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JUN 28 2022



TOWN OF AYER  
TOWN CLERK

8:40am

Town of Ayer  
Ayer Select Board  
Ayer Town Hall - 1<sup>st</sup> Floor Meeting Room  
Ayer, MA 01432



Broadcast and Recorded by APAC

**Tuesday May 17, 2022**  
**Open Session Meeting Minutes**

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

**Also Present:** Carly M. Antonellis, Assistant Town Manager

**Absent:** Robert A. Pontbriand, Town Manager

**Call to Order:** S. Copeland called the meeting to order at 6:08 PM.

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

**Approval of Meeting Agenda:**

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

**Recognition of Andromeda One Robotics Team:** The Select Board recognized the Ayer Shirley Regional School District's Andromeda One Robotics Team who recently participated in the World Championship competition in Houston, Texas.

**Public Input:** Sara Withee, Groton Shirley Road, asked about the March fire at the Zodiac apartments and a non-working alarm in the apartment. Chief Johnston stated that because it is a private residence, each homeowner is responsible to ensure that their house has working alarms.

Pauline Conley, 40 Cambridge Street, stated that the Harvard Select Board was supposed to be meeting relating to the Devens Jurisdictional Framework Committee, but that the meeting was cancelled. She said she read a report prepared by the Town of Harvard's committee and was wondering if the Town of Ayer had a similar report and committee. J. Livingston stated that the members of the Devens Jurisdiction Framework Committee (DJFC) sent a letter to Secretary Keannealy, but there has been no response. S. Houde stated that the local committee was just ramping up when COVID-19 hit. C. Antonellis stated that an action item from the last SB meeting was to reach out to the both the Towns of Shirley and Harvard and to write our own letter to Secretary Keannealy. P. Conley asked if the meetings would be public. J. Livingston stated that yes. P. Conley then stated she would prefer if in-person attendees came to the table to use the microphone for ease of listening.

**Treasurer/Tax Collector Barbara Tierney & Finance Manager Fred Aponte - Vote of Approval for Bond**

**Anticipation Note (BAN):** B. Tierney stated that the Town of Ayer just issued a BAN in the amount of \$4,292,565 and received 3 bids. Piper, Sandler & Company was the winning bidder with an average interest rate of 2.4%. She is requesting that the Select Board vote to approve the BAN.

**Motion:** A motion was made by J. Livingston and seconded by S. Houde that the Select Board adopt the following vote regarding the May 10, 2022, Bond Anticipation Note Sale for \$4,292,550.00: to approve the sale of \$4,292,565 3.00 percent General Obligation Bond Anticipation Notes (the "Notes") of the Town dated May 26, 2022, and payable May 25, 2023, to Piper Sandier & Co. at par and accrued interest, if any, plus a premium of \$25,583.68. 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 May 5, 2022, and a final Official Statement dated May 10, 2022, 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 Select Board 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 any certificates or documents relating to the Notes (collectively, the "Documents"), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a ".pdf file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures. Further Voted: that each member of the Select Board, 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. **Motion passed 3-0.**

**Dan Van Schalkwyk, DPW Director - Town Bridges Update:** D. Van Schalkwyk gave an update to the Select Board on the Barnum Road, East Main Street, and West Main Street Bridges. Based on the current schedule, the Barnum Road Bridge construction is slated to begin in sometime in 2023. He noted that the Town will keep an eye for funding opportunities through the federal infrastructure money. The East Main Street Bridge is actually named the William P. Iverson Bridge and it is downtown between the Library and the Post Office. The bridge is state-owned and maintained and has an overall rating of satisfactory. As the bridge crosses over the railroad tracks, there are challenges scheduling work due to the MBTA and freight traffic schedules. Relating to the West Main Street and Shirley Street Bridges, based on a conversation at a previous Select Board meeting, the goal is to seek funding for the West Main Street Bridge at the Fall Town Meeting. D. Van Schalkwyk stated that he will be conducting a brainstorming session with key stakeholders to discuss options for this bridge. J. Livingston stated that she would like to apply some pressure to MassDOT relating to the Main Street/Iverson bridge.

