

RECEIVED
TOWN CLERK
TOWN OF AYER

2016 SEP 16 AM 11:47

Town of Ayer
Board of Selectmen

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



Tuesday September 20, 2016
Open Session Meeting Agenda

- 7:00 PM **Call to Order**
Pledge of Allegiance; Review and Approve Agenda; Announcements
- 7:05 PM* **Public Input**
- Chairman Scott Houde, Finance Committee**
- 7:10 PM **Mr. Mark Wetzel, Superintendent Department of Public Works**
1. DPW Department Assistant Appointment Recommendation
- 7:15 PM **Mr. Alan Manoian, Director of Economic Development**
1. Approval of Economic Development Budget
- 7:20 PM **Public Hearing – Pole Petition – Verizon (#1A1Q9VY) – Nashua Street Extension**
- 7:25 PM **Conservation Commission**
1. Increasing the Conservation Administrator position from Part-time to Full-time
2. Funding for 2017 Aquatic weed treatments
- 7:45 PM **Chief William A. Murray, Ayer Police Department**
1. Approval of Purchase Order for Cruiser PO #2427
2. Presentation on Ayer PD Radio Coverage Improvement Project
- 8:15 PM **Request for Additional All Alcohol License**
1. The Vineyard
- 8:25 PM **Town Administrator's Report**
1. Administrative Update
2. Warrant Article Discussion – Ayer Shop 'n Save
3. Reallocation of UDAG Funds – Planning Board to Parks Commission
4. Chapter 61 Pleasant Street Update
5. Police Station Roof Replacement Contract Approval
- 8:45 PM **New Business/Selectmen's Questions**
- 8:50 PM **Approval of Meeting Minutes**
September 6, 2016

Adjournment

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

DEPARTMENT OF PUBLIC WORKS

Mark L. Wetzel, P.E., Superintendent
Pamela J. Martin, Office Manager



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

MEMORANDUM

Date: September 15, 2016

To: Robert Pontbriand, Town Administrator

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

Subject: DPW Department Assistant Appointment Recommendation

The position of DPW Department Assistant was posted on August 9, 2016. We received over 100 applicants for the position and after a detailed review, selected five candidates for interviews. Of the five, Mr. Jared Aponte, of Gardner, stood out. He has municipal experience working as the assistant assessor and assistant to the Town Clerk in a nearby community. He is a graduate of Ayer Shirley High School and is currently studying part time for a degree in business. He has experience with water and sewer billing, using the Munis software program and has excellent customer service skills.

I recommend that the Board of Selectmen appoint Mr. Jared Aponte as the DPW Department Assistant, pending the results of the required pre-employment physical and CORI check. The position has a 6 month probation period as stipulated in the Clerical Union Agreement.

Town of Ayer

Office of Community & Economic Development

Town Hall ♦ One Main Street ♦ Ayer, MA 01432 ♦ 978-772-8206 ♦ Fax: 978-772-8208



TO: Ayer Board of Selectmen
FR: Alan Manoian
RE: Economic Development Budget
Cc: Robert Pontbriand
DT: August 31, 2016



Honorable Members:

I will be coming before you on Sept. 6th to request that you approve the additional line items that make up the budget funding for the Office of Economic Development. I am requesting that you approve the following totals:

- 1) \$43,704 from the Town's UDAG account *
- 2) \$19,000 which is support that comes from the Town's IDFA account. (Please see the attached letter which was approved by the IDFA at their 8:00 am September 2nd meeting).

Thank you for your continued help and support of Ayer's Office of Economic Development.

Alan Manoian
Town of Ayer
Office of Community and Economic Development

*Financial information provided by Ms. Gabree of Ayer Accounting Department

Town of Ayer

Industrial Development Finance Authority

Town Hall • One Main Street • Ayer, MA 01432 • 978-772-8206 • Fax: 978-772-8208



TO: Ayer Board of Selectmen
FROM: Ayer Industrial Development Finance Authority (IDFA)
RE: Ayer IDFA Vote Authorizing Appropriation of IDFA Funds to Support
Ayer Office of Economic & Community Development (FY 2017)
DATE: 9/16/2016

This correspondence serves as notification that we, Ayer Industrial Development Finance Authority Board of Directors, met on September 16, 2016 and voted in favor of the appropriation of (FY 2017) IDFA Funds in support of the Town of Ayer Office of Community & Economic Development in the amount as follows:

\$19,000 (Source): Ayer Industrial Development Finance Authority Budget.

The Ayer Industrial Development Finance Authority looks forward to working in partnership with the Town of Ayer in professionally advancing our shared local and regional community & economic development interests.



Brian Anderson, Chairman-Ayer IDFA





RECEIVED

SEP 16 2016

TOWN OF AYER
SELECTMEN'S OFFICE

FY 17 OCED Budget

FY17 Planning and Development Consolidated Budget			Omnibus	UDAG	IDFA	FY17 TOT.
Account	Fund	Description	FY17	FY17	FY17	DEPT.
		Director (40 hours)	\$ 33,846	\$ 25,386	\$ 8,461	\$ 67,693
		Dept. Assistant (8 hours)	\$ -	\$ 6,400	\$ 2,133	\$ 8,533
		Purchase of Services		\$ 3,500	\$ 3,406	\$ 6,906
		Postage	\$ 200	\$ 300		\$ 500
		Purchase of Supplies	\$ 250	\$ 2,500	\$ 2,000	\$ 4,750
		Other Charges and Expense	\$ -	\$ 2,618	\$ 2,000	\$ 4,618
		Dues and Memberships	\$ -	\$ -	\$ -	\$ -
		Fringe Benefits	\$ -	\$ 3,000	\$ 1,000	\$ 4,000
Totals:			\$ 34,296	\$ 43,704	\$ 19,000	\$ 97,000

FY17 Omnibus Budget - Planning and Development						
01188	51000	Director	\$ 34,509			
01188	51100	Dept. Assistant	\$ -			
01188	52000	Purchase of Services				
01188	53400	Postage	\$ 200			
01188	54000	Purchase of Supplies	\$ 250			
01188	57000	Other Charges and Expense	\$ -			
01188	57300	Dues and Memberships	\$ -			
Totals:			\$ 34,959	\$ -	\$ -	

FY17 UDAG Budget - Economic Development						
30952	51000	Director		\$ 25,385		
30952	51100	Dept. Assistant		\$ 6,400		
30952	52000	Purchase of Services		\$ 3,500		
30952	53400	Postage		\$ 300		
30952	54000	Purchase of Supplies		\$ 2,500		
30952	57000	Other Charges and Expense		\$ 2,618		
30952	57450	Fringe Benefits		\$ 3,000		
Totals:			\$ -	\$ 43,703	\$ -	

FY17 IDFA Budget - Economic Development						
30952	51000	Director		\$ 8,461		
30952	51100	Dept. Assistant		\$ 2,133		
30952	52000	Purchase of Services		\$ 3,406		
30952	54000	Purchase of Supplies		\$ 2,000		
30952	57000	Other Charges and Expense		\$ 2,000		
30952	57450	Fringe Benefits		\$ 1,000		
Totals:			\$ -	\$ 19,000	\$ -	

APPROVALS:

Kelly-Ann Correia
Right of Way Specialist

verizon^v

UC SYNERGETIC
Innovative Thinking. Engineered Solutions.

Attn: Kelly-Ann Correia
21 Oxford Road
Mansfield, MA 02048

Phone 508-337-7703
Cell 508-975-3004
Fax 508-337-7797

kcorreia@ucseng.com

RECEIVED
JUN 15 2016

TOWN OF AYER
SELECTMEN'S OFFICE

9/20/2016
7:20pm

June 6, 2016

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

**RE: Petition for Verizon job #1A1Q9VY
Nashua Street Extension, MA**

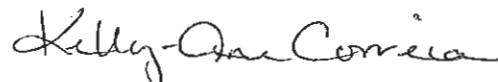
Honorable Board of Selectmen,

Enclosed please find a petition on behalf of Verizon New England Inc. and Massachusetts Electric Company to place one (1) new pole on Nashua Street Extension as shown on the attached plan.

This new pole is necessary in order to provide service to a new development on Nashua Street Extension.

A public hearing and notice to the abutters is required. A Verizon representative will attend the public hearing. Should any questions arise concerning this matter prior to the hearing, please contact me at (508)-337-7703 if you have any questions. Your assistance is greatly appreciated.

Sincerely,



Kelly-Ann Correia
Right of Way Specialist

Enc

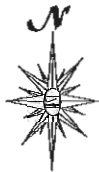


PETITION PLAN

MUNICIPALITY AYER VZ N.E. Inc. No. 1A1Q9VY

VERIZON NEW ENGLAND INC. AND MASSACHUSETTS ELECTRIC COMPANY DATE : JUNE 6, 2016

SHOWING PROPOSED INSTALLATION ONE POLE ON NASHUA STREET



#1 TAFT STREET
PARCEL ID:
019/019.0-0000-0113.0

0 NASHUA STREET REAR
PARCEL ID:
019/013.0-0000-0010.0

NEW POLE
T.24/E.24
TO BE PLACED

EXISTING
POLE
T.23/E.23
TO REMAIN

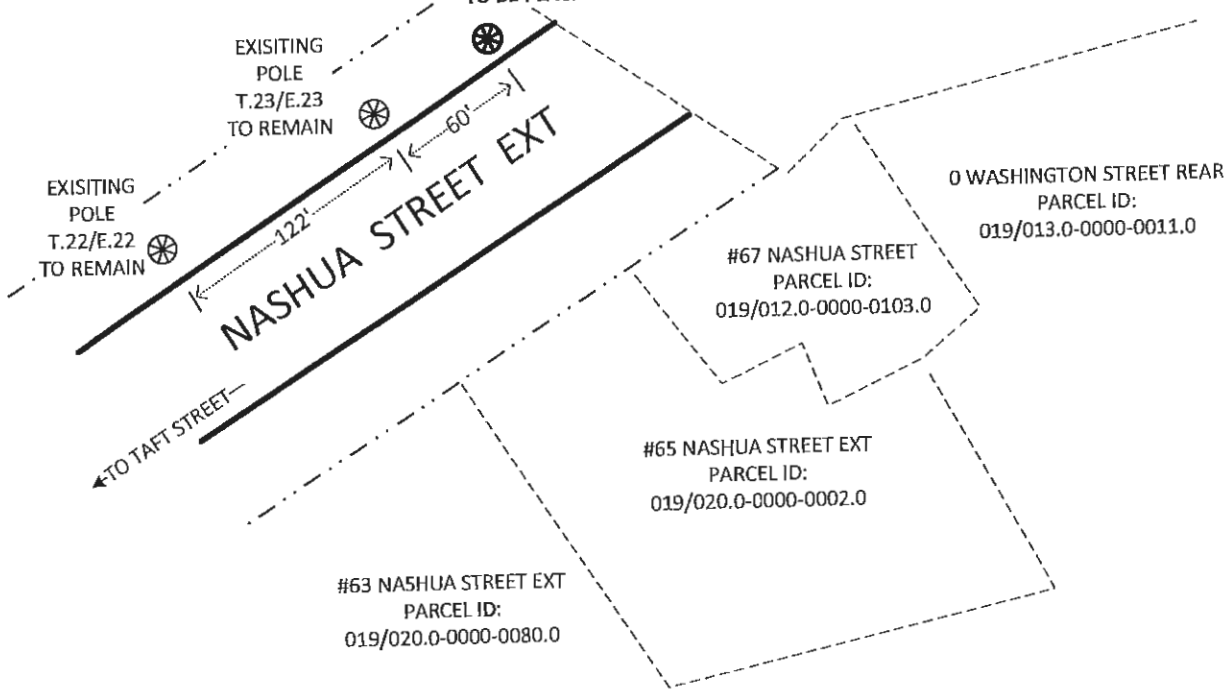
EXISTING
POLE
T.22/E.22
TO REMAIN

0 WASHINGTON STREET REAR
PARCEL ID:
019/013.0-0000-0011.0

#67 NASHUA STREET
PARCEL ID:
019/012.0-0000-0103.0

#65 NASHUA STREET EXT
PARCEL ID:
019/020.0-0000-0002.0

#63 NASHUA STREET EXT
PARCEL ID:
019/020.0-0000-0080.0



NOT TO SCALE

LEGEND



EXISTING JOINTLY OWNED POLE
TO REMAIN



PROPOSED NEW JOINTLY OWNED POLE
TO BE INSTALLED



EDGE OF PAVEMENT



EDGE OF ROADWAY



PROPERTY LINE

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 September 20, 2016 at 7:20 PM at the Ayer Town Hall, 1st Floor Meeting Room, 1 Main Street, Ayer, MA 01432 regarding the application by Verizon New England, Inc. and Massachusetts Electric Company to locate poles, wires, and fixtures, including necessary sustaining and protecting fixtures, along and across the following public way:

Nashua Street Extension – Place one (1) new jointly owned pole, T.24/E.24 on the northwesterly side of Nashua Street Extension at a point approximately 60' northeasterly from existing pole T.23 E.23. This pole is necessary for the purpose of providing service to a new development on Nashua Street Extension.

Name of Applicant:	Verizon New England, Inc. and Massachusetts Electric Company
Date of Public Hearing:	Tuesday September 20, 2016
Time of Public Hearing:	7:20 PM
Location of Public Hearing:	1 st 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.

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
 Tax Collector
 Assessor's Office
 Planning Board
 Treasurer

Review Deadline Date September 12, 2016
Public Hearing Date September 20, 2016 at 7:20 PM

Permit Sought: Pole Petition
Description: Place one (1) new jointly owned pole, T.24/E.24 on the northwesterly side of Nashua Street Extension at a point approximately 60' northeasterly from existing pole T.23 E.23. This pole is necessary for the purpose of providing service to a new development on Nashua Street Extension.

