

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

Tuesday August 18, 2020 – 6:00 PM
Open Session Remote Participation Meeting Agenda

Due to the ongoing COVID-19 Pandemic, Governor Baker issued an Emergency Order Temporarily Suspending Certain Provisions of the Open Meeting Law. Public bodies otherwise governed by the OML are temporarily relieved from the requirement that meetings be held in public places, open and physically accessible to the public, so long as measures are taken to ensure public access to the bodies' deliberations "through adequate, alternative means." This meeting will be broadcast live on Channel 8, and on Zoom. The public may participate remotely by following the call-in information on the bottom of the live broadcast screen.) For the Zoom meeting information relating to remote participation, please contact Cindy Knox, IT Director at cknox@ayer.ma.us or 978-772-8252 prior to the meeting.

6:00 PM

Call to Order

Pledge of Allegiance; Review and Approve Agenda; Announcements

Public Input

Due to the unique and unprecedented circumstances of the COVID-19 Pandemic; individuals with public input and/or questions for the Select Board should call-in at this portion of the meeting and state their name and address when asked by the Chair. Any public input and/or questions may be sent to the Assistant Town Manager, Carly Antonellis at 978-772-8220 or at atm@ayer.ma.us

6:05 PM*

Superintendent Mark Wetzel, Department of Public Works

1. Approval of Change Order 1 for FY '20 Main Street Streetlight Upgrades
2. Spectacle Pond Wellfield PFAS Treatment Plant Funding
3. Agreement for Participation in Central MA Regional Stormwater Coalition

6:20 PM

Alan Manoian, Director, Comm. & Economic Development

1. Master Plan Quarterly Update
2. Approval of FY '21 UDAG Budget for Comm. & Eco. Development Office
3. Approval of SB Letter of Support for West Main St. MassWorks Application

6:35 PM

Town Manager's Report

1. Administrative Update/Review of Town Warrant(s)
2. COVID-19 Update
3. Appointments – Montachusett Joint Transportation Committee
4. Update on Community/Police Forum with Chief Murray, APD
5. Approval of SB Letter of Support for Sand Pond School Association CPC Application
6. Approval of Easement Deed – 0 Park Street
7. Execution of National Grid Easement (Approved 6/15/20 ATM)
8. Reauthorization of Remaining UDAG Funds (Depot Sq.) for Depot Sq. Landscaping
9. Opening of Fall Town Meeting Warrant
10. First Meeting of September Date Change (State Primary Election)

7:10 PM

New Business/Selectmen's Questions

7:15 PM

Approval of Meeting Minutes

July 14, 2020

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

The next Select Board Meeting date will be scheduled at this meeting, due to the conflict with the September 1, 2020 State Primary Election.



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

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

MEMORANDUM

Date: August 13, 2020
To: Select Board
From: Mark Wetzel, P.E. Superintendent of Public Works
Dan Van Schalkwyk, P.E., Town Engineer
Subject: **Agenda Items for August 18, 2020 Select Board Meeting**

1. **Approval of Change Order 1 for FY20 Main Street Streetlight Upgrades** – 2019 Annual Town Meeting approved \$70,000 for upgrades to the Main Street street lamps. The project was designed and bid last fall. The bids were under budget so we added two additional lights to the contract for a total of \$14,400. Attached is Change Order 1 for Cullen Electrical Contractors Inc in the amount of \$14,400, increasing the contract amount to \$72,800. For signature by the Chair.
2. **Spectacle Pond Wellfield PFAS Treatment Plant Funding** – The Town was awarded Drinking Water SRF funding for the Spectacle Pond PFAS Treatment plant. This is a 0% interest with 13% loan forgiveness. The SRF final grant submittal requires the Select Board to authorize the Town Manager to file applications. Attached is the Certifying Authority to File for signature by the Board.
3. **Agreement for Participation in the Central Massachusetts Regional Stormwater Coalition (CMRSWC)** –

The CMRSWC is a regional coalition comprised of approximately 30 towns that work together to meet stormwater MS4 permit requirements. Ayer joined CMRSWC in February for the remainder of FY2020 at no cost.

The Town of Spencer acts as the financial manager for the CMRSWC and each town initiates an Intermunicipal Agreement (IMA) with Spencer to participate in the coalition. The attached IMA is for FY2021 through FY2025. Dues are set at \$4,000 each fiscal year; however, dues for FY2021 only are reduced to \$1,000 to ease the financial burden on Town's during COVID-19. Dues would be paid from the DPW Stormwater budget.

I recommend the Select Board vote to sign the IMA with the Town of Spencer for participation in the CMRSWC.

