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AUG 18 2021

TOWN OF AYER
TOWN CLERK

2:20pm

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



Broadcast and Recorded by APAC

Tuesday June 15, 2021
Open Session Meeting Minutes

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

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

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

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

Announcements: None

Approval of Meeting Agenda: R. Pontbriand asked to add an item under his report, a Reserve Fund Transfer for the I.T. Department.

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

Recognition Ayer Shirley Regional School District Superintendent Dr. Mary Malone: The Select Board recognized Dr. Mary Malone, Superintendent of Schools who will be retiring on June 30, 2021. The Board presented Dr. Malone with a certificate and flowers and thanked her for her service.

Recognition of Ayer Police Chief, William A. Murray: The Select Board was joined by Chief Murray, his family, department members, and area Police Chiefs. The Select Board recognized Chief Murray's 33+ years of service to the Town of Ayer. Chief Murray will be retiring on June 30, 2021, and will be staying on in a consulting role to complete department accreditation. The Board presented Chief Murray with a certificate and gift and also presented Mrs. Murray with flowers.

Public Input - None

Mark Wetzel, Director, Dept. of Public Works: *Stormwater Asset Management Grant Funding* – M. Wetzel stated that Town was awarded grant funding, which is administered through the Clean Water SRF program for creation of a Stormwater Asset Management Program. The grant is for \$72,750. The SRF final grant submittal requires the Select Board to authorize the Town Manager to file applications.

Motion: A motion was made by S. Houde and seconded by J. Livingston to authorize the Town Manager to file applications for the Stormwater Asset Management Grant Funding program. **Roll Call:** S. Houde, aye; J. Livingston, aye; S. Copeland, aye. **Motion passed by Roll Call Vote 3-0.**

Approval of Change Order 1 Wright Rd Water Main Replacement Project – M. Wetzel stated that the change order amount is for \$24,392.55. The changes are from the addition of a hydrant replacement on Sedgeway, replacement of two 6-inch gate valves and a 2-inch water service, and balancing cost from actual quantities installed.

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve Change Order 1 for the Wright Rd. Water Replacement Project. **Roll Call:** S. Houde, aye; J. Livingston, aye; S. Copeland, aye. **Motion passed by Roll Call Vote 3-0.**

Execution of Contract for Westford Road Sewer Replacement – M. Wetzel reported that general bids for the Westford Road Sewer Replacement Project were received at the DPW on June 9, 2021. The Town received 3 bids ranging from \$165,100.00 to \$220,400.00. The apparent low bidder was Commonwealth Construction & Utilities, Inc. from Watertown, MA. This work is related to the Westford Road sewer update provided by Director Wetzel on April 20, 2021, to the Select Board. This project is funded through wastewater I/I capital budget. He is recommending approval with signature by the Board.

Motion: A motion was made by S. Houde and seconded by J. Livingston to execute the contract for the Westford Road Sewer Replacement Project. **Roll Call:** S. Houde, aye; J. Livingston, aye; S. Copeland, aye. **Motion passed by Roll Call Vote 3-0.**

Debrief of Major Construction/Development Projects – Per Select Board Member Houde's request at the last meeting, M. Wetzel presented a list of all major construction and development projects. R. Pontbriand also gave information on Planning Board projects.

MS4 Stormwater Permit Update – Town Engineer Dan Van Schalkwyk gave a presentation to the Select Board on the Town's MS4 Stormwater Permit. He reported that for next year (Year 4) the Town will be working on reports/studies related to green infrastructure, impervious cover and BMP retrofits. The Town will also focus on more public education for residents.

Alan Manoian, Director, Community & Economic Development: *ADA Self-Evaluation & Transition Plan* – A. Manoian was joined by CDBG Program Manager Alicia Hersey and Mr. Blair Haney from MRPC and presented the DRAFT ADA Self Evaluation and Transition Plan, which will be submitted by June 30, 2021. A. Manoian stated he is doing the final review and that no substantive changes will be made by June 30, 2021. J. Livingston pointed out a typo on page 5, where it says "George W. Bush" and instead should be "George H.W. Bush". A. Manoian stated that the town is working on an overall policy to addressing physical and architectural barriers.

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve the DRAFT ADA Self Evaluation and Transition Plan with noted comments. **Roll Call:** S. Houde, aye; J. Livingston, aye; S. Copeland, 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 reported that departmental evaluations are underway and noted that some of last year's goals will be carried forth due to COVID – 19 impacts. He stated that FY '21 year-end finances remain in good shape and that revenue remains on target. He then reported that the Director of COA Karin Swanfeldt will be retiring on July 2, 2021. The COA will be co-hosting a pasta dinner event with the Fire Department next week. He reported that the State has certified the TIF with Catania Oils.

COVID-19 Update/Reopening Plan Update – R. Pontbriand stated that today is officially the last day of the State of Emergency. All municipal buildings are open and Boards and Committees, starting today will return to in-person meetings.

Appointments – R. Pontbriand is recommending the appointment of Ms. Carolyn McCreary to the Council on Aging Board of Directions to fill an unexpired term expiring on June 30, 2022. Ms. McCreary joined the Board and stated she would like to use her experience to help the COA during the upcoming period of transition.

