

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 August 14, 2018**  
**Open Session Meeting Minutes**

**BOS Present:** Jannice L. Livingston, Chair; Christopher R. Hillman, Vice – Chair (Entered at 7:15 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.

**Review and Approve Agenda:**

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

**Announcements:** None

**Public Input:** None

**Sewer Abatement Request – 16 Gardner Lane:** The applicant for the sewer abatement request was not in attendance.

**Joint Appointment of Ayer Shirley Regional School Committee Member:** Mr. Dan Gleason, Ayer member of the Ayer Shirley Regional School Committee joined the BOS to make a joint appointment filling the vacancy caused by the resignation of Mr. Pat Kelly. There were originally four applicants, Mr. Joe Leone, Ms. Cheryl Alfieri-Simmons, Mr. Kevin Bresnahan, and Mr. Allan Peterson. Mr. Peterson has withdrawn his name for consideration and Mr. Leone did not attend the meeting. The term will expire at the next local election which will be April of 2019. Board members thanked Mr. Kelly for his 10 years of service serving on the School Committee.

The Joint Committee interviewed Ms. Alfieri-Simmons and Mr. Bresnahan. Ms. Alfieri-Simmons is a former member of the School Committee. She stated that she's been very happy with the school system and wants to be a part in continuing the District's growth. Two of her three children are heading to college and she will have more time to volunteer. Mr. Bresnahan has prior experience on the school building committee and the Janis Bresnahan Run for Education Committee. He also has children in the school district and would like to volunteer by serving on the School Committee.

*C. Hillman enters at 7:15 PM*

BOS members and Mr. Gleason thanked all the applicants for submitting their resumes and were very impressed with the response.

**Motion:** A motion was made by D. Gleason and seconded by S. Houde to nominate Ms. Cheryl Alfieri-Simmons to the vacant Ayer seat on the Ayer Shirley Regional School Committee. **Motion passed 4-0.**

S. Houde asked D. Gleason to give an update on the proposed field project and the school committee's plan for the aging elementary schools in both Ayer and Shirley. After general discussion on the topic, both D. Gleason and the BOS agreed to communicate openly and professionally about both issues.

**Office of Community and Economic Development:** *Lien Subordination Request Case # 15-395* – Ms. Alicia Hersey, Program Manager for the Office of Community Development presented Lien Subordination Request #15-395 (16 Pond Street). The homeowner is refinancing to consolidate loans. She is recommending approval.

**Motion:** A motion was made by C. Hillman and seconded by S. Houde to approve Lien Subordination Request #15-395, as presented. **Motion passed 3-0.**

*CDBG Grant Award & Upcoming Project Brief Overview* – Mr. Alan Manoian and Ms. Alicia Hersey gave an overview of the successful Grove Pond neighborhood \$750,000 CDBG Grant award.

**MART Project Update:** Mr. Mo Khan from MART and Mr. George Kahale from MRPC were in attendance to discuss the MART project update. There were only two bidders on the project and both bids came in over budget. BOS members and R. Pontbriand expressed grave concern over the fate of the project. MART and MRPC maintain that the project consultant Weston & Sampson had over complicated the environmental analysis of the project which caused uncertainty with bidders. Both M. Khan and G. Kahale also said the timing of the bid was not optimal.

S. Houde stated that a visual aid would have been helpful to see where the project costs are coming from. He would also like MART and MRPC to present the BOS with a list of items and costs associated with those items, so the Town can make an informed decision.

J. Livingston stated to MART and MRPC that they need to be the leader on the project and she is very concerned because nothing has been accomplished. The expectation of the BOS is that the project gets rebid as soon as possible and that MART and MRPC take the lead on ensuring the project's completion.

**Superintendent Mark Wetzel, Ayer Dept. of Public Works:** *Vote of Intent to Layout Norwood Avenue* – M. Wetzel presented the BOS with the Intent to Layout Road for Acceptance for a portion of Norwood Avenue, within the Elizabeth Estates Subdivision (between Highland Avenue and Washington Street). Upon affirmative vote, the DPW will notify the Planning Board to consider a non-binding approval to ultimately go before the Fall Town Meeting.

**Motion:** A motion was made by S. Houde and seconded by J. Livingston to approve the Intent to Layout Norwood Avenue as presented by the DPW Superintendent. **Motion passed 3-0.**

*Approval of Change Orders 2 & 3* – M. Wetzel presented Change Orders 2 & 3, between the Town of Ayer and Triumph Modular of Littleton relating to the DPW Administrative Building. Change Order 2 is for a floor hatch crawlspace in the amount of \$901.43 and Change Order 3 is for additional network and TV wiring in the amount of \$1,298.85.

