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JUL 10 2020

TOWN OF AYER  
TOWN CLERK

*Shaun C. Copeland*

Town of Ayer  
Ayer Board of Selectmen  
Ayer Town Hall – 1<sup>st</sup> Floor Meeting Room  
Ayer, MA 01432



*Broadcast and Recorded by APAC*

**Wednesday June 10, 2020**  
**Open Session Meeting Minutes**

**BOS Present:** Scott A. Houde, Chair; Jannice L. Livingston, Vice-Chair; Shaun C. Copeland, Clerk

**Also Present:** Robert A. Pontbriand, Town Manager; Carly M. Antonellis, Assistant Town Manager

**Call to Order:** S. Houde called the meeting to order at 6:00 PM.

**Pledge of Allegiance:** BOS members and meeting attendees stood and recited the Pledge of Allegiance.

**Remote Access:** S. Houde stated that pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, MGL Chapter 30A, Section 18 and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Ayer Board of Selectmen is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort has been made to ensure that the public can adequately access the proceedings as provided in the Order.

**Approval of Meeting Agenda:**

**Motion:** A motion was made by S. Houde and seconded by J. Livingston to approve the meeting agenda as posted. **Motion passed 3-0.**

**Announcements:** S. Houde made the following announcements:

- The Annual Town Meeting will be held on Monday June 15, 2020 at 7:00 PM at the Ayer Shirley Regional High School. In response to the COVID-19 pandemic, the Town has established proper social distance and hygiene protocols for the meeting.
- There will be a FY '21 Budget and Annual Town Meeting Warrant Remote Public Forum tomorrow night via remote participation at 5:00 PM. For additional information, please visit the Town's website.

**Recognition of Graduating Ayer Seniors:** The BOS recognized several 2020 Ayer Graduating Seniors.

**Public Input:** None

**Superintendent Mark Wetzel, Department of Public Works:** M. Wetzel recognized Eagle Scout Liam Mayes who planted 200 trees at the new Pingry Hill Water Tank with Boy Scouts Troop 2.

**Subdivision Inspection Fees** – M. Wetzel stated that there is an established fee schedule for water and sewer infrastructure related to development projects, however the road and stormwater related inspection fees have not been officially adopted. He is recommending \$8.50 per foot of roadway for subdivision road and drainage projects and \$170 per 1000 SF of impervious area like sidewalks and parking lots.

J. Livingston asked if this was ever discussed at the Rate Review Committee (RRC)? M. Wetzel said that yes the water and sewer inspection fees were established and approved last year by the RRC.

J. Livingston asked that this was going to be continually assessed by the RRC. M. Wetzel stated that the water and sewer portion have been reviewed by the RRC and approved by the BOS, but the road and drainage projects have not. Town Counsel recommended that the BOS should approve the road and drainage fees.

**Motion:** A motion was made by S. Copeland and seconded by J. Livingston to accept the subdivision fees relating to water and sewer at \$5.00 per foot of main. **Motion passed 3-0.**

**Motion:** A motion was made by S. Copeland and seconded by S. Houde to accept the subdivision fees relating to road and drainage projects and Impervious area of commercial, industrial, or multi-family structure projects, as noted above. **Motion passed 3-0.**

*Discussion on Minimum Charge for Outside Water Meter* – M. Wetzel stated that he has received a lot of comments from outdoor water users on why they have to pay a minimum charge when there is a Water Ban in effect. M. Wetzel explained that the minimum charge is \$10/quarter. The minimum is based on cost of service relating to reading the meter and maintaining access to water.

S. Houde asked if the \$10/ quarter was an accurate figure based on people not using their outdoor water system due to the ban. M. Wetzel stated that he has based this figure on assumptions and that though people may not be using their outdoor irrigation system, they may be using the outdoor faucet.

S. Houde suggested that next year that the RRC review the \$10/quarter to ensure accuracy. S. Copeland said that you can make an argument for an annual fixed cost charge vs. a quarterly payment.

*Groton School Road Culvert* – M. Wetzel stated that the DPW has been out inspecting culverts in coordination with the Nashua River Watershed Association (NRWA) via a grant program. The Groton School Road culvert resulted in a poor inspection rating; based off that the Town hired Tighe & Bond to do an analysis of the culvert. This is a 6-7' wide box culvert. The inspection found that there were cracks in the granite top-slab stones that do not appear to provide sufficient support. The DPW is developing a temporary repair and will present alternatives at a later meeting. He is recommending installing a structural steel plate over the southbound travel lane and reduce the speed to 25mph. There is money in the FY' 21 budget to do these temporary repairs.

J. Livingston asked M. Wetzel to provide a brief reason as to why these projects take so long. M. Wetzel stated that this wasn't the only culvert that was inspected, and that prioritization must be done in coordination with looking at the budget. He also stated that the Town's engineering division is one person and who is responsible for many projects.

S. Houde asked about the signage relating to the reduced speed. M. Wetzel said the signs would be placed at Groton Shirley Road and by Douglas Drive.

J. Livingston then added that infrastructure projects across the country are not being done as efficiently as we would like. She is suggesting lobbying to the state legislature and state officials to get better support from the State. M. Wetzel stated that the Town has been very proactive on budgeting for infrastructure projects. He has worked with both Senator Eldridge and Congresswoman Trahan to support local projects.

**Town Manager's Report:** *Administrative Update/Review of Town Warrant(s)*- R. Pontbriand referenced the meeting packet memo, which contains a list of all the warrants signed since the BOS last met.

