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TOWN OF AYER

2017 NOV -3 AM 11:50

Susan Copeland

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



Tuesday November 7, 2017
Open Meeting Agenda

- 7:00 PM **Call to Order**
Pledge of Allegiance; Review and Approve Agenda; Review of Warrant(s); Announcements
- 7:05 PM* **Public Input**
- Chief William A. Murray, Ayer Police Department**
1. Appointment of Sergeant
- 7:10 PM **Joint Appointment of Planning Board Member**
- 7:25 PM **DPW Superintendent Mark Wetzel**
1. Contract with Triumph Modular for DPW Operations Center
2. Update on Lead Streetlight Conversion
3. Grove Pond Wellfield PFAS issue
- 7:35 PM **Discussion of Town's Management Letter**
- 8:05 PM **Nasoya Odor Issue Update**
- 8:25 PM **Town Administrator's Report**
1. Administrative Update
2. Warrant Signing Authority Delegation
- 8:30 PM **New Business/Selectmen's Questions**
1. Advocates Building Demolition Update (Selectman Hillman)
2. Cameras in Downtown (Selectman Hillman)
- 8:35 PM **Approval of Meeting Minutes**
October 11, 2017; October 17, 2017; October 23, 2017; October 24, 2017
- 8:40 PM **Treas. Susan Copeland & Fin. Mgr./Town Acct. Lisa Gabree**
1. Vote/Authorization of Municipal Bonds (BANs)
- 8:45 PM **Executive Session Pursuant to G.L. c. 30A, sec. 21(a)**
1. Exemption #3 (Litigation Strategy) to discuss enforcement litigation regarding the property and commercial business Bikeworx located at 211 West Main Street

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

*** The BOS will adjourn at the conclusion of Executive Session*



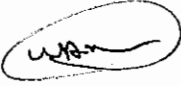
AYER POLICE DEPARTMENT

54 Park Street · Ayer, Massachusetts 01432-1161
Tel. (978) 772-8200 · Fax (978) 772-8202



William A. Murray
Chief of Police

MEMORANDUM

To: Board of Selectmen
From: Chief William A. Murray 
CC: TA Pontbriand, file
Date: November 7, 2017
Re: Police Sergeant Appointment

I respectfully request that the Board appoint **Eric J. Pearson** to the open Sergeant's position in the Police Department effective immediately.

Eric has been a Patrol Officer for the Town of Ayer since August 2011 and is currently assigned to the 11-7 shift. Prior police experience includes Police Sergeant with the town of Rutland 2006-2010, Patrol Officer Rutland 2003-2006, Part Time Patrol Officer Rutland 2002-2003, Patrol Officer WPI 1999-2002, and Patrol Officer Becker College 1996-1999.

Eric graduated from Quinsigamond College in 1994 with an Associate's Degree in Criminal Justice. He holds instructor level certifications in Rape Aggression Defense (RAD), Smith & Wesson Firearms, Field Training Officer, Defensive Tactics, and Physical Fitness. He is also certified to investigate sexual assaults and to conduct police background investigations. He currently acts as our Defensive Tactics Instructor, Taser Instructor, Firearms Instructor (back-up), is part of the RAD instruction team, is part of the Field Training Unit, instructs at our Citizen Police Academy, and is assigned to the Central Massachusetts Law Enforcement Council's SWAT division.

Eric is 1 of 5 patrolman who participated in what was, to date, our most aggressive promotional testing procedure ever attempted! The ordeal began with a 2 day, stress inducing, Assessment Center designed to not only test the applicant's knowledge of the job but to also assess fifteen identified competencies of a successful 21st century supervisor. Through written testing and role playing exercises the true abilities of the applicants were divulged. It was extremely gratifying to receive feedback from the Assessment Testers on the quality of our applicants. The final pieces in the process were an interview with the Chief and Lieutenant and a review of past performance.

While not the front runner in the process, Eric was a very close second (0.98 of a point) and is being presented at this time for promotion as the top candidate had to decline for personal reasons.

Eric will serve a one year probationary period, commencing on the date of employment, during which time he must successfully complete a Command Training Program as soon as one is available.

Jonathan Kranz

October 2, 2017

Board of Selectmen, Planning Board
Ayer Town Hall
1 Main Street
Ayer, MA 01432

Dear Board of Selectmen, Planning Board:

I understand that there is a vacancy on the Planning Board. I hope that you will consider me as an appointee to the Planning Board through to the next election.

My family moved into the former Anderson/O'Toole funeral home on Washington Street last December. We love our new home, and the unique qualities of our new town are a big reason for our enthusiasm.

It would be an extraordinary honor to help the Planning Board, and the citizens of Ayer, in our collective efforts to expand upon our virtues and make Ayer an even more beautiful, more livable town for generations to come.

Please see the accompanying resume, and feel free to contact me via phone or email at your convenience should you have any questions.

Thank you for your consideration.

Sincerely,

Jonathan Kranz

Jonathan Kranz

Principal, Kranz Communications

Experience

Kranz Communications, Ayer, MA

January 1996 - Present

Founder and principal of an independent marketing copywriting/communications agency serving clients in high-tech, healthcare, higher education, financial services and business services.

Website: www.kranzcom.com

Client list: <http://www.kranzcom.com/client-list-samples/>

Education

Harvard Business School Executive Education, 2009, Certificate in "Governing for Non-Profit Excellence"

Emerson College, MFA in Creative Writing, 1992 - 1995

Rutgers College, BA in Fine Art, 1981 - 1985

Publications

Our Brothers at the Bottom of the Bottom of the Sea, novel, 2015, Henry Holt & Co.

Writing Copy for Dummies, nonfiction, 2004, J. Wiley & Sons

Numerous articles for a variety of publications, including *Boston Business Journal*, *MarketingProfs*, *Content Marketing Institute* and others

Public Service Leadership

St. Mary Parish, Ayer, lector, October 2017 -

Notre Dame High School, Lawrence, MA, board of directors, 2007 - 2012 (board chair, 2010 - 2011)

Parish of the Incarnation, Melrose, MA, lector, 2003 - 2016

President, Southern New England Chapter, Society for Industrial Archeology, 2004 - 2007

Volunteer reader, Massachusetts Association for the Blind, 1994 - 2016

Carly Antonellis

From: Robert Pontbriand <ta@ayer.ma.us>
Sent: Wednesday, November 01, 2017 3:21 PM
To: Carly Antonellis
Subject: FW: planning board

Categories: Green Category

Sincerely,

Robert

Robert A. Pontbriand
Town Administrator

Town of Ayer
1 Main Street
Ayer, MA 01432
978-772-8220

From: Nancy Bruns [mailto:nbruns122@comcast.net]
Sent: Wednesday, November 01, 2017 3:20 PM
To: Robert Pontbriand <ta@ayer.ma.us>
Subject: planning board

I moved to Ayer from Littleton 2 1/2 years ago and have fallen in love with this town. I want to make a deeper commitment to my new "home town". I have been on a few "Planning Walks" and live right on the Rail Trail. I want to see Ayer become a "Destination" for fellow environmentalists and history buffs. I am a retired nurse. I moved to MA from Florida shortly after graduation from nursing school. My first job up here was at MGH in Boston. In 1983 I graduated Magna Cum Laude from U Mass Boston with a BSN. I believe there is much to be done here in Ayer to keep the town's history alive and I want to be a part of that effort.

Sincerely,
Nancy C. Bruns



October 26th, 2017

Town of Ayer
Planning Board
1 Main St.
Ayer, Ma
01432

Letter of Intent: Planning Board Vacancy

To Whom It May Concern:

Please accept this letter of intent regarding my interest in filling the vacancy on the Ayer Planning Board.

I have been a resident of Ayer since 2013 when my wife and I purchased our home and since then have become increasingly interested in getting involved in the future planning and revitalization of Ayer.

For the past 10 years I have worked for the Cambridge Health Alliance where I currently work as an Administrative Coordinator for the Department of Medicine – Cambridge Integrated Clerkship. I am also an elected member the Executive Board for Local 380 (Laborer's Union) where I have held the position of Recording Secretary since 2015. Prior to being elected as the Recording Secretary I sat on the Executive Board as the Treasurer and prior to that as an Auditor. I also have 3 years of experience working in the Office of Housing and Community Development for the City of Somerville as an Administrator and Finance Assistant.

Additionally, I have a strong interest in history, architecture and redevelopment as well as a passion for pursuing the best possible future for Ayer and its residents.

I look forward to hearing from you.

Respectfully,

Shawn P. Merritt
25 Grove St.
Ayer, MA.
01432
Tel: 857-753-5498
spmerritt@challiance.org

11/03/2017

RECEIVED
NOV 03 2017

TOWN OF AYER
SELECTMEN'S OFFICE

Robert Pontbriand, Town Administrator
Ayer Town Hall
1 Main St.
Ayer, MA

Dear Mr. Pontbriand,

Please accept this letter of intent expressing my request to be considered for an appointment to the Ayer Planning Board to fill the current vacancy on the Board.

I have been a resident of Ayer almost fifteen years and retired just over two years ago. I have been impressed with the steps taken by the Town in the past few years to add professional management to the Planning, Economic Development and Conservation Departments of the Town. I can see your administration and the Board of Selectman are preparing the Town for future growth and the inevitable controls that are needed to insure that growth is managed in the best interests of the existing and future residents.

