



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



*Anne Copeland*

Tuesday March 27, 2018  
Open Session Meeting Agenda

- 7:00 PM Call to Order  
Pledge of Allegiance; Review and Approve Agenda; Review of Warrant(s); Announcements
- 7:05 PM\* Public Input  
MART Project Update for the Commuter Rail Parking/Access Improvement Project
- 7:15 PM Chief Robert Pedrazzi  
1. Recommendation to Increase the Town's Ambulance Rates
- 7:25 PM Ms. Lisa Gabree, Finance Manager  
1. Reserve Fund Transfer (RFI) Request
- 7:30 PM Mr. Kevin Johnston, Benefits and Payroll Manager  
1. Approval of Pregnant Workers Fairness Act Policy
- 7:40 PM Host Community Agreement with Central Ave Compassionate Care, Inc.
- 8:00 PM Mr. Alan Manoian, Community and Economic Development Director  
1. Approval of Community Development Grant Extension and Office Budget  
2. Park Street Corridor Form Based Code Presentation
- 8:30 PM New Business/Selectmen's Questions
- 8:35 PM Approval of Meeting Minutes  
March 20, 2018
- 8:40 PM Executive Session pursuant to MGL Chapter 30A, Section 21A:  
1. Exemption #2 (Non-Union Personnel Negotiations) Fire Chief Contract
- Adjournment\*\*

*\*Agenda times are for planning purposes only and do not necessarily constitute exact time*  
*\*\*The BOS will adjourn for the evening at the conclusion of the Executive Session*

The next regularly scheduled meeting of the Board of Selectmen is Tuesday April 3, 2018 at 7:00 PM

# AYER FIRE DEPARTMENT

Robert J. Pedrazzi  
Chief

1 West Main Street  
Ayer, Massachusetts 01432  
Tel. (978) 772-8231  
Fax (978) 772-8230



March 21, 2018

## Ambulance Rate Increase

Dear Robert,

I am asking to increase the Towns ambulance rates at the next Selectmen's meeting. Our current rates have changed little over the last few years. Ambulance rates are set Town by Town. There is no standard rate and most Towns set their rates at what Medicare allows plus a certain percentage. Ayer's rate has been what Medicare allows plus one hundred percent. After doing a study on similar Towns in our area I am suggesting to increase our rates to Medicare plus one hundred and fifty percent. This is a twenty five percent increase in our rates and this puts Ayer a little bit ahead of the average rates of the Towns I studied. Twenty five percent sounds like a substantial increase however my supporting documentation concludes that will only increase our revenue by approximately twenty three thousand dollars. The Ambulance Enterprise account has never needed a subsidy from the General Fund. I feel that this is the time to raise our rates to help cover the debt on the purchase of the new ambulance.

Respectively,

Robert J. Pedrazzi  
Fire Chief  
Emergency Management Director



# AYER FIRE DEPARTMENT

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1 West Main Street  
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	AYER RATES 2017	2018 MEDICARE ALLOWED	2018 MEDICARE +150%	% Increase
BLS NON- EMERGENCY	\$507.76	\$253.88	\$634.70	25%
BLS EMERGENCY	\$812.40	\$406.20	\$1015.50	25%
ALS NON- EMERGENCY	\$609.30	\$304.65	\$761.63	25%
ALS EMERGENCY	\$964.72	\$482.36	\$1,205.90	25%
ALS -2	\$1,396.32	\$698.16	\$1,745.40	25%
SPECIALTY CARE	\$1,650.20	\$825.10	\$2,062.75	25%
MILEAGE	\$27.00		\$33.75	25%
OXYGEN	\$60.00		\$75.00	25%
AIRWAYS	\$140.00		\$175.00	25%
IV THERAPY	\$140.00		\$175.00	25%
DEFIBRILLATION	\$140.00		\$175.00	25%
ALS INTERCEPT	\$275.00		\$275.00	0%

