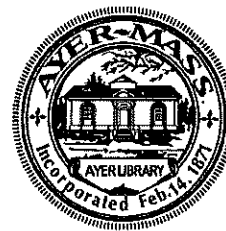


**Town of Ayer
Board of Selectmen
Ayer Town Hall – 1st Floor Meeting Room
Ayer, MA 01432**



Broadcast and Recorded by APAC

Tuesday May 1, 2018
Open Session Meeting Minutes

BOS Present: Christopher R. Hillman, Chair; Jannice L. Livingston, Vice – Chair; Scott A. Houde

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

Call to Order: C. Hillman called the meeting to order at 7:00 PM.

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

C. Hillman welcomed new BOS member S. Houde.

Review and Approve Agenda:

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

Recognition of the Division 3A State Championship Lunenburg/Ayer Shirley Varsity Hockey Team:

C. Hillman recognized Coach Eric Short and members of the team and presented a Certificate of Recognition.

Public Input: None

C. Hillman thanked former BOS member Gary Luca for his service to the Town. G. Luca was a 12 year member of the BOS and has served on a variety of committees.

Lt. Brian Gill, Ayer Police Department: *Communications Supervisor Promotion* – Lt. Gill introduced Mr. Chris Herrstrom, the recommended candidate for the Communications Supervisor position. The Communications Supervisor position was created as a result of regionalization of communications services with the Town of Shirley.

Motion: A motion was made by J. Livingston and seconded by S. Houde to appoint Mr. Chris Herrstrom to the position of Communications Supervisor, effective immediately. **Motion passed 3-0.**

Public Hearing – Application for Transfer of All Alcoholic Liquor License: *License # 02912-GP-0060 (From Keith Leighton to R & R Concepts, Inc.) 25 Main St.* – S. Houde opened the public hearing 7:14 PM by reading the Public Hearing notice as advertised in the Nashoba Valley Voice on April 20, 2018.

Mr. Keith Leighton (current licensee) introduced Mr. Reza Rahmani. Mr. Leighton will be leasing the bar, currently under Mr. Leighton's name to Mr. Rahmani and his corporation R&R Concepts, Corp for 10 years. The vision of the bar will stay the same with craft beers and alcohol. Mr. Rahmani hopes to open by mid-June.

J. Livingston stated that she noticed in the packet there was an incident cited by the ABCC at Mr. Rahmani's other establishment in Amherst. Mr. Rahmani stated that an underage person was served alcohol. The minor involved had an ID that passed through the electronic card reader. He stated it was their only incident involving a minor.

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve the transfer of license 02912-GP-0060 from Mr. Keith Leighton d/b/a The Revival Pub to S&S Concepts, Corp. d/b/a Bar25.

Motion passed 3-0.

Motion: A motion was made by J. Livingston and seconded by S. Houde to close the Public Hearing at 7:24 PM. **Motion passed 3-0.**

Conceptual Proposal for 66 Westford Road: *M.J. Cataldo, Inc.* - Mr. Joe Cataldo and Mr. Mike Cataldo were in attendance to present a conceptual site plan for the McNiff property located at 66 Westford Road, which they have under a Purchase and Sales Agreement. The property will be held by an LLC and will be a site and landscape construction materials operation.

Building Commissioner Charles R. Shultz, Jr. stated that the Cataldo's have been great to work with and though the site is zoned industrial, they have addressed concerns from the neighbors by placing a 6' berm at the rear of the property.

Chief Robert J. Pedrazzi, Ayer Fire Department: *Inter-Municipal Agreement with Littleton - Paramedic Intercept Services* – Chief Pedrazzi was in attendance to request that the BOS approve an Inter-Municipal Agreement with the Town of Littleton for Paramedic Intercept Services.

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve the Inter-Municipal Agreement for Paramedic Intercept Services between Ayer and Littleton. **Motion passed 3-0.**

Mr. Alan Manoian, Director of Economic and Community Development: *Sale of Historic Fire Station, 14 Washington Street* – A. Manoian presented the Purchase and Sales agreement between the Town of Ayer and Cowfield Station, LLC and Deed for BOS approval for the sale of the Historic Fire Station. The closing is scheduled for Monday May 7, 2018.

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve the Purchase and Sales Agreement between the Town of Ayer and Cowfield Station, LLC. **Motion passed 3-0.**

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve the Deed for the Historic 1934 Ayer Central Fire Station located at 14 Washington Street. **Motion passed 3-0.**

Form Based Code Presentation - A. Manoian made an extensive presentation on the principles of Form Based Codes.

Superintendent Mark L. Wetzel, Ayer Department of Public Works: *Myrick Street Drainage Improvements Contract* – M. Wetzel and Town Engineer Dan Van Schalkwyk were in attendance. D. Van Schalkwyk is asking the BOS to approve a contract between the Town and Ponch Excavation, LLC in the amount of \$59,445 for drainage improvements on Myrick Street.

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve the contract between the Town and Ponch Excavation, LLC in the amount of \$59,445. **Motion passed 3-0.**

GAP Funding Grant Award – M. Wetzel informed the BOS that the Town of Ayer has been awarded a \$46,785 grant from the Baker Polito Administration for energy efficiency optimization at the Central Avenue Wastewater Pumping Station.

