

RECEIVED
NOV 15 2019

TOWN OF AYER
TOWN CLERK

9:30 am
Susan Copeland

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



Tuesday November 19, 2019
Open Session Meeting Agenda

6:00 PM

Call to Order

Pledge of Allegiance; Review and Approve Agenda; Announcements (APD Toy Drive)

Public Input

6:05 PM*

Application for Common Victullaer's License

1. Global Montello, 26-28 Harvard Road

6:10 PM

Chief William A. Murray, Ayer Police Department

1. Transition to Load Bearing Vests

6:20 PM

Mr. Dan Van Schalkwyk, Town Engineer

1. Approval of Change Order 2 for Prospect & Oak St. Infrastructure Project
2. Approval of Change Order 4 for Waterline Industries

6:25 PM

Town Manager's Report

1. Administrative Update/Review of Warrant(s)
2. Approval of FY '21 Budget Calendar
3. FY 2021 Budget Update
4. Amendment #5 to Agreement for Veteran's Services - MassDevelopment

6:35 PM

New Business/Selectmen's Questions

6:40 PM

Approval of Meeting Minutes

October 15, 2019; October 28, 2019; November 5, 2019 (5:30 PM); November 5, 2019 (6:00 PM)

Adjournment

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



GLOBAL MONTELLO GROUP CORP. 800 South Street P.O. Box 9161 Waltham, MA 02454-9161 ph: 781-894-8800 fx: 781-398-9000

RECEIVED
OCT 29 2019

TOWN OF AYER
SELECTMEN'S OFFICE

October 28, 2019

Town of Ayer
Board of Selectmen
1 Main Street
Ayer, MA 01432
Attn: Carly Antonellis

RE: Common Victualler's Application – 0 Off Harvard, 26 and 28 Harvard Road, Ayer, MA

Dear Ms. Antonellis,

Enclosed please find a Common Victualler's License Application for the above referenced location that Global Montello Group Corp., is building in Ayer, Massachusetts.

Should you have any questions or need additional information please contact me at (781) 398-4419.

Sincerely,

Merideth Petz
Paralegal

Enclosures



OFFICE OF THE BOARD OF SELECTMEN
TOWN OF AYER, MA

APPLICATION FOR COMMON VICTUALLER'S LICENSE

Application is hereby made for a Common Victualler's License

NAME OF APPLICANT: Global Montello Group Corp. DBA Alltown Fresh Ayer

COMPANY NAME: Global Montello Group Corp.

COMPANY ADDRESS: 800 South Street, Suite 500, Waltham, MA 02453 (also mailing address for site)

TYPE OF BUSINESS: Convenience Store / Gas Station @ 28 Harvard Rd.

NAME OF PARTNERS: _____

DESCRIPTION OF PREMISE: (Use back side if necessary)

Building is approximately 4,918 square feet, food will be prepared on site, with indoor and outdoor seating. There will be 12 seats inside and there will be 24 seats in the outdoor seating area which is approximately 350 square feet. The gasoline fueling area will be approximately 5,500 square feet and the diesel fueling area will be approximately 1,848 square feet.

APPLICANT'S SIGNATURE: Global Montello Group Corp. DATE: 10/28/19
By: Andrew S. Lika, GVP

ADDRESS: 0 Off Harvard, 26 & 28 Harvard Road, Ayer, MA

TELEPHONE #: (978) 757-2050 (781) 398-4419

HOME Store BUSINESS Corporate contact CELL PHONE
Meredith Petz

Selectmen's Meeting Date: 11/19/19

FEE: \$50.00 Cash, Check or Money Order Payable to the Town of Ayer

10/29/19 Check \$50
Date Fee Received Payment Type

FOOD PROTECTION MANAGER LICENSE: Please attach copy

17525118 10/25/19
License Number Date of Issue

TAX COLLECTOR:

I certify that applicant is current on all local taxes, assessments, betterments or any other municipal charges.

Barbara Truini 10/31/19
Tax Collector Date

Global Montello Group Corp.
CORPORATE OFFICERS

<u>Name & Address</u>	<u>Title</u>
Eric Slifka 800 South Street Waltham, MA 02454	Director, President and Chief Executive Officer
Andrew Slifka 800 South Street Waltham, MA 02454	Executive Vice President
Edward J. Faneuil 800 South Street Waltham, MA 02454	Secretary, Executive Vice President and General Counsel
Matthew Spencer 800 South Street Waltham, MA 02454	Chief Accounting Officer
Daphne Foster 800 South Street Waltham, MA 02454	Chief Financial Officer
Mark Romaine 800 South Street Waltham, MA 02454	Chief Operating Officer

ServSafe
National Restaurant Association

ServSafe® CERTIFICATION

STEPHANIE MCGREGOR

for successfully completing the standards set forth for the ServSafe® Food Protection Manager Certification Examination, which is accredited by the American National Standards Institute (ANSI)–Conference for Food Protection (CFP).

18525118

CERTIFICATE NUMBER

10716

EXAM FORM NUMBER

10/25/2019

DATE OF EXAMINATION

10/25/2024

DATE OF EXPIRATION

Local laws apply. Check with your local regulatory agency for recertification requirements.



#0655

A handwritten signature in black ink that reads "Sherman Brown".

Sherman Brown
Executive Vice President, National Restaurant Association Solutions



In accordance with Maritime Labour Convention 2006, Resolution ADM N 068-2013 (Regulation 3.2, Standard A3.2).

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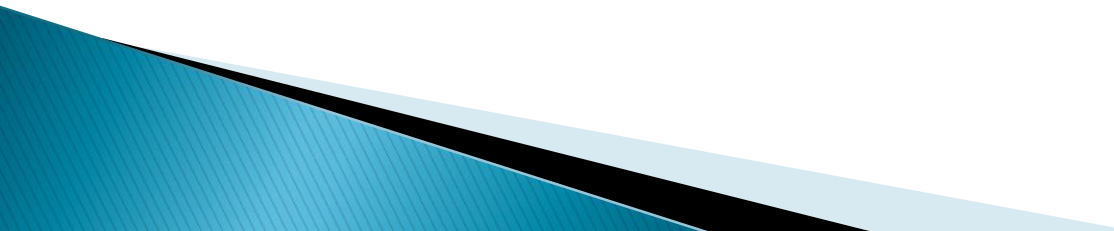
v.1711

Contact us with questions at 233 S. Wacker Drive, Suite 3600, Chicago, IL. 60606-6383 or ServSafe@restaurant.org.

