

RECEIVED
FEB 14 2019

TOWN OF AYER
TOWN CLERK

10:45am Susan Popeland

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



Tuesday February 19, 2019
Open Session Meeting Agenda

7:00 PM

Call To Order

Pledge of Allegiance; Review and Approve Agenda; Announcements

7:05 PM*

Public Input

Dr. Denise Pigeon, Nashoba Valley Technical School District

1. FY '20 Budget Update

7:15 PM

Multifamily Affordable Housing Proposal, Amended - Request for L.I.P. Endorsement - 0 Washington Street

Attorney Adam Costa

7:30 PM

Superintendent Mark Wetzel, Dept. of Public Works

1. Execution of Contract for Highway Storage Garage Bid
2. Approval of Change Order 2 - Waterline Industries
3. Parking Management Update
4. Groton Harvard Road & Central Ave. Intersection
5. Grove Pond PFAS Update
6. East Main Street TIP Update
7. LED Streetlight Upgrade

7:50 PM

Chief William A. Murray, Ayer Police Department

1. Radio Infrastructure Upgrade Update
2. Regional Dispatch Update
3. Evidence Room Upgrade Update

8:05 PM

Town Manager's Report

1. Administrative Update/Review of Warrant(s)
2. FY 2020 Budget Update
3. MBTA Advisory Board Membership
4. Open Annual Town Meeting Warrant, May 13, 2019

8:25 PM

New Business/Selectmen's Questions

1. New Outdoor Basketball Hoops for Sandy Pond Beach (Selectman Hillman)

8:30 PM

Approval of Meeting Minutes

February 5, 2019

8:35 PM

Executive Session pursuant to M.G.L. c. 30A §21A

1. Exemption #3 (Union Contract Negotiations) *Police Superiors and DPW Union*
2. Exemption #3 (Litigation Strategy) *Worthen Dale v. Town of Ayer*

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 Executive Session.*

The next regularly scheduled meeting of the Ayer Board of Selectmen is Tuesday March 5, 2019

Nashoba Technical School District

FY20 Proposed Budget

Total Expense Comparison

Account Number	Description	FY18 Budget	FY19 Budget	FY20 Budget	Increase (Decrease)	Increase (Decrease)	
					Amount	%	
1400	Central Office, Finance and Legal	645,655.00	672,852.86	741,880.58	69,027.72	10.3%	Add of Assist. Business Manager
2210	Principal	292,338.00	295,480.08	300,193.70	4,713.62	1.6%	
2220	School Curriculum, Dept. Heads	643,098.00	662,231.37	598,495.20	(63,736.17)	-9.6%	Decrease in Administration
2250	Building Technology	216,432.00	194,184.89	209,777.35	15,592.46	8.0%	
2300	Teaching Services	5,310,921.00	5,621,657.00	5,649,449.00	27,792.00	0.5%	
2350	Professional Development	56,596.00	60,497.65	60,640.00	142.35	0.2%	
2400	Textbooks, Instruct/Technical Equipment	628,731.00	555,695.34	572,365.88	16,670.54	3.0%	
2700	Guidance Services	527,483.00	575,755.18	637,976.12	62,220.94	10.8%	Addition of Social Worker
3100	Attendance Services	85,342.00	87,053.27	91,260.37	4,207.10	4.8%	
3200	Health Services	69,281.00	67,534.80	90,603.72	23,068.92	34.2%	Contract Adjustments
3300	Transportation Services	638,000.00	703,000.00	835,920.00	132,920.00	18.9%	New Bus Contract
3400	Food Services	19,794.00	20,798.72	21,215.00	416.28	2.0%	
3510	Athletic Services	282,126.00	295,062.35	303,469.50	8,407.15	2.8%	
3520	Student Activities	93,202.00	106,496.22	107,755.30	1,259.08	1.2%	
3600	Student Security	159,684.00	159,514.59	204,698.00	45,183.41	28.3%	Function Code Change
4110	Custodial Services	221,425.00	221,513.06	218,656.33	(2,856.73)	-1.3%	
4120	Heating of Buildings	105,000.00	120,000.00	130,000.00	10,000.00	8.3%	Increase in fuel costs
4130	Utility Services	362,525.00	382,600.00	388,000.00	5,400.00	1.4%	
4210	Ground Maintenance	149,888.00	150,548.46	136,879.33	(13,669.13)	-9.1%	Reduction in Administration
4220	Building Maintenance and Security	281,415.00	301,508.42	293,306.33	(8,202.09)	-2.7%	
4230	Maintenance - Equipment	155,200.00	155,200.00	153,500.00	(1,700.00)	-1.1%	
4300	Extraordinary Maintenance	0.00	0.00	0.00	0.00	0.0%	
4450	Building Technology	0.00	23,195.76	24,528.00	1,332.24	5.7%	
5100	Employer Retirement Contribution	258,641.00	273,217.00	307,909.00	34,692.00	12.7%	Middlesex County Assessment
5200	Insurance for Active Employees	1,663,978.00	1,663,856.91	1,711,453.00	47,596.09	2.9%	
5250	Insurance for Retired Employees	248,060.00	256,649.16	242,738.00	(13,911.16)	-5.4%	
5260	Other Non Employee Insurance	145,000.00	136,500.00	118,000.00	(18,500.00)	-13.6%	Decrease in Building Insurance
7000	Assets Acquisition and Improvement	350,027.20	379,026.00	379,027.00	1.00	0.0%	
8100	Debt Service Principal/Construction	365,000.00	360,000.00	350,000.00	(10,000.00)	-2.8%	
8200	Debt Service Interest/School Construction	77,082.86	70,097.16	63,150.78	(6,946.38)	-9.9%	
9110	School Choice	30,000.00	10,000.00	10,000.00	0.00	0.0%	
		14,081,925.06	14,581,726.25	14,952,847.79	371,121.24	2.55%	

Classroom Teaching Expenses By Fund Source

100 - 2300	Teachers, Classroom	4,333,873.00	3,996,125.00	4,443,916.00	447,791.00	
201 - 2300	Teachers, Classroom -School Choice	825,765.00	1,445,425.00	1,059,439.00	(385,986.00)	
		5,159,638.00	5,441,550.00	5,503,355.00	61,805.00	1.1%

NASHOBA VALLEY TECHNICAL HIGH SCHOOL
FY 2020 Financial Plan

	FY18	FY19	FY20
	Voted	Voted	Proposed
	Budget	Budget	Budget
<u>General Fund Budget</u>			
<u>Revenues: Member Assessments</u>			
Minimum Contribution	7,253,767	7,286,051	7,505,266
Transportation/Capital Equipment	500,000	525,000	605,000
Additional (Offset)/Assessment	500,000	500,000	750,000
Subtotal Non-Debt Assessments	8,253,767	8,311,051	8,860,266
Debt (Expansion/Renovation)	592,110	584,123	567,178
Total Member Assessment	8,845,877	8,895,174	9,427,444
<u>Revenues: State Aid/Other</u>			
State Transportation Reimbursement	371,498	399,573	455,071
Chapter 70 School Aid	3,671,684	3,691,554	3,710,894
Unreserved Fund Balance	667,101	450,000	300,000
School Choice Revenue	825,765	1,445,425	1,059,439
Subtotal State Aid/Other Revenues	5,536,048	5,986,552	5,525,404
Total All Revenues	14,381,925	14,881,726	14,952,848
<u>General Fund Expenses</u>			
1000 Administration	645,655	672,853	741,881
2000 Instruction	6,849,834	6,520,077	6,969,458
3000 Pupil Services	1,347,429	1,439,460	1,654,922
4000 Operations and Maintenance	1,275,453	1,354,566	1,344,870
5000 Benefits and Fixed Charges	2,315,679	2,330,223	2,380,100
7000 Acquisition, Improvement and Replacement	350,027	225,000	225,000
8000 Debt Retirement and Service	442,083	584,123	567,178
9000 Programs with other School Districts	30,000	10,000	10,000
General Fund Expenses	13,256,160	13,136,301	13,893,409
<u>School Choice and Other Fund Expenses</u>			
2000 Instruction	825,765	1,445,425	1,059,439
Other Post Employment Benefits/Stabilization	300,000	300,000	-
	1,125,765	1,745,425	1,059,439
Total Combined Expenses	14,381,925	14,881,726	14,952,848
<u>Proposed OPEB Other Post Employment Benefits</u>			
Investment Income	-	-	65,000
Other Miscellaneous Revenue	-	-	25,000
			90,000
OPEB Other Post Employment Benefits	300,000	200,000	90,000

