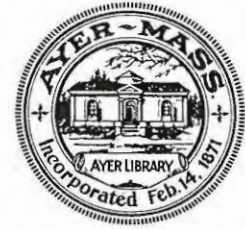


RECEIVED
JAN 11 2019

TOWN OF AYER
TOWN CLERK

9:00am
Minnie Copeland

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



Tuesday January 15, 2019
Open Session Meeting Agenda

- 7:00 PM** **Call To Order**
Pledge of Allegiance; Review and Approve Agenda; Announcements
- 7:05 PM*** **Public Input**
- 7:15 PM** **Devens Disposition Study Committee**
1. Update of Harvard Committee – Selectman Lucy Wallace and Mr. Victor Norman
2. Update/Appointments of Ayer Committee
- 7:30 PM** **Ms. Barbara Tierney, Treasurer/Tax Collector**
1. Reserve Fund Transfer Request – Tax Title Account 01158-52000
- 7:40 PM** **Town Manager's Report**
1. Administrative Update/Review of Warrant(s)
2. FY 20 Budget Update
3. ASRSD Athletic Fields Project Update
4. Adult Use Recreational Marijuana Update
5. License Update – Changing from Sean's Auto Center to Smart Auto Sales
6. Calling of the Special Town Meeting Monday June 10, 2019
7. UDAG Funding For Community Garden
8. 2019 Seasonal Population Increase Estimation Form
9. BOS Approval of Electronic Sign Board Policy
10. Ridge View Realty Trust/Lot H-1, Execution of Deed
- 8:00 PM** **New Business/Selectmen's Questions**
1. Vicksburg Square (Selectman Houde)
2. Transfer Station Sticker Purchase Location (Selectman Houde)
3. Meeting with Department Heads (Selectman Hillman)
4. Engineering Fund (Selectman Hillman)
- 8:25 PM** **Approval of Meeting Minutes**
December 18, 2018
- Adjournment**

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

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

**OFFICES OF THE
SELECT BOARD AND
TOWN ADMINISTRATOR**

13 Ayer Road, Harvard, Massachusetts 01451
(978) 456-4100

www.harvard.ma.us
(978) 456-4107 fax



January 8, 2019

Lauren A. Liss, President and CEO
MassDevelopment
99 High Street
Boston, MA 02110

Dear Ms. Liss,

For the past 26 years we have watched as MassDevelopment has transformed Devens from a superannuated army base into a thriving commercial and industrial hub for the region. Your faithfulness to Chapter 498 and the 1994 Reuse Plan adopted by the towns of Ayer, Harvard and Shirley has been exemplary: Environmental cleanup has proceeded apace, utilities and roads upgraded, businesses attracted, jobs created, and a municipal infrastructure placed in service. No one expects that your efforts will lessen as you bring the project to its conclusion.

The current near-completed state of the infrastructure improvements, economic redevelopment and the growing residential community raises concerns for the future Devens as a politically enfranchised community, which brings us to this request.

In 2017 the voters in Harvard approved a referendum asking for an analysis of and plan for the resumption of jurisdiction of the Harvard portion of Devens. This came, in part, as the result of the decennial Master Planning of the Town which included an articulation of the issues needing further study should the Town resume local municipal control of Devens. In 2018 the Select Board created the 9-person Harvard-Devens Jurisdiction Committee and charged it with implementing the 2017 referendum.

The approach of the Master Planning process has given rise to a methodology that could be used to satisfy the requirement of Chapter 498 for arriving at permanent government for Devens. A previous attempt in 2006 undertaken by all parties working collectively for the purpose of reaching this goal proved unsuccessful. Fearing that a future attempt along these same lines would be equally unsatisfactory, the Town of Harvard proposes that each Town begin the planning process by focusing on its own interests. To that end, the Chair of the Select Board and Chair of the Harvard-Devens Jurisdiction Committee met with the Town Administrators and local officials in Ayer and Shirley to advise them of Harvard's efforts and encourage them to undertake a similar exercise.

Using the historic town boundaries and the ten elements of the municipal master planning process, each Town will come to the table with a clearer understanding of its opportunities and challenges associated with the resumption of municipal jurisdiction. Areas of conflict will emerge on a short list and would be negotiated among the impacted parties. The role of MassDevelopment as the redevelopment authority would

necessarily continue until all of its related tasks, including land sales, are completed regardless of the resumption of political jurisdiction by the towns.

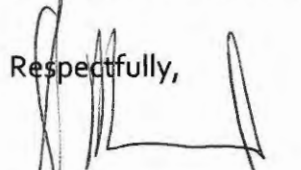
The funds required to undertake this further detailed analysis, based on input from the consultants engaged in our master planning process, would likely be several hundred thousand dollars. Providing the funding to assist the towns in planning for resumption of jurisdiction should be viewed as a legitimate planning expense of the Devens project.

The urgency of this undertaking has not yet manifested itself, but that is precisely the point. It is the intention of the Town of Harvard, and we suspect that of Ayer and Shirley as well, to be pro-active, to put as much thought and planning into the resolution of the Devens project as was included in its inception. The analysis would result in a detailed planning document which would be followed by an implementation plan agreed upon by the three towns and MassDevelopment. All in all, it is not unreasonable to expect that planning and implementation could take up a considerable portion of the remaining 13 years to 2032 when, a report is due to the Legislature on the future governance of Devens.

The Select Board, therefore, respectfully requests that MassDevelopment enter into a Memorandum of Understanding with the Town of Harvard which would set out the terms and conditions for retaining the services of a consulting firm to plan for Harvard's resumption of jurisdiction of its historic lands on Devens. Please contact the undersigned to arrange a mutually convenient time to discuss this request.

We look forward to meeting with you and beginning this final phase of the Devens project.

Respectfully,



Victor Normand, Chair
Harvard/Devens Jurisdiction Committee



Lucy Wallace, Chair
Harvard Select Board

RESERVE FUND TRANSFER REQUEST

Section I (Completed by Elected Official or Department Head)

This request for a transfer from the Reserve Fund is being made in accordance with M.G.L., Chapter 40, Section 6:

1. Amount requested:

2. To be transferred to:

A. Account Name Tax Title
B. Account #: 01158-52000

3. Present balance in budget \$103.30

4. The amount requested will be used for (please attach supporting information):

5. The expense is extraordinary or unforeseen for the following reason(s):

- 1 We are performing multiple years of tax takings
- 2 There was a need to have the parcels in question vetted by our Tax Title attorney due to the age of the billing years and some circumstances as ownership changes.
- 3 We have started the Land Court process for 2 properties which will need the Tax Title attorney when it moves in Landcourt. Do not know when that will be so will need money on hand to pay.
- 4 I would like to start another tax taking in the spring if able, (FY16 & FY17).

Date _____

Elected Official or Department Head

Section II Action by Board of Selectmen or Appointing Authority when Section I not completed by an Elected Official

Transfer Approved: YES NO

Amount Approved: \$ _____

Date of Meeting: _____

Number Present/Voting _____

Chairman

Section III Action by Finance Committee

Transfer Approved: YES NO

Amount Approved: \$ _____

Date of Meeting: _____

Number Present/Voting _____

Chairman

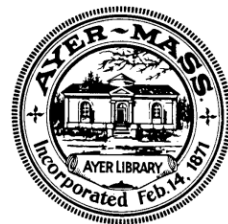
Additional expected expenses for Tax Title FY2019

Advertisement for Taking	\$	700.14
Tax Taking recording fees for recent taking	\$	1,050.00
Land court fees estimated for 2 more TT	\$	1,030.00
Attorney fees estimated if court moves along as well as if able to do another taking	\$	6,000.00
Advertisement for Next taking estimated	\$	1,500.00
Next Taking recording Fees estimated 20 parcels	\$	1,500.00

ESTIMATE	\$	11,780.14
REQUEST	\$	12,000.00



**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: January 11, 2019

TO: Ayer Board of Selectmen

FROM: Robert A. Pontbriand
Town Manager

SUBJECT: Town Manager's Report for the January 15, 2019 Board of Selectmen's Meeting