2018 rate effective

Robert J. Pedrazzi

Fire Chief



RECOMENDED MEDICARE + 150%

MEDICARE RATES		MEDICARE ALLOWED	MEDICARE PLUS 100	MEDICARE PLUS 150	MEDICARE PLUS 200
BLS Non-Emergency Base Rate	A0428	\$253.88	\$507.76	\$634.70	\$761.64
BLS Emergency Base Rate	A0429	\$406.20	\$812.40	\$1,015.50	\$1,218.60
ALS Non Emergency Base Rate	A0426	\$304.65	\$609.30	\$761.63	\$913.95
ALS - 1 Emergency Base Rate	A0427	\$482.36	\$964.72	\$1,205.90	\$1,447.08
ALS - 2 Emergency Base Rate	A0433	\$698.16	\$1,396.32	\$1,745.40	\$2,094.48
Specialty Care Transport	A0434	\$825.10	\$1,650.20	\$2,062.75	\$2,475.30
Mileage	A0425				
Oxygen	A0422				
Airways	A0396				
IV Therapy	A0394				
Cardiac Monitor	93000				
Defibrillation	A0392				
Mast					
Cervical Collar					
Extra EMT					
Treat & Release					
ALS Intercept					

AYER FIRE AMBULANCE  
RATE INCREASE 2018

SUPPLEMENTAL INFORMATION

MARCH 2018

	Percent of business by insurance
Total collected FY-17 not including intercepts	Medicare 45%
	Mass Health 21%
\$312,199.72	Commercial 29%
	Private Pay 5%
Total Collected * 29% private insurance	
\$90,537.92	
Private insurance * rate increase	
\$22,634.48	

RATE STUDY  
SELECTED TOWNS

MARCH 2018

Skill	Code	Ayer	Clinton	Holden	Lancaster	Leominster	Lunenburg	Northborough	Sterling	Townsend	Westminster	Winchendon	AVERAGE	CURRENT	DIFFERENCE
														Ayer	
BLS Non-Emergency Base Rate	A0428	\$ 504.72	\$ 1,000.00	\$ 709.24	\$ 457.00	\$ 588.20	\$ -	\$ 364.00	\$ 709.24	\$ -	\$ 395.00	\$ 457.00	\$ 576.04	\$ 504.72	71.32
BLS Emergency Base Rate	A0429	\$ 807.54	\$ 1,000.00	\$ 1,134.80	\$ 731.00	\$ 941.13	\$ 731.46	\$ 594.00	\$ 1,134.80	\$ 1,293.00	\$ 735.00	\$ 731.00	\$ 893.98	\$ 807.54	86.44
ALS Non Emergency Base Rate	A0426	\$ 605.66	\$ 1,500.00	\$ 851.09	\$ -	\$ 705.85	\$ -	\$ 437.00	\$ 851.09	\$ -	\$ 615.00	\$ 548.00	\$ 764.21	\$ 605.66	158.55
ALS - 1 Emergency Base Rate	A0427	\$ 958.96	\$ 1,500.00	\$ 1,347.58	\$ 868.00	\$ 1,117.58	\$ 868.62	\$ 705.00	\$ 1,347.58	\$ 2,099.00	\$ 870.00	\$ 868.00	\$ 1,140.94	\$ 958.96	181.98
ALS - 2 Emergency Base Rate	A0433	\$ 1,387.96	\$ 2,255.43	\$ 1,950.48	\$ 1,257.00	\$ 1,617.55	\$ 1,257.20	\$ 1,020.00	\$ 1,950.48	\$ 3,194.00	\$ 1,270.00	\$ 1,544.00	\$ 2,078.23	\$ 1,387.96	690.27
Specialty Care Transport	A0434	\$ 1,640.32	\$ 2,484.01	\$ 2,305.08	\$ -	\$ 1,911.65	\$ -	\$ 1,183.00	\$ 2,305.08	\$ -	\$ 1,025.00	\$ -	\$ 1,836.31	\$ 1,640.32	195.99
Mileage	A0425	\$ 27.00	\$ 26.00	\$ 46.21	\$ 28.00	\$ 29.75	\$ 20.00	\$ 23.34	\$ 34.00	\$ 34.00	\$ 19.00	\$ 25.00	\$ 28.39	\$ 27.00	1.39
Oxygen	A0422	\$ 60.00	\$ -	\$ 170.68	\$ 110.00	\$ 109.79	\$ 110.19	\$ 89.00	\$ 167.99	<i>incl in the base rate</i>	\$ 71.00	\$ 110.00	\$ 110.96	\$ 60.00	50.96
Airways	A0396	\$ 140.00	\$ -	\$ 417.55	\$ 267.00	\$ 266.67	\$ 267.62	\$ 215.00	\$ 410.97	<i>incl in the base rate</i>	\$ -	\$ 267.00	\$ 281.60	\$ 140.00	141.60
IV Therapy	A0394	\$ 140.00	\$ -	\$ 365.68	\$ 236.00	\$ 235.25	\$ 236.09	\$ 190.00	\$ 359.92	<i>incl in the base rate</i>	\$ 158.00	\$ 236.00	\$ 239.66	\$ 140.00	99.66
Cardiac Monitor	93000	\$ -	\$ -	\$ 512.04	\$ -	\$ 329.41	\$ -	\$ 267.00	\$ 503.98	<i>incl in the base rate</i>	\$ 220.00	\$ 330.00	\$ 360.41	\$ -	360.41
Defibrillation	A0392	\$ 140.00	\$ -	\$ 365.68	\$ 236.00	\$ 235.25	\$ 236.09	\$ 190.00	\$ 359.92	<i>incl in the base rate</i>	\$ 158.00	\$ 236.00	\$ 239.68	\$ 140.00	99.68
Mast		\$ -	\$ -	\$ 239.97	\$ -	\$ -	\$ -	\$ 138.00	\$ -	\$ -	\$ -	\$ -	\$ 188.99	\$ -	188.99
Cervical Collar		\$ -	\$ -	\$ -	\$ 80.00	\$ -	\$ 60.00	\$ -	\$ 85.00	<i>incl in the base rate</i>	\$ -	\$ -	\$ 81.67	\$ -	81.67
Extra EMT		\$ -	\$ -	\$ 152.40	\$ 170.00	\$ -	\$ 170.34	\$ 121.00	\$ 170.34	\$ -	\$ 125.00	\$ -	\$ 151.51	\$ -	151.51
Treat & Release		\$ -	\$ -	\$ 152.40	\$ -	\$ -	\$ -	\$ -	\$ 150.00	\$ -	\$ -	\$ -	\$ 151.20	\$ -	151.20
ALS Intercept		\$ 275.00	\$ -	\$ 300.00	\$ -	\$ -	\$ -	\$ 265.00	\$ 300.00	\$ -	\$ -	\$ 275.00	\$ 283.00	\$ 275.00	8.00