I worked for over 20 years as a construction project manager and Director of Facilities for commercial properties in Andover, MA. I managed many projects which required local and state regulations for site work and building construction. As such, I am familiar with the importance of complying with regulations and conditions established by building commissioners, planning boards and conservation commissions. I have worked with architects and engineers on many projects and have the ability to understand and comment on construction documents. As such I think I could be an asset to the planning board and our new Town Planner in reviewing documents that come before the Board for review.

I am interested in helping the Planning Board and the Town Planner in the review of the current Zoning Bylaws and preparation of new and improved Bylaws.

Thank you for your consideration.

Ken Diskin




**Letter of Intent
Ayer Planning Board Appointment
Richard Zolla**

My name is Richard Zolla and I would like my name to be considered in the discussion of filling the vacant Ayer Planning Board position. I am a 17 year Ayer resident and have always been interested in either a run for Ayer Planning Board or someday being appointed. This appears an opportunity to seek out the later.

As a 17 year Ayer resident, I have had opportunities to own multiple properties in town, wed the love of my life and watched both of my children born and grow up strong. We currently reside at 5 Patricia Drive and have lived there for the last 10 years. My family and I are very invested in this town and its growth and development.

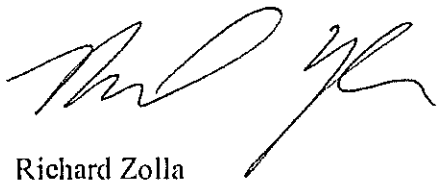
I am currently employed at the University of Massachusetts Medical School. I hold the position of Director of Facilities Operations at the MassBiologics organization in the biotech and investigative new drug (IND) industry where I am responsible for operations of all facilities, capital planning, budgeting, contracts and engineering; as well as, over 60 employees, vendors and contractors. My experience in the public sector working for the Commonwealth gives me important experience and insight to state regulations and practices. My experience in sustaining and building FDA licensed facilities for manufacturing of licensed vaccines and vectors have allowed me to remain at the forefront of cutting edge biotechnology.

Prior to my current role I was employed at Raytheon Company for ten years in the government contracting industry serving many roles from Trade Supervisor, Project Manager and Facilities Manager. These roles gave me valuable experience working with various town officials and departments; such as, Fire and Police Departments and the Building Department in the towns of Tewksbury, Andover, Sudbury and Marlboro.

Before government contracting I was employed at Mass Electric (IBEW 103-Boston) as an electrician. This role offered me valuable practical experience and the opportunity to work on highly visual projects; such as, State Street Bank, Gillette Stadium and Dana-Farber Cancer Institute/Yawkey Center. I continue to hold both of my Electrical licenses (Journeyman and Masters) for the Commonwealth of Massachusetts.

My formal education was obtained from Colorado Technical University in Boulder Colorado, where I graduated summa cum laude with a Bachelor's of Science in Business Administration majoring in Project Management and Information Technology. I also obtained my Masters of Science in Facilities Management from the Massachusetts Maritime Academy in Buzzards Bay, Massachusetts.

I feel I have the background and experience to be a valuable resource and member of the Planning Board and would appreciate your consideration.



Richard Zolla



DEPARTMENT OF PUBLIC WORKS

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



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

MEMORANDUM

Date: November 3, 2017
To: Board of Selectmen
From: Mark Wetzel, P.E. Superintendent of Public Works
Subject: **November 7 Meeting Agenda Items**

1. **DPW Operations Center Building Construction Contract** – The DPW received 3 bids for the DPW Operations Center. The lowest responsible bidder was Triumph Modular from Littleton, MA for \$1,100,526.00. Attached is the contract for execution by the Board.
2. **Grove Pond Wellfield Water Quality** – See attached memo regarding a potential water quality issue at the Grove Pond Well related to contamination in Devens. See attached memo.
3. **LED Streetlight Conversion Upgrade** – We have received bids for the LED streetlight conversion project and are in the process of product selection. I will give the Board an update on the project, costs and schedule.

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 3, 2017

To: Ayer Board of Selectmen

From: Mark Wetzel P.E., Public Works Superintendent



Re: Grove Pond Wellfield Water Quality

The Town of Ayer Grove Pond Wellfield provides approximately 60% of the Town's water supply. Due to the wellfield's proximity to Devens, the Army Corp. of Engineers sampled the wells for an unregulated contaminants PFOA and PFAS in September 2016. The results at the Grove Pond Wells were positive for these compounds with Well 8 over the EPA "health advisory" level. As the water from the three wells in the wellfield is mixed prior to treatment and distribution into the town, the water supply is below the health advisory limit. However, this is an issue that the DPW and MassDEP are monitoring and The DPW is developing an action plan in case the contamination levels increase.

What are PFOS and PFOA and why are they a problem? – The EPA has developed a fact sheet regarding PFOS and PFOA in drinking water. I have attached a copy of the fact sheet. It states *“PFOA and PFOS are fluorinated organic chemicals that are part of a larger group of chemicals referred to as perfluoroalkyl substances (PFASs). PFOA and PFOS have been the most extensively produced and studied of these chemicals. They have been used to make carpets, clothing, fabrics for furniture, paper packaging for food and other materials (e.g., cookware) that are resistant to water, grease or stains. They are also used for firefighting at airfields and in a number of industrial processes.”*

The fact sheet also states that PFOA and PFOS have been found in the blood of nearly all people tested for these compounds, due to our exposure in consumer products.

What is a Health Advisory? From the fact sheet – *“EPA develops health advisories to provide information on contaminants that can cause human health effects and are known or anticipated to occur in drinking water. EPA's health advisories are non-enforceable and non-regulatory and provide technical information to states agencies and other public health officials on health effects, analytical methodologies, and treatment technologies associated with drinking water contamination.”*

The Health Advisory level for PFOA and PFOS combined is 70 parts per trillion (a part per trillion = one square inch in 250 square miles). It should be pointed out that this level is based on long term exposure.

What is the level in Ayer's water? The most recent sample from the Grove Pond Wellfield has a result of 53 PPT for PFOS and PFOA combined.

What is the DPW Action Plan? In order to protect the public health and continue to provide an adequate water supply for the Town, the DPW is implementing the following actions:

- Quarterly sampling of Grove Pond Wells individually and blended
- Sampling of water in the distribution system for PFOS/ PFOA
- Evaluate long term alternatives / costs should the levels increase (Treatment, purchasing water from Devens, develop new wells)
- Fast track the Devens interconnection on Barnum Road (approved at Annual Town Meeting)
- Work with MassDEP, EPA and Army Corp of Engineers to determine the source and remediation.
- Provide information (EPA Fact Sheets) to the public via web site and at Town Hall, Board of Health and Town Library.

The Ayer DPW is committed to providing safe and reliable water to all of our residents and businesses and will continue to monitor this issue and update the Board on a regular basis.



Overview

EPA has established health advisories for PFOA and PFOS based on the agency's assessment of the latest peer-reviewed science to provide drinking water system operators, and state, tribal and local officials who have the primary responsibility for overseeing these systems, with information on the health risks of these chemicals, so they can take the appropriate actions to protect their residents. EPA is committed to supporting states and public water systems as they determine the appropriate steps to reduce exposure to PFOA and PFOS in drinking water. As science on health effects of these chemicals evolves, EPA will continue to evaluate new evidence.

Background on PFOA and PFOS

PFOA and PFOS are fluorinated organic chemicals that are part of a larger group of chemicals referred to as perfluoroalkyl substances (PFASs). PFOA and PFOS have been the most extensively produced and studied of these chemicals. They have been used to make carpets, clothing, fabrics for furniture, paper packaging for food and other materials (e.g., cookware) that are resistant to water, grease or stains. They are also used for firefighting at airfields and in a number of industrial processes.

Because these chemicals have been used in an array of consumer products, most people have been exposed to them. Between 2000 and 2002, PFOS was voluntarily phased out of production in the U.S. by its primary manufacturer. In 2006, eight major companies voluntarily agreed to phase out their global production of PFOA and PFOA-related chemicals, although there are a limited number of ongoing uses. Scientists have found PFOA and PFOS in the blood of nearly all the people they tested, but these studies show that the levels of PFOA and PFOS in blood have been decreasing. While consumer products and food are a large source of exposure to these chemicals for most people, drinking water can be an additional source in the small percentage of communities where these chemicals have contaminated water supplies. Such contamination is typically localized and associated with a specific facility, for example, an industrial facility where these chemicals were produced or used to manufacture other products or an airfield at which they were used for firefighting.

EPA's 2016 Lifetime Health Advisories

EPA develops health advisories to provide information on contaminants that can cause human health effects and are known or anticipated to occur in drinking water. EPA's health advisories are non-enforceable and non-regulatory and provide technical information to states agencies and other public health officials on health effects, analytical methodologies, and treatment technologies associated with drinking water contamination. In 2009, EPA published provisional health advisories for PFOA and PFOS based on the evidence available at that time. The science has evolved since then and EPA is now replacing the 2009 provisional advisories with new, lifetime health advisories.

FACT SHEET

PFOA & PFOS Drinking Water Health Advisories

EPA's 2016 Lifetime Health Advisories, continued

To provide Americans, including the most sensitive populations, with a margin of protection from a lifetime of exposure to PFOA and PFOS from drinking water, EPA established the health advisory levels at 70 parts per trillion. When both PFOA and PFOS are found in drinking water, the combined concentrations of PFOA and PFOS should be compared with the 70 parts per trillion health advisory level. This health advisory level offers a margin of protection for all Americans throughout their life from adverse health effects resulting from exposure to PFOA and PFOS in drinking water.