Dear Honorable Selectmen,

I am pleased to transmit to you the following Town Manager's Report for the January 15, 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 Warrants:

- I will offer a brief Administrative Update of the various activities, initiatives, and projects of the Administration since the BOS last met on December 18, 2018.
- I have reviewed and approved the following Town Warrants since the BOS last met on December 18, 2018:

Accounts Payable Warrant #19-12 in the amount of \$582,722.59 was reviewed and approved on December 24, 2018

Payroll Warrant #19-13 in the amount of \$312,545.07 was reviewed and approved on January 2, 2019

Accounts Payable Warrant #19-13 in the amount of \$1,214,071.35 was reviewed and approved on January 8, 2019

FY 2020 Budget Update:

- All initial FY 2020 Budgets were received by all Town Departments by the deadline of January 4, 2019. The Town is now moving into the "Review Period" of the budget process which will last from January 4, 2019 until February 8, 2019 at which time all initial input from the BOS and Fin Com are due. Additionally, I am currently meeting with all Departments regarding their FY 2020 Budgets for the purposes of reviewing their requests and identifying further efficiencies. Moving forward, I will continue to give a brief FY 2020 Budget Update to the BOS at each BOS meeting.

ASRSD Athletic Fields Project Update:

- As the Board is aware, the Town received the attached memo from Dr. Malone and the School Committee dated January 2, 2019 which contains an update on the ASRSD Athletic Fields Project. Additionally, Dr. Malone is scheduled to present the FY 2020 ASRSD Budget to the BOS on February 5, 2019 at which time the issue of the ASRSD Athletic Fields Project should be further discussed. Respectfully the BOS should review and discuss the ASRSD Memo and how the BOS would like to proceed with this issue in preparation for the February 5, 2019 BOS meeting (See attached memo).

Adult Use Recreational Marijuana Update:

- At the request of the BOS, I offer the following update on the issue(s) of adult use recreational marijuana:
- The Administration has met with Mr. John Hillier of Central Ave Compassionate Care and he has indicated to the Town that he plans to open his adult use recreational marijuana location in the first quarter of 2019. I convened a meeting of public safety departments on January 7, 2019 to meet with Mr. Hillier to discuss his plans for opening in terms of traffic impacts and security. Another meeting is scheduled for February 11, 2019.
- The Administration has met with Mr. Hillier regarding the various elements of his Host Agreement with the Town. The "Welcome to Ayer" sign project is underway in that locations for the sign have been vetted and we are working on potential sign designs which will be subject to final BOS approval in agreement with Mr. Hillier.
- The Department of Revenue has advised that the funding elements of the Host Agreement must initially go into the Town's General Fund and that Town Meeting must appropriate the specific funding of the various Host Agreement items. Therefore, we will be preparing the necessary Town Meeting Warrant Article(s) to accomplish this at the May 13, 2019 Annual Town Meeting.
- The Administration has convened an internal marijuana bylaw working group headed up by the Town Planner and consisting of the Building Commissioner, Economic Development Office, Public Safety Representatives, a Representative from the School Department, DPW Superintendent, and a member of the Planning Board to develop the marijuana bylaw(s) for Town Meeting consideration at the Special Town Meeting on Monday, June 10, 2019. Updates from the working group will be provided to the BOS and Planning Board as we move forward.

License Update – Changing from Sean's Auto Center to Smart Auto Sales:

- Please see the attached memo from the Assistant Town Manager regarding the request to change the license from Sean's Auto Center to Smart Auto Sales (See attached memo).

Calling of the Special Town Meeting – June 10, 2019 at 7pm:

- The BOS is respectfully requested to vote to call a Special Town Meeting on Monday, June 10, 2019 at 7pm in the Auditorium of the Ayer Shirley Regional High School. As previously discussed with the BOS, the purpose of this Special Town Meeting will be for Town Meeting to consider the marijuana zoning bylaw(s) and the form based code bylaw for Park Street. At the request of the BOS, I have requested MassDevelopment to schedule the Super Town Meeting for Vicksburg Square to occur at this time as well so that it can occur at 7pm and then the Town move forward with the marijuana zoning bylaw(s) and from based code bylaw.

UDAG Funding For Community Garden:

- As discussed with the BOS at the December 18, 2018 meeting, the Ayer Community Garden is in need of some immediate funding between now and Town Meeting on May 13, 2019 in order for them to successfully take advantage of this Spring's planting season. The Ayer Community Garden has submitted a request for \$14,820 in funding. Please see the attached funding request from the Ayer community Garden (See attached).
- The Ayer Community Garden is respectfully requesting that the BOS consider authorizing \$14,820 from UDAG unrestricted funds to facilitate the 2019 Spring Opening of the Ayer Community Garden and to have said funds replenished by a future Town Meeting.

2019 Seasonal Population Increase Estimation Form:

- The BOS is respectfully requested to vote to approve the attached 2019 Seasonal Population Form as requested by the ABCC (See attached).

BOS Approval of Electronic Sign Board Policy:

- The Town's new electronic sign board has been installed on the side of the Fire Station and is currently being wired and programmed. The primary purpose of this sign board is to communicate public safety emergency information and time sensitive public notices. In anticipation of this important project, the I.T. Committee has developed that attached "Electronic Sign Board Policy" and voted unanimously on January 10, 2019 to recommend that the BOS review and approve this policy (See attached).

Ridge View Realty Trust/Lot H-1, Execution of Deed:

- The BOS is respectfully requested to vote to approve and sign the attached deed for Ridge View Realty Trust/Lot H-1 as reviewed by Town Counsel (See attached). *Note: Lot H-1 is where the Ayer Dog Park is located on Snake Hill Road.*

Thank you.

Attachment(s): ASRSD Athletic Fields Memo – January 2, 2019
License Update Memo from Assistant Town Manager
Community Garden Funding Request
2019 Seasonal Population Census Form
Electronic Sign Board Policy
Ridge View Realty Trust/Lot H-1 Deed



Ayer Shirley Regional School District

RECEIVED
JAN - 2 2019

TOWN OF AYER
SELECTMEN'S OFFICE

To: Mrs. Debra Flagg, Chair, Shirley Board of Selectmen
Mr. John O'Keefe, Chair, Shirley Finance Committee
% Mr. Michael McGovern, Shirley Town Administrator

Mrs. Janice Livingston, Chair, Ayer Board of Selectmen
Mr. Patrick Diamond, Chair, Ayer Finance Committee
% Mr. Robert Pontbriand, Ayer Town Manager

From: Mr. Jonathan Deforge, Chair, Ayer Shirley Regional School Committee ^{JWD}
Dr. Mary Malone, Superintendent, Ayer Shirley Regional School District ^{MM}

Subject: Ayer Shirley Regional School District Athletic Fields Project Update

Date: December 27, 2018

On December 11, 2018, the debt exclusion ballot related to the athletic field upgrade project was approved in Ayer; it was not approved in Shirley. The Ayer Shirley Regional School Committee (ASRSC) placed upon itself a restriction to not move forward with the field project until financing from both member communities is in place.

Enclosed is an opinion from our bond counsel Attorney Richard Manley of Locke Lord regarding the current state of the approved MGL c. 71 s. 16(n) District-wide election, and options the ASRSC have going forward in regards to financing the project. Should you have any questions regarding his advisory, we are happy to ask him to provide further clarification or ask that he join us at one of the ASRSC's upcoming meetings.

The district has spent the last two years drawing attention to the safety, accessibility, and playability deficiencies of the athletic field complex. At the December 19, 2018, ASRSC meeting, Dr. Malone indicated that because there is not an approved project to remedy the safety issues and bring the fields into ADA compliance, she needs to work with her administrative team to determine what short and long term projects must be prioritized to remedy safety issues at the athletic field facilities, and prepare them for the spring athletic season. The spring season is just three months away, and the district cannot have students on fields that pose a safety risk and it can no longer ignore ADA compliance that excludes students, faculty, and community members from access to the field complex. Schools are inclusive environments. Equity, equality, and access must be afforded to all members of the school community.