Submitted by Verizon Date June 15, 2016/delayed because of c.61 issue/BOS waived right of 1st refusal on 8/16/16

Address Nashua Street Extension Telephone Kelly Correia, US Synergetic 508-337-7703

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 Bridgette Maloy Title Health Agent
Date 9/12/16

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
 Tax Collector
 Assessor's Office
 Planning Board
 Treasurer

Review Deadline Date September 12, 2016
Public Hearing Date September 20, 2016 at 7:20 PM

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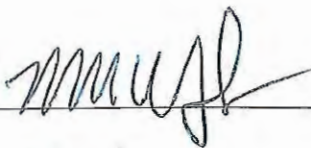
Address Nashua Street Extension Telephone Kelly Correia, US Synergetic 508-337-7703

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Approved Modifications Needed Disapprove

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

Comments:

Signed 

Title DPW Superintendent

Date 9/12/16

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



<input type="checkbox"/>	Board of Health	Review Deadline Date	<u>September 12, 2016</u>
<input type="checkbox"/>	Department of Public Works	Public Hearing Date	<u>September 20, 2016 at 7:20 PM</u>
<input checked="" 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"/>	Tax Collector		
<input type="checkbox"/>	Assessor's Office		
<input type="checkbox"/>	Planning Board		
<input type="checkbox"/>	Treasurer		

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Approved Modifications Needed Disapprove

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

Comments:

Signed  Title Chief of Police
Date 8/29/16

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



_____	Board of Health	Review Deadline Date	<u>September 12, 2016</u>
_____	Department of Public Works	Public Hearing Date	<u>September 20, 2016 at 7:20 PM</u>
<input checked="" type="checkbox"/>	Police Department		
_____	Fire Department		
_____	Building Inspector/Zoning Enforcement Officer		
_____	Conservation Committee		
_____	Tax Collector		
_____	Assessor's Office		
_____	Planning Board		
_____	Treasurer		

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Submitted by: Verizon Date: June 15, 2016/delayed because of c.61 issue/BOS waived right of 1st refusal on 8/16/16

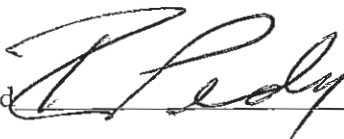
Address: Nashua Street Extension Telephone: Kelly Correia, US Synergetic 508-337-7703

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:  Title: Fire Chief

Date: 8-24-16

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
_____ Tax Collector
_____ Assessor's Office
_____ Planning Board
_____ Treasurer

Review Deadline Date September 12, 2016
Public Hearing Date September 20, 2016 at 7:20 PM

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Submitted by Verizon Date June 15, 2016/delayed because of c.61 issue/BOS waived right of 1st refusal on 8/16/16

Address Nashua Street Extension Telephone Kelly Correia, US Synergetic 508-337-7703

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 [Signature]

Title Assistant Zoning/Building Insp.

Date 29 AUG, 2016

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><input checked="" type="checkbox"/> Building Inspector/Zoning Enforcement Officer</p> <p>_____ Conservation Committee</p> <p>_____ Tax Collector</p> <p>_____ Assessor's Office</p> <p>_____ Planning Board</p> <p>_____ Treasurer</p>	<p>Review Deadline Date <u>September 12, 2016</u></p> <p>Public Hearing Date <u>September 20, 2016 at 7:20 PM</u></p>
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Permit Sought: Pole Petition

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Submitted by Verizon Date June 15, 2016/delayed because of c.61 issue/BOS waived right of 1st refusal on 8/16/16

Address Nashua Street Extension Telephone Kelly Correia, US Synergetic 508-337-7703

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: As long as this isn't placed within Con Com jurisdictional space, I have no comments, other than asking that any excavated soils be disposed of, so as to prevent clogging of drains, etc.

Signed Brian Collier Title Conservation Administrator

Date 8/24/2016

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
 Tax Collector *Trasun*
_____ Assessor's Office
_____ Planning Board
_____ Treasurer

Review Deadline Date September 12, 2016
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Address Nashua Street Extension Telephone Kelly Correia, US Synergetic 508-337-7703

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 *Anna Opplund*
Date *8/24/2016*

Title *Tax Collector/Treasurer*

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
_____ Tax Collector
 Assessor's Office
_____ Planning Board
_____ Treasurer

Review Deadline Date September 12, 2016
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Submitted by Verizon Date June 15, 2016/delayed because of c.61 issue/BOS waived right of 1st refusal on 8/16/16

Address Nashua Street Extension Telephone Kelly Correia, US Synergetic 508-337-7703

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 Hoyle

Title Assessing Administrator

Date 8/25/16

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
_____ Tax Collector
 Assessor's Office
_____ Planning Board
_____ Treasurer

Review Deadline Date September 12, 2016
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Submitted by Verizon Date June 15, 2016/delayed because of c.61 issue/BOS waived right of 1st refusal on 8/16/16

Address Nashua Street Extension Telephone Kelly Correia, US Synergetic 508-337-7703

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:

NO ACTION REQUIRED

Signed 

Title CHAIRMAN

Date 8/30/16

PETITION FOR JOINT POLE LOCATION

June 6, 2016

To the Board of Selectmen

Of Ayer, Massachusetts

VERIZON NEW ENGLAND INC. and **MASSACHUSETTS ELECTRIC COMPANY** request permission to locate poles, wires, cables and fixtures including the necessary anchors, guys and other such sustaining and protecting fixtures to be owned and used in common by your petitioners, along and across the following public way or ways:

Nashua Street Extension:

Place one (1) new jointly owned pole, T.24/E.24, on the northwesterly side of Nashua Street Extension at a point approximately 60' northeasterly from existing pole T.23E.23

This pole is necessary for the purpose of providing service to a new development on Nashua Street Extension

1 JO Pole to be placed

Wherefore they pray that after due notice and hearing as provided by law, they be granted joint or identical locations for and permission to erect and maintain poles, wires and cables, together with anchors, guys and other such sustaining and protecting fixtures as they may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked – **VERIZON No. 1A1Q9VY**, Dated June 6, 2016.

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

Your petitioners agree to reserve space for one crossarm at a suitable point on each of said poles for the fire and police telephone and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

VERIZON NEW ENGLAND INC.



By Kelly Ann Correia, UC SYNERGETIC
Manager of Rights of Way

MASSACHUSETTS ELECTRIC COMPANY

By Pat Cody
Engineering Manager

ORDER FOR JOINT POLE LOCATION

The Board of Selectmen of the Town of Ayer, Massachusetts **ORDERED:**

That permission be and is hereby granted VERIZON NEW ENGLAND INC, and MASSACHUSETTS ELECTRIC COMPANY joint locations for and permission to erect and maintain poles and their respective wires and cables to be placed thereon, together with anchors, guys and other sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways as requested in petition of said Companies dated the 6th day of June, 2016.

Nashua Street Extension:

Place one (1) new jointly owned pole, T.24/E.24, on the northwesterly side of Nashua Street Extension at a point approximately 60' northeasterly from existing pole T.23E.23

This pole is necessary for the purpose of providing service to a new development on Nashua Street Extension

1 JO Pole to be placed

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber, and reasonably straight and shall be set substantially at the points indicated upon the plan marked- **VERIZON No. 1A1Q9VY**, Dated June 6, 2016 filed with said petition.

There may be attached to said poles by said Verizon New England Inc. and by said Massachusetts Electric Company such wires, cables and fixtures as are necessary in its business and all of said wires and cables shall be placed at a height in compliance with the National Electrical Safety Code.

Also that permission be and is hereby is granted said VERIZON NEW ENGLAND INC. and MASSACHUSETTS ELECTRIC COMPANY to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as it may desire for distributing purposes.

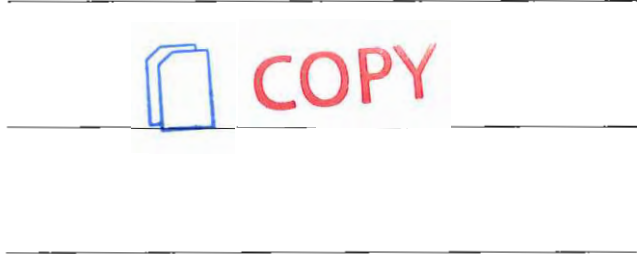
I hereby certify that the foregoing order was adopted at a meeting of the Board of Selectmen of the Town of Ayer, Massachusetts, held on the _____ day of _____ 2016.

 **COPY**

Clerk of the Selectmen



We hereby certify that on _____ 2016, at _____ o'clock _____ m., at Ayer, Massachusetts, a public hearing was held on the petition of VERIZON NEW ENGLAND INC. and MASSACHUSETTS ELECTRIC COMPANY for permission to erect the line of wires, cables, poles, fixtures and connections described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Companies are permitted to construct the lines of said Companies under said order. And that thereupon said order was duly adopted.



Selectmen of the Town of Ayer,
Massachusetts


CERTIFICATE



I hereby certify that the foregoing is a true copy of a location order and certificate of hearing with notice adopted by the Board of Selectmen for the Town of Ayer, Massachusetts, on the _____ day of _____ 2016, and recorded with the records of location orders of said Town, Book _____, Page _____. This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:

Town Clerk



ABUTTERS LIST

PARCEL ID: 019/013.0-0000-0011.0
0 Washington Street Rear

COWFIELD REALTY TRUST
39 Main Street Suite 204
Ayer, MA 01432

PARCEL ID: 019/012.0-0000-0103.0
67 Nashua Street

COWFIELD REALTY TRUST
39 Main Street Suite 204
Ayer, MA 01432

PARCEL ID: 019/020.0-0000-0002.0
65 Nashua Street Ext

KAHN JOSHUA D
65 Nashua Street Ext
Ayer, MA 01432

PARCEL ID: 019/020.0-0000-0080.0
63 Nashua Street Ext

MERRIMAN GREGORY H
63 Nashua Street Ext
Ayer, MA 01432

PARCEL ID: 019/019.0-0000-0113.0
1 Taft Street

ANDERSON, BRIAN T TE
1 Taft Street
Ayer, MA 01432

PARCEL ID: 019/013.0-0000-0010.0
0 Nashua Street Rear

COWFIELD REALTY TRUST II
39 Main Street Suite 204
Ayer, MA 01432



Town of Ayer Conservation Commission

Town Hall * One Main Street * Ayer, MA 01432 * 978-772-8249

September 15, 2016

RECEIVED
SEP 15 2016

TOWN OF AYER
SELECTMEN'S OFFICE

Members of the Board of Selectmen;

The Conservation Commission will be meeting with you next week at your September 20th meeting to ask for your support for the placement of two Articles on the Warrant for this year's Fall Town Meeting.

1. Increasing the Conservation Administrator position from part-time to full-time (40 hours/week) with benefits.

The Conservation Administrator position must be filled with an individual who is able to manage the permitting and office work, meet with residents and developers, and coordinate with the State's DEP. Additionally, a good Administrator must have specialized environmental expertise. The Conservation Commission has been involved in two searches for a candidate in the past ten years, as well as several searches to fill an interim need. It has been extremely difficult to find a person with the skill set and interest in this position. Candidates – good candidates – have been put off when they learn that the position is both part time, and un-benefited. We have been incredibly lucky to find two people who had the skills and could make the opportunity work for them.

There are many demands on the Administrator involving work both inside and outside of Town Hall. The true demands of the position cannot be covered adequately in the 20 hours available. This was noted by our previous Administrator, Becky DaSilva-Conde, prior to her departure, by members of the Commission, and by our current Administrator.

In addition, the Town's needs for the Administrator are expanding with the Ch. 61 Working Group and the Open Space and Recreation Plan (OSRP). The Goals section in the draft OSRP shows the Commission as a "responsible party" many, many times. We anticipate that the requests made on our Commission and Administrator will increase. The Commission feels this is the time to act and provide more hours for the position to better serve the community here in Ayer.

After members of the Commission met with the Board on June 21, the Town Accountant prepared data representing the cost impact of this job expansion. A copy is attached, along with our current job description. We appreciate the time you have spent on this issue to date, and will be happy to discuss this further with the Board on the 20th.



Town of Ayer Conservation Commission

Town Hall * One Main Street * Ayer, MA 01432 * 978-772-8249

2. Funding for 2017 aquatic weed treatments on Sandy Pond, Flannagan Pond, and Pine Meadow Pond.

It is clear that several of the ponds are in increasingly urgent need of weed management in spring 2017. The Commission will issue an RFP during the winter to be ready to have weed treatment done at the optimal time early in the spring. We are requesting funding approval now because waiting for funding through a Spring Town Meeting vote makes it difficult to sign a contract for treatment early enough to be most effective. We also anticipate that the impact of the prolonged drought on invasive weed growth this year will lead to many more towns seeking treatments on their water bodies in 2017. That competition will make scheduling even more difficult. We need to be prepared as soon as possible.

We asked Solitude Lake Management for cost estimates for treatment (attached). Solitude is a new company, a merger of Aquatic Control Technologies and Lycott Environmental. Both companies have treated our ponds. The cost estimate range for three ponds breaks down as follows:

Sandy Pond:	\$18,000 - \$20,000
Flannagan Pond:	\$30,000 - \$35,000
Pine Meadow Pond:	<u>\$4000 - \$5000</u>
TOTAL:	\$52,000 - \$60,000
With 15% Contingency added:	\$59,800 - \$69,000

There are approximately \$15,000 in funds previously approved for treatment on Flannagan Pond only. We are respectfully asking the Board to approve a Warrant Article raising and appropriating up to \$54,000 for 2017 weed treatments to cover all three ponds listed above.

This treatment is in keeping with the final draft of Geosyntec's detailed study of Ayer's ponds. The DPW is already acting on many of the report's recommendations. The Commission, with the Pond & Dam Committee, anticipate further discussion with BOS and the Finance Committee to help us formulate a long-term management plan as discussions for the FY2018 budget begin to take place.

We look forward to meeting with you on September 20th.