NASHOBA VALLEY TECHNICAL HIGH SCHOOL

FY 2020 Assessments by Town

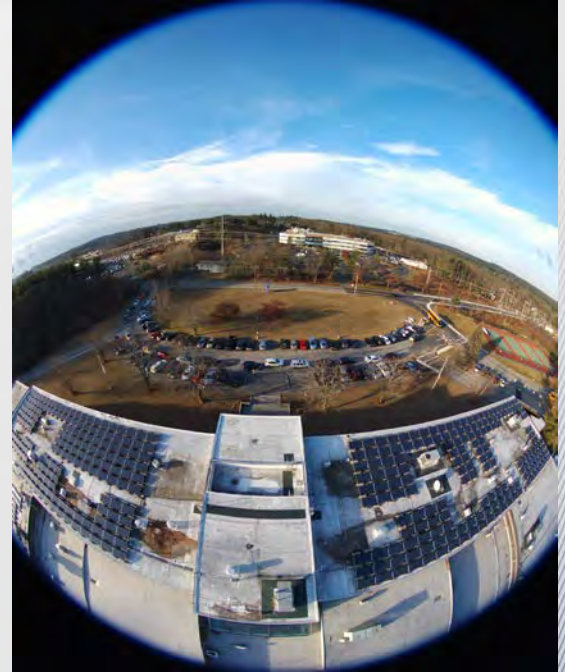
Town	10/1/2018 No. of	Students per Town	Town's Minimum	Transportation Capital Equip	Additional Assessment	Sub-total Assessment	Debt Service	Assessment 2019-2020
<i>Ayer</i>	51	7.98%	610,843	48,286	59,859	718,989	45,268	764,256
<i>Chelmsford</i>	186	29.11%	2,541,510	176,103	218,310	2,935,923	165,094	3,101,017
<i>Groton</i>	43	6.73%	599,454	40,712	50,469	690,636	38,167	728,802
<i>Littleton</i>	29	4.54%	399,586	27,457	34,038	461,081	25,740	486,821
<i>Pepperell</i>	129	20.19%	1,298,159	122,136	151,408	1,571,704	114,501	1,686,204
<i>Shirley</i>	51	7.98%	508,599	48,286	59,859	616,745	45,268	662,012
<i>Townsend</i>	86	13.46%	738,937	81,424	100,939	921,300	76,334	997,634
<i>Westford</i>	64	10.02%	808,178	60,595	75,117	943,890	56,807	1,000,697
	639	100.00%	7,505,266	605,000	750,000	8,860,266	567,178	9,427,444

MSBA Accelerated Repair Project

Nashoba Valley Tech accepted into the MSBA Accelerated Repair grant program with the following scope::

- [Sections of roof over 20 years old](#)
- Kalwals
- Rooftop units (not MSBA reimbursable) on roof areas, installation is included

Reimbursement rate on MSBA portion of project is 55%



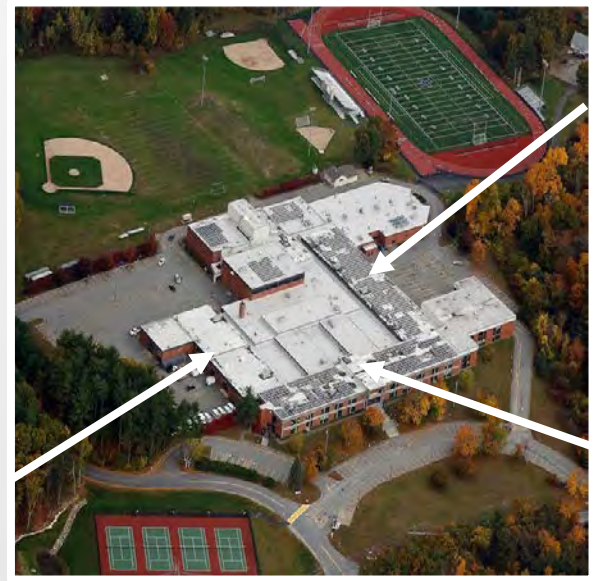
MSBA Accelerated Repair Project

June 27, 2018: Accepted into the MSBA Accelerated Repair Project program

December 20, 2018: Special School Committee Meeting to approve Schematic Design Project

January 2, 2018: Schematic Design Package Submission due to MSBA

July/August 2019: Anticipated completion of the project.



Budget Process

October 2018- January 2019: Budget Development Schedule

January 31, 2019: Town Official's Budget Breakfast

February 5, 2019: Public Hearing on the Budget

February 5, 2019: School Committee Meeting, vote on the budget

March -June 2019: Town Meetings

- NVTHS Assessment
- MSBA Accelerated Repair Program



Mead, Talerman & Costa, LLC
Attorneys at Law

30 Green Street
Newburyport, MA 01950
Phone 978.463.7700
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www.mtclawyers.com

Via E-mail

By Hand

February 4, 2019

Jannice L. Livingston, Chair
Board of Selectmen
Town of Ayer
1 Main Street
Ayer, Massachusetts 01432

RE: Multifamily Affordable Housing Proposal, UPDATED
Request for LIP Endorsement

Dear Madame Chair and Members of the Board:

Reference is made to the above-captioned matter and to the Board's December 4, 2018 meeting. At that meeting, I presented a proposal on behalf of Ayer Solar II, LLC (the "Applicant") for the development of "Ayer Green Residences" (the "Project"), a multifamily condominium project to be located on an approximately 49.97-acre site off Washington Street in Ayer, immediately adjacent to the Nashua River Rail Trail. Citing to the Town's own 2005 Comprehensive Plan Update and Master Plan Update 2017, I requested that the Board consider endorsing the project under the Local Initiative Program (LIP): a Department of Housing and Community Development (DHCD) subsidy that supports the creation of affordable housing in Massachusetts. Unlike other Chapter 40B proposals, LIP projects are premised on collaboration between the Applicant and the Town in an effort to achieve a mutually-beneficial outcome. I explained the foregoing in-depth in a November 13, 2018 letter accompanying the Project proposal.

Following the aforesaid meeting and at the direction of the Board, the Applicant's consultants, namely Calvin Goldsmith, and Kyle Burchard, P.E., both of Goldsmith, Prest & Ringwall, Inc., reviewed comments received from Town officials, Departments and staff, including certain other Board(s) and Commission(s); participated in multiple meetings with Town staff to better appreciate their perspectives, interests and concerns; and have now redesigned the Project to address the feedback they received.

The updated plan, still entitled "Ayer Green Residences 40B Concept Plan" and submitted herewith, required a complete re-envisioning of the site and Project: a new layout, a mix of building styles and incorporation of principles of Traditional Neighborhood Design (TND). The Town's Director of Community and Economic Development, Alan S. Manoian, AICP, strongly recommended greater reliance on TND in his November 30, 2018 memorandum to the Board. TND principles include: providing a network of sidewalks and paths to better pedestrian connectivity; relocating vehicular traffic; designing and delineating common areas so as to foster a greater sense of community; and adding amenities as appropriate. The updated plan does all of these things. It adds porches, walkways and sidewalks; it relocates long-

Millis Office

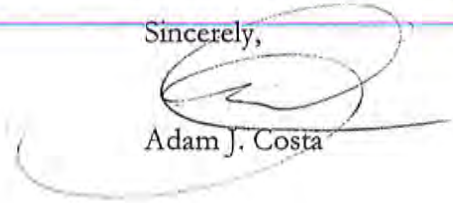
730 Main Street, Suite 1F
Millis, MA 02054
Phone 508.376.8400

term parking behind the buildings and units, with limited parallel parking available on-site; it includes a common area with gazebo; and it even adds a café with outdoor patio nearest the Rail Trail. The Project now includes a walking trail, shuttlestops, designated visitor parking and greenspace exclusive to each of the proposed units in the development. And the updated plan adopts Low Impact Development (LID) techniques, e.g. pervious pavement, as recommended by Town Planner Mark Archambault.

I again ask that you include a discussion of the Project, as revised, on the agenda for your February 19, 2019 meeting. I am hopeful that more substantial progress might be made toward your endorsement of the Project, at that time.

Thank you in advance for your consideration.

Sincerely,



Adam J. Costa

AJC/fhs

Enclosure

cc: Goldsmith, Prest & Ringwall, Inc. (w/ encl.)

Client (via e-mail only, w/ encl.)



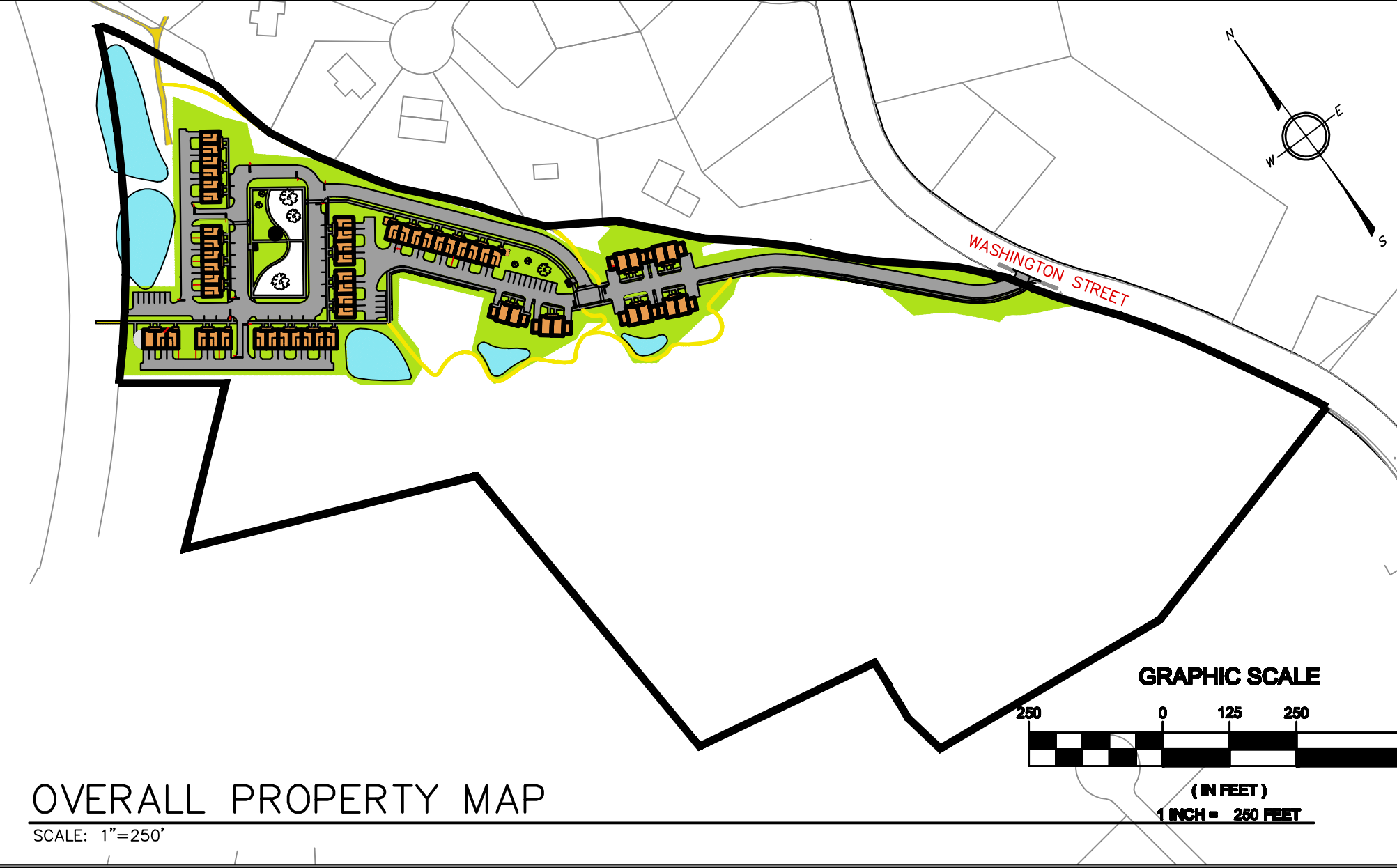
P:\17-117102\DWG\CONCEPT\42-48B-IND-LIB-CONCEPT_5-STAND-ALONE\DWG 01-28-19 1:15:28 PM - LAYOUT CONCEPT