How the Health Advisories were developed

EPA's health advisories are based on the best available peer-reviewed studies of the effects of PFOA and PFOS on laboratory animals (rats and mice) and were also informed by epidemiological studies of human populations that have been exposed to PFASs. These studies indicate that exposure to PFOA and PFOS over certain levels may result in adverse health effects, including developmental effects to fetuses during pregnancy or to breastfed infants (e.g., low birth weight, accelerated puberty, skeletal variations), cancer (e.g., testicular, kidney), liver effects (e.g., tissue damage), immune effects (e.g., antibody production and immunity), thyroid effects and other effects (e.g., cholesterol changes).

EPA's health advisory levels were calculated to offer a margin of protection against adverse health effects to the most sensitive populations: fetuses during pregnancy and breastfed infants. The health advisory levels are calculated based on the drinking water intake of lactating women, who drink more water than other people and can pass these chemicals along to nursing infants through breastmilk.

Recommended Actions for Drinking Water Systems

Steps to Assess Contamination

If water sampling results confirm that drinking water contains PFOA and PFOS at individual or combined concentrations greater than 70 parts per trillion, water systems should quickly undertake additional sampling to assess the level, scope and localized source of contamination to inform next steps

Steps to Inform

If water sampling results confirm that drinking water contains PFOA and PFOS at individual or combined concentrations greater than 70 parts per trillion, water systems should promptly notify their State drinking water safety agency (or with EPA in jurisdictions for which EPA is the primary drinking water safety agency) and consult with the relevant agency on the best approach to conduct additional sampling.

Drinking water systems and public health officials should also promptly provide consumers with information about the levels of PFOA and PFOS in their drinking water. This notice should include specific information on the risks to fetuses during pregnancy and breastfed and formula-fed infants from exposure to drinking water with an individual or combined concentration of PFOA and PFOS above EPA's health advisory level of 70 parts per trillion. In addition, the notification should include actions they are taking and identify options that consumers may consider to reduce risk such as seeking an alternative drinking water source, or in the case of parents of formula-fed infants, using formula that does not require adding water.

FACT SHEET

PFOA & PFOS Drinking Water Health Advisories

Recommended Actions for Drinking Water Systems, continued

Steps to Limit Exposure

A number of options are available to drinking water systems to lower concentrations of PFOA and PFOS in their drinking water supply. In some cases, drinking water systems can reduce concentrations of perfluoroalkyl substances, including PFOA and PFOS, by closing contaminated wells or changing rates of blending of water sources. Alternatively, public water systems can treat source water with activated carbon or high pressure membrane systems (e.g., reverse osmosis) to remove PFOA and PFOS from drinking water. These treatment systems are used by some public water systems today, but should be carefully designed and maintained to ensure that they are effective for treating PFOA and PFOS. In some communities, entities have provided bottled water to consumers while steps to reduce or remove PFOA or PFOS from drinking water or to establish a new water supply are completed.

Many home drinking water treatment units are certified by independent accredited third party organizations against American National Standards Institute (ANSI) standards to verify their contaminant removal claims. NSF International (NSF®) has developed a protocol for NSF/ANSI Standards 53 and 58 that establishes minimum requirements for materials, design and construction, and performance of point-of-use (POU) activated carbon drinking water treatment systems and reverse osmosis systems that are designed to reduce PFOA and PFOS in public water supplies. The protocol has been established to certify systems (e.g., home treatment systems) that meet the minimum requirements. The systems are evaluated for contaminant reduction by challenging them with an influent of $1.5 \pm 30\%$ $\mu\text{g/L}$ (total of both PFOA and PFOS) and must reduce this concentration by more than 95% to $0.07 \mu\text{g/L}$ or less (total of both PFOA and PFOS) throughout the manufacturer's stated life of the treatment system. Product certification to this protocol for testing home treatment systems verifies that devices effectively reduces PFOA and PFOS to acceptable levels.

Other Actions Relating to PFOA and PFOS

Between 2000 and 2002, PFOS was voluntarily phased out of production in the U.S. by its primary manufacturer, 3M. EPA also issued regulations to limit future manufacturing, including importation, of PFOS and its precursors, without first having EPA review the new use. A limited set of existing uses for PFOS (fire resistant aviation hydraulic fluids, photography and film products, photomicroolithography process to produce semiconductors, metal finishing and plating baths, component of an etchant) was excluded from these regulations because these uses were ongoing and alternatives were not available.

In 2006, EPA asked eight major companies to commit to working toward the elimination of their production and use of PFOA, and chemicals that degrade to PFOA, from emissions and products by the end of 2015. All eight companies have indicated that they have phased out PFOA, and chemicals that degrade to PFOA, from emissions and products by the end of 2015. Additionally, PFOA is included in EPA's proposed Toxic Substance Control Act's Significant New Use Rule (SNUR) issued in January 2015 which will ensure that EPA has an opportunity to review any efforts to reintroduce the chemical into the marketplace and take action, as necessary, to address potential concerns.

FACT SHEET

PFOA & PFOS Drinking Water Health Advisories

Other Actions Relating to PFOA and PFOS, continued

EPA has not established national primary drinking water regulations for PFOA and PFOS. EPA is evaluating PFOA and PFOS as drinking water contaminants in accordance with the process required by the Safe Drinking Water Act (SDWA). To regulate a contaminant under SDWA, EPA must find that it: (1) may have adverse health effects; (2) occurs frequently (or there is a substantial likelihood that it occurs frequently) at levels of public health concern; and (3) there is a meaningful opportunity for health risk reduction for people served by public water systems.

EPA included PFOA and PFOS among the list of contaminants that water systems are required to monitor under the third Unregulated Contaminant Monitoring Rule (UCMR 3) in 2012. Results of this monitoring effort are updated regularly and can be found on the publicly-available National Contaminant Occurrence Database (NCOD) (<https://www.epa.gov/dwucmr/occurrence-data-unregulated-contaminant-monitoring-rule#3>). In accordance with SDWA, EPA will consider the occurrence data from UCMR 3, along with the peer reviewed health effects assessments supporting the PFOA and PFOS Health Advisories, to make a regulatory determination on whether to initiate the process to develop a national primary drinking water regulation.

In addition, EPA plans to begin a separate effort to determine the range of PFAS for which an Integrated Risk Information System (IRIS) assessment is needed. The IRIS Program identifies and characterizes the health hazards of chemicals found in the environment. IRIS assessments inform the first two steps of the risk assessment process: hazard identification, and dose-response. As indicated in the 2015 IRIS Multi-Year Agenda, the IRIS Program will be working with other EPA offices to determine the range of PFAS compounds and the scope of assessment required to best meet Agency needs. More about this effort can be found at <https://www.epa.gov/iris/iris-agenda>.

Non-Drinking Water Exposure to PFOA and PFOS

These health advisories only apply to exposure scenarios involving drinking water. They are not appropriate for use, in identifying risk levels for ingestion of food sources, including: fish, meat produced from livestock that consumes contaminated water, or crops irrigated with contaminated water.

The health advisories are based on exposure from drinking water ingestion, not from skin contact or breathing. The advisory values are calculated based on drinking water consumption and household use of drinking water during food preparation (e.g., cooking or to prepare coffee, tea or soup). To develop the advisories, EPA considered non-drinking water sources of exposure to PFOA and PFOS, including: air, food, dust, and consumer products. In January 2016 the Food and Drug Administration amended its regulations to no longer allow PFOA and PFOS to be added in food packaging, which will likely decrease one source of non-drinking water exposure.

Where Can I Learn More?

- EPA's Drinking Water Health Advisories for PFOA and PFOS can be found at: <https://www.epa.gov/ground-water-and-drinking-water/drinking-water-health-advisories-pfoa-and-pfos>
- PFOA and PFOS data collected under EPA's Unregulated Contaminant Monitoring Rule are available: <https://www.epa.gov/dwucmr/occurrence-data-unregulated-contaminant-monitoring-rule>
- EPA's stewardship program for PFAS related to TSCA: <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/and-polyfluoroalkyl-substances-pfas-under-tsca>
- EPA's research activities on PFASs can be found at: <http://www.epa.gov/chemical-research/perfluorinated-chemical-pfc-research>
- The Agency for Toxic Substances and Disease Registry's Perfluorinated Chemicals and Your Health webpage at: <http://www.atsdr.cdc.gov/PFC/>



SECTION 00500
OWNER-CONTRACTOR AGREEMENT

THIS AGREEMENT is by and between _____ The Town of Ayer, Massachusetts _____ (“Owner”) and

Triumph Modular, Inc. _____ (“Contractor”).

Owner and Contractor, in consideration of the mutual covenants hereinafter set forth, agree as follows:

ARTICLE 1 – WORK

1.01 Contractor shall complete all Work as specified or indicated in the Contract Documents, Contractor’s Non-Price and Price Proposals titled “DPW Administration Building Modular Office Space” dated September 21, 2017 from Contractor to Ayer DPW which contains changes in scope and price from the Contractor’s Proposal.

1.02 The Project for which the Work under the Contract Documents may be the whole or only a part is generally described as follows:

The design, prefabrication, site preparation, site assembly/installation and all services required to complete and deliver one modular DPW Administration Building as defined in the Request for Proposals and Design Drawings dated August 8, 2017 and as described in the Price and Non-Price Proposals dated September 21, 2017.

