

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



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Tuesday September 11, 2018
Open Session Meeting Minutes

BOS Present: Jannice L. Livingston, Chair; Christopher R. Hillman, Vice – Chair (*Entered at 7:39 PM*); 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 7:00 PM.

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

Moment of Silence: BOS members and meeting attendees observed a moment of silence in observation of the September 11, 2001 terrorist attacks.

Review and Approve Agenda: R. Pontbriand asked to add an item #3 "Recount Update for 3rd Congressional District" under the Town Clerk's report.

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve the agenda, as amended.
Motion passed 2-0.

Announcements: J. Livingston announced the following events:

- As part of the Town's budget preparation and outreach for Fiscal Year 2020, the Town will be hosting "Municipal Taxation and Budgeting 101" at the Ayer Library on September 25, at 7:00 PM. This educational forum will serve as a general overview of how the Town sets the tax rates and how the budget process is managed. All are welcome to attend.
- The Ayer Shirley Regional School District is hosting a Public Forum on the ASRHS Athletic Field Complex on Thursday, September 20, 2018. There will be a Tour of the current Athletic Fields at 6:00pm and a presentation at 7:00 PM on Field Facts and Taxpayer Impact.

Public Input: Middlesex and Worcester State Senate Candidate Ms. Margaret Busse was in attendance to introduce herself to the BOS.

Conservation Committee Appointment: R. Pontbriand reported that the Conservation Commission is recommending the appointment of Mr. Mark Phillips to fill the vacancy created by the resignation of Mr. Bill Daniels from the Conservation Commission.

Motion: A motion was made by S. Houde and seconded by J. Livingston to appoint Mr. Mark Phillips to the Conservation Commission to fill the vacancy created by the resignation of Mr. Bill Daniels. **Motion passed 2-0.**

Town Clerk Susan E. Copeland: *Board of Registrars Appointments* – S. Copeland is recommending that Ms. Kathleen O'Connor and Ms. Carolyn McCreary be appointed the Board of Registrars following the vacancies created by Ms. Pauline Hamel and Mr. Robert Hammond.

Motion: Motions were made by S. Houde and seconded by J. Livingston to appoint Ms. Kathleen O'Connor to the Board of Registrars, term to expire June 30, 2021 and Ms. Carolyn McCreary to the Board of Registrars, term to expire June 30, 2019. **Motions passed 2-0.**

Update on Recount for 3rd Congressional 3rd District – S. Copeland stated that the official recount will take place at 9:00 AM on Monday September 17, 2018 in the Great Hall of the Ayer Town Hall.

Approval of October 6, 2018 Special Election Warrant for ASRSD Field Project – S. Copeland presented the Warrant for the October 6, 2018 Special Election for the ASRSD Field Project. She explained that there will be two ballots. The first ballot will be authorization for ASRSD to incur the debt to fund the ASRSD High School Athletic Field Project. The second ballot will be for the authorization to borrow the money needed to pay the Town of Ayer's portion of the debt for the project.

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve the Warrant for the October 6, 2018 Special Election for the ASRSD Field Project. **Motion passed 2-0.**

Ayer Shirley Regional School Committee Member Dan Gleason thanked the BOS for calling the election.

Sewer Abatement Request – 16 Gardner Lane: The applicant for the sewer abatement request was in attendance. The applicant stated that since owning the home, they have had very consistent usage of approximately 1,000 – 2,000 cubic feet of usage and stated that in July of 2017, their usage spiked to 7,000 cubic feet. She stated that she did not observe any leaks in her home. She is requesting a sewer abatement in the amount of \$560.66.

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve the sewer abatement for 16 Gardner Lane in the amount of \$560.66.

Superintendent Mark Wetzel, Ayer Dept. of Public Works: *PJ Albert – One Year Contract Amendment* – M. Wetzel was in attendance to request that the BOS approve a one year extension to the Chapter 90 Contract with PJ Albert, Inc.

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve the one year extension for the Chapter 90 contract between the Town of Ayer and PJ Albert, Inc. with signature by the Chair. **Motion passed 2-0.**

Discussion of West Main Street Bridge Replacement Construction Options – M. Wetzel stated that he had originally wanted to discuss with the BOS the complete closing down of the West Main Street Bridge during construction, which would shorten the duration of construction and decrease the project cost. However, he has checked in with both Chiefs and they are requiring that one lane of the bridge be open during construction for public safety purposes.

Discussion of Street Opening and Driveway/Access way Bylaw – M. Wetzel stated the he is looking to simplify the Street Opening and Access Way Bylaw (Bylaw XLV). He stated that the current Bylaw is outdated and involves too much detail for a bylaw. He would like to enhance the regulations after the Bylaw is updated. BOS members had no objections.

