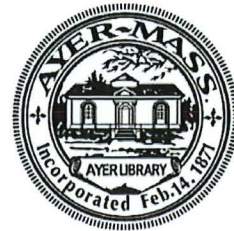


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TOWN OF AYER  
TOWN CLERK

*Propelled*

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



Broadcast and Recorded by APAC

February 20, 2024  
Open Session Meeting Minutes

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

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

**Call to Order:** S. Houde called the meeting to order at 6:00 PM. S. Houde 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 3-0.**

**Announcements:** None

**Public Input:** None

**Town Manager's Report - Administrative Update/Review of Warrants:** R. Pontbriand presented an administrative update on the various activities, initiatives, and projects of the Town since the Select Board last met. R. Pontbriand stated that the second public budget forum will be held on Wednesday March 27, 2024.

**One Day Beer/Wine License Request – St. Mary's Parish** – R. Pontbriand presented a request from St. Mary's Parish for a One Day Beer and Wine License for their Corned Beef and Cabbage Dinner on Saturday March 16, 2024 from 4:00 PM – 9:00 PM.

**Motion:** A motion was made by J. Livingston and seconded by S. Copeland to approve the One Day Beer/ Wine License for St. Mary's Parish for March 16, 2024. **Motion passed 3-0.**

**FY 2025 Budget Update DRAFT #2** – R. Pontbriand presented DRAFT #2 of the FY '25 omnibus budget. He noted that the budget included both school assessments, but the Ayer Shirley Regional School District's number is not yet final and will be decreasing. DRAFT #2 is sitting at a 5.26% increase over FY '24. The Reserve Fund has been reduced from \$175,000 to \$150,000. Additionally, Group Health and

Life Insurance decreased from a 15% increase to 8%. R. Pontbriand [referenced his memo in the packet](#) and highlighted other budget items.

*2024 Annual Town Meeting Warrant Development Update* – R. Pontbriand referenced his [memo in the packet](#). He noted that there are about 32 warrant articles for the upcoming Annual Town Meeting on Monday April 22, 2024. The Annual Town Meeting Warrant closes on Friday March 29, 2024. R. Pontbriand stated that there would be 4 articles relating to Zoning Bylaw amendments. One amendment is to set the size of the Zoning Board of Appeals to 5 members and 2 alternates, which is the current make-up of the Board. R. Pontbriand states that it is a housekeeping article. Town Planner Danny Ruiz joined the table and stated that Mass General Laws states that a ZBA can be either a 5-member or a 3-member Board and that the Town should stipulate which one we are. J. Livingston asked where Town Counsel was when we updated the Zoning Bylaw in 2018. She asked why we would have to do clean-up on something that Town Counsel said was ok not too long ago. D. Ruiz stated that it is common for Town's to have to make changes to bylaws and that this was possibly missed. Town Clerk Susan Copeland stated that the Bylaws are a living document that will need changes. S. Houde stated the error doesn't change anything and that he would like to move on with the meeting. R. Pontbriand stated that D. Ruiz will be back on March 6, 2024 for a more comprehensive overview of the proposed bylaw changes. R. Pontbriand said that there will also be a proposed bylaw change on the minimum square footage for studio/1-bedroom apartments that follows the guidance from the State. He said that at this time there are no Citizen's Petitions.

Dennis Curran, Pleasant Street asked about Articles 5 & 6 (school funding articles) if a presentation will be given by both school systems. R. Pontbriand stated that the Town Moderator is planning on having both Superintendents make a presentation at the Annual Town Meeting. Town Clerk Susan Copeland said that there is a misunderstanding at Town Meeting and that residents sometimes assume a presentation will be given relating to the schools and it is not. She thinks it would be helpful for a Board member to request this specifically on the floor of Town Meeting. D. Curran also asked the opioid funding article and asked whether there was an update on the amount of funding Ayer was awarded versus surrounding Towns. R. Pontbriand stated that he will be prepared to answer the question at Town Meeting and will connect with D. Curran offline to discuss this matter.

*FY '25 Non-Union Personnel Cost of Living Adjustment (COLA) Recommendation* – R. Pontbriand was joined by Benefits and Payroll Manager Amanda Lewis. He stated that per the [Town's Financial Policies](#), a review of the following factors was completed to make a recommendation: the Consumer Price Index, the US Bureau of Labor Statistics, the Federal Reserve Bank of Boston's Monthly Economic Update, a survey of the other Massachusetts municipalities and review of the Town of Ayer's Collective Bargaining Agreements. A. Lewis and R. Pontbriand are recommending a 2% COLA adjustment for non-union personnel and elected officials. The estimated impact for FY '25 is approximately \$63,000.

**Motion:** A motion was made by S. Copeland and seconded by J. Livingston to approve a 2% COLA as recommended. **Motion passed 3-0.**

*Approval of SB Letter of Support for CPA Application for 71 Sandy Pond Road* – R. Pontbriand presented a DRAFT letter of support from the SB to the CPC for the proposed 71 Sandy Pond Road acquisition. The CPC voted unanimously to advance the project to a Public Hearing on Wednesday, March 6, 2024 at 7pm. He is requesting that the SB vote to authorize a letter of support for the application. J. Livingston said she wanted the Administration to keep in mind that the West Main Street Bridge is not complete and to use ARPA funding for emergencies.

Dennis Curran, Pleasant Street asked if this project was a CPC-initiated project or a Parks Department-initiated project. R. Pontbriand stated that it was a Town-initiated project. R. Pontbriand and the SB discussed several potential funding combinations for the project.

**Motion:** A motion was made by S. Copeland and seconded by J. Livingston to approve the DRAFT letter of support to the CPC Committee. **Motion passed 3-0.**

*FY 2025 Capital Plan Update* – R. Pontbriand presented the matrix of all approved Capital Planning items for FY '25 as recommended by the Capital Planning Committee. There will be two warrant articles at the upcoming Town Meeting relating to all Capital Planning items.

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

S. Houde apologized to J. Livingston for being short with her earlier in the meeting.

**Approval of Meeting Minutes:**

**Motion:** A motion was made by J. Livingston and seconded by S. Copeland to approve the meeting minutes of February 6, 2024. **Motion passed 3-0.**

**Executive Session:** At 6:49 PM a motion was made by J. Livingston and seconded by S. Copeland to enter into Executive Session pursuant to Massachusetts General Laws, Chapter 30A, section 21A Exemption #3 (Collective Bargaining Strategy) Ratification of Patrol Contract MOA and the Review/Approval/Release of Executive Session Meeting Minutes For 71 Sandy Pond Road Acquisition: November 7, 2023; December 5, 2023; January 16, 2024 and to adjourn at the conclusion of the Executive Session. J. Livingston stated that to discuss these items in Open Session would be detrimental to the Town's negotiating strategy. **By Roll Call Vote:** J. Livingston, aye; S. Copeland, aye; S. Houde, 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: March 6, 2024

Signature Indicating Approval: 