ARTICLE 2 – ENGINEER

2.01 The Ayer DPW (Engineer) shall be the Owner’s representative, assume all duties and responsibilities, and have the rights and authority assigned to Engineer in the Contract Documents in connection with the completion of the Work in accordance with the Contract Documents.

ARTICLE 3 – CONTRACT TIMES

3.01 *Time of the Essence*

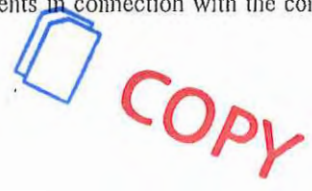
A. All time limits for Milestones, if any, Substantial Completion, and completion and readiness for final payment as stated in the Contract Documents are of the essence of the Contract.

3.02 *Days to Achieve Substantial Completion and Final Payment*

A. The Work will be substantially completed within 200 days after the date when the Contract Times commence to run as provided in Article VI of the General Conditions, and completed and ready for final payment in accordance with Article VI of the General Conditions within 215 days after the date when the Contract Times commence to run.

3.03 *Liquidated Damages*

A. Contractor and Owner recognize that time is of the essence of this Agreement and that Owner will suffer financial loss if the Work is not completed within the times specified in Paragraph 4.02 above, plus any extensions thereof allowed in accordance with the General Conditions. The parties also recognize the delays, expense, and difficulties involved in proving in a legal or arbitration proceeding the actual loss suffered by Owner if the Work is not completed on time. Accordingly, instead of requiring any such proof, Owner and Contractor agree that as liquidated damages for delay (but not as a penalty), Contractor shall pay Owner \$1,000 for each day that expires after the time specified in Paragraph 4.02 for Substantial Completion until the Work is substantially complete. After Substantial Completion, if Contractor shall neglect, refuse, or fail to complete the remaining Work within the Contract Time or any proper extension thereof granted by Owner, Contractor shall



pay Owner \$1,000 for each day that expires after the time specified in Paragraph 4.02 for completion and readiness for final payment until the Work is completed and ready for final payment.

ARTICLE 4 – CONTRACT PRICE

- 4.01 Owner shall pay Contractor for completion of the Work in accordance with the Contract Documents an amount in current funds equal to the sum of the amounts determined pursuant to Paragraph 5.01A.
- A. For all Work, at the price of **\$1,100,526.00 Dollars (One million one hundred thousand five hundred and twenty six dollars and zero cents)** which is equivalent to the price stated in Contractor's Price Proposal Form minus the add alternates dated September 21, 2017 from Contractor to Ayer DPW, all attached hereto as an exhibit.

ARTICLE 5 -- PAYMENT PROCEDURES

5.01 *Submittal and Processing of Payments*

- A. Contractor shall submit Applications for Payment in accordance with Article VIII of the General Conditions. Applications for Payment will be processed by Engineer as provided in the General Conditions.

5.02 *Progress Payments; Retainage*

- A. Owner shall make progress payments on account of the Contract Price on the basis of Contractor's Applications for Payment on or about the 30th day of each month during performance of the Work as provided in Paragraphs 6.02.A.1 and 6.02.A.2 below. All such payments will be measured by the schedule of values established as provided in Article VIII of the General Conditions (and in the case of Unit Price Work based on the number of units completed) or, in the event there is no schedule of values, as provided in the General Requirements:
1. Prior to Substantial Completion, progress payments will be made in an amount equal to the percentage indicated below but, in each case, less the aggregate of payments previously made and less such amounts as Engineer may determine or Owner may withhold, including but not limited to liquidated damages, in accordance with the General Conditions:
 - a. 95 percent of Work completed (with the balance being retainage); and
 - b. 95 percent of cost of materials and equipment not incorporated in the Work (with the balance being retainage).
 2. Upon Substantial Completion, Owner shall pay an amount sufficient to increase total payments to Contractor to 98 percent of the Work completed, less such amounts as Engineer shall determine in accordance with the General Conditions.

5.03 *Final Payment*

- A. Upon final completion and acceptance of the Work in accordance with the General Conditions and the Supplementary Conditions, Owner shall pay the remainder of the Contract Price as recommended by the Engineer and as provided in the General Conditions, less any amount Owner is entitled to set off against Engineer's recommendation, including but not limited to liquidated damages.

ARTICLE 6 – INTEREST

- 6.01 Not Applicable

ARTICLE 7 – CONTRACTOR'S REPRESENTATIONS

- 7.01 In order to induce Owner to enter into this Agreement Contractor makes the following representations:

- A. Contractor has examined and carefully studied the Contract Documents and the other related data identified in the Bidding Documents.

- B. Contractor has visited the Site and become familiar with and is satisfied as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.
- C. Contractor is familiar with and is satisfied as to all federal, state, and local Laws and Regulations that may affect cost, progress, and performance of the Work.
- D. Contractor has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or contiguous to the Site and all drawings of physical conditions in or relating to existing surface or subsurface structures at or contiguous to the Site (except Underground Facilities).
- E. Contractor has obtained and carefully studied (or assumes responsibility for doing so) all additional or supplementary examinations, investigations, explorations, tests, studies, and data concerning conditions (surface, subsurface, and Underground Facilities) at or contiguous to the Site which may affect cost, progress, or performance of the Work or which relate to any aspect of the means, methods, techniques, sequences, and procedures of construction to be employed by Contractor, including any specific means, methods, techniques, sequences, and procedures of construction expressly required by the Bidding Documents, and safety precautions and programs incident thereto.
- F. Contractor does not consider that any further examinations, investigations, explorations, tests, studies, or data are necessary for the performance of the Work at the Contract Price, within the Contract Times, and in accordance with the other terms and conditions of the Contract Documents.
- G. Contractor is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Contract Documents.
- H. Contractor has correlated the information known to Contractor, information and observations obtained from visits to the Site, reports and drawings identified in the Contract Documents, and all additional examinations, investigations, explorations, tests, studies, and data with the Contract Documents.
- I. Contractor has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Contractor has discovered in the Contract Documents, and the written resolution thereof by Engineer is acceptable to Contractor.
- J. The Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing of the Work.

ARTICLE 8 – CONTRACT DOCUMENTS

8.01 *Contents*

- A. The Contract Documents consist of the following:
 - 1. This Agreement (pages 1 to 5, inclusive).
 - 2. Performance bond and Payment bond
 - 3. General Conditions
 - 4. Supplementary Conditions
 - 5. Specifications as listed in the Request for Proposals.
 - 6. Drawings consisting of 10 sheets with each sheet bearing the following general title: DPW Modular Administration Building in Appendix E of the Request for Proposals.
 - 7. Exhibits to this Agreement (enumerated as follows):
 - a. Contractor's Bid (Non-Price Proposal and Price Proposal, inclusive).
 - 8. The following which may be delivered or issued on or after the Effective Date of the Agreement and are not attached hereto:
 - a. Notice to Proceed.

- b. Work Change Directives.
- c. Change Order(s).
- B. The documents listed in Paragraph 9.01.A are attached to this Agreement (except as expressly noted otherwise above).
- C. There are no Contract Documents other than those listed above in this Article 9.
- D. The Contract Documents may only be amended, modified, or supplemented as provided in the General Conditions.

ARTICLE 9 – MISCELLANEOUS

9.01 *Terms*

- A. Terms used in this Agreement will have the meanings stated in the General Conditions and the Supplementary Conditions.

9.02 *Assignment of Contract*

- A. No assignment by a party hereto of any rights under or interests in the Contract will be binding on another party hereto without the written consent of the party sought to be bound; and, specifically but without limitation, moneys that may become due and moneys that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents.

9.03 *Successors and Assigns*

- A. Owner and Contractor each binds itself, its partners, successors, assigns, and legal representatives to the other party hereto, its partners, successors, assigns, and legal representatives in respect to all covenants, agreements, and obligations contained in the Contract Documents.

9.04 *Severability*

- A. Any provision or part of the Contract Documents held to be void or unenforceable under any Law or Regulation shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon Owner and Contractor, who agree that the Contract Documents shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.



IN WITNESS WHEREOF, Owner and Contractor have signed this Agreement in four copies. One counterpart each has been delivered to Owner, Contractor, Engineer, and Agency. All portions of the Contract Documents have been signed, initialed, or identified by Owner and Contractor or identified by Engineer on their behalf.

This Agreement is dated 10/25/2017

OWNER:

Board of Selectmen
Town of Ayer
Ayer, Massachusetts

By: _____

Title: Chairman

By: _____

Title: Member

By: _____

Title: Member



CONTRACTOR

By: _____

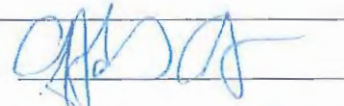
Title: _____

By: _____

Title: _____

By: _____

Title: _____


Clifford S Coit

President

[CORPORATE SEAL]

[CORPORATE SEAL]

Approved: _____

Title: Treasurer

Attest: _____

Title: Clerk

Address for giving notices: _____



Attest: _____

Title: _____

Address for giving notices: _____

Agent for service of process: _____

(If Contractor is a corporation or a partnership, attach evidence of authority to sign.)