Respectfully,

William Daniels, Chair
Ayer Conservation Commission

Conservation Administrator

Ayer, MA

Salary: Starting salary \$24.67/hour, plus gas mileage for fieldwork-related driving. Union position without benefits.

Work Schedule: 19 hours/week, including evening meetings on 2nd and 4th Thursdays of each month and occasional Saturday morning site visits with Commission

Location: Ayer Town Hall

Direct Report: Ayer Conservation Commission

Job Description: The Conservation Administrator is a union position. This person will work independently to manage the Ayer Conservation Commission office, including the timely administration of the Commission's statutory and regulatory responsibilities under the Massachusetts Wetlands Protection Act and local wetlands bylaw; field work to assess applications and project compliance; frequent interaction with project applicants, members of the general public, and other Town departments and boards to answer questions and assist with filings; administrative and clerical staff support to the Commission, managing agenda scheduling, meeting advertising, and the writing and issuing of permits for the Commission.

Principle Responsibilities:

Receives, processes, and analyzes project applications under the Massachusetts Wetlands Protection Act and local wetlands bylaw. Assures that legal ads and notice for required public hearings/meetings are prepared and posted. Reviews plans and forms to assure proper compliance with all applicable federal, state and local statutes and regulations. Following Commission review writes and assures proper mailing and recording of Orders of Conditions, Determinations of Applicability, Orders of Resource Area Delineation, Certificates of Compliance, Violation Notices, Enforcement Orders, Cease & Desist Orders, and Emergency Certifications. Tracks the status of all recorded documents to ensure all Orders are adhered to, and Certificates of Compliance are sought within the appropriate time frame.

Schedules and attends evening Commission meetings (generally 2nd and 4th Thursday of each month) and joins Commission for occasional Saturday morning site visits to applicants' proposed project sites.

Provides staff support to the Conservation Commission and administers all of the functions of the Commission office, including: organization and preparation of agendas and materials for distribution at meetings; address of follow-up tasks from meetings and site visits; management of accounts payable and receivable, timesheets, and Commission budget in coordination with Town Treasurer and Town Accountant; acquisition of office supplies, mailings, maintenance of files, and preservation of permits.

Interacts with project applicants (private residents, developers, organizations and businesses) and their representatives to answer questions about the permitting process in accordance with statutes and regulations of the Mass. Wetlands Protection Act, local wetlands bylaw, and the Commission's policies and procedures. Responds to general public inquiries in relation to the Conservation Commission at the Commission's third floor office, on the telephone, and via email. Meets with and assists other Town

departments and boards on issues related to wetland and stormwater regulations. Assists residents with completion of applications as time permits. Oversees and assists with file review requests.

Independently conducts onsite inspections of proposed project sites prior to hearings, often in rough outdoor conditions; accompanies and advises Commission on joint site visits during permitting process; inspects and approves erosion and sedimentation controls prior to the commencement of construction; continues periodic inspection of project sites during construction to verify regulatory compliance with Orders of Conditions and reports back to Commission. Conducts onsite inspections for evaluation of Requests for Certificates of Compliance.

Conducts site inspections and develops conditions for issuance of Emergency Certifications for work necessary to protect public health and safety that cannot be reviewed in a timely fashion through the usual permitting process.

Investigates reports of violations of the Mass. Wetlands Protection act and/or Ayer's wetland bylaw. Reports violations immediately to the Chair and thereafter to the whole Conservation Commission at its next meeting, and prepares and issues Violation Notices, Enforcement Orders, and Cease & Desist Orders as may be directed by the Chair or the Commission to violators on private and project sites. Should the need arise, issues fines related to violations of the Wetlands Protection Act and/or Ayer's wetlands bylaw. In all cases, it shall be the responsibility of the administrator to assemble the necessary documentation to prove violations.

Provides technical assistance and information to the Conservation Commission and other Town departments and boards as requested. Works cooperatively and coordinates Commission issues and activities with other Town departments. Coordinates management of conservation land under the Commission's control, including documentation related to the monitoring of Conservation Restrictions held by the Commission. Prepares written responses to referrals for project review from other Town boards and state agencies. Represents the Conservation Commission with federal, state and municipal officials as needed.

Periodically attends training seminars, including the Massachusetts Association of Conservation Commissions, to remain current and knowledgeable of new laws and regulations relating to Conservation Commission activities.

Related duties as may be assigned by the Conservation Commission.

Minimum Qualifications:

A Bachelor's degree in environmental science, wetlands biology or related degree; a minimum of 2-3 years experience in associated field, or any reasonable equivalent of education and experience. MACC Fundamentals for Conservation certification required or in process. Computer skills, including fluency in MS Word, Excel, Outlook, and Internet Explorer. Familiarity with GIS Mapping a plus. Knowledge of land use and surveying techniques, wetlands biology, hydrology and soils a must. Familiarity in working with State permitting forms, Assessor's maps, site maps, wetland delineations, engineering plans and aerial photographs. Working knowledge of: natural history, including knowledge of plants, soils, wildlife and other environmental science and land use law; wetlands laws and regulations; stormwater laws and regulations.

Familiarity with the Massachusetts Wetlands Protection Act (310 CMR), Massachusetts General Laws Chapter 40B, the Massachusetts Endangered Species Act (MESA), the Massachusetts Environmental Policy Act (MEPA) including state stormwater management standards and National Pollutant Discharge Elimination System (NPDES) requirements. Ability to learn local zoning bylaws, subdivision rules and regulations, and the land development permitting and approval process. Familiarity with Massachusetts Open Meeting Law as well as ethics and conflict of interest issues for municipal officials.

Successful candidates will have excellent interpersonal skills, both written and verbal, be capable of multitasking, and hold a valid driver's license and a car for conducting field work.

How to Apply:

Applications accepted until job is filled. Send cover letter and resume outlining your qualifications and availability to:

Bill Daniels
Chair, Ayer Conservation Commission
Ayer Town Hall
One Main Street
Ayer, MA 01432

Or

Email: concom@ayer.ma.us
Fax: 978-772-8208

For more information call 978-772-8249 or go to the Town website at ayer.ma.us/

The Town of Ayer is an Equal Opportunity Employer.

Estimate cost of increasing the Conservation Administrator position from 19 hours per week to 40 hours per week:
 (assumes start date of Nov 1, 2016)

Estimated cost at 40 hours per week:

Wages:	FY17 rate	Hours per week	Number of weeks	Subtotals	Totals	Total wages & benefits
7/1-10/31/16	\$24.67	19	17	\$7,968.41		
11/1-6/30/17	\$24.67	40	35.2	\$34,735.36	\$42,703.77	
Benefits: *						
	Total premium	Town portion	months			
Health Insurance (assume Tufts Family)	\$1,874.00	75%	12	\$16,866.00		
Life Insurance	\$8.60	75%	12	\$77.40	\$16,943.40	\$59,647.17

Estimated cost at 19 hours per week:

Wages						
7/1-6/60/17	\$24.67	19	52.2	\$24,467.71		\$24,467.71
Estimated additional cost						\$35,179.46

* At 40 hours per week, the employee would also be eligible for benefited time off. Although the "cost" of the benefited time off is included in gross pay, the expense of the down-time to the office is estimated as follows:

		hours per year			
Vacation	\$24.67	80	\$1,973.60	vacation hours will increase over time	
Holidays	\$24.67	104	\$2,565.68		
Personal time	\$24.67	24	\$592.08		
Sick	\$24.67	120	\$2,960.40	may or may not be used, but may carryover to specified limit	
		328	\$8,091.76		
Bereavement	\$24.67	24	\$592.08	may or may not use, does not carryover	

September 6, 2016

Town of Ayer
c/o Mr. Brian Colleran
Conservation Administrator
1 Main Street
Ayer, MA 01432

Re: Pond Management Plan for Ayer Ponds– Ayer, MA

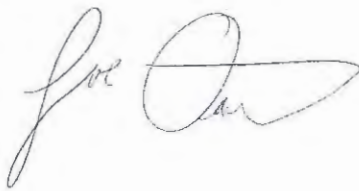
I have worked closely with my Biology team, including Dominic Meringolo, Territory Leader Biologist for SOLitude Lake Management. Dominic has treated many of the Ayer ponds, multiple times in the past. Together we have used our own knowledge and combined it with the Geo Syntac study to form a five-year management plan for Ayer Ponds.

The table attached illustrates the timeline, ballpark costs and treatments separated by year and waterbody. Please keep in mind that these are only rough estimates for budgeting purposes. SOLitude Lake Management can formalize these costs in a proposal when the time arises. These treatments are planned out in an ideal situation but can be moved around from year to year depending on priority. These estimates do not include any sort of vegetation monitoring. The cost significantly drops in 2019 (year 3) and we recommend incorporating some sort of vegetation monitoring surveys in that year. In summary, we feel that a budget of \$60,000/yr. would be adequate to manage the Ayer Ponds. We did not feel that any treatment of Long Pond would be necessary based on the Geo Syntac study done in 2014.

Please do not hesitate to contact me directly with any questions. We hope this gives you a good starting point in your goal of properly managing the Ayer Ponds. And we hope that you will choose SOLitude Lake Management when the time comes.

Sincerely,

SOLitude Lake Management



Joe Onorato
Business Development Consultant

Competitively Sensitive & Proprietary Materials – The information contained herein is the intellectual property of SOLitude Lake Management. Recipient may not disclose to any outside party any proprietary information, processes, or pricing contained in this document or any of its attachments without the prior written consent of SOLitude Lake Management. This document is provided to the recipient in good faith and it shall be the responsibility of the recipient to keep the information contained herein confidential.



Program Year	Description of Services	Total Annual Cost
2017	<ul style="list-style-type: none"> ▪ Sandy Pond – Sonar and Reward treatment. \$18,000-\$20,000 ▪ Fletcher's Pond – Whole lake Sonar treatment with fast-tests. - \$30,000-\$35,000 ▪ Balch Pond – Spot treatments as needed with Reward and Aquapro. - \$2,000-\$4,000 ▪ Grove Pond – Hand-pulling of Water Chestnut. - \$6,000 ▪ Pinemeadow Pond – Spot treatments with Reward and Aquapro. - \$4,000-\$5,000 	<ul style="list-style-type: none"> ▪ \$60,000-\$70,000
2018	<ul style="list-style-type: none"> ▪ Sandy Pond – Spot treatments with Reward. - \$4,000-\$5,000 ▪ Fletcher's Pond – Spot treatments with Reward, Clipper, Aquapro. - \$5,000-\$7,000 ▪ Balch Pond – Spot treatments as needed with Reward and Aquapro. - \$2,000-\$4,000 ▪ Grove Pond – Whole lake Sonar treatment with fast-tests. \$45,000-\$50,000 ▪ Pinemeadow Pond – Spot treatments with Reward and Aquapro. - \$4,000-\$5,000 	<ul style="list-style-type: none"> ▪ \$60,000-\$71,000
2019	<ul style="list-style-type: none"> ▪ Sandy Pond – Spot treatments with Reward. - \$4,000-\$5,000 ▪ Fletcher's Pond – Spot treatments with Reward, Clipper, Aquapro. - \$5,000-\$7,000 ▪ Balch Pond – Spot treatments as needed with Reward and Aquapro. - \$2,000-\$4,000 ▪ Pinemeadow Pond – Spot treatments with Reward and Aquapro. - \$4,000-\$5,000 	<ul style="list-style-type: none"> ▪ \$15,000-\$21,000
2020	<ul style="list-style-type: none"> ▪ Sandy Pond – Sonar and Reward treatment. – \$18,000-\$20,000 ▪ Fletcher's Pond – Spot treatments with Reward, Clipper, Aquapro. - \$5,000-\$7,000 ▪ Balch Pond – Spot treatments as needed with Reward and Aquapro. - \$2,000-\$4,000 ▪ Grove Pond – Spot treatments with Reward, Clipper, Aquapro. - \$5,000-\$7,000 ▪ Pinemeadow Pond – Spot treatments with Reward and Aquapro. - \$4,000-\$5,000 	<ul style="list-style-type: none"> ▪ \$34,000-\$44,000
2021	<ul style="list-style-type: none"> ▪ Sandy Pond – Spot treatments with Reward. - \$4,000-\$5,000 ▪ Fletcher's Pond – Whole lake Sonar treatment with fast-tests. - \$30,000-\$35,000 ▪ Balch Pond – Spot treatments as needed with Reward and Aquapro. - \$2,000-\$4,000 ▪ Grove Pond – Spot treatments with Reward, Clipper, Aquapro. - \$5,000-\$7,000 ▪ Pinemeadow Pond – Spot treatments with Reward and Aquapro. - \$4,000-\$5,000 	<ul style="list-style-type: none"> ▪ \$45,000-\$56,000
Total Program Cost	\$214,000-\$262,000	

Purchase Order



Date: 9/7/2016

PO#: 2427

Ayer Police Department 54 Park St Ayer, Ma 01432 978-772-8200 ext 502 978-772-8201 (F) bgill@ayer.ma.us	Vendor: MHQ, Inc. 401 Elm St Marlborough, MA 01752 Steve Spokowski 508-573-2628	Ship To: Ayer Police Dept. 54 Park St Ayer, Ma 01432 978-772-8200 Attn: Brian Gill
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Shipping Method	Shipping Terms	Payment
Will Pickup		Net 30

Quote
Dated 8/31/16

Quantity	Item	Description	Unit	Amount
1		2017 Ford Interceptor Utility V6 AWD	\$26,550.00	\$26,550.00
1.00		Accessories / Packages	\$14,564.00	\$14,564.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
			Subtotal	\$41,114.00
			Tax	\$0.00
			Freight	\$0.00
			Total	\$41,114.00

1. Enter this order in accordance with the prices, terms, delivery method, and specifications listed above.
2. Please notify us immediately if you are unable to ship as specified.
3. Send all correspondence to:

