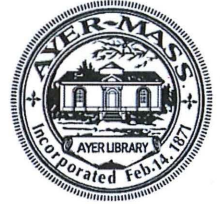


RECEIVED  
MAR 18 2020

TOWN OF AYER  
TOWN CLERK

9:04AM *lf*

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



*Broadcast and Recorded by APAC*

**Wednesday March 4, 2020**  
**Open Session Meeting Minutes**

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

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

**Approval of Agenda:**

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

**Announcements:** S. Houde announced the following:

- The 2nd Public Budget Presentation will be held on Monday March 9, 2020 at 6:00 PM at the Town Hall
- The FY '21 Water and Sewer Rate Public Hearing will be held on Monday March 30, 2020 at 6:00 PM.
- The Ayer Police Department is currently accepting applications for our next Citizens Police Academy that starts March 25 and runs to May 27.
- The Lunenburg Ayer Shirley Men's Hockey Team will be competing in the Central MA State Championship game this evening.

**Recognition of the Fab 5:** The BOS recognized a group of sophomores from the Ayer Shirley Regional High School known as the "Fab 5". Members of the Fab 5 are: Gabby Holland, LeiLani Harmon, Tyler Bolton, Claire Hefti, and Brianna Byron. The group is part of the United Way Youth Venture program, a volunteer program that aims to help teens learn entrepreneurial skills while doing positive volunteer work for their communities. Last year the students collectively decided that they would like the Apple Valley Nursing facility to be the organization that benefited from their work.

**Public Input:** Cindy Lavin, 2 High Street read a letter requesting that the BOS codify MGL c.94 § 328A as a Town of Ayer Bylaw, which relates to potluck events. The request is coming from the Stone Soup Kitchen Ministries, Living Water Fellowship, Apple Valley Baptist Church, Shepherd of the Valley Lutheran Church, and Saint Andrew's Episcopal Church. C. Antonellis stated that rather than adopting this as a new bylaw, the Town would regularly adopt the provisions of the chapter and add to the list of state-adopted statutes by the Town. S. Houde stated that he had no issues with placing the item on the warrant. R. Pontbriand stated that he would like the Board of Health, Nashoba Boards of Health and Town Counsel to review as part of the Town's due diligence. J. Livingston stated that the Article could be submitted as is but is subject to amendments at Town Meeting. The BOS took the matter under review.

**Application for Change of Manager – Shaker Hills Country Club:** New Club Manager Andrew Jordan was in attendance. C. Antonellis explained that this information was sent to all Department Heads, and there were no issues with the Change of Manager request.

**Motion:** A motion was made by J. Livingston and seconded by S. Copeland to approve the Change of Manager to Andrew Jordan as submitted by Shaker Hills Country Club. **Motion passed 3-0.**

**Ms. Jessica Strunkin, Senior Vice President, Devens:** *Vicksburg Square Rezoning Update* – Ms. Strunkin was joined by Planner Ed Starzek from MassDevelopment. J. Strunkin stated that Devens is looking to have a Super Town Meeting in October to consider a zoning change for Vicksburg Square from Industrial/Technology to Housing. They are proposing 288 units of housing, with 20-25% being affordable. Additionally, up to 30% of the proposed space would be designated as ancillary use to the Housing Component. She said that formal hearings will be scheduled leading up to an October Super Town Meeting.

S. Houde asked if there was a particular project already in place. J. Strunkin said no that only a zoning change was being proposed. S. Houde asked if this was going to be an overlay district. E. Starzek said no, they are proposing to swap out the I/T district for a housing district. J. Strunkin stated that Devens feels that the best use for the property is housing and given that there is a lack of affordable housing options available in the region, Devens is looking to be part of the solution.

J. Strunkin and E. Starzek stated that there is a website dedicated to the rezoning effort: [courb.co/vicksburg](http://courb.co/vicksburg)

**Dan Van Schalkwyk, Town Engineer:** *Execution of Contract for FY2020 Water and Drain Improvements* – D. Van Schalkwyk presented a contract between the Town of Ayer and Cedrone Corporation for the High Street Water and Drain Improvement Project. He reported that the Town received 13 bids and that Cedrone Corp. was the low bidder at \$254,947.52. They have performed acceptable work on projects for the DPW. He is recommending that the BOS execute the contract for the base bid plus add alternate 1. He stated the work will probably begin by mid-April.