**Town of Ayer**  
**Pregnancy and Pregnancy-Related Conditions Policy**

***I. Introduction***

The Town of Ayer ("the Town") does not discriminate on the basis of pregnancy and pregnancy-related conditions.

***II. Application of the Pregnant Workers Fairness Act ("the Act"),***

The Town will:

1. Upon request for an accommodation, communicate with the employee in order to determine a reasonable accommodation for the pregnancy or pregnancy-related condition. This is called an "interactive process," and it will be done in good faith. A reasonable accommodation is a modification or adjustment that allows the employee or job applicant to perform the essential functions of the job while pregnant or experiencing a pregnancy-related condition, without undue hardship to the Town;
2. Accommodate conditions related to pregnancy, including post-pregnancy conditions such as the need to express breast milk for a nursing child, unless doing so would pose an undue hardship on the employer. "Undue hardship" means that providing the accommodation would cause the Town significant difficulty or expense;
3. Will not require a pregnant employee to accept a particular accommodation, or to begin disability or parental leave if another reasonable accommodation would enable the employee to perform the essential functions of the job without undue hardship to the Town;
4. Will not refuse to hire a pregnant job applicant or applicant with a pregnancy-related condition, because of the pregnancy or the pregnancy-related condition, if an applicant is capable of performing the essential functions of the position with a reasonable accommodation;
5. Will not deny an employment opportunity or take adverse action against an employee because of the employee's request for or use of a reasonable accommodation for a pregnancy or pregnancy-related condition;

6. Will not require medical documentation about the need for an accommodation if the accommodation requested is for:
  - a. More frequent restroom, food or water breaks;
  - b. Seating;
  - c. Limits on lifting no more than 20 pounds;
  - d. Private non-bathroom space for expressing breast milk.

