



**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 21, 2023**  
**Open Session Meeting Minutes**

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

**SB Absent:** Scott A. Houde, Chair

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

**Call to Order:** J. Livingston called the meeting to order at 6:01 PM. J. Livingston further stated that this meeting/hearing of the Ayer Select Board (SB) 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. Copeland and seconded by J. Livingston to approve the meeting agenda. **Motion passed 2-0.**

**Announcements:** J. Livingston announced that the Downtown Candlelight Stroll & Tree Lighting will be held on Saturday December 3, 2023 at 5:00 PM and that the winter parking ban will be in effect from November 15 through April 15. This 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.

**Public Input:** None

**Request for Reimbursement for Sewer Connection Fee - 236 Snake Hill Road:** Mark Fermanian, 234 Snake Hill Road, was in attendance concerning a sewer connection fee at 236 Snake Hill Road, a property he also owns. He stated that 30 years he paid \$500 to have the sewer connection stubbed to his property. He never made a connection to the house. The cost for him to connect the house to the system last month was \$6,100. He does not feel like he should have to pay that fee, as he already paid 30 years ago. DPW Director Dan Van Schalkwyk stated that he could see in the DPW records that the line was stubbed to the property, but there was no record of payment because it was so long ago. M. Fermanian checked with his bank, and they don't have check records going back that far. J. Livingston stated that for conversation, she was throwing out reimbursing half of the costs. S. Copeland stated he would be in favor of a full reimbursement. J. Livingston suggested tabling the item until the next

meeting because S. Houde was not in attendance. M. Fermanian agreed. Mr. Fermanian brought up his concern with parking spaces on Main Street. J. Livingston stated that the Town would look into it.

**Dr. Adam Renda, Superintendent, Ayer Shirley Regional School District - Presentation on Federal Entitlement Grants:**

Dr. Adam Renda, Superintendent and Charlie Caliri, Assistant Superintendent joined the SB to discuss federal entitlement grants. C. Caliri stated that over the past 5 years, federal grants have decreased by 43% and they are anticipating they will continue to do so. The federal grants help prepare students for their careers or going to college, and they are all focused on innovative solutions. The Title I grant (which is tied to all other grants) will be reduced. Lura A. White in Shirley is losing their eligibility to access certain Title I grants. Dr. Renda and C. Caliri presented this information to the School Committee, who suggested that it be presented to both schools. During COVID-19, grants known as ESSER grants were developed by the federal government to provide funding for materials, such as PPE and staffing. The grant funding is not available after 2024. C. Caliri noted that Town assessments from FY '22 – FY '24 were lower than the average from FY '18 – FY '21 because they were able to leverage the federal funding. The grants allowed the School District to hire additional personnel to assist with the social/emotional well-being of students.

J. Livingston asked how the board could assist. Dr. Renda stated that he'll be presenting two versions of the budget, one with and without the federal grant funding, and asked that the Select Board consider a higher assessment due to the loss of federal funds. S. Copeland asked what census figures were being used. C. Caliri stated 2020 figures.

Pauline Conley, 40 Cambridge Street asked started to ask a question but was having microphone/sound issues.

Bridgette Lawhorn, from Waltham, asked if the school district was still buying PPE. C. Caliri said no. She is suggesting that people volunteer if positions needed to be eliminated. J. Livingston asked if she was a reporter. B. Lawhorn stated no and that she attends events in Ayer. J. Livingston stated that the Board is not used to having out-of-town people attend meetings.

R. Pontbriand asked if they have calculated the total financial impact. Dr. Renda stated that those calculations had begun. R. Pontbriand stated it would be helpful to have a dollar figure for the maximum exposure for losing the grant funding. Dr. Renda stated that many districts rely on grant funding and that when those grants are cut the impact can be a big number in one year. They are looking to spread the financial impact over three years. R. Pontbriand is suggesting that both Towns and the School District meet sooner rather than later to ensure a successful transition.

Barbara Tierney, Finance Manager, asked if the positions funded by the grant were new positions? Dr. Renda stated yes. J. Livingston asked if the state was helping. Dr. Renda stated that the District has reached out to DESE and the legislative delegation.

Joyce Reischutz, from Shirley and a member of the Ayer Shirley Regional School Committee stated that the School Committee felt it was important to present this information to the Towns sooner rather than later. J. Livingston agreed and asked that the Select Board be provided with an update prior to the February 2024 budget presentation.