After debate about "next steps" by members of the School Committee, Dr. Malone was asked to continue to work with her team to determine priority and athlete impact, and gather cost estimates of the corrective actions and report back at the January 16 School Committee

meeting. At that time, the School Committee will continue to deliberate the “next steps” of the upgrades to the athletic fields.

When the previous plan was put forth, cost estimates for the project were given via a high level “Magnitude of Cost Estimate” as provided by SMMA, our consultant on the project. As Dr. Malone’s team and School Committee work to determine the priority of the corrective actions, more detailed cost estimates through professional design services may be necessary. Had the debt exclusion vote been approved in both towns, these design service expenses would have been part of the project cost. The refined cost estimates will help to guide the priority and funding source(s) used to remedy the safety and ADA compliance issues. For example, design services will determine the cost differences between restrooms for a 500 person bleacher set versus a 400 person bleacher set.

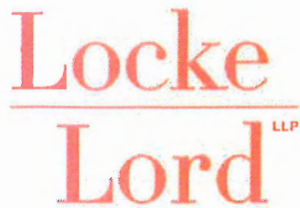
Please be informed of the following proposed action (1) of the School Committee, and the options (2 & 3) the School Committee will consider:

1. Vote to adopt Designer Selection LAW MGL c.7C, subsection 44-58. This designer selection law requires municipalities and other local public agencies to adopt written designer selection procedures, which must be used when contracting for design services for building construction, reconstruction, alteration, remodeling, or repair project with both an estimated design fee of \$30,000 or more and an estimated construction cost of \$300,000 or more. Design services include the preparation of master plans, feasibility and other studies, surveys, soil tests, cost estimates and programs; preparation of drawings, plans, and specifications, including schematic drawings and preliminary plans and specifications; supervision or administration of a construction contract; and construction management and scheduling. These procedures must comply with the “purposes and intent” of the Designer Selection Law and must include certain required provisions. {MGLc.7C,subsection 54)a)}. This action is at no cost to the district.
2. Issue an Request For Quote (RFQ) for designer services. The RFQ must be advertised in the central register and the local newspaper at least two weeks before the deadline for filing applications. This action is at no cost to the district.
3. Engage a reputable architectural firm to provide actual costs for the Master Plan. Any fees associated for this service would be borne by the district via an appropriate funding source.

Enclosed for your reference is the FY20 budget timeline. The cost of the corrective actions may be undertaken in the FY20 budget. The ASRSC needs to approve the FY20 budget by March 13, 2019, in order to comply with the 45 day time period prior to the first Annual Town Meeting.

Please understand this process will move quickly given the current conditions of the fields and the upcoming spring season for athletics, which include baseball, softball, and outdoor track. The school district recently partnered with Special Olympics, for which we are very proud, and will be offering Unified Track to our students with and without disabilities.

Mr. Deforge and Dr. Malone are happy to schedule a joint meeting, and answer any questions or provide clarification on the process as we move forward. We look forward to our continued partnership.



Locke Lord
111 Huntington Avenue
Boston, MA 02199
Telephone: 617-239-0100
Fax: 617-227-4420
www.lockelord.com

December 18, 2018

Mr. Jonathan Deforge, School Committee Chair
Ayer-Shirley Regional School District
115 Washington Street
Ayer, Massachusetts 01432

Re: Questions Concerning the District's Debt Approval Process

Dear Mr. Deforge:

You have asked for our assistance with a series of questions that have arisen with respect to the issuance of debt by the District to finance its athletic facility complex. I understand that these questions have come to light since the defeat of a debt exclusion ballot question relating to the Town of Shirley's allocable share of the debt for the athletic facility project. Below, I have set forth each of your questions. My answers follow, in italics.

1. Is there any time limit on the effectiveness of the Committee's debt authorization vote, the vote at the District-wide election at which the voters of both towns approved the debt, or the debt exclusion vote approved by Ayer?

The debt authorized under M.G.L. c. 71, §16(n) at the District-wide election was not contingent upon the approval of debt exclusion ballot questions by the member towns, so the debt authorization is valid. There is no "sunset provision" or other time limit on the District's debt authorization vote. However, the conditions placed on the issuance of the debt (as opposed to the authorization of the debt) by the School Committee called for debt exclusion approvals by each of the member towns before the Committee would issue the debt. The effectiveness of a debt exclusion vote is not limited in time, so the approval by Ayer of its debt exclusion will remain effective with respect to its allocable share of the debt of the District approved at the time the debt exclusion vote was approved by the voters in Ayer. Many folks may be familiar with the requirements of M.G.L. c. 59, §21C(m) which provides, in part as follows:

A town may appropriate from the tax levy, from available funds, or from borrowing, contingent on the passage of a ballot question under paragraph (g), (i1/2) or (k), but: (1) the statement of the purpose of the appropriation shall be substantially the same as the statement of purpose in the ballot question; (2) the appropriation vote shall not be deemed to take effect until the approval of the ballot question; (3) no election at which the question appears on the ballot shall take place later than the September 15 following the date of an appropriation vote adopted at an annual town meeting, or 90 days after the

date of the close of any other town meeting at which an appropriation vote was adopted; and (4) after a contingent appropriation from the tax levy, a tax rate for a town shall not be submitted for certification by the commissioner under section 23 until after a ballot question under paragraph (g), (i1/2) or (k) has been voted upon, or until the expiration of the time for holding an election at which the question appears on the ballot, whichever period is shorter.

The provision set forth above pertains only to contingent appropriations made by towns, and does not apply in this situation. As such, there is no statutory deadline with respect to the holding of a debt exclusion vote in Shirley relating debt of the District.

2 If Shirley were to approve a debt exclusion for its share of the District's athletic facility debt, would the District need to re-approve the debt?

No.

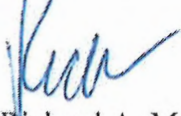
3. The Committee may consider changing the scope of the project, and the dollar amount to be borrowed, in order to make the project more palatable to taxpayers. If the Committee were to do this, what effect would it have on the borrowing approval process? Would the Committee need to start back at Step 1, with a new debt authorization vote for the lesser dollar amount, and approval under 16(n)? Or, since the higher dollar amount has already been authorized by the Committee and approved by the district voters under 16(n), could the lesser dollar amount simply be resubmitted to the Towns for a debt exclusion vote?

If the District should decide to undertake a less expensive project, there is no requirement to re-authorize the project. The Committee might consider approving a vote limiting the amount of the total authorization that would be expended on the revised project, to give voters some assurance on that point, but, again, that would not require the re-authorization of the borrowing. Of course, the Committee runs the risk of upsetting those that voted for the project as originally proposed, but that would be more of a practical or political concern, rather than a legal consideration. The debt exclusion vote in Ayer would remain effective. In Shirley, a new debt exclusion ballot question could reference their allocable share of the reduced principal amount of the total cost of the scaled-back project. A suitable form of debt exclusion ballot question in this case could take the following form:

Shall the Town of Shirley be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay its allocable share of debt service on \$ _____ principal amount of bonds of the Ayer-Shirley Regional School District issued in order to pay costs of a new athletic facility of the District.

I am happy to speak with you at your convenience if you should have any further questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. Manley, Jr.", written over a light grey rectangular background.

Richard A. Manley, Jr.