**SECTION 00842
CHANGE ORDER**

No. 1

Date of Issuance: August 18, 2020 Effective Date: August 18, 2020

Project: Main St Light Improvements 2020	Owner: Town of Ayer DPW	Owner's Contract No.: 20DPW06
Contract: Main St Light Improvements		Date of Contract: Dec. 17, 2019
Contractor: Cullen Electrical Contractors Inc.		Engineer's Project No.:

The Contract Documents are modified as follows upon execution of this Change Order:

Description: Added replacement of 2 additional single decorative lights based on unit price item for add Alternate 1 \$7,200 per light

Attachments: (List documents supporting change):

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price:	Original Contract Times: <input checked="" type="checkbox"/> Working days <input type="checkbox"/> Calendar days
<u> \$ 58,400 </u>	Substantial completion (days or date): <u> 175 </u>
	Ready for final payment (days or date): _____
[Increase from previously approved Change Orders	[Increase] [Decrease] from previously approved Change Orders
<u> \$ 0.00 </u>	No. _____ to No. _____:
	Substantial completion (days): _____
	Ready for final payment (days): _____
Contract Price prior to this Change Order:	Contract Times prior to this Change Order:
<u> \$ 58,400 </u>	Substantial completion (days or date): _____
	Ready for final payment (days or date): _____
Increase of this Change Order:	Increase of this Change Order:
<u> \$14,400 </u>	Substantial completion (days or date): _____
	Ready for final payment (days or date): <u> 30 </u>
Contract Price incorporating this Change Order:	Contract Times with all approved Change Orders:
<u> \$ 72,800 </u>	Substantial completion (days or date): _____
	Ready for final payment (days or date): <u> August 1 2020 </u>

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By: <u> [Signature] </u>	By: _____	By: _____
Engineer (Authorized Signature)	Owner (Authorized Signature)	Contractor (Authorized Signature)
Date: <u> 7/27/2020 </u>	Date: _____	Date: _____
APPROVED:	_____	Date: _____
	Agency (Authorized Signature)	

AUTHORITY TO FILE

Whereas, the **Town of Ayer**, after thorough investigation, has determined that the work activity consisting of:

Spectacle Pond Wellfield PFAS Treatment (DWSRF 6635)

is both in the public interest and necessary to protect the public health, and that to undertake this activity, it is necessary to apply for assistance; and

Whereas, the Massachusetts Department of Environmental Protection (MassDEP) and the Massachusetts Clean Water Trust (the Trust) of the Commonwealth of Massachusetts, pursuant to Chapter 21 and Chapter 29C of the General Laws of the Commonwealth (Chapter 21 and Chapter 29C) are authorized to make loans to municipalities for the purpose of funding planning and construction activities relative to Water Pollution Abatement Projects; and

Whereas, the Applicant has examined the provisions of the Act, Chapter 21 and Chapter 29C, and believes it to be in the public interest to file a loan application.

NOW, THEREFORE, BE IT RESOLVED by the **Town of Ayer** as follows:

1. That the **Town Manager** is hereby authorized on behalf of the Applicant to file applications and execute agreements for grant and/or loan assistance as well as furnishing such information, data and documents pertaining to the applicant for a grant(s) and/or loan(s) as may be required; and otherwise to act as the authorized representative of the Applicant in connection with this application;
2. That the purpose of said loan(s), if awarded, shall be to fund construction activities.
3. That if said award is made the Applicant agrees to pay those costs which constitute the required Applicant's share of the project cost.

Shaun C. Copeland, Chair

Scott A. Houde, Vice Chair

Jannice L. Livingston, Clerk

AYER SELECT BOARD

TOWN OF SPENCER AND TOWN OF AYER

INTERMUNICIPAL AGREEMENT FOR PARTICIPATION IN THE CENTRAL MASSACHUSETTS REGIONAL STORMWATER COALITION FY2021 through FY2025

Agreement by and between the Town of Spencer, Massachusetts, acting by and through its Board of Selectmen (“Spencer”) and the Town of AYER Massachusetts, acting by and through its Board of Selectmen (“Ayer”) , pursuant to the provisions of Section 4A of Chapter 40 of the Massachusetts General Laws.

Whereas, Spencer is a founding member of the Central Massachusetts Regional Stormwater Coalition (“the CMRSWC”), a regional, efficiency-driven stormwater compliance project involving between 13 and 32 towns;

Whereas, Spencer has managed funds awarded to the CMRSWC by the Massachusetts Executive Office of Administration and Finance in previous state fiscal years through its Community Innovation Challenge (CIC) Grant program;

Whereas, Spencer has managed funds awarded to the CMRSWC by the New England Water Environment Association (NEWEA) through its Humanitarian Assistant Grant program;

Whereas, Spencer has managed matching shares contributed to the CMRSWC from participating communities in previous fiscal years, and has obtained intermunicipal agreements from each participating community for those contributions;

Whereas, the CMRSWC Steering Committee approved, at its June 25, 2020 meeting, the expected annual contribution for participation in the CMRSWC in FY2021 to be One Thousand Dollars, and No Cents (\$1,000.00);

Whereas, Spencer and Ayer have determined that it would be in their best interests to enter into an intermunicipal agreement for the purpose of coordinating the contribution from each participating community under the terms and conditions hereinafter set forth; and

Whereas the Boards of Selectmen of Spencer and Ayer have each voted at a duly posted open meeting to authorize this intermunicipal agreement pursuant to the provisions of Chapter 40, Section 4A of the Massachusetts General Laws.

