

RECEIVED  
NOV 26 2019

TOWN OF AYER  
TOWN CLERK

3:50pm  
*Shawn Copeland*

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



**Wednesday December 4, 2019**  
**Open Session Meeting Agenda**

6:00 PM

**Call to Order**

Pledge of Allegiance; Review and Approve Agenda; Announcements

**Public Input**

**Appointment of Board of Selectmen Clerk**

**Public Hearing - Pole Petition - National Grid - No. 26858891 - Sandy Pond Road**

6:15 PM

**FY '20 Tax Classification Public Hearing - Tom Hogan, Assessing Administrator and Board of Assessors**

6:45 PM

**Superintendent Mark Wetzel, Dept. of Public Works**

1. Approval of Change Order for Waterline Industries
2. Central Avenue - Groton Harvard Road Intersection
3. Grant of Easement for Electric Utility Installation-0 Park Street Parking Lot

7:00 PM

**Town Manager's Report**

1. Administrative Update/Review of Warrant(s)
2. Approval of 2020 License Renewals

7:10 PM

**New Business/Selectmen's Questions**

1. Town of Ayer - Devens Jurisdiction Committee (Selectman Houde)

7:15 PM

**Approval of Meeting Minutes**

October 15, 2019; October 28, 2019; November 5, 2019 (5:30 PM); November 5, 2019 (6:00 PM); November 19, 2019

**Adjournment**

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

RECEIVED  
NOV 19 2019

TOWN OF AYER  
TOWN CLERK

2:12 PM *MB*

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



The Ayer Board of Selectmen will be conducting a Public Hearing on Wednesday December 4, 2019 at 6:00 PM at the Ayer Town Hall, 1<sup>st</sup> Floor Meeting Room, 1 Main Street, Ayer, MA 01432 regarding a petition by National Grid in install 3 SO poles on Sandy Pond Road beginning at a point approximately 110' feet NE of the centerline of the intersection of East Main, Littleton Road at the traffic rotary and continuing approximately 580 feet in a NE direction. Install 3 new poles #-50, #-75, #7-89 along Sandy Pond Road. These distances are 100', 150' and 850' from the edge of road at the traffic rotary.

**Name of Applicant:** National Grid  
**Date of Public Hearing:** Wednesday December 4, 2019  
**Time of Public Hearing:** 6:00 PM  
**Location of Public Hearing:** 1<sup>st</sup> Floor Meeting Room, Ayer Town Hall  
1 Main Street Ayer, MA 01432

Copies of the application are available at the Ayer Board of Selectmen's Office Monday, Wednesday and Thursdays from 8am - 4pm; Tuesdays 8am - 7pm and Fridays 8am - 1pm.

Questions contact – Javier Morales 978-725-1392

**PETITION FOR POLE AND WIRE LOCATIONS**

North Andover, Massachusetts

To the Board of Selectmen  
Of Ayer, Massachusetts

Massachusetts Electric Company d/b/a National Grid requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Sandy Pond Road - National Grid to install 3 SO Poles on Sandy Pond Road beginning at a point approximately 110' feet NE of the centerline of the intersection of East Main, Littleton Road at the traffic rotary and continuing approximately 850 feet in a NE direction. Install 3 new poles #-50, #-75 and #-89 along Sandy Pond Road. These distances are 110', 150' and 850' from the edge of road at the traffic rotary.

Location approximately as shown on plan attached

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked – Sandy Pond Road - Ayer – Massachusetts.

No.# 26858891 November 18, 2019

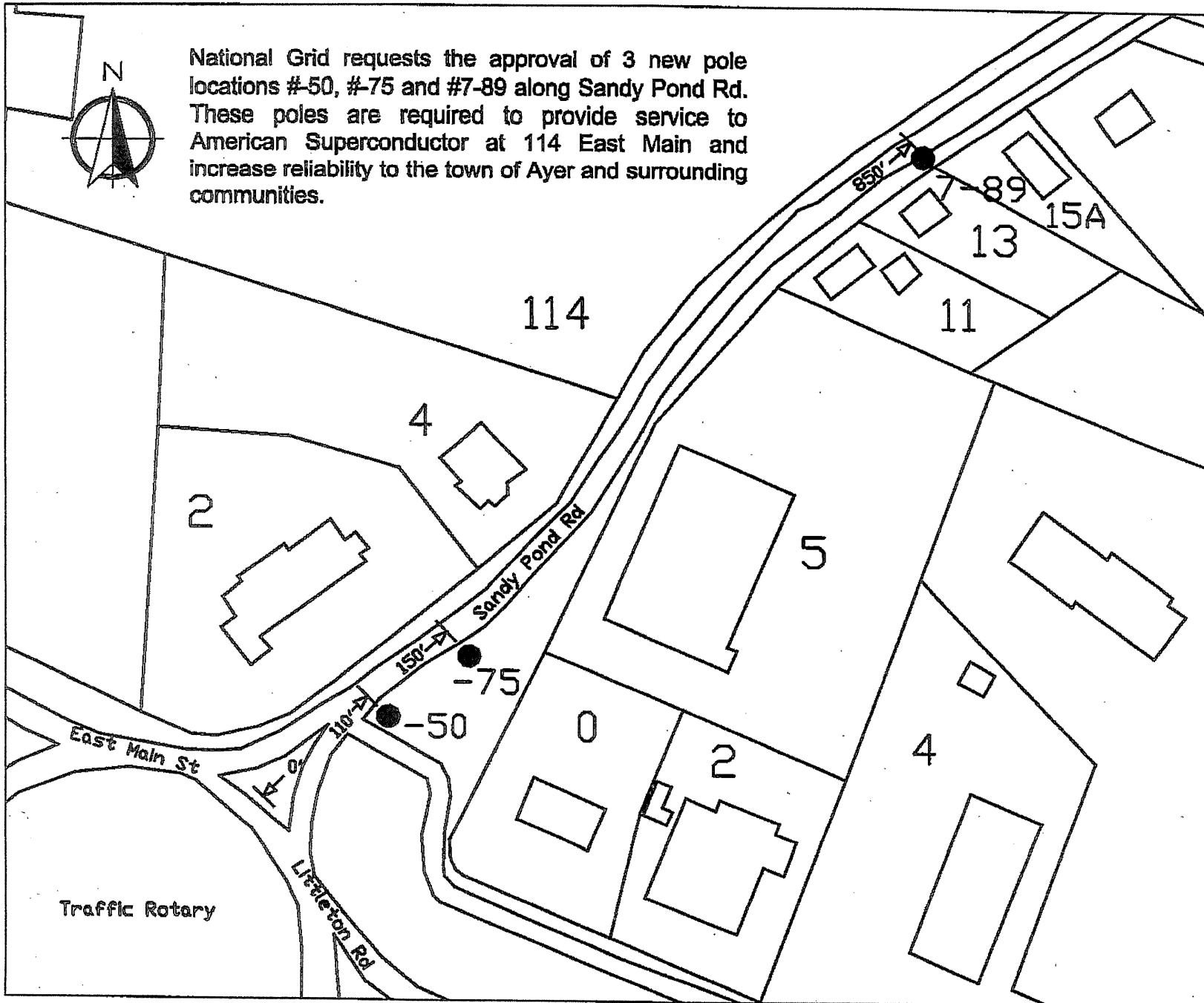
Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

Massachusetts Electric Company d/b/a National Grid  
BY Pat Cody  
Engineering Department



National Grid requests the approval of 3 new pole locations #50, #75 and #7-89 along Sandy Pond Rd. These poles are required to provide service to American Superconductor at 114 East Main and increase reliability to the town of Ayer and surrounding communities.



LEGEND	● Proposed SO Pole	
	DRAWING NOT TO SCALE. DISTANCES ARE APPROXIMATE.	
PETITION	Sandy Pond Rd	Ayer, Ma
Petition To The Town of Ayer		
nationalgrid		
Date: 11/15/19 Designer: J. Morales Work Request: 26558891		

**Town of Ayer**  
**Board of Selectmen's Office**  
**Transmittal Form - Department Head Review**



- Board of Health
- Department of Public Works
- Police Department
- Fire Department
- Building Inspector/Zoning Enforcement Officer
- Conservation Committee
- Treasurer/Tax Collector
- Town Clerk
- Assessor's Office
- Town Planner
- Economic & Community Development Office

Review Deadline Date Wednesday November 27, 2019

Public Hearing Date Wednesday December 4, 2019

Permit Sought National Grid - Pole Petition - Sandy Pond Road

Description See attached

Submitted by National Grid

Address Sandy Pond Road Telephone 978-725-1392, Javier Morales

This plan is submitted for your review, comments, and recommendations. Please return to the Board of Selectmen's Office by the Review Deadline Date so that the Board of Selectmen can consider your recommendation.