FY 20 ASRSD Budget Timeline



2018

Dec

Jan

Feb

March

April

May

Jun

Jul

Aug

Sept

Oct

Nov

2019

December 2018–
January 2019



FY20 Budget Needs Assessment with all Departments

December 19, 2018



FY20 Budget Assumptions, Projections, and Discussion / RSC

January 16, 2019



FY20 Preliminary Budget Presentation / RSC

January 23, 2019



Governor Required to File General Appropriations by Wednesday, January 23, 2019

February 4, 2019



Budget Presentation to Shirley BOS and FinCom at 6:00pm

February 5, 2019



Budget Presentation to Ayer BOS and FinCom at 7:00pm

March 5, 2019



FY20 Budget Final Presentation and Public Hearing at 6:30pm

March 13, 2019



RSC Adopts FY20 Budget **FINAL APPROVAL DATE (Additional RSC Meeting in order to meet the 24 days prior to Shirley Annual Town Meeting)**

April 29, 2019



Shirley Annual Town Meeting @ 7:00pm

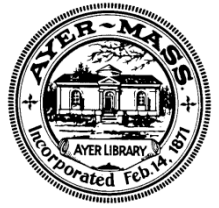
May 13, 2019



Ayer Annual Town Meeting @ 7:00pm


November 8, 2018

**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: January 11, 2019
Re: Transfer of Class II License #2019-34

Please see the attached request to change the name of "Sean's Auto and Truck Center, Inc." to "Smart Auto Sales". I have been informed by Mr. Sean Partridge that his father Mr. Don Partridge will now run the business under the new name.

I am respectfully requesting that the BOS approve the change in name to License Number 2019-34 to Smart Auto Sales.

Thank you for your consideration of this request.

THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF AYER
APPLICATION FOR A LICENSE TO BUY, SELL, EXCHANGE
OR ASSEMBLE SECOND HAND MOTOR VEHICLES
OR PARTS THEREOF
20__

I, the undersigned, duly authorized by the concern herein mentioned, hereby apply for a class one/two (please circle) license, to Buy, Sell, Exchange or Assemble second hand motor vehicles or parts thereof, in accordance with the provisions of Chapter 140 of the General Laws.

1. What is the name of the concern? Smart Auto Sales

Business address of concern 42 Littleton Rd

2. Is the above concern an individual, individual co-partnership, an association or a corporation?

3. If an individual, state full name Don Perreides and residential address 158 Willow St Ayer MA

4. If a co-partnership, state full names and residential addresses composing it.

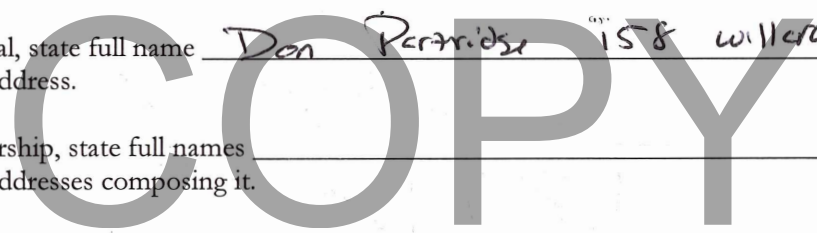
5. If an association or a corporation, state full names and residential addresses of the principal officers. _____ President
_____ Secretary
_____ Treasurer

6. Are you engaged principally in the business of buying, selling or exchanging motor vehicles? _____

If so, is your principal business the sale of **new** motor vehicles? NO

Is your principal business the buying and selling of second hand motor vehicles? _____

Is your principal business that of a motor vehicle junk dealer? NO



7. Give a complete description of all the premises to be used for the purpose of carrying on the business.

One story brick building consisting of office space and garage space. Used cars to be displayed on 44,000 sq ft of land with 31,500 sq ft to be used for 50 used cars along both sides of building and behind the building.

8. Are you a recognized agent of a motor vehicle manufacturer? (Yes or No)

If so, state name of manufacturer: NO

9. Have you a signed contract as required by Section 58, Class I? (Yes or No)

10. Have you ever applied for a license to deal in second hand motor vehicles or parts thereof?

(Yes or No)

If so, in what city/town: NO

Did you receive a license? (Yes or No)

For what year(s): NO

11. Has any license issued to you in Massachusetts or any other state to deal in motor vehicles or parts thereof ever been suspended or revoked? (Yes or No)

Sign your name in full: [Signature]
(Only authorized to represent the concern herein mentioned)

Printed Name: Donald Pertridge

Residence Address: [Redacted] Ayer

Phone Number: [Redacted]

IMPORTANT

EVERY QUESTION MUST BE ANSWERED WITH FULL INFORMATION, AND FALSE STATEMENTS HEREIN MAY RESULT IN THE REJECTION OF YOUR APPLICATION OR THE SUBSEQUENT REVOCATION OF YOUR LICENSE IF ISSUED.

Note: If the applicant has not held a license in the year prior to this application, he or she must file a duplicate of the application with the registrar. (See Sec. 59)

The provisions of G.L. c. 140, sec. 58 require that holders of Class 1 and 2 licenses maintain a surety bond in the amount of \$25,000 or equivalent financial security to provide protection to customers purchasing vehicles from such license holders. No license is to be issued without proof of such security.

APPLICANT WILL NOT FILL THE FOLLOWING BLANKS – For office use only

Application status after investigation: _____

(Approved or Disapproved)

License No. _____

Fee \$ 100.00 _____

Zoning Status: _____

Signed: _____

TOWN OF AYER
BOARD OF SELECTMEN

CHAPTER 140 OF THE GENERAL LAWS, TER. ED., WITH AMENDMENTS THERETO

Section 57. License; When Required; Report of Sales

No person, except one whose principal business is the manufacture and sale of new motor vehicles but who incidentally acquires and sells second hand vehicles, or a person whose principal business is financing the purchase of or insuring motor vehicles but who incidentally acquires and sells second hand vehicles, shall engage in the business of buying, selling, exchanging or assembling second hand motor vehicles or parts thereof or allow any property under his control to be used as a place of sale or display of motor vehicles without securing a license as provided in section fifty-nine. This section shall apply to any person engaged in the business of conducting auctions for the sale of motor vehicles, and to any person engaged in the business of leasing or renting motor vehicles and who, as an incident to such business, sells or offers to sell any such lease or rental vehicle to the public. All sales of second-hand motor vehicles or part thereof made by any person referred to in this section shall be reported weekly to the registrar of motor vehicles on such forms as may be prescribed by him.

Section 58. Classes of Licenses

Licenses granted under the following section shall be classified as follows:

Class 1. Any person who is a recognized agent of a motor vehicle manufacturer or a seller of motor vehicles made by such manufacturer whose authority to sell the same is created by a written contract with such manufacturer or with some person authorized in writing by such manufacturer to enter into such contract, and whose principal business is the sale of new motor vehicles, the purchase and sale of second hand motor vehicles being incidental or secondary thereto, may be granted an agent's or a seller's license; provided, that with respect to second hand motor vehicles purchased for the purpose of sale or exchange and not taken in trade for new motor vehicles, such dealer shall be subject to all provisions of this chapter and of rules and regulations made in accordance therewith applicable to holders of licenses of class 2.

Class 2. Any person whose principal business is the buying or selling of second hand motor vehicles may be granted a used car dealer's license; provided, however, that such person maintains or demonstrates access to repair facilities sufficient to enable him to satisfy the warranty repair obligations imposed by section seven N 1/4 of chapter ninety. A used car dealer shall remain liable for all warranty repairs made and other obligations imposed by said section seven N 1/4 of said chapter ninety.

Class 3. Any person whose principal business is the buying of second hand motor vehicles for the purpose of

remodeling, taking apart or rebuilding and selling the same, or the buying or selling of parts of second hand motor vehicles or tires, or the assembling of second hand motor vehicle parts may be granted a motor vehicle junk license.

