

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



**Tuesday February 7, 2017**  
**Open Session 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**
- Public Hearing – Pole Petition – National Grid (#22508879) – Pheasant Circle**
- 7:10 PM**                    **Public Hearing – Application for Transfer of \$12 All Alcohol License**  
1. 9 Main Street (Transfer to 9 Main Ayer, Inc. from New England Flatbread & Ale Company, Inc.)
- 7:15 PM**                    **Ms. Alicia Hersey, Program Mgr., Office of Community Development**  
1. Lien Subordination Request Case #04-285E & 05-285
- 7:20 PM**                    **Chief William A. Murray, Ayer Police Department**  
1. Appointment of Part Time Dispatcher
- 7:30 PM**                    **Presentation by MART - Ayer Commuter Rail Parking Project Update**
- 8:00 PM**                    **Town Administrator's Report**  
1. Administrative Update  
2. Appointments  
3. Opening of Annual Town Meeting Warrant  
4. Reclassification of DPW Business Manager  
5. One Day Beer and Wine License – Saint Mary's Parish  
6. Seasonal Population Estimate for Alcohol Beverages Control Commission
- 8:15 PM**                    **New Business/Selectmen's Questions**  
1. Snow Removal Bylaw/Sidewalk Shoveling (Selectman Luca)  
2. Abandoned Building Bylaw (Selectman Hillman)
- 8:30 PM**                    **Approval of Meeting Minutes**  
January 17, 2017
- Adjournment**

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

2/7/17  
7:25pm

**nationalgrid**

RECEIVED  
JAN 17 2017  
TOWN OF AYER  
SELECTMEN'S OFFICE

January 12, 2017

Town of Ayer

To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID covering the installation of underground facilities.

If you have any questions regarding this permit please contact:

Cheryl Flis 781-907-3512

If this petition meets with your approval, please return an executed copy to:

National Grid Contact: Vincent LoGuidice; 1101 Turnpike Street; North Andover, MA 01845

Very truly yours,



Patrick Cody  
Supervisor, Distribution Design

Enclosures

**Notification to Abutters**

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

The Ayer Board of Selectmen will be conducting a Public Hearing on Tuesday February 7, 2017 at 7:05 PM at the Ayer Town Hall, 1<sup>st</sup> Floor Meeting Room, 1 Main Street, Ayer, MA 01432 regarding the application by National Grid (#22508879) to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures, under and across the public way or ways hereinafter named:

Wherefore it prays that after due notice and hearing as provided by law, it be granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as it may find necessary for the transmission of electricity, said underground conduits to be located substantially in accordance with the plan filed herewith marked - Pheasant Circle - Ayer - Massachusetts.

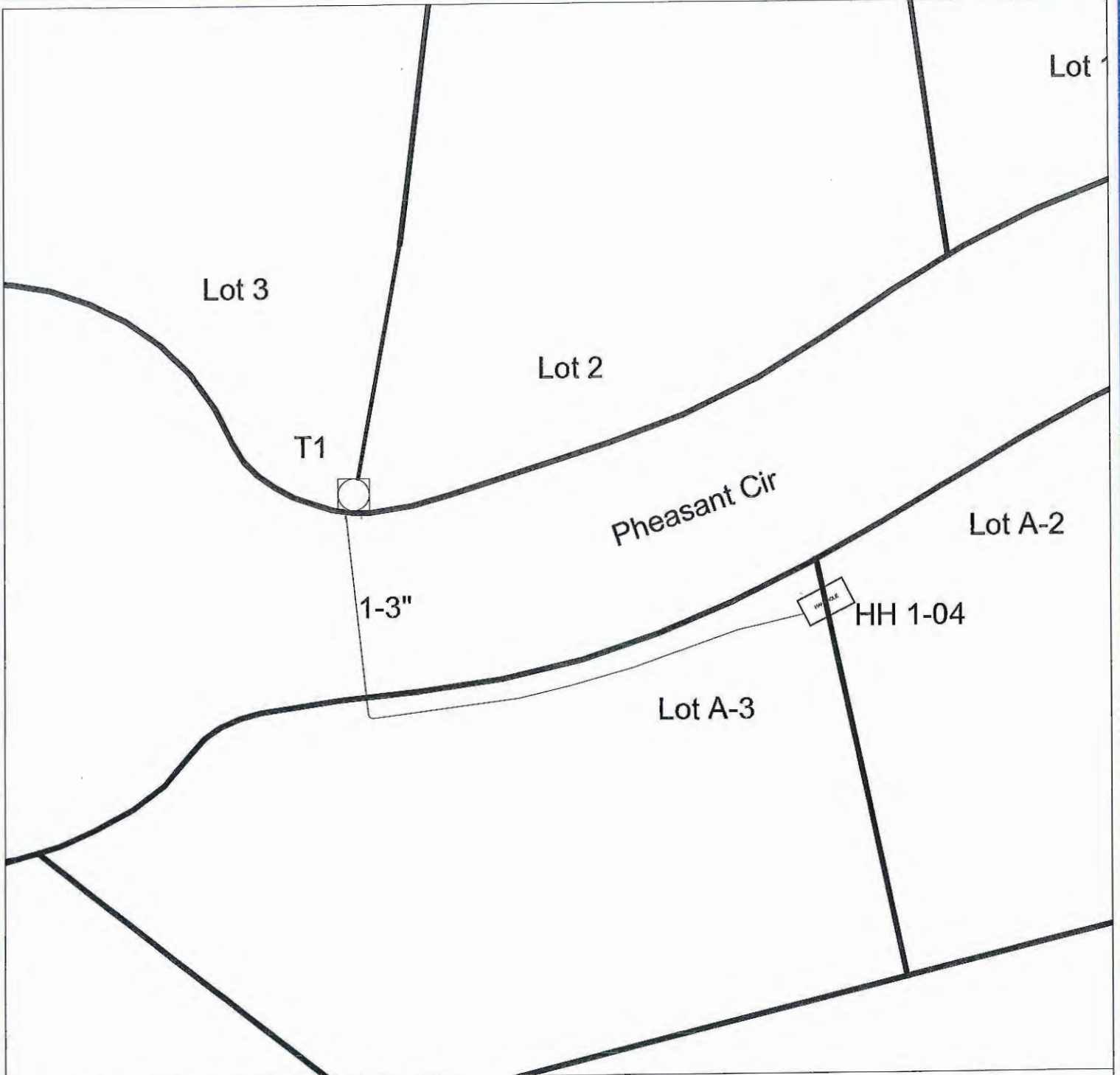
The following are the streets and highways referred to: **Plan number # 22508879**

Pheasant Circle - National Grid beginning at a point approximately 380 feet west of the centerline of the intersection of Groton School Road and continuing approximately 40 feet in a south direction. National Grid to install conduit from existing transformer across street for customer service(s); will be only a street crossing in the public way.

Location approximately as shown on plan attached (reverse side).

