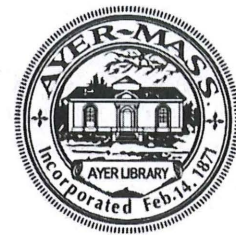


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MAR 17 2022

CV
TOWN OF AYER
TOWN CLERK

1:45pm

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



Broadcast and Recorded by APAC

Tuesday February 15, 2022
Open Session Meeting Minutes

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

Also Remotely 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. Due to the ongoing COVID-19 Pandemic, in accordance with Chapter 20 of the Acts of 2021, suspending certain provisions of the Open Meeting Law (OML), public bodies otherwise governed by the OML are temporarily relieved from the requirement that meetings be held in public places, open and physically accessible to the public, so long as measures are taken to ensure public access to the bodies' deliberations "through adequate, alternative means." This meeting will be live on Zoom and Channel 8. S. Copeland stated that 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:

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve the meeting agenda. **By Roll Call**

Vote: S. Copeland, aye; J. Livingston, aye; S. Houde, aye; **Motion passed 3-0.**

Announcements: None

Public Input: None

Public Hearing - Application for Flammable and Combustible Liquids, Gases and Solids License (G.L. 148 sec. 13) - Lexvest Ayer, LLC, 1B Sculley Road (Assessor's Map 33 Parcel 26): J. Livingston opened the Public Hearing at 6:05 PM by reading the Public Hearing Notice. The applicant is seeking a new Flammable and Combustible Liquids, Gases and Solids License for the storage of up to 2,000 gallons of propane pursuant to M.G.L. 148 sec. 13. Terry Atwood and Andrea Willette from Lexvest Ayer, LLC were in attendance. Fire Chief Tim Johnston stated that during recent upgrades it was discovered there were no permits on file, but the tanks have been on the property. The new owners are looking to properly permit the site. He stated that there are temporary tanks there now until the license is approved. Both the Fire Dept. and Plumbing Inspector are satisfied. Chief Johnston added that the company has been very helpful.

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve the license for flammable and combustible liquids, gases and solids for Lexvest Ayer, LLC. **By Roll Call Vote:** S. Copeland, aye; J. Livingston, aye; S. Houde, aye; **Motion passed 3-0.**

Motion: A motion was made by J. Livingston and seconded by S. Houde to close the Public Hearing at 6:09 PM. **By Roll Call Vote:** S. Copeland, aye; J. Livingston, aye; S. Houde, aye; **Motion passed 3-0.**

Public Hearing - Application for Transfer of Wine & Malt Beverages Package Store License and Change of Location from Ayer Beer & Wine Corp., 210D West Main Street to Global Montello Group Corp., d/b/a Alltown Fresh Ayer, 28 Harvard Rd.: J. Livingston opened the Public Hearing at 6:10 PM by reading the Public Hearing Notice. Attorney Jon Aieta, McDermott, Quilty and Miller LLP was joined by the proposed Manager of Record for Alltown Fresh Ayer, Jonathan Cantillon. Attorney Aieta stated that Global Montello Group Corp. purchased the underutilized license from Ayer Beer and Wine Corp. He said that Global Montello currently has nine (9) licenses in Massachusetts, and they

have no violations at either a local licensing board or the ABCC. All staff will be trained and the store's point of sale system mandates that any customer buying an age restricted product produce a valid ID. He noted that because the store is open 24 hours, they will secure the alcohol from 11:00 AM – 7:00 AM because sales are not permitted at that time.

J. Livingston stated that when there was a beer and wine license available the SB heard Global's presentation and there was nothing detrimental and she has no issues. S. Houde asked how the alcohol will be separated during the hours when sales are prohibited. Attorney Aieta stated that items on the shelves will be covered, and the walk-in coolers will be locked.

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve the transfer and change of location for a section 15 beer/wine license from Ayer Beer and Wine Corp. to Global Montello Group Corp. 28 Harvard Road, Ayer. **By Roll Call Vote:** S. Copeland, aye; J. Livingston, aye; S. Houde, aye; **Motion passed 3-0.**

Motion: A motion was made by J. Livingston and seconded by S. Houde to close the Public Hearing at 6:19 PM. **By Roll Call Vote:** S. Copeland, aye; J. Livingston, aye; S. Houde, aye; **Motion passed 3-0.**

Presentation of the FY '23 Ayer Shirley Regional School District Budget - Dr. Adam Renda, Superintendent of Schools: Dr. Renda was joined by Bill Plunkett, Business Manager; Charlie Caliri, Assistant Superintendent and Joyce Reischutz, Shirley Representative to the Ayer Shirley Regional School Committee.

Dr. Renda stated that there would be a public hearing on the budget on March 1, 2022. Dr. Renda reported that District Enrollment is up about 19 students from the previous year. The Choice Out enrollment has increased by 11 students and the Choice In enrollment is down 13, mostly because the Choice In option has been closed for all levels, except grades 9 and 10. There are 2 fewer students from Ayer attending the Charter School and 4 more students attending Nashoba Tech. Dr. Renda stated that the new field project and the recent accreditation of the high school will help attract more students. Dr. Renda stated that the Special Education Enrollment is 21.5% of the total enrollment or 352 students. He stated that the Special Education Out of District Costs in FY'23 is expected to range from \$38,000 to \$328,000 per placement, which is 8.9% of the total budget.

