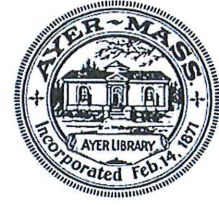


RECEIVED
MAR 25 2020

TOWN OF AYER
TOWN CLERK

2:30pm
Susan Copeland

Town of Ayer
Board of Selectmen
Ayer Town Hall – 1st Floor Meeting Room
1 Main Street
Ayer, MA 01432



Monday March 30, 2020
Open Session Meeting Agenda

(Due to the ongoing COVID-19 Pandemic, Governor Baker issued an Emergency Order Temporarily Suspending Certain Provisions of the Open Meeting Law. 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 broadcast live on Channel 8 and live streamed on www.ayerpublicaccess.org. The public may participate remotely by following the call-in information on the bottom of the live broadcast screen)

6:00 PM

Call to Order

Pledge of Allegiance; Review and Approve Agenda; Announcements

Public Hearing: Adoption of the FY 2021 Water and Sewer Rate Recommendations

6:20* PM

Town of Ayer Coronavirus/COVID-19 Preparedness Update

Town Manager Robert A. Pontbriand
Fire Chief Robert Pedrazzi, Emergency Management Director
Police Chief William Murray

Recommendation to Amend Town's COVID-19 Directive

(In light of the Governor's Emergency Order from March 23, it is recommended in consultation with guidance from the CDC, Mass DPH, Federal and State Authorities, and in consultation with the Ayer Chiefs to extend the Town's public closure of all Town Buildings and Outdoor Facilities as well as cancel all public meetings (with the exception of the BOS and BOH) through April 7, 2020)

6:40 PM

Public Input

(The Public may participate remotely by using the call-in information which will be published 15 minutes before the meeting on the Town's website at www.ayer.ma.us; Town of Ayer FB Page; and will be posted on the bottom of the screen on Channel 8 and on the bottom of the live stream screen at www.ayerpublicaccess.org)

6:45 PM

Discussion/Recommendation Regarding Postponing the Ayer Annual Town Election

Susan E. Copeland, Ayer Town Clerk

6:55 PM

Adjournment

**Agenda times are for planning purposes only and do not necessarily constitute exact time*

The next regularly scheduled Board of Selectmen's Meeting will be held on Tuesday April 7, 2020 at 6:00 PM.

RECEIVED

MAR 02 2020

TOWN OF AYER
TOWN CLERK



10:45am
[Handwritten signature]

**Town of Ayer
Board of Selectmen
Public Hearing Notice**

The Ayer Board of Selectmen will be conducting a Public Hearing on Monday March 30, 2020 at 6:00 PM in the 1st Floor Meeting Room at the Ayer Town Hall, 1 Main Street Ayer, MA 01432. The BOS, in their legal capacity as the Town's Water and Sewer Commissioners, will hear the report and recommendation(s) of the Town's Water and Sewer Rate Review Committee; take public comment(s); and consider approval and adoption of the FY' 2021 Water and Sewer Rates.



AGENDA

- Committee members and rate process
- Overview of infrastructure
 - Water
 - Wastewater
- Regulatory requirements
- Capital improvements
- Proposed water rates
- Proposed sewer rates
- Impacts on typical bill
- Rate comparison



Rate Committee Members

- Selectman Jannice Livingston, Chair
- Ms. Mary Spinner, Citizen Representative
- Mr. Rick Skoczylas, Citizen Representative
- Mr. Mark Smith, Finance Committee
- Mr. Mark Wetzel, P.E., DPW Superintendent
- Ms. Pam Martin, DPW Business Manager
- Ms. Lisa Gabree, Finance Manager
- Mr. Robert Pontbriand, Town Manager

Meeting Goals

- Set Sewer rates for FY21
- Set Water rates for FY21
- Approve increase in Water & Sewer Connection fees

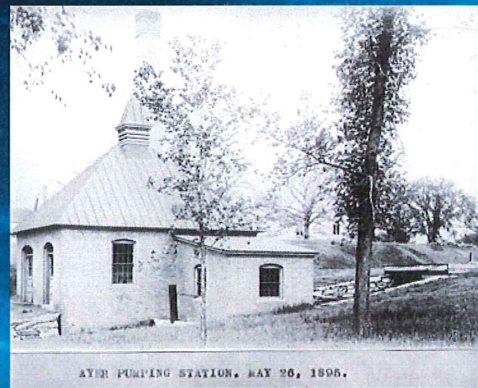


AYER DPW WATER & WASTEWATER

- We provide safe drinking water and collect and treat wastewater for the citizens and businesses
- We focus on water 24 hours a day, 7 days a week
 - Maintain and protect our drinking water supply wells
 - Treat water to make it safe to drink
 - Test water to meet quality standards
 - Deliver water to your home
 - Collect wastewater from throughout the Town
 - Treat the wastewater to remove contaminants and nutrients before discharging to the river

