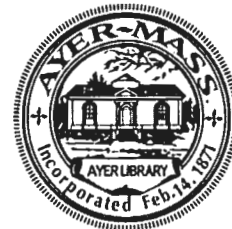


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TOWN OF AYER  
TOWN CLERK



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



*Broadcast and Recorded by APAC*

**December 19, 2023**  
**Open Session Meeting Minutes**

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

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

**Call to Order:** S. Houde called the meeting to order at 6:00 PM. S. Houde further stated that this meeting/hearing of the Ayer Select Board (SB) 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). S. Houde announced that since S. Copeland was participating remotely all votes would be taken by roll call.

**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. Copeland and seconded by J. Livingston to approve the meeting agenda. **Motion passed 3-0.**

**Announcements:** None

**Public Input:** Pauline Conley, 40 Cambridge Street thanked the Select Board and the DPW for making improvements to the intersection of Adams Street and Central Avenue.

**Dan Van Schalkwyk, Director, Department of Public Works - Change Order 2 – Third Street Water and Drainage Improvements Project:** D. Van Schalkwyk presented Change Order 2 in the amount of \$39,931.81 for the Third Street Water and Drainage Improvements project, which includes a balancing of the estimated versus actual quantities of bid items installed to complete the project. It also includes additional work performed by the Contractor to remove and dispose of unforeseen asbestos cement pipe in accordance with Mass DEP regulations. S. Houde asked about the length of the time extension in the Change Order. D. Van Schalkwyk reported that the time extension would be about two and a half months.

**Motion:** A motion was made by S. Copeland and seconded by J. Livingston to approve Change Order No. 2 for the Third Street Water and Drainage with signature by the Chair. **Roll Call Vote:** J. Livingston, aye; S. Copeland, aye; S. Houde, aye. **Motion passed by Roll Call Vote 3-0.**

*Water Supply Update* – D. Van Schalkwyk reported that water production continues to face challenges meeting demand. He stated that it appears they have entered a winter demand pattern. He is recommending changes to the existing water use restrictions and adjusting the directives from the Water and Sewer Commissioners. The recommendation is to maintain the Declaration of a State of Water Supply Conservation, lift the current ban on outdoor water use, and encourage all customers to observe practical Water Conservation Measures.

**Motion:** A motion was made by J. Livingston and seconded by S. Copeland to maintain the Declaration of a State of Water Supply Conservation and lift the current mandatory ban on outdoor water use. **Roll Call Vote:** J. Livingston, aye; S. Copeland, aye; S. Houde, aye. **Motion passed by Roll Call Vote 3-0.**

**Transfer Station Operational/Financial Analysis Study and Funding Recommendation:** D. Van Schalkwyk referenced a memo in the packet by R. Pontbriand. He said that the Rate Review Committee has been looking at the issue of having a third-party, independent professional analysis of the operations and finances of the Transfer Station conducted to make recommendations to the Town for consideration in terms of operational and financial efficiencies. The Rate Review Committee voted unanimously to recommend that the Select Board authorize the proposal from the firm of Tighe and Bond to conduct the study and further voted unanimously to recommend that the Select Board authorize up to \$20,000 from the Town's ARPA Funds for the study. Though the study cost is \$18,500, the Rate Review Committee is requesting up to \$20,000 from ARPA funds for a small contingency if there is the need for additional work or an additional meeting with the consultant. If not used, the funds will revert to the Town's ARPA funds. R. Pontbriand reiterated that this study will not look at the issue of curbside trash collection.

Lauri Sabol, 1 Winthrop Avenue, asked whether Tighe and Bond will look at the promotion of the Transfer Station? She said that costs increases could be less if more users used the Transfer Station. J. Livingston stated that no, the study was looking at operational efficiencies. S. Houde stated that he is hoping that the efficiencies implemented from the study will reduce prices thereby making the Transfer Station more marketable. L. Sabol asked if residents would be a part of the study. D. Van Schalkwyk stated that they will be working with the Rate Review Committee and will be at the Transfer Station collecting data. L. Sabol asked about the timeframe of the study. D. Van Schalkwyk stated that it would be complete in about 3 months.

