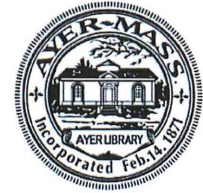


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TOWN OF AYER
TOWN CLERK

10:01 AM y

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



Broadcast and Recorded by APAC

Tuesday May 5, 2020
Open Session Meeting Minutes

BOS Present: Scott A. Houde, Chair; Jannice L. Livingston, Vice-Chair (*via remote participation*); 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.

Remote Access: S. Houde stated that pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, MGL Chapter 30A, Section 18 and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Ayer Board of Selectmen is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort has been made to ensure that the public can adequately access the proceedings as provided in the Order. S. Houde then gave the directions to the public on how to call into the meeting.

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

Approval of Meeting Agenda Motion: S. Houde stated that because Selectman Livingston is participating remotely, all votes will be taken by roll call.

Motion: A motion was made by S. Houde and seconded by S. Copeland to approve the meeting agenda as posted. S. Houde, aye; J. Livingston, aye; S. Copeland, aye. **Motion passed by Roll Call Vote 3-0.**

Announcements: S. Houde made the following announcements:

- The Board of Selectmen recognized Ayer's drinking water infrastructure and staff for during Drinking Water Week.
- There will be a Public Listening Session relating to Ayer's Municipal Vulnerability Preparedness on Thursday May 7, 2020 from 7:00 PM – 8:00 PM. This meeting will be held on Zoom... for call-in information, please visit the Town's website.
- Per Governor Baker, in an effort to reduce the spread of COVID-19, effective Wednesday, May 6 any person over the age of two who is in public in MA, whether indoor or outdoor and is unable to maintain social distancing of six feet is required to cover their mouth and nose with a mask or cloth face covering except if the person is unable to do so due to a medical condition. Violation of this Order may result in a civil fine of up to \$300. For more information please visit: mass.gov/coveryourface.
- All residents should wear masks while on Town property, including the Transfer Station.
- Sandy Pond Beach will be closed to at least June 12th.
- Applications are available for absentee ballots for the June 2, 2020 Annual Town Election and General State Election.

Public Input: None

Public Hearing – Pole Petition – National Grid and Verizon - Marshall Street: S. Copeland opened the public hearing at 6:06 PM and read the public hearing notice. The petition by National Grid and Verizon New

England, Inc. is to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and cross the following public way: Marshall Street – National Grid to install 2 JO Poles on Marshall Street beginning at a point approximately 0 feet southwest of the centerline of the intersection of Harvard Road and continuing approximately 285 feet in a southwest direction. Install 2 JO Poles 5-51 and 5-53 approximately 150' and 285' SW from the intersection of Harvard Road. No. 28614797

Mr. Joseph Michaud, 8 Marshall Street, stated that he went through this process in 1986. He paid for his infrastructure to be placed underground and is concerned for aesthetic reasons with the erection of new service poles.

Mr. Javier Morales from National Grid stated that their design philosophy is to place systems overhead as it is more cost effective for the customer and it ease of accessibility if the power was to go out.

Motion: A motion was made by S. Copeland and seconded by J. Livingston to approve the pole petition for Marshall Street as submitted. S. Houde, aye; J. Livingston, aye; S. Copeland, aye. **Motion passed by Roll Call Vote 3-0.**

Motion: A motion was made by S. Houde and seconded by J. Livingston to close the Public Hearing at 6:22 PM. S. Houde, aye; J. Livingston, aye; S. Copeland, aye. **Motion passed by Roll Call Vote 3-0.**

Public Hearing – Pole Petition – National Grid and Verizon - Harvard Road: S. Copeland opened the public hearing at 6:23 PM. The petition by National Grid and Verizon New England, Inc. is to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and cross the following public way: Harvard Road – National Grid to install 2 JO Poles on Harvard Road beginning at a point approximately 0 feet northeast of the centerline of the intersection of the Ayer traffic rotary and continuing approximately 455 feet in a northwest direction. Install 2 JO Poles 5-5 and 5-589 approximately 455 feet NW of the intersection with the Ayer Traffic Rotary. No. 28614797

Michelle Calhoun, 9 Harvard Road asked if there was a possibility that there would be streetlights. Javier Morales stated that yes, that could be a possibility in the future.

Motion: A motion was made by J. Livingston and seconded by S. Copeland to approve the pole petition for Harvard Road as submitted. S. Houde, aye; J. Livingston, aye; S. Copeland, aye. **Motion passed by Roll Call Vote 3-0.**

Motion: A motion was made by S. Houde and seconded by S. Copeland to close the Public Hearing at 6:26 PM. S. Houde, aye; J. Livingston, aye; S. Copeland, aye. **Motion passed by Roll Call Vote 3-0.**

Alicia Hersey, Program Manager, Office of Community Development: *Lien Subordination Request: CASE# 06-316E* – A. Hersey stated that the borrower is seeking to obtain a new mortgage to pay-off their first mortgage and obtain a better interest rate. She is recommending approval by the BOS.