Now, therefore, in consideration of these premises, and for other good and valuable consideration, the parties agree as follows.

1. Spencer agrees to be the lead community for the CMRSWC Project in municipal FY2021 and is responsible for making required payments for all CMRSWC subcontractors supplying services and all vendors supplying purchases in accordance with tasks authorized by the CMRSWC Steering Committee, managing the budget for authorized tasks, and receiving any grants. If at some time Spencer is no longer able to serve in this role, the CMRSWC Steering Committee shall identify another member community to serve as the fiscal lead.

2. To fund the CMRSWC project, Spencer agrees to attempt to obtain intermunicipal agreements from all participating communities for each community's contribution.

3. Payment of the established fee for a municipal fiscal year entitles Ayer to participate in all services, activities, and events offered by the CMRSWC that year. This includes access to fee-based services (such as the online mapping and inspection platform, use of survey devices and water quality monitoring tools), receipt of Annual Report narratives and any regulatory updates, participation in pilot projects and partnerships, and attendance at training events and presentations. In the event that Ayer elects to withdraw, it shall retain ownership of products delivered in previous fiscal years during which it participated but will not have future access to fee-based services. If Ayer withdraws, it will be provided with a digital copy (GIS shapefile and Excel spreadsheet) of data within its boundaries managed by the CMRSWC online mapping and inspection platform through the end of the last fiscal year in which it participated. Infrastructure in Ayer will continue to be visible to other members on the platform.

4. This agreement shall become effective on July 1, 2020 and shall expire June 30, 2025. This extended commitment term decreases the effort to administer the CMRSWC and increases the strength of the CMRSWC's voice. Any member, including Ayer, shall be able to withdraw from the CMRSWC at any time with 60 days' notice, provided in writing to the Spencer Town Administrator (or, in the case of Spencer, to the CMRSWC Steering Committee). There will be no credit or pro-rating of the annual fee for withdrawal. The term of the agreement is subject to extension or revision by vote of the CMRSWC Steering Committee and written amendment signed by all parties.

5. In the event that a community participating in the CMRSWC withdraws, Spencer will attempt to replace said non-participating community for the next fiscal year such that the total number of participating communities remains around 30. Additional communities may be invited to participate at the approval of the CMRSWC Steering Committee.

6. The matching share for each participating community for FY2021 is set at One Thousand Dollars, and No Cents (\$1,000.00) and will set at Four Thousand Dollars, and No Cents (\$4,000.00) for FY2022 through FY2025.

7. Each participating community shall make full payment of the fee identified above to the "Town of Spencer" prior to July 31 of each year, for participation during the fiscal year beginning July 1st of that same year. The fee may be adjusted only by vote of the CMRSWC Steering Committee and by written amendment signed by all parties, with Ayer able to withdraw from the CMRSWC at any time as noted in #4, above.

8. This agreement sets forth the entire understanding of the parties with respect to its subject matter. Any amendment of this agreement must be in writing and authorized by votes of the Boards of Selectmen of Spencer and Ayer. This agreement shall be governed by the laws of the Commonwealth of Massachusetts. If any provision of this agreement is declared by a court of competent jurisdiction to be illegal, unenforceable, or void, then both parties shall be relieved

of their obligations under that provision, and the remainder of the agreement shall be enforced to the fullest extent permitted by law.

Executed by the parties authorized representatives.

TOWN OF SPENCER
By its Board of Selectmen

TOWN OF AYER
By its Board of Selectmen

Dated: _____

Dated: _____

COPY

Town of Ayer

Office of Community & Economic Development

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



To: Robert Pontbriand, Town Manager
From: Alan S. Manoian, Dir. AOCED
Date: 7/27/2020
Re: Ayer Master Plan Implementation Process (Next Phase Summer/Fall 2020)

The AOCED “Ayer Master Plan Implementation Process” Memo submitted to the Office of the Town Manager and the Ayer Select Board (dated 1/14/2020) outlined the next proposed steps in the ongoing municipal Ayer Master Plan Implementation Process, as follows:

“The Ayer Office of Community & Economic Development shall be organizing, scheduling, engaging and conducting the next round of Ayer Master Plan Implementation Process sessions, workshops and public- forums:

1. Master Plan Update Presentation/Dialogue for the Ayer Finance Committee;
2. Master Plan Update Presentation/Dialogue for the Ayer Capital Planning Committee;
3. Master Plan Update Presentation/Dialogue for the Ayer Planning Board;
4. Next Round (2020) Municipal Dept. Master Plan Implementation Monthly Luncheon Sessions;
5. “How’s the Ayer Master Plan Going” Public Informational Forum (March 2020);
6. Ayer Master Plan Implementation “Success Stories” Site & Facility Tours (April – June 2020).”