Ayer Water System

- Constructed in 1895
- Serves 3200 customers
- Provides water for domestic use, commercial use and fire protection
- 50 miles of pipe
- 5 wells and 2 treatment plants
- 2 water storage tanks



Ayer Water Infrastructure Issues

- Aging pipes resulting in numerous breaks and “dirty water” complaints
- Numerous dead end pipes result in water quality problems
- PFAS Contamination in all Ayer wells – treatment under construction
- Drinking water is highly regulated, requiring special licenses, testing and reporting
- Water is tested for over 100 quality parameters



PFAS Treatment Costs are HUGE

- PFAS is emerging contaminant and is present in all Town wells
- Grove Pond PFAS Treatment Cost \$ 4.4M
 - Obtained grant from Army for construction
- Spectacle Pond PFAS Treatment Cost \$ 6.2M
 - Applied for State SRF Funding
 - Potential cost recovery from Responsible Party (if identified)
- On-going testing and operating costs related to PFAS

Ayer Sewer System

- Original system constructed in 1945
- System includes:
 - 34 miles of gravity sewer
 - 3.5 miles of force mains
 - 19 pump stations
 - Tertiary Wastewater Treatment Plant



Ayer Sewer Infrastructure Issues

- Wastewater treatment must meet strict water quality standards
- We are in the middle of a 10 year improvement program for the 36 year old treatment plant
- Plant operation requires dozens of pumps, motors and mechanical equipment – costly to operate and maintain
- Beginning repairs to aging sewer pipe- estimated \$5M over a phased implementation



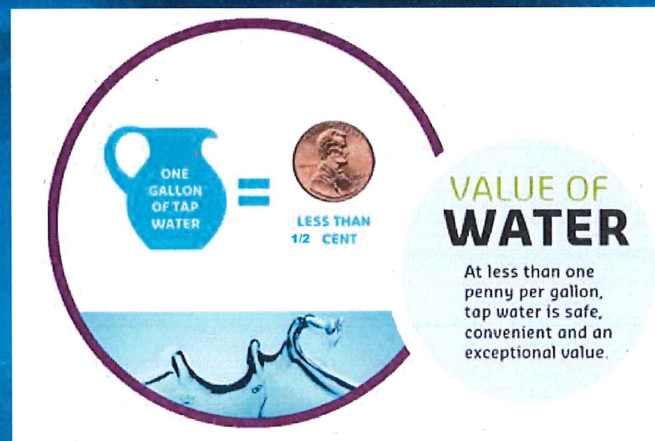
Criteria for Rates

Overall Goal – to set rates to recover costs & avoid significant fluctuations

Criteria:

- o Project expenses, including future capital needs in order to avoid spikes in rates
- o Continue to build stabilization reserve balances for each fund (for future capital needs)
- o Use stabilization reserve as needed

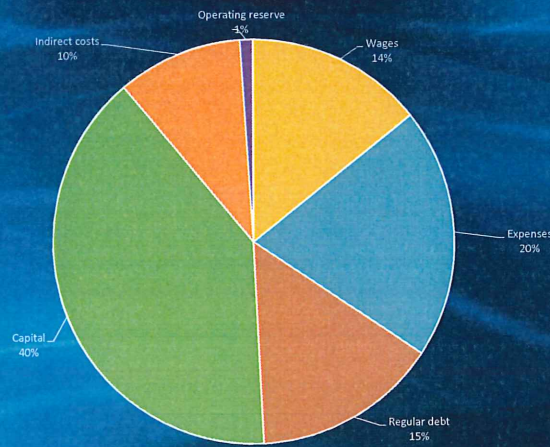
Proposed Water Rates



Water Division Budget

	FY2019 Actual	FY2020 Budget	FY2021 Budget
Wages	\$373,859	\$389,815	\$407,725
Expenses	525,728	527,500	573,500
Regular debt	486,255	607,431	716,125
Capital purchases & stabilization	529,948	588,588	833,535
Indirect costs	267,053	279,466	297,781
Operating reserve		30,000	30,000
Totals	\$2,182,843	\$2,422,800	\$2,858,666