Motion: A motion was made by S. Copeland and seconded by J. Livingston to approve lien subordination request 06-316E as presented. S. Houde, aye; J. Livingston, aye; S. Copeland, aye. **Motion passed by Roll Call Vote 3-0.**

Community Development Grant Extension and Office Budget – A. Hersey is requesting that the BOS approve the use of program income to support the Office of Community Development. The current program income balance is \$87,452.

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve the use of program income to support the Office of Community Development, as presented. S. Houde, aye; J. Livingston, aye; S. Copeland, aye. **Motion passed by Roll Call Vote 3-0.**

Emergency Rental Assistance Update – Alan Manoian, Director of Community and Economic Development and A. Hersey gave an overview to the BOS about their plans to assist the community during the COVID-19 pandemic. They are in the process of evaluating the aid most needed during this time. The Office will be conducting interviews and hosting forums with local business owners and working with the Affordable Housing Committee to provide a list of resources to best assist those in need.

Superintendent Mark Wetzel, Department of Public Works: *Recommendation to Continue Outdoor Water Ban* – M. Wetzel is recommending that the BOS continue the Outdoor Water Ban. The recommendation is to protect the water supply while the PFAS water treatment facilities are under construction. The ban is needed to reduce water demand and allow the Town to minimize the use of the PFAS contaminated wells until the new treatment facilities are on-line later this year. Watering with hand hose and water can is permitted, all other outdoor uses are prohibited. Variances are available by contacting the DPW Offices.

Motion: A motion was made by S. Houde and seconded by J. Livingston to close approve the continuation of the Outdoor Water Ban beginning on May 15, 2020. S. Houde, aye; J. Livingston, aye; S. Copeland, aye. **Motion passed by Roll Call Vote 3-0.**

Acceptance of Gift – 10 East Street - M. Wetzel stated that the area between the end of Marshall Street and the Ayer Community Garden is known as Pulpit Rock. A local resident, Ms. Mary Metzger has been in contact with the DPW regarding run-off erosion from Third Street. In conjunction with Conservation Agent, and members of the Ayer Community Garden, the DPW has been working with a local developer to make improvements to the area. Ms. Metzger has donated \$500 towards that effort. He is asking the BOS to accept the generous donation made by Ms. Metzger.

Motion: A motion was made by S. Copeland and seconded by J. Livingston to approve the \$500 dollar donation from Ms. Mary Metzger for the Pulpit Rock Improvement Project. S. Houde, aye; J. Livingston, aye; S. Copeland, aye. **Motion passed by Roll Call Vote 3-0.**

M. Wetzel and Recycling Committee Chair Ms. Lauri Sabol gave a quick update from the Recycling Committee and the “Buy Recycled” Policy.

Recommendation to Extend Tax Deadlines and Forgiveness of Interest and Penalties in Accordance with Chapter 53 sec. 10-12 of the Acts of 2020: R. Pontbriand was joined by Treasurer/Tax Collector B. Tierney. In accordance with the Chapter 53 of the Acts of 2020, they are recommending that the BOS vote to adopt and enact the following provisions of sections 10-12 of Chapter 53 of the Acts of 2020:

1. Authorize the extension of the tax deadline for real estate and personal property taxes from May 1, 2020 to June 1, 2020; and
2. Authorize the extension of the deadline for applications for exemptions of taxes from to April 1, 2020 to June 1, 2020; and
3. Authorize the Treasurer/Tax Collector to waive the payment of interest and other penalty in the event of late payment of any excise tax, betterment assessment or apportionment, water rate, annual sewer use, or other charge added to a tax for any payments with a due date on or after March 10, 2020, and that this waiver may only be given if payment is made after its due date but before June 30, 2020.

S. Copeland asked about relief options for those who are not able to make their payments before June 30, 2020. R. Pontbriand and B. Tierney stated that the Town will work with all taxpayers during this unprecedented time to resolve hardships.