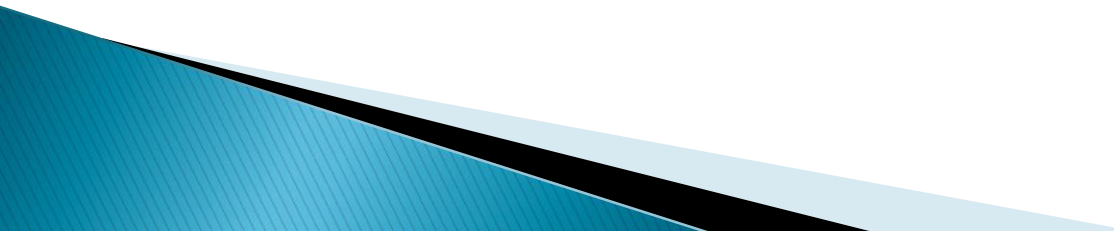
Transition from duty belt to load bearing vest

Officer David Lansing

Load Bearing Vest

- ▶ Transition from the duty belt to the Load Bearing Vest as soon as possible.
 - ▶ Uniform transition for health and safety reasons.
 - ▶ No additional cost to the Town.
 - ▶ This would be an option for APD Patrol personnel.
- 

Health

- ▶ Long term use of the duty belt exposes Officers to low back/hip injuries due to the weight of the belt and its location on the body.
 - ▶ The vest transfers the weight from the low back to the shoulders and distributes the weight equally removing this risk of injury.
- 

Video

- ▶ <https://cowelltactical.com/duty-belt-vs-patrol-vest/>

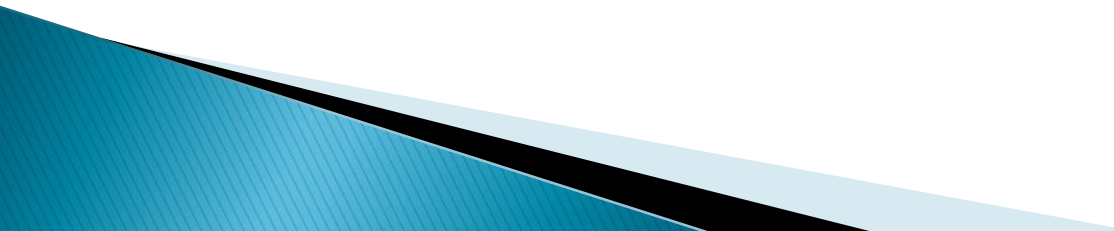
University of Wisconsin Eau Claire

- ▶PURPOSE: Low back pain is a common condition affecting active-duty police officers. Carrying equipment at the waist using a standard duty belt has been linked to discomfort while on duty. The purpose of this study was to determine if a load bearing vest worn on the trunk is more effective at decreasing low back discomfort compared to the standard duty belt. METHODS: 15 active-duty police officers (13 m, 2 f), aged 25–45 y/o, were recruited for this study. Screening criteria were active duty for 1 year and a rating of “minimal disability” on the Oswestry Low Back Pain Disability scale. Officers were randomized into either a duty belt or load bearing vest group prior to the start of the study. A crossover research design was applied for the 6-mo study requiring each officer to wear the duty belt or load bearing vest each for a 3-mo period. At the end of a work shift, officers rated their level of low back discomfort using a visual-analog scale (VAS) numbered 0–10 (0 = no pain; 10 = worst pain imaginable). This occurred 5 d/wk for each 3-mo period. Other physical measures included in the analysis were body composition, spine mobility, and core and aerobic endurance. RESULTS: Oswestry

UWEC continued...

- ▶ scores for all officers (8.1 ± 5.6 pre-study) were rated at “minimal disability”. There were significant ($p < .05$) differences between the vest and belt conditions for each month (1: 2.97 ± 0.73 belt vs 0.95 ± 1.24 vest; 2: 4.08 ± 1.03 belt vs 0.55 ± 1.12 vest; 3: 4.17 ± 1.21 belt vs 0.24 ± 0.41 vest; 4: 4.97 ± 2.43 belt vs 2.03 ± 1.63 vest; 5: 3.33 ± 1.18 belt vs 1.29 ± 1.05 vest; 6: 4.90 ± 2.57 belt vs 1.03 ± 1.10 vest) across the study period. Pearson’s r values indicated weak ($r = -.26$ to $.39$) and nonsignificant ($p > .05$) correlations between belt VAS scores and physical measures and some moderate ($r = -.51$ to $.46$) but nonsignificant ($p > .05$) correlations between vest VAS scores and physical measures. **CONCLUSIONS:** The results demonstrated that a load bearing vest produced significantly lower VAS scores compared to the duty belt. Additionally, there were no significant relationships between physical measures and VAS scores indicating that the load bearing devices were most responsible for eliciting the VAS results reported. Thus, to decrease discomfort, we recommended that officers use a load bearing vest system while on duty. Future studies should explore the potential role of sitting time while on duty in eliciting low back discomfort.”

Safety

- ▶ Currently, Officers store their tools on the sides and rear of their belt. This presents difficulty accessing the tools due to their location and an Officer's range of motion.
 - ▶ Transitioning from the duty belt to the vest means moving an Officer's tools from the belt to the front body making the tools easier to access.
- 

Cost Breakdown

- ▶ Funding for the vest would be through an Officer's uniform allowance.
- ▶ Armor Express: \$241 (vest) + \$103.75 (pouches) = \$345.50 minimum. In addition, Armor Express would require new ballistic vest panels (\$551.00 (Halo Ballistics)–674.00 (Razor Ballistics)).
 - Vest panels are covered under the Bullet Proof Vest Partnership Federal Grant for up to \$800.
- ▶ Cowell Tactical: \$427 (vest with pouches) + 34.50 (name/insignia) = \$461.40 (designed to fit our body armor and other panels)

Other communities that have already gone to the weight bearing vest

- ▶ Pepperell
 - “Night and day difference.” – Pepperell PD
- ▶ Townsend–Armor Carrier
 - Officer Davis
- ▶ Fitchburg
- ▶ Leominster
- ▶ Groton
- ▶ (+)Littleton
- ▶ Leicester
- ▶ Lowell–going to them, mandatory.
- ▶ Tyngsboro
- ▶ Hollis, NH.

This is a local, national and international trend.



Example: Armor Express: Leicester PD



Example: Armor Express: Leicester PD



Armor Express: Leicester PD



Example: Cowell Tactical: Pepperell PD

- ▶ Picture
- ▶ <https://cowelltactical.com/armor-carriers/>

Questions?



DEPARTMENT OF PUBLIC WORKS

Mark L. Wetzel, P.E., Superintendent
Daniel Vas 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: November 14, 2019
To: Board of Selectmen
From: Dan Van Schalkwyk, P.E., Town Engineer
Subject: **Agenda Items for November 19, 2019 BOS Meeting**

1. **Approval of Change Order 2 for Prospect and Oak Street Infrastructure Project** – Attached is Change Order No. 2 for the Prospect and Oak Street Infrastructure Project. This is the final change order for the project to account for actual quantities constructed and additional costs and credits. The change order is for \$75,350.22

For signature by the Chair.

2. **Approval of Change Order 4 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 a credit of \$26,261.92. This includes the removal of the primary electrical conduit from the Contractor's scope because all work is included in National Grid's scope.

For signature by the Board.