Mr. Plunkett presented the budget drivers for FY '23, he stated that health insurance, employee salaries, and transportation. He stated that overall revenue is up about \$189,000 compared to last year. He reported that the overall district operating assessment would increase by 3.4%, which is an increase of about \$670,000 dollars. The Towns of Ayer and Shirley both pay above the required local contribution. The Ayer assessment, without debt service would be, \$11,759,189, an increase of \$485,007 or 4.1%. The Ayer assessment, with debt service would be, \$12,670,130, an increase of \$463,216 or 3.7%.

S. Houde asked if the School District was setting aside funding for GASB 45 for Other Post-Employment Benefits. B. Plunkett stated yes, they have started making initial contributions and is planning to make a transfer from the Excess and Deficiency Fund when it is certified.

S. Houde stated that 2.5 years ago the SB had discussed with the Finance Committee, the School Committee submitting a letter of intent for either a new elementary school or upgrade to the existing Page Hilltop and asked what if there were any plans on the horizon to address it. B. Plunkett stated that it's a long process and the School District is looking to submit a letter of intent next year, which will be due in May of 2023.

J. Reischutz thanked S. Houde for his question. She said both Towns should organize a committee to discuss the upcoming project.

Finance Committee member L. Conrad asked if the information could be presented ahead of time. C. Antonellis stated yes, that it was on the website, but she'll make sure the committee gets it ahead of time. L. Conrad then asked Dr. Renda about the timing of the field project. Dr. Renda stated that right before he was hired, that the Town of Shirley voted yes on the project after the 3rd attempt, which was in April of 2021. Since then, a committee has been working with the general contractor and the project designer. Bids were opened for the project today and they are looking to

break ground in April. Ayer representative to the Ayer Shirley School Committee Michele Granger stated that once the project passed in Shirley, there has been a field subcommittee meeting to put the final bid together.

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. R. Pontbriand stated that the main focus has been the FY'23 budget and Town Meeting preparations.

FY '23 Budget Update - R. Pontbriand stated that all budget documents are available on the Town's website. At the March 1, 2022, under the Town Manager's Report, DRAFT #2 of the FY '23 budget will be released. The 2nd Public Budget Forum will be held on Wednesday March 16, 2022, at 6:00 PM.

FY '23 COLA Recommendation - Benefits and Payroll Manager Kevin Johnston joined the SB and referenced his memo in the meeting packet regarding the FY '23 Cost of Living Adjustment Recommendation. R. Pontbriand is recommending that the Board consider a 2% COLA on July 1, 2022 for all non-union personnel, call firefighters and compensated elected officials. The estimated budgetary impact is \$50,000. K. Johnston reviewed the provided data including the Consumer Price Index at 6.3%, the Boston CPI at 2.1%, responses from a survey of neighboring communities, in addition to a statewide survey, Social Security Benefits increasing by 5.9% and Ayer's Collective Bargaining Agreements increasing by 2%.

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve a FY 2023 2% COLA as recommended for non-union personnel, call firefighters and compensated elected officials. **By Roll Call Vote:** S. Copeland, aye; J. Livingston, aye; S. Houde, aye; **Motion passed 3-0.**

New Business/Selectmen's Questions: S. Copeland stated that since the COVID-19 seem to be decreasing, he would like to discuss returning to in-person meetings at the March 1, 2022 meeting.

Approval of Meeting Minutes: J. Livingston stated that she noticed a typo on page 1, where intimidating needed to be changed to intimidating on the January 18, 2022 minutes.

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve the January 18, 2022 meeting minutes, as amended. **By Roll Call Vote:** S. Copeland, abstain; J. Livingston, aye; S. Houde, aye; **Motion passed 2-0-1.**

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve January 26, 2022 meeting minutes. **By Roll Call Vote:** S. Copeland, aye; J. Livingston, aye; S. Houde, aye; **Motion passed 3-0.**

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve the February 1, 2022 meeting minutes. **By Roll Call Vote:** S. Copeland, aye; J. Livingston, aye; S. Houde, aye; **Motion passed 3-0.**

Executive Session: At 7:08 PM, a motion was made by J. Livingston and seconded by S. Houde to enter into Executive Session, pursuant to MGL c.30A, sec. 21A Exemption #2 (Non-Union Personnel) Building Commissioner and Facilities Director Contract Negotiations and Exemption #3 (Collective Bargaining) Police Superiors contract and to adjourn from Executive Session. J. Livingston further stated that the discuss these items in Open Session would be detrimental to the Town's negotiating strategy. **By Roll Call Vote:** S. Copeland, aye; J. Livingston, aye; S. Houde, aye. **Motion passed 3-0.**

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

Date Minutes Approved by SB: 15 MAR 22

Signature Indicating Approval: 