

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



Tuesday December 15, 2015
Meeting Minutes

Broadcast and Recorded by APAC

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

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

Call to Order: J. Livingston called the meeting to order at 7:01 PM.

Review and Approve Agenda: R. Pontbriand asked to amend the agenda by adding the following items: Under Town Administrator's Report - Approval of Water and Sewer Lien list AND by adding two additional appointments (Cultural Council).

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

Recognition of Eagle Scout: The BOS recognized Andy Poutry of Ayer Boy Scout Troop #3 for advancing to the rank of Eagle Scout. The BOS presented Andy with a certificate of recognition.

Public Input: None

Chief Robert Pedrazzi, Ayer Fire Department: R. Pedrazzi introduced Brenton Bourne who was recently hired by the Fire Department as a Firefighter/Paramedic.

Depot Square/MBTA Update: J. Livingston gave an overview of the recent history between the MBTA and the private property owner at Depot Square. She explained that both the private property owner and the MBTA were scheduled to be at the meeting this evening, in the hopes of ironing out a solution to the ongoing stalemate. She further explained that the private property owner, through his attorney, notified the Town Administrator on December 14, 2015 that he would not be attending the BOS meeting.

Mr. Frank Maxant, 14 Williams Street asked the BOS to consider taking the land by eminent domain and suggested that it could be placed on a town meeting warrant for consideration.

G. Luca suggested looking into the steps involved with an eminent domain taking.

Jeremy Callahan from the Planning Board and the Ayer Train Station Advisory Committee stated that the conditions at the platform are abysmal and that the platform has hole in it. He also stressed the need for resolution of the dispute for economic development reasons for the Town.

Ms. Carolyn McCreary, 6 Wachusett Avenue East stated that she appreciated the frustration felt by the BOS and also suggested eminent domain as a way of resolving the stalemate. She said that she realizes that process will take time, but the Town has been waiting years for a resolution.

Harry Zane, 32 Wright Road stated that this is an asymmetrical conflict and that it is frustrating that the private landowner won't clearly articulate what he needs to resolve the issue.

Jane Morriss, 62 Pleasant Street stated that the private landowner is controlling the dialogue and feels that the negotiations have not been in good faith.

J. Livingston stressed that although the situation is very frustrating, the Town's hands are limited as the dispute is between the private landowner and the MBTA.

Town Administrator's Report: On behalf of the DPW Superintendent, R. Pontbriand presented a contract for consideration between the Town and Hoyle Tanner & Associates for the Town's wastewater Industrial Pretreatment Program. R. Pontbriand explained that the professional services agreement executed by the BOS on January 21, 2014 has an option for two one-year extensions. He is recommending, through the DPW Superintendent, that the BOS approve Option Year 3 for January 1, 2015 through December 31, 2016 at a fee of \$42,500.

Motion: A motion was made by G. Luca and seconded by C. Hillman to approve the Option Year 3 contract for the Town's wastewater Industrial Pretreatment Program between the Town and Hoyle Tanner & Associates. **Motion passed 3-0.**

Appointments – R. Pontbriand is recommending that the BOS appoint Town Clerk and Tax Collector Ms. Susan Copeland to the Comprehensive Plan Committee.

Motion: A motion was made by G. Luca and seconded by C. Hillman to appoint Town Clerk and Tax Collector Ms. Susan Copeland to the Comprehensive Plan Committee. **Motion passed 3-0.**

Agenda Amendment - R. Pontbriand has also received a recommendation from Cultural Council Chair Sheila Schwabe to appoint the following residents to the Cultural Council: Ms. Janice Goodrow and Ms. Lyn Pennington.

Motion: A motion was made by G. Luca and seconded by C. Hillman to appoint Ms. Janice Goodrow and Ms. Lyn Pennington to the Cultural Council to fill vacant terms that expire June 30, 2018. **Motion passed 3-0.**

KENO Application, Ayer Shop 'n Save – C. Antonellis explained that the Town Administrator's office received a letter from the Massachusetts State Lottery Commission regarding an application from Ayer Shop 'n Save to install a KENO to Go game and at this time the Lottery Commission is not providing agents with a KENO monitor. The Town has to forward objections, if any, within 21 days to the Lottery Commission. BOS members had no objections.

Agenda Amendment: Water and Sewer Lien – R. Pontbriand presented the list of unpaid water lien accounts that was received from the Department of Public Works. R. Pontbriand stated that as in years past the list, if approved by the BOS, the list will be placed online after approximately 3-4 weeks, to allow for processing time between the DPW, I.T. Department and the Collector's office.

Motion: A motion was made by C. Hillman and seconded by G. Luca to approve the December 14, 2015 list of Unpaid Water Lien Accounts and to place on the Town's website. **Motion passed 3-0.**

New Business/Selectmen's Questions: C. Hillman stated that there was litter all over the Town and that he would like to see it picked up. R. Pontbriand then asked for specific locations. C. Hillman stated Westford Road, Willow Road, Central Avenue and Park Street.

C. Hillman also brought up concerns about the street signs in town. Specifically, there were bolts loose on the Nemco Way sign and there is a pole extending above the Handicap sign at Town Hall. He would also like to see that the "One Way" sign at the corner of Columbia and Newton readjusted.

C. Hillman also brought up a topic from earlier in the year about fencing and buildings related to Devens. R. Pontbriand will follow-up with Devens/MassDevelopment.

Approval of the Minutes: A motion was made by G. Luca and seconded C. Hillman to approve the minutes of December 1, 2015. **Motion passed 3-0.**

Adjournment: A motion was made by G. Luca and seconded by C. Hillman to adjourn at 8:15 PM. **Motion passed 3-0.**

Minutes Recorded and Submitted by Carly M. Antonellis

Minutes Approved by BOS: January 5, 2016

Christopher R. Hillman, Clerk: Christopher R. Hillman