Section 59. Licensing authorities; expiration; fees; application; prerequisites; premises; ordinance regulations; revocation; notice Town of Ayer Class I/II License Application Page 4 of 4


The police commissioner in Boston and the licensing authorities in other cities and towns may grant licenses under this section which shall expire on January first following the date of issue unless sooner revoked. The fees for the licenses shall be fixed by the licensing board or officer, but in no event shall any such fee be greater than \$200. Application for license shall be made in such form as shall be approved by the registrar of motor vehicles, in sections fifty-nine to sixty-six, inclusive, called the registrar, and if the applicant has not held a license in the year prior to such application, such application shall be made in duplicate, which duplicate shall be filed with the registrar. No such license shall be granted unless the licensing board or officer is satisfied from an investigation of the facts stated in the application and any other information which they may require of the applicant, that he is a proper person to engage in the business specified in section fifty-eight in the classifications for which he has applied, that said business is or will be his principal business, and that he has available a place of business suitable for the purpose. The license shall specify all the premises to be occupied by the licensee for the purpose of carrying on the licensed business. Permits for a change of situation of the licensed premises or for additions thereto may be granted at any time by the licensing board or officer in writing, a copy of which shall be attached to the license. Cities and towns by ordinance or by-law may regulate the situation of the premises of licensees within class 3 as defined in section fifty-eight, and all licenses and permits issued hereunder to persons within said class 3 shall be subject to the provisions of ordinances and by-laws which are hereby authorized to be made. No original license or permit shall be issued hereunder to a person within said class 3 until after a hearing, of which seven days' notice shall have been given to the owners of the property abutting on the premises where such license or permit is proposed to be exercised. Except in the city of Boston, the licensing board or officer may, in its discretion, waive the annual hearing for renewal of a class 3 license. All licenses granted under this section shall be revoked by the licensing board or officer if it appears, after hearing, that the licensee is not complying with sections fifty-seven to sixty-nine, inclusive, or the rules and regulations made thereunder; and no new license shall be granted to such person thereafter, nor to any person for use on the same premises, without the approval of the registrar. The hearing may be dispensed with if the registrar notifies the licensing board or officer that a licensee is not so complying. In each case where such license is revoked, the licensing board or officer shall forthwith notify the registrar of such revocation. Any person aggrieved by any action of the licensing board or officer refusing to grant, or revoking a license for any cause may, within ten days after such action, appeal therefrom to any justice of the superior court in the county in which the premises sought to be occupied under the license or permit applied for are located. The justice shall, after such notice to the parties as he deems reasonable, give a summary hearing on such appeal, and shall have jurisdiction in equity to review all questions of fact or law and may affirm or reverse the decision of the board or officer and may make any appropriate decree. The parties shall have all rights of appeal as in other cases.

2019 Seasonal Population Increase Estimation Form

City / Town:

Date:

Alcoholic Beverages Control Commission
c/o Licensing Department
239 Causeway Street
Boston, MA 02114

 **COPY**

To Whom It May Concern:

Acting under authority contained in M.G.L. Ch. 138, s17, as amended, our Board at a meeting held on

Date of Meeting

, estimated that the temporary increased resident population

of

City / Town Name

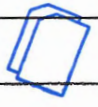
, as of July 10, 2019 will be

Estimated Population

This estimate was made and voted upon by us at a meeting called for the purpose, after due notice to each of the members of the time, place and purpose of said meeting, and after investigation and ascertainment by us of all the facts and after cooperative discussion and deliberation. The estimate is true to the best of our knowledge and belief.

The above statements are made under the pains and penalties of perjury.

Very truly yours,
Local Licensing Authorities

 **COPY**



TOWN OF AYER ELECTRONIC SIGNAGE POLICY

Approved by the Ayer Board of Selectmen on January 15, 2019

The Town is the sole owner and administrator of electronic sign content. The primary purpose of the Town of Ayer's electronic signage is to provide information to the residents and businesses of Ayer regarding Public Safety, official Town matters, and Government events. The Town reserves the right to do the following:

1. To remove any content at the discretion of the Town Manager, the Emergency Management Director, and the IT Director.
2. The following content is not allowed:
 - a. Political notices including candidate endorsements and policy positions.
 - b. Religious notices and/or postings promoting events affiliated with religious institutions/organizations.
 - c. For-profit posts and/or advertisements.
 - d. Any personal information and/or announcements (i.e. birthdays and anniversaries)
3. All announcements and requested posts must be related in some way to the Town of Ayer.
4. **ALL** announcements are deemed public records under Massachusetts General Law.
5. All requests for postings **must** be submitted to the Town's IT Director and/or Town Manager using the Town's submission form.
6. These guidelines may be amended by the Board of Selectmen, preferably with recommendation from the IT Committee.
7. The Town reserves the right to refuse any content at its discretion.
8. The Town reserves the right to remove and/or replace any content in the event of a public safety notification and/or other unanticipated time-sensitive public notification taking precedence.
9. This policy only covers permanent or permanently fixed electronic sign boards and does not include internal electronic bulletin boards, directories or any internal electronic signage.



Cindy Knox, IT Director
(978) 772-8252

1 Main Street – Ayer, MA

TOWN OF AYER ELECTRONIC SIGNAGE POLICY

Ayer Board of Selectmen

Jannice L. Livingston, Chair

Christopher R. Hillman, Vice Chair

Scott A. Houde, Clerk

ALPHEN & SANTOS, P.C.

ATTORNEYS AND COUNSELORS AT LAW
200 LITTLETON ROAD, WESTFORD, MASSACHUSETTS 01886
(978) 692-3107 FAX (978) 692-5454
www.alphensantos.com

Paul F. Alphen, Esquire
Maria L. Santos, Esquire

January 7, 2019

Katharine Lord Klein
KP | LAW
101 Arch Street, 12TH Floor
Boston, MA 02110

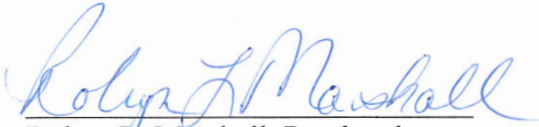
RE: Ridge View Realty Trust/Lot H-1, Ayer, MA

Dear Attorney Klein:

Enclosed please find the original quitclaim deed from the Trustees of Ridge View Realty Trust to the Town of Ayer for Parcel H-1. Also enclosed is an original Trustees Certificate to be filed with the deed.

If you have any questions, please feel free to contact this office.

Very truly yours,
ALPHEN & SANTOS, P.C.


Robyn L. Marshall, Paralegal

Encs.(2)

QUITCLAIM DEED

B. DUKE POINTER and RICHARD D. ROPER, as Trustees of the RIDGE VIEW REALTY TRUST, a trust established by instrument dated September 25, 2007 and recorded in the Middlesex South District Registry of Deeds in Book 50157, Page 178,

For consideration paid, and in full consideration of nominal consideration as a gift, grant to the TOWN OF AYER, Middlesex County, Massachusetts, a Municipal Corporation, acting by and through its BOARD OF SELECTMEN (hereinafter the "Grantee") for public playground purposes pursuant to Massachusetts General Laws, Chapter 45, Section 14, and in accordance with the vote taken under Article 39 of the 2015 Annual Town Meeting, a certified copy of which is attached hereto,

with Quitclaim Covenants, the following described parcel of land:

The parcel of land situated on the easterly side of Snake Hill Road, and southerly of land now or formerly of the Boston and Maine Railroad, in Ayer, Middlesex County, Massachusetts and being shown as "Parcel 'H-1' " on a plan entitled: "Plan of Land in Ayer, Mass. Prepared for Crabtree Development, LLC, Scale: 1" = 40', January 2011, David E. Ross Associates, Inc." endorsed by the Ayer Planning Board on February 3, 2011, and recorded with the Middlesex South District Registry of Deeds as Plan No. 64 of 2011. Parcel H-1 contains 43,101 square feet of land according to said plan of land. Reference is hereby made to said plan of land for a more particular description of the granted premises.

Parcel H-1 is conveyed subject to and with the benefit of a perpetual right and easement within those portions of Parcel H-1 shown on said plan of land as "Drainage Easement (Plan 58 of 2009)" and as "Drainage Easement (Plan 164 -14 of 2005)" (collectively the "Easement Areas"), all for the benefit of the Town of Ayer, Massachusetts as the same may be the owner of Snake Hill Road, to maintain and discharge run off storm water and snow melt into one or more storm water basins and/or stormwater control features and infrastructure constructed now or in the future within Parcel H-1, and to operate, inspect, repair, modify or replace one or more storm water basins and/or stormwater control features and infrastructure.