DWELLING TABULATION:

UNIT TYPE	QUANTITY	GARAGE SPACES	DRIVEWAY SPACES
1-BR (BACKS TO NEPPCO)	13	12	14
2-BR (OTHER REAR LOAD)	30	30	30
3-BR (SIDE LOADS)	12	12	16
DWELLING TOTALS	55	54	60

PARKING TABULATION

DEDICATED GARAGE/DRIVEWAY SPACES	114
ON-STREET PARALLEL SPACES	23
VISITOR ONLY SPACES	22
PARKING TOTAL	161



OVERALL PROPERTY MAP
SCALE: 1"=250'

GPR Engineering Solutions
for Land & Structures

GOLDSMITH, PREST & RINGWALL, INC.
39 MAIN STREET, SUITE 301, AYER, MA 01432
CIVIL ENGINEERING • LAND SURVEYING • LAND PLANNING
VOICE: 978.772.1590 FAX: 978.772.1591
www.gpr-inc.com

DRAWING ISSUED FOR:

<input checked="" type="checkbox"/> CONCEPT	<input type="checkbox"/> CONSTRUCTION
<input type="checkbox"/> PERMIT	<input type="checkbox"/> CONSTRUCTION RECORD

PROPOSED CONCEPTS SHOWN ON THIS DRAWING MAY NOT COMPLY WITH ANY REGULATIONS / BYLAWS / ORDINANCES, AND MAY NOT BE RENDERED IN DETAIL SUFFICIENT FOR PERMITTING PURPOSES AND IS NOT INTENDED FOR CONSTRUCTION. NO RESPONSIBILITY UNDER 250 CMR IS IMPLIED OR ACCEPTED.

RESIDENTIAL DEVELOPMENT

AYER GREEN RESIDENCES
LOCAL INITIATIVE PROGRAM (LIP)
40B CONCEPT PLAN

0 WASHINGTON STREET
AYER, MA

OWNER:
AYER GREEN COMMUNITIES

NO.	DATE	BY	APP.	REVISION DESCRIPTION

DES. BY: KFB
CHK. BY: CRG

DATE: JANUARY 2019

JOB 171002

1 OF 1

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From: [Chief William Murray](#)
To: [Carly Antonellis](#); [Deputy Chief Brian Gill](#); [Chief Pedrazzi](#); [Charlie Shultz](#); [Alan Manoian](#); [Alicia Hersey](#); [Mark Archambault](#); [Tom Hogan \(thogan@ayer.ma.us\)](#); [Susan Copeland](#); [Ayer Conservation Commission](#); [Bridgette Braley](#); [Mark Wetzel](#)
Cc: [Robert Pontbriand](#)
Subject: RE: Solar II - 40B Proposal
Date: Thursday, February 07, 2019 3:42:19 PM
Attachments: [image001.png](#)

My concerns revolve around security, lighting, and sensible & visible numbering.

Chief William A. Murray
Ayer Police Department
54 Park Street
Ayer, MA 01432
978-772-8200



CONFIDENTIALITY NOTICE: The information contained in this e-mail message, including any attachments, is for OFFICIAL USE ONLY (OUO) and is for the sole use of the intended recipient(s). Furthermore, this e-mail and its attachments, if any, may contain LAW ENFORCEMENT SENSITIVE material and is therefore, privileged and confidential. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please notify the sender by reply e-mail and delete the original message and all copies from your computer.

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"When one door closes, another opens; but we often look so long and so regretfully upon the closed door that we do not see the one which has opened for us."

Alexander Graham Bell

From: Carly Antonellis [mailto:cantonellis@ayer.ma.us]
Sent: Thursday, February 7, 2019 2:17 PM
To: Chief William Murray <pdchief@ayer.ma.us>; Deputy Chief Brian Gill <bgill@ayer.ma.us>; Chief Pedrazzi <firechief@ayer.ma.us>; Charlie Shultz <cshultz@ayer.ma.us>; Alan Manoian <amanoian@ayer.ma.us>; Alicia Hersey <ahersey@ayer.ma.us>; Mark Archambault <marchambault@ayer.ma.us>; Tom Hogan (thogan@ayer.ma.us) <thogan@ayer.ma.us>; Susan Copeland <scopeland@ayer.ma.us>; Ayer Conservation Commission <concom@ayer.ma.us>; Bridgette Braley <bbraley@nashoba.org>; Mark Wetzel <mwetzel@ayer.ma.us>
Cc: Robert Pontbriand <ta@ayer.ma.us>
Subject: RE: Solar II - 40B Proposal

Dear All,

From: [Chief Pedrazzi](#)
To: [Carly Antonellis](#); [Chief William Murray](#); [Deputy Chief Brian Gill](#); [Charlie Shultz](#); [Alan Manoian](#); [Alicia Hersey](#); [Mark Archambault](#); [Tom Hogan \(thogan@ayer.ma.us\)](#); [Susan Copeland](#); [Ayer Conservation Commission](#); [Bridgette Braley](#); [Mark Wetzel](#)
Cc: [Robert Pontbriand](#)
Subject: RE: Solar II - 40B Proposal
Date: Wednesday, February 13, 2019 11:09:16 AM

Without doing a detailed analysis it looks like the roadways are inadequate for Fire Department access. The project must comply with **527CMR Ch. 18 Fire Department Access and Water Supply** 18.1.1.4 The fire apparatus access road plans must include an analysis and evaluation of fire apparatus maneuvers throughout the access roads created by swept path analysis and turn simulation software.

Respectfully;

Chief Robert Pedrazzi
Ayer Fire Department
1 West Main Street
Ayer, MA 01432
(978) 772-8231



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From: Carly Antonellis [mailto:cantonellis@ayer.ma.us]
Sent: Wednesday, February 13, 2019 10:08 AM
To: Chief William Murray <pdchief@ayer.ma.us>; Deputy Chief Brian Gill <bgill@ayer.ma.us>; Chief Pedrazzi <firechief@ayer.ma.us>; Charlie Shultz <cshultz@ayer.ma.us>; Alan Manoian <amanoian@ayer.ma.us>; Alicia Hersey <ahersey@ayer.ma.us>; Mark Archambault <marchambault@ayer.ma.us>; Tom Hogan (thogan@ayer.ma.us) <thogan@ayer.ma.us>; Susan Copeland <scopeland@ayer.ma.us>; Ayer Conservation Commission <concom@ayer.ma.us>; Bridgette Braley <bbraley@nashoba.org>; Mark Wetzel <mwetzel@ayer.ma.us>
Cc: Robert Pontbriand <ta@ayer.ma.us>
Subject: RE: Solar II - 40B Proposal

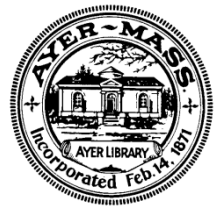
Reminder – Comments are due on this today! Thank you.

Carly

Carly M. Antonellis
Assistant Town Manager
Ayer Town Hall, 1 Main Street
Ayer, MA 01432
978-772-8220

Town of Ayer

Office of the Town Planner



Town of Ayer | Ayer Town Hall | 1 Main Street, 3rd Floor | Ayer, MA 01432 | 978-772-8218 | www.ayer.ma.us

Memorandum

To: Ayer Board of Selectmen, Ayer Town Manager and Asst. Town Manager

From: Mark Archambault, Ayer Town Planner

Re: Ayer Green Residences 40B

Date: February 13, 2019

Overall Concerns: The preliminary design of the proposed 'Ayer Green Residences 40B' project on Groton Road is consistent with smart growth principles of Traditional Neighborhood Design (TND), compact development and proximity to employment centers and recreational areas. It would potentially provide much needed affordable housing in Ayer.

The underlying zoning, which is Residential A-2, has a 12,000 sq.ft. minimum lot size. Assuming that about 30 of the total 50 acres can be considered buildable, we get 1,306,800 sq.ft. of developable land. Dividing that figure by 12,000 sq.ft. per unit yields a maximum of 108 units, which is about twice the number of 55 shown in the concept plan. If this site were to be developed via an Open Space Residential Development subdivision, the unit yield would likely be less than this, though exactly how much less is difficult to say without seeing the road and lot layout which would differ from that shown for a 40B-style project of a series of connected multi-family buildings. Townhouses and Multi-family dwellings are not allowed in the A-2 district, which enables the site to be developed more densely than otherwise.