**Motion:** A motion was made by S. Houde and seconded by S. Copeland to execute the contract between the Town of Ayer and Cedrone Corporation in the amount of \$254,947.52. **Motion passed 3-0.**

*Central Massachusetts Regional Stormwater Coalition* – D. Van Schalkwyk updated the BOS stating that the Town of Ayer has recently joined the Central MA Regional Stormwater Coalition. The Coalition is comprised of 31 communities and work together to obtain resources to meet the EPA MS4 Stormwater permit.

**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. He reported that Chief Murray will be attending the next meeting on March 17, 2020 to give an update on the downtown parking plan. He also thanked the Town Clerk's Office for hosting a very busy, but successful, Presidential Primary Election.

*Appointments – Council on Aging Board of Directors* – R. Pontbriand is recommending that Ms. Carole Tillis be appointed to the Council on Aging Board of Directors for an unexpired 3-year term expiring on June 30, 2021.

**Motion:** A motion was made by J. Livingston and seconded by S. Copeland to appoint Ms. Carole Tillis to the Council of Aging Board of Directors for the remainder of a 3-year term, to expire on June 30, 2021. **Motion passed 3-0.**

*FY '21 Budget Update* – R. Pontbriand was joined by Town Accountant/Finance Manager Lisa Gabree. R. Pontbriand gave an update on DRAFT 2 of the FY'21 budget highlighting changes from the first version compared to the second version. DRAFT 2 has an increase over the FY '20 budget of \$404,729, which represents about 2.68%. He reported that the assessments for both the Ayer Shirley Regional School District and Nashoba Valley Technical High School have come in at 3.92% and 12.3%, respectively. There was approximately \$12,500 in new spending since DRAFT 1, which is funding for the Digital Budget Book, General Code Annual Maintenance Fee and mandatory MCAD training. There is also funding for digitization of records and technical support for the DPW.

*FY '21 Cost of Living Recommendation (COLA)* - Benefits and Payroll Director Kevin Johnston joined R. Pontbriand to discuss the FY '21 COLA recommendation. K. Johnston reported that the CPI for Boston-Cambridge-Newton area has increased 2.2% from last year; surveys of neighboring Towns vary from under 2% to 2.5%; the Massachusetts Municipal Human Resources Association ranges from below 2% to over 2%. Most communities that responded were at 2%. Additionally, K. Johnston noted that all union contract have a 2% COLA. R. Pontbriand then reported that the cost to the Town would be approximately \$41,000.

**Motion:** A motion was made J. Livingston and seconded by S. Copeland to approve a 2% COLA for non-union personnel, elected officials, and call firefighters. **Motion passed 3-0.**

*2020 DRAFT Annual Town Meeting Warrant Discussion* – R. Pontbriand gave a snapshot as to where we are with the development of the warrant, currently at 27 articles and reminded the BOS that the warrant closes at 12:00 PM on Friday April 3, 2020. R. Pontbriand went over the list of known warrant articles. At Article 19, which was the funding for the retail marijuana host agreement, L. Gabree advised that the article wasn't necessary any longer because DOR now allows the Town to estimate the host agreement payments in the estimated local receipts.

Mr. Dave Bodurtha, 28 Coolidge Road stated that he has also made the Conservation Commission aware, that he will be looking to reduce the funding for Article 17, relating to aquatic weed treatment for Town ponds because 30% of Flannagan's Pond is owned by a private party.

*Town Hall Training Schedule* – R. Pontbriand discussed with the BOS a proposal for an Annual Town Hall Training schedule. He is proposing quarterly training and is asking the BOS for support to close the Town Hall to the public during the trainings. This is to increase participation for all staff. He said the closures would be advertised well in advance. BOS members had no issues with the proposal.

**New Business/Selectmen's Questions:** None

**Approval of Meeting Minutes:**

**Motion:** A motion was made by S. Copeland and seconded by S. Houde to approve the meeting minutes from February 18, 2020. **Motion passed 3-0.**

**Executive Session:** A motion was made by S. Houde and seconded by S. Copeland at 7:04 PM to enter into Executive Session pursuant to MGL Chapter 30A, Section 21A Exemption #3 (Contract Negotiations) Fire Contract; Exemption #3 (Contract Negotiations) Town Hall/Clerical Union Negotiations Update and to adjourn at the conclusion of Executive Session. S. Copeland stated further that to discuss these items in Open Session would be detrimental to the Town's negotiating strategy. **By Roll Call Vote:** S. Houde, aye; J. Livingston, aye; S. Copeland, 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: 3/17/2020

Signature Indicating Approval: 