The within conveyance, and the acceptance hereof by the Town of Ayer, constitutes fulfillment by the Grantor of its obligations to provide a 40,000 square foot parcel and recreation facilities

therein, referenced within the Certificate of Approval of a Definitive Plan dated April 28, 2004 recorded with the Middlesex South District Registry of Deeds at Book 50157, Page 19, (as amended by Certificate of Approval of Changes to a Definitive Plan dated January 25, 2006 recorded with said Registry of Deeds at Book 50157, Page 38 and the Certificate of Approval of a Definitive Subdivision Modification dated July 12, 2017 recorded with said Registry of Deeds at Book 50157, Page 169) and Condition Number 7 of the Settlement Agreement in Land Court Misc Case No. 256887 which is incorporated by reference within said Certificate of Approval.

For title of Ridge View Realty Trust see deed of Ayer Development Company, Inc., dated September 25, 2007, recorded with said Registry of Deeds in Book 50157, Page 185, and deed of Ayer Development Company, Inc. dated August 21, 2009 recorded with said Registry of Deeds in Book 53432, Page 250, and confirmatory deed dated September 20, 2010, recorded with said Registry of Deeds at Book 55510, Page 156.

COPY

Executed under seal this 28th day of December, 2018.

RIDGE VIEW REALTY TRUST

[Signature]
By: B. Duke Pointer, Trustee

[Signature]
By: Richard D. Roper, Trustee

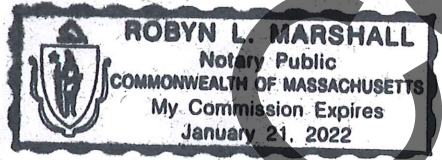
COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

On this 28th day of December, 2018, before me, the undersigned notary public, personally appeared B. Duke Pointer and Richard D. Roper, proved to me through satisfactory evidence of identification, which was Ma ID licenses, and acknowledged to me that they signed it voluntarily for its stated purpose as Trustees of the Ridge View Realty Trust.

Seal

[Signature]
Notary Public
My Commission Expires: 1/21/22



ACCEPTANCE BY BOARD OF SELECTMEN

On this ____ day of _____, 2019, the Town of Ayer, acting by and through its Board of Selectmen, hereby accepts the foregoing Quitclaim Deed from B. Duke Pointer and Richard D. Roper, Trustees of the Ridge View Realty Trust, for Parcel H-1 in Ridge View Heights.

TOWN OF AYER,
By its Board of Selectmen

Jannice L. Livingston, Chair

Christopher R. Hillman, Vice Chair

Scott A. Houde, Clerk

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this ____ day of _____, 2019, before me, the undersigned Notary Public, personally appeared _____, member of the Ayer Board of Selectmen, who proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose as a member of the Board of Selectmen of the Town of Ayer.

Notary Public
My Commission Expires:

MAP 36 LOT 214



Search Results: Tax Parcels

Override 1

Parcel Boundaries

Other Legal Features

Easements

Miscellaneous Features

Former Shore

Future Lot

Island

Traffic Island

Water

MRPC Communities

Surrounding Communities

Interstate Routes

Interstate Routes

US & State Routes

US & State Routes

Other Roadways

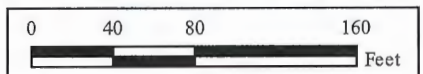
Other Roadways

MBTA Commuter Rail Stations

Active Rail Lines

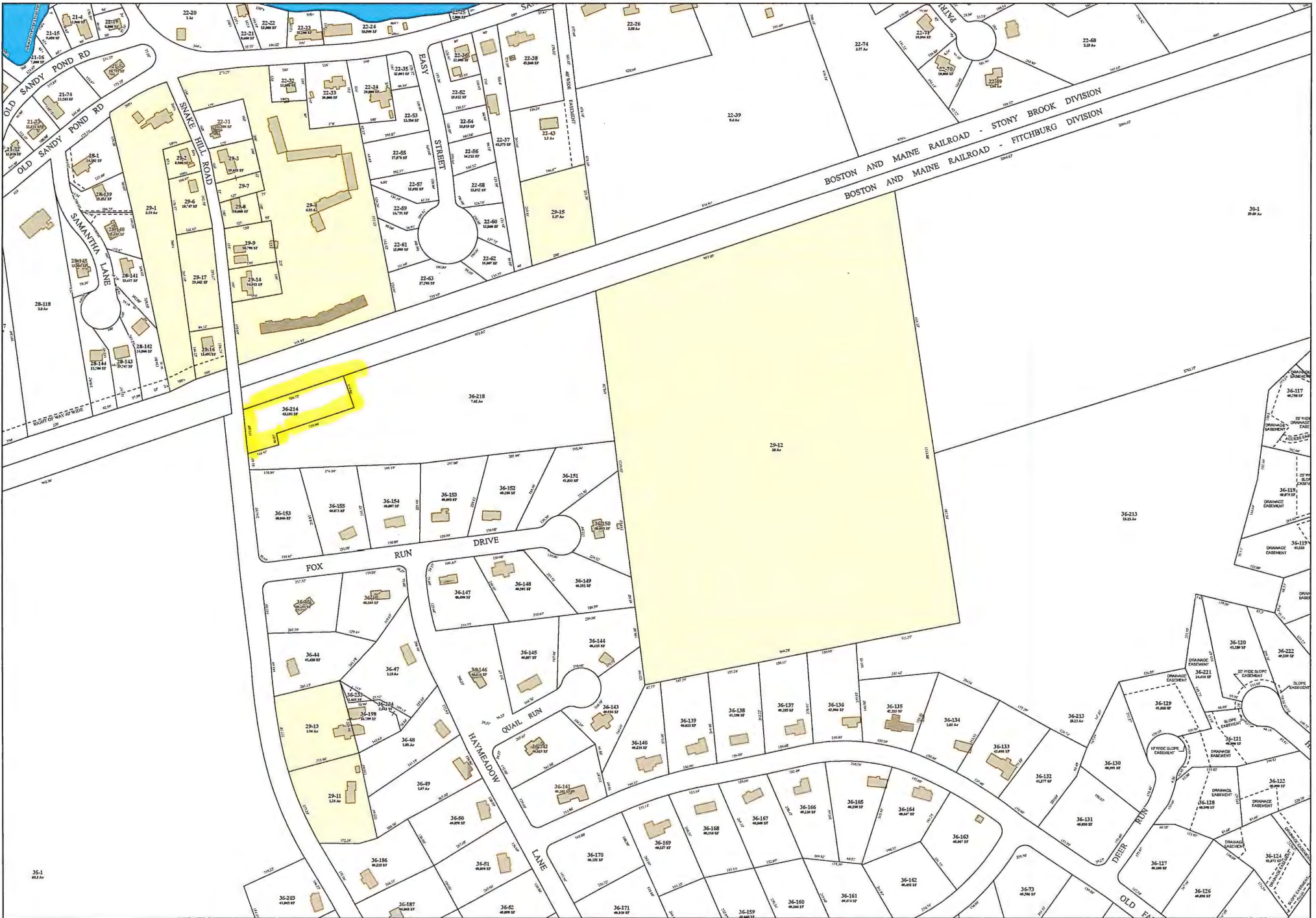
Commuter Rail Line

Other Active Rail Lines



DISCLAIMER: The Assessor's data were developed for tax valuation purposes only and are not derived from legal surveys or legal descriptions. The Town of Ayer & the MRPC explicitly disclaims any representations and warranties as to the accuracy, timeliness, or completeness of the Assessor's data. The Assessor's data were created from multiple Town, County, State and Federal sources, and such sources could contain errors. The Assessor's data should not be used for any purpose requiring exacting measurement of distance or direction. In no event will the Town of Ayer, the MRPC, or their officers or employees be liable for any losses or damages that might arise from the use of the Assessor's data. The Town of Ayer & the MRPC shall assume no liability for any decisions made or actions taken or not taken by the user of this data.