<b>Name of Applicant:</b>	National Grid (#22508879)
<b>Date of Public Hearing:</b>	Tuesday February 7, 2017
<b>Time of Public Hearing:</b>	7:05 PM
<b>Location of Public Hearing:</b>	1 <sup>st</sup> Floor Meeting Room, Ayer Town Hall 1 Main Street Ayer, MA 01432

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



**UNDERGROUND PETITION**

**nationalgrid**

⊕ POLE (EXISTING)

— PROPOSED CONDUIT 1-3"

Installing 1-3" across street to feed (2) new homes being added to URD

Date: 1/12/17

WORK REQUEST: 22508879

To The: Town Of Ayer

For Proposed: 1-3" conduit Location: Pheasant Cir/ce

Drawn By: James Verney

DISTANCES ARE APPROXIMATE

Questions contact – Cheryl Flis 781-907-3512

Petition of the NATIONAL GRID  
Of NORTH ANDOVER, MASSACHUSETTS  
For Electric conduit Location:

To the Board of Selectmen of Ayer, Massachusetts

Respectfully represents the NATIONAL GRID of North Andover, Massachusetts, that it desires to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures, under and across the public way or ways hereinafter named.

Wherefore it prays that after due notice and hearing as provided by law, it be granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as it may find necessary for the transmission of electricity, said underground conduits to be located substantially in accordance with the plan filed herewith marked – Pheasant Circle – Ayer – Massachusetts.

The following are the streets and highways referred to: Plan number # 22508879

Pheasant Circle - National Grid beginning at a point approximately 380 feet West of the centerline of the intersection of Groton School Road and continuing approximately 40 feet in a South direction. National Grid to install conduit from existing transformer across street for customer service(s). Will be only a street crossing in the public way.

Location approximately as shown on plan attached

NATIONAL GRID  
BY \_\_\_\_\_  
Engineering Department



Dated: January 12, 2017

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



<input checked="" type="checkbox"/>	Board of Health	Review Deadline Date	<u>February 2, 2017</u>
<input type="checkbox"/>	Department of Public Works	Public Hearing Date	<u>February 7, 2017</u>
<input type="checkbox"/>	Police Department		
<input type="checkbox"/>	Fire Department		
<input type="checkbox"/>	Building Inspector/Zoning Enforcement Officer		
<input type="checkbox"/>	Conservation Committee		
<input type="checkbox"/>	Clerk/Collector/Treasurer		
<input type="checkbox"/>	Assessor's Office		
<input type="checkbox"/>	Planning Board		
<input type="checkbox"/>	Economic & Community Development Office		

Permit Sought: Pole Petition - National Grid #22508879 Pheasant Circle

Description: See attached

Submitted by: National Grid

Address: Pheasant Circle Telephone: Vinny, National Grid 978-725-1392

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

Approved                       Modifications Needed                       Disapprove

*(If your recommendation is not "Approved", please specify/illustrate reasons why.)*

Comments: Need Road opening permit from DPW

Signed: *MMJF* Title: DPW Superintendent

Date: 2/2 /17

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



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

Review Deadline Date February 2, 2017  
Public Hearing Date February 7, 2017

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Description See attached

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Approved                      \_\_\_\_\_ Modifications Needed                      \_\_\_\_\_ Disapprove

*(If your recommendation is not "Approved", please specify/illustrate reasons why.)*

Comments:

Signed 

Title Fire Chief

Date 1-26-17

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



_____	Board of Health	Review Deadline Date	<u>February 2, 2017</u>
_____	Department of Public Works	Public Hearing Date	<u>February 7, 2017</u>
_____	Police Department		
<input checked="" type="checkbox"/>	Fire Department		
_____	Building Inspector/Zoning Enforcement Officer		
_____	Conservation Committee		
_____	Clerk/Collector/Treasurer		
_____	Assessor's Office		
_____	Planning Board		
_____	Economic & Community Development Office		

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Approved                      \_\_\_\_\_ Modifications Needed                      \_\_\_\_\_ Disapprove

*(If your recommendation is not "Approved", please specify/illustrate reasons why.)*

Comments:

Signed Alfred Mays

Title Building/Zoning

Date 1-26-17



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



_____	Board of Health	Review Deadline Date	<u>February 2, 2017</u>
_____	Department of Public Works	Public Hearing Date	<u>February 7, 2017</u>
_____	Police Department		
_____	Fire Department		
_____	Building Inspector/Zoning Enforcement Officer		
<u>X</u>	Conservation Committee		
_____	Clerk/Collector/Treasurer		
_____	Assessor's Office		
_____	Planning Board		
_____	Economic & Community Development Office		

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Description See attached

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Approved                       Modifications Needed                       Disapprove

*(If your recommendation is not "Approved", please specify/illustrate reasons why.)*

Comments: They are outside of Con Com jurisdiction, but not by much. Assurances in regards to erosion control will help to ensure no problems arise

Signed Ric Collier Title Conservation Administrator

Date 2/2/2017

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



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

Review Deadline Date February 2, 2017  
Public Hearing Date February 7, 2017

Permit Sought: Pole Petition - National Grid #22508879 Pheasant Circle

Description See attached

Submitted by National Grid

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

Approved                      \_\_\_\_\_ Modifications Needed                      \_\_\_\_\_ Disapprove

*(If your recommendation is not "Approved", please specify/illustrate reasons why.)*

Comments:

Signed *Sharon Copeland*

Title *Town Clerk Tax Collector Treasurer*

Date *1/26/2017*

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



_____	Board of Health	Review Deadline Date	<u>February 2, 2017</u>
_____	Department of Public Works	Public Hearing Date	<u>February 7, 2017</u>
_____	Police Department		
_____	Fire Department		
_____	Building Inspector/Zoning Enforcement Officer		
_____	Conservation Committee		
<u>X</u>	Clerk/Collector/Treasurer		
<u>X</u>	Assessor's Office		
_____	Planning Board		
_____	Economic & Community Development Office		

Permit Sought: Pole Petition - National Grid #22508879 Pheasant Circle

Description: See attached

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

✓ Approved                      \_\_\_\_\_ Modifications Needed                      \_\_\_\_\_ Disapprove

*(If your recommendation is not "Approved", please specify/illustrate reasons why.)*

Comments:

Signed Thomas Hoga  
Date 1/30/17

Title Assessing Administrator

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



_____	Board of Health	Review Deadline Date	<u>February 2, 2017</u>
_____	Department of Public Works	Public Hearing Date	<u>February 7, 2017</u>
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_____	Fire Department		
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_____	Clerk/Collector/Treasurer		
_____	Assessor's Office		
<u>X</u> _____	Planning Board		
_____	Economic & Community Development Office		

Permit Sought: Pole Petition - National Grid #22508879 Pheasant Circle

Description: See attached

Submitted by: National Grid

Address: Pheasant Circle Telephone: Vinny, National Grid 978-725-1392

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

X Approved                      \_\_\_\_\_ Modifications Needed                      \_\_\_\_\_ Disapprove

*(If your recommendation is not "Approved", please specify/illustrate reasons why.)*

Comments:

Signed [Signature]

Title Chairman

Date 1/31/17

# Needs

## 802 Apartments

0,1,2,3,4 Bedrooms  
Apartments, Condos  
**U.P.M. REAL ESTATE**  
Section 8 Welcome  
978-937-9327  
lowellarearealestate.com