The road serving the project, in addition to the engineering difficulties and wetland impacts it would engender, would access Washington Street at a curve with less than ideal sight distances. In addition to the engineering challenge of providing a safe intersection, traffic safety concerns may require some off-site improvements to Washington Street itself. Of course, that matter is up to the Department of Public Works. Nonetheless, this needs to be taken into consideration.

Recommendation: I recommend that the Board of Selectmen and the Town engage the applicant in a 'friendly 40B' / LIP process for development of this site as that would afford the Town greater leverage in determining the design and build-out of the development in comparison to a 'hostile' 40B process. That said, I believe the Town should insist on certain pre-conditions or requirements if it chooses to go the 'friendly 40B' / LIP route:

- At least 25% of the number of dwelling units should be affordable per the requirements of the Massachusetts Department of Housing and Community Development.
- A screen of rapidly growing white pines or other vegetative buffer to augment existing vegetation be provided along the perimeter of the site facing the Madigan Lane subdivision.

- An assessment of traffic impacts and mitigation measures for Washington Street by an independent consultant to be conducted at the applicant's expense.
- The applicant develops a plan substantially in conformity with the Traditional Neighborhood Design (TND) concept plan.
- The design is refined to minimize downslope impacts on wetland resources and the wetland buffer zone as much as possible.
- Stormwater management be handled as much as possible through 'green' Low-Impact Development (LID) techniques.

Sincerely,

Mark Archambault, AICP

Ayer Town Planner

From: [Tom Hogan](#)
To: [Robert Pontbriand](#); [Carly Antonellis](#)
Subject: Re: Solar II - 40B Proposal
Date: Wednesday, February 13, 2019 12:06:28 PM
Attachments: [40B Proposal Impact.pdf](#)

Robert & Carly,

I thought it may make sense to approach this issue from a municipal finance perspective. I've attached a spreadsheet that estimates the property tax impact of the proposed development. The project looks like it's going to be similar to the "The Willows" development though Ayer Green Residences will not include any higher end detached units. I understand that there may be citizen opposition to this project. However I think those concerns must be weighed against planning for the future financial well being of the community. It's important to keep in mind that the "The Willows" condominium project is now complete so , unlike many prior years, the town will no longer realize any tax levy growth benefit from that development. The final phase of the Pingry Hill development is well underway and, once completed, will no longer provide the town will an annual tax levy growth benefit. Though we have been fortunate to realize significant personal property growth over the last 5 or 6 years, there is no guarantee that the trend will hold going forward. Consequently, it would seem to make sense that the town fully explore all options available to insure future expansion of the tax base. Anyway, I hope the attached helps and let me know if you require any additional information.

Thanks,

Tom

From: Carly Antonellis <cantonellis@ayer.ma.us>
Sent: Wednesday, February 13, 2019 10:07 AM
To: Chief William Murray; Deputy Chief Brian Gill; Chief Pedrazzi; Charlie Shultz; Alan Manoian; Alicia Hersey; Mark Archambault; Tom Hogan (thogan@ayer.ma.us); Susan Copeland; Ayer Conservation Commission; Bridgette Braley; Mark Wetzel
Cc: Robert Pontbriand
Subject: RE: Solar II - 40B Proposal

Reminder – Comments are due on this today! Thank you.

Carly
Carly M. Antonellis
Assistant Town Manager
Ayer Town Hall, 1 Main Street
Ayer, MA 01432
978-772-8220

**TOWN OF AYER
 AYER GREEN RESIDENCES
 ESTIMATED CHAPTER 40B PROPERTY TAX IMPACT STUDY**

<u>Unit Type</u>	<u>Total Units</u>	<u>Market Units</u>	<u>Affordable Units</u>	<u>Estimated Unit Valuation @ Market</u>	<u>Estimated Unit Valuation Affordable</u>	<u>Total Estimated Market Valuation</u>
1 Bedroom	13	2	11	275,000	137,500	2,062,500
2 Bedroom	30	30	0	350,000	175,000	10,500,000
3 Bedroom	<u>12</u>	<u>12</u>	<u>0</u>	400,000	200,000	<u>4,800,000</u>
Totals:	55	44	11			17,362,500

Residential Tax Rate \$13.63

Potential Growth Levy\$ \$236,651

**** Study Assumptions:***

- 1. 20% of the total units will be designated as affordable***
- 2. Affordable units will be one bedroom only***
- 3. Current estimated market valuations/tax rates will remain consistent through the construction period***

Town of Ayer

CONSERVATION COMMISSION

Town Hall ♦ One Main Street ♦ Ayer, MA 01432
Phone 978-772-8249 ♦ Fax 978-772-8208



Memorandum

To: Carly Antonellis, Assistant Town Manager
From: Jo-Anne Crytoff, Conservation Administrator
Re: Ayer Green Residences proposed project comments
Date: February 13, 2019

The Ayer Conservation Commission has jurisdiction over projects which require permitting under the State's Wetlands Protection Act. The wetlands present on the parcels proposed for development as Ayer Green Residences would require such permits. A wetland crossing is also required for the roadway into this project, which will require close oversight on the part of the Conservation Commission and possibly the Army Corps of Engineers.

In addition to wetlands considerations on these parcels, several other environmental issues come to bear at this location. A portion of the project lies within the Petapawag Area of Critical Environmental Concern (ACEC), a designation that has been made by the State which recognizes the "quality, uniqueness, and significance of natural and cultural resources." Projects carried out in an ACEC are subject to increased oversight, elevated performance standards, and lower thresholds for review at the State level in order to protect the ecological values inherent in an ACEC.

The area proposed for development as Ayer Green Residences is also within the Natural Heritage Endangered Species (NHESP) Estimated Habitat for Rare Wildlife mapped area as well as the Priority Habitat of Rare Species mapped area. The Natural Heritage program has oversight on projects that propose development in these mapped areas and can require an assessment of the area for the presence of State listed and endangered species as well as mitigation measures for their protection.

The mapped soil types in the area proposed for development will have an impact on the handling of stormwater as the land cover type changes from a forested condition to a densely developed condition with impermeable surfaces.

Sincerely,

Jo-Anne Crystoff
Conservation Administrator
Town of Ayer

Town of Ayer

Office of Community & Economic Development

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



To: Robert Pontbriand, Ayer Town Manager
From: Alan S. Manoian AICP, Dir. Ayer Office of Community & Economic Development
Date: 2/12/2019
Re: Comments - Proposed "Ayer Green Residences" (LIP) 40B Development Conceptual Plan

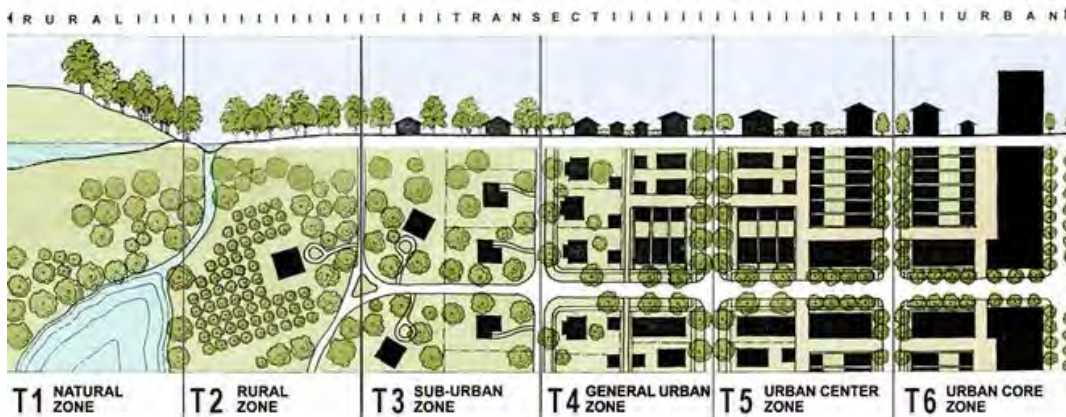
The Ayer Office of Community & Economic Development submits the following comments in response to the submitted conceptual plans as prepared and provided by GPR, Inc.:

- The formulation and application of Traditional Neighborhood Design (TND) techniques and associated development pattern as presented by GPR, Inc. are commendable, noteworthy and demonstrates a good-faith advancement to designing and delivering more sustainable and smart-growth residential subdivision development in the Town of Ayer, MA;
- The proposed residential development would prospectively deliver fifty-five (55) new, high-quality residential dwellings within a $\frac{1}{4}$ of Ayer's largest employer (*Nashoba Valley Medical Center*) and within a $\frac{1}{2}$ mile of Ayer's second largest employer (*Ayer/Shirley Regional School District*) – both of which employ significant numbers professional staff that earn 80% or less than Ayer's median income (*therefore, "low-to-moderate income persons*);
- The proposed residential development would deliver fifty-five 55 new residential units, 25 % of the total proposed dwelling units (14 units), which would provide the Town of Ayer critically needed deed-restricted affordable residential units as our level is currently at 8.7% with a State required level of 10%. Of concern is the fact that over the next 4 years the Town will be losing a total of 73 units, *therefore the proposed 14-units (25% of 55 total units)* would serve to contribute in off-setting that substantial coming loss. The applicant has stated that the proposed dwelling units

may be developed as condominiums therefore the assumption is that they would be “sale units”. Should the applicant decide to develop the property as a rental project with 25% affordable then all 55-units would count as “affordable” on the Town of Ayer’s State Housing Inventory (SHI).