The Town may, however, request medical documentation for other accommodations.

### *III. Complaints of Pregnancy and/or Pregnancy-Related Discrimination*

If you believe that you as an employee have been subjected to pregnancy and/or pregnancy-related discrimination, you have the right to file a complaint with the Town. This may be done in writing or orally.

If you would like to file a complaint you may do so by contacting:

- Assistant to the Town Administrator, One Main St., Ayer, MA 01432, 978-772-8220, [ATA@ayer.ma.us](mailto:ATA@ayer.ma.us)
- Benefits and Payroll Manager, One Main St., Ayer, MA 01432, 978-772-8248, [BPM@ayer.ma.us](mailto:BPM@ayer.ma.us)

These individuals are also available to discuss any concerns you may have and to provide information to you about our policy and our complaint process.

### *IV. Investigation*

When the Town receives the complaint, it will promptly investigate the allegation in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. The investigation will include a private interview with the person filing the complaint and with witnesses. When the investigation is completed, the Town, to the extent appropriate will inform the person filing the complaint the results of the investigation.

If it is determined that inappropriate conduct has occurred, the Town will act promptly to correct the condition.

### *V. Disciplinary Action*

If it is determined that inappropriate conduct has been committed by an employee, the Town will take such action as is appropriate under the circumstances. Such action may range from counseling to termination from employment and may include such other forms of disciplinary action as it deem appropriate under the circumstances.



*VI. State and Federal Remedies*

In addition to the above, if you believe you have been subjected to discrimination, you may file a formal complaint with either or both government agencies set forth below. Using our complaint process does not prohibit you from filing a complaint with these agencies. Each of the agencies has a short time period for filing a claim (EEOC - 300 days; MCAD - 300 days).

The United States Equal Employment Opportunity Commission ("EEOC")

The United States Equal Employment Opportunity Commission (EEOC)  
John F. Kennedy Federal Building  
475 Government Center  
Boston, MA 02203  
Phone: 1-800-669-4000

The Massachusetts Commission Against Discrimination ("MCAD")

The Massachusetts Commission against Discrimination (MCAD)  
One Ashburton Place  
Sixth Floor, Room 601  
Boston, MA 02108  
Phone: 617-994-6000

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Christopher R. Hillman, Chair

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Jannice L. Livingston, Vice-Chair

\_\_\_\_\_  
Gary J. Luca, Clerk

**TOWN OF AYER**  
**BOARD OF SELECTMEN**

**Date:**

**Pregnancy and Pregnancy-Related Conditions Policy**

This acknowledges that I have received and reviewed the Town of Ayer Pregnancy and Pregnancy-Related Conditions Policy (“Policy”). By signing this form, I have read and understand this Policy and any Guidelines promulgated thereunder, and I agree to review periodically any changes or modifications. I recognize that laws and the requirements associated with the Pregnancy and Pregnancy-Related Conditions Policy may change and understand that my regular review of this Policy as it may be amended is required.

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

*To be included in employee’s personnel file.*

DRAFT



# The Massachusetts Pregnant Workers Fairness Act

Effective April 1, 2018, the Massachusetts Pregnant Workers Fairness Act ("PWFA") imposes new obligations on employers to accommodate an employee's pregnancy or a condition related to pregnancy.

## A New Protected Class

- Pregnancy and pregnancy-related conditions are now protected classes in Massachusetts.

## Employee Rights

- Cannot discriminate based on pregnancy or a pregnancy related condition;
- Reasonable accommodation must be provided in the same manner as it would be to a disabled employee.

## Employer Responsibilities Regarding Accommodations

- Some examples of reasonable accommodations include providing:
  - A private, non-bathroom room for expressing breast milk;
  - Light duty and schedule modifications (longer and/or frequent breaks);
  - A modified work schedule;
  - Assistance with manual labor.

