

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

Broadcast and Recorded by APAC

January 16, 2024
Open Session Meeting Minutes

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

SB Absent: Shaun C. Copeland, Clerk

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).

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 2-0.

Announcements: S. Houde announced that Wednesday January 24, 2024, the Town Manager will hold a public budget forum on the first draft of the FY '25 budget. It will begin at 6:00 PM and will be held in-person at the Town Hall and via Zoom.

Public Input: Dennis Curran, 51 Pleasant Street spoke to the Board about zoning enforcement. He referenced dumpster enforcement. He would like all departments that are responsible for zoning enforcement to convene to review the bylaws. He referenced several properties with zoning violations. He would like the Town to be environmentally and visually more appealing and feels that each lot should be brought up to a minimum standard.

Alicia Hersey, Community Development, Program Manager - Approval of FY '24 Community Development Block Grant (CDBG) Application:

A. Hersey stated that her office was in the process of submitting a CDBG grant. She stated that the Community Development office will be holding a Public Hearing reviewing and listening for input on the CDBG grant program and Housing Rehabilitation program. This public hearing will be held on Thursday January 18th at 6:30 pm. S. Houde asked Ms. Hersey to explain what the CDBG program does for those listening in. A. Hersey stated that it is a federal grant program that is about 50 years old to assist in housing rehabilitation costs in low-income communities and aims to keep low-income housing up to code.

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve the FY'24 CDBG grant moving forward. **Motion passed 2-0.**

Susan Copeland, Town Clerk - Town Clerk Office Updates and 2024 Election – Vote to Open Nomination Process for the Annual Town Election & Vote to Authorize Police Chief to Assign

Police Details for 2024 Elections: S. Copeland announced that the Annual Town Election will be held on Tuesday May 14, 2024. She then asked S. Houde to read the election announcement. S. Houde stated that The Annual Town Election will be held on Tuesday, May 14th, 2024 from 7am – 8pm in the 2nd Floor Great Hall at 1 Main Street in Ayer, Massachusetts. Nomination Papers for the following offices are now available as they will appear on the ballot: Assessor (1) 3-year term; Board of Health (1) 3-year term; Commissioner of Trust Funds (1) 3-year term; Constable (1) 3-year term; Library Trustee (1) 3-year term; Park Commissioner (2) 3-year term; Planning Board (2) 3-year term; Regional School District Committee (1) 3-year term; Select Board (1) 3-year term. Nomination papers can be requested from and submitted to the Town Clerk's Office; 1 Main Street; Ayer, Massachusetts during regular business hours. The last day to request nomination papers is Friday, March 22, 2024, at 12:00 PM. The last day to submit nomination papers is Tuesday, March 26, 2024, at 5:00 PM. S. Copeland noted that there is a term up on the Housing Authority, but that seat is reappointed by the Governor.

Motion: A motion was made by J. Livingston and seconded by S. Houde to open the nomination process for the Annual Town Election offices to appear on the ballot as read by the Chair. **Motion passed 2-0.**

S. Copeland then stated that in accordance with the Votes Act of 2022, it is required that the Select Board authorize the Police Chief to assign Police Details for Elections in 2024.

Motion: A motion was made by J. Livingston and seconded by S. Houde that the Select Board vote to authorize the Chief of Police to assign the following police details for the 2024 calendar year elections:

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|------------------------|-------------------|--|
| Presidential Primary | March 5, 2024 | 6:00am – 10:00pm |
| Annual Town Election | May 14, 2024 | 6:00am – 10:00pm |
| State Primary Election | September 3, 2024 | 6:00am – 10:00pm |
| General Election | November 5, 2024 | 6:00am – 10:00pm. <u>Motion passed 2-0.</u> |

S. Copeland also announced various dates associated with the Town Election. She also gave an update to the Select Board on the election post cards that were mailed by the Secretary of State's Office for mail-in and absentee ballots. She noted that the Town Census has been mailed and that dogs tags are due March 1, 2024.