- The level of density/intensity of the proposed “Ayer Green Residences” development is exceedingly high relative to the contextual fabric and existing residential development pattern of the surrounding location and neighborhood. This is the reason AOCED continually advocates for the application of the “Rural to Urban Transect” in the comprehensive planning and development of the entire 9.8 square mile land area that embodies the Town of Ayer. There should be a rational, traditional and sustainable development/growth pattern with the highest density of development at the historic Town core, and gradually growing outward at a lower and lower density pattern until the Town borders are reached. Also, the application of multi-Village Centers at several locations in Ayer through the use of “The Transect” should be considered and applied; this means having Mini-Transects that function together as a whole town-wide sustainable development pattern.

See the “Rural to Urban Transect” below:



- This proposed residential development inserts itself in a conventionally low density, suburban, large parcel residential zoning district, which disrupts/conflicts the “Rural to Urban Transect” sustainable development pattern. If better planning and zoning formulation had been conducted and practiced in Ayer in years past, then a “Traditional - Walkable Village Center ” zoning district, a Mini-Transect, would/could have been clearly and prescriptively established in close proximity to the Nashoba Valley

Medical Center and the Ayer/Shirley Regional School Campus. As it stands today there is a significant probability that the insertion of this proposed dense residential development may tend to devalue (*monetarily and quality-of-life*) the conventional large-parcel detached single-family residences that abut this proposed residential development;

- AOCED believes that due to the challenging physical land characteristics of the subject development parcel (*in terms of topography, wetlands, access, constriction, transmission-line easement, etc.*), especially with regard to the prospective high cost of engineering and constructing the street/roadway into the proposed development, the developer is proposing an exceedingly high number of dwelling units. In order to bear the high cost of roadway engineering and construction, and combined with need for adequate return on monetary investment by developer/owner the number of dwelling units and associated pavement, etc. is high. In other words, because the land is tough to building on, one must deliver a high density development to bear the cost of roadway construction and return on investment, etc. Therefore, AOCED recommends lowering the number of dwelling units to a more livable and less adverse density for the proposed residents of this proposed new neighborhood and the existing long-time neighbors who surround this proposed development.

DEPARTMENT OF PUBLIC WORKS

Mark L. Wetzel, P.E., Superintendent
Dan Van Schalkwyk, P.E. Town Engineer
Pamela J. Martin, Business Manager

25 BROOK STREET
AYER, MASSACHUSETTS 01432
T: (978) 772-8240
F: (978) 772-8244

Memorandum

Date: February 13, 2019

To: Carly Antonellis, Assistant Town Manager

From: Mark Wetzel P.E.

Re: Ayer Green Residences 40B Development

As requested, I have reviewed the concept plan for the proposed 40B development Ayer Green Residences dated January 2019. This concept plan does not provide details for utilities, stormwater management and site grading. The DPW will need more detailed drawings and understanding of the civil / site design issues for additional review. However, as a result of the Site Plan Review for the Ayer Solar II project, I am familiar with the site and some of the roadway, grading, stormwater and utility issues. I offer the following comments:

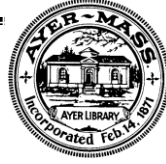
1. As this is a major residential project, the roadway design should conform to Town standards for pavement widths and grades. I recommend a 24 foot paved travel way with a 5 foot bicycle lane on each side.
2. Having a single access road extending 1500 feet from Washington Street is not recommended.
3. The concept plan is laid out as if this were a flat site. With proper road and site grading, the concept layout could be significantly different.
4. Based on the review of the Ayer Solar II, the grading of the road access at Washington Street will need to wider than shown and at a flatter grade than the Ayer Solar II road design. It is my opinion that it will be difficult to construct a safe road intersection at Washington Street
5. Due to the length of the road and the projected water demands and fire flow requirements, a 12-inch water main, looped through to either Douglas Drive or Rosewood Avenue will be required.
6. There is a town sewer interceptor on the west side of the site. Analysis of the capacity of the Groton School Road Pumping Station will be required.
7. Concept plan shows stormwater basins on abutting property (DCR ROW)
8. The DPW stormwater management system for the Ayer Solar II project was for a solar field access road. This was a complex combination of different systems. The DPW commented as follows: *Stormwater Management Design –The stormwater management system is somewhat complicated, due to the slopes, proximity to wetlands and limited area for typical drainage*

basins and structures. The access road includes a number of “low impact development – LID” stormwater management structures, including tree boxes, overflow swales, subsurface storage piping with overflow outlets to wetlands. The solar field has a typical sheet run-off with fore basin / infiltration basin design. In theory, the system as designed appears to meet the MADEP Stormwater Management Standards. However, the extensive use of LIDs requires frequent inspections and maintenance for long term effectiveness.

Constructing a road used on a daily basis by 55 residents with sidewalks will require additional stormwater management structures and in my opinion, will be difficult to implement on this site.

DEPARTMENT OF PUBLIC WORKS

Mark L. Wetzel, P.E., Superintendent
Daniel Van Schalkwyk, P.E., Town Engineer



25 BROOK STREET
AYER, MASSACHUSETTS 01432
T: (978) 772-8240
F: (978) 772-8244

MEMORANDUM

Date: February 14, 2019
To: Board of Selectmen
From: Mark Wetzel, P.E. Superintendent of Public Works
Subject: **February 19, 2019 Meeting Agenda Items**

1. **Execution of Contract for of Highway Storage Garage Bid** – Requested Motion – Vote to execute the Contract with Nadeau Corporation for the DPW Highway Garage in the amount of \$746,600 (for signature by the Chair).
2. **Approval of Change Order 2 for Waterline Industries** – Attached is Change Order No. 2 for the Wastewater Treatment Plant Phase 1 Upgrade Contract with Waterline Industries. The change order amount is for \$44,641.72. This includes twelve items, including credits on several items. The majority of the work was replacement of a primary sludge pump, wall modifications and replacement of tertiary filter media. For signature by the Board.
3. **Parking Management Update-** I will provide the board with an update of the implementation of the Parking Management Plan.
4. **Groton Harvard Road & Central Ave Intersection** – At the request of the Board, I will present issues and potential low-cost improvements to improve the safety of the intersection and the long term plan.
5. **Grove Pond PFAS Update**
6. **East Main St TIP Update**
7. **LED Streetlight Upgrade Update**

OWNER-CONTRACTOR AGREEMENT

THE TOWN OF AYER

This agreement made the _____ day of _____, 2019 by and between the **Town of Ayer**
Hereinafter called the "Owner", Nadeau Corporation hereinafter called the "Contractor"
Name of Contractor

Witnesseth, that the Owner and the Contractor, for the consideration hereinunder named, agree as follows:

Article 1. Scope of Work: The Contractor shall perform all Work required by the Contract Documents for
DPW Highway Garage 18DPW01 referred to in the Contract Documents prepared by

Project Name and Number
William Sloan Associates acting as and referred to as the "Architect".
Architect/Engineer

Article 2. Time of Completion: The Contractor shall commence work under this Contract on the date specified in the written "Notice to Proceed" and shall bring the Work to Substantial Completion 180 calendar days of said date
Days

Damages for delays in the performance of the Work shall be in accordance with Article 8.3.2 of the General Conditions of the Contract.

Article 3. Contract Sum: The Owner shall pay the Contractor, in current funds, for the performance of the Work,

<u>Seven Hundred Forty Six Thousand Six Hundred dollars and zero cents</u>	Dollars \$	746,600.00
Contract Amount in Words		Contract Amount in Dollars

The Contract Sum is divided as follows:

Item 1: The Work of the Contractor, being all Work other than that covered by Item 2 \$ 600,000.00

Item 2: Subcontractors as follows

Section - Trade	Subcontractor	Amount
1 220001 - Plumbing	Araujo Bros, Inc.	\$ 41,000.00
2 230001 - HVAC	Ambient Temperature Corp.	\$ 59,600.00
3 260001 - Electrical	Jupiter Electric, Inc.	\$ 46,000.00
Total for Item		<u>\$ 146,600.00</u>

Article 4. The Contract Documents: The following, together with this Agreement, form the Contract and all are as fully a part of the contract as if attached to this Agreement or repeated herein: The Advertisement, Bidding Documents, Contract Forms, Conditions of the Contract, and Specifications as enumerated in the Table of Contents, the drawings as enumerated in the List of Contract Drawings and all Modifications issued after execution of the Contract. Terms used in this Agreement which are defined in the Conditions of the Contract shall have the meanings designated in those Conditions.

Article 5. Alternates: The following Alternates have been accepted and their costs are included in the Contract Sum stated in Article 3 of this Agreement: **Alternate No(s): N/A**

Article 6. REAP Certification: Pursuant to M.G.L. c.62(c), sec.49(a), the individual signing this Contract on behalf of the Contractor, hereby certifies, under the penalties of perjury, that to the best of their knowledge and belief the

Contractor has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting child support.

Article 7. Validation: This Contract will not be valid until signed by the Board of Selectmen.

In Witness Whereof, the Parties Hereto Have Caused This Instrument to be Executed Under Seal.

¹ CONTRACTOR

THE TOWN OF AYER

Name of Contractor

Printed Name

Address

Signature and Seal

By: _____
Signature and Seal

Title

Witness _____

Attest:

¹ If a Corporation, attach a notarized copy of the Corporate Vote authorizing signatory to sign Contract.

DRAFT

FORM FOR GENERAL BID

ARTICLE 1 – BID RECIPIENT

1.01 This Bid is submitted to:

Department of Public Works, Town of Ayer, 25 Brook Street, Ayer, MA 01432

1.02 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with the Contractor to supply the specified equipment as specified or indicated in the Bidding Documents for the price indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.

ARTICLE 2 – BIDDER’S ACKNOWLEDGEMENTS

2.01 Bidder accepts all of the terms and conditions of the Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. This Bid will remain subject to acceptance for 30 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.

