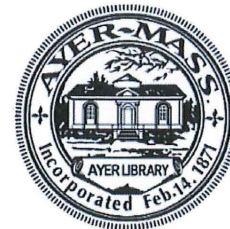


Town of Ayer
Ayer Select Board
Ayer Town Hall – 1st Floor Meeting Room
Ayer, MA 01432



Broadcast and Recorded by APAC

Thursday February 18, 2021
Open Session Meeting Minutes

SB Present: Scott A. Houde, Vice-Chair; Jannice L. Livingston, Clerk
Both Via Remote Participation

SB Absent: Shaun C. Copeland, Chair

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

Call to Order: S. Houde called the meeting to order at 5:01 PM.

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. All votes will be taken by Roll Call.

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

Approval of Meeting Agenda: R. Pontbriand is requesting to remove #2 from the DPW Superintendent's Report "MOA for Wastewater Discharge Permit – Nasoya Foods".

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve the meeting agenda, as amended. **Roll Call:** S. Houde, aye; J. Livingston, aye. **Motion passed by Roll Call Vote 2-0.**

Announcements: None

Public Input: None

Alan Manoian, Director, Community & Economic Development: *Presentation of Citations for Ayer Sesquicentennial Celebration* – A. Manoian presented four official citations from the Massachusetts Legislature, the Governor, Congresswoman Lori Trahan and the USS Constitution Flag Raising Ceremony congratulating Ayer on celebrating their Sesquicentennial Celebration. The SB was also joined by State Senator Jamie Eldridge who offered congratulatory remarks.

Catania Spagna Proposed Expansion, 1 Nemco Way: - The SB was joined by Catania Spagna CEO Anthony Basile, Chief Finance Officer Mike Coutu and Lynn Tokarczyk from Government Tax Incentives Consultant from Business Development Strategies, Inc. to discuss a proposed expansion at Catania Spagna located at 1 Nemco Way. The company gave a brief presentation of the company's history and plans to construct a 50,000 +/- sq. ft addition to expand its bottling capabilities. The project investment is estimated at \$14.4 million dollars, including \$6.3 million in construction costs, \$2.6 million for infrastructure costs and \$5.5 million in personal

property. Catania Spagna has submitted a Massachusetts Economic Development Incentive Program (TIF) Intent Letter to the Town of Ayer. R. Pontbriand explained the process of the TIF, saying that the Select Board would need to endorse the TIF and it would then be submitted on the Annual Town Meeting Warrant. If the article is successful at Town meeting, then it would need State approval. J. Livingston stated that she looked forward to continuing the conversation and viewed this as a positive for the Town.

Alicia Hersey, Program Manager, Community Development Office: *Affordable Housing Trust Bylaw Update* – A. Hersey stated that in 2020 Fall Town Meeting approved the creation of an Affordable Housing Trust. Since that time, bylaws have been drafted and will be presented to the Annual Town Meeting in April. There will be a Public Input Session on February 24, 2021. After Town Meeting, the Housing Trust will be looking for members to serve on the trust. There will be 7 members - 1 from the SB, 1 from the Planning Board, 1 from the CPC, and 1 from the Affordable Housing Committee and the remaining seats will be At-Large.

Mark Wetzel, Superintendent, Department of Public Works: *Street Opening and Driveway/Accessway Permit Regulations* – M. Wetzel stated that on Jan. 19th, he presented the DRAFT regulations. They were then posted on the Town's website for comments/questions. He is requesting approval by the Select Board. J. Livingston asked if there was any confusion from anyone. M. Wetzel stated that he fielded a few questions but explained there were just making updates and nothing substantive was changing.

