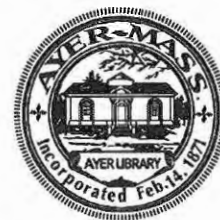


RECEIVED  
MAR 06 2019

TOWN OF AYER  
TOWN CLERK

William Austin Gopeland

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



Broadcast and Recorded by APAC

**Tuesday February 19, 2019**  
**Open Session Meeting Minutes**

**BOS Present:** Jannice L. Livingston, Chair; Christopher R. Hillman, 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 7:00 PM.

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

**Approval of Agenda:** R. Pontbriand asked to have the DPW Union agenda item removed under Executive Session Exemption #3. This matter will be tabled until March 5, 2019.

**Motion:** A motion was by S. Houde and seconded by C. Hillman to approve the agenda, as amended. **Motion passed 3-0.**

**Announcements:** None

**Public Input:** Mr. Ken Diskin, 180 Washington Street, addressed the Board about the upcoming LIP endorsement request. He questioned the BOS on the review process completed by department heads. J. Livingston said that it was standard practice for department heads to review all matters that come before the BOS.

Mr. Kevin Horgan, 16 Madigan Lane also spoke about the LIP endorsement request. He stated to endorse a project without more detailed information is irresponsible.

**Dr. Denise Pigeon, Nashoba Valley Technical School District:** *FY '20 Budget Update* – Dr. Pigeon was joined by Business Manager Jeanne Savoie and NVTSD Committee Member Christopher Prehl. Dr. Pigeon stated that their budget process began in October and the number of Ayer students attending is up by 3 students, but overall enrollment has decreased by 17. Dr. Pigeon stated that Ayer's assessment for FY 20 would be \$764,256, which is an increase of \$83,711 over last year's assessment. Dr. Pigeon also reported that the school district was accepted into the MSBA's accelerated repair program for roof repairs and that the MSBA will reimburse 55% of the project costs. The school district is hoping to go to bid on the project by mid-March. C. Prehl then discussed the potential for partnerships between the Town and the school district for community enhancement projects.

**Multifamily Affordable Housing Proposal, Amended - Request for L.I.P. Endorsement – 0 Washington Street:** *Attorney Adam Costa* – Attorney Costa was joined by Engineer Cal Goldsmith from GPR to discuss a revised concept plan for a LIP endorsement at 0 Washington Street. Attorney Costa gave an overview of the 40B process and stated that concept plans are presented to gain early support from the BOS and the Town. C. Goldsmith stated that the concept plans have evolved since the first presentation made in December into a traditional neighborhood design, based on input from Town Departments. The total site is 34 acres, but they are seeking to develop 8.5 acres, leaving the remainder as Open Space. Based on the state's guidelines, there would be 25% percent affordable component and the remainder of the units would be market rate. There would be a mix of one, two, and three bedroom units.

C. Hillman said that he appreciated the fact that the project proponents came before the BOS prior to going to the state because the Town has initial input before the project is submitted.

S. Houde stated he was interested in the impacts of the project and was looking for more detailed information.

K. Diskin stated that he was upset that the abutters weren't notified. J. Livingston informed K. Diskin that the item was on the publically posted agenda and that any future discussions about the request would be placed on the BOS meeting agenda. K. Diskin then submitted a Planning Board procedure from a neighboring Town for BOS consideration on LIP endorsement requests.

K. Horgan stated that the "pretty picture" presented by the project proponents does not adequately depict the issues with the site.

C. Hillman said he had concerns with the project, including the intersection of Washington Street and the proposed project driveway. He then asked what if the ZBA was to deny the comprehensive permit for the project. A. Costa stated that the project proponent could go to the state's Housing Appeals Committee for an appeal.

S. Houde stated that it is clear that the public would like to be part of the discussion and suggested setting up a separate BOS meeting to discuss. R. Pontbriand will look for meeting dates in the month of March.

**Superintendent Mark Wetzel, Dept. of Public Works:** *Execution of Contract for Highway Storage Garage Bid* – M. Wetzel presented the contract for the Highway Storage Garage project for execution by the BOS between the Town and Nadeau Corporation in the amount of \$746,600.

**Motion:** A motion was made by S. Houde and seconded by C. Hillman to execute the contract between the Town of Ayer and Nadeau Corporation in the amount of \$746,600 for the construction of the Highway Storage Garage.

**Motion passed 3-0.**

*Approval of Change Order 2 – Waterline Industries* – M. Wetzel presented Change Order #2 for Waterline Industries. The change order is for \$44,641.72 for the replacement of a primary sludge pump, wall modifications and replacement of tertiary filter media.

**Motion:** A motion was made by S. Houde and seconded by C. Hillman to approve Change Order 2 for Waterline Industries in the amount of \$44,641.72. **Motion passed 3-0.**

*Parking Management Update* – M. Wetzel said that now that the MART project has been awarded, a meeting is in the process of being scheduled to discuss both the temporary parking plan and the long-term parking project schedule. Once the overall plan is more concrete, the DPW will begin distributing parking passes to residents in the Pleasant Street/West Street neighborhood. A Transfer Station sticker can also serve as a residential parking pass.