The AOCED scheduled the initiation of the above activities to follow the production, completion & submission of the \$850,000 CDBG Grant to Mass DHCD for the Redevelopment of the Historic Ayer Fire Station Building in the first week of March 2020. The \$850,000 CDBG Grant application was successfully completed and submitted as scheduled – then, the COVID19 State of Emergency was declared the 2nd week of March and all Ayer Master Plan Implementation Process activities (which were designed to bring together groups of municipal staff & Commission/Board members) for the so-called Master Plan “Synthesis Sessions” had to be postponed for Spring 2020 until further notice.

Now, well into the Summer 2020 months, and still subject to constant vigilance and social distancing measures (concerns), it will not be possible to schedule and conduct our very successful Monthly Master Plan Luncheon Roundtables.

However, the AOCED with the support of the Office of Town Manager is prepared to organize, schedule, and conduct a Series of Interactive Master Plan Implementation Sessions (ZOOM Meeting-based) between municipal/departmental staff and the following municipal Committees and Commissions and Boards for the months of August and September 2020:

- Ayer Finance Committee
- Ayer Capital Planning Committee
- Ayer Planning Board

Also, the AOCED recommends the production of an 8-10 minute “How’s the Ayer Master Plan Going?” public informational video in partnership with Office of the Town Planner, Ayer IT Dept. & APAC. The video product will be released on the APAC channel, municipal social media platforms, the AOCED webpage & the Town of Ayer municipal webpage.

Finally, the AOCED recommends and will produce and schedule the first in a series of “Pecha-Kucha” Presentations (ZOOM-based) for all our municipal departments/staff members of the Ayer Master Plan Implementation Team. “Pecha-Kucha” Presentations are designed as follows: Each presenter shows a total of twenty (20) visual slide images, with the presenter only having 20-seconds to speak about each of the twenty slide images – so a total presentation time of 400 seconds, or 6 minutes & 40 seconds for each presentation. A highly-engaging, and (test of our focused presentation skills), way of re-engaging the Team.

The 2017 Ayer Master Plan is a living civic document - and will never go dormant of our office shelves.

Town of Ayer
Office of Community & Economic Development

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



To: Robert Pontbriand, Ayer Town Manager
From: Alan S. Manoian AICP, Dir. Community & Economic Development
Date: 8/13/2020
Re: Request Ayer Select Board Vote on UDAG Portion AOCED FY 2021 Budget

The AOCED requests placement on the Agenda of the Ayer Select Board's August 18th Meeting to present and request vote on the proposed UDAG portion of the AOCED FY 2021 Budget.

The UDAG portion of the FY2021 Budget totals \$75,128.

AOCED FY 2020 Budget Breakdown as follows:

FY 2020 Omnibus Budget	\$40,101
FY 2020 UDAG Budget	\$75,128
FY 2020 IDFA Budget	\$19,000
Total	\$134,229

**Office of the Select Board
Office of the Town Manager**



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

August 4, 2020

Commonwealth of Massachusetts
Executive Office of Housing & Economic Development
Secretary Mike Kennealy
Attn: MassWorks Program
1 Ashburton Place, Suite 2101
Boston, MA 02108

Re: 2020 MassWorks Grant Application for the “West Ayer Village” Infrastructure Project

Dear Secretary Kennealy,

We, the Ayer Select Board, are writing this letter of support for the 2020 MassWorks Grant application formulated and submitted through a regional partnership between and by the Town of Ayer, the Devens Enterprise Commission, and MassDevelopment.

This (shovel-ready) regional public infrastructure improvement project is designed to deliver prospective new multi-family residential & mixed-use development, as prescriptively regulated, accommodated and incentivized by the new Smart Growth “West Ayer Village Form-Based Zoning Code”; unanimously adopted at Fall 2019 Ayer Town Meeting. The proposed project includes new water lines, new storm-water management, culvert replacement, new sidewalk network, roadway resurfacing, on-street parking functionality, bicycle-lane network, and a new Ayer/Devens Regional Bus Shuttle Station all connecting with the Downtown Ayer MBTA Commuter Rail Station.

The “West Ayer Village” Infrastructure Project would effectively transform Ayer's West Main Street Corridor from an obsolete, unsustainable, low-density, low-performing, single-use corridor into a well-designed, higher-density “sustainable place” with various appealing affordable housing opportunities, new local and regional economic development & enterprise, and fully-integrated multi-modal transportation connectivity within and between Ayer, Devens, the Region, and the Commonwealth of Massachusetts.

The proposed “West Ayer Village” Infrastructure Project exemplifies the Commonwealth of Massachusetts "10 Principles of Sustainable Development". In closing, we are prepared for a favorable decision on the 2020 MassWorks Grant Application for the “West Ayer Village” Infrastructure Improvement Project, as the Town of Ayer, the Devens Enterprise Commission, and MassDevelopment are well-coordinated, effectively-organized, and fully-positioned to proceed and deliver a well-managed, successful project for the Spring 2021 MassWorks construction season.

Thank you for your time and consideration.