Water Division Budget



Water Division Capital Plan

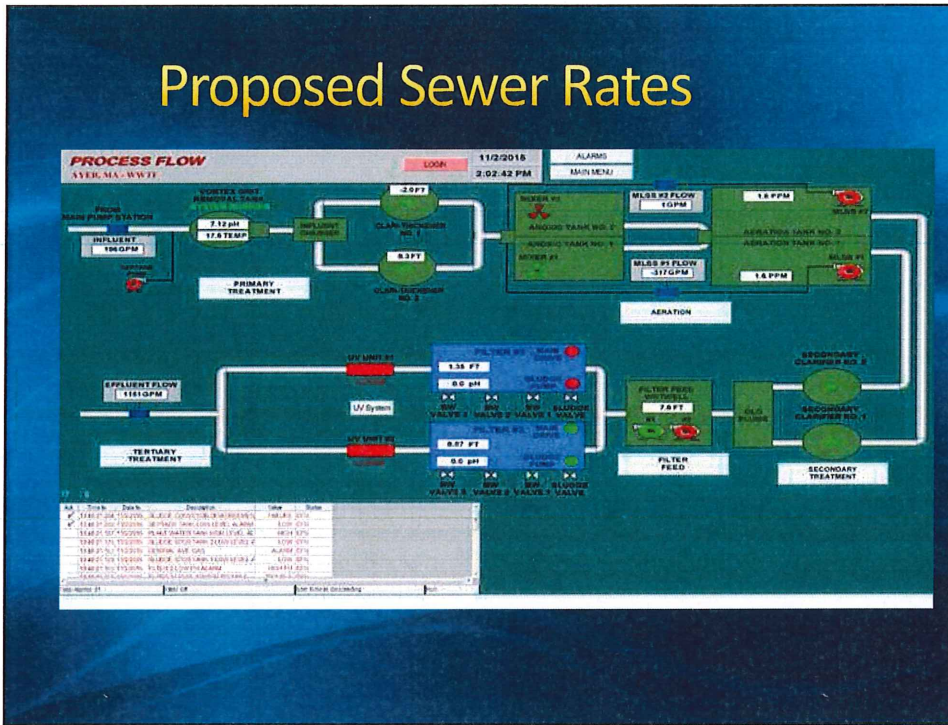
	Item Requested	FY21	FY22	FY23	FY24	FY25
1	Spectacle Pond PFAS Treatment	\$2,630,000				
2	Annual Water Main Replacements	\$250,000	\$300,000	\$300,000	\$300,000	\$350,000
3	West Main Street / Devens Connection	MassWorks Grant				
4	Filter Media Replacement - Spec Pond WTP	\$350,000				
5	Washington Street Water Tank Painting			\$450,000		
6	Spec Pond Groundwater Supply Development (New Source Approval)		\$120,000			
7	Groton Shirley Road Water Main Loop	\$575,000				
8	Grove Pond Well 6 Replacement Well					\$120,000
	Yearly Totals	\$3,805,000	\$420,000	\$750,000	\$300,000	\$470,000

PROPOSED WATER RATES Per Hundred Cubic Feet (750 gallons)

	Current	Proposed	\$ Increase
Step 1	\$2.62	\$2.88	\$0.26
Step 2	\$3.24	\$3.56	\$0.32
Step 3	\$3.84	\$4.22	\$0.38
Conservation Rate	\$3.84	\$4.22	\$0.38