**1-2-3-4 BEDROOMS**  
Affordable Apts. &  
Studios, \$500 & up.  
All utils incl. Sec. 8  
Welcome. 978-458-2552

**APT LOWELL 2 & 3 BDRM**  
Quality, affordable, section  
8 welcome. Start at \$900.  
Call 978-758-4643

**LOWELL 1, 2, 3 BDRM.**  
Start at \$800.  
Section 8 OK.  
Call TMI 978-937-3033  
www.tmirentals.com

**UNIVERSAL APT.RENTALS**  
978-454-9999  
universalapartmentrentals.net

## Public Notice

## 836 Rooms

1 & 2 Furnished Rooms &  
**STUDIOS. Finest in**  
Lowell. Cooking, laundry,  
private bath. All utils.  
978-458-2552

## Public Notice

**Town of Ayer  
Notice of Public Hearing  
Ayer Board of Selectmen**  
The Ayer Board of Selectmen will conduct a Public Hearing on Tuesday February 7, 2017 at 7:10 PM at the Ayer Town Hall, 1st Floor Meeting Room, 1 Main Street, Ayer, MA 01432 regarding an application by 9 Main Ayer, Inc., 9 Main Street Ayer, MA 01432 seeking a transfer of Section 12 All Alcohol license from New England Flatbread and Ale Company, Inc. to 9 Main Ayer, Inc. pursuant to MGL c. 138.

Gary J. Luca, Chair  
Christopher R. Hillman,  
Vice-Chair  
Jannice L. Livingston,  
Clerk

January 26, 2017

## Public Notice

**MORTGAGEE'S NOTICE OF SALE OF REAL**  
By virtue and in execution of the Power of contained in a certain Mortgage given by Mi Callery and Lisa M. Callery to World Savings E dated November 15, 2005 and recorded w Middlesex County (Northern District) Registry at Book 19540, Page 94 ; of which Mortga undersigned is the present holder for breaz thconditions of said Mortgage and for the pu foreclosing same will be sold at Public Auctic PM on February 16, 2017 at 45 Marshall A , Lowell, MA, all and singular the premises de said Mortgage, to wit: The land in Lowell, Co Middlesex, Commonwealth of Massachusetts buildings thereon, being Lots 50 and 51 situat northerly side of Marshall A venue, shown as Street on a plan of land entitled, "Lawn Hill, Mass., October, 1907, CA Thayer, Engineer" v is recorded in Middlesex North District Reg Deeds, Book of Plans 26, Plan 5, bound and c as follows: Southerly by the northerly line of Avenue, eighty (80) feet; Westerly by Lot 49 plan, one hundred six and 66/100 (106.66 Northerly by land now or formerly of John Cor now or formerly of Edward A. Anderson and la formerly of Jennie T. Anderson, eighty (80) fee by Lot 52 on said plan, one hundred seven a (107.8) feet. Containing 8,578 square feet of l; or less. For title see deed recorded in Book 88 254. The premises are to be sold subject to an benefit of all easements, restrictions, buildi zoning laws, liens, attorney's fees and costs p M.G.L.Ch.183A, unpaid taxes, tax titles, wat municipal liens and assessments, rights of ter parties in possession.

### TERMS OF SALE:

A deposit of FIVE THOUSAND DOLLARS AND ( \$5,000.00) in the form of a certified check:

PH 2/7/17 7:10 pm

RECEIVED

JAN 20 2017

TOWN OF AYER  
SELECTMEN'S OFFICE

8:05am



The Commonwealth of Massachusetts  
Alcoholic Beverages Control Commission  
239 Causeway Street  
Boston, MA 02114  
www.mass.gov/abcc

APPLICATION FOR A RETAIL ALCOHOLIC BEVERAGES LICENSE

Please complete this entire application, leaving no fields blank. If field does not apply to your situation, please write N/A.

1. NAME OF PROPOSED LICENSEE (Business Contact) 9 Main Ayer, Inc.

This is the corporation or LLC which will hold the license, not the individual submitting this application. If you are applying for this license as a sole proprietor, not an LLC, corporation or other legal entity, you may enter your personal name here.

2. RETAIL APPLICATION INFORMATION

There are two ways to obtain an alcoholic beverages license in the Commonwealth of Massachusetts, either by obtaining an existing license through a transfer or by applying for a new license.

Are you applying for a new license  New  Transfer or the transfer of an existing license?

If transferring, please indicate the current ABCC license number you are seeking to obtain:

006000030

If applying for a new license, are you applying for this license pursuant to special legislation?

If transferring, by what method is the license being transferred?

Gift

Yes  No Chapter  Acts of

3. LICENSE INFORMATION / QUOTA CHECK

City/Town Ayer

On/Off-Premises

On-Premises

TYPE \$12 Restaurant

CATEGORY All Alcoholic Beverages

CLASS Annual

4. APPLICATION CONTACT

The application contact is required and is the person who will be contacted with any questions regarding this application.

First Name: Mark Middle: Last Name: Goldstein

Title: Attorney Primary Phone: 978-632-1025

Email: attorney@markgoldsteinlaw.com

5. OWNERSHIP Please list all individuals or entities with a direct or indirect, beneficial or financial interest in this license.

An individual or entity has a direct beneficial interest in a license when the individual or entity owns or controls any part of the license. For example, if John Smith owns Smith LLC, a licensee, John Smith has a direct beneficial interest in the license.

An individual or entity has an indirect beneficial interest if the individual or entity has 1) any ownership interest in the license through an intermediary, no matter how removed from direct ownership, 2) any form of control over part of a license no matter how attenuated, or 3) otherwise benefits in any way from the licensee's operation. For Example, Jane Doe owns Doe Holding Company Inc., which is a shareholder of Doe LLC, the license holder. Jane Doe has an indirect interest in the license.

- A. All individuals listed below are required to complete a Beneficial Interest Contact - Individual form.
- B. All entities listed below are required to complete a Beneficial Interest Contact - Organization form.
- C. Any individual with any ownership in this license and/or the proposed manager of record must complete a CORI Release Form.

Name	Title / Position	% Owned	Other Beneficial Interest
Qingmei OU	Director/Officer	100	

**APPLICATION FOR A NEW RETAIL ALCOHOLIC BEVERAGES LICENSE**

**5. OWNERSHIP** (continued)

Name	Title / Position	% Owned	Other Beneficial Interest
		<input checked="" type="checkbox"/>	
		<input checked="" type="checkbox"/>	
		<input checked="" type="checkbox"/>	
		<input checked="" type="checkbox"/>	
		<input checked="" type="checkbox"/>	

**6. PREMISES INFORMATION**

Please enter the address where the alcoholic beverages are sold.

**Premises Address**

Street Number:  Street Name:  Unit:

City/Town:  State:  Zip Code:

Country:

**Description of Premises**

Please provide a complete description of the premises, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage.

Floor Number	Square Footage	Number of Rooms
first	3500	4

Patio/Deck/Outdoor Area Total Square Footage

Indoor Area Total Square Footage

Number of Entrances

Number of Exits

Proposed Seating Capacity

Proposed Occupancy

**Occupancy of Premises**

Please complete all fields in this section. Documentation showing proof of legal occupancy of the premises is required.