Dan Van Schalkwyk, Director, Department of Public Works - Execution of Contract for Pulpit Rock Drainage and Pathway Improvements:

D. Van Schalkwyk presented the contract execution of drainage and pathway improvements at the intersection of Third Street and Marshall Street. This area is also known as "Pulpit Rock". The project proposes to correct a deficient drainage condition with the installation of a bioretention basin. The project was designed, permitted, and bid by DPW Engineering. A total of 19 (nineteen) bids were opened on December 20th. Bids ranged from \$74,500 to \$228,000. The low bidder is Belko Landscaping of Salem, NH. He is recommending executing the contract with Belko Landscaping in the amount of \$74,500.

Motion: A motion was made by J. Livingston and seconded by S. Houde to execute the contract for the Pulpit Rock Drainage and Pathway Improvements project in the amount of \$74,500 for signature by the Board. **Motion passed 2-0.**

Award of Spectacle Pond Filter Media Replacement Project – D. Van Schalkwyk stated that this project would replace the Greensand Filter Media at the Spectacle Pond Water Treatment Facility. Bids were received on December 13, 2023, at the DPW and the bid prices exceeded the appropriated amount. He referenced his memo in the meeting packet. He is recommending that the Select Board authorize the use of ARPA funds and award the project to the lowest and responsible bidder.

Motion: A motion was made by S. Houde and seconded by J. Livingston to authorize up to \$100,000 in ARPA funding for the award of the Spectacle Pond Filter Media Replacement project. **Motion passed 2-0.**

Motion: A motion was made by S. Houde and seconded by J. Livingston to award the Spectacle Pond Filter Media Replacement project to Winston Builders Corporation in the amount of \$408,889.00. **Motion passed 2-0.**

Water Supply Update - Since the last update, water production continues to face challenges meeting demand. The tank levels, which is an indication of the ability to meet demand, were generally full or nearly full most mornings during this last update period. He firmly believes that the Town has entered into a winter demand pattern. He is not recommending any changes to the existing water use restrictions or other directive from the Water and Sewer Commissioners.

Stormwater Utility Advisory Workgroup Update – D. Van Schalkwyk asked C. Antonellis to pull up the Town's website. He stated that the workgroup started meeting monthly in September and have been evaluating a proposed rate structure and associated policies if the Town were to adopt a stormwater utility fund. The working group is also creating a public outreach plan. All information is kept on the Town's website. The earliest the Town would consider adopting this utility would be the Fall 2024 Special Town Meeting.

Opening of the 2024 Annual Town Meeting Warrant for April 22, 2024: R. Pontbriand stated that in accordance with the Town's Budget and Town Meeting Calendar, he is requesting that the Board vote to officially open the 2024 Annual Town Meeting Warrant. He highlighted the following dates as it relates to the Annual Town Meeting: The deadline for all Warrant Articles and Citizen's Petitions will be 12pm (Noon) on Friday, March 29, 2024; the Select Board will meet to finalize and approve the 2024 Annual Town Meeting Warrant at their meeting on Tuesday, April 2, 2024; the 2024 Annual Town Meeting Warrant will be officially posted by Friday, April 5, 2024 and sent for printing and mailing to all Ayer households; the 2023 Annual Town Meeting will take place on Monday, April 22, 2024 at 7pm in the Auditorium of the Ayer Shirley Regional High School.

Motion: A motion was made by J. Livingston and seconded by S. Houde that the Select Board open the Annual Town Meeting Warrant for April 22, 2024. **Motion passed 2-0.**

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. He thanked the DPW for their ongoing efforts relating to snow operations. The Facilities Department is performing various renovations to the Great Hall and Mailroom. The Facilities Department also welcomed Mr. D.J. Zoller as the new Town Custodian. The Finance Committee now has five members; Mr. Bob France and Mr. Eric Sechman were recently appointed. The Fin Com is next meeting with the ASRSD on Thursday, January 18, 2024. He and the Finance Manager and Benefits and Payroll Manager met with MIIA regarding the new health insurance implementation plan. The Rate Review Committee met on January 9, 2024 with the Consultants from Tighe and Bond regarding their operational and financial analysis of the Transfer Station. The Senior Center Site Selection and Building Committee met on January 11 to continue its review of Town owned parcels. The Committee also

authorized an RFP to General Professional Architectural Services with a deadline of responses for February 2, 2024. Next meeting of the Committee will be on February 8, 2024 at 5pm. The Town Manager has been developing a plan with I.T. and the Town Departments with the goal of having all Town Board and Committee Meetings offer a Zoom option for remote public participations with complete implementation by July 1, 2024 at the latest.