Motion: A motion was made by S. Houde and seconded by J. Livingston to appoint Ms. Carolyn McCreary to the Council on Aging Board of Director to fill an unexpired term to expire on June 30, 2022. **Roll Call:** S. Houde, aye; J. Livingston, aye; S. Copeland, aye. **Motion passed by Roll Call Vote 3-0.**

R. Pontbriand is also recommending that the Select Board appoint Mr. James Stephen of Ayer to the Ayer Affordable Housing Committee for the balance of a three-year term to expire on June 30, 2022.

Motion: A motion was made by S. Houde and seconded by J. Livingston to appoint Mr. James Stephen to the Affordable Housing Committee to fill an unexpired term to expire on June 30, 2022. **Roll Call:** S. Houde, aye; J. Livingston, aye; S. Copeland, aye. **Motion passed by Roll Call Vote 3-0.**

2021 Reappointments (Part 2) – C. Antonellis is requesting that the following residents be reappointed to the following committees with their corresponding expiration dates:

Expiring Term List		
Board / Committee	Current Member	Length of Term
ENERGY COMMITTEE	Ken Diskin	3 Years
ENERGY COMMITTEE	Carolyn McCreary	3 Years
INDUSTRIAL DEVELOPMENT FINANCE AUTHORITY	Francis P. Callahan	5 Years
TREE WARDEN	Mark Dixon	3 Years
ZONING BOARD OF APPEALS	John Ellis	3 Years
ZONING BOARD OF APPEALS	Ron Defilippo	3 Years

Motion: A motion was made by J. Livingston and seconded by S. Houde to reappoint the residents to the committees as listed above and outlined in the packet. **Roll Call:** S. Houde, aye; J. Livingston, aye; S. Copeland, aye. **Motion passed by Roll Call Vote 3-0.**

The SB then discussed Committee assignments. S. Houde stated he would like to remain on Capital Planning and Executive Bi-Board; S. Copeland will remain on MJTC, serve as the alternate on the MRPC and will remain on the OPEB Committee; J. Livingston will remain on the Rate Review Committee.

Motion: A motion was made by J. Livingston and seconded by S. Houde to reappoint the Select Board members to the slate of positions as discussed. **Roll Call:** S. Houde, aye; J. Livingston, aye; S. Copeland, aye. **Motion passed by Roll Call Vote 3-0.**

Proposed Town Hall Change of Hours, Effective July 1, 2021 – R. Pontbriand presented a minor change in the hours of Town Hall, stating that his proposal is to close at 6:00 PM on Tuesdays (instead of 7:00 PM) and remain open until 2:00 PM on Fridays (instead of 1:00 PM). He noted that in consultation with all Town Hall Departments, most evening customers/public business for the Town Hall on Tuesdays occurs between 4:00 PM and 6:00 PM with very little public business after 6:00 PM.

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve the Town Hall change in hours as discussed. **Roll Call:** S. Houde, aye; J. Livingston, aye; S. Copeland, aye. **Motion passed by Roll Call Vote 3-0.**

Approval of Available Beer/Wine License Process – C. Antonellis presented the Select Board with a proposed process to advertise the available beer and wine license and was asking for Select Board input. She is proposing the following: advertise the availability of the license and receive letters of interest through July 2, 2021; have appropriate Department Heads review letters of interest for comment for Select Board; July 14, 2021 – Hold

informational meeting during SB meeting to hear from interested parties; SB select one interested party and invite to apply for available license; proceed with regular process. C. Antonellis asked whether the license should be advertised in the newspaper. J. Livingston did not feel as though that was necessary.

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve the process as presented including advertising in the local newspaper. J. Livingston stated that she would not support that motion.

Further Motion: A motion was made by S. Houde and seconded by S. Copeland to advertise the vacancy in the newspaper. **Roll Call:** S. Houde, aye; J. Livingston, no; S. Copeland, aye. **Motion passed by Roll Call Vote 2-1.**

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

Reserve Fund Transfer (RFT) – Information Technology Department: R. Pontbriand is requesting the approval of a RFT in the amount of \$14,000 in account 01166. He explained that the IT Director was out on sick leave for several weeks requiring unforeseen use of Drivetech Technical Support.

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve the RFT in the amount of \$14,000 in account 01166. **Roll Call:** S. Houde, aye; J. Livingston, aye; S. Copeland, aye. **Motion passed by Roll Call Vote 3-0.**

New Business/Selectmen's Questions: None

Approval of Meeting Minutes:

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve the Meeting Minutes from May 18, 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 Chapter 30A, Section 21A:

Motion: At 7:38 PM, a motion was made by J. Livingston and seconded by S. Houde to enter into Executive Session pursuant to Massachusetts General Law Chapter 30A, Section 21A Exemption #2 (Non-Union Contract Negotiations) for the Assessing Administrator and the Police Chief and to adjourn from the conclusion of the Executive Session. J. Livingston further stated that to discuss these items in Open Session would be detrimental to the Town's negotiating strategy. **Roll Call:** S. Houde, aye; J. Livingston, aye; S. Copeland, aye. **Motion passed by Roll Call Vote 3-0.**

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

Date Minutes Approved by SB: Aug 17 2021

Signature Indicating Approval: 