[Brian Gill]
 [54 Park St]
 [Ayer, Ma 01432]
 Phone [978-772-8200]
 Fax [978-772-8202]



Authorized By _____ Date _____



QUOTE

Lt
Gill
2427

CUSTOMER

Contact Name: Sgt. Mike Edmonds
 Company/Dept: Ayer Police Department
 Street Address: 54 Park Street
 City, State, Zip: Ayer MA 01432
 Phone: 978-772-8200 x-505
 E-Mail: medmonds@ayer.ma.us

Date: Aug. 31, 2016
 Valid for: until 9/30/16
 Customer #: 10615
 Contract: GBPC
 Sales Rep: Steve Spokowski

CONTRACT LINE REFERENCE	LINE DESCRIPTION	UNIT PRICE	QTY.	EXTENDED PRICE
	2017 Ford Interceptor Utility V6 all wheel drive Black	\$ 26,550.00	1	\$26,550.00
	Predrilled headlamp assemblys to accommodate LED lighting	\$ 119.00	1	\$119.00
	Dark car feature (courtesy lamp disabled at doors, activate by panel sv	\$ 19.00	1	\$19.00
	Driver side pillar mounted LED spot light	\$ 375.00	1	\$375.00
	Small center hub wheel covers	\$ -	1	\$0.00
	Heated exterior rear view mirrors	\$ 57.00	1	\$57.00
	Reverse sensing	\$ 261.00	1	\$261.00
	Back up camera standard - display in rear view interior mirror	\$ -	1	\$0.00
	Noise supression straps	\$ 95.00	1	\$95.00
	Rear door interior handles disabled	\$ 33.00	1	\$33.00
	Rear door window switches disabled - operable by front master panel	\$ 24.00	1	\$24.00
	Power group: driver seat, windows & locks	\$ -	1	\$0.00
	5 year/100k mile powertrain warranty \$0 deductible included	\$ -	1	\$0.00
	Install/transfer supplied 2 way police radio	\$ 175.00	1	\$175.00
	Install portable radio charger	\$ 50.00	1	\$50.00
	Power distribution system	\$ 795.00	1	\$795.00
	Additional paint: roof & 4 doors white - wing remains black	\$ 795.00	1	\$795.00
	Front & rear window vent shades	\$ 75.00	1	\$75.00
	Graphics package B - unit # 39 - include chevron on rear gate	\$ 395.00	1	\$395.00
	Class II trailer hitch receiver & 4 pin flat connector	\$ 395.00	1	\$395.00
	Passenger side air bag cut off switch	\$ 395.00	1	\$395.00
	Liberty LED light bar with Cencom siren, switching & public address	\$ 2,260.00	1	\$2,260.00
	Special order: rear bar color:Blue/red/amber/blue/blue/amber/red/bl	\$ -	1	\$0.00
	One pair blue IONS in front headlamp assembly corners	\$ 355.00	1	\$355.00
	(4) LED hideaways rear: red in directional, blue/clear split in b/u	\$ 440.00	1	\$440.00
	One pair dual tier 400 series push bar lights: blue/blue & blue/red	\$ 510.00	1	\$510.00
	One pair blue IONS from rear roofline with tilt switch	\$ 355.00	1	\$355.00
	One pair blue IONS in lower center rear side glass	\$ 355.00	1	\$355.00
	One pair blue IONS recessed in lower interior gate bottom	\$ 355.00	1	\$355.00
	Blue LED mirror lights	\$ 405.00	1	\$405.00
	100w siren speaker on push bar	\$ 200.00	1	\$200.00
	10s recessed prisoner cage	\$ 775.00	1	\$775.00
	Dual electric gun rack	\$ 460.00	1	\$460.00
	Rear transport seat with cargo security cage	\$ 1,055.00	1	\$1,055.00
	Rear window bars	\$ 245.00	1	\$245.00
	Jotto center console	\$ 376.00	1	\$376.00

Armrest		\$ 88.00	1	\$88.00
Dual cup holders		\$ 42.00	1	\$42.00
Push bar with clear recessed IONS in top cross member		\$ 770.00	1	\$770.00
Blue/red split LINZ6 LED lights on sides of push bar - one per side		\$ 255.00	1	\$255.00
3 db (5db) gain antenna		\$ 70.00	1	\$70.00
Transfer radar		\$ 55.00	1	\$55.00
Heavy duty computer stand		\$ 560.00	1	\$560.00
Universal mounting tray		\$ 225.00	1	\$225.00
Transfer computer		\$ 295.00	1	\$295.00
			TOTAL:	\$41,114.00

TERMS AND CONDITIONS

*This quote is valid for 60 days from the date of quote. Any purchase orders or approved quotes received outside of the 60 day quote period will be subject to price adjustments. By signing this quote, the customer is agreeing to pay, in full, for all items listed above. Any requests for changes, modifications, replacements, removals or additional items may be subject to additional fees and/or adjusted delivery dates.

M.G.L c. 30B applies to the procurement of all commodities quoted. Contract items have been collectively purchased pursuant to M.G.L c 30B sec 1c and M.G.L c.7 sec 22B. The government body is responsible to determine the applicability of M.G.L. c30B to off contract items, but not limited to, off contract items that have already been properly procured under M.G.L. c30B sec 1c and M.G.L. c7 sec 22A (purchases from a vendor on contract with the Commonwealth), other contracts procured under M.G.L. c30B sec 1c and M.G.L. c. 30B contract between the vendor and the jurisdiction. All off contract items must be procured under M.G.L. c. 30B.

The terms and conditions stated herein and the provisions of any agreement between MHQ and Buyer, if applicable, shall constitute the complete and only terms and conditions applicable to any and all purchases by Buyer from MHQ. Any additional and/or different terms and/or conditions printed anywhere including on, or with, Buyer's order shall be inapplicable in regard to any purchase by Buyer from MHQ.

ORDER ACKNOWLEDGEMENT

By signing this document you are agreeing to the above terms and conditions of this order from MHQ, Inc.

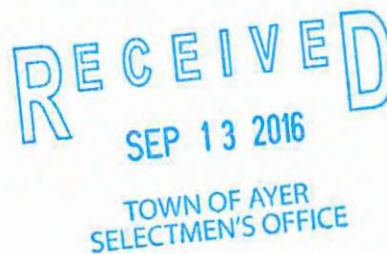
x _____
PRINT NAME

x _____
TITLE

x _____
SIGNATURE

Quote provided by Steve Spokowski, Account Manager at MHQ
(508) 573-2628 or sspokowski@mhq.com

Ayer Town Hall
Board of Selectmen
1 Main Street
Ayer, MA 01432
September 12, 2016



Dear Ayer Board of Selectmen,

My name is Jeffrey P. Gendron, President of the Ayer Vineyard LTD. I want to apply for an **All Alcoholic Retail License**, awarded through the **Home Rule Petition**. I would like this item to be included on the agenda for September 20, 2016 Selectmen's Meeting.

I want to take this opportunity to tell you about myself. I have been in the liquor industry for over forty years. As an entrepreneur, I began building this business in July of 2003. I have built up this business over the past thirteen years doubling its size, because of my loyal customers. Being on Route 2A, my customer base is not only Ayer residents, but they are also from neighboring towns: Lunenburg, Shirley, Groton, Townsend and many others. As you know I am on the opposite side of town than the other liquor stores, and I strive on knowing my products, customer service, and safety for all of my customers.

I believe as a business owner in this town that I can and will continue to serve the Town of Ayer with professionalism and great pride. My wife, Elizabeth and I are very involved in this community. We have two sons who we school choice to Ayer Shirley Public Schools: John, who graduated in 2015 and was in the top tenth of his class, and Jeffrey who is a senior at Ayer Shirley High School. We are very active in supporting school activities by attending sporting events, Booster Club activities, being a host family to a Chinese student last spring, and many fundraising events throughout the town.

If you have any questions, please do not hesitate to contact me at 978-772-0696.
Thank you in advance for this opportunity to better serve the Town of Ayer.

Sincerely,

Jeffrey P. Gendron
Ayer Vineyard LTD
DBA, The Vineyard
63 Park Street
Ayer, MA 01432

* Attachments enclosed

Town of Ayer

Office of Community & Economic Development

Town Hall ♦ One Main Street ♦ Ayer, MA 01432 ♦ 978-772-8206 ♦
978-772-8208 (fax)



May 11, 2011

Mr. Jeffrey Gendron
The Vineyard
63 Park Street
Ayer, MA 01432

Mr. Gendron:

Enclosed are the minutes from the April 19 Board of Selectmen Meeting where I submitted your request for a Home Rule Petition for a full liquor license. I'm sorry that the decision was not more in your favor.

I have spoken to the Town Administrator, who was also present that night, and his opinion was that maybe we should approach the BOS again at a future date. They actually did not take any action on it. With five rather than four members, the future outcome might be different.

If you decide to approach them again, I would be happy to propose your petition to the BOS with you present with me next time.

Sincerely,

A handwritten signature in cursive script that reads "David Maher".

David Maher
Town of Ayer
Office of Economic and Community Development

traditions that dies off. Selectman McCreary requesting the Board post restriction "No Public Access" at the discretion of the Foreman, 2nd by Selectman Luca, VOTE: unanimous, so moved.

National Public Works Week Proclamation- Chairman Fay read into the record a Proclamation proclaiming

5-15-11 to 5-21-11 as National Public Works Week in the Town of Ayer. Supt. Nason advising to activities planned for week with School to include tours of DPW facilities i.e. WWTP, WTP and water conservation inviting public & officials to participate.

Agenda Item #6. Director of Planning & Development's Report-the Board met with David Maher Fletcher Building EDF Grant Application- Mr. Maher presented the Board's letter of support for the Town's 2010 Economic Development Grant Application to rehabilitate the historic Fletcher Building with six (6) units of affordable housing and two store fronts of commercial space on the first floor totaling \$750K. Mr. Maher revised the letter for the full Board's signatures. Selectman Luca moved the Board approve the Board's letter of support to Tina Brooks Undersecretary –Dept. of Housing & Community Development, 2nd by Selectman McCreary, VOTE: unanimous, so moved.

Home rule Petition-Vineyard Mr. Maher presented the Board the Vineyard's Home Rule Petition for their consideration. Mr. Maher updated the Board to Jeffrey Gendron requesting the Board's consideration and approval of a Home Rule Petition to update his present Beer & Wine License to a full All Alcohol license for his Park St. location in Ayer. The Board opened the discussion. Selectman Luca feeling what the Town has presently is sufficient. Selectman McCreary pondering fair competition. Selectman Maxant echoing Selectmen Luca. Mark Fermanian (Jack-O-Lantern) stating all businesses struggling, should not be another way to get license, encouraging the Board to vote against. Phil Berry advising to communities number of licenses population based and not ready for another license in Town. Selectman Maxant feeling proponent not present to speak on and should have been if wanted Board's support. Selectman Luca requesting Board not support take no action. No action taken by Board. Economic Development Update – see report dated April 19, 2011 Mr. Maher highlighted a few items of interest for the Board.

Mr. Maher updated the Board to a new Hi-Tec company coming to Ayer (Hybricon Building-Willow Rd.) and coordinating relocation with them.

Mr. Maher updated the Board to a DHCD Economic Development pre-application reviewed and approved and Senate Construction seeking a \$250K CPC grant which is on the 5-9-11 Annual Town Meeting Warrant.

4th of July Update- Mr. Maher advised the Board to the Sock-Hop Dance a huge success raising nearly \$2K between ticket & raffle sales, sponsorship letters coming in well with commitments exceeding over \$1K. Sales for the St. Patrick's and current Mother's Day Basket exceeding expectations. Mr. Maher extending Committee members a huge thank you.

Agenda Item #7. May 9th 2011 Annual Town Meeting Warrant –

Mr. Pontbriand opened the discussion by updating the Board to revised warrant before them encompassing 38 Articles for consideration at Town Meeting.:

Article 34. Aquifer Protection District By-law Amendment-added to include Zone II area around Grove Pond Well per Board of Health

Articles 35-37 Contracts Ratified-DPW, Police Superiors, Town Hall Unions –no appropriation

Articles 23 & 24 Central Ave. Central Ave. Properties place holders

Article 25. Stabilization-ten percent of appropriation to go into Capital Stabilization. Mr. Pontbriand advising to Fin-Com recommending splitting Stabilization and GASB45 down the middle. Motion made by Selectman Luca, 2nd by Selectman McCreary VOTE: unanimous, so moved.

Article 28- CPAC-Change language (not Town owned)

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: September 15, 2016

TO: Ayer Board of Selectmen

FROM: Robert A. Pontbriand
Town Administrator

A handwritten signature in blue ink, appearing to read "R.A.P.", is written over a light blue rectangular background.

SUBJECT: Town Administrator's Report for the September 20, 2016 Ayer Board of Selectmen's Meeting

Dear Honorable Selectmen,

I hereby offer the following Town Administrator's Report for the September 20, 2016 Ayer Board of Selectmen's Meeting. If you have any questions prior to the meeting, please do not hesitate to contact me directly. Thank you.

Administrative Update:

- I will offer a brief update on the various projects and initiatives of the Administration since the Board last met on September 6, 2016.

Reallocation of UDAG Funds:

- I am respectfully requesting that the Board vote to reallocate the previously approved UDAG funds for Planning Board Support (4 hours a week) in the amount of \$1,666.60 to the Parks Commission to be used to provide administrative support (4 hours a week) including meeting minutes for the Parks Commission.

Chapter 61 Pleasant Street Update:

- At the request of the Board on September 6, 2016, the two notices of intent to convert chapter 61 land for Pleasant Street have been researched and reviewed. The notice received for Riley Jane has been deemed legally sufficient and thus the statutory clock to conduct an appraisal within 30 days began on September 1, 2016 (See attached). The notice received for Cowfield has been deemed to not be legally sufficient and thus the statutory clock has not commenced. In terms of the Riley Jane parcel, if the Town is to proceed with an appraisal it would legally require a mutual extension from the owner.
- The Chapter 61 Working Group continues to meet monthly for the purposes of developing a long range plan in terms of identifying, prioritizing and acquiring lands that are of importance to the Town.