Sincerely,

Shaun C. Copeland, Chair

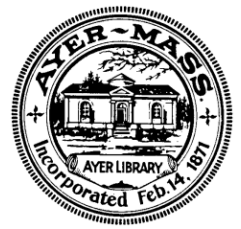
Scott A. Houde, Vice Chair

Jannice L. Livingston, Clerk

The Ayer Select Board

Cc: Robert A. Pontbriand, Town Manager
Alan S. Manoian, Director of Community and Economic Development

**Office of the Select Board
Office of the Town Manager**



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

MEMORANDUM

DATE: August 14, 2020

TO: Ayer Select Board

FROM: Robert A. Pontbriand
Town Manager

SUBJECT: Town Manager's Report for the August 18, 2020 Select Board Meeting

Dear Honorable Select Board Members:

I am pleased to transmit to you the following Town Manager's Report for the August 18, 2020 Select Board Meeting. If you have any questions prior to the meeting, please do not hesitate to contact me directly. Thank you.

Administrative Update/Review of Town Warrant(s):

Administrative Update:

- At the meeting, I will provide the Select Board with a brief Administrative Update on the various activities, initiatives and projects of the Administration since the Select Board last met on July 14, 2020.

Review of Town Warrant(s):

- I have reviewed, approved, and signed the following Town Warrants since the Select Board last met on July 14, 2020:

Accounts Payable Warrant #21-01 in the amount of \$1,563,275.09 was reviewed, approved, and signed on July 21, 2020

Payroll Warrant #21-02 in the amount of \$350,007.77 was reviewed, approved, and signed on July 28, 2020

Accounts Payable Warrant #21-02 in the amount of \$2,495,810.25 was reviewed, approved, and signed on August 4, 2020

Payroll Warrant #21-03 in the amount of \$332,571.84 was reviewed, approved, and signed on August 11, 2020

COVID-19 Update:

- At the meeting, I will provide the Select Board with a brief COVID-19 Update on the Town's ongoing preparedness regarding the COVID-19 Pandemic. This COVID-19 Update will also include a brief update/discussion on the status of the Town's finances since the COVID-19 Pandemic began.

Appointments – Montachusett Joint Transportation Committee

- The Town of Ayer needs a Select Board Representative to the Montachusett Joint Transportation Committee (MJTC). The MJTC plays an important role in the development of the Transportation Improvement Program (TIP), the long range Regional Transportation Plan (RTP) and the continued flow of information between the MRPC and its communities regarding various issues of importance (See attached memo from the MJTC).
- Meetings are currently held on the second Wednesday of the month at 2:30pm and due to COVID-19 are currently conducted remotely, online. The Select Board is respectfully asked to discuss and consider a Select Board Representative appointment to the MJTC for 2019-2020.

Update on Community/Police Forum with Chief Murray:

- I will be joined remotely by Chief Murray to update/discuss with the Select Board the proposed Community/Police Forum to be facilitated by the Select Board. The Chief and I have been meeting to develop a proposed meeting/forum format. This forum would be conducted remotely due to COVID-19 and would consist largely of public information about the Ayer Police Department to include information on what the Ayer Police Department does; all of the services they provide; an overview of the Ayer Police Department Budget; and an opportunity to start a dialogue with the Public, Select Board, and the Ayer Police Department.
- Chief Murray would like to have a brief discussion with the Select Board at the meeting and to receive further input/direction from the Select Board as this forum is developed. Tentatively, we envision this forum to be on a separate evening hosted by the Select Board; due to COVID-19 conducted remotely on the Town's Zoom Meeting Platform; we would also ask for the Public to submit questions/comments prior to the forum; and we would like to schedule it to take place ideally in September but not later than the beginning of October (this will allow appropriate time for preparation and public outreach).

Approval of Select Board Letter of Support for Sandy Pond School Association CPC Application:

- The Sandy Pond School Association has requested a letter of support for their application to the Community Preservation Committee requesting \$187,340 from the Historic Preservation Category for a total project cost of \$191,910. The CPC funding would be used for Phase II of the Sandy Pond Schoolhouse Restoration and Preservation Project which would include the construction and installation of a new fully accessible rest room; installation of accessible entrance and door; repair/re-glaze/repainting of the windows and exterior trim; interior improvements which includes insulation; HVAC and electrical work; and exterior maintenance.
- The total project cost is \$191,910 and the Sandy Pond School Association has \$4,570 remaining from Phase I which results in their application seeking \$187,340 in CPC funds from the Historic Preservation Category. Enclosed for the Select Board is a copy of the CPC Application as well as a DRAFT Sample Letter of Recommendation for review/approval/signature by the Select Board. As the Select Board is aware this application is subject to approval by the Community Preservation Committee which must hold a public hearing and the funding is subject to approval by Town Meeting (See enclosed).

Approval of Easement Deed – O Park Street:

- The Select Board is respectfully requested to review and approve the easement deed for O Park Street. Please see the enclosed memo from the Assistant Town Manager (See enclosed).

Execution of National Grid Easement (Approved on June 15, 2020 by the Annual Town Meeting):

- The Select Board is respectfully requested to approve and execute the National Grid Easement which was approved by the Annual Town Meeting on June 15, 2020. Please see the enclosed memo from the Assistant Town Manager (See enclosed).