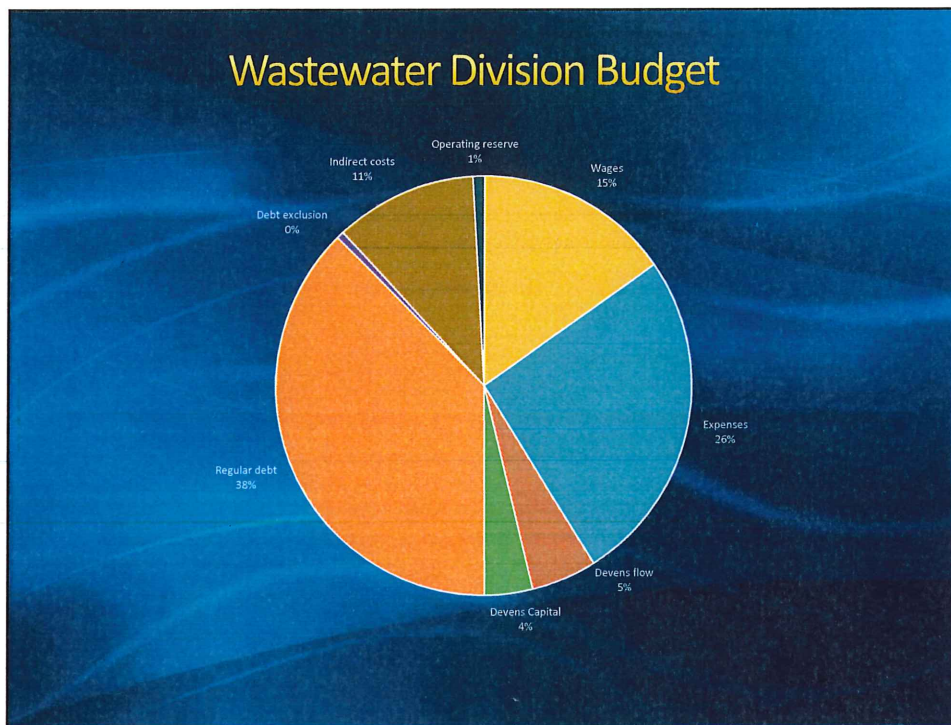
Current and proposed rate steps increase at 3,000 cubic feet.

Proposed Sewer Rates



Wastewater Division Budget

	FY19 Actuals	FY20 Budget	FY21 Budget
Wages	\$468,859	\$494,791	\$503,691
Expenses	719,948	768,950	855,950
Devens flow	160,263	167,826	167,826
Devens capital invest.	124,727	123,882	124,000
Regular debt	910,339	1,370,173	1,245,343
Debt exclusion	20,940	19,440	18,720
Indirect costs	332,868	350,424	371,956
Capital stabilization	321,592	0	0
Operating reserve	0	20,000	30,000
Totals	\$3,059,536	\$3,315,486	\$3,317,486



Wastewater Capital Plan

	Item Requested	FY21	FY22	FY23	FY24	FY25
1	Inflow/ Infiltration Repairs	\$500,000	\$750,000	\$750,000	\$750,000	\$750,000
2	WWTP Upgrades	\$0	\$3,425,000	\$0	\$3,461,200	\$2,971,800
3	Groton Shirley Rd Low Pressure Sewer	\$500,000	\$0	\$0	\$0	\$0
4	1 Ton Utility Body Pick - up Truck	\$75,000	\$0	\$0	\$0	\$0
WASTEWATER ENTERPRISE TOTAL		\$1,075,000	\$4,175,000	\$750,000	\$4,211,200	\$3,721,800

PROPOSED SEWER RATES Per Hundred Cubic Feet (750 gallons)

	Current	Proposed	\$ Increase
Step 1	\$7.90	\$8.16	\$0.26
Step 2	\$9.05	\$9.34	\$0.29
Step 3	\$10.30	\$10.63	\$0.33

Current and proposed rate steps increase at 3,000 cubic feet.
FY21 rates are less than previously projected

Impact on Average Ayer Resident

	Proposed Quarterly FY21	Quarterly FY20	Quarterly Increase	Annual Increase
Water	\$ 28.80	\$ 26.20	\$ 2.60	\$ 10.40
Sewer	\$ 81.60	\$ 79.00	\$ 2.60	\$ 10.40
Total	\$ 110.40	\$ 105.20	\$ 5.20	\$ 20.80

Impact on single family residential quarterly bill based on average quarterly usage of 1,000 cubic feet

Comparison to Other Massachusetts Towns

	Water	Sewer	Total
Ayer	\$ 28.80	\$ 81.60	\$ 110.40
Pepperell	\$ 35.00	\$ 82.70	\$ 117.70
Maynard	\$ 68.40	\$ 106.00	\$ 174.40
Groton	\$ 37.80	\$ 84.40	\$ 122.20
Reading	\$ 103.70	\$ 110.30	\$ 214.00
Average	\$ 54.74	\$ 92.80	\$ 147.54