**Motion:** A motion was made by J. Livingston and seconded by S. Houde to approve Change Orders 2 & 3 as presented by the DPW Superintendent. **Motion passed 3-0.**

*Approval of Change Order 1* – M. Wetzel presented Change Order 1 between the Town of Ayer and J D'Amico Inc. relating to the Pearl Street Water and Sewer Relining Contract. The Change Order is in the amount of \$48,579.81, which is for the replacement of 5 catch basins and connecting drain piping at two locations where the existing drainage infrastructure is deteriorated.

**Motion:** A motion was made by C. Hillman and seconded by S. Houde to approve Change Order 1 as presented by the DPW Superintendent. **Motion passed 3-0.**

*DPW Project Updates* – M. Wetzel gave updates on the following projects: Water supply status and conservation efforts; PFAS Water Treatment at Grove Pond Wellfield; LED Streetlight Conversion; East Main Street Transportation Improvement Project; West Main Street Bridge; Main Street TIP Application and Sculley Road.

**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.

*BOS Opening of the 2018 Special Fall Town Meeting Warrant* – R. Pontbriand is requesting that the BOS open the Special Fall Town Meeting Warrant with the deadline for all warrant articles and Citizens Petitions due by 12:00 PM on Friday September 28, 2018.

**Motion:** A motion was made by C. Hillman and seconded by S. Houde to open the Special Fall Town Meeting Warrant with the deadline for all warrant articles and Citizens Petitions due by 12:00 PM on Friday September 28, 2018. **Motion passed 3-0.**

*Approval of Title Affidavit – Ridge View Heights* – R. Pontbriand presented a Title Affidavit, as drafted by Town Counsel, relating to Lots 109 & 114 on Fox Run Drive, which is necessary to clear title to both Lots.

**Motion:** A motion was made by C. Hillman and seconded by S. Houde to approve the Title Affidavit as presented by R. Pontbriand. **Motion passed 3-0.**

*Approval of the FY' 20 Budget Calendar* – R. Pontbriand presented the latest update to the DRAFT FY 20 budget calendar. C. Hillman requested moving the FY'19 Tax Classification Hearing to the first meeting of December.

**Motion:** A motion was made by J. Livingston and seconded by S. Houde to approve the FY' 20 Budget Calendar as presented, except for moving the FY' 19 Tax Classification Hearing to the first meeting in December. **Motion passed 3-0.**

*Approval of MART/Council on Aging Contract* – R. Pontbriand and C. Antonellis presented the MART Council on Aging contract. C. Antonellis stated that MART has never had a contract with any of their member towns and that this contract codifies past practice, with the exception of some reporting and insurance requirements. C. Antonellis and R. Pontbriand are recommending approval.

**Motion:** A motion was made by C. Hillman and seconded by S. Houde to approve the Contract between the Town of Ayer and MART for COA transportation services. **Motion passed 3-0.**

*September BOS Meeting Schedule* – BOS members discussed the September 2018 meeting schedule. The BOS is unable to meet on Tuesday September 4, 2018 because of the State Primary Election. Board members agreed to meet on September 11, 2018 and their regularly scheduled meeting of September 18, 2018.

**New Business/Selectmen's Questions:**

*Debrief of Aug. 7, 2018 ASRSD Field Meeting (Selectman Houde)* – S. Houde handed out his notes from the recent meeting regarding the Ayer and Shirley Elementary Schools and Field Complex. S. Houde gave a brief overview of the meeting.

*Homeless/Loitering Downtown (Selectman Hillman)* –C. Hillman stated that he received complaints about a homeless man hanging his laundry out downtown and wants to make sure the police are aware of the issue.

*Tax Status of Emmanuel Lutheran Church (Selectman Hillman)* – C. Hillman would like the Town's property enforcement team to revisit the Emmanuel Lutheran Church because he believes there are no services being held there and that the property should pay taxes.

*Next Steps Re: Form Based Code for Park Street (Selectman Hillman)* – A. Manoian gave a brief update on proposed plan for Form Based Code on Park Street. He would like to present it to Town Meeting for adoption in the Spring of 2019.

**Approval of Meeting Minutes:**

**Motion:** A motion was made by J. Livingston and seconded by S. Houde to approve the meeting minutes from July 17, 2018. **Motion passed 3-0.**

**Executive Session pursuant to M.G.L Chapter 30A, Section 21A:** A motion was made by C. Hillman and seconded by S. Houde at 10:20 PM to enter into Executive Session pursuant to G.L. c. 30A, sec. 21 (a) Exemption 3 (Litigation

Strategy) *United States of America v. Boston and Maine Corporation v. Town of Ayer* and to review and approve various Executive Session Minutes and to adjourn at the conclusion of the 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:** 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:** 9/11/2018

**Signature Indicating Approval:** 