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: November 13, 2019

To: File

From: Dan Van Schalkwyk, P.E., Ayer DPW

Re: Change Order 2 – Prospect and Oak Street Infrastructure Project

Change Order 2 is a final balancing change order for the project. The final project cost comes to \$833,928.14. Change Order 2 is for \$75,350.22. The following is a breakdown:

Total = \$75,350.22

Costs

Balance of Actual Quantities of Work above Estimated Quantities of Work = \$114,503.86 (note some items were previously approved under Change Order 1 but were encompassed in their respective line items, these are deducted below)

Curb to ramp at courthouse = \$1,629.05

#7 Prospect Street additional grading and paving = \$3,624.79

#17 Prospect tie-in ramps = \$1002.52

Credits

(\$22,000) from Change Order 1 that was paid out of line item

(\$14,910) from Change Order 1 that was paid out of line item

(\$6,000) additional police officers after approval for 1 officer

(\$2,500) interior drop connection was not installed at sewer manhole 3SM22

Change Order No. 2

Date of Issuance: November 13, 2019 Effective Date: _____

Project: Prospect and Oak Street Infrastructure Project	Owner: Town of Ayer, MA	Owner's Contract No.: 19DPW10
Contract: Prospect and Oak Street Infrastructure Project		Date of Contract: March 19, 2019
Contractor: J. D'Amico, Inc.		Engineer's Project No.:

The Contract Documents are modified as follows upon execution of this Change Order:

Description: Final balancing change order, see attached

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price: \$ <u>691,253.34</u>	Original Contract Times: <input checked="" type="checkbox"/> Working days <input type="checkbox"/> Calendar days Substantial completion (days or date): <u>October 31, 2019</u> Ready for final payment (days or date): <u>November 30, 2019</u>
Increase from previously approved Change Orders No. <u>1</u> to No. <u>1</u> : \$ <u>67,324.58</u>	[Increase] [Decrease] from previously approved Change Orders No. <u>1</u> to No. <u>1</u> : Substantial completion (days): _____ Ready for final payment (days): _____
Contract Price prior to this Change Order: \$ <u>758,577.92</u>	Contract Times prior to this Change Order: Substantial completion (days or date): <u>October 31, 2019</u> Ready for final payment (days or date): <u>November 30, 2019</u>
Increase of this Change Order: \$ <u>75,350.22</u>	Increase of this Change Order: Substantial completion (days or date): <u>0 days</u> Ready for final payment (days or date): <u>0 days</u>
Contract Price incorporating this Change Order: \$ <u>833,928.14</u>	Contract Times with all approved Change Orders: Substantial completion (days or date): <u>November 5, 2019</u> Ready for final payment (days or date): <u>December 5, 2019</u>

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By: _____ Engineer (Authorized Signature)	By: _____ Owner (Authorized Signature)	By: _____ Contractor (Authorized Signature)
Date: _____	Date: _____	Date: _____

CHANGE ORDER FORM

<u>Change Order Number</u>	<u>4</u>
<u>Contract Amount (As-Bid)</u>	<u>\$2,177,677.00</u>
<u>Net Change in Contract Price (this Change Order)</u>	<u>-\$26,261.92</u>
<u>Total Cost of Change Orders to date (excluding this C.O.)</u>	<u>\$166,481.94</u>
<u>Total Adjusted Contract Price (including this change order and all other change orders)</u>	<u>\$2,317,897.02</u>

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

This extended completion date is: N/A

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

 11/4/19
Consultant Engineer P.E. # Date

The undersigned agree to the terms of the change order.

 10/21/19
Waterline Industries Corp. Date

Jannice L. Livingston, ^{vice}Chair - Board of Selectmen
Date

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

Scott A. Houde, ^{Chair}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.: 4

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

ITEM 1 – National Grid Credit for Work Not Completed

Description of Change:

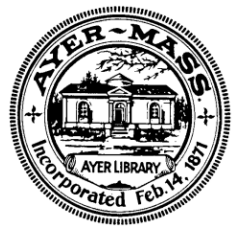
The following work (Primary Electrical Conduit from the Transformer to the Electrical Building) that was bid to be Contract work is to be performed by National Grid: all Electrical materials associated with this work; concrete (for the duct bank); paving; HVAC testing/balancing; Electrical testing; transformer pad installation; and installation of bollards (including concrete and paint). This is a time and materials cost agreed to by all parties.

Reason for Change:

Based on a field meeting with National Grid, the utility company informed all that the above work would be included in their scope of work.

COST: -(\$26,261.92)

**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: November 15, 2019

TO: Ayer Board of Selectmen

FROM: Robert A. Pontbriand 
Town Manager

SUBJECT: Town Manager's Report for the November 19, 2019 Board of Selectmen's Meeting

Dear Honorable Selectmen,

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

Administrative Update/Review of Warrant(s):

- I will offer a brief Administrative Update at the meeting of the various activities, initiatives, and projects of the Administration since the Board of Selectmen last met on November 5, 2019.

Review of Warrant(s):

- I have reviewed, approved and signed the following Town Warrants since the Board of Selectmen last met on November 5, 2019:

Payroll Warrant #20-09 in the amount of \$362,924.43 was reviewed, approved and signed on November 6, 2019

Accounts Payable Warrant #20-09 in the amount of \$1,286,661.04 was reviewed, approved and signed on November 12, 2019

Approval of the FY 2021 Budget Calendar:

- Attached is the final version of the FY 2021 Budget Calendar. I am respectfully recommending that the Board of Selectmen vote to approve the FY 2021 Budget Calendar. (See attached)

FY 2021 Budget Update:

- I will offer a brief FY 2021 Budget Update at the meeting. Attached is the FY 2021 Budget Preparation Directive and Process Memo which was issued on November 8, 2019. The Directive asks all Departments

to prepare a level funded budget for FY 2021 with no new personnel positions and for all new budget items/and or increases to be clearly identified and justified. (See attached)

Amendment #5 to Agreement for Veteran's Services – MassDevelopment:

- I am respectfully recommending that the Board of Selectmen vote to approve Amendment #5 to the Agreement for Veterans' Services between the Town of Ayer and Mass Development.
- Amendment #5 (See attached)

Thank you.

Attachment(s): FY 2021 Town Budget Calendar
 FY 2021 Budget Preparation Directive and Process Memo
 Amendment #5 to Agreement for Veteran's Services - MassDevelopment

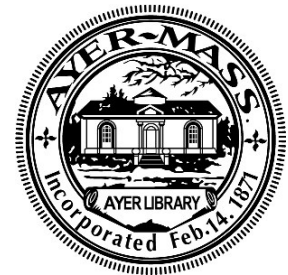
August 2019

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13 BOS Open Special Fall Town Meeting Warrant	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

FY' 21 Budget/Town Meeting Calendar

Last Updated: October 23, 2019

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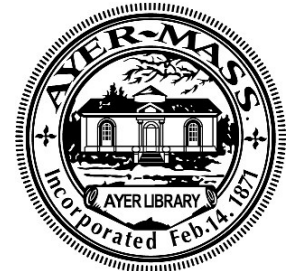


September 2019

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2 Town Hall Closed Labor Day	3 BOS	4	5	6	7
8	9	10	11	12	13	14
15	16	17 BOS	18	19	20	21
22	23	24	25	26	27 12:00 PM Close Special Town Meeting Warrant	28
29	30					

FY' 21 Budget/Town Meeting Calendar
Last Updated: October 23, 2019

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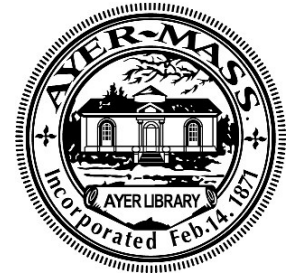
October 2019