Comments:

Signed [Signature]

Title Health Agent

Date 11/1

Town of Ayer  
Board of Selectmen's Office  
Transmittal Form - Department Head Review



- Board of Health
- Department of Public Works
- Police Department
- Fire Department
- Building Inspector/Zoning Enforcement Officer
- Conservation Committee
- Treasurer/Tax Collector
- Town Clerk
- Assessor's Office
- Town Planner
- Economic & Community Development Office

Review Deadline Date Wednesday November 27, 2019

Public Hearing Date Wednesday December 4, 2019

Permit Sought National Grid - Pole Petition - Sandy Pond Road

Description See attached

Submitted by National Grid

Address Sandy Pond Road Telephone 978-725-1392, Javier Morales

This plan is submitted for your review, comments, and recommendations. Please return to the Board of Selectmen's Office by the Review Deadline Date so that the Board of Selectmen can consider your recommendation.

Comments: Questions:

- 1) Are these replacing exist poles or additional poles
- 2) There are many wires/poles in this area - New wires should be consolidated
- 3) How much tree clearing would be required -

Signed M. W. J. Title Supt of Public Works  
Mark Wetzel

Date 11/20/19

I do not support this installation until the above questions are answered to our satisfaction

**Town of Ayer**  
**Board of Selectmen's Office**  
**Transmittal Form - Department Head Review**



\_\_\_\_\_ Board of Health  
\_\_\_\_\_ Department of Public Works  
\_\_\_\_\_ Police Department  
 Fire Department  
\_\_\_\_\_ Building Inspector/Zoning Enforcement Officer  
\_\_\_\_\_ Conservation Committee  
\_\_\_\_\_ Treasurer/Tax Collector  
\_\_\_\_\_ Town Clerk  
\_\_\_\_\_ Assessor's Office  
\_\_\_\_\_ Town Planner  
\_\_\_\_\_ Economic & Community Development Office

Review Deadline Date Wednesday November 27, 2019  
Public Hearing Date Wednesday December 4, 2019

Permit Sought National Grid - Pole Petition - Sandy Pond Road

Description See attached

Submitted by National Grid

Address Sandy Pond Road Telephone 978-725-1392, Javier Morales

This plan is submitted for your review, comments, and recommendations. Please return to the Board of Selectmen's Office by the Review Deadline Date so that the Board of Selectmen can consider your recommendation.

Comments:

*No issues*

Signed *R. Ledy*

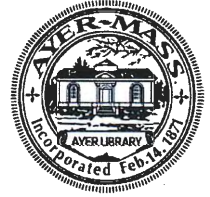
Title *Fire Chief*

Date *11-25-19*





**Town of Ayer**  
**Board of Selectmen's Office**  
**Transmittal Form - Department Head Review**



- Board of Health
- Department of Public Works
- Police Department
- Fire Department
- Building Inspector/Zoning Enforcement Officer
- Conservation Committee
- Treasurer/Tax Collector
- Town Clerk
- Assessor's Office
- Town Planner
- Economic & Community Development Office

Review Deadline Date Wednesday November 27, 2019

Public Hearing Date Wednesday December 4, 2019

Permit Sought National Grid - Pole Petition - Sandy Pond Road

Description See attached

Submitted by National Grid

Address Sandy Pond Road Telephone 978-725-1392, Javier Morales

This plan is submitted for your review, comments, and recommendations. Please return to the Board of Selectmen's Office by the Review Deadline Date so that the Board of Selectmen can consider your recommendation.

Comments: None

Signed [Signature]

Title Chief of Police

Date 11/20/19



Town of Ayer  
Board of Selectmen's Office  
Transmittal Form - Department Head Review



\_\_\_\_\_ Board of Health  
\_\_\_\_\_ Department of Public Works  
\_\_\_\_\_ Police Department  
\_\_\_\_\_ Fire Department  
 Building Inspector/Zoning Enforcement Officer  
\_\_\_\_\_ Conservation Committee  
\_\_\_\_\_ Treasurer/Tax Collector  
\_\_\_\_\_ Town Clerk  
\_\_\_\_\_ Assessor's Office  
\_\_\_\_\_ Town Planner  
\_\_\_\_\_ Economic & Community Development Office

Review Deadline Date Wednesday November 27, 2019  
Public Hearing Date Wednesday December 4, 2019

Permit Sought National Grid - Pole Petition - Sandy Pond Road


Description See attached

Submitted by National Grid

Address Sandy Pond Road Telephone 978-725-1392, Javier Morales

This plan is submitted for your review, comments, and recommendations. Please return to the Board of Selectmen's Office by the Review Deadline Date so that the Board of Selectmen can consider your recommendation.

Comments:  NO ISSUES

Signed 

Title Building/Zoning

Date 11/20/19

Town of Ayer  
Board of Selectmen's Office  
Transmittal Form - Department Head Review



\_\_\_\_\_ Board of Health  
\_\_\_\_\_ Department of Public Works  
\_\_\_\_\_ Police Department  
\_\_\_\_\_ Fire Department  
\_\_\_\_\_ Building Inspector/Zoning Enforcement Officer  
 Conservation Committee  
\_\_\_\_\_ Treasurer/Tax Collector  
\_\_\_\_\_ Town Clerk  
\_\_\_\_\_ Assessor's Office  
\_\_\_\_\_ Town Planner  
\_\_\_\_\_ Economic & Community Development Office

Review Deadline Date Wednesday November 27, 2019  
Public Hearing Date Wednesday December 4, 2019

Permit Sought National Grid - Pole Petition - Sandy Pond Road

Description See attached

Submitted by National Grid

Address Sandy Pond Road Telephone 978-725-1392, Javier Morales

This plan is submitted for your review, comments, and recommendations. Please return to the Board of Selectmen's Office by the Review Deadline Date so that the Board of Selectmen can consider your recommendation.

Comments:

*conservation has no concerns with this project.*

Signed *Jo. Aubrey*

Title *conservation administrator*

Date *11/21/19*

**Town of Ayer**  
**Board of Selectmen's Office**  
**Transmittal Form - Department Head Review**



\_\_\_\_\_ Board of Health  
\_\_\_\_\_ Department of Public Works  
\_\_\_\_\_ Police Department  
\_\_\_\_\_ Fire Department  
\_\_\_\_\_ Building Inspector/Zoning Enforcement Officer  
\_\_\_\_\_ Conservation Committee  
 Treasurer/Tax Collector  
\_\_\_\_\_ Town Clerk  
\_\_\_\_\_ Assessor's Office  
\_\_\_\_\_ Town Planner  
\_\_\_\_\_ Economic & Community Development Office

Review Deadline Date Wednesday November 27, 2019  
Public Hearing Date Wednesday December 4, 2019

Permit Sought National Grid - Pole Petition - Sandy Pond Road

Description See attached

Submitted by National Grid

Address Sandy Pond Road Telephone 978-725-1392, Javier Morales

This plan is submitted for your review, comments, and recommendations. Please return to the Board of Selectmen's Office by the Review Deadline Date so that the Board of Selectmen can consider your recommendation.

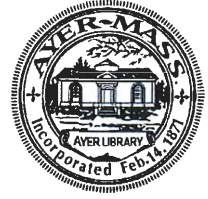
Comments:

Signed Barbara Lacey

Title Treasurer / Tax Collector

Date 11/22/2019

Town of Ayer  
Board of Selectmen's Office  
Transmittal Form – Department Head Review



\_\_\_\_\_ Board of Health  
\_\_\_\_\_ Department of Public Works  
\_\_\_\_\_ Police Department  
\_\_\_\_\_ Fire Department  
\_\_\_\_\_ Building Inspector/Zoning Enforcement Officer  
\_\_\_\_\_ Conservation Committee  
\_\_\_\_\_ Treasurer/Tax Collector  
\_\_\_\_\_ Town Clerk  
 Assessor's Office  
\_\_\_\_\_ Town Planner  
\_\_\_\_\_ Economic & Community Development Office

Review Deadline Date Wednesday November 27, 2019  
Public Hearing Date Wednesday December 4, 2019

Permit Sought National Grid - Pole Petition - Sandy Pond Road

Description See attached

Submitted by National Grid

Address Sandy Pond Road Telephone 978-725-1392, Javier Morales

This plan is submitted for your review, comments, and recommendations. Please return to the Board of Selectmen's Office by the Review Deadline Date so that the Board of Selectmen can consider your recommendation.

Comments:

Signed *Thomas Hegan*  
Date 11/19/19

Title *Assessing Administrator*

**Town of Ayer**  
**Board of Selectmen's Office**  
**Transmittal Form - Department Head Review**



\_\_\_\_\_ Board of Health  
\_\_\_\_\_ Department of Public Works  
\_\_\_\_\_ Police Department  
\_\_\_\_\_ Fire Department  
\_\_\_\_\_ Building Inspector/Zoning Enforcement Officer  
\_\_\_\_\_ Conservation Committee  
\_\_\_\_\_ Treasurer/Tax Collector  
 Town Clerk  
\_\_\_\_\_ Assessor's Office  
\_\_\_\_\_ Town Planner  
\_\_\_\_\_ Economic & Community Development Office

Review Deadline Date Wednesday November 27, 2019  
Public Hearing Date Wednesday December 4, 2019

Permit Sought National Grid - Pole Petition - Sandy Pond Road

Description See attached

Submitted by National Grid

Address Sandy Pond Road Telephone 978-725-1392, Javier Morales

This plan is submitted for your review, comments, and recommendations. Please return to the Board of Selectmen's Office by the Review Deadline Date so that the Board of Selectmen can consider your recommendation.

