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TOWN OF AYER  
TOWN CLERK

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



*Broadcast and Recorded by APAC*

**Tuesday February 2, 2021**  
**Open Session Meeting Minutes**

**SB Present:** Shaun C. Copeland, Chair; Scott A. Houde, Vice-Chair; Jannice L. Livingston, Clerk  
*All Via Remote Participation*

**Also Present:** Robert A. Pontbriand, Town Manager  
Carly M. Antonellis, Assistant Town Manager  
*Both Via Remote Participation*

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

**Remote Access:** S. Copeland 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. All votes will be taken by Roll Call.

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

**Announcements:** None

**Approval of Meeting Agenda:**

**Motion:** A motion was made by S. Houde and seconded by J. Livingston to approve the meeting agenda. **Roll Call:** S. Copeland, aye; S. Houde, aye; J. Livingston, aye. **Motion passed by Roll Call Vote 3-0.**

**Public Input:** None

**Treasurer/Tax Collector Barbara Tierney:** *Approval of Massachusetts Clean Water Trust Loan #DWP-20-04 –* B. Tierney presented the documents from the Massachusetts Clean Water Trust Loan, which the Town received at 0% interest for construction of the Spectacle Pond PFAS Treatment Plant.

**Motion:** A motion was made by J. Livingston and seconded by S. Houde (1) that the Town shall issue a bond or bonds in an aggregate principal amount not to exceed \$6,052,983 (the "Bonds") pursuant to Chapters 29C and 44 of the General Laws, of which \$2,812,983 is under a vote of the Town passed October 28, 2019 (Article 2), which authorized a total borrowing of \$3,570,000; \$2,630,000 is under a vote of the Town passed June 15, 2020 (Article 11), which authorized a total borrowing of \$2,630,000; and \$610,000 is under a vote of the Town passed October 26, 2020 (Article 5), which authorized a total borrowing of \$610,000, for the drinking water project identified in such votes (the "Project"); (2) that in anticipation of the issuance of the Bonds the Treasurer is authorized to issue an interim loan note or notes (the "Notes") from time to time in an aggregate principal amount not to exceed \$6,052,983; (3) that each Bond or Note shall be issued as a single registered security, and sold to the Massachusetts Clean Water Trust (the "Trust") at a price determined pursuant to the Financing Agreement; (4) that the Treasurer is authorized to determine the date, the form, the maximum interest rate and the principal maturities of each Bond and Note, and to execute a Financing Agreement (or Agreements) with the Trust with respect to the sale of the Bonds and Notes, such date, form and maturities and

the specific interest rate or rates of the Bonds and Notes to be approved by a majority of the Select Board and the Treasurer and evidenced by their execution of the Bonds or Notes; (5) that all action taken to date by the Town and its officers and agents to carry out the Project and its financing, including the execution of any loan commitment or agreement by the Treasurer, are hereby ratified, approved and confirmed; and (6) that the Treasurer and the other appropriate Town officials are each hereby authorized to take any and all actions necessary or convenient to carry out the provisions of this vote, including execution and delivery of the Financing Agreement(s) and the Project Regulatory Agreement(s) relating to the Project. **Roll Call:** S. Copeland, aye; S. Houde, aye; J. Livingston, aye. **Motion passed by Roll Call Vote 3-0.**

**Town Manager's Report:** *Administrative Update/Review of Town Warrant(s)* - R. Pontbriand provided the Select Board with an update on the various activities, initiatives, and projects of the Administration since the Select Board last met. He also provided a list of signed Town Warrants in the meeting packet. He stated that the main focus of the Administration is the budget. The 2<sup>nd</sup> DRAFT of the budget will be ready in the next several days, which will reflect some additional savings. He stated that he will be attending a Nashoba Valley Regional Technical High School remote meeting on Friday to get the FY '22 budget figures. He reported that health insurance rates will be coming in within the next two weeks. He reminded the SB that all FY '22 budget information is on the website.

*COVID-19 Update* - R. Pontbriand reported that things are mainly status quo and the Town of Ayer is listed as red on the State's COVID-19 map. He reported that vaccine clinic sponsored by the Nashoba Associated Boards of Health for first responders was successful. He stated that there is a lot of frustration around the Commonwealth about the lack of available vaccines. The Ayer COA has been compiling a list of residents over the age of 75+ in coordination with the Nashoba Boards of Health. He will continue to work with his colleagues in the region to lobby for additional vaccines and a mass vaccination site.

*FY '22 Budget Update* - R. Pontbriand stated that he covered the budget update under his administrative update.

*ABCC Seasonal Population Estimate* - R. Pontbriand stated that the ABCC requires the Town to submit an Annual Population Estimate Form. This typically affects destination cities and towns, found on Cape Cod or the Berkshires whose populations temporarily increase in the summer and fall seasons. Ayer's seasonal population will remain the same at 7519.

**Motion:** A motion was made by S. Houde and seconded by J. Livingston to approve the ABCC seasonal population estimate. **Roll Call:** S. Copeland, aye; S. Houde, aye; J. Livingston, aye. **Motion passed by Roll Call Vote 3-0.**

**New Business/Selectmen's Questions:** *Rate Review Committee Update (Select Board Member Livingston)* - J. Livingston stated that Rate Review Committee met recently on Jan. 26, 2021. She stated that nothing has been finalized. The Rate Review Public Hearing will be held the last meeting of March. She stated that the Committee went over the FY'22 Water and Wastewater operating budgets. She stated that there was a discussion about the possibility of adding two new positions: Water and Sewer Superintendent and a part-time Assistant Billing Manager. The goal of adding these positions is to provide back-up for the Superintendent and the Business Manager.

**Approval of Meeting Minutes:** A motion was made by J. Livingston and seconded by S. Houde to approve the Meeting Minutes from January 19, 2021. **Roll Call:** S. Copeland, aye; S. Houde, aye; J. Livingston, aye. **Motion passed by Roll Call Vote 3-0.**

**Executive Session Pursuant to MGL c. 30A, sec. 21A:** **Motion:** A motion was made at 6:30 PM by S. Houde and seconded by J. Livingston to enter into Executive Session pursuant to MGL c. 30A, sec.21A Exemption #2 (Non-Union Negotiations) Deputy Fire Chief Contract and to adjourn at the conclusion of the Executive Session. S. Houde further stated that to discuss this matter in Open Session would be detrimental to the Town's

negotiating strategy. **Roll Call:** S. Copeland, aye; S. Houde, aye; J. Livingston, aye. **Motion passed by Roll Call Vote 3-0.**

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

Date Minutes Approved by BOS: 18 Feb 2021

Signature Indicating Approval: 