Reauthorization of Remaining UDAG Funds (Depot Sq.) for Depot Square Landscaping:

- The Select Board is respectfully requested to vote to reauthorize the remaining UDAG Funds (Depot Sq.) for the Depot Square Landscaping. Please see the enclosed memo from the Assistant Town Manager (See enclosed).

Opening of the Fall Special Town Meeting Warrant:

- The Select Board is respectfully requested to vote to open the Warrant for the Fall Special Town Meeting scheduled to take place on Monday, October 26, 2020 at 7pm. The following is the schedule for the Fall Special Town Meeting Warrant:

Tuesday, August 18, 2020: Select Board Opens the Fall Special Town Meeting Warrant

Friday, October 2, 2020, 12pm: Deadline for all Warrant Articles and Citizens Petitions

Tuesday, October 6, 2020: Select Board reviews and approves the Fall Special Town Meeting Warrant

Monday, October 26, 2020, 7pm: Fall Special Town Meeting

- I would also like to briefly update/discuss with the Select Board the Town's plans for the Fall Special Town Meeting during COVID-19 which are currently being developed and to receive feedback from the Select Board.

First Select Board Meeting of September Date Change (State Primary Election):

- The Select Board would normally meet on Tuesday, September 1, 2020. However, that is the day of the State Primary Election and per the Secretary of State's Office there should be no public meetings taking place during the election.
- Therefore, the Select Board is respectfully requested to select a new date and time for the first Select Board Meeting of September. Additionally, for planning purposes, the second meeting of the Select Board is scheduled for Tuesday, September 15, 2020 at 6pm (for which there is no issue) and Wed., September 2, 2020 is not available due to a scheduled/required CPC Public Hearing and Tues., September 8, 2020 is not available due to a scheduled/required Planning Board meeting.

Thank you.

Attachment(s): Memo from MJTC Re: Select Board Representative to the MJTC

CPC Application and DRAFT Select Board Letter of Recommendation

Memo from the Assistant Town Manager Regarding the Items (6, 7, 8 under the TM Report):
Approval of Easement Deed for O Parks Street; Execution of National Grid Easement; and
Reauthorization of Remaining UDAG Funds

From: [Brad Harris](#)
To: [Robert Pontbriand](#)
Cc: [Carly Antonellis](#)
Subject: MJTC Annual Appointment Request Ayer BoS
Date: Thursday, July 16, 2020 1:42:04 PM
Attachments: [Ayer Selectboard 2020.doc](#)

MEMO

TO: Mayors and Select Boards, Montachusett Region
FROM: Brad Harris, Transportation Project Director
DATE: July 17, 2020
RE: Appointment to the **Montachusett Joint Transportation Committee (MJTC)**

The Montachusett Joint Transportation Committee (MJTC) is a subcommittee of the Montachusett Regional Planning Commission (MRPC) that provides public input to the transportation planning process in the Montachusett Region. Each community can appoint two (2) representatives to the Committee; one to represent the Mayor or Board of Selectmen; and one to represent the Planning Board.

As part of the ongoing transportation planning process in the region, it is important to have active participation from our member communities. The MJTC plays an important role in the development of the Transportation Improvement Program (TIP), the long range Regional Transportation Plan (RTP) and the continued flow of information between the MRPC and its communities regarding various issues of importance. In addition, information sharing between towns is a key aspect of the Committee.

Appointees are at the discretion of the local community and their boards and as such they do not have to be a board member or employee. The individual appointee is responsible to the board or office and therefore should be someone who can actively provide communications to and from the municipality.

Attached please find the annual MJTC Appointment Form for your board and/or community. Included on the form, where applicable, is the name of your current appointee. The appointment will begin July 1, 2020 and terminate on June 30, 2021. Please either re-nominate the individual listed or appoint someone else if desired and return the form to the MRPC as soon as possible. Many of the positions are currently unfilled, so we strongly encourage you to consider making an appointment of someone who can commit to participating with the MJTC. This will only benefit the community in the long run.

Meetings are currently held on the second Wednesday of the month at 2:30 pm. In addition, as part of our response to the COVID pandemic, MJTC meetings have been held online through GoToMeeting.com. It is our intention to maintain online accessibility even after the lifting of the pandemic restrictions. Any questions related to the MJTC and its process, please contact Brad Harris at (978) 345-7376 ext. 311 or bharris@mrpc.org.

Please complete and return the attached form to the Montachusett Regional Planning Commission via email at lparmenter@mrpc.org, fax at (978) 348-2490 or regular mail at MRPC, 464 Abbott Avenue, Leominster, MA 01453.

Our apologies for the lateness of this action.

Thank You!

Sincerely,

Brad Harris
Transportation Project Director
MRPC
464 Abbott Avenue
Leominster, MA 01453
Email: bharris@mrpc.org
Tel. (978) 345-7376 ext. 311
Fax (978) 348-2490

Please be advised that the Massachusetts Secretary of State considers e-mail to be a public record, and therefore subject to the Massachusetts Public Records Law, M.G.L. c. 66 § 10.