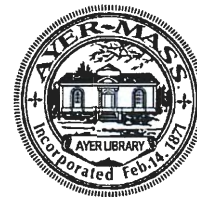
Comments: No issue for Clerks office.

Signed *Susan E. Copeland*

Title *Town Clerk*

Date *November 19, 2019*

**Town of Ayer**  
**Board of Selectmen's Office**  
**Transmittal Form - Department Head Review**



\_\_\_\_\_ Board of Health  
\_\_\_\_\_ Department of Public Works  
\_\_\_\_\_ Police Department  
\_\_\_\_\_ Fire Department  
\_\_\_\_\_ Building Inspector/Zoning Enforcement Officer  
\_\_\_\_\_ Conservation Committee  
\_\_\_\_\_ Treasurer/Tax Collector  
\_\_\_\_\_ Town Clerk  
 Assessor's Office  
 Town Planner  
\_\_\_\_\_ Economic & Community Development Office

Review Deadline Date Wednesday November 27, 2019  
Public Hearing Date Wednesday December 4, 2019

Permit Sought National Grid - Pole Petition - Sandy Pond Road

Description See attached

Submitted by National Grid

Address Sandy Pond Road Telephone 978-725-1392, Javier Morales

This plan is submitted for your review, comments, and recommendations. Please return to the Board of Selectmen's Office by the Review Deadline Date so that the Board of Selectmen can consider your recommendation.

Comments: I support this pole petition by National Grid.

Signed [Signature]

Title Town Planner

Date 11-21-2019



Town of Ayer  
Board of Selectmen's Office  
Transmittal Form - Department Head Review



- Board of Health
- Department of Public Works
- Police Department
- Fire Department
- Building Inspector/Zoning Enforcement Officer
- Conservation Committee
- Treasurer/Tax Collector
- Town Clerk
- Assessor's Office
- Town Planner
- Economic & Community Development Office

Review Deadline Date Wednesday November 27, 2019

Public Hearing Date Wednesday December 4, 2019

Permit Sought National Grid - Pole Petition - Sandy Pond Road

Description See attached

Submitted by National Grid

Address Sandy Pond Road Telephone 978-725-1392, Javier Morales

This plan is submitted for your review, comments, and recommendations. Please return to the Board of Selectmen's Office by the Review Deadline Date so that the Board of Selectmen can consider your recommendation.

Comments: RECOMMEND APPROVAL.

Signed [Signature]

Title DIR. COMMUNITY + ECO DEV.

Date 11/22/2019

# **TOWN OF AYER**

## **FY2020 TAX CLASSIFICATION HEARING**

**December 4, 2019**

# OPEN SPACE DISCOUNT

## ❖ What is Open Space?

- Land maintained in an open or natural condition which contributes significantly to the benefit and enjoyment of the public.

## ❖ Exclusions:

- Land taxable under the provisions of chapter land.
- Land under a permanent conservation restriction.
- Land held for the production of income.

## ❖ Board of Selectmen:

- Selectmen may discount up to 25% of the open space percentage share of the tax levy.

# RESIDENTIAL EXEMPTION

## ❖ What is a Residential Exemption?

- Applied to every residential property which is the principal residence of a taxpayer.
- The exemption is subtracted from the assessed value of eligible parcels.

## ❖ Exclusions:

- Accessory residential land & seasonal homes.
- Non-owner-occupied residential property.

## ❖ Board of Selectmen:

- Selectmen may adopt a discount of up to 35% of the average residential valuation.

# SMALL COMMERCIAL EXEMPTION

## ❖ What is a Small Commercial Exemption?

- Designed to provide tax relief for small businesses.
- The tax burden is shifted within the C&I class.

## ❖ Qualifying criteria:

- Eligible properties must be included on the list provided annually to the Assessors by the DLWD.
- Qualifying properties must have a valuation of less than one million dollars and an average annual employment of 10 or fewer people.

## ❖ Board of Selectmen:

- Selectmen may adopt an exemption of up to 10% of the value of eligible parcels.

# SMALL COMMERCIAL EXEMPTION II

## Pros

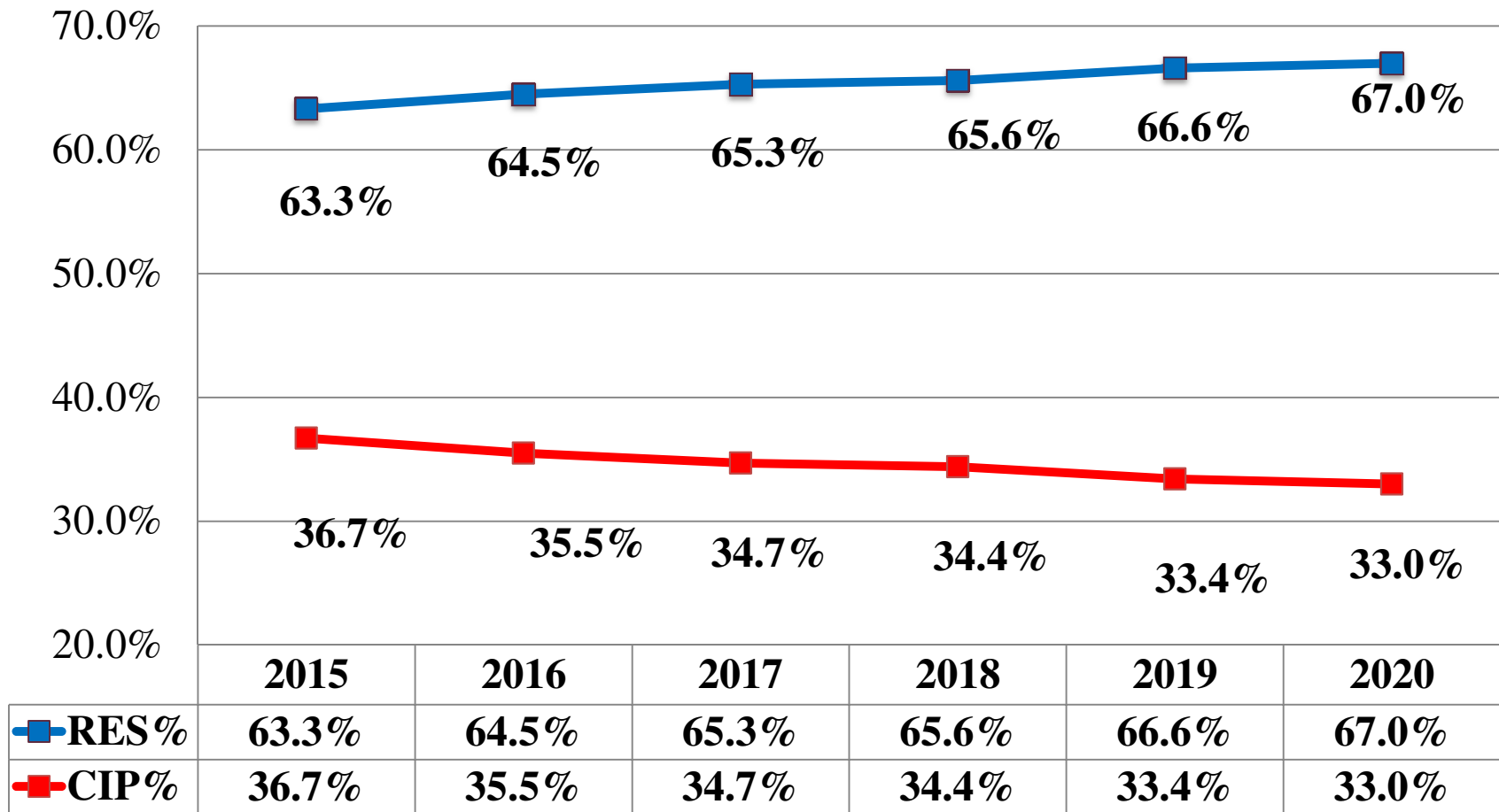
- Local adoption will provide a measure of tax relief to qualifying small businesses.