Please indicate by what right the applicant has to occupy the premises:

Lease Beginning Term:

Lease Ending Term:

Rent per Month:

Rent per Year:

Landlord Name:

Landlord Phone:

Landlord Address:

If leasing or renting the premises, a signed copy of the lease is required.

If the lease is contingent on the approval of this license, and a signed lease is not available, a copy of the unsigned lease and a letter of intent to lease, signed by the applicant and the landlord, is required.

Please indicate if the terms of the lease include payments based on the sale of alcohol:  Yes  No

## APPLICATION FOR A NEW RETAIL ALCOHOLIC BEVERAGES LICENSE

### 7. BUSINESS CONTACT

The Business Contact is the proposed licensee. If you are applying as a Sole Proprietor (the license will be held by an individual, not a business), you should use your own name as the entity name.

\* Please see last page of application for required documents based on Legal Structure \*

Entity Name: 9 Main Ayer, Inc.	FEIN: 001241899
DBA:	Fax Number:
Primary Phone:	Email:
Alternative Phone:	Legal Structure of Entity: Corporation

**Business Address (Corporate Headquarters)**  Check here if your Business Address is the same as your Premises Address

Street Number: 9	Street Name: Main Street
City/Town: Ayer	State: MA
Zip Code: 01432	Country: United States

**Mailing Address**  Check here if your Mailing Address is the same as your Premises Address

Street Number:	Street Name:
City/Town:	State:
Zip Code:	Country:

Is the Entity a Massachusetts Corporation? <input checked="" type="radio"/> Yes <input type="radio"/> No	If no, is the Entity registered to do business in Massachusetts? <input type="radio"/> Yes <input type="radio"/> No
	If no, state of incorporation

**Other Beneficial Interest**

Does the proposed licensee have a beneficial interest in any other Massachusetts Alcoholic Beverages Licenses?  Yes  No *If yes, please complete the following table.*

Name of License	Type of License	License Number	Premises Address
Sawa Yaka, Inc.	§12 On Premises <input checked="" type="checkbox"/>	003400017	57 Main Street Ashburnham, MA
	<input type="checkbox"/>		
	<input type="checkbox"/>		
	<input type="checkbox"/>		

**Prior Disciplinary Action:**

Has any alcoholic beverages license owned by the proposed licensee ever been disciplined for an alcohol related violation?

Date of Action	Name of License	State	City	Reason for suspension, revocation or cancellation



## APPLICATION FOR A NEW RETAIL ALCOHOLIC BEVERAGES LICENSE

### 8. MANAGER CONTACT

The Manager Contact is required and is the individual who will have day-to-day, operational control over the liquor license.

Salutation  First Name  Middle Name  Last Name  Suffix

Social Security Number  Date of Birth

Primary Phone:  Email:

Mobile Phone:  Place of Employment

Alternative Phone:  Fax Number

### Citizenship / Residency / Background Information of Proposed Manager

<p>Are you a U.S. Citizen? <input checked="" type="radio"/> Yes <input type="radio"/> No</p> <p>Have you ever been convicted of a state, federal, or military crime? <input type="radio"/> Yes <input checked="" type="radio"/> No  <small>If yes, attach an affidavit that lists your convictions with an explanation for each</small></p> <p>Have you ever been Manager of Record of a license to sell alcoholic beverages? <input checked="" type="radio"/> Yes <input type="radio"/> No</p> <p>If yes, please list the licenses for which you are the <u>current</u> or <u>proposed</u> manager:</p> <div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p>SawaYaka, Inc. Ashburnham, MA</p> </div>	<p>Do you have direct, indirect, or financial interest in this license? <input checked="" type="radio"/> Yes <input type="radio"/> No</p> <p>If yes, percentage of interest <input type="text" value="50%"/></p> <p>If yes, please indicate type of Interest (check all that apply):</p> <table border="0" style="width: 100%;"> <tr> <td><input type="checkbox"/> Officer</td> <td><input type="checkbox"/> Sole Proprietor</td> </tr> <tr> <td><input type="checkbox"/> Stockholder</td> <td><input type="checkbox"/> LLC Manager</td> </tr> <tr> <td><input checked="" type="checkbox"/> LLC Member</td> <td><input type="checkbox"/> Director</td> </tr> <tr> <td><input type="checkbox"/> Partner</td> <td><input type="checkbox"/> Landlord</td> </tr> <tr> <td><input type="checkbox"/> Contractual</td> <td><input type="checkbox"/> Revenue Sharing</td> </tr> <tr> <td><input type="checkbox"/> Management Agreement</td> <td><input type="checkbox"/> Other</td> </tr> </table>	<input type="checkbox"/> Officer	<input type="checkbox"/> Sole Proprietor	<input type="checkbox"/> Stockholder	<input type="checkbox"/> LLC Manager	<input checked="" type="checkbox"/> LLC Member	<input type="checkbox"/> Director	<input type="checkbox"/> Partner	<input type="checkbox"/> Landlord	<input type="checkbox"/> Contractual	<input type="checkbox"/> Revenue Sharing	<input type="checkbox"/> Management Agreement	<input type="checkbox"/> Other
<input type="checkbox"/> Officer	<input type="checkbox"/> Sole Proprietor												
<input type="checkbox"/> Stockholder	<input type="checkbox"/> LLC Manager												
<input checked="" type="checkbox"/> LLC Member	<input type="checkbox"/> Director												
<input type="checkbox"/> Partner	<input type="checkbox"/> Landlord												
<input type="checkbox"/> Contractual	<input type="checkbox"/> Revenue Sharing												
<input type="checkbox"/> Management Agreement	<input type="checkbox"/> Other												

Please indicate how many hours per week you intend to be on the licensed premises

### Employment Information of Proposed Manager

Please provide your employment history for the *past 10 years*

Date(s)	Position	Employer	Address	Phone
2005-2008	cashier	Star Island Restuarant	365 Blue Hill Av, Roxbury, MA	
2009-2010	cashier	Symphony Sushi	45 Gainsborough St Boston, MA	
2011-present	Co-Owner	self	360 Timpany Blvd, Gardner, MA	
2015-present	Co-owner	self	57 Main Street, Ashburnham, MA	

### Prior Disciplinary Action of Proposed Manager

Have you ever been involved directly or indirectly in an alcoholic beverages license that was subject to disciplinary action? If yes, please complete the following:

Date of Action	Name of License	State	City	Reason for suspension, revocation or cancellation

**APPLICATION FOR A NEW RETAIL ALCOHOLIC BEVERAGES LICENSE**

**9. FINANCIAL INFORMATION**

Please provide information about associated costs of this license.

**Associated Costs**

A. Purchase Price for Building/Land	<input type="text"/>
B. Purchase Price for any Business Assets	<input type="text"/>
C. Costs of Renovations/Construction	50,000
D. Purchase Price of Inventory	<input type="text"/>
E. Initial Start-Up Costs	<input type="text"/>
F. Other (Please specify)	<input type="text"/>
G. Total Cost (Add lines A-F)	50,000

Please note, the total amount of Cash Investment (top right table) plus the total amount of Financing (bottom right table) must be equal to or greater than the Total Cost (line G above).