Warrant Article Discussion – Ayer Shop ‘n Save

- Since the Board voted 2-1 on September 6, 2016 to put forth a warrant article on the Fall Town Meeting Warrant to seek an additional all-alcohol license for the Town the need for the Board to further clarify the Article has arisen. Legally the Board may put forth an Article which if passed by Town Meeting would petition the State Legislature for an additional all-alcohol license (and if granted then the Board would assign); or the Article put forth may be specific for an all-alcohol license for Ayer Shop ‘n Save. Please see the attached examples of the potential warrant article. (See Attached).

Police Station Roof Replacement Contract Approval

- The Board is respectfully requested to vote to approve the attached contract for the Police Station Roof Replacement with Almar LLC of Medfield, MA in the total amount of \$117,748.00 (See Attached).
- Additionally, given the size and scope of this project, I am respectfully recommending that the Board of Selectmen authorize up to (10 hours per week) for the duration of the project (40 hours) to be paid to the Facilities Director for overseeing the project with funding to come from the project appropriation.

Law Office of Thomas A. Gibbons, PC.

Thomas A. Gibbons, Esq.
tgibbons@tgibbonslaw.com
Licensed to practice in MA & NH

www.tgibbonslaw.com
21 Park Street
Ayer, MA 01432
Telephone: 978-772-2284
GENERAL FAX: 978-772-0802

Tracey B. Harding, Esq.
tharding@tgibbonslaw.com
Licensed to practice in MA

August 26, 2016

RECEIVED
SEP 01 2016

VIA IN HAND

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

VIA IN HAND

Conservation Commission
Town of Ayer
1 Main Street
Ayer, MA 01432

VIA CERTIFIED MAIL

9414 7118 9956 3692 4107 39

Department of Conservation and Recreation
Leo Roy, Commissioner
Attn: State Forester
251 Causeway Street, Suite 90
Boston, MA 02114

VIA IN HAND

Board of Assessors
Town of Ayer
1 Main Street
Ayer, MA 01432

VIA IN HAND

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

**NOTICE OF INTENT TO CONVERT TO RESIDENTIAL USE
PURSUANT TO MASSACHUSETTS GENERAL LAWS, CHAPTER 61**

Dear Honorable Board Members:

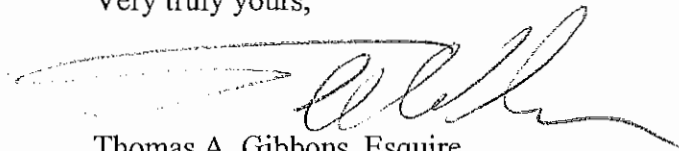
Please be advised that this office represents C.J. Moore, Manager of the Riley Jayne Farm LLC, a Massachusetts Limited Liability Company. This letter is to serve as Notice that C.J. Moore, Manager of the Riley Jayne Farm LLC, of 12 Lawton Road, Shirley, Massachusetts and who can be reached through the care of the Law Office of Thomas A. Gibbons, P.C. at (978) 772-2284, intends to convert for residential use adjoining parcels of land described in a deed recorded with the Middlesex South Registry of Deeds Book 63193, Page 592. The first parcel is shown on Town of Ayer Assessor's Map 13 Lot 9 consisting of 6.23 acres and all 6.23 acres is

currently classified as forestry under Massachusetts General Laws Chapter 61. The second adjoining parcel is shown on Town of Ayer Assessor's Map 12 Lot 106 consisting of 15.96 acres of which only 5.76 acres is classified as forestry under Massachusetts General Laws Chapter 61. Attached hereto as Exhibit A is a copy of the working plot plan dated April 11, 2016 for the property. Attached hereto as Exhibit B is a copy of the "Definitive Residential Subdivision Lotting Plan Riley Jayne Farm 114 Pleasant Street Ayer, MA prepared for: Riley Jayne Farm, LLC 12 Lawton Road, Shirley MA 01464" which further shows the property. Attached hereto as Exhibit C is the lien from the Ayer Board of Assessors which is recorded in the Middlesex South Registry of Deeds Book 66329, Page 287 and outlines the property that is specifically classified as forestry.

Pursuant to Massachusetts General Laws, Chapter 61, Section 8, the Town of Ayer has the option of purchasing "the land at full and fair market value to be determined by an impartial appraisal performed by a certified appraiser hired at the expense of the municipality or its assignee, the original appraisal to be completed and delivered to the landowner within 30 days" from the date of the mailing of this Notice. Mr. Moore, Manager, respectfully requests that if the Town of Ayer, acting by and through its Board of Selectmen, decides that it will not exercise its option, and that decision is made prior to the expiration of the thirty (30) day appraisal period, that it please notify Attorney Thomas A. Gibbons of said decision so that the LLC may complete the conversion in a more expeditious fashion.

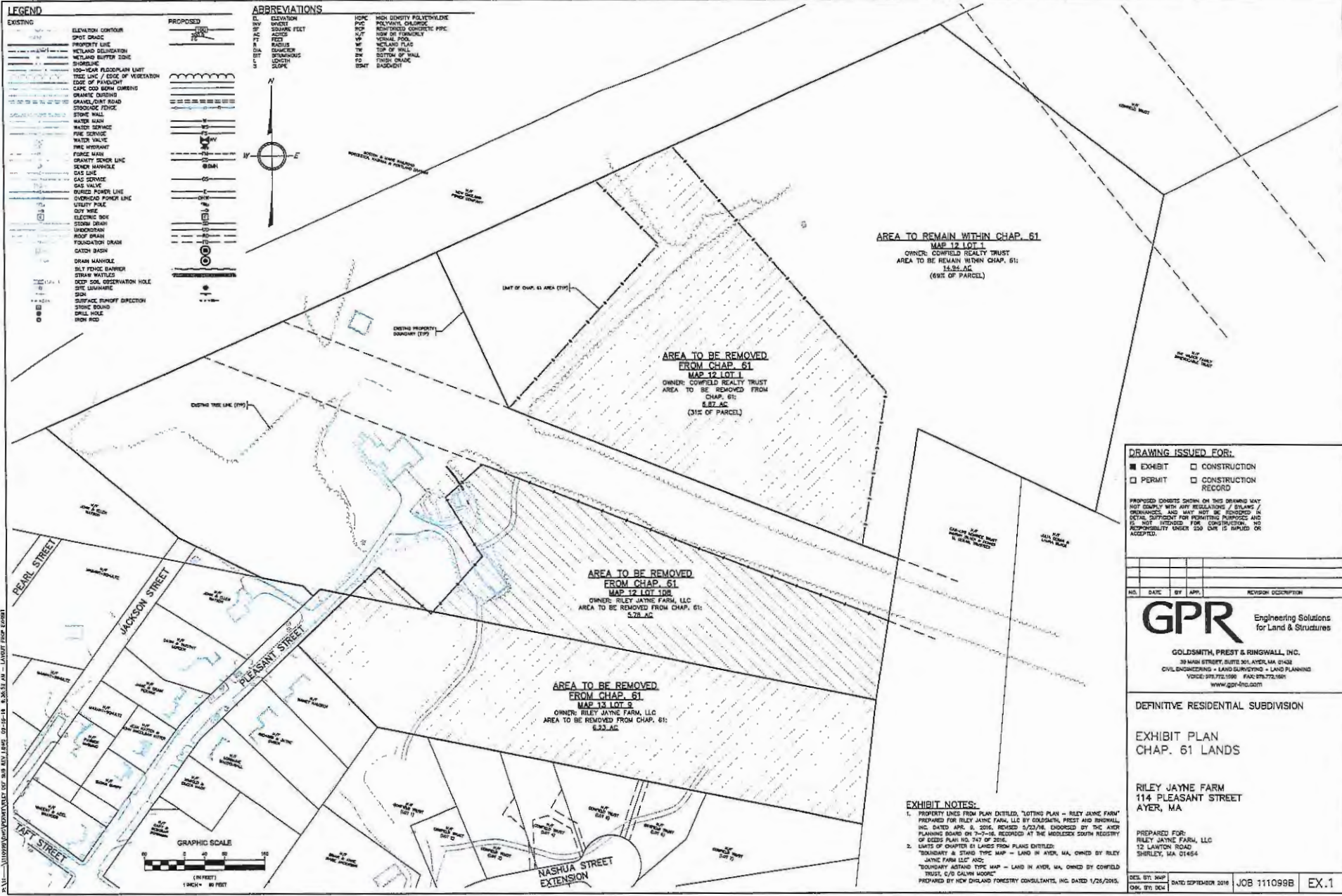
If you have any questions or concerns regarding this matter, please do not hesitate to contact me at the above address and phone number.

Very truly yours,

A handwritten signature in black ink, appearing to read 'TAG', with a long horizontal flourish extending to the left.

Thomas A. Gibbons, Esquire

TAG/tbh
Enclosures



LEGEND

EXISTING	PROPOSED
ELEVATION CONTOUR	1000
SPOT GRADE	75
PROPERTY LINE	
WETLAND DELINEATION	
WETLAND BUFFER ZONE	
SHORELINE	
100-YEAR FLOODPLAIN LIMIT	
TREE LINE / EDGE OF VEGETATION	
EDGE OF POND/OUT	
CAPX DOG BOUND GROUND	
GRAVEL/OUT ROAD	
STOCKADE FENCE	
STONE WALL	
WATER MAIN	
WATER SERVICE	
FIRE SERVICE	
WATER VALVE	
TRM INFRANT	
FORCE MAIN	
GRANITE SEWER LINC	
SEWER MANHOLE	
GAS LINE	
GAS SERVICE	
GAS VALVE	
BURIED POWER LINE	
OVERHEAD POWER LINE	
UTILITY POLE	
OUT WIRE	
ELECTRIC BOX	
STORM DRAIN	
UNDERDRAIN	
ROOF DRAIN	
FOUNDATION DRAIN	
CATCH BASIN	
DRAIN MANHOLE	
SILT FENCE BARRIER	
STEEL WELDED	
DEEP SOIL OBSERVATION HOLE	
PILE FOUNDATION	
SEIN	
SURFACE FLOW DIRECTION	
STAKE BOUND	
DRILL HOLE	
IRON ROD	

ABBREVIATIONS

EL	ELEVATION	HDPE	HIGH DENSITY POLYETHYLENE
HW	HOUSE	PCV	POLYVINYL CHLORIDE
SW	SQUARE FEET	PCP	REINFORCED CONCRETE PIPE
AC	ACRES	W	WIDE OF FLOORLINE
FT	FEET	W	WETLAND FLAG
R	RADIUS	W	TOP OF WALL
BT	BOTTOM OF WALL	W	TRIM DRAIN
CO	COURT	W	SLOPE
BSMT	BASEMENT		



AREA TO REMAIN WITHIN CHAP. 61
 MAP 12 LOT 1
 OWNER: COMFIELD REALTY TRUST
 AREA TO BE REMAIN WITHIN CHAP. 61:
 14.84 AC
 (68% OF PARCEL)

AREA TO BE REMOVED FROM CHAP. 61
 MAP 12 LOT 1
 OWNER: COMFIELD REALTY TRUST
 AREA TO BE REMOVED FROM CHAP. 61:
 8.87 AC
 (31% OF PARCEL)

AREA TO BE REMOVED FROM CHAP. 61
 MAP 12 LOT 108
 OWNER: RILEY JAYNE FARM, LLC
 AREA TO BE REMOVED FROM CHAP. 61:
 5.78 AC

AREA TO BE REMOVED FROM CHAP. 61
 MAP 13 LOT 9
 OWNER: RILEY JAYNE FARM, LLC
 AREA TO BE REMOVED FROM CHAP. 61:
 6.33 AC

DRAWING ISSUED FOR:

<input checked="" type="checkbox"/> EXHIBIT	<input type="checkbox"/> CONSTRUCTION
<input type="checkbox"/> PERMIT	<input type="checkbox"/> CONSTRUCTION RECORD

PROPOSED CONSTRUCTION ON THIS DRAWING MAY NOT COMPLY WITH ANY REGULATIONS / ORDINANCES / ORDINANCES, AND MAY NOT BE RECORDED IN OFFICE, SUFFICIENT FOR PERMITTING PURPOSES AND IS NOT INTENDED FOR CONSTRUCTION. NO RESPONSIBILITY UNDER 259 CMR IS IMPLIED OR ACCEPTED.

NO.	DATE	BY	APP.	REVISION DESCRIPTION

GPR Engineering Solutions for Land & Structures

GOLDSMITH, PREST & RINGWALL, INC.
 39 NASH STREET, SUITE 301, AYER, MA 01454
 CIVIL/ENGINEERING • LAND SURVEYING • LAND PLANNING
 VOICE: 978.762.1999 FAX: 978.762.1991
 www.gpr-inc.com

DEFINITIVE RESIDENTIAL SUBDIVISION

EXHIBIT PLAN CHAP. 61 LANDS

**RILEY JAYNE FARM
 114 PLEASANT STREET
 AYER, MA**

PREPARED FOR:
 RILEY JAYNE FARM, LLC
 12 LANTON ROAD
 SHIRLEY, MA 01464

EXHIBIT NOTES:

- PROPERTY LINES FROM PLAN DATED, "LITTING PLAN - RILEY JAYNE FARM" PREPARED FOR RILEY JAYNE FARM, LLC BY GOLDSMITH, PREST AND RINGWALL, INC. DATED APR. 8, 2016, REVISED 5/25/16, ENDORSED BY THE AYER PLANNING BOARD ON 7-27-16, RECORDED AT THE MIDDLESEX COUNTY REGISTRY OF DEEDS PLAN NO. 747 OF 2016.
- LIMITS OF CHAPTER 61 LANDS FROM PLANS ENTITLED: "BOUNDARY & STAGD TYPE MAP - LAND IN AYER, MA, OWNED BY RILEY JAYNE FARM LLC" AND "BOUNDARY AND STAGD TYPE MAP - LAND IN AYER, MA, OWNED BY COMFIELD TRUST, C/O CALVIN MOORE" PREPARED BY NEW ENGLAND FORESTRY CONSULTANTS, INC. DATED 1/25/2015.