TOWN OF AYER
Community Preservation Committee

APPLICATION FOR COMMUNITY PRESERVATION FUNDING

Submit to:
Town of Ayer Community Preservation
Committee 1 Main Street
Ayer, MA 01432
Email: cpc@ayer.ma.us

Date: July 31, 2020

Project Title: Sandy Pond Schoolhouse Restoration and Preservation Project Phase II

Total Estimated Project Cost: \$191,910

CPC Funding Request: \$187,340

Project Street Address (if applicable): 150 Sandy Pond Road

Assessors Map Number: 23 Lot/Parcel Number: 15

Deed Book Number: 3413 Deed Page Number: 430

Name(s) of Applicant/Contact Person and Project Manager: Irving E Rockwood

Name of Organization: Sandy Pond School Association

Address: 27 Highland Avenue, Ayer, MA 01432 (personal address)

Telephone: (203) 767-6470

Email: irvrockwood@gmail.com

Sponsoring Organization (if applicable): _____

CPA Category (Circle all that apply. You must circle a minimum of one category.):

Open Space

Recreation

Historic Preservation

Community Housing

DETAILED NARRATIVE AND PROJECT DESCRIPTION:

- **All of the following MUST be answered in the space provided (or with attachments).**
- Applications will be returned as incomplete if all relevant requested information is not provided.
- Include supporting materials and exhibits as necessary.
- A spreadsheet including the Budget and/or Timeline elements outlined in this application form is also acceptable.
- Please refer to Ayer CPC Funding Application Packet, including Guidelines for Project Submission, Eligibility, and General Criteria, before and while completing this application.

1. Project Description**Recap of Phase I**

The requested funding will be used to complete Phase II of the Sandy Pond Schoolhouse Restoration and Preservation Project. This phase will encompass the work outlined in the in the April 2017 Spencer & Vogt *Conditions Assessment & Treatment Plan* that remains following completion of Phase I, funded via a CPC grant under the terms of the contract between the Town of Ayer, CPC, and the Sandy Pond School Association dated June 25, 2018.

The purpose of Phase I was to stabilize, restore, and preserve the basic structural integrity of the schoolhouse. The project scope encompassed four primary tasks:

- **Foundation repair and stabilization:** digging of test pits followed by repointing and rebuilding of SE corner and lower portion of the East Elevation
- **Masonry repair:** repointing and replacement of cracked or spalled bricks; repointing of chimney; repointing of eroded mortar points at the ell foundation; temporary support to install lintel and re-tooth brick around the opening between the classroom and the ell; cutting of lead flashing into brick to cap the step flashing on the ell roof.
- **Classroom ceiling:** removal of existing ceiling and installation of blueboard plaster replacement followed by painting.
- **Selected priority structural repairs:** sister classroom ceiling joists (to be done after removal of existing ceiling; installer backer rod and caulk joint between school and ell.

All of the above work was completed prior to a special Open House and 150th Anniversary Celebration held at the schoolhouse on September 14, 2019. Co-sponsored by Friends of the Ayer Library with funding support from the Ayer Cultural Council, this was a community-wide event with music, food, speakers, and activities for children. Speakers included Jannice Livingston and Scott Houde of the Ayer Board of Selectmen, State Senator Jamie Eldridge, and State Representative Sheila Harrington. Numerous volunteers and the Ayer Department of Public Works and Police Department provided invaluable support.

Because the above work was completed under budget, we subsequently solicited quotes from the contractor for two additional tasks, to be funded from the Phase I grant:

- **Electrical work:** installation of new 100-amp electrical service; installation of new historically appropriate interior and exterior lighting fixtures (less classroom ceiling fixture),

and replacement of all switches including four 3-way switches.

- **Installation and painting of new shutters:** In the course of painting the exterior trim during Phase I, it became clear that the existing shutters were in poor condition. Rather than repaint them, we elected to replace them while retaining the original hardware.

Originally, it was hoped that this work would be completed during the fall of 2019. When this proved impractical, the next plan was to complete this work in the spring of 2020, a schedule that also was in turn rendered impractical by COVID-19. Fortunately, the third try proved the charm when the contractor was finally able to resume work in June. As of this writing, the shutter work has just now been completed and the electrical upgrade is underway and due to be completed shortly. As established in the 6/3/2020 change order, the cost of these two tasks will be \$19,400, leaving an uncommitted balance of approximately \$16,600 remaining from the Phase I grant.

We are currently working with the architect and contractor to identify the best possible uses for these remaining monies. Our current—still tentative—plan is to use these monies for installation of:

- A wireless burglar & fire alarm system with phone line
- An access hatch for the crawl space under the classroom—which is currently inaccessible.