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1 BOS approve STM Warrant	2	3	4 FY 21 Capital Budget Directive Out Warrant to Printer	5
6	7 Start Union Clerical Union Negotiations	8	9 Finance Committee	10	11	12
13	14 Town Hall Closed Columbus Day	15 BOS	16	17	18 Last Day to Register to Vote for Fall Town Meeting	19
20	21	22	23 Finance Committee	24	25	26
27	28 Special Fall Town Meeting	29	30	31		

FY' 21 Budget/Town Meeting Calendar

Last Updated: October 23, 2019

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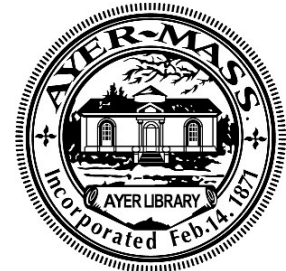
November 2019

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1 Target Free Cash Certification	2
3	4 FY '21 Capital Budgets Due	5 BOS Mtg @ ASRHS	6	7	8 FY '21 Operating Budget Directive Out	9
10	11 Town Hall Closed Veteran's Day	12	13	14	15	16
17	18	19 BOS	20 Finance Committee	21	22	23
24	25	26	27	28 Town Hall Closed Thanksgiving	29 Town Hall Closed Thanksgiving	30

FY' 21 Budget/Town Meeting Calendar

Last Updated: October 23, 2019

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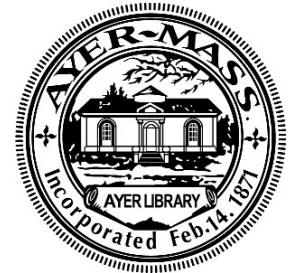
December 2019

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3 BOS Special Election	4 BOS Meeting FY '20 Tax Class. Hearing 1st Capital Planning	5	6	7
8	9	10 4:30 PM Bi-Board	11 2nd Capital Planning Meeting Finance Committee	12	13 FY '21 Budgets Due from Departments	14
15	16	17 BOS	18 3rd Capital Planning Meeting	19	20	21
22	23	24 Town Hall Closed 1/2 Day	25 Town Hall Closed Christmas	26	27	28
29	30	31 Town Hall Closed 1/2 Day				

FY' 21 Budget/Town Meeting Calendar

Last Updated: October 23, 2019

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January 2020

Tasks

Fin Com
to meet
with Dept.
Heads

Town Acct
Revenue
Projections

Water/
Sewer Rate
Model

Develop
ambulance
and solid
waste rates

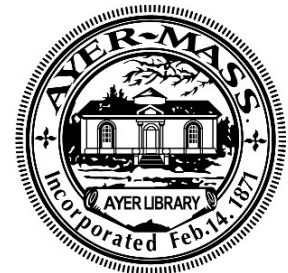
Town Mgr.
Meet with
Dept.
Heads

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1 Town Closed in Ob- servation of New Year's Day	2 Town Report Di- rective Out	3 Dept. Budget and Gen- eral Budget Worksheet to Fin- Com & BOS	4
5	6	7 BOS BOS to call Annual Election	8 Final Capital Plan- ning Meeting Finance Committee	9	10	11
12	13 1st Public Outreach & Budget Pres. BOS and Fin Com	14	15	16	17	18
19	20 Town Hall Closed MLK, JR. Day	21 BOS	22 Finance Committee	23	24	25
26	27	28	29	30	31	

FY' 21 Budget/Town Meeting Calendar

Last Updated: October 23, 2019

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February 2020

Tasks

Schedule
OPEB Mtg

Town Acct
Revenue
Projections

Water/
Sewer Rate
Model

Develop
ambulance
and solid
waste rates

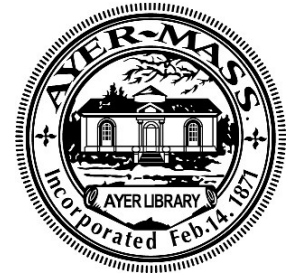
Town Mgr.
Make
COLA
recommen-
dation

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3 Town Reports Due	4 BOS	5 1st Rate Review Committee Meeting	6	7 End Union Negotiations Fin-Com and BOS comments budget due	8
9	10 Start Non-Union Negotiations	11	12 Last Day to Register to Vote for Presidential Primary Finance Committee	13	14	15
16	17 Town Hall Closed President's Day	18 BOS Open ATM Warrant	19 2nd Rate Review Committee	20	21	22
23	24	25	26 Finance Committee	27	28	29

FY' 21 Budget/Town Meeting Calendar

Last Updated: October 23, 2019

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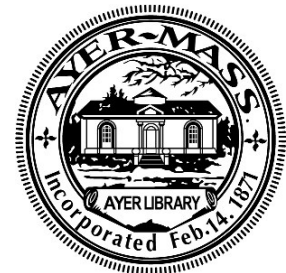
March 2020

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2 Regional School Assessments Due	3 Presidential Primary	4	5	6 Last Day to Pull Papers for Annual Town Election	7
8	9 2nd Public Outreach & Budget Pres. BOS and Fin	10 BOS Public Hearing Water/Sewer Rates	11 Finance Committee	12	13	14
15	16	17 Bi-Board	18	19	20	21
22	23	24 BOS End Non-Union Negotiations	25 Finance Committee	26	27	28
29	30	31				

FY' 21 Budget/Town Meeting Calendar

Last Updated: October 23, 2019

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April 2020

Tasks

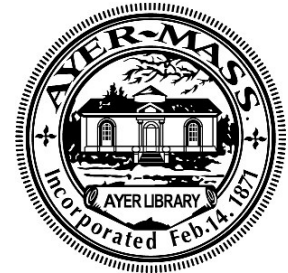
Approve
UDAG
Ec. Dev.
Budget

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1 Target CPC Estimated Revenue	2	3 Close ATM Warrant	4
5	6	7 BOS Approve ATM Warrant	8 Finance Committee	9	10 ATM Warrant to Printer	11
12	13	14	15	16	17	18
19	20	21 BOS	22 Finance Committee	23	24	25
26	27 TOWN ELECTION	28	29	30		

FY' 21 Budget/Town Meeting Calendar

Last Updated: October 23, 2019

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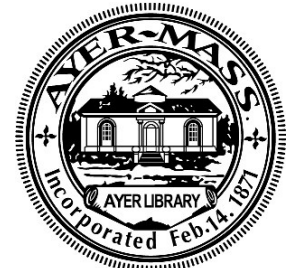
May 2020

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5 BOS	6	7	8	9
10	11 Annual Town Meeting	12	13 Finance Committee	14	15	16
17	18	19 BOS	20	21	22	23
24	25	26	27 Finance Committee	28	29	30
31						

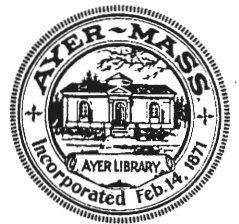
FY' 21 Budget/Town Meeting Calendar

Last Updated: October 23, 2019

DRAFT



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: November 8, 2019

TO: All Town Boards, Commissions, Committees, and Departments

FROM: Robert A. Pontbriand, Town Manager

R.A.P.

SUBJECT: FY 2021 Budget Preparation Directive and Process

Dear All:

The Town begins the FY 2021 Budget Process from a strong financial position as the result of conservative budgeting, effective management, and an overall favorable financial environment. However, it is important to note that from this position of strength it is essential that the Town continue to exercise a conservative approach to the budget and be ever cognizant of several budgetary variables which could significantly impact the budget (i.e. revenues; the State Budget; health insurance costs; insurance premiums; OPEB liability; increased "fixed costs"; and the ever present potential for an "unforeseen" emergency).