DES. BY: SHP	DATE: SEPTEMBER 2016	JOB: 111099B	EX. 1
CHK. BY: DCL			

A:\11-110999\110999\110999.dwg 09-16-16 10:30:51 AM LAYOUT PLOT 0/2016

GPR © COPYRIGHT GOLDSMITH, PREST & RINGWALL, INC.

Exhibit B

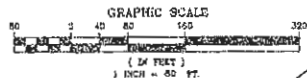
PLAN REFERENCES:

- 1) "SEWER MAIN EXTENSION RECORD PLANS - CROTON SCHOOL ROAD EASTMENT" SHEET 52 & 53, DATED JUNE 1974.
- 2) "LAND IN AYER, MASS." SURVEYED FOR CALVIN E. MOORE BY CHARLES A. PERKINS CO. INC. DATED JULY 1936. JOB NO. 8990, PLAN NO. M-2800. MIDDLESEX SOUTH REGISTRY OF DEEDS PLAN NO. 1049 OF 1986.
- 3) "PLAN OF LAND IN AYER, MASS." PREPARED FOR COMFIELD TRUST BY DAVID E. ROSE ASSOCIATES, INC. DATED OCTOBER, 1993. JOB NO. 2241. PLAN NO. L-2280. MIDDLESEX SOUTH REGISTRY OF DEEDS PLAN NO. 948 OF 1992.
- 4) "LAND IN AYER, MASS." SURVEYED FOR GEORGE V. MOORE BY CHARLES A. PERKINS CO. INC. DATED JANUARY, 1981. JOB NO. 7070, PLAN NO. 4713. MIDDLESEX REGISTRY OF DEEDS PLAN NO. 205 OF 1982.
- 5) "DEFINITIVE SUBDIVISION - NASHUA STREET EXTENSION" PREPARED FOR GOLDENITH, PREST & RINGWALL, INC. DATED MARCH, 2014. JOB NO. 111099B.
- 6) "PLAN OF LAND IN AYER, MASS." OWNED BY TODD MOORE & COMFIELD TRUST AT NASHUA STREET EXTENSION BY GOLDENITH, PREST & RINGWALL, INC. DATED JUNE 20, 2015. JOB NO. 111099A. MIDDLESEX SOUTH REGISTRY OF DEEDS PLAN 704 OF 2012.
- 7) "MAP 13/PARC 40 - ORDER OF RESOURCE AREA DELINEATION FOR 114 PLEASANT STREET (PARC 1 & 106 (MAP 13) & PARC 9 (MAP 13); DCP FILE NUMBER 100-0072" ISSUED TO RILEY JAYNE FARM, LLC. BY THE TOWN OF AYER CONSERVATION COMMISSION. DATED JUNE 12, 2014.

NOTES:

- 1) THIS PROPERTY MAY BE SUBJECT TO EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS, COVENANTS OR OTHER LIMITATIONS WHICH MAY BE DISCLOSED BY A TITLE EXAMINATION.
- 2) A PORTION OF THE PROPERTY SHOWN IS CLASSIFIED AS FOREST LAND UNDER THE PROVISIONS OF GENERAL LAWS CHAPTER 61.
- 3) WETLAND AREAS SHOWN ARE BASED ON PLAN REFERENCED 7, HEREON.

CURVE	LENGTH	RADIUS
C1	22.62	315.591
C2	28.67	29.925
C3	24.35	24.000
C4	37.27	24.000
C5	20.33	25.000
C6	44.98	425.500
C7	18.45	325.000
C8	25.08	470.000
C9	27.43	318.000
C10	15.87	318.000
C11	24.37	371.000
C12	27.56	371.000
C13	246.30	174.000
C14	91.84	275.900
C15	188.88	245.500
C16	203.43	275.500
C17	272.19	60.000
C18	116.81	325.000



Middlesex Registry of Deeds,
Southern District
Cambridge, Massachusetts
Plan No. 111099B of 2016
Rec'd 8-18-2016
at 11:12 A.M.

Attest:
[Signature]
Register

FOR REGISTRY USE ONLY

JOB NO. 111099B



RECORD OWNERS:
ASSESSOR'S MAP 13 PARC 1
COMFIELD TRUST (BOOK 29124 PG. 33)
RILEY JAYNE FARM, LLC (BOOK 27003 PG. 106)
ASSESSOR'S MAP 13 PARC 9
RILEY JAYNE FARM, LLC (BOOK 27003 PG. 583)

RECORD OWNERS:
ASSESSOR'S MAP 13 PARC 1
COMFIELD TRUST (BOOK 29124 PG. 33)
RILEY JAYNE FARM, LLC (BOOK 27003 PG. 106)
ASSESSOR'S MAP 13 PARC 9
RILEY JAYNE FARM, LLC (BOOK 27003 PG. 583)

SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION
1/11/111	DEED BOOK/PAGE	OH	CITY, HOLE
(D)	FOUND	OP	PIPE/ROD
(S)	SET	OS	STONE BOUNDARY
IP	IRON/STEEL PIPE	OD	DRILL LOG-2
SO	STONE BOUNDARY	OW	STONE WALL

GPR Engineering Solutions for Land & Structures

GOLDENITH, PREST & RINGWALL, INC.
38 MAIN ST., SUITE 301, AYER, MA 01434
JOHN A. RINGWALL, P.E., P.L.L.C. (REGISTERED PROFESSIONAL ENGINEER)
VINCENT P. PREST, P.L.L.C. (REGISTERED PROFESSIONAL ENGINEER)
www.gprinc.com

DEFINITIVE RESIDENTIAL SUBDIVISION

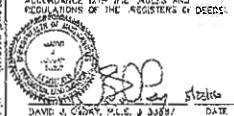
LOTGING PLAN

RILEY JAYNE FARM
114 PLEASANT STREET
AYER, MA

PREPARED FOR:
RILEY JAYNE FARM, LLC
12 LAWREN ROAD
SERRISLEY, MA 01484

DATE: APR. 6, 2016

THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTRY OF DEEDS:
 DAVID J. COOK, P.L.L.C. # 33887 DATE:



APPROVAL IS REQUIRED UNDER THE SUBDIVISION CONTROL LAW BY THE AYER PLANNING BOARD

[Signature]
Ayer Planning Board

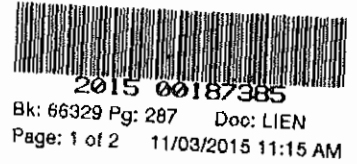
BEING A MAJORITY DATE APPROVED: 7-7-16
DATE ENDORSED:

[Signature] CLERK OF THE TOWN OF AYER, HEREBY CERTIFY THAT THE NOTICE OF THE APPROVAL OF THIS PLAN BY THE PLANNING BOARD HAS BEEN RECEIVED AND RECORDED BY THIS OFFICE AND NO APPEAL WAS RECEIVED DURING THE 30 DAYS NEXT AFTER RECEIPT AND RECORDING OF SAID NOTICE.

[Signature]
AYER TOWN CLERK

JOB NO.	111099B
DATE	APR. 6, 2016
SCALE	C.3.1

Exhibit c



State Tax Form CL-3
Revised 9/2008

The Commonwealth of Massachusetts
Ayer
Name of City or Town

Office of the Board of Assessors

Classified Forest-Agricultural or Horticultural-Recreational Land Tax Lien

The Board of Assessors in the city/town of Ayer hereby states it has accepted and approved the application of Riley Jayne Farm, LLC

owner(s) of the real property described below, for the valuation, assessment and taxation of that property as classified forest agricultural or horticultural recreational land under the provisions of General Laws Chapter 61 61A 61B . This classification is effective as of January 1, 2016 for the fiscal year beginning July 1, 2016 .

DESCRIPTION OF PROPERTY

(The description must be sufficiently accurate to identify the property. In the case of registered land, the Certificate of Title Number and the Registry Volume and Page must be given.)

Assessors map 13 lot 9 with a location of 0 Pleasant Street as described in Book 63193 Page 592 consisting of 6.23 acres of which 6.23 acres will be classified as forestry.

Assessors map 12 lot 106 with a location of 114 Pleasant Street as described in Book 63193 Page 592 consisting of 15.96 acres of which 5.76 acres will be classified as forestry.

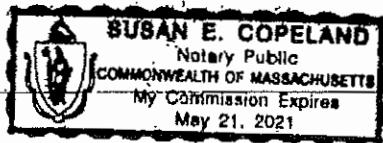
This statement made on the 21st day of October, 2015 constitutes a lien upon the property as provided in General Laws Chapter 61, § 2 61A, § 9 61B, § 6 .

Denis Callahan
Edward Correll
Paul P. Bresnan
Board of Assessors

The Commonwealth of Massachusetts

Middlesex ss.

On this 21st day of October, 2015, before me, the undersigned notary public, personally appeared Denis Callahan, Paul Bresnahan, Edward Correll, as Board of Assessors for the city/town of Ayer MA, proved to me through satisfactory evidence of identification, which were personally known to me, to be the persons whose names are signed on the preceding document in my presence, and acknowledged to me that they signed it voluntarily for its stated purpose.



Susan E. Copeland
Notary Public

My commission expires

THIS FORM APPROVED BY THE COMMISSIONER OF REVENUE

Town of Ayer
One Main St
Ayer, MA 01430

RECEIVED

MAR 28 2016

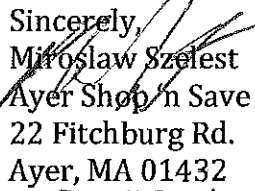
TOWN OF AYER
SELECTMEN'S OFFICE

Deferred by BOS
4/19/16

Ayer Board of Selectmen
1 Main St.
Ayer, MA 01432

To whom it may concern,

The Ayer Shop 'n Save is requesting special legislation via home rule petition for an all alcohol (section is off premise) license to further serve our customers and their needs. This license will allow us to build our client base and provide more products and services generating higher revenue and customer satisfaction.

Sincerely,

Mirosław Szelest
Ayer Shop 'n Save
22 Fitchburg Rd.
Ayer, MA 01432



6

ARTICLE [#]: AUTHORIZATION TO GRANT ONE ADDITIONAL ALL ALCOHOL LICENSE

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to authorize the Town to grant one additional license for the sale of all alcoholic beverages not to be drunk on the premises, in the form set forth below; and provided further that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court, and to authorize the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of the petition:

AN ACT AUTHORIZING THE TOWN OF AYER TO GRANT AN ADDITIONAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE PREMISES

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 1. Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the town of Ayer may grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises pursuant to section 15 of said chapter 138 to Ayer Shop 'n Save, located at 22 Fitchburg Road in the town of Ayer. The license shall be subject to all of said chapter 138, except said section 17. The licensing authority shall not approve the transfer of the license to any other location, but it may grant the license to a new applicant at the same location if the applicant files with the licensing authority a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with those departments and that all applicable taxes, fees and contributions have been paid. If the license granted under this act is cancelled, revoked, or no longer in use, it shall be returned physically, with all of the legal rights, privileges, and restrictions pertaining thereto to the licensing authority, which may then grant the license to a new applicant at the same location and under the same conditions as specified in this act.

Section 2. This act shall take effect upon passage.

Or take any action thereon or in relation thereto.

Sponsor: Board of Selectmen

Board of Selectmen: Recommends

Finance Committee:

Simple Majority Vote Required

ARTICLE [#]: AUTHORIZATION TO GRANT ONE ADDITIONAL ALL ALCOHOL LICENSE

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to authorize the Town to grant one additional license for the sale of all alcoholic beverages not to be drunk on the premises, in the form set forth below; and provided further that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court, and to authorize the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of the petition:

AN ACT AUTHORIZING THE TOWN OF AYER TO GRANT AN ADDITIONAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE PREMISES

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 1. Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the town of Ayer may grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises pursuant to section 15 of said chapter 138. The license shall be subject to all of said chapter 138, except said section 17. The licensing authority shall not approve the transfer of the license to any other location, person, or entity, but it may grant the license to a new applicant at the same location if the applicant files with the licensing authority a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with those departments and that all applicable taxes, fees and contributions have been paid. If the license granted under this act is cancelled, revoked, or no longer in use, it shall be returned physically, with all of the legal rights, privileges, and restrictions pertaining thereto to the licensing authority, which may then grant the license to a new applicant at the same location and under the same conditions as specified in this act.

Section 2. This act shall take effect upon passage.

Or take any action thereon or in relation thereto.

Sponsor: Board of Selectmen
Board of Selectmen: Recommends
Finance Committee:

Simple Majority Vote Required

payment in accordance with Article VI of the General Conditions within 90 days after the date when the Contract Times commence to run.

4.03 *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 5 – CONTRACT PRICE

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 5.01.

- 5.01 For all Work, at the prices stated in Contractor's Price Proposal Form, in the total amount of \$117,748.00

ARTICLE 6 – PAYMENT PROCEDURES

6.01 *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.

6.02 *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.

6.03 *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 sum Owner is entitled to set off against Engineer's recommendation, including but not limited to liquidated damages.

ARTICLE 7 – INTEREST

7.01 Not Applicable

ARTICLE 8 – CONTRACTOR'S REPRESENTATIONS

8.01 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 9 – CONTRACT DOCUMENTS

9.01 *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. The Non-Price Proposal and Price Proposal Documents Required by the Request for Proposals (RFP).

ARTICLE 10 – MISCELLANEOUS

10.01 *Terms*

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

10.02 *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.

10.03 *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.

10.04 *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 September 20, 2016.

