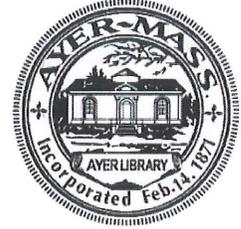


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AUG 18 2021

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

Wednesday July 14, 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, an Appointment to the Board of Registrars. He also asked about adding a set of minutes from June 15, 2021, that was sent to the SB yesterday for review. The Board will wait to consider the approval of these minutes until the 8/17/21 SB meeting.

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

Recognition Ayer Council on Aging Director Karin Dynice-Swanfeldt: The Select Board recognized COA Director Karin Dynice-Swanfeldt who retired on July 2, 2021. The Board presented COA Board Member Sr. Paula McCrea with a certificate of recognition, gift and flowers because Ms. Dynice-Swanfeldt was not in attendance. R. Pontbriand noted that the COA Board of Directors were in attendance. Board Chair Ms. Carolyn McCreary stated that the COA Board was energized to work with Ayer's senior population.

Public Input - None

Public Hearing - G.L. c. 138 sec. 12 - All Alcohol Restaurant License - 7 Depot Square - 7 KD Ayer, LLC.: J. Livingston opened the public hearing at 6:08 PM by reading the public hearing notice as advertised in the Nashoba Valley Voice on June 25, 2021. Derek Bobola and Kim Prunty were in attendance. Mr. Bobola stated that he and his sister, Ms. Prunty operate three other locations in Dracut, Nashua, NH, and Milford, NH. They are hoping to open The Next Stop Pub and Grill by mid-August.

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve the application for a new c. 138, sec. 12 all alcohol on premise license for 7KD Ayer, LLC., d/b/a The Next Stop Pub and Grill. **Motion passed 3-0.**

Motion: A motion was made by J. Livingston and seconded by S. Houde to close the Public Hearing at 6:14 PM.
Motion passed 3-0.

Mark Wetzel, Director, Dept. of Public Works: *Approval of Bottled Water Rebate Program* - M. Wetzel was in attendance. He stated that while the Ayer DPW has made tremendous progress in eliminating PFAS from the Town's drinking water, until the Spectacle Pond treatment facility is constructed, the Town will be in violation of the Massachusetts Drinking Water standard of 20 ppt. The MassDEP is requesting that the Town develop a program to provide alternative water supply to sensitive populations. M. Wetzel is proposing offering a rebate on water bills based on the average daily drinking/ cooking water consumption and the cost of bottled water. The program has

been submitted to MassDEP for their approval. He is recommending that the SB approve this program and he will then advertise.

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve the proposed bottled water rebate program. **Motion passed 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 provided a brief update about the status of MEMA, CARES and ARPA funding relating to COVID-19. He noted that on the ARPA funding, the Town will have until December 2026 to commit funding to project(s). He reported that he is working on the Woodlawn Cemetery transfer and expects to report to the SB in September. He reported that the FY '23 budget calendar would be presented at the September 7, 2021 SB meeting.

Approval of Reclassification of Fire Department Administrative Assistant – R. Pontbriand reported that the Fire Chief submitted a request to reclassify the Fire Department Administrative Assistant as an Office Manager. A reclassification analysis was conducted using the Human Resources Services, Inc. Municipal Classification and Rating Manual. The analysis was conducted by the Assistant Town Manager, Fire Chief, Deputy Fire Chief, and Benefits and Payroll Manager. He is requesting that the SB vote to approve the reclassification of the Fire Department Administrative Assistant to Office Manager at Grade 10, Step 4 effective as of July 1, 2021. Chief Johnston noted the evolution of the position over the past 10-15 years.

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve the reclassification to Office Manager at Grade 10, Step 4 effective July 1, 2021. **Motion passed 3-0.**

Ratification of MassWorks MOA – MassDevelopment for W. Main St. Project – R. Pontbriand stated that due to the end of fiscal year time constraints and in keeping with the project schedule, in order for MassDevelopment to release funding for this fiscal year, the MOA needed to be executed prior to July 9, 2021. He signed the the MOA subject to ratification by the SB. He noted that the MOA was drafted by the Town of Ayer and that MassDevelopment's payment in the amount of \$275,000 was received on July 9, 2021.

