



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

*Broadcast and Recorded by APAC*

**November 15, 2022  
Open Session Meeting Minutes**

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

**SB Absent:** Jannice L. Livingston, Chair

**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. S. Copeland stated that this meeting/hearing of the Ayer Select Board will be held in-person at the location provided on this notice. Members of the public are welcome to attend this in-person meeting. Please note that while an option for remote attendance and/or participation via Zoom is being provided as a courtesy to the public, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless otherwise required by law. Members of the public with particular interest in a specific item on this agenda should make plans for in-person vs. virtual attendance accordingly. This meeting will be live on Zoom and Channel 8. The public may access the proceedings by joining Zoom (Meeting ID# 897 9080 0793) or by calling (929-205-6099).

**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 S. Houde and seconded by S. Copeland to approve the meeting agenda.

**Motion passed 2-0.**

**Announcements:** S. Copeland announced that the Winter Parking Ban is in effect from November 15 through April 15. This Annual Parking Ban prohibits parking any motor vehicle on any street or sidewalk in the Town of Ayer between the hours of 12:00 AM and 6:00 AM. The Winter Parking Ban also prohibits parking any motor vehicle on any street or sidewalk in the Town of Ayer during a snowstorm.

**Public Input:** None

**Alan Manoian, Director, Community and Economic Development - Expansion of Disabilities**

**Commission from 5 to 7 appointed members:** A. Manoian is requesting to expand the number of seats on the Disabilities Commission from 5 to 7 members. He stated that in 2020, the Town successfully formulated, produced, and submitted a detailed/comprehensive "Town of Ayer ADA Self-Evaluation & Transition Plan" – which has been approved/certified by the Massachusetts Office on Disabilities. The extent of work involved with the Self-Evaluation & Transition Plan will require and benefit from additional appointed members to the Commission.

**Motion:** A motion was made by S. Houde and seconded by S. Copeland to approve the expansion of the Disabilities Commission from five members to seven. **Motion passed 2-0.**

*Appointments to Commission (3)* – A. Manoian is requesting that the following residents be appointed to the Disabilities Commission: Brenda Boisseau, Mindy Titus, and Russell Anderson.

**Motion:** A motion was made by S. Houde and seconded by S. Copeland to appoint Brenda Boisseau to the two-year term and Mindy Titus to the one year term on the Disabilities Commission. **Motion passed 2-0.**

**Motion:** A motion was made by S. Houde and seconded by S. Copeland to appoint Russell Anderson to the vacant seat on the Disabilities Commission. **Motion passed 2-0.**

**Approval of Meeting Minutes:** A motion was made by S. Houde and seconded by S. Copeland to approve the meeting minutes from November 1, 2022. **Motion passed 2-0.**

S. Houde gave a brief update on the Executive Bi-Board Meeting held earlier today. He noted that the Bi-Board has been reviewing the Town's Financial Policies and will be looking at raising the debt exclusion limit, which is currently at \$350,000.

**Public Hearing – FY '23 Tax Classification Hearing with Board of Assessors:** S. Houde opened the public hearing at 6:15 PM. Lynda McQuade, Assessing Administrator gave a presentation stating that the purpose of our tax classification hearing is to adopt a residential factor to determine a residential factor which will determine the percentage share of the tax burden to be allocated to each class of property. The Tax Rate Formula is the Tax Levy/Real & Personal Property Total Value. L. McQuade presented four items as it relates to the FY' 23 tax rate, pursuant to MGL c.40 §56: 1) open space discount, 2) residential exemption 3) small commercial exemption 4) and the adoption of a residential factor. She noted that in FY '23 71% of the total valuation was 71% residential, and 29% Commercial Industrial, Personal Property. The Board of Assessor's are recommending a 1.62 or 1.63 CIP shift factor.

There was no public input.