## Cons

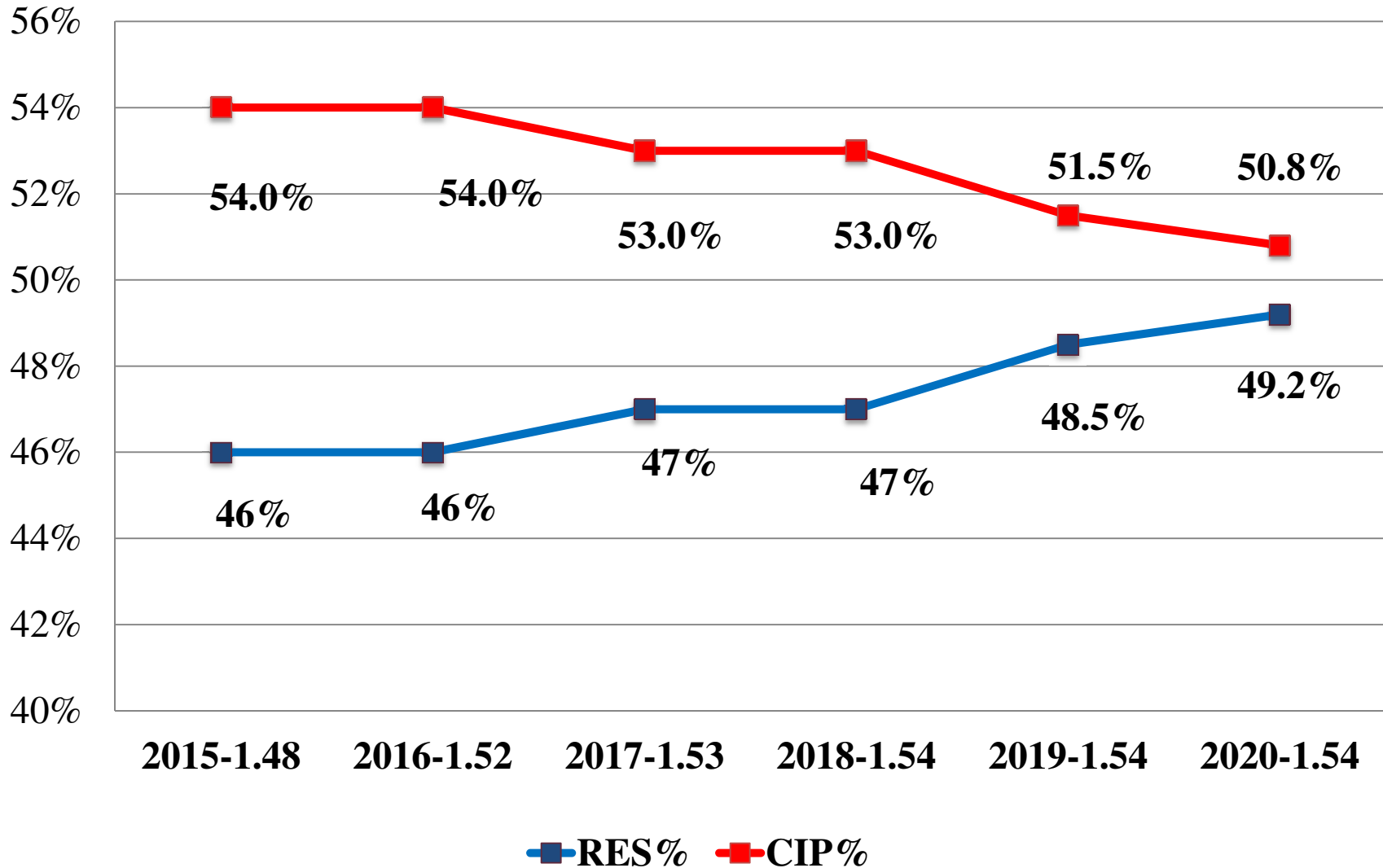
- The S.C.E. will increase the CI tax rate.
- The S.C.E. does not provide broad based tax benefit to C&I taxpayers.
- Property taxes will increase on non-qualifying C&I properties.
- The tax benefit may be realized by the property owner & not the small business.
- Adoption of the S.C.E. for the current tax year may lead to a disruption in our tax billing cycle as well as stress the FY20 overlay account.



# FY2020 VALUATION PERCENTAGES



# FY2020 TAX LEVY PERCENTAGES



# FY2020 VALUATION SUMMARY

<u>Class</u>	<u>Valuation</u>	<u>Percent</u>	<u>%</u>
Residential	871,752,300	67.0%	67%
Commercial	124,548,700	9.6%	
Industrial	164,134,400	12.6%	
Personal	<u>140,604,790</u>	<u>10.8%</u>	<u>33%</u>
Total Valuation	1,301,040,190	100%	100%
FY2019 Total Value	1,231,751,070		
% Change	5.6%		
<u>Average Valuation</u>	<u>FY2020</u>	<u>FY2019</u>	<u>%</u>
Single Family Home	350,200	332,600	5.3%
Commercial/Industrial	945,600	900,500	5.0%

# FY2020 TAX LEVY SUMMARY

FY2019 Levy Limit	\$24,119,751	
Increased 2.5%	\$602,994	
FY2020 Growth	\$647,256	
FY2020 Debt Exclusions	\$1,661,451	(high school ren.)
Capital Expenditure Exclusion	<u>\$650,000</u>	(new fire truck)
FY2020 Maximum Tax Levy	\$27,681,452	
FY2020 Actual Tax Levy	\$24,985,750	
Excess Levy Capacity	\$2,695,702	
FY2019 Tax Levy	\$23,036,173	
Levy Change (\$)	\$1,949,577	
Levy Change (%)	8.5%	

# FY2020 SINGLE TAX RATE

FY2020 Tax Levy	<u>\$24,985,750</u>
FY2020 Valuation	\$1,301,040,190 ✖ 1,000 = \$19.20
Single Tax Rate 2020	\$19.20
Single Tax Rate 2019	\$18.70
% Change	2.7%

# FY2019 CLASSIFICATION DATA

<u>Class</u>	<u>Valuation</u>	<u>%</u>	<u>Levy%</u>	<u>Tax Rate</u>
Residential	819,924,700	66.6%	48.5%	\$13.63
<u>CIP</u>	<u>411,826,370</u>	<u>33.4%</u>	<u>51.5%</u>	\$28.80
Totals:	1,231,751,070	100%	100%	

\* Single Tax Rate      \$18.70

\* CIP Shift Factor      1.54

\* Res. Factor      0.728773      (BOS vote 12/4/18)



# FY2020 ESTIMATED TAX RATES

<u>CIP Shift Factor</u>	<u>Res. Factor</u>	<u>CIP Levy%</u>	<u>Res. Levy%</u>	<u>Res. Tax Rate</u>	<u>CIP Tax Rate</u>	<u>Avg. Res Bill \$Ch</u>	<u>Avg. C&amp;I Bill \$Ch</u>	<u>Avg. Res Bill %Ch</u>	<u>Avg. C&amp;I Bill %Ch</u>
1.00	1.000000	33.0%	67.0%	\$19.20	\$19.20	\$2,191	(\$7,779)	48.3%	-30.0%
1.10	0.950755	36.3%	63.7%	\$18.26	\$21.12	\$1,861	(\$5,963)	41.1%	-23.0%
1.20	0.901511	39.6%	60.4%	\$17.31	\$23.05	\$1,529	(\$4,138)	33.7%	-16.0%
1.30	0.852267	42.9%	57.1%	\$16.37	\$24.97	\$1,199	(\$2,323)	26.5%	-9.0%
1.40	0.803023	46.2%	53.8%	\$15.42	\$26.89	\$867	(\$507)	19.1%	-2.0%
1.50	0.753779	49.5%	50.5%	\$14.48	\$28.81	\$538	\$1,308	11.9%	5.0%
1.51	0.748854	49.8%	50.2%	\$14.38	\$29.00	\$503	\$1,488	11.1%	5.7%
1.52	0.743930	50.2%	49.8%	\$14.29	\$29.19	\$471	\$1,668	10.4%	6.4%
1.53	0.739005	50.5%	49.5%	\$14.19	\$29.38	\$436	\$1,847	9.6%	7.1%
<b>1.54</b>	<b>0.734081</b>	<b>50.8%</b>	<b>49.2%</b>	<b>\$14.10</b>	<b>\$29.57</b>	<b>\$404</b>	<b>\$2,027</b>	<b>8.9%</b>	<b>7.8%</b>
1.55	0.729157	51.1%	48.9%	\$14.00	\$29.77	\$369	\$2,216	8.1%	8.5%
1.56	0.724232	51.5%	48.5%	\$13.91	\$29.96	\$338	\$2,396	7.5%	9.2%
1.57	0.719308	51.8%	48.2%	\$13.81	\$30.15	\$303	\$2,575	6.7%	9.9%
1.58	0.714383	52.1%	47.9%	\$13.72	\$30.34	\$271	\$2,755	6.0%	10.6%
1.59	0.709459	52.5%	47.5%	\$13.62	\$30.54	\$236	\$2,944	5.2%	11.4%
1.60	0.704535	52.8%	47.2%	\$13.53	\$30.73	\$205	\$3,124	4.5%	12.0%
1.70	0.655290	56.1%	43.9%	\$12.58	\$32.65	(\$128)	\$4,939	-2.8%	19.0%
1.75	0.630668	57.7%	42.3%	\$12.11	\$33.61	(\$292)	\$5,847	-6.5%	22.5%



## MEMORANDUM

Date: November 26, 2019  
To: Board of Selectmen  
From: Mark Wetzel, Superintendent of Public Works  
Subject: **Agenda Items for December 4, 2019 BOS Meeting**

1. **Approval of Change Order for Waterline Industries** – Attached is Change Order No. 5 for the Wastewater Treatment Plant Phase 1 Upgrade Contract with Waterline Industries. The change order is the final quantity change order for the amount of \$14,104.50. Bid Items 2 (Spalled concrete repair),3 (Exposed reinforcing steel repair),4 (Repair concrete curb),5 (Repair stair nosing) and 6 (Test pits) are unit price items based on an estimated quantities. The Change Order adjusts the contract for the actual quantities measured under these bid items.

