is recommending awarding the road paving contract to PJ Albert Inc. and the rubberized chip seal preservation contract to All States Construction, Inc.

Motion: A motion was made by S. Houde and seconded by J. Livingston to award the road paving contract to PJ Albert Inc. and the rubberized chip seal contract to All States Construction, Inc for FY23. **Motion passed 3-0.**

Woodlawn Cemetery Regulations and Fees – D. Van Schalkwyk stated that the Town assumed ownership and responsibility of the Woodlawn Cemetery effective April 4, 2022. The Town will be voting on May 10, 2022 to establish a Cemetery Commission. D. Van Schalkwyk is recommending the approval of the regulations and fees contained in the packet, which were the same regulations and fees used by the Woodlawn Cemetery. He stated that they are more “interim” and moving forward will be under the auspices of the Cemetery Commission.

Motion: A motion was made by J. Livingston and seconded by S. Houde to authorize the regulations and fee structure as contained in the packet. **Motion passed 3-0.**

DPW Projects Update – D. Van Schalkwyk gave a brief presentation on various ongoing projects in Town.

East Main Street: Final paving will begin the week of May 9, 2022.

West Main Street Massworks Project: Water main installations have begun, and the road has been milled. Final paving will be in the Spring of 2023.

Spec. Pond PFAS Treatment Facility: There were two delays due to electrical work, which delayed other aspects of the project. The next step is the media installation, which will be April 29, 2022. It will then be tested.

Wastewater Treatment Plant: There have been major delays in supplies due to supply chain issues. The gravity belt thickener is being installed. The pump delivery has been delayed until July/August, therefore an extension will be needed later in the year.

Water Conservation Update – D. Van Schalkwyk stated that a notice went out to residents today regarding standard measures under the Town’s Water Management Permit and Rules and Regulations. There is currently no drought and the Town is using its standard measures, which was approved last year. The standard measures contain a water schedule of odd/even and no outdoor watering between 5:00 PM – 9:00 AM.

S. Houde asked about the East Main Street paving schedule and whether the entire road would be closed. D. Van Schalkwyk is waiting for the state to submit their traffic management plan. S. Houde also suggested changing the title of "Water Ban" to "Water Conservation Measures".

Town Manager's Report: *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 a list of signed Town Warrants in the meeting packet. R. Pontbriand stated that the main focus of the Administration is the upcoming Town Meeting on April 25, 2022. He has recently started the process of hiring a new Assessing Administrator. The Benefits and Payroll Manager search will begin within a few weeks. Meetings are still underway on the Senior Center site search. R. Pontbriand reported that he and Town Accountant Fred Aponte met with the Town's ARPA consultant earlier in the day.

Appointments – Recycling Committee – R. Pontbriand stated that he is respectfully recommending that the SB appoint the following Ayer residents to the Recycling Committee: Mr. Geof Tillotson to an unexpired 3-year term (Term to expire on June 30, 2022); Ms. Bonnie Tillotson to an unexpired 3-year term (Term to expire on June 30, 2023); Dr. Scott Murray to an unexpired 3-year term (Term to expire on June 30, 2023).

Motion: A motion was made by J. Livingston and seconded by S. Houde to appoint the following residents to the Recycling Committee with the corresponding term: Mr. Geof Tillotson to an unexpired 3-year term (Term to expire on June 30, 2022); Ms. Bonnie Tillotson to an unexpired 3-year term (Term to expire on June 30, 2023); Dr. Scott Murray to an unexpired 3-year term (Term to expire on June 30, 2023). **Motion passed 3-0.**

FY '23 Budget and Town Meeting Update – R. Pontbriand stated that all information regarding the upcoming Town Meeting is on the Town's website. There will also be informational slides presented with each article at Town Meeting.

Authorization and Execution of Woodlawn Cemetery Quitclaim Deed – The Select Board tabled this item until the May 3, 2022 meeting.

New Business/Select Board Member Questions: *Devens Framework Committee Update (Select Board Member J. Livingston)* – J. Livingston stated that due to COVID-19, the Zoom meeting of the Devens Framework Committee was tabled, because there were too many stakeholders on a call and the meetings weren't productive. They recently started meeting again. There was a working committee developing an RFI to present to the entire Framework Committee, but MassDevelopment pulled out of the talks with Ayer, Harvard, Shirley. The Committee met last week to discuss MassDevelopment pulling out. The Framework Committee will be sending a letter to the Chair of MassDevelopment asking why there are no longer at the table. J. Livingston stated that the redevelopment of Vicksburg Square is also ongoing and not resolved. With the Super Town Meeting process, she's not sure each Town is getting the same information. She would like Harvard, Shirley and Ayer to have a discussion about changing the rules to change the Super Town Meeting process. She stated that there is a housing shortage across the state and the decision on Devens Disposition could hold up potential housing opportunities at Vicksburg Square. S. Houde said it was very disturbing that only 5 years after MassDevelopment said that if all the Towns could agree, then disposition would happen earlier than 2032; now they aren't willing to sit at the table. S. Houde is supportive of the three towns working together to keep this issue on the table. R. Pontbriand stated that it sounded like there are two requests: Dan Rivera, who is the head of MassDevelopment has not been out and met with any of the member Towns. He stressed that he and Vice President for Devens Jessica Strunkin have a great working relationship and she has been very supportive. R. Pontbriand suggested hosting the 3 town's Select Boards to discuss what the relevant issues are. The Town of Ayer should also send its own letter to MassDevelopment about their decision to walk away from the Framework Committee.

Town Traffic Issues/Concerns (Select Board Member S. Houde) – S. Houde stated that he asked R. Pontbriand to begin the discussion about possibly prohibiting "jake brakes" and to concentrate on speed enforcement in the downtown. J. Livingston stated that she thinks that speed bumps would be effective in controlling speed in the downtown.

Executive Session Pursuant to MGL Chapter 30A, Section 21A Exemption #2 (Non-Union Personnel

Negotiations): At 7:26 PM, a motion was made by J. Livingston and seconded by S. Houde to enter into Executive

Session Pursuant to MGL Chapter 30A, Section 21A Exemption #2 (Non-Union Personnel Negotiation) Water and Sewer Superintendent Contract and Deputy Police Chief Contract and to adjourn from Executive Session. J. Livingston further stated that discussing these matters in Open Session would be detrimental to the Town's negotiating strategy. **By Roll Call Vote:** J. Livingston, aye; S. Houde, 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 SB: 17 MAY 2022

Signature Indicating Approval: 