*Groton Harvard Road & Central Ave. Intersection* – M. Wetzel gave an update on upcoming improvements to the intersection of Groton Harvard Road and Central Ave. He has been working with the Police Chief to identify next steps for safety improvements, such as line painting and realigning the intersection.

*Grove Pond PFAS Update* – M. Wetzel said there have been developments with the PFAS issue between the EPA and the Department of Defense. The treatment plant design is at 60% and should be out to bid by early April.

*East Main Street TIP Update* – M. Wetzel reported that the 75% design has been accepted by the MassDOT. The 100% design should be completed by April. The project is scheduled for 2021 on the state's TIP list. M. Wetzel said that he is working with the MPO to move the project up on the list.

*LED Streetlight Upgrade* – M. Wetzel reported that a majority of the streetlights were running, but he had identified several on Westford Road that have connection issues; he will contact the contractor to mitigate the issues on Westford Road. He also reported that since the Town has bought the streetlights, the streetlight budget has been reduced by half.

**Chief William A. Murray, Ayer Police Department:** *Radio Infrastructure Upgrade Update* – Chief Murray gave an update of the infrastructure upgrade project for the Police, Fire and DPW. He stated that the project is 90% complete; though only at 90% completion, the department has noticed that radio communication is much better than before.



*Regional Dispatch Update* – Chief Murray noted that regionalizing dispatch with the Town of Shirley has been completed. The regionalization center is fully staffed.

*Evidence Room Upgrade Update* – Chief Murray stated that the evidence room upgrade had just been finished and he is pleased with the increase in space. The only one person with access to the evidence room is the Evidence Officer. The Deputy Chief also has a key to do inventory 3 times a year.

C. Hillman then asked if the Chief thought it made sense to put the School Resource Officer funding in the School's budget rather than in the Department's budget.

**Town Manager's Report: Administrative Update/Review of Warrant(s)** – R. Pontbriand referenced the warrants in the packet which he reviewed and approved since the BOS last met. He stated that the Administration has been convening to ensure compliance with the state's OSHA requirements; that he and C. Antonellis will be meeting with the new Vice-President of Devens, Ms. Jessica Strunkin; the Administration continues to meet with John and Mark Hillier regarding the upcoming opening of Gage Cannabis; FY '18 Free Cash has also been certified for the General Fund at \$960,232.00. R. Pontbriand stated that the amount of Free Cash is a testament to the Town's effective management, conservative fiscal practices, and a team effort of all Departments, Boards, Commissions, Committees, and Employees.

*FY 2020 Budget Update* – R. Pontbriand presented a "budget snapshot" of the FY 20 budget process, noting that Town's budget, without the school assessments typically increases about 5% per year.

*MBTA Advisory Board Membership* – R. Pontbriand is requesting that the BOS reappoint him as the Town's representative on the MBTA Advisory Board.

**Motion:** A motion was made by J. Livingston and seconded by S. Houde to reappoint the Town Manager as the Town's representative on the MBTA's Advisory Board. **Motion passed 3-0.**

*Opening of Annual Town Meeting Warrant, May 13, 2019* – R. Pontbriand is requesting that the BOS open the May 13, 2019 Annual Town Meeting Warrant and close the Warrant at 12:00 PM on Friday April 12, 2019.

**Motion:** A motion was made by S. Houde and seconded by C. Hillman to open the Annual Town Meeting Warrant and close the Warrant on Friday April 12, 2019. **Motion passed 3-0.**

**New Business/Selectmen's Questions:** *New Outdoor Basketball Hoops for Sandy Pond Beach (Selectman Hillman)* – C. Hillman is recommending that the Town invest in new basketball hoops at Sandy Pond Beach. He stated that the current ones are over 13 years old and originally made for indoor use. C. Hillman is suggesting that the Town appropriate \$10,000 from Free Cash at the Annual Town Meeting for the purposes of replacing the basketball hoops at Sandy Pond. BOS members agreed.

**Approval of Meeting Minutes:**

**Motion:** A motion was made by S. Houde and seconded by C. Hillman to approve the meeting minutes from February 5, 2019. **Motion passed 3-0.**

**Executive Session:** A motion was made by C. Hillman at 9:30 PM and seconded by S. Houde to enter into Executive Session pursuant to M.G.L. c. 30A §21A Exemption #3 (Union Contract Negotiations) *Police Superiors*, Exemption #3 (Litigation Strategy) *Worthen Dale v. Town of Ayer* and to adjourn at the conclusion of Executive Session. C. Hillman further stated that to discuss these matters in Open Session would be detrimental to the Town's negotiating strategy. **By Roll Call Vote:** J. Livingston, aye; C. Hillman 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 BOS:** 3/5/2019

**Signature Indicating Approval:** 