For signature by the Board.

2. **Central Avenue – Groton Harvard Rd Intersection** – I will provide a brief presentation on the recommended short and long term improvements to improve the safety of this intersection. See attached memo to Town Manager dated Nov. 18.
3. **Grant of Easement for Electric Utility Installation at 0 Park Street Parking Lot** – Attached is a Grant of Easement to allow National Grid to install and maintain an overhead electrical system at 0 Park Street (Town-owned parking lot). Power is being brought to the site in order to service a proposed electric vehicle (EV) charging station. The Town has been approved for incentives from National Grid that will pay for the majority of the EV charging station and all of the costs related to electrical infrastructure. Additionally, the Town received a grant for \$12,500 from MassEVIP (Electric Vehicle Incentive Program) Public Access Charging (PAC) to supplement the National Grid incentives.

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 18, 2019

To: Robert Pontbriand, Town Manager

From: Mark Wetzel P.E.

Re: Central Ave / Groton Harvard Rd Intersection Safety Improvements

Safety improvements to the Central Ave / Groton Harvard Road intersection can be implemented in phases. An engineering study and preliminary design needs to be completed in order to determine the long term solution to this problem. This is beyond the expertise of the DPW Engineering staff and is costly and time consuming. In addition, traffic safety improvements must be in compliance with the MassDOT requirements and Town Traffic Code.

The Ayer DPW has done the following:

1. Restriped the intersection to better align the lanes on Groton Harvard Road
2. Received a proposal from WorldTech Engineers for an evaluation and preliminary design for safety improvements at the intersection.
3. Contacted the property owner at 20 Groton Harvard Road about improving sight lines for Central Ave westbound traffic, Mr. Hudlin offered some insights into the issues.
4. Contacted MRPC to see if they can provide some technical assistance in evaluation the intersection. I have not received a response.

I recommend the following:

1. Review accident reports to determine the cause of the accidents and potential traffic safety improvements.
2. Install blinking LED STOP signs on GH Rd in each direction. Estimated cost \$5,000.
3. Install signage on Central Ave warning of intersection. Estimated cost \$5,000.
4. Hire an engineering company to develop a preliminary design with cost estimate. A signalized intersection would cost on the order of \$250,000. The engineering study is estimated to cost \$25,000.
5. Determine cost, funding options and appropriate funding at Annual Town Meeting

As we discussed, to implement the above, we would need to appropriate \$10,000 for the signage improvements and \$25,000 for the engineering study. Could UDAG funding be approved for these improvements? I will also include a "place holder" in the FY21 Capital Budget for the improvements determined by the engineering study. There may also be some grant funding available for recommended improvements.

Property Address: Lot 1-C, Park Street, Ayer, MA (Middlesex South)

## GRANT OF EASEMENT

The **TOWN OF AYER**, a municipal corporation, duly organized and existing under the laws of the Commonwealth of Massachusetts, having an address at 1 Main Street, Ayer, Massachusetts 01432 (hereinafter referred to as the Grantor), for consideration of One (\$1.00) Dollar, grants to **MASSACHUSETTS ELECTRIC COMPANY**, 40 Sylvan Road, Waltham, Massachusetts 02451, a Massachusetts corporation (hereinafter referred to as the Grantee) with quitclaim covenants, the perpetual right and easement to construct, reconstruct, repair, maintain, operate and patrol, for the transmission of high and low voltage electric current and for the transmission of intelligence and telephone use, lines to consist of, but not limited to, two (2) poles, (which may be erected at different times) with wires and cables installed thereon, and all necessary foundations, anchors, guys, braces, fittings, equipment and appurtenances (hereinafter referred to as the "OVERHEAD SYSTEM") over, across, under and upon the Grantor's land in Ayer, Middlesex County, Massachusetts, to serve Grantor's property and others.

Said "OVERHEAD SYSTEM" is to be installed on Grantor's property, which is located on the westerly side of Park Street, to originate from Pole P.4, which is located on the easterly side of Park Street, then proceed in a westerly direction crossing Park Street, over, across and upon land of the Grantor to new Poles P.4-1 and P.4-3, to become established by and upon the final installation thereof by the Grantee.

WR #28640625

Address of Grantees:  
Mass El. - 40 Sylvan Road, Waltham, Massachusetts 02451

After recording return to:  
Carol Childress  
National Grid USA  
Service Company, Inc.  
939 Southbridge Street  
Worcester, MA 01610

05 AYERMA GEN

Also with the further perpetual right and easement from time to time without further payment therefore to pass and repass over, across and upon said land of the Grantor as is reasonable and necessary in order to renew, replace, repair, remove, add to, maintain, operate and patrol and otherwise change said "OVERHEAD SYSTEM" and each and every part thereof and to make such other excavation or excavations as may be reasonably necessary in the opinion and judgment of the Grantee, their successors and assigns, and to clear and keep cleared the portions and areas of the premises wherein the "OVERHEAD SYSTEM" is specifically located of such trees, shrubs, bushes, above ground and below ground structures, objects and surfaces, as may, in the opinion and judgment of the Grantee, interfere with the efficient and safe operation and maintenance of the "OVERHEAD SYSTEM".

It is agreed that the "OVERHEAD SYSTEM" shall remain the property of the Grantee, their successors and assigns, and that the Grantee, their successors and assigns, shall pay all taxes assessed thereon. Grantor agrees that the rights and easement herein granted are for the purpose of providing service to Grantor's property and the further right to service others from said "OVERHEAD SYSTEM". The Grantor, for itself, its successors and assigns, covenant and agrees with the Grantee, for themselves, their successors and assigns, that this Grant of Easement and the location of the "OVERHEAD SYSTEM" may not be changed or modified without the written consent of the Grantee, their successors and assigns, which consent may be withheld by the Grantee in their sole discretion. The rights and easement herein granted are over, across and upon a certain parcel of land shown as "LOT 1-C" on a Plan of Land recorded with the Middlesex South District Registry of Deeds as Plan No. 682 of 1990.

And further, said "OVERHEAD SYSTEM" (locations of the electrical equipment and other facilities on the hereinbefore referred to premises of the Grantor) is approximately shown on a sketch entitled: "EXHIBIT 'A' NOT TO SCALE; Lot 1-C, PARK STREET Easement Sketch Ayer MA; Date: 11/13/19; Designer: J. Morales; Work Request: 28640625; Sketch to Accompany Easement for: *Exhibit A*; nationalgrid", a reduced copy of said sketch is attached hereto as "Exhibit A", copies of which are in the possession of the Grantor and Grantee herein, but the final definitive locations of said "OVERHEAD SYSTEM" shall become established by and upon the installation and erection thereof by the Grantee.

For Grantor's title, see deed dated August 11, 2015, recorded with the Middlesex South District Registry of Deeds in Book 65896, Page 503.

**EXECUTED** as a sealed instrument this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

TOWN OF AYER  
Acting by and through its Board of  
Selectmen

\_\_\_\_\_  
By: Scott A. Houde  
Its: Chair

\_\_\_\_\_  
By: Jannice L. Livingston  
Its: Vice Chair

DRAFT

Commonwealth of Massachusetts

County of \_\_\_\_\_ } ss.

On this the \_\_\_\_\_ day of \_\_\_\_\_, 2019, before me,

\_\_\_\_\_  
Name of Notary Public the undersigned Notary Public,

personally appeared Scott A. Houde and Jannice L. Livingston, proved to me through satisfactory evidence of identity, which were

\_\_\_\_\_  
Description of Evidence of Identity

to be the persons whose names are signed on the preceding Grant of Easement and acknowledged to me that they signed it voluntarily for its stated purpose, as members of the Board of Selectmen in the Town of Ayer.