ARTICLE 3 – BIDDER’S REPRESENTATIONS

3.01 In submitting this Bid, Bidder represents that:

A. Bidder has examined and carefully studied the Bidding Documents, other related data identified in the Bidding Documents, and the following Addenda, receipt of which is hereby acknowledged:

Addendum No.	Addendum Date
<u>01</u>	<u>1/11/19</u>
<u>02</u>	<u>1/18/19</u>
<u> </u>	<u> </u>

B. Bidder has visited the Site and become familiar with and is satisfied as to the general, local, and Site conditions that may affect cost and furnishing and installing equipment to be supplied.

C. Bidder is familiar with and is satisfied as to all Laws and Regulations that may affect cost, progress, and performance of the Work.

D. Bidder has considered the information known to Bidder; the Bidding Documents; and the Site-related reports and drawings identified in the Bidding Documents, with respect to the effect of such information, observations, and documents.

E. Bidder is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.

F. Bidder has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and the written resolution thereof by Engineer is acceptable to Bidder.

- G. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for furnishing and delivering the equipment for which this Bid is submitted.

ARTICLE 4 – BIDDER’S CERTIFICATION

4.01 Bidder certifies that:

- A. This Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any collusive agreement or rules of any group, association, organization, or corporation;
- B. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid;
- C. Bidder has not solicited or induced any individual or entity to refrain from bidding; and
- D. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 4.01.D:
1. “corrupt practice” means the offering, giving, receiving, or soliciting of any thing of value likely to influence the action of a public official in the bidding process;
 2. “fraudulent practice” means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Owner, (b) to establish bid prices at artificial noncompetitive levels, or (c) to deprive Owner of the benefits of free and open competition;
 3. “collusive practice” means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish bid prices at artificial, non-competitive levels; and
 4. “coercive practice” means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

ARTICLE 5 – BASIS OF BID

5.01 Bidder will complete the Work in accordance with the Contract Documents for the following price(s):

The Proposed Contract Price being the sum of Items 1 and 2 is:

Seven hundred forty six thousand, six hundred Dollars
(Words)

(\$ 746,600⁰⁰) (Figures)

Item 1. (Work of the General Contractor)

Work of the General Contractor, including all work other than that covered by Item 2 is:

Six hundred thousand Dollars
(Words)

(\$ 600,000⁰⁰) (Figures)

Item 2. (Work of the Sub-Contractors)

Division or Section	Name of Sub-Bidder	Sub-Bid Amount	Bond Required? Yes or No
220001 - Plumbing	ARAUJO BROS. INC	\$ 41,000 ⁰⁰	NO
230001 - HVAC	AMBIENT TEMPERATURE CORP	\$ 59,600 ⁰⁰	NO
260001 - Electrical	SACCA ELECTRIC LLC	\$ 67,700 ⁰⁰	NO

Work of all the Sub-Contractors, including all work other than that covered by Item 1 is:

ONE HUNDRED SIXTY EIGHT THOUSAND THREE Dollars
(Words) HUNDRED

(\$ 168,300⁰⁰ / ALL DOLLARS) (Figures)

ESTABLISHED UNIT COST ITEMS-EXTRA WORK

The following established unit items shall be utilized for the project exclusive of the work included in Item 1: Not Applicable

DEDUCTIVE ALTERNATES

<i>Base Price for Base Bid</i>	<i>\$ 746,600</i>
<i>Deduct 1 Subtract from Base Bid</i>	<i>\$ 7,000</i>
<i>Bid Price with Alternate 1</i>	<i>\$ 739,600</i>
<i>Deduct 2 Subtract from Base Bid</i>	<i>\$ 10,000</i>
<i>Bid Price with Alternate 2</i>	<i>\$ 736,600</i>
<i>Deduct 3 Subtract from Base Bid</i>	<i>\$ 3,600</i>
<i>Bid Price with Alternate 3</i>	<i>\$ 743,000</i>
<i>Deduct 4 Subtract from Base Bid</i>	<i>\$ 5,000</i>
<i>Bid Price with Alternate 4</i>	<i>\$ 741,600</i>

Provide Basis for Bid Price for eliminating bollards based on Alternate 1.

Item No.	Est Quantity	Description and Bid Unit Price in Words	Bid Unit Price	Bid Price
Alt 1	LS	Eliminating Bollards <i>Seven thousand dollars</i> Per Lump Sum in Words	<i>\$7,000</i>	<i>\$ 7,000</i>

Provide Basis for Bid Price for eliminating rear windows based on Alternate 2.

Item No.	Est Quantity	Description and Bid Unit Price in Words	Bid Unit Price	Bid Price
Alt 2	LS	Eliminating Rear Windows <i>Ten thousand dollars</i> Per Lump Sum in Words	<i>\$10,000</i>	<i>\$10,000</i>

Provide Basis for Bid Price for eliminating awning over overhead door based on Alternate 3.

Item No.	Est Quantity	Description and Bid Unit Price in Words	Bid Unit Price	Bid Price
Alt 3	LS	Eliminating Awning over Overhead Door	\$ 3,600	\$ 3,600
		<i>Three thousand, six hundred dollars</i>		
		Per Lump Sum in Words		

Provide Basis for Bid Price for eliminating concrete knee walls from foundation and extending metal framed building including structure and wall panels to slab based on Alternate 4.

Item No.	Est Quantity	Description and Bid Unit Price in Words	Bid Unit Price	Bid Price
Alt 4	LS	Eliminating Conc. Knee Wall and Extending Metal Framed Building to Slab	\$ 5,000	\$ 5,000
		<i>Five thousand dollars</i>		
		Per Lump Sum in Words		

All specified cash allowances are included in the price(s) set forth above, and have been computed in accordance with Paragraph 11.02 of the General Conditions.

DRAFT

ARTICLE 6 – TIME OF COMPLETION

- 6.01 Bidder agrees that the Work will be substantially complete within 180 calendar days after the date when the Contract Times commence to run as provided in Article 8 of the General Conditions, and will be completed and ready for final payment in accordance with Article 8 of the General Conditions within 210 calendar days after the date when the Contract Times commence to run.
- 6.02 Bidder agrees to accept provisions in the Agreement as to liquidated damages, if imposed by the Town of Ayer.

ARTICLE 7 – ATTACHMENTS TO THIS BID

7.01 The following documents are to be submitted with and made a condition of this Bid:

- A. Bid Bond
- B. DCAM Certificate of Eligibility and Update Statement

ARTICLE 8 – DEFINED TERMS

8.01 The terms used in this Bid with initial capital letters have the meanings stated in the Instructions to Bidders.

DRAFT

ARTICLE 9 – BID SUBMITTAL

9.01 This Bid is submitted by:

If Bidder is:

An Individual

Name (typed or printed): _____

By: _____
(Individual's signature)

Doing business as: _____

A Partnership

Partnership Name: _____

By: _____
(Signature of general partner -- attach evidence of authority to sign)

Name (typed or printed): _____

A Corporation

Corporation Name: NADDEAU CORPORATION _____ (SEAL)

State of Incorporation: R.I.
Type (General Business, Professional, Service, Limited Liability): _____

By: _____
(Signature -- attach evidence of authority to sign)

Name (typed or printed): ERNEST NADDEAU

Title: PRESIDENT
(CORPORATE SEAL)

Attest Mark E. Mendenhall

Date of Qualification to do business in MASSACHUSETTS is 5, 6, 84

A Joint Venture

Name of Joint Venture: _____

First Joint Venturer Name: _____ (SEAL)

By: _____
(Signature of first joint venture partner -- attach evidence of authority to sign)

Name (typed or printed): _____

Title: _____

Second Joint Venturer Name: _____ (SEAL)

By: _____
(Signature of second joint venture partner -- attach evidence of authority to sign)

Name (typed or printed): _____

Title: _____

(Each joint venturer must sign. The manner of signing for each individual, partnership, and corporation that is a party to the joint venture should be in the manner indicated above.)

Bidder's Business Address _____

Phone No. _____ Fax No. _____

E-mail _____

SUBMITTED on _____, 20____.

State Contractor License No. _____.



Nadeau Corporation
Construction Development & Engineering

Mr. Mark Wetzel
Superintend of Public Works
26 Brook Street
Ayer, MA 01432

RE: Ayer DPW Highway Garage Project

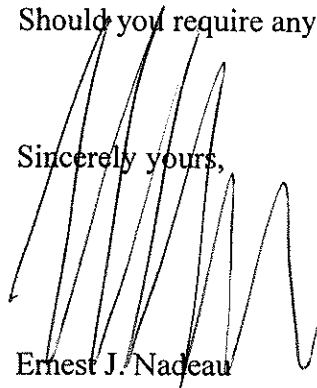
Dear Mark,

Pursuant to our conversation this afternoon and further investigation by myself, the facts of our bid submission are that we had one of our employees take the bid form home with him last night in order to deliver it this morning. That bid form had listed the filed sub bidders including Sacca Electric and their sub bid amount of \$67,700.00. That form also listed the subtotal of the low filed bidders as \$168,300.00. Today in reviewing the bid with my estimator, he correctly carried the low bid of Jupiter Electric, whose price was \$46,000.00. We carried that figure in our estimate. Furthermore, our proposed lump sum of the entire project of \$746,600.00 is correct and the total of the filed subcontractor as listed on page 3 of \$146,600.00 is correct, which includes the utilization of Jupiter electric as the correct low filed sub bidder.

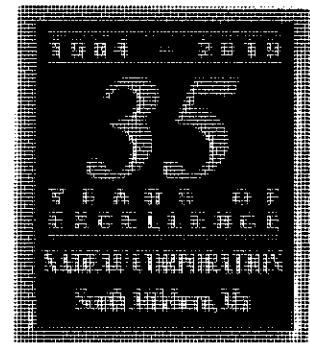
In summary, that is what occurred and why there is a discrepancy in the listed electrical file bidder, but in reality, the important point is our base bid number of \$746,600.00 and the total of \$146,600.00 of the low filed subcontractors is, in fact, correct.