Please provide information about the sources of cash and/or financing for this transaction

**Source of Cash Investment**

Name of Contributor	Amount of Contribution
Qingmei OU	50,000
Total:	50,000

**Source of Financing**

Name of Lender	Amount	Does the lender hold an interest in any MA alcoholic beverages licenses?	If yes, please provide ABCC license number of lender
Total:			

**10. PLEDGE INFORMATION**

Are you seeking approval for a pledge?  Yes  No

Please indicate what you are seeking to pledge (check all that apply)

License  Stock / Beneficial Interest  Inventory

To whom is the pledge is being made:

Does the lender have a beneficial interest in this license?  Yes  No

Does the lease require a pledge of this license?  Yes  No

## ALCOHOLIC BEVERAGES CONTROL COMMISSION

### **BENEFICIAL INTEREST CONTACT - Individual** (Formerly known as a Personal Information Form)

Please complete a Beneficial Interest - Individual sheet for all individual(s) who have a direct or indirect beneficial interest, with or without ownership, in this license. This includes people with a financial interest and people without financial interest (i.e. board of directors for not-for-profit clubs). All individuals with direct or indirect financial interest must also submit a CORI Authorization Form.

An individual with direct beneficial interest is defined as someone who has interest directly in the proposed licensee. For example, if ABC Inc is the proposed licensee, all individuals with interest in ABC Inc are considered to have direct beneficial interest in ABC Inc (the proposed licensee).

An individual with indirect beneficial interest is defined as someone who has ownership in a parent level company of the proposed licensee. For example, if ABC Inc is the proposed licensee and is 100% owned by XYZ Inc, all individuals with interest in XYZ Inc are considered to have an indirect beneficial interest in ABC Inc (the proposed licensee).

Salutation	Mrs.	First Name	Qinmei	Middle Name		Last Name	OU	Suffix	
Title:	Owner	Social Security Number	[REDACTED]			Date of Birth	[REDACTED]		
Primary Phone:	[REDACTED]			Email:	[REDACTED]				
Mobile Phone:	[REDACTED]			Fax Number	[REDACTED]				
Alternative Phone:	[REDACTED]								

#### **Business Address**

Street Number:	9	Street Name:	Main street		
City/Town:	Ayer		State:	MA	
Zip Code:	01432	Country:	USA		

#### **Mailing Address**

Check here if your Mailing Address is the same as your Business Address

Street Number:	[REDACTED]	Street Name:	[REDACTED]		
City/Town:	[REDACTED]		State:	[REDACTED]	
Zip Code:	[REDACTED]	Country:	[REDACTED]		

#### **Types of Interest (select all that apply)**

- |                                      |   |   |                                      |
|--------------------------------------|---|---|--------------------------------------|
| <input type="checkbox"/> Contractual | <input checked="" type="checkbox"/> Director  | <input type="checkbox"/> Landlord           | <input type="checkbox"/> LLC Manager |
| <input type="checkbox"/> LLC Member  | <input type="checkbox"/> Management Agreement | <input checked="" type="checkbox"/> Officer |                                      |
| <input type="checkbox"/> Partner     | <input type="checkbox"/> Revenue Sharing      | <input type="checkbox"/> Sole Proprietor    | <input type="checkbox"/> Stockholder |
|                                      |   |   | <input type="checkbox"/> Other       |

#### **Citizenship / Residency Information**

Are you a U.S. Citizen?     Yes     No                      Are you a Massachusetts Resident?     Yes     No

#### **Criminal History**

Have you ever been convicted of a state, federal, or military crime?     Yes     No                      If yes, please provide an affidavit explaining the charges.

**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

**BENEFICIAL INTEREST CONTACT - Individual** (continued)

**Ownership / Interest**

Using the definition above, do you hold a direct  Direct  Indirect or indirect interest in the proposed licensee?

If you hold a direct beneficial interest in the proposed licensee, please list the % of interest you hold.

If you hold an indirect beneficial interest in this license, please complete the Ownership / Interest Table below.

**Ownership / Interest**

If you hold an indirect interest in the proposed licensee, please list the organization(s) you hold a direct interest in which, in turn, hold a direct or indirect interest in the proposed licensee. These generally include parent companies, holding companies, trusts, etc. A Beneficial Interest - Organization Form will need to be completed for each entity listed below.

Name of Beneficial Interest - Organization	FEIN

**Other Beneficial Interest**

List any indirect or indirect beneficial or financial interest you have in any other Massachusetts Alcoholic Beverages License(s).

Name of License	Type of License	License Number	Premises Address
sayayaka, LLC	\$12 On Premises <input checked="" type="checkbox"/>	003400017	57 Main Street, Ashburham, MA
	<input type="checkbox"/>		
	<input type="checkbox"/>		
	<input type="checkbox"/>		
	<input type="checkbox"/>		
	<input type="checkbox"/>		

**Familial Beneficial Interest**

Does any member of your immediate family have ownership interest in any other Massachusetts Alcoholic Beverages Licenses? Immediate family includes parents, siblings, spouse and spouse's parents. Please list below.

Relationship to You	ABCC License Number	Type of Interest (choose primary function)	Percentage of Interest
husband	003400017	direct	50%
husband	043600024	direct	50%

**Prior Disciplinary Action**

Have you ever been involved directly or indirectly in an alcoholic beverages license that was subject to disciplinary action? If yes, please complete the following:

Date of Action	Name of License	State	City	Reason for suspension, revocation or cancellation

APPLICANT'S STATEMENT

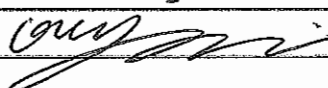
I, QingMei OU the:  sole proprietor;  partner;  corporate principal;  LLC/LLP member  
Authorized Signatory

of 9 Main Ayer, Inc., hereby submit this application for Transfer Alcoholic license  
Name of the Entity/Corporation Transaction(s) you are applying for

(hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statement and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises does not violate any requirement of the ABCC or other state law or local ordinances;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the Application information as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of, the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.

Signature: 

Date: 12-23-16

Title: President

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



X Board of Health Review Deadline Date February 2, 2017  
Department of Public Works Public Hearing Date February 7, 2017  
\_\_\_\_ Police Department  
\_\_\_\_ Fire Department  
\_\_\_\_ Building Inspector/Zoning Enforcement Officer  
\_\_\_\_ Conservation Committee  
\_\_\_\_ Clerk/Collector/Treasurer  
\_\_\_\_ Assessor's Office  
\_\_\_\_ Planning Board  
\_\_\_\_ Economic & Community Development Office

Permit Sought: Transfer of All Alcohol Liquor License

Description: Transfer from New England Flatbread and Ale Company to New Owner

Submitted by: 9 Main Ayer, Inc. Qingmei Ou, Director/Officer

Address: 9 Main Street Telephone: Attorney Mark Goldstein for Mr. Ou  
978-632-1025

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

Approved       Modifications Needed       Disapprove

(If your recommendation is not "Approved", please specify/illustrate reasons why.)