**DRAFT**

\_\_\_\_\_  
Signature of Notary Public

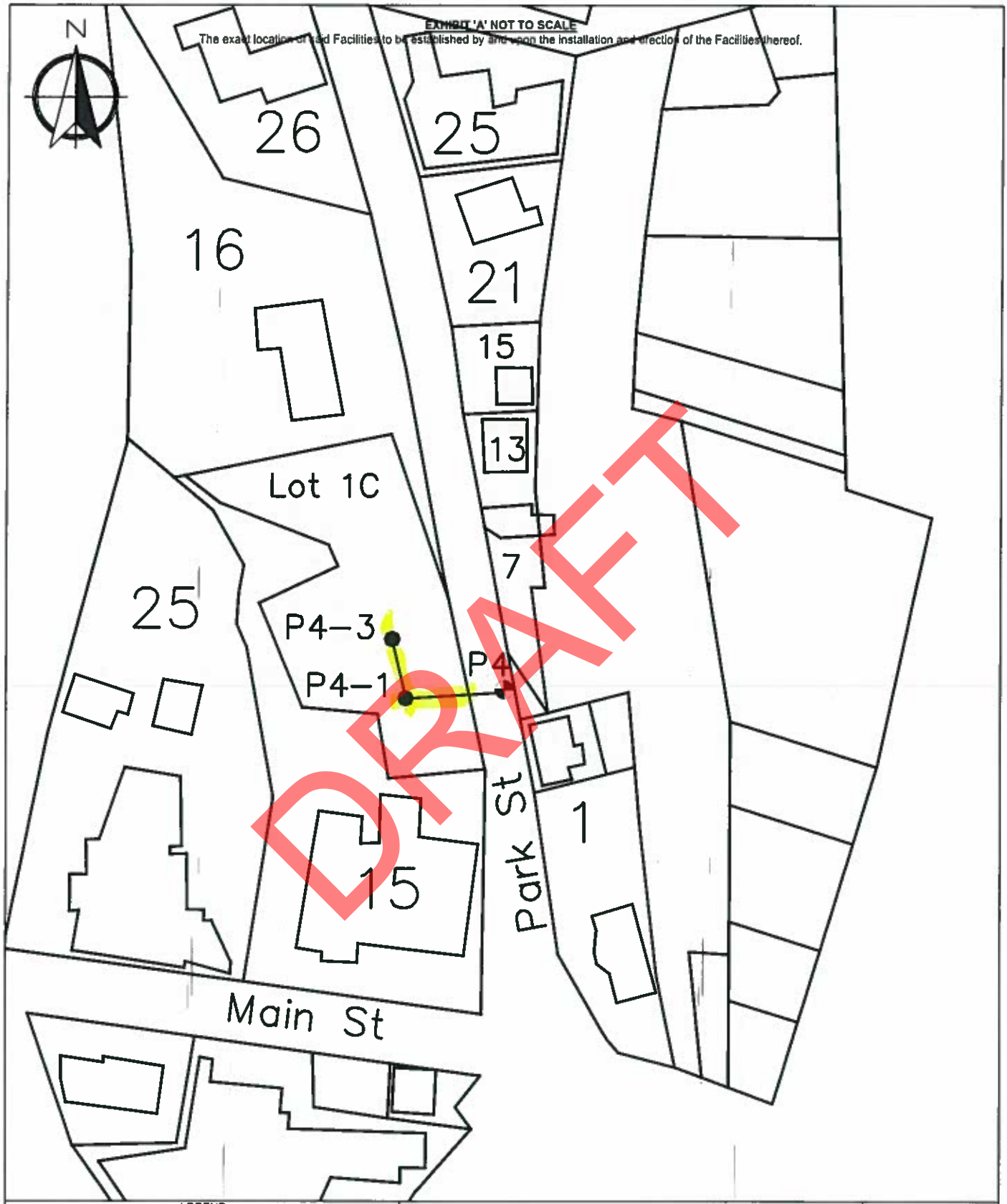
\_\_\_\_\_  
Printed Name of Notary

My Commission Expires \_\_\_\_\_

Place Notary Seal and/or Any Stamp Above

EXHIBIT 'A' NOT TO SCALE

The exact location of said Facilities to be established by and upon the installation and erection of the Facilities thereof.



LEGEND

- Proposed SO Pole
- ⊕ Existing JO Pole
- Opt Line

Lot I-C, PARK STREET  
Easement Sketch

Ayer

MA

Date: 11/13/19  
 Designer: J.Morales  
 Work Request: 28640625

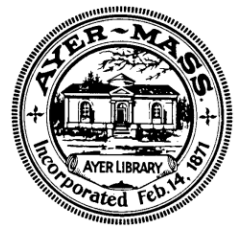
Sketch to Accompany Easement for:  
Exhibit A





**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 26, 2019

**TO:** Ayer Board of Selectmen

**FROM:** Robert A. Pontbriand  
Town Manager

**SUBJECT: Town Manager's Report for the December 4, 2019 Board of Selectmen's Meeting**

Dear Honorable Selectmen,

I am pleased to transmit to you the following Town Manager's Report for the December 4, 2019 BOS 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 of the various activities, initiatives, and projects of the Administration sine the Board of Selectmen last met on November 19, 2019.

**Review of Warrant(s):**

- I reviewed, approved, and signed the following Town Warrants since the Board of Selectmen last met on November 19, 2019:

Payroll Warrant #20-10 in the amount of \$370,164.97 was reviewed, approved and signed on November 19, 2019.

Accounts Payable Warrant #20-10 in the amount of \$1,601,364.74 was reviewed, approved and signed on November 26, 2019

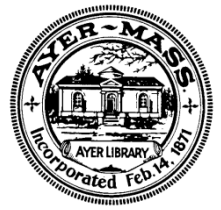
**Approval of 2020 License Renewals:**

- The Board of Selectmen are respectfully requested to review and approve the 2020 License Renewals as set forth in the attached Memo from the Assistant Town Manager (See attached).

Thank you.

Attachment: 2020 License Renewals Memo from the Assistant Town Manager

**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**

To: Board of Selectmen  
From: Carly Antonellis, Assistant Town Manager  
Date: November 26, 2019  
Re: 2020 License Renewals

The following is a list of the 2020 License Renewals. I am recommending approval of all license renewals listed below subject to successfully meeting all requirements as set forth by Ayer Bylaw XLII and relevant Massachusetts General Law(s).

Pursuant to the Town of Ayer Bylaw XLII, this list is currently under review for outstanding bills, taxes, fees, assessments, liens, betterments and any other municipal charges by the Treasurer/Tax Collector and the Department of Public Works.

In addition to the full payment due, the following list of requirements must be met before a license will be released.

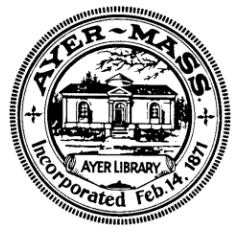
Code	License Type	License Type
Class 1	New/Used Motor Vehicle Dealership License	Proof of \$25,000 Surety Bond
Class 2	Used Motor Vehicle License	
Class 3	Junk Auto Dealer's License	n/a
CV	Common Victualler	n/a
BW	Beer/Wine	
AA	All Alcohol	
s15	Off Premise/Package Store	Completion of ABCC Form
s12	On Premise/Restaurant/Club	Completion of ABCC Form, proof of liquor liability insurance, fire inspection by AFD
Amusement	Amusement License	n/a
Sunday Entertainment	Sunday Entertainment License	n/a

Business Name	Business Address	Map and Parcel	License Type
Toreku Tractor & Equipment, Inc.	4 Littleton Road	35-9	Class 1
Gervais Inc.	5 Littleton Road	35-24/25	Class 1
Trailer Home Sales	1 Fitchburg Road	19-8	Class 1
Central Collision Center	121 Central Avenue	27-11	Class 2
Don's Auto Sales	9 Bishop Road	19-9	Class 2
J.C. Madigan, Inc.	8 Shaker Road	43-4 & 43-7	Class 2

<u>Business Name</u>	<u>Business Address</u>	<u>Map and Parcel</u>	<u>License Type</u>
Terranova Auto Body	40 Littleton Road	35-15	Class 2
Smart Auto Sales, Inc.	42 Littleton Road	35-16	Class 2
Rt 2A Auto Sales, Inc.	77 Fitchburg Road	11-16	Class 2
Power of Honesty, Inc.	179 West Main Street	32-22	Class 2
Ayer Auto Repair, LLC.	85-87 Central Avenue	27-106/107	Class 2
Turbo Lube	21 Fitchburg Road	11-50	Class 2
Ultimate Car Care	1 Bishop Road	19-199	Class 2
Harry Schwartz & Sons, Inc.	20 Sandy Pond Road	28-86	Class 3
Subway	1 Mill Street	26-82	CV
Ayer Convenience	60 Park Street	19-16	CV
Deven's Pizza & Deli	210 West Main Street	32-30	CV
McDonald's Restaurant	2 Sandy Pond Road	35-4	CV
Wendy's Restaurant	2 Barnum Road	35-17	CV
Woo Jung Restaurant	174 West Main Street	32-40	CV
Verona Pizza & Seafood	18 Park Street	26-21	CV
Dunkin Donuts	18 Park Street	26-21	CV
Karyn's Kitchen	200 West Main Street	32-21	CV
Ayer Gulf	26 Park Street	26-19	CV
The Cottage Restaurant	18 Main Street	26-93	CV
Wok & Roll	49 Park Street	19-31	CV
Lazy Mary's	30 Littleton Road	35-12	CV
Taco Bell	4 Sandy Pond Road	35-3	CV
Union Coffee	25 Main Street #1	26-223	CV
Tipo Taco's	35 Main Street	26-187	CV
Ruby Donut Shop	210 West Main Street	32-30	CV
Junction RPD	60 West Main Street	26-72	CV
Ayer Shop 'n Save	22 Fitchburg Road	18-2	s15BW
Ayer Package Store, Inc.	48 Main Street	26-89	s15AA
The Vineyard	63 Park Street	19-30	s15AA
Traffic Circle Liquors, Inc.	2 Littleton Road	35-7	s15AA
Barnum Road Liquors, Inc.	1 Barnum Road	34-86	s15AA
Archer's Mobil	70 Main Street	26-87	s15BW; CV
Chung Ge Market	210D West Main Street	32-30	s15BW; CV
Pauline's Variety	67 1/2 East Main Street	34-42	s15BW; CV
Ayer Gun & Sportsmen's Club	225 Snakehill Road	14-1/14-4/14-7	s12BWC; CV
Carlin's	7 Depot Square	26-329	s12AA; CV; Amusement; Sunday Entertain;
Billiard's Café	39 Main Street	26-187	s12AA; CV; Amusement; Sunday Entertain;
Lucia's Tavola Ristorante	31 Main Street	26-187	s12AA; CV
Markoh's on Main	43 Main Street	26-187	s12AA; CV
Shaker Hills Country Club	146 Shaker Road	43-5	s12AA; CV
Tiny's Restaurant	2 Groton School Road	19-7	s12AA; CV; Amusement
Nashoba Club	14 Central Avenue	26-278	s12AA; CV; Amusement
9 Main Ayer, Inc.	9 Main Street	26-228	s12AA; CV
Bar 25	25 Main Street	26-223	s12AA; CV