*Truck Traffic Discussion with Chief Gill and Chief Johnston* – D. Van Schalkwyk was joined by Fire Chief Tim Johnston and Deputy Police Jennifer Bigelow. Chief Brian Gill joined via Zoom. S. Houde stated that he is aware that the Town has joined in a regional study relating to truck traffic, but we wanted to take a look at what we could do locally while the study was ongoing to help mitigate the impact of trucking. He was looking at a limitation on Jake brake use and is concerned with trucks speeding downtown. D. Van Schalkwyk stated that the DPW can certainly look into traffic calming, such as line painting and signage. The Town has looked at a Heavy Commercial Truck Exclusion, but they are not allowed on state numbered routes, such as Main Street. Deputy Chief Bigelow stated that the APD had patrol staff out over various times doing speed enforcement and data gathering on Main Street. She said anyone travelling over 30 mph, is given either a written warning or a ticket. The APD will continue to monitor traffic and enforce the speed limits throughout Town. Chief Johnston stated that relating to the Jake brake limitations, he would like to see public safety vehicles to be excluded from the limitations, due to safety. Chief Gill stated that he is working on figuring the best time to do traffic enforcement downtown based on available staffing. The APD is also upgrading a piece of equipment that will allow for truck speeding information to be collected.

**Town Manager's Report:** *Administrative Update/Review of Town Warrant(s)* – Due to R. Pontbriand's absence, C. Antonellis provided the Select Board with an update on the various activities, initiatives, and projects of the Administration since the Select Board last met. She referenced the Town Manager's Memo in the packet that contained a list of signed Town Warrants. She noted that on May 9<sup>th</sup>, the Town put on an RFP looking for land for a Senior Center. Responses are due June 10, 2022. She stated that last week the Ayer Affordable Housing Trust and the Affordable Housing Committee heard from the project proponents relating to the proposed 65 Fitchburg Road Affordable Housing project. She also stated that the new fire pumper truck recently approved by Town meeting came in about \$100,000 less than originally anticipated.

*Lease of Land for Wireless Communications Facility Award – SBA Communications* – C. Antonellis explained that the 20-year lease of land was expiring in 2023 and that the Town recently went out to bid to re-lease the land. SBA

Communications was the most responsive bidder. C. Antonellis is looking for a vote to award the RFP to SBA Communications, LLC. She noted that the town will receive over a million dollars in revenue over the 20-year lease agreement.

**Motion:** A motion was made by S. Houde and seconded by J. Livingston to award the lease of land RFP to SBA Communications, LLC. **Motion passed 3-0.**

*Update on August 20, 2022, Fort Devens Day Celebration* - C. Antonellis stated that in response to the Town not doing the fourth of July fireworks any longer, and at the direction of the Select Board, the Town has been meeting with Devens to discuss a regional fireworks event. Devens and the Fort Devens base was open to the idea and the Town of Ayer will be sponsoring an event on August 20, 2022. The rain event date is August 21, 2022.

**New Business/Select Board Member Questions:** None

**Approval of Meeting Minutes:**

**Motion:** A motion was made by J. Livingston and seconded by S. Houde to approve the meeting minutes of April 19, 2022 and May 3, 2022. **Motion passed 3-0.**

**Reorganization of the Select Board:** J. Livingston thanked S. Copeland for his service as Chair. J. Livingston nominated herself as Chair. S. Houde stated he would serve as Clerk.

**Motion:** A motion was made by S. Houde and S. Copeland to reorganize the Select Board with J. Livingston as Chair, S. Copeland as Vice-Chair, and S. Houde as Clerk. **Motion passed 3-0.**

**Adjournment:**

**Motion:** A motion was made by J. Livingston and seconded by S. Houde to adjourn at 6:56 PM. **Motion passed 3-0.**

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

Date Minutes Approved by SB: 06/21/2022

Signature Indicating Approval: 