

Town of Ayer

**Executive Bi-Board Meeting Minutes**  
**Tuesday, September 28, 2021, 2:00pm**

Ayer Town Hall – 1<sup>st</sup> Floor Meeting Room  
1 Main Street, Ayer, MA 01432

RECEIVED  
OCT 12 2021

TOWN OF AYER  
TOWN CLERK

5:45pm

*Remote Public Participation Meeting Due to the COVID-19 Pandemic in Accordance with the Provisions of the Governor's Emergency Order Pertaining to the Open Meeting Law*

**Attendance:** Scott Houde (Select Board Member); Patrick Diamond (Fin Com Chair); Carly Antonellis (Assistant Town Manager); Robert Pontbriand (Town Manager); Lisa Gabree (Finance Manager); Barbara Tierney (Treasurer/Tax Collector; Arrived at 2:18pm)

**Absent:** Mark Smith (Fin Com Vice-Chair)

**Call to Order:** The Executive Bi Board was called to order at 2:00pm using remote public participation (Zoom Meeting) due to the COVID-19 Pandemic in accordance with the provisions of the Governor's Emergency Order Pertaining to the Open Meeting Law.

R. Pontbriand read the following statement into the record: Due to the ongoing COVID-19 Pandemic, in accordance with Chapter 20 of the Act of 2021, suspending certain provisions of the Open Meeting Law (OML), public bodies otherwise governed by the OML are temporarily relieved from the requirement that meetings be held in public places, open and physically accessible to the public, so long as measures are taken to ensure public access to the bodies' deliberations "though adequate, alternative means." This meeting will be live on Zoom. The public may participate remotely by joining Zoom (Meeting ID# 854 0032 4335) or by calling 929-205-6099. For additional information about remote participation, please contact Carly Antonellis, Assistant Town Manager at [atm@ayer.ma.us](mailto:atm@ayer.ma.us) or 978-772-8220 ext. 100 prior to the meeting.

**Review/Approve Previous Meeting Minutes:**

The Bi-Board reviewed the DRAFT Meeting Minutes for the previous meeting held on April May 20, 2021.

**Motion:** A motion was made by P. Diamond and seconded by S. Houde to approve the Meeting Minutes from May 20, 2021. **Motion passed 6-0 by roll call vote (S. Houde, Y; P. Diamond, Y; B. Tierney, Y.; C. Antonellis, Y.; R. Pontbriand, Y; L. Gabree, Y.)**

**CARES Funding Update:**

R. Pontbriand thanked L. Gabree for all her hard work with respect to the CARES funding and advised that the Town has an internal deadline for all CARES funding requests of October 22, 2021, and the program's deadline is October 29, 2021.

The Bi-Board received an update on the CARES funding from L. Gabree. She advised that to date the Town has \$435,549.21 in CARES funding requests. The program works with requests first being sent to FEMA and then to CARES. There is a possibility as discussed from the beginning of this

program that not all expenditures will be reimbursed by CARES, that is why the Town increased the Reserve Fund to cover.

**Discussion on Plan for ARPA (American Recovery Plan Act) Fund for the Town:**

L. Gabree provided an overview of the ARPA funds for the Town. The Town was eligible for \$2,449,840 in ARPA funds and the Town has received all the funds at this time. She advised that Town Counsel is currently reviewing the extensive spending parameters of the program to advise the Town. She further advised that ARPA funds can be spent on water and sewer infrastructure. She further advised that with significant sewer infrastructure needs before the Town including the upgrades to the wastewater treatment plan it is in her and the Town Manager's opinion that the majority of the ARPA funds should go toward sewer infrastructure.

P. Diamond stated that he agrees with this approach.

R. Pontbriand stated that the majority should go toward sewer infrastructure which includes the collapsed sewer main on Westford Road. Most of these funds toward the sewer infrastructure will benefit everyone as well as all rate payers. He further stated that the Town could develop an internal RFP process for Departments that may have ARPA eligible projects and a portion of the ARPA funds could go toward that.

