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



*Broadcast and Recorded by APAC*

**February 21, 2023**  
**Open Session Meeting Minutes**

**SB Present:** Jannice L. Livingston, Chair; Shaun C. Copeland, 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 6:00 PM. J. Livingston stated that this meeting/hearing of the Ayer Select Board will be held in-person at the location provided on this notice. Members of the public are welcome to attend this in-person meeting. Please note that while an option for remote attendance and/or participation via Zoom is being provided as a courtesy to the public, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless otherwise required by law. Members of the public with particular interest in a specific item on this agenda should make plans for in-person vs. virtual attendance accordingly. This meeting will be live on Zoom and Channel 8. The public may access the proceedings by joining Zoom (Meeting ID# 897 9080 0793) or by calling (929-205-6099).

**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 S. Houde and seconded by S. Copeland to approve the meeting agenda.

**Motion passed 3-0.**

**Announcements:** None

**Public Input:** None

**Class II License (Used Auto Sales) Application - 77 Fitchburg Road - Route 2A Auto Center, LLC.:**

Mr. Edward Morin was in attendance. C. Antonellis explained that she had received an application from Mr. Morin for 77 Fitchburg Road. The request was sent to all department heads and there were no issues. The Police Chief would like to see several conditions placed on the license, such as the location of the signage must not obstruct sight lines of Rt. 2A and any dumpster(s) on the property must be screened from public view.

**Motion:** A motion was made by S. Copeland and seconded by S. Houde to approve the Class II License request with the conditions recommended by the Police Chief. **Motion passed 3-0.**

**Daniel Van Schalkwyk, Director, Dept. of Public Works - Recommendation to Revise Fees for**

**Woodlawn Cemetery:** D. Van Schalkwyk referenced his memo in the Select Board Packet regarding a recommendation from the Cemetery Commission to revise fees for Woodlawn Cemetery as follows:

Item	Recommended Fee	Previous Fee
Full Burial Opening	\$1,200	\$800
Ash Burial Opening	\$500	\$350
Ash Vault	Varies	Unchanged
Winter Burial Opening	\$500	\$200
Single Grave Lot	\$1,500	\$800

**Motion:** A motion was made by S. Copeland and seconded by S. Houde to approve the Cemetery Fees as presented. **Motion passed 3-0.**

*Stormwater Asset Management Plan Summary (AMP)* – D. Van Schalkwyk gave a presentation to the SB relating to the Town’s Stormwater Asset Management Plan. Recommendations/next steps are to begin implementation of the Stormwater AMP; reexamine Stormwater Utility as a funding source; continue updating DPWs stormwater GIS with field investigations; and to update the AMP routinely.

*Update on Water and Wastewater Enterprise Budgets* – Water and Sewer Superintendent Kimberly Abraham joined D. Van Schalkwyk to discuss the need for a Special Town Meeting prior to the Annual Town Meeting on April 24, 2023. The Special Town Meeting will be held for consideration of making a transfer from the Retained Earnings account to cover the increased cost of chemicals and services being realized this year. The cost of 3 major water treatment chemicals have increased: Potassium Permanganate has increased 22%; Potassium Hydroxide has increased 73%; and Sodium Hypochlorite has increased 113%. K. Abraham also noted that unforeseen emergency repairs in both the Water and Sewer Departments have caused the need for an transfer from Retained Earnings in this current fiscal year.

**Alan Manoian, Director, Community & Economic Development - Ayer/Devens Symposium**

**Update:** A. Manoian joined the Select Board to discuss the upcoming Ayer + Devens Symposium being held at the Ayer Town Hall on March 10<sup>th</sup> and 11<sup>th</sup>. The focus of the Symposium will be the future disposition of Devens in 2033. A. Manoian highlighted the events happening on both days and said that Ayer is going to be proactive in this process, rather than reactive. S. Houde cautioned to let things play out and to keep an open mind.

**Town Manager’s Report - Administrative Update/Review of Town Warrant(s):** R. Pontbriand provided a brief Administrative Update to the Select Board on the various activities, initiatives, and projects of the Town since the Select Board last met and referenced the Town Warrants that are in the Select Board’s packet that were approved since the Select Board last met. R. Pontbriand reported that the Department of Revenue certified FY ’22 Free Cash as follows: General Fund - \$1,936,459; Water Enterprise Fund - \$4,691,656; Sewer Enterprise Fund - \$2,489,257; Solid Waste Enterprise Fund - \$132,553; and Ambulance Enterprise Fund - \$251,095.

R. Pontbriand stated that the Bi-Board is wrapping up reviewing the Financial Policies and that they will be sent to various Town departments for review and comment. He also reported that the Cable Advisory Committee negotiations remain on track.

*FY ’24 Budget Update/ FY ’24 Energy Budget Update* – R. Pontbriand provided an overview of DRAFT #2 of the FY ’24 Budget. He noted that DRAFT #2 has been reduced by about \$116,000. The major reductions are in the DPW Stormwater account and Tree Management Plan. DRAFT #2 of the budget assumes a 2% Non-Union Cost of Living Increase equaling \$52,000. He will be looking at further

reducing the Reserve Fund based on the previous year's history.

S. Houde asked if the Finance Committee would be meeting to discuss the reduction in the Reserve Fund. R. Pontbriand stated that they will be meeting when they have finished meeting with the Departments to discuss.

*FY '24 Capital Plan Overview* – R. Pontbriand presented an overview of the FY '24 Capital Plan. He stated that all Capital Plans, Presentations, and Minutes are available at [ayer.ma.us/budget](http://ayer.ma.us/budget). There are two items requiring Debt Exclusion Ballot questions on the Annual Town Election Ballot: the replacement of the West Main Street Bridge and the replacement of the Fire Department Ladder Truck. S. Houde noted that the tax impact of the Fire Department Ladder Truck replacement won't be felt immediately, as it will take 22 months before the Town receives it. R. Pontbriand also went over the need for additional funding for the Pirone Park Kiddie Junction Remediation Project. J. Livingston stated that the Parks Commission should also start fundraising for the project.

*FY '24 Cost of Living Adjustment (COLA) Recommendation* – Benefits and Payroll Manager Amanda Lewis joined R. Pontbriand to discuss the FY '24 COLA recommendation. R. Pontbriand referenced a memo in the packet which summarizes all data that has been gathered to make the recommendation. Items looked at were the Consumer Price Index, the Federal Reserve Bank of Boston Monthly Economic Update, responses from neighboring communities and a survey of the Massachusetts Municipal Human Resources Association.

S. Copeland asked what the average COLA was according to the MMHR survey. A Lewis stated 3%. S. Houde stated that it was important to note that the Town's Collective Bargaining Agreement are at 2%.

**Motion:** A motion was made by S. Houde and seconded by S. Copeland to approve the FY '24 2% COLA for Non-Union Personnel. **Motion passed 3-0.**

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

**Approval of Meeting Minutes:** A motion was made by S. Houde and seconded by S. Copeland to approve the meeting minutes from February 7, 2023. **Motion passed 3-0.**

**Executive Session Pursuant to MGL Chapter 30A, Section 21A, Exemption #2 (Non-Union Personnel) Fire Chief and Deputy Fire Chief Personal Services Contracts:** At 7:21 PM a motion was made by J. Livingston and seconded by S. Copeland to enter into Executive Session pursuant to MGL Chapter 30A, Section 21 A, Exemption #2 (Non-Union Personnel) to discuss the Fire Chief and Deputy Fire Chiefs Personal Services Contracts and to adjourn at the conclusion of the Executive Session. She further noted 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: March 7 2023

Signature Indicating Approval: 