**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 26, 2019

**TO:** Ayer Board of Selectmen

**FROM:** Robert A. Pontbriand  
Town Manager

**SUBJECT: Materials for the Town of Ayer – Devens Jurisdiction Committee Discussion under New Business for the December 4, 2019 BOS Meeting**

Dear Honorable Selectmen,

To facilitate the discussion on December 4, 2019 under New Business with respect to the Town of Ayer – Devens Jurisdiction Committee as requested by Selectman Houde, I wanted to provide the following documents:

1. Proposal for the Establishment of an Ayer-Devens Jurisdiction/Disposition Study Committee (Memo dated November 8, 2018 and proposal approved by the BOS on November 13, 2018);
2. A Memo provided on November 26, 2019 from Alan Manoian, Director of Economic and Community Development outlining a new, proposed charge/format/plan for an Ayer-Devens Jurisdiction/Disposition Study Committee

Additionally, Selectman Houde has indicated that he may have some additional materials/slides for initial discussion at the December 4, 2019 BOS Meeting.

If you have any questions prior to the meeting, please do not hesitate to contact me directly.

Thank you.

Attachment(s): Proposal Memo for the Establishment of an Ayer-Devens Jurisdiction/Disposition Study Committee (November 8, 2018)

Memo from Alan Manoian, Director of Economic and Community Development for the Ayer/Devens Jurisdictional & Disposition Study Committee (November 26, 2019)

**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, 2018

**TO:** Ayer Board of Selectmen

**FROM:** Robert A. Pontbriand  
Town Manager

**SUBJECT: Proposal for the Establishment of an Ayer - Devens Jurisdiction/Disposition Study Committee**

Dear Honorable Selectmen,

At the request of the Board of Selectmen at the October 16, 2018 BOS Meeting, I have prepared the following proposal for the establishment of an Ayer - Devens Jurisdiction/Disposition Study Committee which has been modelled after a similar committee recently established by the Town of Harvard.

Committee Purpose:

- The Ayer-Devens Jurisdiction/Disposition Study Committee would be charged with planning for and initiating discussions with the appropriate parties with the goal of presenting a plan to the Town of Ayer Voters to resume jurisdiction over the land presently part of Devens formerly under the jurisdiction of the Town of Ayer.

Committee Charge:

- The Ayer-Devens Jurisdiction/Disposition Study Committee is charged with instituting a process for developing a plan to resume jurisdiction, including but not limited to, the following tasks:
  - Manage the process and timeline to collect and report additional information as requested by the Board of Selectmen;
  - Provide status reports to the Board of Selectmen on at least a quarterly basis;
  - Meet with Ayer Town Departments and Committees to review and seek input on Devens topics as set forth in the 2018 Ayer Master Plan;
  - Meet with MassDevelopment and Devens Departments (particularly DPW, Fire and DEC) to review and seek input on Devens topics as set forth in the 2018 Master Plan;

- Hold periodic public meetings to inform and seek input from the general public, including Devens residents. It is recommended that an initial kick-off meeting be held to provide an overview of the findings in the 2018 Master Plan and proposed next steps;
- Upon the request by the Board of Selectmen prepare a draft “Request for Qualifications” for a planning consultant to assist in the development of a plan;
- Seek funds to underwrite the cost of consultant services;
- Following the issuance of the RFQ, review proposals and recommend a consultant firm to the Board of Selectmen; and
- Keep State Legislators and MassDevelopment informed as work progresses.

Committee Composition:

- The Committee will be appointed by the Board Selectmen and shall be comprised of nine (9) Ayer and Devens residents and shall be professionally supported by the Town Planner; Economic & Community Development Director; and the Town Manager’s Office. Recommended appointees are:
  - One member of the Ayer Board of Selectmen
  - Two members of the Ayer Planning Board
  - Members-at-Large: Five residents, at least one of whom lives on Devens
  - The Ayer Director of Economic and Community Development

Frequency of Committee Meetings:

- It is recommended that the Committee meet initially on a monthly basis.
- The Committee shall be subject to the Massachusetts Open Meeting Law and Massachusetts Public Records Law.

Funding:

- It is recommended that the Committee be provided seed money in the amount of \$5,000 in the FY 2020 Budget to cover initial costs associated with preparing and disseminating documents such as the RFQ and other materials.

I look forward to further discussing this proposal with the BOS at your November 13, 2018 BOS meeting.

# The Ayer/Devens Jurisdictional & Disposition Study Committee (ADJD)

**Committee Charge:** The Ayer/Devens Jurisdiction & Disposition Study Committee is charged with leading a Process for the production of a Plan to best determine the comprehensive financial, civic, and cultural advantages & disadvantages involved with potentially resuming municipal Jurisdiction over the current Devens land area within the historic boundaries of the Town of Ayer, including but not limited to, the following tasks:



**Formulate & Manage** the process and timeline to collect and report additional information as requested by the Board of Selectmen;



**“Ayer in Devens” Profile** - Produce “Ayer in Devens” Land/Buildings/Value Profile & Analysis Sheet;



**Conduct a Series of Public Forums** to inform and seek input from the general public, including Devens residents. It is recommended that an initial kick-off meeting be held to provide an overview of the findings in the 2018 Master Plan and proposed next steps;



**Engage Devens Community Residents** - Conduct Auman Street & Bates Street (Devens Community) Resident Forum/s;



**Walking Tour/s of Devens Neighborhood** – Conduct an Auman Street, Bates Street & Vicksburg Square District Neighborhood Walking Tour to fully engage Devens residents into process & to familiarize/re-familiarize Ayer Devens Committee members with the current lands, properties & lifestyles of Devens;



**Provide Status Reports** to the Board of Selectmen on at least a quarterly basis;



**Meet with Ayer Town Departments & Committees** to review and seek input on Devens topics as set forth in the 2018 Ayer Master Plan;



**Meet with MassDevelopment and Devens Departments** (*particularly DPW, Fire and DEC*) to review and seek input on Devens topics as set forth in the 2018 Master Plan;





**Seek Funds** to underwrite the cost of consultant services;



**Planning Consultant** - Upon the request by the Board of Selectmen prepare a draft "Request for Qualifications" for a planning consultant to assist in the development of a plan;



**Planning Consultant Review & Recommendation** - Following the issuance of the RFG, review proposals and recommend a consultant firm to the Board of Selectmen; and



**Partner Information Sharing** - Keep State Legislators, MassDevelopment & Devens Jurisdictional Framework Committee informed as work progresses.



**Committee Composition:**

The Committee will be appointed by the Ayer Board of Selectmen and shall be comprised of seven (7) Ayer & Devens residents and shall be professionally supported by the Ayer Town Planner, Director of Community & Economic Development, and the Office of the Town Manager.

**Recommended (7) Appointees are:**

- One (1) member of the Ayer Board of Selectmen;
- Two (2) members of the Ayer Planning Board;
- Three (3) Resident members-at-large; at least one of whom resides on Devens;
- Director of Ayer Office of Community & Economic Development

**Town of Ayer  
Board of Selectmen  
Ayer Town Hall – 1<sup>st</sup> 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 4<sup>th</sup> 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 4<sup>th</sup> 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 4<sup>th</sup> 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:** \_\_\_\_\_

DRAFT



**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 mortgager 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.**

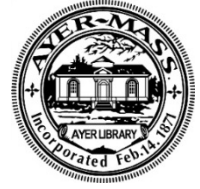
**Adjournment:**

**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 4<sup>th</sup> 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 4<sup>th</sup> 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 4<sup>th</sup> 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 4<sup>th</sup> 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 4<sup>th</sup> 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 Wetzal 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:** \_\_\_\_\_

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



*Broadcast and Recorded by APAC*

**Tuesday November 19, 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:** J. Livingston asked to amend the agenda by adding a discussion about the Devens Jurisdiction Framework Committee under New Business, as she recently attended a meeting and wanted to provide an update. S. Houde also asked to table the Approval of the Minutes to the next BOS meeting.