FY 2025 Budget Process Update – The Town Manager advised that the FY 2025 Budget Process remains on schedule. On Wednesday, January 24, 2024 at 6pm the first Public Budget Forum with the Select Board and Finance Committee will take place in the First Floor Meeting Room. All Town Department Heads will be in attendance. The Town Manager and Finance Manager will present DRAFT #1 of the Budget which will include mini presentations on each of the major budget drivers; answer any questions/input from the Select Board and Fin Com; and answer any questions/input from the Public. The Town Manager further advised that DRAFT #1 is just that a DRAFT and remains a work in progress. ASRSD FY 2025 School Assessment will be presented to the Select Board on February 6, 2024. NVTHS FY 2025 School Assessment will be presented on February 1, 2024 at their annual Budget Breakfast for which the Select Board and Fin Com are invited.

March 2024 Meeting Schedule - R. Pontbriand advised that the first meeting in March is on March 5 which is also the Massachusetts Presidential Primary with voting taking place all day at Town Hall. Per the Secretary of State, there should be no public meetings in a polling place during voting. The Select Board should pick a different date for the first meeting in March. The second meeting is scheduled for March 19 for which there is no issue. J. Livingston stated she is unavailable in the first week of March. S. Houde suggested discussing the item at the next meeting due to S. Copeland's absence this evening.

New Business/Select Board Member Questions: S. Houde stated that he has had the privilege of sitting at this table for the past 15 years, first as a member of the Finance Committee and then the Select Board. He stated that earlier in the evening the Select Board opened the 2024 Annual Town Election, at which time his seat will be up for reelection. S. Houde stated that he will not be running for reelection. He noted that his career has become more complex over the years, and he fears he'll no longer be able to dedicate the needed amount of time to the position. He stated to give context that his 3 children used to attend meetings with him and play and read in the corner; now one has graduated college and the two youngest will be graduating college next year. He initially joined to help build a community for his kids and he has had the privilege of meeting some amazing people along the way. He said he still has 3 months and 29 days left to serve and he'll continue to work hard as we finalize everything for Town Meeting. He wishes to express his gratitude to everyone he has had the privilege of working with over the last 15-16 years.

Susan Copeland, Town Clerk asked to be recognized. She stated that she would like to thank S. Houde as a resident, a parent, an employee and friend. She stated that S. Houde is a proud introvert that chose to move to Ayer with Heather and build your family. She stated that he rolled up his sleeves and became engrained in the community... schools, sports, scouts, faith in positions both appointed and elected. She stated that all positions were served with grace, poise, straightforward thinking, respect and integrity. She stated that there is a misconception that everything that comes before the Select Board is just rubber stamped. S. Houde has held S. Copeland and her colleagues to a high standard with the understanding that progress was to be balanced in a fiscally responsible way that was fair to the taxpayers. She stated that in this current world of instant gratification and social media grandeur, we lose sight of the steady hands and quiet leadership that make the loudest impact. She stated that her life and her family's life is better due to S. Houde's hard work. S. Copeland stated that change is good. She stated that she hopes that whoever steps up into this position is able to be as fair, respectful and

dedicated. The definition of integrity is the quality of being honest and having strong morals. She thanked S. Houde for everything he has done for the Town of Ayer.

Approval of Meeting Minutes:

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve the meeting minutes of December 19, 2023. **Motion passed 2-0.**

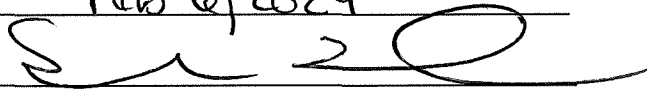
Executive Session Pursuant to MGL Chapter 30A, Section 21A Exemption #6 (Consideration for Purchase of Real Estate) 71 Sandy Pond Road: At 6:58 PM a motion was made by J. Livingston and seconded by S. Houde to enter into Executive Session pursuant to Massachusetts General Laws Chapter 30A, Section 21 A Exemption #6 (Consideration for Purchase of Real Estate) for 71 Sandy Pond Road and to adjourn at the conclusion of the Executive Session. She further stated that discussing this in Open 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 SB: _____

Feb 6/2024

Signature Indicating Approval: _____

A handwritten signature in black ink, appearing to be 'S. Houde', written over a horizontal line.