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve the Street Opening and Driveway/Accessway Permit Regulations. **Roll Call:** S. Houde, aye; J. Livingston, aye. **Motion passed by Roll Call Vote 2-0.**

Execution of Contract - Wastewater Treat. Plant Alum Flow Pacing – M. Wetzel stated that General bids for the Alum Flow Pacing Improvement Project at the Ayer Wastewater Treatment Plant were received at the DPW on December 10, 2020. The Town received four (4) bids ranging from \$97,500.00 to \$135,000.00. The low bidder is Weston & Sampson CMR, Inc. from Reading, MA. This project is required by the US EPA to meet the NPDES permit requirements for the Ayer Wastewater Treatment Plant. M. Wetzel is recommending executing the contract with Weston & Sampson CMR, Inc. for \$97,500.00 for signature by the Board.

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve the contract between the Town of Ayer and Weston and Sampson CMR, Inc. in the amount of \$97,500 for signature by the Board. **Roll Call:** S. Houde, aye; J. Livingston, aye. **Motion passed by Roll Call Vote 2-0.**

Spectacle Pond Well 1A Replacement Well Change Order 1 – M. Wetzel presented Change Order 1 for the construction of the replacement well for Spectacle Pond Well 1A. The replacement is required for two reasons: there is holes in the well casing and the well needs to be relocated to site the new PFAS treatment Plant. This change order was requested to change the piping connection from the new well to the existing transmission pipe. The change order is for \$9,452.00 increasing the contract amount to \$271,452. M. Wetzel is recommending approval of Change Order No.1 for Spectacle Pond Well 1A Replacement Well with Dankris Builders, Inc. in the amount of \$9,452.00 for signature by the chair.

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve Change Order 1 between the Town of Ayer and Dankris Builders in the amount of \$9,452. **Roll Call:** S. Houde, aye; J. Livingston, aye. **Motion passed by Roll Call Vote 2-0.**

Grove Pond PFAS Treatment Facility Change Order 2 – M. Wetzel presented Change Order 2 for the Grove Pond Water Treatment Plant PFAS Treatment Facility project. This Change Order includes additional work for the electrical grounding system (\$1,862) required by the electrical code and a credit for the final cost to install the automatic backwash valves (\$-19,669) for a total change order credit amount of \$17,957. He is recommending that the Select Board vote to execute Change Order 2 with Winston Builders.

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve Change Order 2 between the Town of Ayer and Winston Builders in the amount of \$17,957. **Roll Call:** S. Houde, aye; J. Livingston, aye.
Motion passed by Roll Call Vote 2-0.

Wastewater Treatment Plant Upgrade Change Order 2 – M. Wetzel presented Change Order 2 for the Wastewater Treatment Plant Upgrade project that is nearing completion. The change order totals \$12,378.00 and is for additional work to upgrade the fire alarm system to meet the Ayer Fire Department requirements. He is recommending that the Select Board vote to execute Change Order 2 with Winston Builders Corp. for the Wastewater Treatment Plant Upgrade Project in the amount of \$12,378.00 for signature by the Board.

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve Change Order 2 between the Town of Ayer and Winston Builders in the amount of \$12378 for signature by SB. **Roll Call:** S. Houde, aye; J. Livingston, aye. **Motion passed by Roll Call Vote 2-0.**

Proposal for DPW Assistant Supt. for Water & Wastewater and Part Time Clerk - M. Wetzel gave a brief presentation on a proposal for two additional positions in next year's budget to be funded through the water and sewer enterprise funds. The first position is DPW Assistant Superintendent. M. Wetzel stated that the Town of Ayer provides water and sewer services to over 90% of residents and businesses and is dealing with an aging infrastructure. He also noted that there has been a dramatic increase in regulatory requirements and reporting from both the federal and state governments. This position would focus primarily on Water and Wastewater operations. He is proposing that the position be graded at Step 14, with a salary range from \$85K to \$108K. The other position is for an Assistant Water & Sewer Billing Clerk, 19 hours a week. M. Wetzel explained that all water and sewer billing is done by the DPW Business Manager with little back-up support. This will allow for succession planning and will provide a back up person in DPW billing. He is recommending that the Clerical Union position be Graded in Step 3 in the Clerical Union CBA.