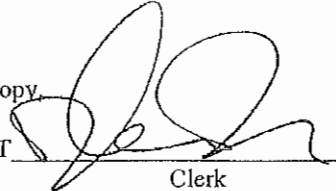
CERTIFICATE OF AUTHORITY TO SIGN

At a duly authorized meeting of the Board of Directors of Triumph Modular Inc.
(Company Name)
held on 8/26/2014, at which all the Directors were present or waived notice, it was voted
(Date)
that Clifford, Cort, President
(Officer Names)
of this Company, be and he/she/they hereby is/are authorized to execute Bidding Document,
Contracts and Bonds in the name and on behalf of said Company, and affix its corporate seal thereto,
and such execution of any contract or obligation in this Company's name on its behalf by such
President under seal of the Company shall be valid and binding upon this Company.
(Officer/Title)

I hereby certify that the above vote has not been amended or rescinded and remains in full effect as of
this date 9/21/17.

A true copy.

ATTEST



Clerk

Glenn Cort - Executive Vice President
(Corporate Seal)

(General Bidders and Sub-Bidders shall complete and submit this Form or a similar Form as proof of Authority to Sign)

Giusti, Hingston and Company

Certified Public Accountants

36 Jackman Street, Unit One

Georgetown, MA 01833

Tel: 978-352-7470 Fax: 978-352-8812

Email: GiustiHingstonCo@aol.com

RECEIVED
SEP 05 2017

TOWN OF AYER
SELECTMEN'S OFFICE

May 16, 2017

Board of Selectmen
Town of Ayer
Town Hall
Ayer, MA 01432

Dear Members of the Board:

In planning and performing our audit of the financial statements of the Town of Ayer, Massachusetts, as of and for the year ended June 30, 2016, in accordance with auditing standards generally accepted in the United States of America, we considered the Town of Ayer's internal control over financial reporting (internal control) as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Town of Ayer's internal control. Accordingly, we do not express an opinion on the effectiveness of the Town of Ayer's internal control.

Our consideration of internal control was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control that might be significant deficiencies or material weaknesses and therefore there can be no assurance that all such deficiencies have been identified.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A material weakness is a deficiency or combination of deficiencies in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis.

We do not consider the following matters to be significant deficiencies or material weaknesses. However, they are matters we want to communicate to you.

Uniform Guidance

In last years management letter we wrote a comment relating to the Uniform Guidance. This year we have added additional information relating to the Uniform Guidance that will help the Town properly implement the required internal control components. The Uniform Guidance relates to the Federal Government changes made relating to the single audit act and federal grants. These changes are extremely important, so we have included them in our management letter for use by the Town.

On December 26, 2013, OMB published its comprehensive overhaul of federal grant administrative, cost accounting, and audit policies in the Federal Register. This final guidance, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance), supersedes and combines the requirements of eight existing OMB Circulars (A-21, A-50, A-87, A-89, A-102, A-110, A-122 and A-133). The Uniform Guidance significantly reformed federal grant making to focus resources on improving performance and outcomes with the intent to reduce administrative burdens for grant applicants and recipients and reduce the risk of waste, fraud, and abuse.

The Uniform Guidance is a substantial document that addresses (among many other topics) cost principles, internal controls, procurement requirements and audit requirements. The Uniform Guidance is effective December 26, 2014. New and incrementally-funded awards issued on or after December 26, 2014 are subject to the Uniform Guidance. Audit Requirements apply to audits of fiscal years beginning on or after December 26, 2014 (i.e. fiscal year 2016).

The procurement rules mandated by the Uniform Guidance are different than the State's requirements under MGL Chapter 30B. For example, Chapter 30B does not require quotes until the \$10,000 threshold is met and Bids/Request for Proposal must be obtained for purchases of \$50,000 or more. There are certain exemptions to the procurement requirements that are detailed in Chapter 30B.

The Uniform Guidance requirements pertain only to purchases made with federal funds. It identifies *Micro Purchases* as purchases of supplies or services using simplified acquisition procedures, the aggregate amount of which does not exceed the micro-purchase threshold (currently \$3,500 and periodically adjusted for inflation). Micro purchases may be made by using sound business practices. The next threshold is the *Simplified Acquisition Threshold*, which means the dollar amount below which a non-Federal entity may purchase property or services using small purchase methods. When the small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources. Currently, the simplified acquisition threshold is \$150,000, but this threshold is periodically adjusted for inflation. Purchases in excess of the Simplified Acquisition Threshold must be by sealed bids with formal advertising. The Uniform Guidance has specific language regarding what must be considered in the sealed bid process.

When the State and Federal requirements differ, the more stringent requirement must be followed for purchases made with federal funds.

The Uniform Guidance requires that the internal control policies and procedures must be in writing. Topics that must be addressed in the internal control procedures document relating to procurement include the following:

- Must maintain oversight to ensure contractors perform within the terms, conditions and specifications of the contracts or purchase orders.
- Must maintain written standards of conduct covering conflict of interest with respect to employees engaged in the selection, award and administration of contracts.
- Must maintain written standards of conduct covering organizational conflict of interest.
- Must avoid acquisition of unnecessary or duplicative items.

The Federal government did provide a grace period of two fiscal years after the effective date for non-Federal entities to comply with the procurement standards in the Uniform Guidance provided that the entity documents its intent to utilize the grace period. As a result, the Uniform Guidance procurement rules will be in effect for the Town in fiscal year 2018.

In addition, to other provisions required by the federal grantor, all contracts made by the Town under federal awards must have specific language as addressed in the Uniform Guidance in Appendix II to Part 200 – Contract Provisions for Non-Federal Entity Contracts Under Federal Awards.

We recommend that the Town review the procurement rules in the Uniform Guidance. Since the Uniform Guidance is constantly updated as federal requirements change, the following link should be utilized to ensure the Town has the most current version: http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl.

Since the Uniform Guidance is an extremely long document, the U. S. Department of Education has made available a document entitled: *Key Sections of Uniform Guidance Related to Procurement*. It can be obtained at the following link: <https://www2.ed.gov/policy/fund/guid/uniform-guidance/procurement.html>.

New Form I-9

On November 14, 2016 the United States Citizenship and Immigration Services (USCIS) released a revised version of the I-9 **Form**, Employment Eligibility Verification. Employers may continue using the current I-9 Form (with a revision date of 03/08/2013) through January 21, 2017. By January 22, 2017, employers must use the revised form (revision date 11/14/2016). Employers **are not** required to utilize the new I-9 Form for employees who have previously submitted an I-9 Form.

The revised I-9 Form modified certain questions and is easier to complete on a computer. Enhancements include drop-down lists and calendars for filling in dates, on-screen instructions for each field, easy access to the full instructions and an option to clear the form and start over.

Employers should continue to follow existing storage and retention rules for all of their previously completed I-9 Forms.

Management Response to the New Form I-9 from the Benefits and Payroll Manager

The most recent revision of the United States Citizenship and Immigration Services (USCIS) Form I-9 is currently being used for all new hires.

Cash Reconciliation

April 30, 2016 Review

During the past fifteen month period, we have performed various cash reconciliation review or assistance work three separate times. The first cash review work took place because of a turnover of personnel in the Town Treasurer's position (resulting from the annual Town election), where we performed a review of the Town's cash reconciliation procedures, as of April 30, 2016. We performed these procedures to determine if cash was properly reconciled by the Treasurer's office and to verify that the related records of the Treasurer agree to the Town Accountants general ledger balances. During this review, we looked at the bank reconciliations prepared by the Treasurer's office. We verified reconciling items (i.e. outstanding checks, deposits in transit, etc.) to the subsequent month's bank statements. We obtained confirmation notices directly from the Town's depositories and investment accounts and verified them to the bank statements utilized in the reconciliations. We also compared the Treasurer's reconciled cash account balances to the Town Accountants general ledger cash account balances. During our review of the April 30, 2016 cash reconciliations, we also looked back at the June 30, 2015 cash reconciliations and analyzed all related reconciliation matters. During our review, we found that the bank account balances were properly reconciled from the Treasurer's records to the actual bank statements and the Treasurer's cash was properly reconciled to the Town Accountants general ledger cash balances.

During our review of the cash reconciliation procedures followed in the Treasurer's office, we met with the Town Accountant, Treasurer and Assistant Treasurer to discuss and review all of the cash reconciliation work. Because of the large volume of work that must be performed by the Treasurer, we asked the Assistant Treasurer if he could take on the responsibility of recording the cash receipts, disbursements, transfers and other required transactions in the Treasurer's cashbook. The Treasurer's cashbook is an extremely important part of the cash reconciliation process used to reconcile from the Treasurer's bank account balances to the Town Accountants general ledger cash balances. We recommend that the

Assistant Treasurer work closely with the Treasurer and Town Accountant in performing this very important part of the cash reconciliation process.

Fiscal Year 2016 Review Done in February 2017

As a follow up to the cash review work we did relating to April 30, 2016 (noted above), we also did additional cash review work during February of 2017 (as part of our fiscal year 2016 audit). This work involved reviewing the various cash reconciliation procedures relating to cash receipts, cash turnovers, deposits and, related matters.

During our review we found that back up documentation relating to turnovers was in agreement with the turnover sheets and actual deposits. However, during our review, we found instances where the cash collections were not turned over in a timely manner. For example, the Town Clerk's collections from December 2015 through February 2016, were not turned over to the Treasurer until May 27, 2016. We, also, found instances where turnovers to the Treasurer were not deposited to the bank in a timely manner. For example, a Town Clerk cash turnover, of nearly \$1,000, was turned over to the Treasurer on June 9, 2016 but not deposited until December 2, 2016, which is nearly six months after collection. In addition, we found instances where the monthly Treasurer's receipts were not reported to the Town Accountant in a timely manner. For example, the September 2016 Treasurer's receipts were not reported to the Town Accountant until March of 2017.