Furthermore, the Town has funded significant capital and personnel expenditures over the last six budget cycles. This rate of expenditures is not fiscally sustainable and is not consistent with the Town's long-term budget forecast model as well as the Town's long-term financial outlook. The Town will take a very conservative approach with regards to funding capital projects for FY 2021 with a strict adherence to the Town's Financial Policies.

Additionally, for this budget cycle all departmental budget submissions will be reviewed and analyzed to identify appropriate budgetary efficiencies and savings. ***I want to stress the importance of this point for FY 2021. All departments will be expected to clearly demonstrate budgetary efficiencies and savings with their FY 2021 budget submissions.*** All departmental budget line items will be thoroughly reviewed, including historic spending trends to determine if certain budget line items need to be properly adjusted. Furthermore, departments will be required to justify ALL line item expenditures (especially in the instances of increases) and a cost-benefit analysis will be applied to all budget line items.

The Town Manager and Finance Manager will be meeting with all Departments upon submission of the FY 2021 Budget Requests. **The Town Manager and Finance Manager will be presenting the proposed FY 2021 Budget to a Special Joint Meeting of the Board of Selectmen and Finance Committee scheduled for Monday, January 13, 2020 at 6pm. It will be mandatory for all Department Heads to attend this meeting and be prepared to answer any initial questions on their proposed FY 2021 budgets.** The Board of Selectmen and Finance Committee will then meet and

work with the Administration for the period of January 13, 2020 thru March 9, 2020 to come to a consensus for a final FY 2021 budget to be considered by the Annual Town Meeting.

The budget process will culminate in another Special Joint Meeting of the Board of Selectmen and Finance Committee scheduled for Monday, March 9, 2020 at 6pm. This meeting will also be mandatory for all Departments to attend and participate. The Town will be strictly adhering to all budgetary deadlines set forth in the Town's FY 2021 Budget Schedule as approved by the Board of Selectmen.

Therefore, in preparation for the FY 2021 Budget; all Boards, Commissions, Committees and Departments are to follow the following directive and timeline:

1. **Prepare and submit a level-funded (from FY 2020) FY 2021 Budget Request to the Town Finance Manager by no later than 12pm (noon) on Friday, December 13, 2019.** Please use the Budget Submittal Sheet(s) provided by the Town Finance Manager. **All budget requests for FY 2021 that are new requests and/or increases MUST be clearly indicated on the budget submission sheet AND accompanied by an explanatory memo for the request.**
2. **No new personnel positions are to be submitted in the FY 2021 Budget.**
3. **Do not include any personnel raises including cost of living allowances in your FY 2020 Budget submissions. Only contractual increases are to be included.** The issue of the cost of living allowance will be addressed later in the budget process.
4. **Upon receipt of all FY 2021 budget submissions, the Town Manager and Town Finance Manager will meet with Departments to review and discuss their respective budget submissions. Additionally, the Finance Committee may elect to meet with Departments in January and February 2020 as part of their review and due diligence of the FY 2021 Budget.**
5. **Failure to adhere to these instructions and/or to meet the December 13, 2019 deadline will result in the FY 2020 budget being used for FY 2021.**

If you have any questions regarding this FY 2021 Budget Directive and/or require assistance with preparing your budget, please do not hesitate to contact the Town Finance Manager (lgabree@ayer.ma.us) and/or the Town Manager (rpontbriand@ayer.ma.us).

The success of the FY 2021 Budget depends upon timely submissions and open and effective communication.

Thank you.

Cc: Ayer Board of Selectmen
Ayer Finance Committee

MASSACHUSETTS DEVELOPMENT FINANCE AGENCY

AMENDMENT NO. 5 TO AGREEMENT FOR SERVICES

THIS AMENDMENT NO. 5 TO AGREEMENT FOR SERVICES (the "Amendment") is made and entered into as of the 1st day of September, 2019, by and between **Massachusetts Development Finance Agency**, a Massachusetts body politic and corporate created and established under Chapter 23G of the Massachusetts General Laws, having its principal place of business at 99 High Street, 11th Floor, Boston, Massachusetts 02110 ("MassDevelopment" or the "Agency"), and the **Town of Ayer, Massachusetts**, having a principal place of business at 1 Main Street, Ayer, Massachusetts 01432 (the "Town").

WITNESSETH THAT

WHEREAS, the Agency and the Town entered into that certain Agreement for Services (the "Agreement") dated as of September 1, 2012, a First Amendment dated as of August 11, 2015, a Second Amendment dated as of August 16, 2016, a Third Amendment dated as of August 15, 2017, and a Fourth Amendment dated as of September 1, 2018, whereby the Town is providing veterans services to eligible veterans residing in the Devens Regional Enterprise Zone (DREZ), as described in the Agreement; and

WHEREAS, the Agency and the Town wish to amend the Agreement pursuant to the terms of this Amendment to extend the term of the Agreement for one (1) year.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and with the intent of being legally bound, the parties hereby agree as follows:

1. The first sentence of Article 7A of the Agreement is hereby deleted in its entirety and replaced with the following language:

"The Term of this Agreement shall be from the effective date of this Agreement to August 31, 2020."

2. All of the terms of the Agreement, as amended pursuant to the terms hereof, and all representations made by the Town in the Agreement, including, without limitation, representations made regarding the payment of state taxes, are hereby restated, ratified and confirmed in their entirety as of the date hereof.

3. This Amendment may be signed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. In the event that any signature is delivered by facsimile transmission or by e-mail delivery of a ".pdf" format data file, such signature shall create a valid and binding obligation of the party executing (or on whose behalf such signature is executed) with the same force and effect as if such facsimile or ".pdf" signature page were an original thereof.

4. Each party to this Amendment represents that the individual executing this Amendment on its behalf is duly authorized to bind such party to this Amendment according to its terms.

[Remainder of page left blank; signature(s) on next page]

Copy

IN WITNESS WHEREOF, this Amendment has been executed by the Agency and the Town and is effective as of the date first written above.

**MASSACHUSETTS DEVELOPMENT
FINANCE AGENCY**

Approved as to Form
Agency Counsel

By: _____
Name: Jessica Strunkin
Title: Senior Vice President, Devens
Operations

TOWN OF AYER

By: _____
Name: _____
Title: Chair, Ayer Board of Selectmen

Contract Number: PO3060

[Signature page of Amendment No. 5 to Agreement for Services between Massachusetts Development Finance Agency and the Town of Ayer]

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



Broadcast and Recorded by APAC

Tuesday October 15, 2019
Open Session Meeting Minutes

BOS Present: Scott A. Houde, Chair; Jannice L. Livingston, Vice-Chair

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

Call to Order: S. Houde called the meeting to order at 6:01 PM.

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

Approval of Agenda:

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve the agenda. **Motion passed 2-0.**

Announcements: None

Recognition of former Ayer Fire Captain Paul Fillebrown, Jr. & Retired Call Department Captain Richard Ressijac:

The BOS recognized former Ayer Fire Captain Paul Fillebrown, Jr. for his years of service to Ayer and for recently being appointed as the Fire Chief in the Town of Boxborough. The BOS also recognized Retired Call Department Captain Richard Ressijac for his 47 years of service to the Town of Ayer.