Should you require any more information, please feel free to contact me.

Sincerely yours,



Ernest J. Nadeau



CHANGE ORDER FORM

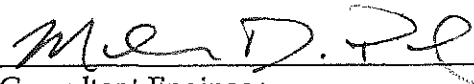
Change Order Number _____ 2 _____
Contract Amount (As-Bid) _____ \$2,177,677.00 _____
Net Change in Contract Price (this Change Order) _____ \$44,641.72 _____
Total Cost of Change Orders to date (excluding this C.O.) _____ \$43,124.68 _____
Total Adjusted Contract Price (including this change order and all other change orders) _____ \$2,265,443.40 _____

This change order extends the time to complete the work by 54 calendar days.

This extended completion date is: February 28, 2019 for Substantial Completion and May 1, 2019 for Final Completion.

This change order is checked by:  _____
CDM Smith

This change order is requested by: Town of Ayer _____
This change order is recommended by: CDM Smith _____

 _____ MA. 50148 _____ 2/13/2019 _____
Consultant Engineer P.E. # Date

The undersigned agree to the terms of the change order.

 _____ 2/12/19 _____
Waterline Industries Corp. Date

Jannice L. Livingston, Chair - Board of Selectmen Date

Christopher R. Hillman, Vice-Chair - Board of Selectmen Date

Scott A. Houde, Clerk - Board of Selectmen Date

Certification of Appropriation under M.G.L. c.44, s.31C: Adequate funding in an amount sufficient to cover the total cost of this change order is available.

Lisa Gabree, Town Accountant Date

Public Entity: Town of Ayer, Massachusetts

Change Order No.: 2

Contract Title: Ayer Wastewater Treatment Facility

Owner's Name: Ayer, Massachusetts – Board of Selectmen

Owner's Address: 1 Main Street, Ayer, MA 01432

Contractor's Name: Waterline Industries Corporation

Contractor's Address: 7 London Lane, Seabrook, NH 03874

Contract Time Extension

Description of Change:

The contract time will be extended fifty-four (54) calendar days; the revised Substantial Completion date is February 28, 2019 and the revised Final Completion date is May 1, 2019.

Reason for Change:

Due to Owner requested changes, various credits and design changes due to existing conditions (summarized below), the completion dates have been extended.

ITEM 1 – Yard Piping Changes

Description of Change:

The fire water service connection to the existing potable water main and hydrant were shifted to the west away from the Process Building to avoid existing Plant process piping that was located during test pits.

Reason for Change:

The relocation of the fire water piping, valves and hydrant was required to allow the connection to the existing water main away from the existing process piping.

COST: \$3,011.67

ITEM 2 – Additional Containment Area Demolition

Description of Change:

It was determined in the field that a variety of electrical, plumbing and architectural items needed to be removed, relocated and abandoned to allow the application of resinous flooring in the alum and lime containment areas of the basement.

Reason for Change:

These additional items had to be addressed to allow the resinous flooring to be completed in the containment areas.

COST: \$4,185.17

ITEM 3 - Sludge Storage Tank #3

Description of Change:

The Owner requested that the General Contractor replace a damaged diffuser in Sludge Storage Tank #3.

Reason for Change:

Rather than waiting for this diffuser to be replaced in future phases, it was agreed that the diffuser would be replaced in FY2018 to allow continued use of the sludge storage tank by the Plant.

COST: \$3,028.66

ITEM 4 - Locker Room Changes

Description of Change:

The existing floor drain in the Men's locker room was corroded and had to be replaced. The drinking fountain located in the corridor was removed at the request of the Owner.

Reason for Change:

The existing floor drain in the Men's locker room is required by code and was no longer functional due to leaks and excessive corrosion. The drinking fountain had been abandoned and no longer required.

COST: \$2,383.40

ITEM 5 - Reuse Existing Water Gate Valves Credit

Description of Change:

It was determined during a site meeting on August 27, 2018 that the existing two 4" gate valves could be reused at the backflow/meter assembly in the basement boiler room.

Reason for Change:

Based on a site inspection by the design Engineer, it was determined that the existing 4" valves are in good working condition and don't require replacement.

CREDIT: (\$768.54)

ITEM 6 - Wye Strainer Credit

Description of Change:

It was determined during a site meeting on August 27, 2018 that the specified wye strainers at the RPZ's are not required.

Reason for Change:

The new wye strainers would be redundant and not required at the RPZs.

CREDIT: (\$728.41)

ITEM 7 - Duct Smoke Detector Credit

Description of Change:

The duct smoke detectors shown at existing/non-functional air handling units are not required.

Reason for Change:

The duct smoke detectors were deleted from the Contract when it was determined in the field that the existing AHU-1, AHU-2 and AHU-9 are no longer functional.

CREDIT: (\$3,802.11)

ITEM 8 - Primary Sludge Pump #1 VFD

Description of Change:

The VFD to Primary Sludge Pump #1 was replaced. The cost of the VFD was agreed to prior to purchase; the installation of the VFD was agreed to on Time and Materials (T&M).

Reason for Change:

The Town requested that the VFD, which was inoperable, be replaced. This allowed the Plant to regain use of Primary Sludge Pump #1.

COST: \$4,422.70

ITEM 9 - Exterior Door Handles

Description of Change:

The general contractor furnished and installed handles and locksets to the exterior doors; a cost of \$1,178.00 (Waterline agreed to withhold Overhead and Profit to offset additional costs) was agreed to by all parties.

Reason for Change:

All of the hardware required for the exterior doors was not included as part of the Contract Documents.

COST: \$1,178.00

ITEM 10 - Grit and Sludge Thickening Rooms

Description of Change:

The wall locations for this classified area were changed from the layout shown on the Contract Drawings. This change required rework of previously installed electrical boxes and fittings to meet the Class I/Division I code requirements.

Reason for Change:

The Grit room was increased in size to accommodate equipment to be installed in future construction phases.

COST: \$9,201.03

ITEM 11 - Fire Alarm Graphic Annunciator Panel

Description of Change:

The graphics for the Fire Alarm Annunciator Panel could not be finalized until future phases are designed.

Reason for Change:

The Fire Alarm Annunciator Panel cannot be modified to address future changes and will be replaced with a graphic map.

CREDIT: (\$676.14)

ITEM 12 - Cloth Disk Filter Media

Description of Change:

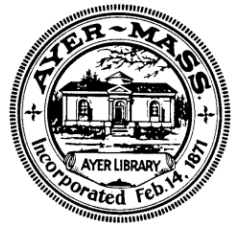
The Owner has requested that the General Contractor purchase new cloth disk filter media; installation will be completed by the Plant staff.

Reason for Change:

The existing cloth disk filters are in need of replacement.

COST: \$23,206.29

**Office of the Board of Selectmen
Office of the Town Manager**



Town of Ayer| Ayer Town Hall| 1 Main Street| Ayer, MA 01432|978-772-8220| www.ayer.ma.us

MEMORANDUM

DATE: February 15, 2019

TO: Ayer Board of Selectmen

FROM: Robert A. Pontbriand
Town Manager

SUBJECT: Town Manager's Report for the February 19, 2019 BOS Meeting

Dear Honorable Selectmen,

I am pleased to transmit to you the following Town Manager's Report for the February 19, 2019 BOS Meeting. If you have any questions prior to the meeting, please do not hesitate to contact me directly.

Administrative Update/Review of Warrant(s):

- I will provide a brief Administrative Update of the various activities, initiatives, and projects of the Administration since the BOS last met on February 5, 2019. I have reviewed, approved and signed the following Town Warrants since the BOS last met on February 5, 2019:

Accounts Payable Warrant #19-15 in the amount of \$1,380,862.58 was reviewed, approved and signed on February 5, 2019

Payroll Warrant #19-16 in the amount of \$319,991.07 was reviewed, approved and signed on February 12, 2019

FY 2020 Budget Update:

- I will provide a brief FY 2020 Budget Update at the February 19th BOS meeting.

MBTA Advisory Board Membership:

- I am respectfully recommending that the BOS re-appoint the Town Manager to the MBTA Advisory Board (See attached).

Open Annual Town Meeting Warrant for May 13, 2019:

- I am respectfully requesting that the BOS vote to officially open the May 13, 2019 Annual Town Meeting Warrant.

Thank you.

Attachment: MBTA Advisory Board Appointment Form

MBTA Advisory Board
MEMBERSHIP LISTING UPDATE FORM

(PLEASE PRINT)

date completed _____

TOWN OR CITY _____

(either) MAYOR OR CHAIRMAN BOARD OF SELECTMEN

When does their Term Expire?(month/year) _____

MAILING
ADDRESS _____

CITY _____ ZIP CODE _____

WORK TEL # () _____ FAX TEL # () _____

EMAIL ADDRESS _____

DESIGNEE APPOINTED TO ATTEND MEETINGS:

ADVISORY BOARD DESIGNEE NAME _____

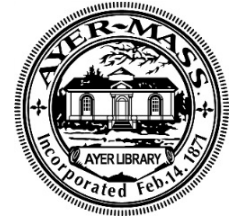
MAILING
ADDRESS _____

CITY _____ ZIP CODE _____

WORK OR HOME # _____ FAX # _____

(PLEASE SPECIFY) EMAIL
ADDRESS _____

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



Broadcast and Recorded by APAC

Tuesday February 5, 2019
Open Session Meeting Minutes

BOS Present: Jannice L. Livingston, Chair; Christopher R. Hillman, Vice – Chair Scott A. Houde, Clerk

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

Call to Order: J. Livingston called the meeting to order at 7:00 PM.