Based on 1000 CF of water

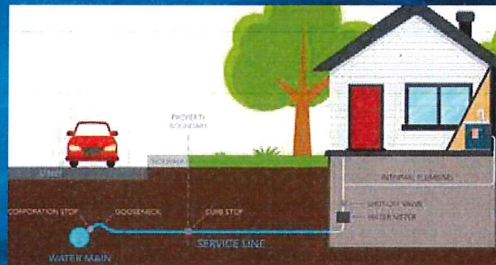
Water & Sewer Connection Fees

- Connection fees are charged for new connections to the water and sewer system
- Water Connection Fee increase is recommended due to costs for PFAS Treatment
- Sewer Connection Fee increase based on I/I removal & sewer rehab costs
- Fees are charged based on Equivalent Residential Unit (ERU) - equals 3 bedroom house

Proposed Connection Fees

	<u>Current</u>	<u>Proposed</u>
• Connection Fee - 1" Service	\$3,600 per ERU	\$4,500
• Connection Fee - 1-1/2" Service	\$3,600 per ERU	\$4,500
• Connection Fee - 2" Service	\$3,600 per ERU	\$4,500
• Connection Fee – Second Meter	\$1,080	\$1,350
• Annual Fire Sprinkler Fee	\$200	\$250
• Sewer Connection Fee	\$4,800 per ERU	\$5,400

ERU = Equivalent Residential Unit (3 bedroom house)



Rate Committee Recommends

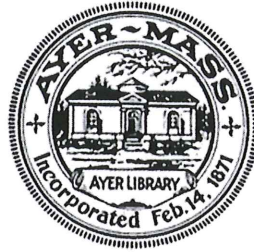
- Water & Sewer Commissioners vote to increase water & sewer rates as proposed by the rate committee
- Water & Sewer Commissioners vote to approve the proposed increases in the Water & Sewer Connection Fees



RECEIVED

MAR 27 2020

TOWN OF AYER
SELECTMEN'S OFFICE



Date: March 27, 2020
To: Robert Pontbriand, Town Manager
From: Susan Copeland, Town Clerk
Subject: Postponement of Annual Town Election 2020

The Annual Town Election for the Town of Ayer is scheduled for Monday, April 27, 2020.

In response to the State of Emergency and concerns about COVID-19 and its implications on election administration, the Governor signed a law authorizing the Board of Selectmen to vote to postpone the local election. A copy of the law is attached.

The State Legislature voted on March 23, 2020 to postpone the Special State Election from Tuesday, March 31st to Tuesday, June 2nd.

I respectfully ask the Board of Selectmen to postpone the Annual Town Election to Tuesday, June 2, 2020 and therefore we will run this concurrently with the Special State Election for Precinct 2 for the 37th Middlesex District Seat vacancy.

This will give us the time to allow the uncertainty to be cleared on how the following 30 days will be played out and we can successfully process the elections. This will help us in the office be able to complete the back-office work without the uncertainty of another postponement at the last moment.

It's not a cost concern as it is logistics, staffing and time management. I also anticipate it cutting back voters being uncertain what day they are voting for something.

I was initially hesitant to consider postponing the Annual Town Election but when the Governor postponed schools until May 4th, 2020 (as of the typing of this memo) it is clear that a pro-active plan as opposed to a re-active plan is best for the Town of Ayer.

I look forward to discussing further with you at the March 30, 2020 meeting.

Acts (2020)

Chapter 45

AN ACT GRANTING AUTHORITY TO POSTPONE 2020 MUNICIPAL ELECTIONS IN THE COMMONWEALTH AND INCREASE VOTING OPTIONS IN RESPONSE TO THE DECLARATION OF EMERGENCY TO RESPOND TO COVID-19.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith provide for the rescheduling of elections as a result of the governor's declaration of emergency to respond to COVID-19 and to increase voting options, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. (a) Notwithstanding section 9 of chapter 39, sections 26 and 28 of chapter 51 and chapters 53 and 54 of the General Laws or any other general or special law or by-law to the contrary, a city or town with a municipal caucus or annual or special municipal election scheduled between the effective date of this act and May 30, 2020, may postpone such municipal caucus or municipal election in accordance with this act.

The select board, town council, board of registrars or city council of the city or town may vote on any day prior to the date of their scheduled municipal caucus or municipal election to postpone the municipal caucus or municipal election to a date certain on or before June 30, 2020. Such rescheduled caucus or election shall be held in accordance with all applicable election laws except as otherwise provided in this act.