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

**Announcements:** S. Houde made the following announcements:

- The Ayer Police Department has begun its annual Holiday Toy Drive and is accepting donations until December 6th of new, unopened, and unwrapped toys.
- The Winter Parking Ban is in effect through April 15. This Annual Parking Ban prohibits parking any motor vehicle on any street or sidewalk in the Town of Ayer between the hours of 12:00 AM and 6:00 AM. The Winter Parking Ban also prohibits parking any motor vehicle on any street or sidewalk in the Town of Ayer during a snowstorm.
- There will be a Special Election to fill the current vacancy on the Board of Selectmen. The Election will be held Tuesday, December 3, 2019; polls open 7am and close at 8pm. The Election will be held at the Ayer Town Hall.
- The 4th Annual Downtown Ayer Candlelight Stroll and Tree Lighting will take place on Saturday December 7, 2019 at 5:00 PM.

**Public Input:** None

**Application for Common Victullaer's License:** *Global Montello, 26-28 Harvard Road* – General Manager Ms. Stephanie McGregor was in attendance. She stated that the planned opening date for the Global Store on Harvard Road will be December 18, 2019. C. Antonellis stated that the applicant had all needed paperwork and that the Board of Health and the Tax Collector have no issues with the application.

**Motion:** A motion was made by S. Houde and seconded by J. Livingston to grant the Common Victualler's License for Global Montello d/b/a Alltown Fresh Ayer. **Motion passed 2-0.**

**Chief William A. Murray, Ayer Police Department:** *Transition to Load Bearing Vests* – Chief Murray was joined by Officer David Lansing and gave a brief presentation on the Ayer Police Department personnel transitioning from standard duty belts to load bearing vests. The main reason for making the change is for health reasons and officer safety. Chief Murray stated that there would be no additional costs to the Town, and this would be an optional choice for patrol personnel. Officer Lansing indicated many of the patrol personnel were interested in making the transition. Chief Murray wanted to brief the BOS before the change was made. J. Livingston and S. Houde were both supportive of the change and thanked Chief Murray and Officer Lansing for the presentation.

**Mr. Dan Van Schalkwyk, Town Engineer:** *Approval of Change Order 2 for Prospect & Oak St. Infrastructure Project* – D. Van Schalkwyk was in attendance seeking an approval for Change Order 2 for the Prospect and Oak Street Infrastructure Project. He stated that this is the final change order for the project to account for actual quantities constructed and additional costs and credits.

**Motion:** A motion was made by J. Livingston and seconded by S. Houde to approve Change Order #2 (J. D’Amico, Inc.) in the amount of \$75,350.22 with signature by the Chair. **Motion passed 2-0.**

*Approval of Change Order 4 for Waterline Industries* – D. Van Schalkwyk presented Change Order 4 for Waterline Industries relating to the Wastewater Treatment Plant Phase 1 Upgrade Contract. The change order amount is a credit of \$26,261.92 which includes the removal of the primary electrical conduit from the Contractors’ scope because all work is included in National Grid’s scope.

**Motion:** A motion was made by S. Houde and seconded by J. Livingston to approve Change Order #4, credit amount of \$26,261.92 with signature by the BOS. **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. R. Pontbriand also briefed the BOS on the recent damage sustained at Town Hall, due to a faulty heat control, which led to the sprinklers going off in several part of the building. R. Pontbriand also reported that the Town of Ayer did not receive a MassWorks grant but will plan on applying in the next year. R. Pontbriand handed a memo to the BOS relating to the Groton Harvard Road and Central Avenue intersection. The memo outlined what the Town had done to improve the intersection and what the next steps are. He stated that the BOS will discuss further at their next meeting; and that he has met with key departments following a series of accidents that have taken place at the intersection during the course of the past month. J. Livingston stated that she was glad the Town was finally doing something.

R. Pontbriand also reported that he would have an update at the next meeting regarding a crosswalk at the Woodlawn Cemetery.

R. Pontbriand referenced an upcoming tour of the Transfer Station requested by S. Houde. R. Pontbriand asked S. Houde for additional information, as far as what he hopes the tour will accomplish. S. Houde stated that is goal is to review the setup and layout of the Transfer Station from the customer’s prospective. He’d also like to discuss the concerns and frustrations about the Transfer Station in general. He is concerned with the increase in the general fund subsidy needed to keep the Transfer Station operational.

J. Livingston referenced a BOS meeting from August 26, 2014 where the BOS voted down curbside trash pickup. She read the vote of the 2014 meeting that the BOS voted that based on 2 public input meetings, 603 signatures on a petition received by the BOS and the recommendation of the curbside study working group, that the subject of town-wide curbside be tabled until such time a significant change in all requirements dictate otherwise. J. Livingston stated that there are rumors that the BOS wants to close the Transfer Station and that she is very concerned about the optics of the BOS, Board of Health, and Recycling Committee going as a delegation on a Saturday morning to take a tour. J. Livingston is recommending that the tour be delayed, noting that the availability of the newest BOS member, when elected on 12/3/19 is unknown. S. Houde said he had no issues with delaying the tour for the time being.

R. Pontbriand then updated the BOS on the FY ’21 budget process stating that he has been stressing the demonstration efficiencies and savings and the awarding of grants to departments.

*Approval of FY ’21 Budget Calendar* – R. Pontbriand presented the FY ’21 Budget Calendar with two events added to it, per the last Bi-Board meeting; the Administration will make a presentation to a joint Board of the Finance Committee and the BOS on January 13, 2020 and March 9, 2020 to allow for public input and questions from both Boards.

R. Pontbriand then reported the certified FY ’19 Free Cash figures as follows:

General Fund	\$1,727,437.00	Enterprise Fund Water	\$2,778,744.00
Enterprise Fund Sewer	\$2,012,993.00	Enterprise Fund Solid Waste	\$81,658.00
Enterprise Fund Ambulance	\$84,632.00		

R. Pontbriand then thanked all Town Departments for the role they play in responsible spending of Town funds.

S. Houde also thanked Town Departments who play a huge part in free cash.

J. Livingston asked that the January 22, 2019 Rate Review Committee be added to the FY '21 Budget Calendar.

**Motion:** A motion was made by S. Houde and seconded by J. Livingston to approve the FY '21 Budget Calendar as amended. **Motion passed 2-0.**

*Amendment #5 to Agreement for Veteran's Services – MassDevelopment* – R. Pontbriand is asking the BOS to approve Amendment #5 between the Town of Ayer and MassDevelopment for the Town of Ayer to provide Chapter 115 Veteran Services to those Devens residents who live within historic Ayer's boundaries.

**Motion:** A motion was made by S. Houde and seconded by J. Livingston to approve amendment #5 as presented. **Motion passed 2-0.**

**New Business/Selectmen's Questions:** *Devens Jurisdiction Framework Committee (Selectman Livingston)* – J. Livingston reported that last week the Devens Jurisdiction Framework Committee met and she and R. Pontbriand attended. She stated that 2006 is still a problem and they need to get over it. In 2006, Devens residents were asked to be included in the JBOS and it turned the whole thing upside down and unfortunately it never got back on track. J. Livingston stated that they did agree to add Devens residents/businesses to be the 6<sup>th</sup> stakeholder on the Devens Jurisdiction Framework Committee. She stated that in 2032 the State will decide based on the recommendation of the stakeholders as to what to do with the property. She further stated that had the Town received the property back then it would have put Ayer in financial strain. If the Town were to get the property back tomorrow, the Town would be getting sites that have 21E issues. She also cautioned that there is no guarantee that the property will end up reverting back to Ayer. She stated that there were many things for consideration including the split tax rate, noting that Ayer already has a split tax rate, but Harvard does not; the possibility of offering TIFs to Devens businesses; road conditions of roads if we were to inherit back the land. She stated that Harvard had done an RFQ for a consultant to look at all things that relate to disposition and what types of services would be needed. She also made a plea to all residents living in Devens, registered to vote in Ayer, to be part of the local Ayer Committee.

S. Houde asked to agenda the Ayer Devens Jurisdiction Committee for the December 4<sup>th</sup> meeting. He noted that several years ago during the Vicksburg Square Redevelopment discussion, there was conversations relating to the fiscal and social impacts of redevelopment, along with moving some of the boundary lines so they make more sense.

J. Livingston stated that there is the potential, in the future, of a joint agreement to host celebrations. J. Livingston stated that there is a lot of work that needs be done. The next meeting is December 11, 2019.

R. Pontbriand also stated that the Town of Ayer has offered to host a website for the Devens Committee to serve as the central repository for all documents.

**Adjournment:** A motion was made at 7:16 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:** \_\_\_\_\_