Public Input: Ms. Sarah Withee, 11 Groton Shirley Road had a question regarding the upcoming proposed increase of the CPA surcharge and what exemptions were available. R. Pontbriand stated that he recently received an email from Ms. Withee and will follow-up with her on the exemption information and process for applying.

Chief Robert J. Pedrazzi, Ayer Fire Department - Fire Department Permit Fees: Chief Pedrazzi was in attendance seeking to make adjustments to several permit fees for the Fire Department. The fee adjustments are to make the fee schedule more consistent. The proposed increases are for: LPG Storage Permit & Inspection, Oil Tank Inspection, Smoke Detectors (make all the same rate), and to delete the reference for the Fire Report copies.

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve the new permit fees as presented by the Fire Chief. **Motion passed 2-0.**

Superintendent Mark Wetzel, Ayer DPW - Proposed Transfer Station Fees for Calendar Year 2020: M. Wetzel gave a presentation on Transfer Station Fee Recommendations for Calendar Year 2020. The Rate Review Committee is recommending that the BOS adopt the following recommendations regarding the Transfer Station: increase the Senior Citizen discount age from 60 to 65 years of age (consistent with other programs); no prorating of stickers except for new residents; and a \$5.00 increase on the regular and Senior Citizen annual stickers. M. Wetzel stated that the Transfer Station is running with a 49% General Fund Subsidy and he expects that to reduce to 43% in FY 20. He stated further that one of the challenges with maintaining fees is the steep increase in the recycling commodity market.

S. Houde stated that as a general observation he sees people using the swap shed to avoid buying a bulk sticker. He'd like to work further with the Board of Health and Recycling Committee to improve services while creating efficiencies. He recommended doing a tour with all three boards in the future.

J. Livingston stated that the Town offers composting/food disposal which is aimed at keeping extra weight out of the solid waste stream.

S. Houde stated that the goal was to get more customers. He said that the Town was not at the point of seriously considering trash pickup, but we are starting to get there.

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve recommended transfer station fees as presented. **Motion passed 2-0.**

Summary of Ayer Bridges (Requested by Selectman Livingston) – M. Wetzel reviewed a matrix of bridges and culverts in Town, which contained ownership and condition data as requested by Selectman Livingston.

M. Wetzel then reported that he has begun the process of getting temporary easements for the East Main Street Improvement Project.

Director Alan Manoian, Ayer Office of Comm. & Economic Development - AOCED FY 2020 Budget Approval: A. Manoian was in attendance requesting approval of the FY '20 Office of Community and Economic Development Budget from the Town's UDAG funds in the amount of \$56,385.

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve \$56,385 in UDAG funding for the FY '20 Office of Community and Economic Development. **Motion passed 2-0.**

Town Planner Mark Archambault - Ayer Zoning Bylaw Amendments Overview for Fall Special Town Meeting: Town Planner M. Archambault was in attendance and gave a presentation on the Zoning Bylaw Articles 4, 5, and 6 of the 2019 Fall Special Town Meeting relating to Open Space Residential Development and yield plans, accessory apartments and inclusionary housing.

Town of Ayer 4th of July Celebration: The BOS was joined by Police Chief Murray, Deputy Police Chief Gill, Fire Chief Pedrazzi, and Director of Community and Economic Development Alan Manoian. R. Pontbriand stated that public safety concerns have been brought up by the Town's public safety personnel. R. Pontbriand stated that the issues are not new and the Town has been fortunate not to have any issues in the recent past, but felt it important to share the concerns with the BOS. The specific concerns are as follows: Pirone Park only has one public safety access point, School Street, which is shared with pedestrians; no secured entry of visitors to the park (no pat downs for weapons; no search for alcohol; no bag restrictions or inspections); limited parking availability; insufficient police staffing; insufficient lighting while exiting the park.

Chief Murray stated that he is all for an event, but not one at Pirone Park, as it is not safe for the fireworks event. There are too many people in a small area with the inability to check bags and limited access. The limited access creates a "choke point". Chief Murray stated that small towns, unfortunately, are no longer safe. Staffing is another huge issue for the Police Department.

J. Livingston stated that though this is upsetting, she is not surprised and that it wasn't worth putting residents in harm's way. She thanked the Town's public safety personnel for doing such a great job in the previous years.

S. Houde stated that we are living in a different world and it is different than it was even 5 years ago, and that this is being interpreted as a public safety issue.

C. Murray stated that the Town could still host a parade.

Chief Pedrazzi said that there was no other viable location to set off fireworks because of the distance needed from the fireworks to the crowd.

J. Livingston stated that she thought it was sad that we must talk about this. She likes the idea that the Town can still do a parade.

Chief Pedrazzi stated that the fireworks event itself, wasn't the issue, it's the location of Pirone Park being a bad spot with many people.

R. Pontbriand stated that he and the public safety personnel wanted to bring this to the BOS' attention as soon as possible, so that effort can be put forth in planning a parade for the 4th of July. He realizes that people will not be happy.

Ruth Maxant-Schulz, 8 Taft Street, asked if it was possible to limit the crowd to just Ayer residents and to sell tickets at Town Hall. Chief Murray stated that though there is only one vehicular access in and out of the Park, there are many pedestrian access points, so enforcing that would be very difficult.

Town Clerk Susan Copeland brought up that even asking for proof of residency is not as easy as it sounds, as there are many people who are renters and many who own businesses in Ayer, but do not live here.

Motion: A motion was made by S. Houde and seconded by J. Livingston to support any necessary changes to the 4th of July event as recommended by the Police and Fire Department for public safety reasons. **Motion passed 2-0.**

Town Manager's Report: *Administrative Update/Review of Warrant(s)* - R. Pontbriand provided an administrative update of the various activities, initiatives, and projects of the Administration since the BOS last met. He also referenced the Meeting Packet for a list of Payroll and Accounts Payable Warrants that have been signed since the last meeting. He stated that the Welcome to Ayer sign was installed on East Main Street; the MART project will soon have the pre-cast structures delivered to the site and installed; the Capital Planning directive has gone out and due on November 4, 2019.

Rescheduling of December 3, 2019 BOS Meeting – The BOS decided to reschedule the Tuesday December 3, 2019 BOS meeting to Wednesday December 4, 2019 at 6:00 PM, due to the Special Election being held on December 3, 2019.

Minuteman Nashoba Health Group – Ethics Disclosure – Mr. Kevin Johnston, Benefits and Payroll Manager, joined R. Pontbriand. K. Johnston stated that at a recent Board meeting of the Minuteman Nashoba Health Group (MNHG) it was recommended that all board members who receive health benefits from MNHG file an ethics disclosure and file with their appointing authority. They are also requesting that K. Johnston and R. Pontbriand be appointed as the primary and alternate representatives to the MNHG respectively.

Motion: A motion was made by S. Houde and seconded by J. Livingston to appoint K. Johnston as the primary representative and R. Pontbriand as the alternate representative to the Minuteman Nashoba Health Group and to approve the ethics disclosures recently filed with the Town Clerk. **Motion passed 2-0.**

Review of Special Town Meeting Warrant – R. Pontbriand reported that he went to the Finance Committee meeting and gave them an overview of the upcoming warrant for the Special Town Meeting on October 28, 2019. He also reported that on the Town's Facebook page, they have begun posting the "Article of the Day".