J. Livingston stated that the Rate Review Committee will look at these again next week. She feels that the positions are needed and in the long-term these positions will be beneficial for the Town.

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.

COVID-19 Update – R. Pontbriand stated that the things remain status quo. Ayer is still listed as red on the State's map. He and other Town Manager's from the Nashoba Valley Region are focusing on local deployment of the COVID-19 vaccine. He and his colleagues are advocating at the state level to have a regional vaccine site in Devens.

FY '22 Non-Union Cost of Living (COLA) Recommendation – R. Pontbriand stated that each year he makes a recommendation regarding a COLA for non-union, elected officials and call firefighters. If endorsed by the SB, it will be included in the FY '22 omnibus budget and will need Town Meeting approval. R. Pontbriand was joined by Benefits and Payroll Director Kevin Johnston. K. Johnston stated that the Town continues to use 6 key metrics in making a recommendation: the CPI for Boston-Cambridge-Newton area; the Federal Reserve Bank of Boston Monthly Update; survey from neighboring communities; survey from the Massachusetts Municipal Human Resources Association listserv; Social Security benefits and Ayer's Collective Bargaining Agreements. Based on the research, R. Pontbriand is recommending a 2% increase COLA for non-union, elected officials and call firefighters, resulting in about \$40,000. S. Houde asked why there was such a difference between the CPI (.7%) and the Federal Reserve (2.1%). K. Johnston stated that the CPI weights many different sectors of the economy with significant decreases in energy, recreation, apparel. Due to COVID-19, not all data points have been collected for the CPI.

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve a 2% Cost of Living Recommendation for non-union employees, elected officials and call firefighters. **Roll Call:** S. Houde, aye; J. Livingston, aye. **Motion passed by Roll Call Vote 2-0.**

Discussion on the Transfer of the Woodlawn Cemetery to the Town – R. Pontbriand was joined by Rick Sczoklyas and Ms. Ginny Matthews who are current members of the Woodlawn Cemetery Trustees. The cemetery was incorporated in the 1830s. The trustees approached the Town with a request to transfer the cemetery to the Town of Ayer. If successful, the Woodlawn Cemetery would be under the care and custody of the Town of Ayer. He noted that the Town's Master Plan identified the need for a municipally run cemetery. Town Meeting would have to authorize the Select Board to proceed with the Woodlawn Trustees to proceed with the transfer. All property and funds would be transferred to the Town. He is looking to bring this forward at the April 2021 Annual Town Meeting. S. Houde asked what Departments of the Town would take on the additional duties of running a cemetery. R. Pontbriand stated that he envisions the Finance Manager, the DPW and the Town Clerk's Office.

FY '22 Budget and Annual Town Meeting Update – R. Pontbriand stated that DRAFT #2 of the Omnibus Budget has been completed and will be put on the Town's website. The initial budget was a 4.9% increase and with DRAFT #2 is down to approximately 2.9%. He reminded the SB that the warrant closes at 12:00 PM on Friday April 2, 2021.

New Business/Selectmen's Questions: S. Houde stated that he would like to reengage with the Scouts in Ayer. Previously, before COVID-19, the SB would invite the Scouts to meetings to recognize various accomplishments.

Approval of Meeting Minutes: A motion was made by J. Livingston and seconded by S. Houde to approve the Meeting Minutes from February 2, 2021. **Roll Call:** S. Houde, aye; J. Livingston, aye. **Motion passed by Roll Call Vote 2-0.**

Adjournment: A motion was made by J. Livingston and seconded by S. Houde to adjourn at 6:40PM. **Roll Call:** S. Houde, aye; J. Livingston, aye. **Motion passed by Roll Call Vote 2-0.**

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

Date Minutes Approved by BOS: 16 MAR 21

Signature Indicating Approval: 