Board of Selectmen
Town of Ayer
Ayer, Massachusetts

Almar, LLC
10 Rhododendron, Avenue – P.O. Box 662
Medfield, MA 02052

By: _____

By: _____

Title: Gary J. Luca, Chairman

By: _____

Title: Christopher R. Hillman, Vice Chairman

By: _____

Title: Jannice L. Livingston, Clerk

Title: _____

[CORPORATE SEAL]

[CORPORATE SEAL]

Approved: _____

Title: Town Accountant

Attest: _____

Attest: _____

Title: Clerk

Title: _____

Address for giving notices:

Address for giving notices:

Ayer Board of Selectmen

1 Main Street

Ayer, MA 01432

Agent for service of process:

**CERTIFICATIONS REQUIRED BY LAW
FOR PUBLIC CONSTRUCTION CONTRACTS**

You must **COMPLETE** and **SIGN** the following certifications. You must also print, at the bottom of this page, the name of the contractor for whom these certifications are submitted.

TAX COMPLIANCE

Pursuant to Chapter 62C of the Massachusetts General Laws, Section 49A(b), I, the undersigned, authorized signatory for the below named contractor, do hereby certify under the pains and penalties of perjury that said contractor has complied with all laws of the Commonwealth of Massachusetts relating to taxes, reporting of employees and contractors, and withholding and remitting child support.

NON-COLLUSION

The undersigned certifies under the penalties of perjury that this bid is in all respects bona fide, fair and made without collusion or fraud with any other person. As used in this subsection the word "person" shall mean any natural person, joint venture, partnership, corporation or other business or legal entity.

PUBLIC CONTRACTOR DEBARMENT

The undersigned certifies under penalty of perjury that the below named contractor is not presently debarred from doing public construction work in the commonwealth under the provisions of section twenty-nine F of chapter twenty-nine, or any other applicable debarment provisions of any other chapter of the General Laws or any rule or regulation promulgated thereunder.

OSHA TRAINING

Pursuant to G.L. c. 30, §39S, the Contractor hereby certifies under penalties of perjury as follows:

- (1) Contractor is able to furnish labor that can work in harmony with all other elements of labor employed or to be employed in the work;
- (2) All employees to be employed at the worksite will have successfully completed a course in construction safety and health approved by the United States Occupational Safety and Health Administration that is at least 10 hours in duration at the time the employee begins work and they shall furnish documentation of successful completion of said course with the first certified payroll report for each employee; and
- (3) All employees to be employed in the work subject to this contract have successfully completed a course in construction safety and health approved by the United States Occupational Safety and Health Administration that is at least 10 hours in duration.

COMPLETE AND SIGN BELOW:

Authorized Person's Signature

Date

Print Name & Title of Signatory

Name of Contractor

PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS: That we _____
(Name of Contractor)

a _____ hereinafter called "Principal" and
(Corporation, Partnership, Joint Venture or Individual)

_____ of _____, State of _____
(Surety) (City & State)

_____ hereinafter called the "Surety" and licensed by the State Division of Insurance to do business under the laws of the Commonwealth of Massachusetts, are held and firmly bound to the City/Town of _____, Massachusetts, hereinafter called "Owner", in the penal sum of _____ Dollars (\$ _____) in lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators and successors, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION is such that Whereas, the Principal entered into a certain contract with the Owner, dated the _____ day of _____, 20__ (the "Construction Contract"), for the construction described as follows: _____

NOW, THEREFORE, if the Principal shall well, truly and faithfully perform its duties, all the undertakings, covenants, terms, conditions, and agreements of the Construction Contract during the original term thereof, and any extensions thereof which may be granted by the Owner, with or without notice to the Surety, and if he shall satisfy all claims and demands incurred under the Construction Contract, and shall fully indemnify and save harmless the Owner from all costs and damages which it may suffer by reason of failure to do so, and shall reimburse and repay the Owner all outlay and expense which the Owner may incur in making good any default, then this obligation shall be void; otherwise to remain in full force and effect.

PROVIDED, FURTHER, that the Surety's obligation under this Bond shall arise after (1) the Owner has declared the Principal in default of the Construction Contract or any provision thereof or (2) has declared that the Principal has failed, or is otherwise unable or unwilling, to execute the work consistent with, and in conformance to, the Construction Contract (collectively referred to as a "Contractor Default"). The determination of a Contractor Default shall be made solely by the Owner. The Owner need not terminate the Construction Contract to declare a Contractor Default or to invoke its rights under this Bond.

When the Surety's obligation under this Bond arises, the Surety, at its sole expense and at the consent and election of the Owner, shall promptly take one of the following steps: (1) arrange for the Principal to perform and complete the work of the Construction Contract; (2) arrange for a contractor other than the Principal to perform and complete the work of the Construction Contract; (3) reimburse the Owner, in a manner and at such time as the Owner shall decide, for all costs and expenses incurred by the Owner in performing and completing the work of the Construction Contract. Surety will keep Owner reasonably informed of the progress, status and results of any investigation of any claim of the Owner.

If the Surety does not proceed as provided in this Bond with due diligence and all deliberate speed, the Surety shall be deemed to be in default of this Bond, and the Owner shall be entitled to enforce any remedy available to the Owner.

After the Surety's obligation under this Bond arises, the Surety is obligated, to the limit of the amounts of this Bond, for (1) the correction of defective work and completion of the Construction Contract; (2) additional design, professional services, and legal costs, including attorneys' fees, resulting from the Contractor Default or from the default of the Surety under this Bond; (3) any additional work beyond the Construction Contract made necessary by the

Contractor Default or default of the Surety under this Bond; (4) indemnification obligation of the Principal, if any, as provided in the Construction Contract; and (5) liquidated damages as provided in the Construction Contract, or if none are so specified, actual and foreseeable consequential damages resulting from the Contractor Default or default of the Surety under this Bond.

Any proceeding, legal or equitable, under this Bond shall be instituted in any court of competent jurisdiction in the Commonwealth of Massachusetts.

The Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the Construction Contract or to the work to be performed thereunder or the specifications accompanying the same shall in any way affect its obligation on this Bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Construction Contract or to the work or to the specifications.

IN WITNESS WHEREOF, this instrument is executed in _____ () counterparts, each one of which shall be deemed an original, this the _____ day of _____, 20__.

ATTEST:

Principal
By _____

(Principal Secretary)

(Address-Zip Code)

(SEAL)
Witness as to Principal

(Address-Zip Code)

ATTEST:

Surety
By _____

(Attorney-in-Fact)

(Address-Zip Code)

(SEAL)
Witness as to Surety

(Address-Zip Code)

NOTE: Date of Bond must not be prior to date of Contract. If Contractor is a Partnership, all partners should execute Bond.

PAYMENT BOND

KNOW ALL MEN BY THESE PRESENTS: That we _____

_____ a _____
(Name of Contractor) (Corporation, Partnership, Joint Venture or Individual)

hereinafter called "Principal" and _____ of _____,
(Surety)

State of _____ hereinafter called the "Surety" and licensed by the State
(City and State)

Division of Insurance to do business under the laws of the Commonwealth of Massachusetts, are held and firmly bound to the City/Town of _____, Massachusetts, hereinafter called "Owner", in the penal sum of _____ Dollars (\$ _____) in lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators and successors, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION is such that Whereas, the Principal entered into a certain contract with the Owner, dated the _____ day of _____, 20____, for the construction described as follows:

NOW, THEREFORE, if the Principal shall promptly make payment to all persons, firms, subcontractors, and corporations furnishing materials for or performing labor in the prosecution of the work provided for in such contract, and any authorized extension or modification thereof, including all amounts due for materials, lubricants, oil, gasoline, coal and coke, repairs on machinery, equipment and tools, consumed or used in connection with the construction of such work, and all insurance premiums on said work, and for all labor, performed in such work whether by subcontractor or otherwise, then this obligation shall be void; otherwise to remain in full force and effect.

PROVIDED, FURTHER, that the said Surety, for value received hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the contract or to the work to be performed thereunder or the specifications accompanying the same shall in any way affect its obligation on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of this contract or to the work or to the specifications.

PROVIDED, FURTHER, that no final settlement between the Owner and the Contractor shall abridge the right of any beneficiary hereunder, whose claim may be unsatisfied.

IN WITNESS WHEREOF, this instrument is executed in _____ () counterparts, each one of which shall be deemed an original, this the _____ day of _____, 20____.

ATTEST:

By _____
(Attorney-in-Fact)

(Address-Zip Code)

(SEAL)

Witness as to Surety

(Address-Zip Code)

NOTE: Date of Bond must not be prior to date of Contract. If Contractor is a Partnership, all partners should execute Bond.

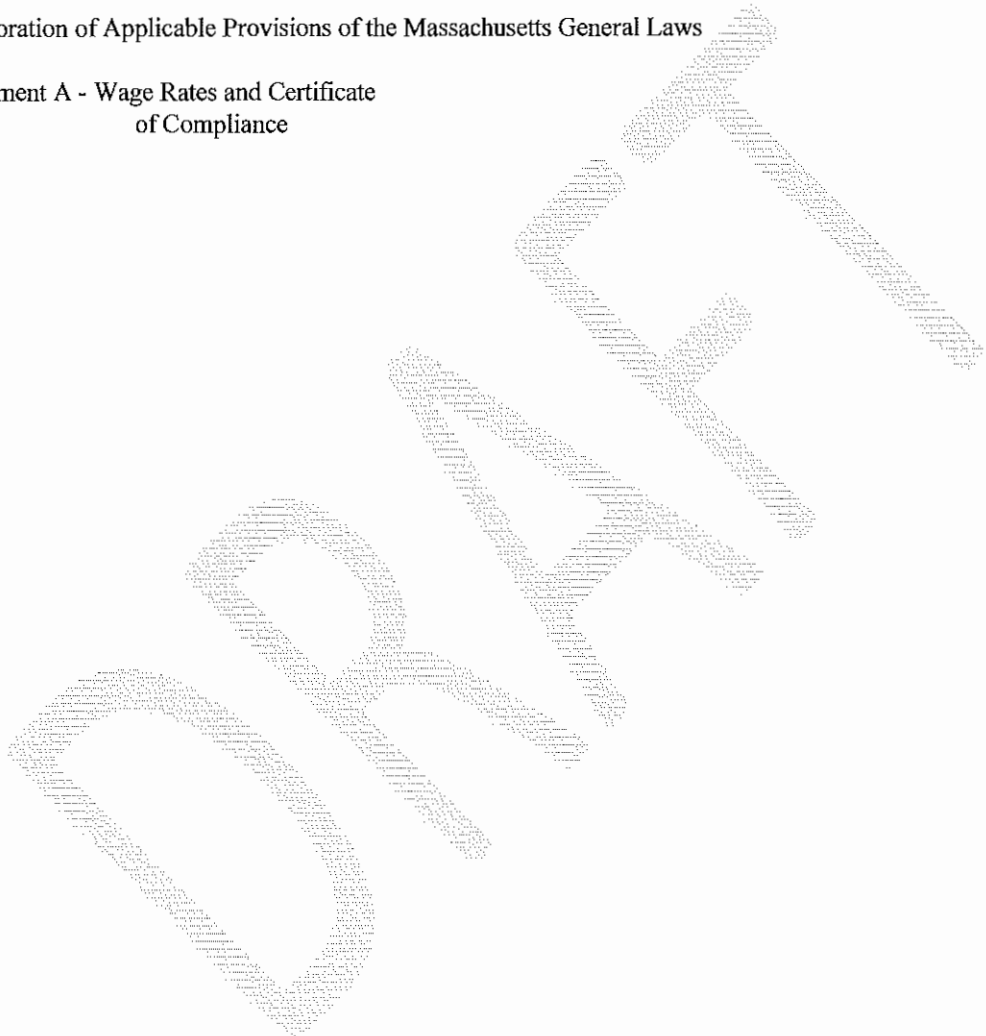
DRAFT

SPECIAL CONDITIONS

1. Introduction
2. Prevailing Wage Rates
3. Insurance Requirements

Incorporation of Applicable Provisions of the Massachusetts General Laws

Attachment A - Wage Rates and Certificate
of Compliance



§ SC 1.1 INTRODUCTION

The following provisions modify, change, delete from or add to Section 00700 GENERAL CONDITIONS. Where any Subsection of the General Conditions is modified or any Article Paragraph, Subparagraph or Clause thereof is modified or deleted by these Supplemental General Conditions, the unaltered provisions of that Article, Paragraph, Subparagraph or Clause shall remain in effect.

§ SC 2.1 PREVAILING WAGES

In accordance with General Laws Chapter 149, Section 26 through 27D, the Contractor is obligated to comply with the prevailing wage rates established by the Commissioner of the Department of Labor and Workforce Development for mechanics, apprentices, chauffeurs, teamsters and laborers employed on the Project. The schedule of applicable prevailing wage rates for the Project, together with a Certificate of Compliance therewith, are set forth in Attachment A herein.