**Dan Van Schalkwyk, Director, Department of Public Works - Recognition of Water Foreman Greg Cormier – MWWA 2023 Pride Award:**

D. Van Schalkwyk was joined by Water and Sewer Superintendent Kimberly Abraham. K. Abraham recognized Grege Cormier, Water Foreman for recently receiving the Massachusetts Waterworks Association Pride Award. Mr. Cormier was not in attendance. Board members thanked Mr. Cormier for his hard work and dedication to the Town.

*Water Supply Update* – K. Abraham stated that water production continues to face challenges meeting demand. During the months of October and early November, the treatment facilities did not rest for more than a few hours on 3 of the 4 weekends; additionally, the tanks were not filled on the same three weekends. She also reported that the fall flushing did not take place due to water availability. Prowler Water performed leak detection service throughout the Town and found 6 potential leaks in the system, but all were minor. They are not recommending any changes to the existing water use restrictions. J. Livingston asked about putting a moratorium on building permits until the problem is resolved. D. Van Schalkwyk stated that the Town has been working with the larger users in the system to curb production, which is more impactful than stunting development growth.

*Sewer Reevaluation of Local Limits Report* - D. Van Schalkwyk and K. Abraham were joined remotely by Paula Boyle from Hoyle and Tanner to present a report on the reevaluation of the limits of the sewer system. The DRAFT report is online in the Select Board's meeting packet and on the Wastewater page. The Town is required to complete a reevaluation of the existing Maximum Allowable Headworks Loading (MAHL) and subsequently the Maximum Allowable Industrial Loading (MAIL) for various pollutants of concern. This reassessment was done by Hoyle, Tanner & Associates Inc. The draft report is before the Select Board for discussion and approval for submission to the US EPA and MA DEP.

**Motion:** A motion was made by S. Copeland and seconded by J. Livingston to accept the DRAFT *Reevaluation of Local Limits*, October 2023 and approve the submission of the report to the US EPA and MA DEP. **Motion passed 2-0.**

**Town Manager's Report - Administrative Update/Review of Warrants:** 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 he has approved. He advised that the main focus right now is the beginning of the FY 2025 Budget formulation process which he will speak about later on in the report.

*MIIA Health Trust Documents for Signature* - R. Pontbriand referenced the MIIA Health Trust Documents in the Board packet and recommended that the Board vote to approve and sign the MIIA Health Trust Documents. The Town's Insurance Advisory Committee previously recommended to the Select Board that the Town leave the Minuteman Nashoba Health Group and join MIIA, which the SB authorized. The Town notified the Minuteman Nashoba Health Group well in advance of the deadline of December 1, 2023. He advised that Town Counsel has reviewed and approved the MIIA Health Trust Documents to legal form. He also advised that since the Select Board last met several other Towns have indicated their intention to leave the Minuteman Nashoba Health Group which has resulted in the Group starting discussions about dissolving.

**Motion:** A motion was made by S. Copeland and seconded by J. Livingston to approve the MIIA Health Trust Documents for signature by the Select Board. **Motion passed 2-0.**

*FY 2025 Budget Process Update* – R. Pontbriand advised that all FY 2025 Budget related information and documents will be posted at [ayer.ma.us/budget](http://ayer.ma.us/budget) on the Town's website and is also available upon request. The Capital Planning Committee had its first meeting on November 9 and met with the Fire Department on November 16. The Committee will next meet on November 30 with the DPW. All FY 2025 Capital Plans can be found on the Budget Page on the Town's website as well as on the Capital planning Committee's webpage on the Town's website. He advised that the Town's Tax Classification Hearing will take place on December 5, 2023 at 6pm as part of the Select Board meeting. He advised that the FY 2025 Budget Directive is scheduled to be issued to all Town Departments on December 1, 2023.

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

**Approval of Meeting Minutes:**

**Motion:** A motion was made by S. Copeland and seconded by J. Livingston to approve the meeting minutes from November 7, 2023. **Motion passed 2-0.**

**Adjournment:**

**Motion:** A motion was made by S. Copeland and seconded by J. Livingston to adjourn at 7:01 PM.

**Motion passed 2-0.**

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

Date Minutes Approved by SB: December 19 2023

Signature Indicating Approval: 