It is extremely important to be certain that all departmental receipts are turned over to the Treasurer in a timely manner and all turnovers to the Treasurer should be deposited into the bank in a timely manner. Also, it is very important that the Treasurer be sure to report the monthly Treasurer's receipts to the Town Accountant in a timely manner every month.

In order to improve accounting control over receipts and to create a better audit trail, we recommend the use of pre-numbered receipts or pre-numbered certificates. For example, marriage licenses are not currently pre-numbered. Whenever possible, when new certificates are ordered, we recommend that they be pre-numbered. Another area that can make the Town Clerk's receipts process more efficient, relates to how receipts are recorded twice. Currently a notebook is used to enter receipts and then this information is entered into excel. We recommend that the notebook be eliminated and receipts be entered directly into excel to eliminate the duplication and to make the process more efficient.

May 2017 Review

We, also, performed a review and provided assistance relating to the cash reconciliation process during May of 2017. During this review, we found that there were a significant number of cash reconciliation items that were listed on the monthly cash reconciliation spreadsheets. These reconciling items relate to a number of different matters. Examples of some of the cash reconciliation items include amounts that have been recorded in the Town Accountant's general ledger balance in one month that have been recorded in the Treasurer's records in a different month. For example, there are certain void checks that been recorded in the Town Accountant's general ledger that were not recorded in the Treasurer's cashbook. Another example includes an electronic transfer of payroll taxes recorded in one month by the Town Accountant and in another month by the Treasurer. Another example includes certain receipts recorded in one month by the Town Accountant and recorded in another month in the Treasurer's cashbook.

Most of these reconciling items relate to matters that the Treasurer must either adjust on her records or report to the Town Accountant and most of the differences were not timing differences, but, rather incorrect/omitted transactions in the Treasurer's cash book, such as the Treasurer not recording bounced checks, void checks, etc. During our current review and assistance relating to these items, we will give specific instructions on what steps need to be taken to clear up the reconciling items. In order to make the

entire cash reconciliation process more efficient, it is very important that all of these reconciling matters be reviewed and taken care of in a timely manner every month. Also, it is extremely important to be sure all departmental receipts are turned over and deposited in a timely manner and the monthly Treasurer's receipts should be turned over to the Town Accountant in a timely manner every month.

Petty Cash

During our review of the cash, there was also a question raised relating to proper petty cash procedures. We want to clarify that any personnel who handle petty cash should be aware that Massachusetts General Laws and Department of Revenue policies and procedures have very strict rules stating that petty cash can never be used, in anyway, for personal purposes.

Management Response to the Cashbook Issue from the Town Administrator

The Assistant Treasurer (Benefits and Payroll Manager) will be assigned the sole responsibility for the cashbook effective August 1, 2017. The Assistant Treasurer will have full access to all accounts related to the cashbook and will be responsible for the recording of the cash receipts, disbursements, transfers and other required transactions in the Treasurer's cashbook. The Town's internal Finance Team comprised of the Town Administrator, Town Accountant/Finance Manager, Treasurer, and Assistant Treasurer (Benefits and Payroll Manager) will meet on a monthly basis regarding the cashbook. The current month of the cashbook shall be closed by the end of the following month (i.e. June will be closed by the last day in July, etc.). Any voided and/or return checks shall be reported by the Assistant Treasurer to the Town Accountant in written memo with the appropriate department(s) copied. The Town will also be developing a written turnover policy for all Town personnel to insure timely and consistent turnovers. Additionally, the internal Finance Team will conduct a significant review of the status of the cashbook at three (3) month and six (6) month intervals from August 1, 2017 (October 1, 2017 and January 1, 2018 respectively).

Implementation of New GASB Pronouncements

During fiscal year 2016, the following GASB pronouncements were implemented:

- The GASB issued Statement No. 72 *Fair Value Measurement and Application*. The standard created a hierarchy of the valuation methods used in determining the fair value of investments. The implementation of this pronouncement required new disclosures related to the Town's investments.
- The GASB issued Statement No. 76 *The Hierarchy of Generally Accepted Accounting Principles for State and Local Governments*. The implementation of this pronouncement did not impact the financial statements.
- The GASB issued Statement No 79, *Certain External Investment Pools and Pool Participants*. The implementation of this pronouncement did not impact the financial statements.

The following GASB pronouncements will be implemented in future fiscal years:

- The GASB issued Statement No. 73, *Accounting and Financial Reporting for Pensions and Related Assets That Are Not within the Scope of GASB Statement 68, and Amendments to Certain Provisions of GASB Statements 67 and 68*, which is required to be implemented in fiscal year 2017.
- The GASB issued Statement No. 74, *Financial Reporting for Postemployment Benefit Plans Other Than Pension Plans*, which is required to be implemented in fiscal year 2017.
- The GASB issued Statement No. 75, *Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions*, which is required to be implemented in fiscal year 2018.

- The GASB issued Statement No. 77, Tax Abatement Disclosures, which is required to be implemented in fiscal year 2017.
- The GASB issued Statement No. 78, Pensions Provided through Certain Multiple-Employer Defined Benefit Pension Plans which is required to be implemented in fiscal year 2017.
- The GASB issued Statement No 80, Blending Requirements for Certain Component Units—an amendment of GASB Statement No. 14 which is required to be implemented in fiscal year 2017.
- The GASB issued Statement No 81, Irrevocable Split-Interest Agreements, which is required to be implemented in fiscal year 2018.
- The GASB issued Statement No 82, Pension Issues—an amendment of GASB Statements No. 67, No. 68, and No. 73 which is required to be implemented in fiscal year 2018.

Management is currently assessing the impact that the implementation of these pronouncements will have on the basic financial statements. Management's current assessment is that GASB Statements #74 & #75 will have a significant impact on the Town's basic financial statements by recognizing the entire actuarially accrued liability and expense, related to the Town's Other Post-Employment Benefits.

Payroll Procedures Relating to the Ayer Public Library

As noted in our prior two management letters, the Town has hired a new Benefits and Payroll Manager to oversee the Town's entire payroll and benefits area. During our review of the Town's procedures, relating to these matters, we found that the new Manager has done a very good job reviewing the internal controls and related procedures and is working on ideas on how to make the entire process even better.

During our review of the payroll procedures being followed by the Town's Library Department, we found that the Library Director does a good job keeping track of payroll information, however, it has come to our attention that the payroll forms being submitted to the Town Accountant (from the Library Department), do not include a breakdown of sick, vacation or holiday time.

During our review of the Library payroll procedures, we noted that the personnel policies, which are approved by the Board of Trustees, include holidays, sick leave, family leave, personal-days, and vacation policies. The Director of the Ayer Library, marks the use of those on a monthly calendar. She also has a spreadsheet to keep track of the use of vacation time of each employee, beginning with the total vacation time an employee is allowed for the fiscal year. Unused vacation time from the prior year is not carried into the current year. The Director said that she told employees about how many unused vacation days she/he still had toward the end of the fiscal year. Per the personnel policies, an employee is only entitled to be paid for the number of vacation days she/he has remaining in the current fiscal year when the employment is terminated with the Library. Also, by the policies, an employee may take up to six weeks of accrued sick leave upon departure or retirement. The Director, also, keeps a running tally of built up sick hours in a document called "Compensated Absences" that is sent to the Town Accountant at the beginning of each new fiscal year. The Town Accountant keeps copies of this document.

There is a bi-weekly time sheet with every Library employee's name on it on the wall. The Director records the hours that each employee worked each day on the time sheet. The use of vacation time, sick time, and personal time are also recorded on the time sheet. The Director reports all hours as "regular hours," regardless of the paid time off recorded on her records, to the Payroll Office in the Town Hall. The Director keeps all the bi-weekly time sheets of a fiscal year with the copies of the calendar, marked with employees' vacation, sick, and personal time, in a binder. The personnel policies are kept up to date.

We recommend that the Ayer Public Library report sick, vacation and holiday time to the Town Accountant when the other payroll information is being reported. Reporting this additional payroll information, in the same way that all of the other Town departments report it, will increase Internal Account Control, relating to this important employee payroll information.

Contract Approval Process

During our audit we became aware of a matter relating to the DPW contract approval process, where a change order totaling \$78,200 (which is included in a vendor invoice dated December 21, 2016, for the application period September 10, 2016), was not presented to the Board of Selectmen for approval until approximately 6 months after the date of the change order. We recommend that steps be taken to ensure that approval of any DPW project change orders be submitted in a timely manner in the future.

* * * * *

The Town of Ayer, Massachusetts' written responses to the issues identified in our audit has not been subjected to the audit procedures applied in the audit of the financial statements and, accordingly, we express not opinion on it.

This communication is intended solely for the information and use of management, and those charged with governance and others within the organization, and is not intended to be and should not be used by anyone other than those specified parties.

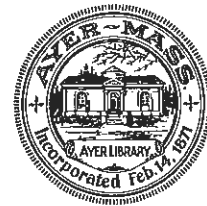
After you have had an opportunity to consider our comments and recommendations, we shall be pleased to discuss them further with you. We would like to thank you for the cooperation and courtesy extended to us during the course of the engagement.