P. Diamond stated that using the funds to reduces taxes or rates is the way to go.

S. Houde stated that the majority should go to sewer infrastructure. He also likes the idea of a smaller portion going toward an internal RFP process for Town Departments with potential projects.

B. Tierney advised that the reporting requirements on the ARPA funds will be considerable.

R. Pontbriand stated that some towns are looking into the potential of having a regional ARPA reporting service of which the Town of Ayer would be interested and could benefit from. He further advised that for the next Bi-Board Meeting, he, and L. Gabree will put together a sewer plan for the ARPA funds as well as a DRAFT of a potential RFP Department program.

**FY 2022 Budget and Revenue Update:**

L. Gabree advised that all FY 2022 Budgets are on target and all revenues are on target.

B. Tierney advised that tax collections are running at 97% which is good, and things are running smoothly.

**Fall Special Town Meeting Update:**

R. Pontbriand provided a brief update on the upcoming Fall Special Town Meeting scheduled for October 25, 2021, at 7pm in the Auditorium of the Ayer Shirley Regional High School. All COVID-19 safety precautions will be in place. The Warrant officially closes on Friday, October 1, 2021, at 12pm. Currently there appears to be seven Articles and one Citizens Petition. There are three Articles related to the transfer of the Woodlawn Cemetery to the Town. The first Article transfers the cemetery to the Town. The second article would fund \$41,000 for the remaining FY 2022 operations of the cemetery. The third article would create an appointed Cemetery Commission.

This is a two-part process and would need to pass the ballot at the Annual Town Election in May 2022 as well.

There is an article to authorize the Select Board to lease the land and cell tower at Brook Street as the current leases will soon be expiring, and the leases need to be put out to bid.

There will be two Community Preservation Committee Articles: one to provide funding to update their five-year plan and one to provide \$300,000 in funding for the high school field project, specifically, toward the track.

There will be a Fertilizer Bylaw Article from the Conservation Commission.

Finally, there is one certified Citizens Petition currently for a zoning change on Harvard Road for the gas station across from All Town Fresh to change from general residential to general business.

The Select Board will be reviewing and approving the Warrant at their October 5, 2021 meeting.

#### **New Business:**

R. Pontbriand presented DRAFT #3 of the FY 2023 Budget Schedule which has been reviewed and discussed by the Select Board the last several meetings. The Select Board is looking to approve the final Budget Schedule at their meeting on October 5, 2021.

The Bi-Board agreed to add their meetings to the FY 2023 Budget Schedule to take place on the second Tuesday of each month at 2pm on Zoom.

R. Pontbriand also stated that there are several New Business items still on the table for the Bi Board to look at which include the review and update of the Financial Policies, the development of a real property acquisition policy; the development of a UDAG policy.

B. Tierney also stated that the development of a policy for the local Cannabis funds needs to be developed.

L. Gabree stated that the Town needs to write-up and document its internal controls. We have internal controls but they need to be written and documented. This needs to be a high priority. Without any middle management in the Finance Department and inadequate staff this is one of those projects that has never gotten done.

R. Pontbriand thanked L. Gabree for bringing this up and agreed that this needs to be a priority and that he and L. Gabree will develop a proposal for the next Bi-Board Meeting.

#### **Scheduling of Next Meeting:**

The Bi-Board's next meeting will be on Tuesday, October 12, 2021, at 2pm on Zoom.

**Motion:** A motion was made by P. Diamond and seconded by S. Houde to adjourn the meeting.

**Motion passed 6-0 by roll call vote (S. Houde, Y; P. Diamond, Y; C. Antonellis, Y.; R. Pontbriand, Y; L. Gabree, Y.; B. Tierney, Y.)**

The Executive Bi-Board adjourned at 3:00pm.

Minutes recorded and submitted by Robert A. Pontbriand, Town Manager

Minutes reviewed and approved by the Executive Bi-Board on: October 12, 2021

Signed: Robert A. Pontbriand 10/12/2021  
Robert A. Pontbriand, Town Manager