R. Pontbriand stated he wanted to talk about Articles 14 and 15 of the Special Town Meeting Warrant. He went over what the current bylaw states and what each article aims to change in the current bylaw. He stated that the Annual Town Meeting is a two-part event with the Annual Town Meeting starting on the fourth Monday in May, with just the election and then adjourns for the Annual Town Meeting business articles to the second Monday in May. R. Pontbriand stated that Article 14 changes the Annual Town Election to occur AFTER the Annual Town Meeting and Article 15 changes to Annual Town Meeting to occur on a Saturday at 10:00 AM. Both of these articles would be effective July 1, 2020.

J. Livingston stated that how the current bylaw is written is very confusing for readers. R. Pontbriand stated that there is no question that the current bylaw reads very confusing.

The BOS and R. Pontbriand then discussed all possible scenarios of each article passing and failing.

Ms. Mary Spinner, 18 Myrick Street, stated that the objective of switching Town Meeting to a Saturday was so people do not have to drive at night and maneuver in the parking lot at the high school in the dark.

Mr. Ken Diskin, 180 Washington Street, stated that the intent of the articles is what is most important and then he asked if it is possible if you took the intent of the voters at Town Meeting and then allowed time for changing the actually terminology to reflect the voters' intentions.

New Business/Selectmen's Questions: None

Approval of Meeting Minutes: J. Livingston clarified that the DRAFT minutes in the packet were not the most current version of the minutes, as they were changed to include additional dialogue relative to the Town Meeting Warrant discussion.

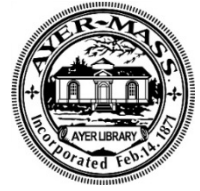
Motion: A motion was made by J. Livingston and seconded by S. Houde to approve the meeting minutes from October 15, 2019, as amended. **Motion passed 2-0.**

Adjournment: A motion was made at 8:06 PM by J. Livingston and seconded by S. Houde to adjourn. **Motion passed 2-0.**

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

Date Minutes Approved by BOS: _____

Signature Indicating Approval: _____



**Town of Ayer
Board of Selectmen
Ayer Shirley Regional High School Auditorium
(Prior to Special Fall Town Meeting)
141 Washington Street
Ayer, MA 01432**

**Monday October 28, 2019
Open Session Meeting Minutes**

BOS Present: Scott A. Houde, Chair; Jannice L. Livingston, Vice-Chair

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

Call to Order: S. Houde called the meeting to order at 6:32 PM.

Approval of Agenda:

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve the agenda. **Motion passed 2-0.**

Ms. Alicia Hersey, Program Manager, Community Development Office: *Lien Subordination Request Case # 09-342 – A. Hersey was in attendance requesting that the BOS consider Lien Subordination Request #09-432 for 135 Central Avenue. She explained that the homeowner is refinancing and the loan to home value ratio was 72.3%.*

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve the subordination of the Town's lien conditioned upon a new mortgage not to exceed \$179,500 for Case # 09-342. **Motion approved 2-0.**

Supt. Mark Wetzel, DPW: *Execution of Phase I Sewer Rehabilitation Project Contract – M. Wetzel was in attendance and presented the Phase 1 Sanitary Sewer Rehabilitation Project Contract for consideration by the BOS. M. Wetzel reported there were 5 bids, ranging in price from \$174,700 to \$199,986.10. Based on the review of the bids and bidder qualifications, he is recommending award to Insituform Technologies from Charlton, MA.*

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve the contract between the Town of Ayer and the Insituform Technologies from Charlton, MA in the amount of \$174,700 with signature by the Chairman. **Motion approved 2-0.**

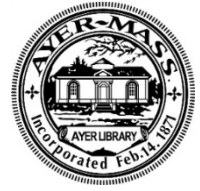
Adjournment:

Motion: A motion was made by S. Houde and seconded by J. Livingston to adjourn at 6:37 PM. **Motion passed 2-0.**

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

Date Minutes Approved by BOS: _____

Signature Indicating Approval: _____



**Town of Ayer
Board of Selectmen
Ayer Shirley Regional High School Auditorium
(Prior to Board of Selectmen's Meeting regarding 4th of July Fireworks)
141 Washington Street
Ayer, MA 01432**

**Tuesday November 5, 2019
Open Session Meeting Minutes**

BOS Present: Scott A. Houde, Chair; Jannice L. Livingston, Vice-Chair

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

Call to Order: S. Houde called the meeting to order at 5:31 PM.

National Grid License Agreement, 3 Groton Street (Parking Facility): R. Pontbriand presented the license agreement drafted by National Grid to install electric service at the new parking facility, located at 3 Groton Street. R. Pontbriand explained that the license agreement was the first part of a two-part process; an easement agreement will be put before the Annual Town Meeting in 2020.

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve the license agreement between the Town of Ayer and National Grid for 3 Groton Street, with an article for an easement to be put on the Annual Town Meeting Warrant in 2020. **Motion approved 2-0.**

Supt. Mark Wetzel, DPW: Execution of Parks and Recreation Department Garage Project - M. Wetzel was in attendance and presented the Recreation Department Garage Project. He reported that 4 bids were received ranging from \$748,000 to \$838,272 for the base bid, plus add alternate 1. The Parks Commission voted on September 19, 2019 to accept the lowest responsible bid for the base bid plus add alternate 1, pending additional funding of \$250,000 at the October 28, 2019 Fall Special Town Meeting. Town Meeting approved the additional funding; therefore M. Wetzel is asking the BOS to awarding the contract to Classic Construction & Development of Littleton, MA in the amount of \$748,000.

Motion: A motion was made by J. Livingston and seconded by S. Houde to award the contract for the Parks and Recreation Department Garage Project to Classic Construction & Development from Littleton, MA in the amount of \$748,000. **Motion approved 2-0.**

Adjournment:

Motion: A motion was made by S. Houde and seconded by J. Livingston to adjourn at 5:36 PM. **Motion passed 2-0.**

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

Date Minutes Approved by BOS: _____

Signature Indicating Approval: _____

**Town of Ayer
Board of Selectmen
Ayer Shirley Regional High School Auditorium
141 Washington Street
Ayer, MA 01432**



**Tuesday November 5, 2019
Open Session Meeting Minutes**

BOS Present: Scott A. Houde, Chair; Jannice L. Livingston, Vice-Chair

Also Present: Robert A. Pontbriand, Town Manager
Carly M. Antonellis, Assistant Town Manager
William A. Murray, Police Chief
Robert J. Pedrazzi, Fire Chief
Brian P. Gill, Deputy Police Chief

Call to Order: S. Houde called the meeting to order at 6:00 PM.

Overview and Presentation of the Decision-Making Process Not to Hold the July 4, 2020 Fireworks at Pirone Park:

S. Houde introduced the panel and gave an overview of the agenda, stating that the panel would give an overview and presentation and then he would take questions and public input.