**Motion:** A motion was made by J. Livingston and seconded by S. Houde to approve the study cost of up to \$20,000 of ARPA funds for the Transfer Station Study. **Roll Call Vote:** J. Livingston, aye; S. Copeland, aye; S. Houde, aye. **Motion passed by Roll Call Vote 3-0.**

**Town Manager's Report - Administrative Update/Review of Warrants:** R. Pontbriand presented an administrative update on the various activities, initiatives, and projects of the Town since the Select Board last met. R. Pontbriand thanked the Police and Fire Departments for escorting Santa during the Santa parade over the past weekend. He stated that the quarterly Town newsletter is out from the Town Clerk's Office. The Senior Center Site Selection and Building Committee recently met and was awarded a \$300,000 grant from the State for planning/study purposes.

*FY 2025 Budget Process Update* – R. Pontbriand noted that all budgets are due from Departments on December 29, 2023. DRAFT #1 of the FY 2025 Budget per the Town's Budget Calendar will be transmitted to the Sb and Finance Committee, as well as available to the public on January 12, 2024. The Town's First Public Budget Forum on DRAFT #1 of the FY 2025 Budget will take place on Wednesday, January 24, 2024 at 6:00 PM at the Ayer Town Hall with a Zoom option for the public to participate remotely. All information and documents related to the FY 2025 Budget will be posted on the Town's website at [www.ayer.ma.us/budget](http://www.ayer.ma.us/budget).

*Final Review and Approval of the Update to the Town's Financial Policies* – R. Pontbriand referenced his memo in the Packet, which highlights major changes to the Town's Financial Policies. He noted that the most significant change was the increase to the capital finance threshold from \$300,00 to \$500,000 for debt and/or capital exclusions. The Finance Committee will convene after the new year to consider the updated financial policies. S. Houde thanked Finance Manager B. Tierney and Assistant Town Manager C. Antonellis for their work on the update of the policies.

Pauline Conley, 40 Cambridge Street asked if any more thought was given to including Tax Increment Financing (TIFs) in the Financial Policies. S. Houde that the policies will be reviewed every two years and that the TIFs will be reviewed in the upcoming review period.

**Motion:** A motion was made by J. Livingston and seconded by S. Copeland to approve the updates to the Town's Financial Policies as presented. **Roll Call Vote:** J. Livingston, aye; S. Copeland, aye; S. Houde, aye. **Motion passed by Roll Call Vote 3-0.**

*January 2024 Meeting Schedule* – R. Pontbriand stated that the first meeting of the SB would be on Tuesday, January 2, 2024. Due to the proximity of the meeting to the holidays, there is usually no immediate business regarding the Select Boards attention/action. In the event that there are time sensitive matters requiring the Select Board's attention, the Select Board has always called a meeting, if needed. The SB is scheduled to meet on January 16, 2024 and the Budget Forum is scheduled for Wednesday, January 24, 2024 at 6:00 PM.

**New Business/Select Board Member Questions - Devens Jurisdiction Framework Committee Update (Board Member J. Livingston):** J. Livingston provided the Board with an update on the recent activities of the Devens Jurisdiction Framework Committee. She reported that the Committee continues to work on issuing an RFEI for consultant services to study the issues of jurisdiction and disposition. The Committee is discussing and looking at a Super Town Meeting Warrant Article which would change the zoning of Vicksburg Square prior to the issues of jurisdiction and disposition being resolved so that progress can be made on Vicksburg Square; the Buildings can be saved; and there remains a housing crisis which this could help. There seemed to be a lot of confusion that the proposal would be for Vicksburg Square to become permanently part of Ayer prior to 2033 and final disposition; that was and not the intent of the Warrant Article. The intent was for the three Towns through the Super Town Meeting Process to change the zoning of Vicksburg Square so that we can move forward with developing and saving Vicksburg Square before the year 2033 and before final jurisdiction is resolved. She is also hoping that this discussion and process gets MassDevelopment back to the table. The Committee also discussed creating a subcommittee for the purposes of the future of Vicksburg Square and will discuss this idea more at their next meeting, which is on January 10, 2024. The Committee is also going to further discuss the Super Town Meeting Warrant Article and Vicksburg Square at the next meeting.

**Approval of Meeting Minutes:**

**Motion:** A motion was made by S. Copeland and seconded by J. Livingston to approve the meeting minutes of November 21, 2023, and December 5, 2023. **Roll Call Vote:** J. Livingston, aye; S. Copeland, aye; S. Houde, aye. **Motion passed by Roll Call Vote 3-0.**

**Adjournment:**

**Motion:** A motion was made by J. Livingston and seconded by S. Copeland to adjourn at 6:39 PM. **Roll Call Vote:** J. Livingston, aye; S. Copeland, aye; S. Houde, 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: Jan. 16, 2024

Signature Indicating Approval: \_\_\_\_\_ 