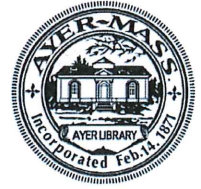


Town of Ayer
Board of Selectmen
Ayer Town Hall – 1st Floor Meeting Room
Ayer, MA 01432



Broadcast and Recorded by APAC

Tuesday November 19, 2019
Open Session Meeting Minutes

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TOWN OF AYER
TOWN CLERK

Murray Copeland

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

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

Call to Order: S. Houde called the meeting to order at 6:01 PM.

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

Approval of Agenda: J. Livingston asked to amend the agenda by adding a discussion about the Devens Jurisdiction Framework Committee under New Business, as she recently attended a meeting and wanted to provide an update. S. Houde also asked to table the Approval of the Minutes to the next BOS meeting.

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

Announcements: S. Houde made the following announcements:

- The Ayer Police Department has begun its annual Holiday Toy Drive and is accepting donations until December 6th of new, unopened, and unwrapped toys.
- The Winter Parking Ban is in effect through April 15. This Annual Parking Ban prohibits parking any motor vehicle on any street or sidewalk in the Town of Ayer between the hours of 12:00 AM and 6:00 AM. The Winter Parking Ban also prohibits parking any motor vehicle on any street or sidewalk in the Town of Ayer during a snowstorm.
- There will be a Special Election to fill the current vacancy on the Board of Selectmen. The Election will be held Tuesday, December 3, 2019; polls open 7am and close at 8pm. The Election will be held at the Ayer Town Hall.
- The 4th Annual Downtown Ayer Candlelight Stroll and Tree Lighting will take place on Saturday December 7, 2019 at 5:00 PM.

Public Input: None

Application for Common Victullaer's License: *Global Montello, 26-28 Harvard Road* – General Manager Ms. Stephanie McGregor was in attendance. She stated that the planned opening date for the Global Store on Harvard Road will be December 18, 2019. C. Antonellis stated that the applicant had all needed paperwork and that the Board of Health and the Tax Collector have no issues with the application.

Motion: A motion was made by S. Houde and seconded by J. Livingston to grant the Common Victualler's License for Global Montello d/b/a Alltown Fresh Ayer. **Motion passed 2-0.**

Chief William A. Murray, Ayer Police Department: *Transition to Load Bearing Vests* – Chief Murray was joined by Officer David Lansing and gave a brief presentation on the Ayer Police Department personnel transitioning from standard duty belts to load bearing vests. The main reason for making the change is for health reasons and officer safety. Chief Murray stated that there would be no additional costs to the Town, and this would be an optional choice for patrol personnel. Officer Lansing indicated many of the patrol personnel were interested in making the transition. Chief Murray wanted to brief the BOS before the change was made. J. Livingston and S. Houde were both supportive of the change and thanked Chief Murray and Officer Lansing for the presentation.

Mr. Dan Van Schalkwyk, Town Engineer: *Approval of Change Order 2 for Prospect & Oak St. Infrastructure Project* – D. Van Schalkwyk was in attendance seeking an approval for Change Order 2 for the Prospect and Oak Street Infrastructure Project. He stated that this is the final change order for the project to account for actual quantities constructed and additional costs and credits.

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve Change Order #2 (J. D'Amico, Inc.) in the amount of \$75,350.22 with signature by the Chair. **Motion passed 2-0.**

Approval of Change Order 4 for Waterline Industries – D. Van Schalkwyk presented Change Order 4 for Waterline Industries relating to the Wastewater Treatment Plant Phase 1 Upgrade Contract. The change order amount is a credit of \$26,261.92 which includes the removal of the primary electrical conduit from the Contractors' scope because all work is included in National Grid's scope.

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve Change Order #4, credit amount of \$26,261.92 with signature by the BOS. **Motion passed 2-0.**

Town Manager's Report: *Administrative Update/Review of Warrant(s)* - R. Pontbriand provided an administrative update of the various activities, initiatives, and projects of the Administration since the BOS last met. He also referenced the Meeting Packet for a list of Payroll and Accounts Payable Warrants that have been signed since the last meeting. R. Pontbriand also briefed the BOS on the recent damage sustained at Town Hall, due to a faulty heat control, which led to the sprinklers going off in several part of the building. R. Pontbriand also reported that the Town of Ayer did not receive a MassWorks grant but will plan on applying in the next year. R. Pontbriand handed a memo to the BOS relating to the Groton Harvard Road and Central Avenue intersection. The memo outlined what the Town had done to improve the intersection and what the next steps are. He stated that the BOS will discuss further at their next meeting; and that he has met with key departments following a series of accidents that have taken place at the intersection during the course of the past month. J. Livingston stated that she was glad the Town was finally doing something.

R. Pontbriand also reported that he would have an update at the next meeting regarding a crosswalk at the Woodlawn Cemetery.