Motion: A motion was made by J. Livingston and seconded by S. Copeland to authorize the extension of the tax deadline for real estate and personal property taxes from May 1, 2020 to June 1, 2020. S. Houde, aye; J. Livingston, aye; S. Copeland, aye. **Motion passed by Roll Call Vote 3-0.**

Motion: A motion was made by S. Copeland and seconded by J. Livingston to authorize the extension of the deadline for applications for exemptions of taxes from to April 1, 2020 to June 1, 2020. S. Houde, aye; J. Livingston, aye; S. Copeland, aye. **Motion passed by Roll Call Vote 3-0.**

Motion: A motion was made by S. Copeland and seconded by S. Houde to authorize the Treasurer/Tax Collector to waive the payment of interest and other penalty in the event of late payment of any excise tax, betterment assessment or apportionment, water rate, annual sewer use, or other charge added to a tax for any payments with a due date on or after March 10, 2020, and that this waiver may only be given if payment is made after its due date but before June 30, 2020. S. Houde, aye; J. Livingston, aye; S. Copeland, aye. **Motion passed by Roll Call Vote 3-0.**

Town Manager's Report: *Administrative Update/Review of Town Warrant(s)*- R. Pontbriand referenced the meeting packet memo, which contains a list of all the warrants signed since the BOS last met. He also reported that the currently all conditions for the May 19, 2020 Bond Anticipation Note were still favorable. He also reported that the Annual Town Meeting Warrants have been printed and mailed to all Ayer households.

Coronavirus/COVID-19 Town Preparedness Update – R. Pontbriand thanked all Town Employees for their hard work during the COVID-19 pandemic. He reiterated a prior request: the Town is accepting PPE donations in any amount. He also has issued a spending directive, that all spending over \$1,000 must be preapproved by the Town Manager. He reported that he, the Assistant Town Manager, Facilities Director and Town Clerk are working on social distancing protocols for the upcoming Election and Town Meeting. R. Pontbriand then stated that though the Town is 7-8 weeks into the COVID-19 pandemic, there has not been an impact financially as far as revenue collections. The Town's internal finance team will continue to closely monitor. If Town Meeting is delayed beyond June 30, 2020; the Town will operate on a 1/12ths budget based on FY '20 figures, approved last year. All Capital Items will be suspended until approved at Town Meeting. The Governor's Facemask order goes into effect tomorrow May 6, 2020. The Nashoba Associated Boards of Health is the enforcement agency. R. Pontbriand stated that he would like to get all Town personnel back on a "regular" schedule effective Monday May 18, 2020, but that he is not recommending opening the buildings back up to the public at this time.

Reschedule June 2, 2020 BOS Meeting Date Due to Town & State Elections – R. Pontbriand stated that because the Annual Town Election and the General State Election for the State Rep's seat has been moved to June 2, 2020, the BOS will need to reschedule their meeting. BOS members agreed to table the item to the next meeting.

Ayer Gun and Sportsmen's Club – Change of Officers/Managers and Change of Manager - C. Antonellis explained that the Change of Officers and Manager's was not submitted to the Town at the time of the application. She is recommending that the BOS take two votes: 1) Approve the Change of Officers, as requested and 2) reaffirm their earlier vote to appoint Mr. Donald Anderson the New Manager, replacing Bob Briggs.

Motion: A motion was made by S. Copeland and seconded by S. Houde to approve the Change of Officers as requested. S. Houde, aye; J. Livingston, aye; S. Copeland, aye. **Motion passed by Roll Call Vote 3-0.**

Motion: A motion was made by S. Copeland and seconded by J. Livingston to reaffirm their vote to approve the Change of Manager from Bob Briggs to Donald Anderson. S. Houde, aye; J. Livingston, aye; S. Copeland, aye.

Motion passed by Roll Call Vote 3-0.

General Code Bylaw Update – C. Antonellis gave an update on the General Code project stating that the Final Draft is now available. Department Heads are reviewing and have two weeks to make comments. She stated that no content/policy has been changed, and this is to codify the Town's Bylaws and Regulations, for ease of use. The adoption of the General Bylaws, including the Zoning Bylaw, and Regulations are Articles 32 and 33 on the Annual Town Meeting Warrant.

UDAG Authorization for \$15,000 of Parks Building – R. Pontbriand was joined by Parks and Recreations Director Jeff Thomas. They have identified the need for additional funding to complete the new Parks Building at Pirone Park. They are requested up to \$15,000 in UDAG funding need additional funding, due to electrical work needed to be completed by National Grid, which will use the remaining balance in the account. The additional \$15,000 will be for furnishing the building, including IT hook-ups, furniture, and other equipment.

Motion: A motion was made by S. Copeland and seconded by J. Livingston to approve the use of up to \$15,000 of funding from the UDAG account to complete the Parks Building at Pirone Park. S. Houde, aye; J. Livingston, aye; S. Copeland, aye. **Motion passed by Roll Call Vote 3-0.**

New Business/Selectmen's Questions: None

Approval of Meeting Minutes:

Motion: A motion was made by S. Houde and seconded by S. Copeland to approve the meeting minutes from March 17, 2020; March 30, 2020, and April 7, 2020. S. Houde, aye; J. Livingston, aye; S. Copeland, aye. **Motion passed by Roll Call Vote 3-0.**

Adjournment:

Motion: A motion was made by J. Livingston and seconded by S. Copeland to adjourn at 7:39 PM. 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: 5/19/20

Signature Indicating Approval: 