Comments:

*Applicant will need to apply for Board of Health Permit*

Signed: Bridgette Bailey Title: Health Agent

Date: 1/31/17

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



<input checked="" type="checkbox"/>	Board of Health	Review Deadline Date	February 2, 2017
<input type="checkbox"/>	Department of Public Works	Public Hearing Date	February 7, 2017
<input type="checkbox"/>	Police Department		
<input type="checkbox"/>	Fire Department		
<input type="checkbox"/>	Building Inspector/Zoning Enforcement Officer		
<input type="checkbox"/>	Conservation Committee		
<input type="checkbox"/>	Clerk/Collector/Treasurer		
<input type="checkbox"/>	Assessor's Office		
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Approved                       Modifications Needed                       Disapprove

*(If your recommendation is not "Approved", please specify/illustrate reasons why.)*

Comments: No DPW ISSUES

Signed: 

Title: DPW Superintendent

Date: 2/2/17

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



_____	Board of Health	Review Deadline Date	<u>February 2, 2017</u>
_____	Department of Public Works	Public Hearing Date	<u>February 7, 2017</u>
<u>X</u>	Police Department		
_____	Fire Department		
_____	Building Inspector/Zoning Enforcement Officer		
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Approved                       Modifications Needed                       Disapprove

*(If your recommendation is not "Approved", please specify/illustrate reasons why.)*

Comments:

Signed [Signature]

Title Chief of Police

Date 1/22/17



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



_____	Board of Health	Review Deadline Date	<u>February 2, 2017</u>
_____	Department of Public Works	Public Hearing Date	<u>February 7, 2017</u>
_____	Police Department		
<u>X</u>	Fire Department		
_____	Building Inspector/Zoning Enforcement Officer		
_____	Conservation Committee		
_____	Clerk/Collector/Treasurer		
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Approved                       Modifications Needed                       Disapprove

*(If your recommendation is not "Approved", please specify/illustrate reasons why.)*

Comments:

Signed *R. Pedy*

Title *Fire Chief*

Date *1-26-17*

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



_____	Board of Health	Review Deadline Date	<u>February 2, 2017</u>
_____	Department of Public Works	Public Hearing Date	<u>February 7, 2017</u>
_____	Police Department		
_____	Fire Department		
<u>X</u>	Building Inspector/Zoning Enforcement Officer		
_____	Conservation Committee		
_____	Clerk/Collector/Treasurer		
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Approved                      \_\_\_\_\_ Modifications Needed                      \_\_\_\_\_ Disapprove

*(If your recommendation is not "Approved", please specify/illustrate reasons why.)*

Comments:

Signed:  Title: Building/zoning

Date: 1/30/17

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



_____	Board of Health	Review Deadline Date	<u>February 2, 2017</u>
_____	Department of Public Works	Public Hearing Date	<u>February 7, 2017</u>
_____	Police Department		
_____	Fire Department		
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<u>X</u>	Conservation Committee		
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Approved                       Modifications Needed                       Disapprove

*(If your recommendation is not "Approved", please specify/illustrate reasons why.)*

Comments: no comment

Signed: [Signature]

Title: Conservation Administrator

Date: 1/31/17

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



\_\_\_\_\_ Board of Health  
\_\_\_\_\_ Department of Public Works  
\_\_\_\_\_ Police Department  
\_\_\_\_\_ Fire Department  
\_\_\_\_\_ Building Inspector/Zoning Enforcement Officer  
\_\_\_\_\_ Conservation Committee  
X \_\_\_\_\_ Clerk/Collector/Treasurer  
\_\_\_\_\_ Assessor's Office  
\_\_\_\_\_ Planning Board  
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Review Deadline Date February 2, 2017  
Public Hearing Date February 7, 2017

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X Approved \_\_\_\_\_ Modifications Needed \_\_\_\_\_ Disapprove

*(If your recommendation is not "Approved", please specify/illustrate reasons why.)*

Comments:

Signed Suzanne Copeland

Title Town Clerk Tax Collector Treasurer

Date 1/26/2017

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



<p>_____ Board of Health</p> <p>_____ Department of Public Works</p> <p>_____ Police Department</p> <p>_____ Fire Department</p> <p>_____ Building Inspector/Zoning Enforcement Officer</p> <p>_____ Conservation Committee</p> <p>_____ Clerk/Collector/Treasurer</p> <p><u>  /  </u> Assessor's Office</p> <p>_____ Planning Board</p> <p>_____ Economic &amp; Community Development Office</p>	<p>Review Deadline Date <u>February 2, 2017</u></p> <p>Public Hearing Date <u>February 7, 2017</u></p>
---	--

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Address: 9 Main Street Telephone: Attorney Mark Goldstein for Mr. Ou  
978-632-1025

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  /   Approved                      \_\_\_\_\_ Modifications Needed                      \_\_\_\_\_ Disapprove

*(If your recommendation is not "Approved", please specify/illustrate reasons why.)*

Comments:

Signed: Thomas Ayer

Date: 1/30/17

Title: Assessing Administrator

1/30/17

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



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

Review Deadline Date February 2, 2017  
Public Hearing Date February 7, 2017

Permit Sought: Transfer of All Alcohol Liquor License

Description: Transfer from New England Flatbread and Ale Company to New Owner

Submitted by: 9 Main Ayer, Inc. Qingmei Ou, Director/Officer

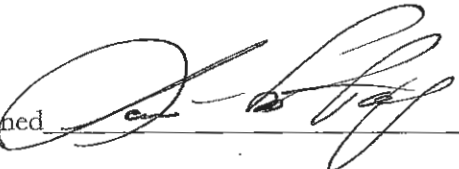
Address: 9 Main Street Telephone: Attorney Mark Goldstein for Mr. Ou  
978-632-1025

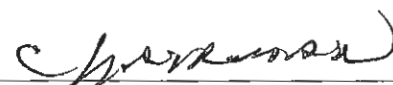
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   Approved                      \_\_\_\_\_ Modifications Needed                      \_\_\_\_\_ Disapprove

*(If your recommendation is not "Approved", please specify/illustrate reasons why.)*

Comments:

Signed: 

Title: 

Date: 1/21/17

# Town of Ayer

## Department of Planning & Development

Upper Town Hall ♦ One Main Street ♦ Ayer, MA 01432 ♦ 978-772-8221 ♦ Fax: 978-772-8208



### MEMORANDUM

TO: Board of Selectmen  
FR: Alicia Hersey, Community Development Office  
RE: Lien Subordination Request CASE# 04-285E & 05-285  
DT: January 30, 2017



The property owner of housing at 9 Grosvenor St. has requested the Town subordinate its mortgage on the property in favor of a new first mortgage.

Assessed Value of Property (FY17)	\$192,400.00
Appraised Value of Property (7/15)	\$230,000.00
First Mortgage (to be paid off)	\$112,310.00
Second Mortgage (to be paid off)	\$ 35,204.00
Mass Housing Loan (to be paid off)	\$ 8,995.00
Amount of Program Assistance (liens)	\$13,865.63
Proposed New Mortgage Amount	\$179,600.00
Maturity Date of Program Lien	04 -285E 7/19/2020 05 -285 2/28/2021

The borrower is seeking to obtain a new mortgage. He is seeking this loan to lower his interest rate and consolidate debt. The loan will be used to pay off the existing first and second mortgages, to pay off the Mass Housing Lead loan and to consolidate personnel debt. The Town's liens are in force on this property until July 19, 2020 and February 28, 2021.