J. Livingston agreed that Bylaws should be more general in nature.

C. Hillman enters at 7:39 PM.

S. Houde asked M. Wetzel to give an update on drinking water condition. M. Wetzel stated the high chlorine levels have been reduced but are still higher than normal M/ Wetzel continued that he has been in constant contact with the EPA and DEP regarding PFAS. He has been advocating for reimbursement for the Town's \$4.2 million dollar appropriation to purchase and install a treatment solution.

MART Project Update: Bruno Fisher, Deputy Director of MART and George Kahale, Transportation Planner at MRPC were in attendance to discuss the status of the Commuter Rail Trail Parking Lot and Access Improvement Project. BOS members were given a two-page handout on the project status, including expenditures and the re-bid timeline. B. Fisher stated they have reworked the bid to do the project earthwork separately and have reduced the scope of the Depot Square portion of the project.

BOS members expressed their disappointment and frustration with the overall project, particularly with the project engineers Weston and Sampson. BOS members felt that Ayer was "getting the shaft" as it relates to relations with the MBTA and the overall Commuter Rail Access Project.

R. Pontbriand also reported that a letter regarding the poor conditions at the Commuter Rail Station will be sent to the MBTA in the near future.

J. Livingston urged residents to reach out to their elected officials to advocate improved conditions at the Commuter Rail Stop.

Town Manager's Report: *Administrative Update/Review of Warrant(s)* – In the interest of time, R. Pontbriand referred BOS members to the meeting packet to review the signed warrants. R. Pontbriand also gave a brief administrative update.

Declaration of Surplus Ambulance Cots – R. Pontbriand is recommending that the BOS declare two spare ambulance cots as surplus property. The cots will be sold to JJJ Stretchers for \$3,000.

Motion: A motion was made by S. Houde and seconded by C. Hillman to declare the two spare ambulance cots as surplus property. **Motion passed 3-0.**

Appointment of ADA Coordinator and Approval of ADA Grievance Procedure – R. Pontbriand informed the BOS that the Administration was in the beginning stages of updating the Americans with Disabilities Act Transition Plan. Part of that process is the appointment of an ADA Coordinator and the adoption of an ADA Grievance Procedure, which he presented a draft copy of.

Motion: A motion was made by J. Livingston to appoint R. Pontbriand as the ADA Coordinator and to adopt the ADA Grievance Procedure as presented. **Motion passed 3-0.**

Update of Fall Town Meeting Warrant – R. Pontbriand stated that he is anticipating the Fall Special Town Meeting Warrant to be relatively small with approximately 5-6 warrant articles. There are no articles of a financial nature at this time.

New Business/Selectmen's Questions: *Executive Bi-Board Meeting Update (Selectman Houde)* – S. Houde gave a brief update of the August 21, 2018 Bi-Board Meeting. The Bi-Board discussed the budget model and a FY' 20 Budget Book. He reported that the Bi-Board will be setting up their next meeting shortly.

Transfer Station Survey (Selectman Houde) – The BOS discussed the upcoming Transfer Station Survey. C. Antonellis recommended putting a question on the survey to ask if the survey taker was a current user of the Transfer Station. BOS members agreed. S. Houde stated he would sit down with C. Antonellis and IT Director Cindy Knox to get the survey completed and online.

Planning Board Sidewalk Global Montello Update (Selectman Hillman) – C. Hillman gave a brief update on the sidewalks relating to the Global Montello project on Harvard Road. C. Hillman suggested that the BOS be more in the loop relating to large-scale development projects in Town.

Approval of Meeting Minutes:

Motion: A motion was made by S. Houde and seconded by C. Hillman to approve the meeting minutes of June 29, 2017. **Motion passed 3-0.**

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve the meeting minutes of August 14, 2018. **Motion passed 3-0.**

Executive Session pursuant to M.G.L Chapter 30A, Section 21A: At 9:02 PM a motion was made by S. Houde and seconded by C. Hillman to enter into Executive Session pursuant to G.L. c. 30A, sec. 21 (a) Exemption 3 (Litigation Strategy) Tax Status of 139-141 Littleton Road and to review and approve various Executive Session Minutes and to adjourn at the conclusion of the Executive Session. S. Houde further stated that to discuss these matters in Open

Session would be detrimental to the Town's negotiating strategy. **By Roll Call:** J. Livingston, aye; C. Hillman, aye; S. Houde, aye. **Motion passed by Roll Call Vote 3-0.**

The BOS entered into Executive Session.

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

Date Minutes Approved by BOS: October 2, 2018

Signature Indicating Approval: 