(b) The select board, town council or city council of a city or town postponing a municipal caucus or municipal election pursuant to this act shall, following consultation with the local election official and the chief operating officer of the municipality as to logistics and feasibility, vote to reschedule the municipal caucus or municipal election. A copy of this act, the vote of the select board, town council or city council and a sample ballot shall be placed on the official municipal website not later than 20 days before the date to which the rescheduled caucus or election has been postponed. Notice of such action shall be provided to the public in other ways reasonably calculated to enable eligible voters to learn of the rescheduled election date and to cast ballots therein. The notice may include, but shall not be limited to, a "reverse-911" call, municipal list-serve notifications, advertisement on local cable television or issuance of a press release sent to local news media.

(c) Consistent with section 107 of chapter 41 of the General Laws, an incumbent elected official whose term would have expired at a municipal annual town election if the election was not postponed pursuant to this act shall continue to serve in the official's position until a successor is elected and qualified.

(d) If this act does not take effect until after the date of a scheduled municipal caucus or municipal election during the state of emergency declared by the governor pursuant to executive order 591, declaration of a state of emergency to respond to COVID-19, the actions of the board of selectmen, town council, city council and local election officials to postpone a municipal caucus or municipal election shall be ratified, validated and confirmed as if this act had been in place prior thereto.

SECTION 2. The last day to register to vote for any annual or special municipal or state election postponed pursuant to this act or otherwise postponed in response to COVID-19 shall be 10 days before the date to which the rescheduled election has been postponed; provided, however, that the board of registrars shall hold a registration session on that date not less than from 2:00 PM to 4:00 PM and from 7:00 PM to 8:00 PM. The voting list to be used at such rescheduled election shall include all eligible voters registered as of that date.

SECTION 3. The caucus or election materials, including, but not limited to, absentee and official ballots, prepared for a municipal caucus or any annual or special municipal or state election postponed pursuant to this act or otherwise postponed in response to COVID-19 and bearing that date shall be used for the rescheduled caucus or election to the extent practicable. If additional ballots are required to be printed, the ballots shall be identical in form to those prepared for the original caucus or election.

SECTION 4. Absentee ballots cast in connection with the original election date for any annual or special municipal or state election postponed pursuant to this act or otherwise postponed in response to COVID-19, whether returned before the original election or otherwise, and received by the local election official before the close of polls on the date of the rescheduled election, shall be processed in accordance with applicable law; provided,

however, that any voter who chooses to vote in person on the date of the rescheduled election may do so if their absentee ballot has not yet been counted. Completed applications to vote by absentee ballot in the rescheduled election shall be accepted by the board of registrars until 12:00 noon on the last business day before the rescheduled election.

For an election held on or before June 30, 2020 any person taking precaution related to COVID-19 in response to a declared state of emergency or from guidance from a medical professional, local or state health official, or any civil authority shall be deemed to be unable by reason of physical disability to cast their vote in person at a polling location.

SECTION 5. (a) Notwithstanding section 25B of chapter 54 of the General Laws or any other general or special law to the contrary, any eligible voter may vote early by mail for any annual or special municipal or state election held on or before June 30, 2020.

(b) Any qualified voter wanting to early vote by mail may file with their local election official an application for an early voting ballot. Any form of written communication evidencing a desire to have an early voting ballot be sent for use for voting at an election shall be given the same effect as an application made in the form prescribed by the state secretary. Local election officials shall send early voting by mail

ballots to those who have applied as soon as ballots are available. No application shall be deemed to be seasonably filed unless it is received in the office of the local election official before noon on the last business day before the date on which the rescheduled election is held.

(c) Local election officials may substitute absentee ballots for early voting ballots for those voters requesting to vote early by mail in municipal elections. An early voting ballot or absentee ballot substituted for an early voting ballot, along with an envelope bearing an affidavit as set forth in section 25B of chapter 54 of the General Laws, shall be provided to each qualified voter who participates in early voting by mail.

(d) The local election officials shall cause to be placed on the voting lists opposite the name of a qualified voter who participates in early voting the letters "EV" designating an early voter.

(e) The counting of early voting ballots shall be consistent with section 25B of chapter 54 of the General Laws and implemented regulations to the extent practicable. All envelopes referred to in this section shall be retained with the ballots cast at the election and shall be preserved and destroyed in the manner provided by law for the retention, preservation or destruction of official ballots.

(f) All early voting ballots voted by mail shall be received by the town clerk before the hour fixed for closing the polls on the date on which the rescheduled election is held. Early voting ballots cast under the authority of this section shall be processed at the polls in a manner consistent with that set forth in said section 25B of said chapter 54.

Approved, March 23, 2020.