Based upon the subordination policy approved by the Town and State Dept. of Housing and Community Development, "a recommendation to approve with conditions, or to deny, will be made to the Board of Selectmen" where outstanding liens are more than 80% of the fair market value of the property. In the current case, the outstanding liens (first mortgage and CDBG lien) will be equal to 84.12% of the appraised value of the property.

**At this time it is the Board's decision is whether to approve or deny the subordination of the Town's liens for a first mortgage in the amount not to exceed \$179,600.00.**

# Memo

**To:** Chief William Murray  
**From:** Lieutenant Brian Gill  
**Date:** 1/31/2017  
**Re:** Permanent Part Time Dispatch Recommendation

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Chief,

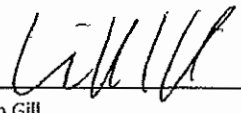
As you know, we have been trying to fill the Permanent Part Time Dispatcher position since September 2016. I am pleased to inform you that we identified a fully trained individual who is familiar with all of our software systems and should meet our needs fully: **Kyla Mahoney**.

Kyla is a long time resident of Pepperell, graduating from the North Middlesex Regional High School in Townsend. She is currently taking courses at the NHTI Community College in NH with a focus on Criminal Justice. Kyla is a Full Time Dispatcher in Shirley, MA. Kyla was interviewed by myself and Dispatcher Johnna Brissette and we both feel that she has the skills necessary to be a high quality emergency dispatcher for the Ayer Police Department.

**I am writing this memo as a recommendation to hire Ms. Kyla Mahoney for the position of Permanent Part Time Dispatcher.**

At your direction, I will advise Ms. Mahoney of the next course of action.

Respectfully,

X  1/31/17

Brian Gill  
Lieutenant



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: February 3, 2017

TO: Ayer Board of Selectmen

FROM: Robert A. Pontbriand  
Town Administrator

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

Dear Honorable Selectmen,

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

Administrative Update:

- I will offer a brief Administrative Update at the meeting regarding the FY 2018 Budget Process as well as the status of various projects and initiatives of the Administration since the January 17, 2017 BOS Meeting.

Appointments:

- I respectfully recommend the appointment of Ms. Jess Gugino of Ayer to an unexpired three-year term on the Zoning Board of Appeals (ZBA) to expire on June 30, 2017.

Opening of the Annual Town Meeting Warrant:

- I respectfully recommend that the Ayer Board of Selectmen vote to officially open the Annual Town Meeting Warrant. *(Note: The Annual Town Meeting is scheduled for Monday, May 8, 2017 at 7pm at the Ayer Sbirley Regional High School Auditorium)*

Reclassification of DPW Business Manager Position:

- Please see the attached memo.

One Day Beer and Wine License for Saint Mary's Parish:

- Please see the attached.

Seasonal Population Estimate for Alcohol Beverages Control Commission (ABCC):

- Please see the attached annual certification from the ABCC stating that the Town's populations does not increase seasonally. The BOS is respectfully requested to vote and sign this document.

Thank you.

Attachment(s)

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: February 3, 2017

TO: Ayer Board of Selectmen

FROM: Robert A. Pontbriand  
Town Administrator

SUBJECT: **Reclassification of DPW Business Manager Position**

Dear Honorable Selectmen,

I am respectfully recommending that the Board of Selectmen approve the reclassification of the DPW Business Manager Position from GRADE 9 to GRADE 10. This recommendation is the result of an exhaustive process to correct initial deficiencies in the HRS Study's classification of the position. I offer the following summary of the process behind this recommendation and will be present along with the Benefits and Payroll Manager at your meeting to answer any questions.

1. HRS conducted a classification and compensation study for the Town of Ayer. From the beginning of that process the DPW raised concerns about three of their positions, specifically the DPW Superintendent; Town Engineer; and DPW Business Manager;
2. Though the HRS Study went to Town Meeting for approval in 2015; the Personnel Board at the time did not object to revisiting these DPW positions in addition to other positions in the study.
3. The DPW Business Manager Position was submitted to the Personnel Board for reclassification. It was the recommendation of the Town Administrator and DPW Superintendent using the HRS Classification System that the position be graded at a GRADE 12;
4. The Personnel Board conducted its classification of the position and recommended a GRADE 9 which was submitted to the BOS for approval;
5. The DPW Business Manager filed an appeal per Section 12: "Problem Resolution Procedure" per the Town's Personnel and Procedures Manual;
6. The Personnel Appeals Board was formed consisting of the: Police Chief; Fire Chief; Town Clerk; Economic Development Director; and Assessing Administrator. The Appeals Board selected the Assessing Administrator as the Chair of the Appeals Board. The Benefits and Payroll Manager served as the facilitator and support personnel for the Appeals Board. The Appeals Board heard from the DPW Business Manager, the DPW Superintendent; and the Town Administrator and reviewed all of the materials related to this matter.

7. The Personnel Appeals Board voted unanimously to recommend that the position of DPW Business Manager be graded at GRADE 10.
8. The position of DPW Business Manager is currently at a GRADE 9, STEP 11 (stepped out). Using the same methodology with all other positions in terms of assigning a position a STEP; the position's current salary is put at the STEP closest to that salary but not lower. The position's current salary is \$64,958 which is slightly above GRADE 10, STEP 9.
9. Therefore, in terms of the STEP, the position would be at STEP 10. This would result in an annual increase of \$1,545 for the position.
10. The recommendation submitted to the BOS for approval from the Personnel Appeals Board is that the DPW Business Manager be classified at a GRADE 10, STEP 10 effective February 8, 2017.

Thank you for your time and consideration.

Cc: Mr. Tom Hogan, Assessing Administrator, Chair, Personnel Appeals Board  
Mr. Kevin Johnston, Benefits and Payroll Manager  
Mr. Mark Wetzal, DPW Superintendent

# *Saint Mary Parish*

31 Shirley Street, Ayer, Massachusetts 01432



January 24, 2017

To The Board of Selectmen:

We are planning to have a **St Patrick Dinner** on Saturday, **March 18<sup>th</sup>** at 5:30 PM in our Parish Hall, and would like to serve beer and wine. Would you please issue us a license for that evening for the 5:30pm until 9:30pm timeframe?

Please let me know when to pick up the permit.

Thank you in advance,

A handwritten signature in black ink that reads "Betsy Diskin".

Betsy Diskin, Parish Business Manager



2017

CITY/TOWN:

DATE:

Alcoholic Beverages Control Commission  
239 Causeway Street  
Boston, MA 02114



To the members of the Alcoholic Beverages Control Commission:

Acting under the authority contained in M.G.L. Ch. 138, §17, as amended the undersigned local licensing authority at a meeting held on:

Date of Meeting

estimated that the temporary increased resident population of:   
City/Town

As of July 10, 2017 will be

Estimate Resident Population

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

**THE ABOVE STATEMENTS ARE MADE UNDER THE PENALTIES OF PERJURY**

Very Truly Yours,  
Local Licensing Authorities

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THIS CERTIFICATION MUST BE SIGNED BY A MAJORITY OF THE MEMBERS OF THE LOCAL LICENSING AUTHORITIES.