R. Pontbriand began the presentation explaining how the BOS came to the decision to cancel the Fourth of July Fireworks at Pirone Park stating that there have long-standing safety concerns brought forth by the Police and Fire Departments relating to the crowd size and the ability to safely control the Pirone Park event. Over the years, both departments have made it work, but this year they wanted to bring their concerns to the Board of Selectmen. On October 15, 2019, the BOS voted to "support any necessary changes to the 4th of July event as recommended by the Police and Fire Departments for public safety reasons" after reviewing a memo dated October 10, 2019 from the Town Manager summarizing the public safety concerns. Both Chiefs have recommended discontinuing the event because the combination of the Pirone Park venue and the fireworks is not being a viable scenario in terms of public safety for attendees and the public safety personnel working the event.

R. Pontbriand highlighted the challenges of Pirone Park stating that the Park is too small to accommodate 5,000-10,000 people that attend the event annually. He stated that the Park itself, is ideal to launch fireworks due to the topography of the Park and the proximity to Grove Pond, which reduces the chance of fires. Chief Pedrazzi stated that the venue is inspected each year by the State Fire Marshall's Office and that due to the proximity to Grove Pond and the hill (which acts as a natural buffer), the safety distance between the crowd and the launch site can be reduced.

Chief Murray stated that one of his main concerns with the park is the "one way in and one way out" issue stating that School Street is the only pedestrian access to the Park and he is becoming more and more concerned with public safety response times, if there was an emergency at the Park. He is also concerned about the lack of staffing available to patrol the barricades, stating that people often move them or go around.

Chief Murray then detailed staffing issues with the department stating that the Department has 20 sworn officers, including the Chief and the Deputy Chief. The minimum shift requirements are: 3-4 officers on the 7a-3p shift; 3-4 officers on the 3p-11p shift; and 3 officers on the 11p-7a shift. He stated that that all officers are ordered-in for the 4th of July event and that he tries to get officers from other towns to take shifts, but that has been difficult in previous years, as he does not have the ability to order in someone from an outside department. He believes that with the 2020 4th of July being on a Saturday, it will further add to the problematic issue of finding additional officers.

Chief Murray explained a slide showing that at a minimum he needs the following for Officers on the day of the event: 4 officers for set-up, which he is able to cover; 10 officers inside the Park during the event, which he only has 8 officers; and 11 for traffic posts, which he has none; leaving a deficit of 13 officers.

R. Pontbriand stated that cost has not been a factor in making the decision to cancel fireworks, but the cost to hire an additional 13 officers for the event, would be around \$7,100. R. Pontbriand reiterated it wasn't the cost of the additional officers, but the ability to find officers from other towns to help with coverage. R. Pontbriand also reported that the cost of the fireworks last year for public safety personnel was approximately \$11,200.

R. Pontbriand then presented some general questions that have been asked of the Town, since the October 15, 2019 BOS meeting. The first one addressed making the event "residents only", which would be administratively challenging, noting that it would be very difficult to enforce. Chief Murray stated that if we limited it to Ayer residents, the whole park would need to be fenced to monitor who was coming in and out.

Another question brought up to the Town prior to the meeting was to have the fireworks event at the Ayer Shirley Regional High School practice fields. Chief Pedrazzi explained that an 840' radius was needed from around the launch site, which would encompass both Groton Harvard Road and Washington Streets, which are the main accesses to the hospital. He also noted that as soon as the fireworks are on site, typically around 1:00 PM, the roads would need to be blocked off.

R. Pontbriand also explained that the event couldn't simply be moved to Devens, as suggested. Devens is not under the jurisdiction of the Town and MassDevelopment would have to agree to host the fireworks. R. Pontbriand has spoken to Devens leadership recently and several years ago and they were not interested in hosting the event. They previously had their own fireworks but cancelled them several years ago. R. Pontbriand did not rule out working with Devens/MassDevelopment in the future but cautioned it would take an enormous amount of planning from both the Town and Devens.

R. Pontbriand concluded his remarks by stating that the decision to cancel was not easy to make and many alternatives were looked at. He stressed that the Town hosts a number of events throughout the year and encouraged people to attend. He stated that he, the BOS, and the Chiefs want to hear from the public on this issue but cautioned that public opinion cannot sway fundamental public safety concerns.

S. Houde then asked for public input/questions from the audience. He went over a slide for rules of conduct while speaking.

Public Input: Mr. David Bodurtha, 28 Coolidge Road stated that the presentation was very well done. He asked the Board to hold an event similar to this evening before cancelling or changing a major event. He said that he has reached out to Tanglewood and Great Woods and may have possible solutions and feels there is enough time before the event to talk about them.

Mr. Henry Pare, 45 Sandy Pond Road asked if people manning the traffic posts had to be police officers and asked if volunteers could be used. Chief Murray said he would consider using volunteers that are not police officers. Mr. Pare then asked if the event could be held at the Moore Airfield. R. Pontbriand responded that the Moor Airfield is under the jurisdiction of Devens.

Mr. Eric Sechman, 7 School Street stated that no real efforts have been made to hold the fireworks. There are large sporting events in stadiums that are not cancelled. He then asked if the Town has made any changes to address the safety concerns. Chief Murray stated that the planning for the event changes every year, as they find ways to improve public safety. He also reiterated that the issue is that there are too many people attending the event and that he does not have enough officers.

Mr. Keilin Bickar, 64 Washington Street said it sounded like all the identified obstacles can be overcome. He stated that there are always people willing to help and that you don't have to be a trained professional to volunteer. Chief Murray said that we are not cancelling celebrating the 4th of July, and that other events, such as a parade, don't draw the crowd that the fireworks do. S. Houde stated that it is a question about resources and that we can't will the resources to appear.

Mr. Howard Griffin, 8 Newton Street asked why the DPW could not help and man the barricades. DPW Superintendent Mark Wetzel stated that he has equipment at the event every year. Chief Murray stated that he didn't mean it to sound like the Police Department was the only department working the event.

Ms. Sue Kennedy, 5 Nashua Street said that there was a process problem in making the decision and the public input session should have been before the decision was made.

Mr. James McGowan, 16 Pond Street asked if the Town had consulted with MEMA to help in their decision-making process. Chief Murray stated that he had not consulted with MEMA but had consulted with the North Eastern Massachusetts Law Enforcement Council (NEMLEC) who provided the Town with a safety plan for the event last year. Chief Pedrazzi stated that he thought the message was getting lost and that the issue was the one way in and one way out scenario and the overcrowding at the Park.

Ms. Ruth Maxant-Schulz, 17 Taft Street said that she remembers seeing in the newspaper that the Town held disaster scenarios and asked if the Town had thought about running one for the fireworks celebration. Chief Pedrazzi stated that the Town has a volunteer CERT team that is trained to assist in emergencies. She then said she was messaged by a security expert in California who would help coordinate the safety of the event. Ms. Maxant-Schulz then read a note that her brother left her stating that he had spoken with Devens about hosting the event.

Mr. David Bodurtha spoke again stating that he should have the chance to assemble a team of people to make this work and to see if they really want it to happen.

S. Houde thanked the audience for attending and stated that the BOS and the Administration will take the feedback under advisement.

Adjournment:

Motion: A motion was made by S. Houde and seconded by J. Livingston to adjourn at 7:06 PM. **Motion passed 2-0.**

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

Date Minutes Approved by BOS: _____

Signature Indicating Approval: _____