R. Pontbriand referenced an upcoming tour of the Transfer Station requested by S. Houde. R. Pontbriand asked S. Houde for additional information, as far as what he hopes the tour will accomplish. S. Houde stated that is goal is to review the setup and layout of the Transfer Station from the customer's prospective. He'd also like to discuss the concerns and frustrations about the Transfer Station in general. He is concerned with the increase in the general fund subsidy needed to keep the Transfer Station operational.

J. Livingston referenced a BOS meeting from August 26, 2014 where the BOS voted down curbside trash pickup. She read the vote of the 2014 meeting that the BOS voted that based on 2 public input meetings, 603 signatures on a petition received by the BOS and the recommendation of the curbside study working group, that the subject of town-wide curbside be tabled until such time a significant change in all requirements dictate otherwise. J. Livingston stated that there are rumors that the BOS wants to close the Transfer Station and that she is very concerned about the optics of the BOS, Board of Health, and Recycling Committee going as a delegation on a Saturday morning to take a tour. J. Livingston is recommending that the tour be delayed, noting that the availability of the newest BOS member, when elected on 12/3/19 is unknown. S. Houde said he had no issues with delaying the tour for the time being.

R. Pontbriand then updated the BOS on the FY '21 budget process stating that he has been stressing the demonstration efficiencies and savings and the awarding of grants to departments.

Approval of FY '21 Budget Calendar – R. Pontbriand presented the FY '21 Budget Calendar with two events added to it, per the last Bi-Board meeting; the Administration will make a presentation to a joint Board of the Finance Committee and the BOS on January 13, 2020 and March 9, 2020 to allow for public input and questions from both Boards.

R. Pontbriand then reported the certified FY '19 Free Cash figures as follows:

General Fund	\$1,727,437.00	Enterprise Fund Water	\$2,778,744.00
Enterprise Fund Sewer	\$2,012,993.00	Enterprise Fund Solid Waste	\$81,658.00
Enterprise Fund Ambulance	\$84,632.00		

R. Pontbriand then thanked all Town Departments for the role they play in responsible spending of Town funds.

S. Houde also thanked Town Departments who play a huge part in free cash.

J. Livingston asked that the January 22, 2019 Rate Review Committee be added to the FY '21 Budget Calendar.

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve the FY '21 Budget Calendar as amended. **Motion passed 2-0.**

Amendment #5 to Agreement for Veteran's Services – MassDevelopment – R. Pontbriand is asking the BOS to approve Amendment #5 between the Town of Ayer and MassDevelopment for the Town of Ayer to provide Chapter 115 Veteran Services to those Devens residents who live within historic Ayer's boundaries.

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve amendment #5 as presented. **Motion passed 2-0.**

New Business/Selectmen's Questions: *Devens Jurisdiction Framework Committee (Selectman Livingston)* – J. Livingston reported that last week the Devens Jurisdiction Framework Committee met and she and R. Pontbriand attended. She stated that 2006 is still a problem and they need to get over it. In 2006, Devens residents were asked to be included in the JBOS and it turned the whole thing upside down and unfortunately it never got back on track. J. Livingston stated that they did agree to add Devens residents/businesses to be the 6th stakeholder on the Devens Jurisdiction Framework Committee. She stated that in 2032 the State will decide based on the recommendation of the stakeholders as to what to do with the property. She further stated that had the Town received the property back then it would have put Ayer in financial strain. If the Town were to get the property back tomorrow, the Town would be getting sites that have 21E issues. She also cautioned that there is no guarantee that the property will end up reverting back to Ayer. She stated that there were many things for consideration including the split tax rate, noting that Ayer already has a split tax rate, but Harvard does not; the possibility of offering TIFs to Devens businesses; road conditions of roads if we were to inherit back the land. She stated that Harvard had done an RFQ for a consultant to look at all things that relate to disposition and what types of services would be needed. She also made a plea to all residents living in Devens, registered to vote in Ayer, to be part of the local Ayer Committee.

S. Houde asked to agenda the Ayer Devens Jurisdiction Committee for the December 4th meeting. He noted that several years ago during the Vicksburg Square Redevelopment discussion, there was conversations relating to the fiscal and social impacts of redevelopment, along with moving some of the boundary lines so they make more sense.

J. Livingston stated that there is the potential, in the future, of a joint agreement to host celebrations. J. Livingston stated that there is a lot of work that needs be done. The next meeting is December 11, 2019.

R. Pontbriand also stated that the Town of Ayer has offered to host a website for the Devens Committee to serve as the central repository for all documents.

Adjournment: A motion was made at 7:16 PM by J. Livingston and seconded by S. Houde to adjourn. **Motion passed 2-0.**

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

Date Minutes Approved by BOS: _____

Signature Indicating Approval: _____

12/14/19
