



**Town of Ayer**  
**Rate Review Committee Meeting Minutes For**  
**December 14, 2021, 4pm**

**Attendance:** Jannice Livingston (Chair); Mark Smith (Finance Committee Rep); Rick Skoczylas; Lisa Gabree (Finance Manager); Dan Van Schalkwyk (DPW Director); Pam Martin (DPW Business Manager); Mark Wetzel (DPW Special Projects Manager); Robert Pontbriand (Town Manager)

**Call to Order:** The meeting was called to order by J. Livingston at 4pm.

J. Livingston read the following statement into the record:

Due to the ongoing COVID-19 Pandemic, in accordance with Chapter 20 of the Acts of 2021, suspending certain provision of the Open Meeting Law (OML), public bodies otherwise governed by the OML are temporarily relived 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 "through adequate, alternative means." This meeting will be live on Zoom. The public may participate remotely by joining Zoom (Meeting ID# 897 7861 2383) 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.

**Approval of Meeting Minutes:**

The Committee reviewed the DRAFT meeting minutes from the October 12, 2021, meeting.

P. Martin advised that the minutes should reflect 782 regular permits.

R. Pontbriand stated that he would correct the minutes to reflect that change.

**Motion:** A motion was made by M. Smith and seconded by J. Livingston to approve the DRAFT October 12, 2021; meeting minutes as amended. **Motion passed (8-0)** by Roll Call Vote: J. Livingston, Y; M. Smith, Y; R. Skoczylas, Y; L. Gabree, Y; D. Van Schalkwyk, Y; P. Martin, Y; M. Wetzel, Y; R. Pontbriand, Y

**Update on Devens Wastewater Agreement:**

M. Wetzel provided the Committee with an update on the Devens Wastewater Agreement. He advised that MassDevelopment contacted him last week and they need to review the draft. It would make sense to amend the existing contract for a month to give them time to review the draft. There are not a lot of legal changes. The main changes are: 10 years instead of 20-year agreement; changes to the minimum flows; Town needs a minimum of 50,000 gpd; changes to the payment; and a reopener provision.

R. Pontbriand stated that the Town should only grant an amendment to extend the current agreement by one month to January 31, 2022. We need to keep the pressure on MassDevelopment to complete their review and conclude the agreement in a timely manner.

L. Gabree stated that the three things she wanted have been achieved.

R. Pontbriand thanked M. Wetzel for all of his work on the Devens Wastewater Agreement.

**Update/Initial Discussion on FY 2023 Water and Sewer Rates:**

R. Pontbriand advised that the Capital Planning Process is underway with another meeting on December 15 at which time he anticipates that several recommendations on capital projects will be made which impact the water and sewer rates.

M. Wetzel stated that the new Federal Infrastructure Bill has passed and there may be opportunities in that bill for federal funding for water and sewer projects.

L. Gabree advised that the Select Board recently voted \$700,000 toward the Westford Road Sewer Project and that the proposed Water Transmission Line for Spectacle Pond would also be eligible for ARPA funding and/or the Infrastructure Bill.

D. Van Schalkwyk stated that the \$600,000 water transmission project for Spectacle Pond is an especially important project as it is the primary water main, and it has already been repaired once.

J. Livingston stated that we will need to have everything in place in terms of the Water and Sewer Rates for the Public Hearing to take place no later than April 5, 2022. That is the drop-dead date.

M. Wetzel stated that he knows we are in transition in terms of the Finance Manager position but what about the Rate Model?

R. Pontbriand advised that L. Gabree will be staying on in a consultant capacity up to May 1, 2022. One of her projects is the Rate Model for this year as well as transitioning that.

**New Business:**

There was no New Business.

**Scheduling of Next Meeting:** January 11, 2022, at 4pm on Zoom.

**Adjournment:**

**Motion:** A motion was made by M. Wetzel and seconded by R. Skoczylas to adjourn the meeting at 4:25pm. **Motion passed (8-0)** by Roll Call Vote: J. Livingston, Y; M. Smith, Y; R. Skoczylas, Y; L. Gabree, Y; D. Van Schalkwyk, Y; P. Martin, Y; M. Wetzel, Y; R. Pontbriand, Y

The meeting adjourned at 4:25pm.

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

Minutes reviewed and approved by the Rate Review Committee on February 16, 2022.

Signed:  2/16/2022  
Robert A. Pontbriand, Town Manager