Pledge of Allegiance: BOS members and meeting attendees stood and recited the Pledge of Allegiance.

Approval of Agenda: R. Pontbriand asked to amend the agenda by removing the report of the Director of Community and Economic Development from the agenda. The matter has been tabled to February 19, 2019.

Motion: A motion was by S. Houde and seconded by C. Hillman to approve the agenda as amended. **Motion passed 3-0.**

Announcements: J. Livingston announced that Nomination Papers for various offices are available in the Town Clerk's Office.

Public Input: None

Approval of Meeting Minutes:

Motion: A motion was made by S. Houde and seconded by C. Hillman to approve the meeting minutes from January 15, 2019. **Motion passed 3-0.**

C. Hillman thanked the coaches and staff of the Nashoba Valley Unlimited Basketball program.

Public Hearing – Application for All Alcohol Beverages License – Sec. 15 Package Store - The Vineyard, LTD, 63 Park Street: S. Houde opened the public hearing at 7:05 PM by reading the Public Hearing Notice as advertised in the Nashoba Valley Voice. J. Livingston gave a brief history stating that this measure was approved by the May 14, 2018 Town Meeting. Mr. Gendron has a current beer and wine license, but is seeking to change it to an All Alcohol.

Mr. Patrick Diamond asked if this affects the number of eligible marijuana retail operations. J. Livingston reported no, as Town Meeting has set the number of retail licenses to 1.

C. Hillman stated that he supported it because Mr. Gendron is a longtime business owner, but heard rumors he was going to sell it.

There was no public input.

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve the All Alcohol Beverages License for the Vineyard pursuant to Chapter 328 of the Acts of 2018. **Motion passed 3-0.**

Motion: A motion was made by J. Livingston and seconded by C. Hillman to close the Public Hearing at 7:10 PM. **Motion passed 3-0.**

MART Commuter/Rail Trail Lot Project Update: R. Pontbriand introduced MART Deputy Director Bruno Fisher and MRPC Transportation Planner George Kahale. R. Pontbriand was pleased to announce that MART has awarded the bid successfully. B. Fisher stated that there were 6 bids received and 5 were within a close range. The bid was awarded to Hutter Construction out of New Ipswich, New Hampshire. MART's attorney Mirick O'Connell of Worcester is drawing up the contract which will go to Hutter on February 19, 2019. B. Fisher reported that the contract will allow for 365 days for construction, but feels it will be completed sooner.

J. Livingston asked when the shovels will go in the ground. B. Fisher said depending on weather and the amount of frost, work could begin sometime in March. He also reported that MART is working with St. Mary's Parish to utilize their parking lot as a satellite location during construction.

C. Hillman asked what is in store for Depot Square. B. Fisher stated that they have requested \$350,000 in this year's Capital Improvement Plan from the state. R. Pontbriand also reported that a meeting is in the process of being set-up between MassDOT, MART, MBTA and relevant Town officials.

R. Pontbriand stated that he will be convening a meeting between the Town's public safety officials and MART to discuss the interim parking plan. Also, once the contract between MART and Hutter is complete, a construction schedule will be provided to the BOS.

ASRSD FY '2020 Budget Presentation and Field Project Update: ASRSD Superintendent Dr. Mary Malone was joined by Business Manager Bill Plunkett. Members of the Ayer Finance Committee and Ayer Shirley Regional School District Committee were in attendance, but not participating.

ASRSD Chair Jonathan Deforge called the ASRSD Committee to order at 7:30 PM.

Dr. Malone and B. Plunkett gave an overview of the ASRSD FY' 20 budget. The FY' 20 assessment increase is \$419,092, which represents a 3.9% increase. The proposed budget includes the following highlights: new elementary math/social studies teacher, a half-time preschool teacher, new Chromebook carts and other enhancements. The budget also retains all teaching positions while maintaining reasonable class sizes.

Dr. Malone stated that the District has been involved in lobbying the legislature to make changes to the Chapter 70 program, which was last updated in 1993. She stated that spending requirements far outpace the Chapter 70 monies received from the Commonwealth.

C. Hillman asked if there was any benefit to having the funding for the School Resource Officer being paid by the school district, as opposed to the Town of Ayer.

S. Houde stressed the need to sync up the town's capital budget with the school's capital budget. He mentioned that there a lot of questions relative to the future of Page Hilltop and wants to make sure it is on everyone's radar.

J. Livingston asked about an update on the field project. Dr. Malone stated that their consultant is in the process of identifying costs to mitigate the safety and ADA issues.

BOS members thanked Dr. Malone and B. Plunkett for their presentation.

DPW Report - Mr. Dan Van Schalkwyk, Town Engineer: *Award of Highway Storage Garage Bid* - D. Van Schalkwyk reported that the Town received 7 bids for the Highway Storage Garage. The low bidder is Nadeau Corporation from South Attleboro. He is recommending execution of the Notice of Award to Nadeau Corporation.

Motion: A motion was made by S. Houde and seconded by C. Hillman to approve execution of the Notice of Award to Nadeau Corporation in the amount of \$746,600 with signature by the Chair. **Motion passed 3-0.**

Update Traffic Regulations with List of Existing One-Way Streets - D. Van Schalkwyk is requesting an update to the 1939 Traffic Regulations to include a list of all one way streets in the Town of Ayer, as referenced in the BOS packet.

Motion: A motion was made by J. Livingston and seconded by C. Hillman to amend the Traffic Regulations of the Town of Ayer, adopted on May 23, 1939 and effective on July 10, 1939, by adding to Article VII, One-Way Streets, the list of existing one way streets as included in the packet. **Motion passed 3-0.**

Adoption of Prospect Street (Westbound from School Street to Elm Street) as One-Way Street – D. Van Schalkwyk stated that as part of this year’s CDBG Program, Prospect Street will be reconstructed. He is requesting that a section of Prospect Street be made One-Way to improve functionality and improve parking in the Court House area.

Motion: A motion was made by S. Houde and seconded by J. Livingston to amend the Traffic Regulations of the Town of Ayer, adopted on May 23, 1939 and effective on July 10, 1939, by adding Prospect Street – Westbound from School Street to Elm Street - to the list of One-Way streets in Article VII, One-Way Streets. **Motion passed 3-0.**

Municipal Vulnerability Preparedness Grant Letter of Support – D. Van Schalkwyk informed the BOS that the DPW is applying for a grant from the Executive Office of Energy and Environmental Affairs to prepare a plan for addressing climate change resiliency and implementing priority projects. He stated that it is advantageous to become a MVP community for other grant opportunities.

Motion: A motion was made by S. Houde and seconded by C. Hillman to approve the Letter of Support as drafted in the packet for the MVP Grant Application. **Motion passed 3-0.**

Town Manager’s Report: *Administrative Update/Review of Warrant(s)* – R. Pontbriand referenced the Town warrants in the packet which he reviewed and approved since the BOS last met. He provided the BOS with an update of various activities, initiatives, and projects of the Administration. He advised that on Feb. 19th, Superintendent Pigeon of the NVTHS will appear before the BOS to discuss the FY 2020 NVTHS Budget assessment and the proposed accelerated school roof project. Additionally, Chief Murray will appear to provide a public update including an update on the Police Radio Project. He will be joined by Superintendent Wetzel to discuss with the BOS the Groton Harvard Road/Central Ave intersection.

Appointments – Council on Aging (2) – R. Pontbriand reported that he has received two letters of interest in the two open seats on the Council on Aging Executive Board from Ms. Kathryn Pfaltzgraff and Ms. and Janine Nichipor. He is requesting appointment for terms to end on June 30, 2019.

Motion: A motion was made by C. Hillman and seconded by J. Livingston to appoint Ms. Kathryn Pfaltzgraff and Ms. and Janine Nichipor to the Council on Aging Executive Board, terms to expire on June 30, 2019. **Motion passed 3-0.**

FY 2020 Budget Update – R. Pontbriand reported that he, Assistant Town Manager C. Antonellis and Finance Director/ Town Account L. Gabree continue to meet with Department Heads regarding their budget requests. He also reminded the BOS that the deadline for initial comments from the BOS and Finance Committee are due on 2/8/19. R. Pontbriand stated that the Capital Planning process has been completed.

Rail Trail Lot Eminent Domain Takings – R. Pontbriand and C. Antonellis are respectfully requesting that the BOS approve an Order of Taking pursuant to Article 30 of the 2018 Annual Town Meeting relative to the taking of portions of land adjacent to the Rail Trail. The reason for this taking is a condition from the Commonwealth of Massachusetts when the Rail Trail Lot was transferred to the Town. Three private property owners have portions of the Rail Trail running through their back yard from when the Commonwealth laid out and paved the Nashua River Rail Trail.

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve the Order of Taking as presented. **Motion passed 3-0.**

Adopt a Street Program – R. Pontbriand noted that he has been working with the Community and Economic Development Director A. Manoian about an Adopt a Street Program. He is proposing a pilot program on Westford Road. BOS members agreed that if the pilot program is successful, the program should be expanded to the main corridors of Town.

New Business/Selectmen's Questions: *Internet in Ayer (Selectman Livingston)* – J. Livingston asked the Administration to look into the possibility of Ayer becoming its own Internet Service Provider (ISP). She would like a report back around June.

Patrick Diamond, volunteered to become part of the exploratory committee.

M. Spinner, 8 Myrick Street then asked about the Regional School Agreement as it relates to the elementary schools.

Adjournment:

Motion: A motion was made by C. Hillman and seconded by J. Livingston to adjourn the meeting at 9:06 PM.

Motion passed 3-0.

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

Date Minutes Approved by BOS: _____

Signature Indicating Approval: _____