Sincerely,

Giusti, Hingston and Company

Giusti, Hingston and Company
Certified Public Accountants

Office of the Ayer Board of Selectmen
Office of the Ayer Town Administrator



Town of Ayer | Ayer Town Hall | 1 Main Street | Ayer, MA 01432 | 978-772-8220 | Fax 978-772-3017 | www.ayer.ma.us

MEMORANDUM

DATE: November 3, 2017

TO: Ayer Board of Selectmen

FROM: Robert A. Pontbriand
Town Administrator

SUBJECT: Town Administrator's Report for the November 7, 2017 Ayer BOS Meeting

Dear Honorable Selectmen,

I am pleased to transmit to you the following Town Administrator's Report for the November 7, 2017 BOS Meeting. If you have any questions prior the meeting, please do not hesitate to contact me directly. Thank you.

Administrative Update:

- I will offer a brief Administrative Update at the BOS Meeting regarding the various activities, projects, and updates of the Administration since the last BOS Meeting on October 17, 2017.

Warrant Signing Authority Delegation:

- I am respectfully requesting that the BOS consider and authorize a Selectman to sign the Town's Payroll and Town's Accounts Payables Warrants in accordance with the Massachusetts Modernization Act.

Thank you.

Town of Ayer
Board of Selectmen



Special Joint BOS Meeting with Shirley BOS
Shirley Town Hall – 7 Keady Way, Shirley, MA

Wednesday, October 11, 2017
Open Session Meeting Minutes

Ayer BOS Attendance: Christopher R. Hillman, Chair; Jannice L. Livingston, Vice Chair; Gary J. Luca, Clerk

Shirley BOS Attendance: Holly Haase, Chair; Enrico Cappucci

Also in Attendance: Robert Pontbriand, Ayer Town Administrator; Patrice Garvin, Shirley Town Administrator; Ayer Fire Chief Robert Pedrazzi; Ayer Police Lt. Brian Gill; Ayer Finance Director Lisa Gabree; Shirley Fire Chief Dennis Levesque; Shirley Police Chief Samuel Santiago; Mr. Frank Pozniak, Executive Director of State 911; Ms. Monna Wallace, State 911

Call to Order: The Ayer Board of Selectmen were called to order at 7pm. The Shirley Board of Selectmen were called to order at 7pm. The meeting was held in the First Floor Meeting Room of the Shirley Town Hall located at 7 Keady Way, Shirley, MA.

The Board of Selectmen met to discuss the proposed concept of creating a regional dispatch center for the two Town's to be located and operated out of the Ayer Police Station.

P. Garvin provided an overview of the Shirley situation in which due to funding constraints the Town cannot afford to update its necessary dispatch capital equipment for which the cost is \$125,000 nor can it continue to fund dispatcher shifts. It has become a public safety issue.

R. Pontbriand provided an overview of Ayer's position on the matter, that the Town of Ayer has a state-of-the-art dispatch center that could accommodate Shirley. The issues to be resolved are: for both Town's BOS to agree to the concept; both Town's to negotiate a formal memorandum of agreement; and to implement the regional dispatch. The key concern for the Town of Ayer is that Shirley's assessment cover their costs.

F. Pozniak from the State informed the meeting that there is a competitive state grant available to meet Shirley's \$125,000 in capital equipment needs. However in order to apply for the grant, a signed, memorandum of agreement between the two Town's creating the regional dispatch needs to be in place.

Shirley Fire Chief stated that the Town cannot continue to fill dispatch shifts because of costs. The Devens Regional Dispatch Center would not take us. We work will with Ayer and we cannot continue in this way as it is a public safety issue.

Shirley Police Chief stated that we cannot sustain dispatch and we work well with Ayer and this is the logical decision to resolve the issue.

Ayer Fire Chief stated that both Town's work well together and this makes sense as long as the assessment is acceptable for covering costs and all of the radios and equipment on the Shirley side are tested and interface with Ayer's equipment.

H. Haase stated that Shirley needs to move forward and start the process.

J. Livingston asked if Shirley is willing to commit to the process and move forward tonight?

E. Cappucci stated that he would like to see the numbers first but that we need to move forward.

C. Hillman stated that this is a serious public safety issue not only for Shirley but for Ayer and we need to resolve this sooner rather than later.

G. Luca concurred with C. Hillman.

The two Boards of Selectmen agreed to move forward with the concept of a regional dispatch.

MOTION: A motion was made by G. Luca and seconded by R. Capucci to authorize both Town Administrator's to prepare a DRAFT Intermunicipal Agreement for the creation of a regional dispatch for the Town's of Ayer and Shirley for review and consideration by both Boards of Selectmen. The Motion passed 5-0 with the three Selectmen from Ayer in the affirmative and the two Selectmen from Shirley in the affirmative.

MOTION: A motion was made by C. Hillman and seconded by H. Haas to adjourn the joint BOS meeting. Motion passed 5-0.

Meeting adjourned at 8pm.

Minutes for the Ayer BOS recorded and submitted by: Robert A. Pontbriand, Town Administrator

Date Minutes Approved by BOS:

Signature Indicating Approval:

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



Broadcast and Recorded by APAC

Tuesday October 17, 2017
Open Session Meeting Minutes

Present: Christopher R. Hillman, Chair; Gary J. Luca, Clerk
Robert A. Pontbriand, Town Administrator
Carly M. Antonellis, Assistant to the Town Administrator

Not Present: Jannice L. Livingston, Vice – Chair

Call to Order: C. Hillman 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:

Motion: A motion was made by G. Luca and seconded by C. Hillman to approve the agenda. **Motion passed 2-0.**

Announcements: C. Hillman announced the following:

- J. Livingston would not be in attendance because of a work commitment.
- The Ayer Special Fall Town Meeting will take place on Monday October 23, 2017 at 7:00 PM at the Ayer Shirley Regional High School.
- Ayer Shirley Regional High School and the Town of Ayer are pleased to announce that High School Journalism students will be covering Ayer Board of Selectmen meetings.

Public Input: None

Review of Warrants: G. Luca stated that he signed the following warrants on behalf of the BOS:

- 2017-10-03 Accounts Payable 18-06 \$1,352,463.39
- 2017-10-11 Payroll 18-07 \$316,808.07

Ms. Alicia Hersey, Program Manager, Community and Ec. Development - AHR Subordination

Request/49 Main Street. A. Hersey explained that this subordination request had been previously approved by the BOS and she was submitting a new version with two small changes, as to form.

Motion: A motion was made by G. Luca and seconded by C. Hillman to approve the amended subordination agreement. **Motion approved 2-0.**

Nasoya Odor Issue Update: R. Pontbriand introduced Ms. Mary Jude Pigsley, Regional Director of the Massachusetts Dept. of Environmental Protection. Ms. Pigsley detailed DEP's involvement with Nasoya,

over the past 10 plus years, including a series of violations and Administrative Consent Orders. Ms. Pigsley said that though Nasoya has been responsive to the DEP, they continue to have odor problems. Nasoya will be adding an additional air scrubber in an attempt to alleviate the ongoing odor issues. The DEP and Nasoya have been discussing a new consent order which will include 3rd party response protocol to verify odors when they are reported. Ms. Pigsley also reported that training and retraining of company personnel seems to be an ongoing theme which Nasoya needs to make a top priority. The consent order will also include a training program component.

C. Hillman again expressed his concern with the ongoing odor problem and stated it wasn't a "20 minute thing" and sometimes it lasted for hours or even days.

Mr. Don Osmer, 1 Mulberry Circle asked why the DEP doesn't shut the company down.

Ms. Pigsley stated that DEP could issue an order to shut down, but that it is appealable. The company can still operate during the appeal process.

G. Luca stated that his expectation is that the 3rd party response protocol is included in the upcoming administrative consent order.

Mr. Don Osmer asked why the Town couldn't fine under MGL c.21a sec. 16. Ms. Pigsley stated that the law he was referencing allowed Town's to adopt regulations in order to fine.

Mr. Alan Peterson, 4 Mulberry Circle, stated that several years ago he went to the Nasoya plant and he saw an employee dumping white liquid into the storm water system. He stated that he reported the violation to DEP and it went unanswered.

Ms. Pigsley stated that she has sensed a high level of cooperation from Nasoya and she is encouraged that they are at least acknowledging the odor issue, which isn't always the case.

Mr. John Kilcommins, 16 Mulberry Circle asked if either Nasoya or Vitasoy were awarded any TIF's in the past. R. Pontbriand stated no.

R. Pontbriand stated that he and Counsel have gone over all local options and he would like to discuss in Executive Session under Exemption #3.

State Representative Jennifer E. Benson stated that she is looking for a quick resolution and appreciated DEP's attendance, as well as the neighbors reporting the odor issues and that her office would be monitoring the situation as it progresses.

Mr. Don Osmer, 1 Mulberry Circle stated that he was seriously disappointed and that nothing ever happens to the company and they are allowed to continue to make money. He thinks that the company should be shut down.

Mr. Daniel Jung from Nasoya stated that the company is committed to fixing the issue.

Nasoya's Engineer Steve Piper stated that after exhaustive research they have determined that the height of the exhaust stacks are not the issue.

C. Hillman asked if the company had any alarms that notify them of the odor. Mr. Elvin Moquette from Nasoya stated that yes they did have internal alarms but they never correlate to the reported odor issues.

Town Administrator's Report: C. Antonellis gave the Town Administrator's report because R. Pontbriand had bronchitis and lost his voice.

Appointments – C. Antonellis stated that per recommendation of the Historic Commission, she is recommending that Ms. Casey Campetti be appointed to the Historic Commission to an unexpired three year term to expire on June 30, 2018.