*Coronavirus/COVID-19 Town Preparedness Update* – R. Pontbriand stated that all departments continue to function using remote technology. He stated that the Town is still aggressively looking to procure additional PPE. He reported that under the Federal CARES Act, the Town is eligible for up to \$720,000 in reimbursements for costs not eligible for reimbursement by FEMA/EMMA. The Town recently submitted a request for approximately \$40,000 since the COVID-19 pandemic began. He also reported that the Office of Community and Economic Development is submitting a \$320,000 CDBG grant application for small business relief, food security and housing relief. R. Pontbriand stated the Town is monitoring revenue levels and for the remainder of FY '20 the Town is in good shape.

*Annual Town Meeting Update* – R. Pontbriand reported that the Town has issued public guidance for Town Meeting relating to social distancing standards and face coverings/masks. He is confident that Town Meeting will be a safe and successful event. He said that the chairs will be clearly marked for seating. If residents have questions they can stand and be recognized by the Moderator and clearly and loudly ask their question. The Town Clerk will be prepared to repeat the questions if needed.

*Annual Board/Committee Reappointments* – The following is a list of Annual Board/Committee Reappointments. R. Pontbriand thanked C. Antonellis for her work with the process.

Board / Committee	Term Label	Length of Term	Current Member
CAPITAL PLANNING COMMITTEE	SEAT 2	3	James B. Pinard Jr
	SEAT 4	3	Richard W. Skoczylas
	BOS SEAT	1	Jannice L. Livingston
COMMISSION ON DISABILITIES	SEAT 5	3	Thomas J. Sylvester
	SEAT 4	3	Martha Sylvester
CONSERVATION COMMISSION	SEAT 5	3	Jennifer Amaya
ENERGY COMMITTEE	CITIZEN	1	Ken Diskin
	CITIZEN	1	Carolyn L. McCreary
EXECUTIVE BI-BOARD	BOS SEAT	1	Scott A. Houde
HISTORICAL COMMISSION	SEAT 2	3	George D. Bacon, Jr.
INDUSTRIAL DEVELOPMENT FINANCE AUTHORITY	SEAT 6	5	Robert S. Williams
OPEB BOARD OF TRUSTEES	BOS SEAT	1	Jannice L. Livingston
RATE REVIEW COMMITTEE	BOS SEAT	1	Jannice L. Livingston
RECYCLING COMMITTEE	SEAT 1	3	Laurie Sabol
REGISTRARS OF VOTERS	SEAT 4	3	Susan E. Copeland
	SEAT 1	3	Barbara Wilson
ZONING BOARD OF APPEALS	SEAT 2	3	Samuel A. Goodwin Jr
	SEAT 3	3	Michael Gibbons
	SEAT 6	3	Jessica G. Gugino

S. Houde asked if all people had been contacted. C. Antonellis confirmed yes they had and were willing to serve.

The BOS discussed appointments to the Capital Planning, Bi-Board, Rate Review Committee, and OPEB Board of Trustees. J. Livingston suggested keeping Capital Planning open until closer in the process. S. Copeland offered to represent the BOS on the Rate Review Committee, J. Livingston stated she still wanted to serve on that Committee. S. Houde expressed his desire to stay on the Executive Bi- Board and S. Copeland stated he would serve on the OPEB Board of Trustees.

**Motion:** A motion was made by J. Livingston and seconded by S. Houde to approve the reappointments as discussed and listed in the packet. **Motion passed 3-0.**

*Reserve Fund Transfer – Planning Board, Public Hearing Expenses* – R. Pontbriand is asking for the BOS 's consideration on a RFT for the Planning Board in the amount of \$1,700 for unforeseen legal ads.

**Motion:** A motion was made by S. Houde and seconded by S. Copeland to approve the RFT in the amount of \$1,700 in account 01175-55801. **Motion passed 3-0**

*BOS 2020 Summer Schedule* – The BOS discussed the upcoming summer scheduled and decided to meet on July 14, 2020 and August 11, 2020 at 6:00 PM with the understanding that additional meetings could be called if necessary.

*Rescheduling of June 16, 2020 BOS Meeting* – The BOS decided to meet for their second meeting in June on June 30, 2020 instead of June 16, 2020, which is the night after Town Meeting.

**New Business/Selectmen's Questions:** S. Copeland reported that there is a Peaceful Protest March being held on June 25, 2020 at 2:00 PM, which is a youth led movement in response to the death of George Floyd.

**Approval of Meeting Minutes:**

**Motion:** A motion was made by J. Livingston and seconded by S. Copeland to approve the meeting minutes from February 25, 2020 and May 19, 2020. **Motion passed 3-0.**

**Reorganization of the Board of Selectmen:** S. Houde stated that every year after the annual election the BOS reorganizes. He congratulated J. Livingston on her recent reelection. He stated that the BOS has been running on a rotation basis where members migrate through the different seats. He stated that S. Copeland was up next for the Chairmanship. S. Houde stated S. Copeland could think about it. S. Copleand said he would take the Chairmanship.

**Motion:** A motion was made by S. Houde and seconded by J. Livingston to appoint S. Copeland as the Chair of the Board of Selectmen. **Motion passed 3-0.**

**Motion:** A motion was made by S. Houde and seconded by S. Copeland to appoint J. Livingston as the Clerk of the Board of Selectmen. **Motion passed 3-0**

**Motion:** A motion was made by J. Livingston and seconded by S. Copeland to appoint S. Houde as the Vice-Chair of the Board of Selectmen. **Motion passed 3-0**

**Adjournment:**

**Motion:** A motion was made by S. Houde and seconded by J. Livingston to adjourn at 7:08 PM. **Motion passed 3-0.**

Minutes Recorded and Submitted by Carly M. Antonellis, Assistant Town Manager

Date Minutes Approved by BOS: 30 JUN 20

Signature Indicating Approval: 