PREPARED BY:
 Massachusetts Regional Planning Commission
 629 Department, June 2018
 444 Abbott Avenue
 Leominster, MA 01453
 Phone: 978-345-7276
 Email: mrpc@mrpc.org



REVISED TO: JANUARY 1, 2018

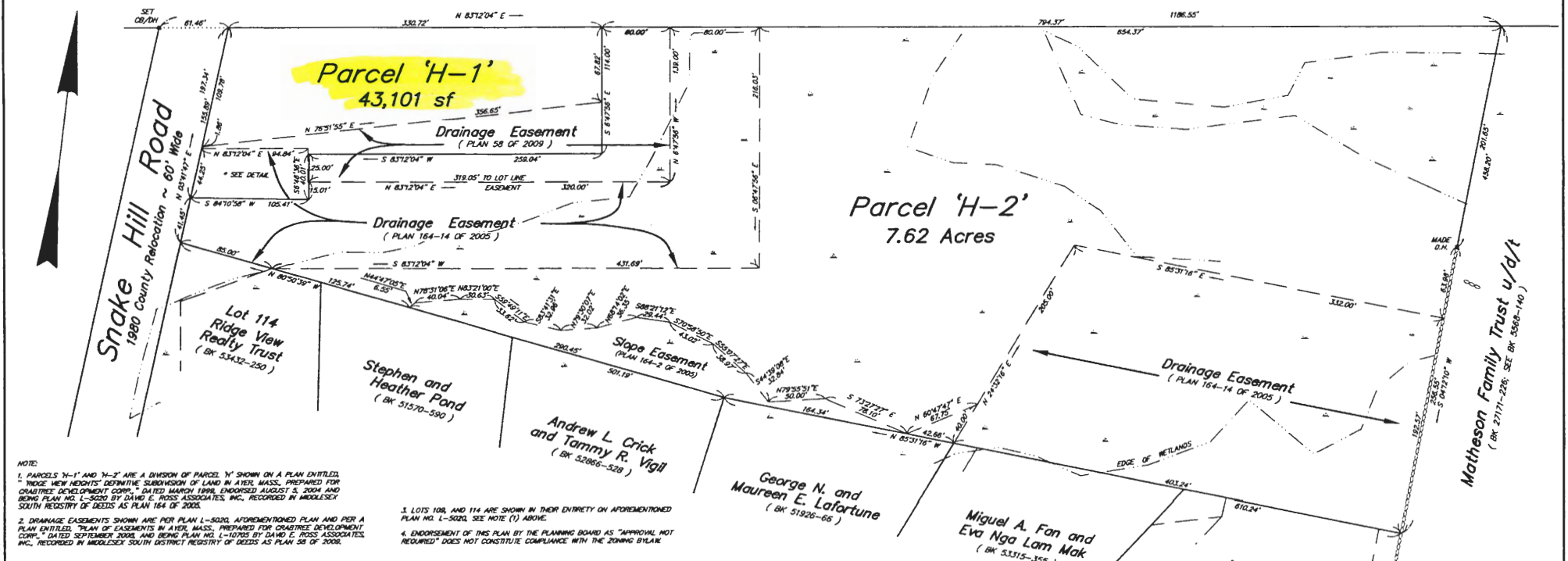
AYER, MA
 01432 - COMMUNITY ID 019
ASSESSOR MAPS

21	22	23
28	29	30
35	36	37

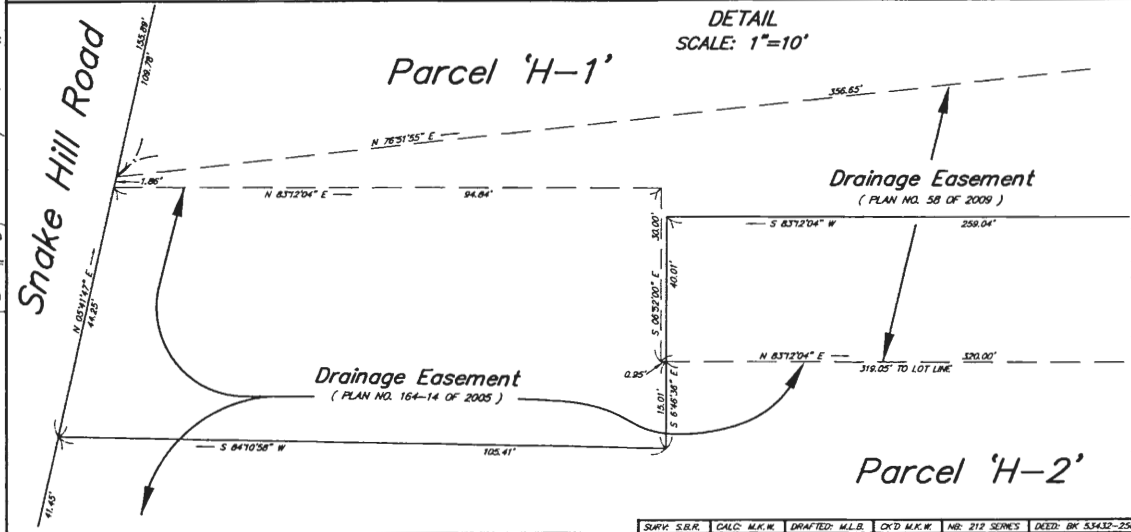
- Legend**
- Parcel Boundaries
 - Easements
 - Traffic Island
 - Water
 - Buildings

The map images and map data were developed for the valuation purposes only and are not derived from legal surveys or legal descriptions. The Town of Ayer & the MRPC explicitly disclaims any representation and warranties as to the accuracy, completeness, or timeliness of the map images and map data. The map images and map data were created from reliable Town, County, State and Federal sources, and each source could contain errors. The map images and map data should not be used for any purpose requiring a legally precise measurement of distance or direction. In no event will the Town of Ayer, the MRPC, or their officers or employees be liable for any losses or damages that might arise from the use of these map images and map data. The Town of Ayer & the MRPC shall assume no liability for any decisions made or actions taken or not taken by the user of this data.

Boston and Maine Railroad



NOTE:
 1. PARCELS 'H-1' AND 'H-2' ARE A DIVISION OF PARCEL 'H' SHOWN ON A PLAN ENTITLED "RIDGE VIEW HEIGHTS" DEFINITIVE SUBDIVISION OF LAND IN AYER, MASS., PREPARED FOR CRABTREE DEVELOPMENT CORP., 104125 HANCOCK 1996, ENDORSED AUGUST 5, 2004 AND BEING PLAN NO. L-3020 BY DAVID E. ROSS ASSOCIATES, INC., RECORDED IN MIDDLESEX SOUTH DISTRICT REGISTRY OF DEEDS AS PLAN 164 OF 2005.
 2. DRAINAGE EASEMENTS SHOWN ARE FOR PLAN L-3020, AFORESAID PLAN AND FOR A PLAN ENTITLED "PLAN OF EASEMENTS IN AYER, MASS., PREPARED FOR CRABTREE DEVELOPMENT CORP." DATED SEPTEMBER 2008, AND BEING PLAN NO. L-10705 BY DAVID E. ROSS ASSOCIATES, INC., RECORDED IN MIDDLESEX SOUTH DISTRICT REGISTRY OF DEEDS AS PLAN 58 OF 2009.
 3. LOTS 108, AND 114 ARE SHOWN IN THEIR ENTIRETY ON AFORESAID PLAN NO. L-3020. SEE NOTE (1) ABOVE.
 4. ENDORSEMENT OF THIS PLAN BY THE PLANNING BOARD AS "APPROVAL NOT REQUIRED" DOES NOT CONSTITUTE COMPLIANCE WITH THE ZONING BYLAW.