Motion: A motion was made by G. Luca and seconded by C. Hillman to appoint Ms. Casey Campetti to an unexpired three year term on the Historic Commission to expire on June 30, 2018. **Motion passed 3-0.**

Declaration of Planning Board Vacancy – C. Antonellis stated that R. Pontbriand had received notification from Town Planner Mark Archambault that the Planning Board voted on October 5, 2017 to declare a vacancy on the Planning Board due to the resignation of Planning Board Member Jenn Gibbons. Pursuant G.L., c.44, sec. 11, the BOS should vote to declare a vacancy and initiate the joint appointment process.

Motion: A motion was made by G. Luca and seconded by C. Hillman to declare a Joint Meeting of the Ayer BOS and Ayer Planning Board for Tuesday, November 7, 2017 at 7pm (as part of the BOS meeting) for the purposes of making a joint appointment to fill the vacancy on the Planning Board until the Spring Election. **Motion passed 2-0.**

Request for Special Town Meeting for Zoning Bylaw Update – C. Antonellis stated that as previously discussed at the 10/3/17 BOS Meeting, it is recommended that the update to the Zoning Bylaw should be taken up at its own Special Town Meeting to be held on Monday March 19, 2018 at the Ayer Shirley Regional High School. This will allow for public outreach and education on the Zoning Bylaw update.

Motion: A motion was made by G. Luca and seconded by C. Hillman to call a Special Town Meeting on Monday March 19, 2017 for the Zoning Bylaw update. **Motion passed 2-0.**

New Business/Selectmen's Questions:

Approval of Meeting Minutes:

Motion: A motion was made by G. Luca and seconded by C. Hillman to approve the meeting minutes of October 3, 2017. **Motion passed 2-0.**

Adjournment:

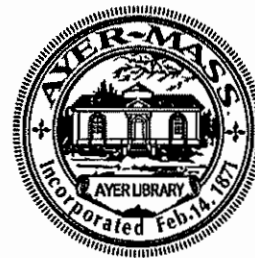
Motion: A motion was made by G. Luca and seconded by C. Hillman to adjourn at 9:05 PM. **Motion passed 2-0.**

Minutes Recorded and Submitted by Carly M. Antonellis

Date Minutes Approved by BOS:

Signature Indicating Approval:

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



Monday October 23, 2017
Open Session Meeting Minutes
Special BOS Meeting for the Purposes of Calling a Special Election

Attendance: Christopher R. Hillman, Chair; Jannice L. Livingston, Vice Chair; Gary J. Luca, Clerk

Also in Attendance: Robert A. Pontbriand, Town Administrator; Carly M. Antonellis, Assistant to the Town Administrator; Susan E. Copeland, Town Clerk/Tax Collector/Treasurer

Call to Order: The meeting was called to order at 6:55pm in open session in the Auditorium of the Ayer Shirley Regional High School located at 141 Washington Street, Ayer, MA.

MOTION: A motion was made by J. Livingston and seconded by G. Luca to recess the meeting until the conclusion of the Special Fall Town Meeting. Motion passed 3-0.

The Board of Selectmen recessed the meeting.

10:00pm: With the conclusion of the Special Fall Town Meeting, the Ayer Board of Selectmen reconvened their meeting in open session for the purposes of calling a special election as a result of the passage of Articles 13 and 14 by Town Meeting seeking to set the number of retail marijuana licenses to one (1).

S. Copeland recommended the date of Tuesday, November 28, 2017 for the Special Election.

MOTION: A motion was made by J. Livingston and seconded by G. Luca to call a Special Election for Tuesday, November 28, 2017 from 7am to 8pm at the Ayer Town Hall for the purposes of voting on setting the retail marijuana licenses to one (1) with the passage of Articles 13 and 14 by Town Meeting. Motion passed 3-0.

MOTION: A motion was made by G. Luca and seconded by J. Livingston to adjourn the meeting. Motion passed 3-0.

The meeting adjourned at 10:05pm.

Minutes recorded and submitted by Robert A. Pontbriand, Town Administrator

Date Minutes Approved by BOS:

Signature Indicating Approval:

Town of Ayer
Board of Selectmen
Ayer Town Hall
1 Main Street
Ayer, MA 01432



Tuesday October 24, 2017
Open Session Meeting Minutes

Attendance: Christopher R. Hillman, Chair; Jannice L. Livingston Vice-Chair

Absent: Gary J. Luca, Clerk

Also in Attendance: Robert A. Pontbriand, Town Administrator; Fire Chief Robert Pedrazzi; Kevin A. Johnston, Benefits and Payroll Manager; Susan Copeland, Town Clerk; Cindy Knox, I.T. Director

Call to Order: The meeting was called to order at 5:30pm in the First Floor Meeting Room of the Ayer Town Hall by C. Hillman.

MOTION: A motion was made by J. Livingston and seconded by C. Hillman to approve the meeting agenda. Motion passed 2-0.

Appointment of Facilities Director:

R. Pontbriand introduced Mr. Charles R. Shultz, Jr. to the Board and recommended him for appointment as the Town's Facilities Director. R. Pontbriand explained that there were 21 applicants for the position; a screening committee consisting of the Town Administrator, Fire Chief, Police Chief, and Assistant to the Town Administrator interviewed four of the twenty-one candidates. The committee recommended Mr. Shultz based on his resume and credentials; his interview; and his professional references. Mr. Shultz brings nine years of facility maintenance engineering experience to the position coupled with excellent technical skills as well as maintenance budget and capital budget experience from the private sector.

C. Shultz addressed the Board and expressed his appreciation for the opportunity and that he is looking forward to getting started. He discussed his technical background and technical certifications and that he will make the maintenance of all facilities under his direction a priority. Additionally he looks forward to bringing some new ideas and capital improvement projects to the position.

Chief Pedrazzi stated that C. Shultz resume got him the interview and he interviewed very well and is a local Ayer resident with a positive, honest, and hardworking ethic.

R. Pontbriand explained that the starting salary would be Grade 12, Step 1 at \$65,730 and that the official start date would be November 7, 2017.

C. Hillman stated that he welcomed C. Shultz and looks forward to working with him.

J. Livingston stated that she too welcomed C. Shultz to the Town and looks forward to working with him and his fresh and new approach to the Facilities Department.

MOTION: C. Hillman made a motion which was seconded by J. Livingston to appoint Mr. Charles R. Shultz, Jr. to the position of Facilities Director at a Grade 12, Step 1 effective November 7, 2017. Motion passed 2-0.

C. Shultz thanked the Board for the opportunity.

MOTION: A motion was made by J. Livingston and seconded by C. Hillman to adjourn the meeting. Motion passed 2-0.

The meeting adjourned at 5:45pm.

Minutes Recorded by: R. Pontbriand, Town Administrator

Date Minutes Approved by BOS:

Signature Indicating Approval:

DRAFT

VOTE OF THE BOARD OF SELECTMEN

I, the Clerk of the Board of Selectmen of the Town of Ayer, Massachusetts (the "Town"), certify that at a meeting of the board held November 7, 2017, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: that the maximum useful life of the departmental equipment listed below to be financed with the proceeds of the borrowings authorized by the votes of the Town identified is hereby determined pursuant to G.L. c.44, §7(1) to be as follows:

<u>Authorization</u>	<u>Purpose</u>	<u>Borrowing Amount</u>	<u>Maximum Useful Life</u>
May 9, 2016 (Article 20)	Fire Dept. Ladder Truck #1	\$248,000	10 years
October 24, 2016 (Article 5)	Police Dept. radio coverage improvements	\$222,000	10 years

Further Voted: that the sale of the \$3,420,000 General Obligation Municipal Purpose Loan of 2017 Bonds of the Town dated November 17, 2017 (the "Bonds"), to UBS Financial Services Inc. at the price of \$3,666,294.35 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on November 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2018	\$490,000	4.00%	2028	\$100,000	2.00%
2019	410,000	4.00	2029	95,000	2.25
2020	395,000	4.00	2030	90,000	3.00
2021	365,000	4.00	2031	65,000	3.00
2022	220,000	4.00	2032	65,000	3.00
2023	195,000	4.00	2033	60,000	3.00
2024	185,000	4.00	2034	60,000	3.00
2025	185,000	4.00	2035	60,000	3.00
2026	150,000	4.00	2036	55,000	3.00
2027	125,000	4.00	2037	50,000	3.00

Further Voted: to approve the sale of a \$1,245,351 1.30 percent General Obligation Bond Anticipation Note of the Town dated November 17, 2017, and payable March 30, 2018 (the "Note"), to Eastern Bank at par and accrued interest, if any, plus a premium of \$119.62.

Further Voted: that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated October 24, 2017 and a final Official Statement dated November 1, 2017 (the "Official Statement"), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated October 24, 2017 and a final Official Statement dated November 1, 2017, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

Further Voted: that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver continuing and Significant events disclosure undertakings in compliance with SEC Rule 15c2-12 in such forms as may be approved by bond counsel to the Town, which undertakings shall be incorporated by reference in the Bonds and Notes, as applicable, for the benefit of the holders of the Bonds and Notes from time to time.

Further Voted: that we authorize and direct the Treasurer to establish post issuance federal tax compliance procedures in such form as the Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Bonds and Notes

Further Voted: that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth

in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Bonds or the Notes were taken in executive session, all in accordance with G.L. c.30A, §§18-25, as amended.

Dated: November 7, 2017

Clerk of the Board of Selectmen

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