## What Should Employers Do?

- Train managers and Human Resources personnel on the requirements of the PWFA.
- Conduct physical space planning to ensure access to private, non-bathroom space for employees to express breast milk.
- Evaluate and revise employee handbooks to incorporate pregnancy and pregnancy-related conditions as protected categories.
- Provide notice to all employees of their rights under the PWFA, as well as to:
  - New employees prior to commencement of employment; and
  - Any employee who has notified the employer of a pregnancy or a pregnancy-related condition, within ten (10) days of such a notification.

MIIA provides general guidance to its members for information purposes. Application of individual laws can vary widely based on the specific facts involved. This guideline is not intended as legal advice and should not be construed as such. Any inquiries concerning Massachusetts law should be directed to a licensed attorney.

## MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION

### **MCAD Guidance PREGNANT WORKERS FAIRNESS ACT Issued 1/23/2018**

The Pregnant Workers Fairness Act (“the Act”) amends the current statute prohibiting discrimination in employment, G.L. c. 151B, §4, enforced by the Massachusetts Commission Against Discrimination (MCAD). The Act, effective on April 1, 2018, expressly prohibits employment discrimination on the basis of pregnancy and pregnancy-related conditions, such as lactation or the need to express breast milk for a nursing child. It also describes employers’ obligations to employees that are pregnant or lactating and the protections these employees are entitled to receive. Generally, employers may not treat employees or job applicants less favorably than other employees based on pregnancy or pregnancy-related conditions and have an obligation to accommodate pregnant workers.

#### Under the Act:

- Upon request for an accommodation, the employer has an obligation to communicate with the employee in order to determine a reasonable accommodation for the pregnancy or pregnancy-related condition. This is called an “interactive process,” and it must be done in good faith. A reasonable accommodation is a modification or adjustment that allows the employee or job applicant to perform the essential functions of the job while pregnant or experiencing a pregnancy-related condition, without undue hardship to the employer.
- An employer must accommodate conditions related to pregnancy, including post-pregnancy conditions such as the need to express breast milk for a nursing child, unless doing so would pose an undue hardship on the employer. “Undue hardship” means that providing the accommodation would cause the employer significant difficulty or expense.
- An employer cannot require a pregnant employee to accept a particular accommodation, or to begin disability or parental leave if another reasonable accommodation would enable the employee to perform the essential functions of the job without undue hardship to the employer.
- An employer cannot refuse to hire a pregnant job applicant or applicant with a pregnancy-related condition, because of the pregnancy or the pregnancy-related condition, if an applicant is capable of performing the essential functions of the position with a reasonable accommodation.
- An employer cannot deny an employment opportunity or take adverse action against an employee because of the employee’s request for or use of a reasonable accommodation for a pregnancy or pregnancy-related condition.
- An employer cannot require medical documentation about the need for an accommodation if the accommodation requested is for: (i) more frequent restroom, food or water breaks; (ii) seating; (iii) limits on lifting no more than 20 pounds; and (iv) private, non-bathroom space for expressing breast milk. An employer, may, however, request medical documentation for other accommodations.
- Employers must provide written notice to employees of the right to be free from discrimination due to pregnancy or a condition related to pregnancy, including the right to reasonable accommodations for conditions related to pregnancy, in a handbook, pamphlet, or other means of notice no later than April 1, 2018.

# Town of Ayer

## Office of Community & Economic Development

Town Hall • One Main Street • Ayer, MA 01432 • 978-772-8206 • Fax: 978-772-8208



TO: Ayer Board of Selectmen

FR: Alan S. Manoian, Director of Community & Economic Development Office  
Alicia Hersey, Community Development, Program Manager

RE: Community Development Grant Extension and Office Budget

Cc: Robert Pontbriand

DT: March 22, 2018

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On March 2 the Office of Community Development submitted their FY18 CDBG application. We expect to hear the results of this Grant application in July, with funds being available in September should we receive the Grant. In the meantime the office has been being funded through Program Income.

The Office of Community Development is requesting approval, by the Ayer Board of Selectmen to use Program Income funds to support the Office of Community Development through August 2018. Current Program Income balance is \$31,083. Of this figure \$20,982 is available for Department use. We request the BOS vote to approve \$20,982 be available to fund the Office of Community Development.

Thank You.