FOR REGISTRY USE ONLY

OWNER
 Ridge View Realty Trust
 P.O. Box 863
 Ayer, MA 01432-0863

APPLICANT
 Crabtree Development, LLC
 P.O. Box 863
 Ayer, MA 01432-0863

ZONING DISTRICT: LIGHT INDUSTRIAL

Middlesex Registry of Deeds,
 Southern District
 Cambridge, Massachusetts
 Plan No. 64 of 2011
 Rec'd 7-24-11
 at 11:42 AM PLM
 Attest
Suzanne L. Burns
 Register

I CERTIFY THAT THIS PLAN CONFORMS WITH THE RULES AND REGULATIONS OF THE REGISTRY OF DEEDS.
 DATE: 7/24/11
 SURVEYOR: *[Signature]*

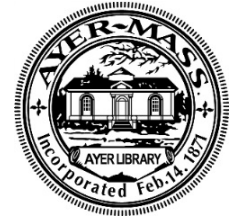
Ayer Planning Board
 APPROVAL UNDER SUBDIVISION CONTROL LAW NOT REQUIRED.
 C 41 S 81-P DATE: 2-3-11
 SUBJECT TO COVENANT DATED: AUGUST 1, 2007

[Signatures]

THREE MEMBERS CONSTITUTE A MAJORITY.

PLAN OF LAND IN
Ayer, Mass.
 PREPARED FOR
Crabtree Development, LLC
 SCALE: 1" = 40' JANUARY 2011
David E. Ross Associates, Inc.
 CIVIL ENGINEERS - LAND SURVEYORS
 ENVIRONMENTAL CONSULTANTS
 P.O. BOX 368-111 FITCHBURG RD.-AYER, MASS. 01432
 (TEL. NO. 978-772-6232)
 JOB NO. 10044 SHEET 1 OF 1 PLAN NO. L-11545

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



Broadcast and Recorded by APAC

Tuesday December 18, 2018
Open Session Meeting Minutes

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

Absent: Christopher R. Hillman, Vice – Chair;
Carly M. Antonellis, Assistant Town Manager

Also Present: Robert A. Pontbriand, Town Manager

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

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

Review and Approve Agenda: S. Houde asked to amend the agenda under New Business/Selectmen's Questions to add a brief update from the December 17, 2018 MassDevelopment Meeting at Devens regarding the proposed Vicksburg Square zoning change(s).

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

Announcements: None

Public Input: None

Recognition of Ayer Fire Department Personnel Medal of Valor Recipients: The BOS was joined by State Senator Jamie Eldridge in recognizing Captain Jeremy Januskiewicz; Lt. John Breshnahan; Firefighter Brenton Bourne; and Firefighter Tyler Schwabe for receiving the Medal of Valor from Governor Baker on November 22, 2018 for their heroic efforts involving a fire at a commercial building in Ayer on March 23, 2018.

Application for Common Victualler's License: The owners of Ruby Donut Shop to be located at 212D West Main Street appeared before the BOS for approval of a Common Victualler's License. R. Pontbriand advised that the issuance of the license would be contingent on final approval by the Board of Health, Fire Department, and Building Commissioner.

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve the Common Victualler's License as presented for Ruby Donut Shop, contingent upon final approval by the Board of Health, Fire Department, and Building Commissioner. **Motion passed 2-0.**

Mr. Alan, Manoian, Director of Community and Economic Development: *Lien Subordination Request Case # 06-308* - A. Manoian presented Lien Subordination Request Case # 06-308 to the BOS recommending that the BOS approve the lien subordination.

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve Lien Subordination Request Case # 06-308 as presented. **Motion passed 2-0.**

Town Clerk Susan Copeland: S. Copeland gave a presentation of the new voting equipment which was previously approved as a capital project by the May 2018 Town Meeting. S. Copeland advised that the new voting machines will

be used in the April 2019 Town Election for the first time and advised that the BOS vote to authorize the use of new voting equipment and discontinue existing voting equipment pursuant to MGL c. 54, Section 34 .

Motion: A motion was made by J. Livingston and seconded by S. Houde to authorize the use of new voting equipment and discontinue the existing voting equipment pursuant to MGL Chapter 54m, Section 34 as presented and recommended by the Town Clerk. **Motion passed 2-0.**

Department of Public Works – Town Engineer Dan Van Schalkwyk appeared before the BOS seek approval of the Sandy Pond Water Line Easement as developed by the DPW and Town Counsel.

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve the Sandy Pond Water Line Easement as presented and recommended by the Town Engineer. **Motion passed 2-0.**

Town Manager's Report – R. Pontbriand gave the BOS and Administrative Update on the various activities, initiatives, and projects of the Administration since the BOS last met on December 4, 2018. The update including a review of the Town Warrants he approved since the BOS last met on December 4, 2018.

January Meeting Dates: The BOS reviewed the proposed meeting dates for January and agreed that the BOS will meet on Wednesday, January 2, 2019 at 7pm and on Tuesday, January 15, 2019 at 7pm.

Special Town Meeting Date Selection – Marijuana Bylaw and Form-Based Code: The BOS continued its discussion from December 4, 2018 about having a Special Town Meeting for the purposes of the Marijuana Bylaw and Form-Based Code. The BOS agreed to Monday, June 10, 2019 at 7pm in the Auditorium of the Ayer Shirley Regional High School.

S. Houde asked if the Town Manager could request that MassDevelopment coordinate to hold the Super Town Meeting for the Vicksburg Square Zoning to occur on June 10, 2019 as well.

Approval of Unpaid Water Lien Accounts – R. Pontbriand presented the BOS with the unpaid water lien accounts and requested that the BOS vote to approve.

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve the unpaid water lien accounts as presented. **Motion passed 2-0.**

General Code Update – R. Pontbriand advised the BOS that the legal review of all of the Town's Bylaws and Traffic Regulations has been completed by General Code. The next step in the process will be for the various Departments to review and update their respective sections of the Code. The Working Group consisting of Selectman Livingston, Chief Murray, the Town Clerk, the Assistant Town Manager, and Town Manager will also be meeting to review and discuss. At the conclusion of this process, the Town will have a complete, accurate, and organized Town Code and Traffic Regulations.

New Business/Selectmen's Questions: *Update from December 17, 2018 MassDevelopment Meeting at Devens regarding the proposed Vicksburg Square zoning change(s)* – S. Houde provided the BOS with an update of the December 17, 2018 MassDevelopment Meeting at Devens that he attended. He advised that quite a few Devens Residents attended the meeting and that the proposed zoning change is for an overlay district with 300 units of which 25% would be low income. Split between Ayer and Harvard. The proposal is based on the Trinity model. Traffic was a major concern at the meeting and it is estimated that there will be an impact of approximately 500 more cars. MassDevelopment is planning to just ask Super Town Meeting to approve the zoning change(s) with no specific project in the pipeline. This was of concern at the meeting. Additionally, residents thought the zoning change was geared more toward businesses than residents. S. Houde further stated that he is concerned that this is an urban dense project in a suburban environment and he is concerned about the traffic impacts to Ayer. The public meeting on this project for Shirley is tomorrow night and MassDevelopment is looking to hold public hearing on the proposed zoning change(s) starting in January through April 2019.

J. Livingston thanked S. Houde for the update. She asked R. Pontbriand on the status of the Devens Disposition Committee.

R. Pontbriand advised that the deadline for applications for the Committee is Friday, December 28, 2018 and that he will provide a status update to the BOS at the next meeting.

Approval of Meeting Minutes:

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve the meeting minutes from December 4, 2018. **Motion passed 2-0.**

Adjournment:

Motion: A motion was made by S. Houde and seconded by J. Livingston to adjourn the meeting at 7:59pm. **Motion passed 2-0.**

Minutes Recorded and Submitted by Robert A. Pontbriand, Town Manager

Date Minutes Approved by BOS: _____

Signature Indicating Approval: _____

DRAFT