**Motion:** A motion was made by S. Houde and seconded by S. Copeland to not adopt the open space discount. **Motion passed 2-0.**

**Motion:** A motion was made by S. Houde and seconded by S. Copeland to not adopt the residential exemption. **Motion passed 2-0.**

**Motion:** A motion was made by S. Houde and seconded by S. Copeland to not adopt the small commercial exemption. **Motion passed 2-0.**

**Motion:** A motion was made by S. Houde and seconded by S. Copeland to adopt a 1.63 CIP Shift Factor for FY 2023. **Motion passed 2-0.**

**Motion:** A motion was made by S. Houde and seconded by S. Copeland to close the Public Hearing at 6:30 PM. **Motion passed 2-0.**

**Public Hearing – Calendar Year 23 Solid Waste (Transfer Station) Rates:** S. Houde opened the public hearing at 6:31 PM. DPW Director Dan Van Schalkwyk was in attendance on behalf of the Rate Review Committee. D. Van Schalkwyk gave a presentation on current operations, the current fee schedule and proposed permit fees for calendar year 2023. D. Van Schalkwyk stated that 12 different rate scenarios were evaluated for bag and permit fees. The Rate Review Committee is recommending raising the Annual Permit by \$5 dollars to \$105. He is also recommending changes to the fee structure on bulk items.

S. Houde stated that he has concerns with bag and sticker enforcement. He is also looking for additional information on commercial plates accessing the Transfer Station. D. Van Schalkwyk has been addressing the issues with the black bags and will continue to do so. He would like to look at the issue with the commercial plates. S. Houde asked if there was a way to sell permits/stickers at the site. D. Van Schalkwyk stated that he is sure that it has been looked into in the past, but he hasn't looked at it recently. He will look into and noted that during the COVID pandemic, stickers/permits were sold onsite.

Pauline Conley, 40 Cambridge Street asked if there was a need to make the decision this evening. D. Van Schalkwyk stated many people have already been into the office looking to purchase stickers. P. Conley stated that the average contribution to the Solid Waste Enterprise Fund was \$200,000 and she is recommending \$180,000 in a general fund subsidy, rather than \$160,000 which is being proposed. P. Conley asked what the current revenue from the bags is? D. Van Schalkwyk stated it was \$238,000. She is recommending that the subsidy increases to keep the cost of the bags lower. She believes the cost of the bags is the deterrent for residents using the transfer station. S. Houde said he disagreed. He believes that people do not want to transfer their own trash and are generally unfamiliar with the transfer station. He also thinks that marketing the Transfer Station has been an issue.

P. Conley is asking the SB to relook at the numbers before voting on the matter. There was additional discussion.

**Motion:** A motion was made by S. Houde and seconded by S. Copeland to approve the CY 2023 rates as recommended by the Rate Review Committee and Director Van Schalkwyk. **Motion passed 2-0.**

**Motion:** A motion was made by S. Houde and seconded by S. Copeland to close the public hearing at 7:05 PM. **Motion passed 2-0.**

**Dan Van Schalkwyk, Director, Dept. of Public Works - Mattress and Textile Waste Ban Update:** D. Van Schalkwyk stated that MassDEP has updated their waste ban regulations to include mattresses and textiles as of November 1, 2022. These items must now be recycled. He added that MassDEP's 2030 Solid Waste Master Plan establishes goals to reduce trash disposal statewide by 30 percent over the next decade. He provided a list of locations that will recycle mattresses and textiles.

**Town Manager's Report - Administrative Update/Review of Town Warrant(s):** R. Pontbriand provided a brief Administrative Update to the Select Board on the various activities, initiatives, and projects of the Town since the Select Board last met and referenced the Town Warrants that are in the Select Board's packet that were approved since the Select Board last met. He stated that the FY'24 budget process is well underway and the Capital Planning Committee will be meeting this Thursday.

**New Business/Select Board Member Questions:** None

**Adjournment:** A motion was made by S. Houde and seconded by S. Copeland to adjourn at 7:14 PM. **Motion passed 2-0.**

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

**Date Minutes Approved by SB:** Dec 6 2022

**Signature Indicating Approval:** 