

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 November 5, 2014**  
**Meeting Minutes**

Present: Christopher R. Hillman, Chair; Jannice L. Livingston, Vice-Chair; Gary J. Luca, Clerk

Robert A. Pontbriand, Town Administrator  
Carly M. Antonellis, Assistant to the Town Administrator

**Call to Order:** C. Hillman called the meeting to order at 7: 01 PM

**Review and Approve Agenda:** R. Pontbriand asked to amend the agenda by adding the Sludge Hauling Agreement as #4 under the Superintendent's report. He also asked to add the creation of an Ayer Open Space and Recreation Plan Committee as #7 under the Town Administrator's Report and to place for consideration a request from Barnum Road Liquors to begin sales at 10 AM on Sundays as #8.

**Motion:** A motion was made by G. Luca and seconded J. Livingston to approve the agenda as amended. **Motion passed 3-0.**

**Announcements:** C. Hillman made the following announcements: the 3<sup>rd</sup> Annual Rotary Tree Lighting will take place on 12/7/14; and the Winter Parking Ban will be in effect from 11/15/14 - 4/15/15.

**Public Input:** Mr. and Mrs. Marcy and George Logan of 31 Sculley Road Ayer, MA conveyed their disappointment at how a situation involving their son was handled by the Ayer Police Department at the Halloween Festivities in Downtown Ayer on October 25, 2014.

Chief Murray stated that the incident is currently under investigation and that he will be reporting those findings to the Town Administrator and the Selectmen once finalized.

**Chief Robert Pedrazzi, Ayer Fire Department:** R. Pedrazzi was accompanied by several member of the Ayer Fire Department (John Whalen, Steve Slarsky, and Tim Johnston) and went over the process of bidding the Rescue #1 fire truck. Three bids were received from Greenwood Emergency Vehicles (\$465,400), Rosenbauer Firefighting Technology (\$499,762) and Five Star Fire (\$489,422).

**Motion:** A motion was made by G. Luca and seconded J. Livingston to award the Rescue #1 truck bid in the amount of \$455,400 (inclusive of trade in) to Greenwood Emergency Vehicles per Chief Pedrazzi's recommendation. **Motion passed 3-0.**

**Public Hearing – National Grid:** The public hearing was opened at 7:45 PM for the petition submitted by National Grid for the installation of underground conduits on Bligh Street. (Plan #17470930)

No one spoke for or against the proposal.

**Motion:** A motion was made by G. Luca and seconded J. Livingston to approve request from National Grid (Plan #17470930) for underground conduits on Bligh Street. **Motion passed 3-0.**

**Motion:** A motion was made by G. Luca and seconded J. Livingston to close the public hearing at 7:48 PM.  
**Motion passed 3-0.**

**JBOS Presentation:** Mr. Ed Starzek from the Mass Development presented an overview of proposed zoning changes in Devens called the “Shirley Village Growth District”. This presentation is meant to be informal and to solicit input from all three member towns. The housing cap at Devens would not be affected. Mass Development is still in the process of soliciting input before a formal vote on the measure is taken at a later date.

**Superintendent Mark Wetzel, Ayer Department of Public Works:** M. Wetzel went over the hiring process for the position of Assistant Highway Foreman.

**Motion:** A motion was made by G. Luca and seconded J. Livingston to appoint Walter Wood as the Assistant Highway Foreman as recommended by the DPW Superintendent. **Motion passed 3-0.**

M. Wetzel explained the Administrative Order issued to Vitasoy issued 10/24/14 due to a violation in their limits under their Industrial Pretreatment Permit.

**Motion:** A motion was made by G. Luca and seconded J. Livingston to support the DPW’s Administrative Order #016-014-01 issued to Vitasoy. **Motion passed 3-0.**

M. Wetzel explained Change Order #4 for the Grove Pond Water Treatment Plant that was necessary due to a change in location of a fire alarm.

**Motion:** A motion was made by G. Luca and seconded by J. Livingston to approve Change Order #4 as recommended by the DPW Superintendent. **Motion passed 3-0.**

M. Wetzel went over his recommendation for contracting the sludge hauling services for the remainder of Fiscal Year 2015.

**Motion:** A motion was made by G. Luca and seconded by J. Livingston to approve the recommendation of M. Wetzel as it relates to the sludge hauling services for the remainder of FY’ 15 with the amount of the contract not to exceed \$150,000. **Motion passed 3-0.**

M. Wetzel then gave an update of the paving and other upgrades made at the Transfer Station.

**Town Administrator’s Report:** R. Pontbriand gave an update on the MBTA/Rail Trail Surface Lot issue, specifically the timeline of the land transfer and interim measures to be taken until construction commences in the spring of 2015.

R. Pontbriand had received correspondence from resident James Pinard who is interested in filling a vacancy on the Devens Enterprise Committee.

**Motion:** A motion was made by J. Livingston and seconded by G. Luca to appoint Mr. James Pinard to the three year term running from July 1, 2014 – June 30, 2017 on the Devens Enterprise Commission. **Motion passed 3-0.**

R. Pontbriand explained his recommendation for a one year energy contract with Constellation Energy which will lock in the rate of .11 cents per kilowatt hour.

**Motion:** A motion was made by G. Luca and seconded by J. Livingston to approve contract for one year with Constellation Energy as outlined in the Town Administrator's memo dated October 31, 2014. **Motion passed 3-0.**

R. Pontbriand requested that Board approve the recommendation for bonding authorization for the position of Benefits & Payroll Manager in the event the Treasurer's absence.

**Motion:** A motion was made by G. Luca and seconded by J. Livingston to approve the request for bonding authorization for the Payroll & Benefits Manager through Western Surety Company. **Motion passed 3-0.**

R. Pontbriand then presented two (2) requests for change in Sunday hours for off-premise alcoholic beverage establishments pursuant to M.G.L. c. 138 §15.

**Motion:** A motion was made by G. Luca and seconded by J. Livingston to approve the request for change in Sunday hours for the Ayer Package Store. **Motion passed 3-0.**

**Motion:** A motion was made by G. Luca and seconded by J. Livingston to approve the request for change in Sunday hours for Barnum Road Liquors. **Motion passed 3-0.**

R. Pontbriand outlined his memo dated November 5, 2014 expressing the need for the creation of an Open Space and Recreation Plan Committee.

**Motion:** A motion was made by J. Livingston and seconded by G. Luca to authorize the creation of the Open Space and Recreation Plan Committee. **Motion passed 3-0.**

#### **Approval of Meeting Minutes**

**Motion:** A motion was made by J. Livingston and seconded by G. Luca to approve the minutes of October 7, 2014. **Motion passed 3-0.**

C. Hillman brought up the traffic mitigation at the corner of Columbia Street and Central Avenue in the interest of better aligning the intersection for people making left hand turns onto Central Avenue. Chief Murray and DPW Superintendent will be looking into rectifying the situation.

**Motion:** A motion was made by J. Livingston and seconded by G. Luca to adjourn at 9: 21 PM. **Motion passed 3-0.**

Minutes Recorded and Submitted by Carly M. Antonellis

Minutes Approved by BOS: 12-2-14

Gary J. Luca, Clerk: Gary Luca