Motion: A motion was made by S. Houde and seconded by J. Livingston to ratify the MOA between the Town of Ayer and MassDevelopment for the West Main Street Massworks program. **Motion passed 3-0.**

Final Vote of Approval of Town of Ayer ADA Transition Plan – R. Pontbriand stated that Director of Community and Economic Development Alan Manoian was attending virtually but was having technical difficulties. He asked the SB to vote to approve the Final ADA transition plan, the DRAFT of which was presented at the last SB meeting. R. Pontbriand noted that there will be upcoming training for staff on the ADA plan.

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve the Town of Ayer ADA Transition Plan. **Motion passed 3-0.**

Vote of Approval – Historic Preservation Restriction (HPR) – 14 Washington St. - Historic Fire Station - R. Pontbriand presented the HPR. J. Livingston asked why this was being done three (3) years after the sale of the building. R. Pontbriand stated that it slipped through the cracks at the Department level.

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve the Historic Preservation Restriction for 14 Washington Street, the historic fire station. **Motion passed 3-0.**

Vote to Open the Fall Special Town Meeting Warrant – R. Pontbriand is recommending that the SB open the Fall Special Town Meeting Warrant and to close the warrant for articles and citizen's petitions on Friday October 1, 2021 at 12:00 PM.

Motion: A motion was made by J. Livingston and seconded by S. Houde to open the Fall Special Town Meeting Warrant and to close the warrant for articles and citizen's petitions on Friday October 1, 2021 at 12:00 PM.
Motion passed Vote 3-0.

Appointments – R. Pontbriand presented a letter of interest from Pat Kelly to serve on the Registrar of Voters. He will be filling an unexpired term, expiring on June 30, 2022.

Motion: A motion was made by S. Houde and seconded by J. Livingston to appoint Mr. Patrick Kelly to the Board of the Registrar of Voters with a term to expire on June 30, 2022. **Motion passed 3-0.**

New Business/Selectmen's Questions: None

Approval of Meeting Minutes:

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve the Meeting Minutes from June 1, 2021. **Motion passed 3-0.**

Section 15 Wine & Malt Package Store License – Review Letters of Interest Received and Invite Selected Applicant to Application Process: Ken Wong – General Manager -in Ayer. C. Antonellis recapped that the Town has an available Beer and Wine only Package Store license available. Interested applicants were asked to submit letters of interest to the Town by July 2, 2021. C. Antonellis explained that the Town received letters from 2 interested parties – Global/Montello Alltown Fresh on Harvard Road and Ayer Gulf on Park St. The Town also received an application from Pinard's Florist on Central Ave. The SB heard from Alltown Fresh first and then heard from Khalil and Darene Yatim from Ayer Gulf located on Park Street.

Jon Aieta spoke on behalf of Global Montello stating that at other Alltown sites, that have beer and wine and have had no violations. He noted that all customers get carded at the Point-of-Sale system and all staff are trained and the store is equipped with security cameras. S. Houde asked how the store would be modified if they were to receive the license. J. Aieta stated that the beer and wine would be located in the back left corner of the store. S. Copeland asked if their Plymouth location always had beer and wine. J. Aieta said yes.

Khalil and Darlene Yatim spoke on behalf of Yatim Central Convenience for Ayer Gulf, which they noted was not a giant conglomerate. They also presented a brief slideshow. They have owned and operated a convenience store in Marlborough for the past 25 years. They stated that the Park Street store was large enough to accommodate beer and wine sales, as a lot of the current space is being used for storage.

SB members discussed the application from Pinard's and had questions about their proposal. There was no one in attendance from Pinard's Florist.

J. Livingston noted that the SB had a difficult decision to make. The SB discussed the applicants. They noted that Park Street is in the process of a redevelopment plan to transform it to a traditional downtown neighborhood. The SB liked the idea of further investment into Park Street.

Motion: A motion was made by S. Houde and seconded by J. Livingston to invite Yatim Central Convenience for Ayer Gulf, Park Street location to the formal application process for the available Sec. 15 Beer/Wine License. **Motion passed 3-0.**

Adjournment:

Motion: A motion was made by J. Livingston and seconded by S. Houde to adjourn at 7:25 PM. **Motion passed 3-0.**

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

Date Minutes Approved by SB: Aug 17 2021

Signature Indicating Approval: 