Update on Grove Pond Water Supply PFAS Contamination- M. Wetzel gave an update on the Grove Pond Water supply contamination.

Bench Scale Testing Engineering Agreement with CDM-Smith – M. Wetzel is requesting the BOS approve an agreement between the Town and CDM-Smith for the initial phase of the design treatment to remove the PFAS from the Grove Pond Water Supply. M. Wetzel is requesting that the BOS authorize the use of \$30,000 from the DPW Water Division budget.

Motion: A motion was made by C. Hillman and seconded by S. Houde to authorize the use of \$30,000 from the DPW Water Division budget for the agreement between the Town of Ayer and CDM – Smith for the initial phase of the design treatment to remove the PFAS from the Grove Pond Water Supply.

Town Manager's Report: *Administrative Update* – R. Pontbriand reported that Governor Baker has signed all four government reorganization articles. He also welcomed S. Houde to the BOS and thanked former BOS member Gary Luca for his service to the Town. R. Pontbriand also thanked Town Hall employees that participated in the Annual Town Clean –Up.

R. Pontbriand then detailed the administrative changes that will take place, now that the government reorganization has gone into effect. As Town Manager he is able to appoint non-department level employees; create and manage the Town's personnel system; is the custodian of all Town facilities; has the ability to sign all 30B contracts; negotiate all employment contracts, noting that the BOS will still ratify all MOA's; sign all accounts payable and payroll warrants. He will give the BOS updates on personnel items and warrant signings under his report.

Review of Warrant: R. Pontbriand stated that he signed Accounts Payable warrant #18-20 in the amount of \$1,018,058.66 on May 1, 2018.

Request for One Day Beer & Wine License – Ayer Shirley Lions Club – Calvin Moore was in attendance requesting a One Day Beer and Wine License for the Ayer Shirley Lions Club Annual Spaghetti Dinner held at Karen's Kitchen, 200 West Main Street on Thursday May 3, 2018 from 4:00 PM – 8:30 PM.

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve the One Day Beer and Wine License as requested. **Motion passed 3-0.**

KENO Monitor Request – Barnum Road Liquors – R. Pontbriand and C. Antonellis explained a request from the State Lottery Commission to place a KENO monitor to an existing KENO To Go agent, specifically Barnum Road Liquors, 1 Barnum Road. Board members had no objections to the request, but are asking that consideration be made on the location of the KENO monitor in the store; the BOS are requesting that the monitor be placed in a location to the rear of the store or in another location that is not visible from the windows in the front of the store.

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve the KENO monitor application with consideration given to the location of the KENO monitor. **Motion passed 3-0.**

HSA Qualified Health Plans – R. Pontbriand and Kevin Johnston, Benefits and Payroll Manager briefed the Board on HSA qualified health plans. Minuteman Nashoba Health Group is offering Health Savings Account Qualified High Deductible Health Plans beginning on June 1, 2018. R. Pontbriand is seeking

authorization to offer the high deductible plans to employees and authorization to negotiate the terms of the HSA.

Motion: A motion was made by J. Livingston and seconded by S. Houde to offer the HSA High Deductible qualified health plans. **Motion passed 3-0.**

Motion: A motion was made by J. Livingston and seconded by S. Houde to authorize R. Pontbriand and K. Johnston to negotiate the terms of the HSA High Deductible qualified health plans. **Motion passed 3-0.**

BOS Policy Discussion - Recreational Marijuana – R. Pontbriand and C. Antonellis asked the BOS for direction relative to those seeking Recreational Marijuana Host Community Agreements; there are multiple calls every week from potential applicants.

The Board of Selectmen, by consensus, affirmed their position that, at this time, the Town will not be pursuing any additional Host Community Agreements.

C. Hillman brought the following issues: Clean-Up of railroad ties along the rail corridor and the status of the upgrades to the MBTA rail platform.

New Business/Selectmen's Questions: *BOS Policy Updates (Selectman Livingston)* – J. Livingston stated that the BOS Policies are in need of review. She has a version redlined and will meet with R. Pontbriand to review and will bring it forth to the BOS for approval.

Approval of Meeting Minutes:

Motion: A motion was made by J. Livingston and seconded by C. Hillman to approve the BOS minutes from April 17, 2018. **Motion passed 2-0-1.**

Reorganization of the Board of Selectmen:

Motion: A motion was made by C. Hillman and seconded by S. Houde to nominate J. Livingston as Chair. J. Livingston accepted the nomination. **Motion passed 3-0.**

Motion: A motion was made by C. Hillman and seconded by J. Livingston to nominate S. Houde as Clerk. S. Houde accepted the nomination. **Motion passed 3-0.**

Motion: A motion was made by J. Livingston and seconded by S. Houde to nominate C. Hillman as Vice-Chair. C. Hillman accepted the nomination. **Motion passed 3-0.**

The Board also made the following BOS representative appointments: J. Livingston to the Water and Sewer Rate Review Committee; C. Hillman to the Capital Planning Committee and S. Houde to the Bi-Board.

Adjournment:

Motion: A motion was made by J. Livingston and seconded by S. Houde to adjourn at 9:58 PM **Motion passed 3-0.**

Minutes Recorded and Submitted by Carly M. Antonellis

Date Minutes Approved by BOS: 5/17/2018

Signature Indicating Approval: 