§ SC 3.1 CONTRACTOR'S LIABILITY INSURANCE

In no case shall the limits of liability be less than the following:

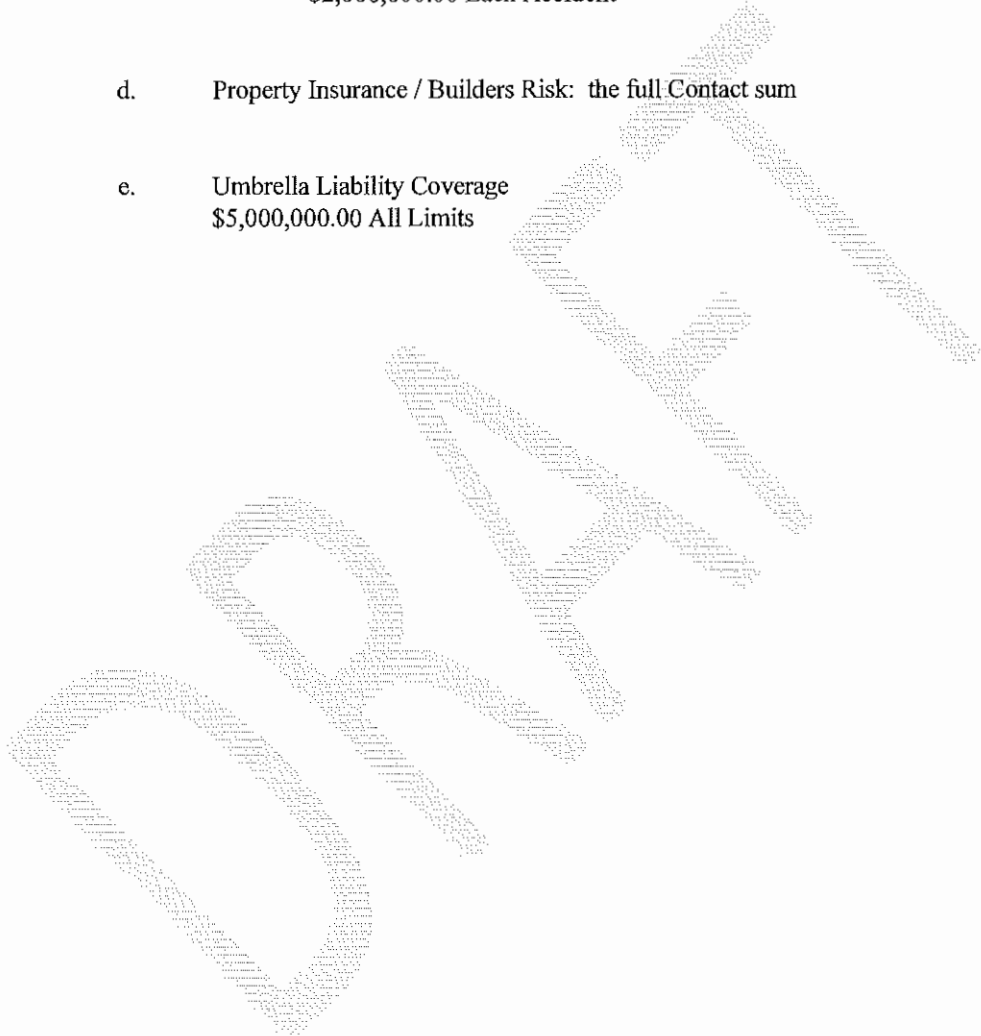
1. Contractor's Liability Insurance
 - a. Workers' Compensation:
 1. State: Statutory
 2. Employer Liability:
 - \$500,000 Bodily Injury by Accident
 3. \$500,000 Bodily Injury by Disease - each
 - b. Comprehensive General Liability (including Premises-Operations; Independent Contractor's Protective; Products and Completed Operations; Broad Form Property Damage):
 1. Bodily Injury:
\$2,000,000.00 Each Occurrence
\$2,000,000.00 Aggregate
 2. Products and Completed Operations
\$2,000,000.00 Each Occurrence (bodily injury and property damage)
\$2,000,000.00 Aggregate
 3. Property Damage Liability (including coverage for XCU hazards).
\$2,000,000.00 Each Occurrence
\$2,000,000.00 Aggregate
 4. Products and Completed Operations insurance shall be maintained for a minimum period of 2 years after final payment and Contractor shall continue to provide evidence of such coverage to Owner on an annual basis during the aforementioned.
 5. Contractual Liability (Hold Harmless Coverage):
\$2,000,000.00 Bodily Injury Each Occurrence
\$2,000,000.00 Property Damage Each Occurrence
\$2,000,000.00 Property Damage Aggregate

c. Comprehensive Automobile Liability (owned, non-owned, hired):

1. Bodily Injury
\$2,000,000.00 Each Person
\$2,000,000.00 Each Accident
2. Property Damage
\$2,000,000.00 Each Accident

d. Property Insurance / Builders Risk: the full Contact sum

e. Umbrella Liability Coverage
\$5,000,000.00 All Limits



Incorporation of Applicable Provisions of the
Massachusetts General Laws

Certain provisions of the Massachusetts General Laws are applicable to Construction contracts including, but not limited to, those contained in Chapter 30 and Chapter 149. All applicable provisions of the Massachusetts General Laws are incorporated into the Contract as if fully set forth herein, and shall prevail over any conflicting provisions of the General or Supplemental General Conditions.



ATTACHMENT A
PREVAILING WAGE RATES
(FOLLOWING PAGES)

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



Tuesday September 6, 2016
Meeting Minutes

Broadcast and Recorded by APAC

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

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

Review and Approve Agenda: R. Pontbriand stated that the 7:15 PM Economic Development Agenda Item had been removed from the agenda. G. Luca asked BOS members if there was an objection with taking MassDevelopment out of order.

Motion: A motion was made by C. Hillman and seconded by J. Livingston to approve the agenda, as amended. **Motion passed 3-0.**

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

Public Input: Mr. Jim Fay, 1 Victor Drive, gave the BOS an update on the 4th of July Committee. He also stated that the Planning Board, 4th of July Committee and the Memorial Garden Committee were all seeking members to serve in vacant seats.

Ms. Lisa Gabree, Town Accountant: L. Gabree was in attendance to request a Reserve Fund Transfer in the amount of \$7,474.40 in the Audit Services Account. These funds are needed for the Special Cash Audit that was done with the election of the new Treasurer.

Motion: A motion was made by C. Hillman and seconded by J. Livingston to approve the Reserve Fund Transfer request in the amount of \$7,474.40 to account 01135-53020 (Audit Services). **Motion passed 3-0.**

Chief William A. Murray, Ayer Police Department: Chief Murray introduced Ms. Erin McNulty, his recommended candidate for the position of Full-Time Dispatcher. Ms. McNulty educational background is in sociology and criminal justice and she is a resident of the Town of Ayer.

Motion: A motion was made by C. Hillman and seconded by J. Livingston to appoint Ms. Erin McNulty as Full-Time Dispatcher effective immediately pending successful background checks. **Motion passed 3-0.**

Appointment of Special Police Officer - Chief Murray is also requesting that Devens Department of Defense Officer Nicholas Trinque be appointed as a Special Police Officer for the purposes of filling details.

Motion: A motion was made by J. Livingston and seconded by C. Hillman to appoint Officer Nicholas Trinque as a Special Police Officer in the Town of Ayer effective immediately. **Motion passed 3-0.**

Presentation by MassDevelopment: Mr. Thatcher Kezer and Mr. Ed Starzek from MassDevelopment were in attendance to make a presentation regarding a proposed zoning amendment for Devens in preparation for the Super Town Meeting on October 24, 2016 prior to the Fall Special Town Meeting. T. Kezer and E. Starzek gave a brief history on the amendment, which had passed at previous Super Town Meetings in the Towns of Ayer and Shirley but failed in the Town of Harvard. The goal of the amendment is to rezone 32.7 acres of land in the vicinity of Beech and Plum Streets for Innovation and Technology Business uses.

Request for Additional All Alcohol License: Mr. Mike Szelest, owner of the Shop 'n Save located at 22 Fitchburg Road was following-up on his March 28, 2016 request for a home rule petition to the Legislature for an additional all alcohol liquor license. Mr. Szelest feels that expanding from beer and wine to all alcohol will be beneficial for his business.

G. Luca stated that he supports businesses in Town, but the Town is already over quota on the all alcohol licenses and the BOS has turned down other applicants in the past.

J. Livingston stated that she had no problem putting the vote forward to Town Meeting to vote.

C. Hillman said he also didn't have a problem putting the request forward to Town Meeting.

Motion: A motion was made by J. Livingston and seconded by C. Hillman to add to the Fall Town Meeting Warrant an article for authority to grant an additional all-alcohol liquor license via Home Rule Petition.

Motion passed 2-1.

Town Engineer Dan Van Schalkwyk, Department of Public Works: D. Van Schalkwyk was in attendance to request approval of a Change Order for the Pleasant Street Reconstruction Project. The Change Order is needed to perform a spot repair on a five foot portion of the sewer main.

Motion: A motion was made by C. Hillman and seconded by J. Livingston to approve Change Order #1 in the amount of \$5,500 to Ricciardi Brothers for the Pleasant Street Reconstruction Project with signature by the Chair. **Motion passed 3-0.**

Request for Sewer Abatement for 7 Wachusett Avenue East – D. Van Schalkwyk stated that Ms. Annie Reed, 7 Wachusett Avenue East has requested abatement in the amount of \$377.09 due to a leak in a pipe in a crawl space that happened last winter. DPW has investigated and is recommending the abatement.

Motion: A motion was made by J. Livingston and seconded by C. Hillman to approve the sewer abatement in the amount of \$377.09 for 7 Wachusett Avenue East. **Motion passed 3-0.**

Town Administrator's Report: R. Pontbriand gave a brief Administrative Update that included the following items: Building Department online permitting has gone live, the IT Director and the Town Treasurer are working on the ability to take tax payments via credit card payment in the Town Hall, the Executive Bi-Board will be meeting to discuss the preliminary FY'18 budget, the Capital Planning committee will be convening later in the Fall to discuss FY'18 capital requests, the Water and Sewer Rate Review Committee will be meeting on September 19, 2016, and the OPEB Board of Trustees is scheduled to meet in the Fall. R. Pontbriand also gave an update on the Commuter Rail Surface Lot/Access Improvement Project that was given in his weekly update to the ATSAC Committee and placed on the Town's website/social media.

Appointments – R. Pontbriand stated that due to an administrative error the Business Representative (Ross Gatta) appointed to the Water and Sewer Rate Committee at the previous meeting was wrong. The correct representative to the committee is Niel Middleton from Nasoya.

Motion: A motion was made by C. Hillman and seconded by J. Livingston to rescind the prior appointment of Ross Gatta and appoint Mr. Niel Middleton for an unexpired term to the Water and Sewer Rate Review Committee effective immediately to expire June 30, 2017. **Motion passed 3-0.**

Opening of Special Fall Town Meeting Warrant – R. Ponthriand recommended that the BOS open the Special Fall Town Meeting Warrant in preparation for the Special Fall Town Meeting taking place on October 24, 2016 at the ASRHS Auditorium at 7:00 PM. The deadline for Citizen Petitions and warrant article submissions will be Friday September 30, 2016 by 12:00 PM.

Motion: A motion was made by J. Livingston and seconded by C. Hillman open the Town Meeting Warrant for the Special Fall Town Meeting on October 24, 2016 and to close the Town Meeting Warrant on Friday September 30, 2016 at 12:00 PM for both Citizen Petitions and Warrant Article Submissions. **Motion passed 3-0.**

Amendment #5 Devens Household Hazardous Waste Agreement - R. Pontbriand is recommending that the BOS vote to approve Amendment #5 of the Household Hazardous Waste Center Contract which will allow the Town of Peppercell to become a member of the center.

Motion: A motion was made by C. Hillman and seconded by J. Livingston to approve Amendment #5 to the Devens Household Hazardous Waste Agreement with signature by the Chair. **Motion passed 3-0.**

Ch. 61 Cowfield Realty Trust II, Assessor's Map 3, Parcel 2 (Rosewood Avenue) – R. Pontbriand stated that the Town had received notice from the property owner that he intends to take land protected by Chapter 61 out of protected status to develop a solar array. He further stated that he sent the information relative to the Ch. 61 Rosewood Avenue request to Department Heads and there was no interest in acquiring the property. He is recommending that the BOS waive their right of first refusal for Rosewood Avenue.

Motion: A motion was made by J. Livingston and seconded by C. Hillman to waive the Town's right of first refusal for Rosewood Avenue pursuant to MGL c. 61, section 8. **Motion passed 3-0.**

R. Pontbriand then advised the Board that the Town received two additional notices of intention to convert Ch.61 land to residential use for land located on Pleasant Street owned by Cowfield Realty Trust II and Riley Jane Farm, LLC., respectively. BOS members asked the Town Administrator to forward the letters of intent to Town Counsel and advise back at the September 20, 2016 BOS Meeting.

Conservation Commission Request - Complete Organization of Con Com Files – R. Pontbriand presented the BOS with a request from the Conservation Commission to allow Mr. Peter McLaughlin, former senior tax work off participant, to finish completion of the Conservation Agent's project of organization and data-basing of Con Com files. The funds would come out of the Wetlands Protection Fund and has been endorsed by the Conservation Commission.

Motion: A motion was made by C. Hillman and seconded by J. Livingston to approve the request from the Conservation Commission for Mr. Peter McLaughlin to continue work in the Conservation Agent's office for a maximum of 100 hours at \$12/h to be paid for from the Wetlands Protection Fund. **Motion passed 3-0.**

Notice of Contract Award: Police Station Roof Replacement Project – R. Pontbriand reported that Almar, LLC.of Medfield was the low, responsive and responsible bidder. The bid price was \$117,748. R. Pontbriand stated

the he and the Facilities Director will be meeting with Almar in the next week to draft the contract for approval by the BOS at a future meeting.

Motion: A motion was made by C. Hillman and seconded by J. Livingston to approve the notice of award of contract to Almar, LLC. in the amount of \$117,748. **Motion passed 3-0.**

New Business/Selectmen's Questions: C. Hillman asked that the Town Administration look into the church located on the Littleton line. There are hours of operation listed, but he doesn't believe there are services. He believes someone is using it as a residence and is not paying taxes.

Approval of Meeting Minutes:

Motion: A motion was made by J. Livingston and seconded by C. Hillman to approve the meeting minutes of August 16, 2016. **Motion passed 3-0.**

Adjournment:

Motion: A motion was made by J. Livingston and seconded by C. Hillman to adjourn at 8:27 PM.

Minutes Recorded and Submitted by Carly M. Antonellis

Date Minutes Approved by BOS: _____

Signature Indicating Approval: _____