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



Tuesday January 17, 2017  
Open Session Meeting Agenda

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

**Absent:** Jannice L. Livingston, Clerk

**Call to Order:** G. Luca called the meeting to order at 7:00 PM.

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

**Public Input:** None

**Review and Approve Agenda:**

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

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

- 2017-01-09 17-12 Accounts Payable \$1,164,110.02
- 2017-01-17 17-14 Payroll \$375,349.31

**Announcements:** G. Luca made the following announcements:

- 3<sup>rd</sup> and 4<sup>th</sup> Quarter Tax Bills have been mailed as of December 30, 2016. 3<sup>rd</sup> Quarter Taxes are due Wednesday, February 1<sup>st</sup>. 4<sup>th</sup> Quarter Taxes are due Monday, May 1<sup>st</sup>.
- Dog Tags for 2017 are available. Dog Tags are for all canines over the age of 6 months. They must be current on their vaccinations with proof.
- The 2017 Census was mailed on Monday, January 9<sup>th</sup>, 2017. Please complete and return to the Town Clerk's office within 10 days of receipt.

**Public Input:** Mr. Jim Fay, Chairman of the Memorial Garden Committee announced that the Committee has reached their goal of 25 new applicants, which starts the process of fundraising for a new plaque. He stated that he'll be doing public outreach and fundraising between now and Veteran's Day.

**Superintendent Mark Wetzel, Department of Public Works:** M. Wetzel was in attendance requesting the approval of the following items:

*East Main Street Water Main Change Order #3* – Execution of Change Order: Change Order #3 is for Cedrone Construction in the amount of \$13,445.67 for additional paving related to the water main construction on East Main Street and East Street.

**Motion:** A motion was made by C. Hillman and seconded by G. Luca to approve Change Order #3 with Cedrone Construction in the amount of \$13,445.67 with signature by the Chair. **Motion passed 2-0.**

*Recommendation for New Sidewalk Fitchburg Road:* M. Wetzel stated that the Complete Streets Workgroup has identified the need for a sidewalk on Fitchburg Road (Route 2A) from Park Street to the Shop ‘n Save due the significant number of pedestrians. M. Wetzel is seeking support from the BOS to work with MassDOT to complete this task because MassDOT will be paving that area within the next couple of years. G. Luca stated that he had the BOS support.

**Ms. Alicia Hersey, Program Mgr., Office of Community Development:** A. Hersey was in attendance requesting that the BOS consider using CDBG program income funds to support the Office of Community Development once the FY’15 grant funds run out. A. Hersey is requesting approval of \$40,576.45 in program income funds.

**Motion:** A motion was made by C. Hillman and seconded by G. Luca to approve the request for \$40,576.45 of program income funds to be used to support the Office of Community Development. **Motion passed 2-0.**

**Town Administrator’s Report:** R. Pontbriand gave a brief administrative update stating that aside from the enforcement order on 66 Westford Road, the main focus of the Administration is the FY’ 18 budget process. He also noted that the FY ’18 Capital Budget process is underway and told BOS members that capital debt exclusions would likely be included on the April ballot. He also reported that he received correspondence from the Finance Committee Chairman that Ms. Marianne Zawacki would be resigning from the Committee and that there will be no Finance Committee quorum.

*Update on MART Project* – R. Pontbriand expressed his frustration with the delays on the project; specifically in the public design process and stated that the BOS will conceptual drawings to start public design process at their February 7, 2017 meeting. He stated that MART is working with National Grid to turn on lights near the Rail Trail Lot and they should be on within 2 weeks. R. Pontbriand stated that the fence at Depot Square has been erected. He then gave an update on the acquisition of the 3 Park Street parcels. The former Nu-Kar property is under agreement with MART; the owners of the remaining two parcels are not interested in selling their property because they believe the appraisal value was too low. R. Pontbriand explained that MART is bound by federal regulations and may only offer the appraised value for the land.

Connie Sullivan, 79 East Main Street asked if there was a large nexus between the appraised value and what the property owners were seeking in compensation. R. Pontbriand reported yes.

Harry Zane, 32 Wright Road asked if it was possible for the other properties to be purchased under the grant. R. Pontbriand will review and advise.

R. Pontbriand stated that the transfer of the DCR Rail Trail Lot was nearly complete. DCR has asked the Town to install a bathroom structure and they’ll transfer the property directly to the Town.

R. Pontbriand stated that the tenants in the Advocates Building will be relocated by May 1<sup>st</sup>.

Several meeting attendees expressed frustration with the project timeline. R. Pontbriand that MART will be attending the next BOS meeting with conceptual/schematic drawings.



*Classification of Building Commissioner Position* – R. Pontbriand is recommending the appointment of Mr. Charles Shultz to the position of Building Commissioner effective immediately on a provisional basis subject to the completion of the Building Commissioner’s State Examination within one year from the date of appointment at Grade 14 Step 1. The position is not in the Union.

**Motion:** A motion was made by C. Hillman and seconded by G. Luca to provisionally appoint Mr. Charles Shultz to the position of Building Commissioner effective January 18, 2017 at Grade 14 Step 1 pending successful completion of the Building Commissioner State Exam. **Motion passed 2-0.**

*66 Westford Road Enforcement Update* – R. Pontbriand stated that extermination effort at the property continues and that the rat population is contained to 66 Westford Road. He reported that the Town also submitted a status report, via Town Counsel, to the Court and anticipates another hearing within a couple of weeks.

R. Pontbriand further reported that DEP was on site per the Town’s request and didn’t see any immediate threats other than a drum of motor oil. Town Counsel is working with DEP to remediate the motor oil drum.

Paul Magno, 5 Rose Lane, asked if the Town was going to take down additional buildings. R. Pontbriand reported that is an issue for the court to decide.

R. Pontbriand reported that approximately 250,000 tons of waste has been removed from the property.

**New Business/Selectmen’s Questions:** None

**Approval of Meeting Minutes:**

**Motion:** A motion was made by C. Hillman and seconded by G. Luca to approve the meeting minutes of December 20, 2016. **Motion passed 2-0.**

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

**Executive Session Pursuant to MGL 30A, §21A Exemption #3 (Collective Bargaining):**

**Motion:** A motion was made at 8:47 PM by G. Luca and seconded by C. Hillman to enter into Executive Session pursuant to MGL Chapter 30A, section 21A Exemption #3 (Collective Bargaining) Town Hall Clerical Union Contract Negotiations and to adjourn from Executive Session. G. Luca stated further that to discuss these matters in Open Session would be detrimental to the Town’s negotiating strategy. **G. Luca, aye; C. Hillman, aye. Motion passed by Roll Call 2-0.**

**Minutes Recorded and Submitted by Carly M. Antonellis**

**Date Minutes Approved by BOS:** \_\_\_\_\_

**Signature Indicating Approval:** \_\_\_\_\_