The estimated cost of these two projects is currently \$8,700. Coupled with an additional charge of \$2,300 for architectural services, this will leave a final outstanding balance of \$4,57, which we propose to apply to Phase II. **(See Appendix A for a recap of Phase I work and costs.)**

Phase II

The purpose of Phase II is quite simply to complete the remaining work outlined in the 2017 Conditions Assessment. Upon completion of this Phase, the building will be both fully restored and usable on a year-round basis, as it was for many years following its 1908 acquisition by SPSA. The end result, once COVID-19 is no longer with us, will be to re-establish the schoolhouse as a venue suitable for a variety of community events including lectures, old-fashioned dinner dances, special musical events, meetings, indoor-outdoor summer activities (ala the September 2019 Open House & 150th anniversary celebration), and historical education, e.g. a Day in a Single Room School program for elementary school students. The ultimate goal of Phase II is preservation of an irreplaceable piece of local history that functions as both a historic site and community center.

This project scope is as follows:

- **Construction and installation of a new MAAB (Massachusetts Architectural Access Board) fully accessible rest room:** Includes removal of existing walls (to be saved for reuse), installation of underlayment, a new floor, new walls, new door, new accessories, and new & rough plumbing & fixtures.
- **Installation of accessible entrance & door:** Includes demolition and enlargement of entrance from ell to classroom, patching of trim and plaster, repair/replacement of ell entrance & screen doors, installation of ramp & walk with curb cut at dead end street, and reuse/reset of front stair for ell entry.
- **Repair/re-glaze/repainting of windows and exterior trim:** Includes removal, dip stripping, re-glazing, reinstallation, and repainting of windows & trim.
- **Interior improvements:** Includes insulation of walls, floor & ceiling, repair of plaster from

insulation install, and repair of wall cracks.

- **HVAC & electrical work:** Includes installation & wiring of new mini-split HVAC system and installation of new historically appropriate classroom ceiling fixture.
- **Exterior maintenance & repair:** Includes repair of ell siding after insulation, priming & painting of ell siding, removal of moss from roof, replacement of broken flagpole, and any necessary lawn repair.

The total estimated cost of the above work, including architect & contractor fees, is \$187,340, or \$191,910 less \$4,570 remaining from the Phase I grant. This estimate is based on costs from the 2017 *Conditions Assessment* costs adjusted for inflation—currently calculated at 11.75%. **(For additional details, please see Appendix B.)**

2. Goals:

- a. What are the goals of the proposed project?

The goal of this project is first and foremost to complete the restoration and preservation of Sandy Pond Schoolhouse, Ayer's single most important outstanding historic preservation project. In addition, this project has a second goal, restoring the schoolhouse's role as a community center.

For many people, the thing that first comes to mind about Sandy Pond Schoolhouse is its role as one of Ayer's first two schoolhouses. This is certainly a significant role, which extended from the founding of Ayer in 1871 through the school's closing in 1906. However, it also had a second life, which began, somewhat inadvertently, with its 1908 purchase by SPSA. The small group of local residents who founded SPSA had a simple goal in mind, to preserve the building—which would otherwise have been torn down—in order to make use of it for reunions. This was their primary motivation for purchasing the property. In fact, the first reunion at the schoolhouse was held in the summer of 1908 before SPSA had actually been formed, let alone purchased the property.

But, as sometimes happens in the course of human events, one thing ultimately led to another. First came that very human urge to “improve” the newly acquired property. This led to two alterations both completed by 1912: the addition of the ell—with its kitchen and washroom—and the purchase and installation of a piano on a small podium in the front of the classroom. These left the interior of the classroom largely unchanged while creating an enlarged building suitable for a broader range of activities. And so, began the little red schoolhouse's second chapter, during which, even as reunions continued, it came to function as a de facto community center, hosting a variety of events that included lectures, concerts, dinner dances, and at least one art auction.

Over time however, as happens with many good things, the schoolhouse's vibrant role in community life declined as people moved away or passed on, volunteers became increasingly scarce, and the building's condition slowly deteriorated. By 2014, the annual calendar of events typically consisted of a single Open House, leaving a small but significant void in community cultural life.

Filling that void by restoring the building's use as a community center is the second major goal of this project.

b. Who will benefit from this project and why?

In a word, the entire community. Given its status as the oldest public building in Ayer, the only surviving structure from Ayer's first school system, and its listing on the National Register, Sandy Pond School is an irreplaceable historical and cultural resource. Its restoration will validate and enhance Ayer's unique community identity. We believe it to be Ayer's single most important outstanding historic preservation project at the present time.

It will be of particular benefit to those with an interest in local history, especially Ayer's educational history, in which Sandy Pond Schoolhouse played an important role. In this role, it will particularly benefit families with schoolchildren, who invariably comprise a significant proportion of visitors on Open House days.

The completion of restoration will enable SPSA to greatly enhance public access to this historic property. This will be accomplished in a variety of ways including more Open Houses, but also via community events such as the September 2019 Open House and 150th Anniversary celebration, and the more recent Air Force promotion ceremony for the wife of a family recently based in Devens who chose the schoolhouse as the venue in which to commemorate this important professional milestone. And beyond this, we anticipate that over time, a restored and refurbished building can and will reprise the schoolhouse's earlier function as a community center.

One group we are particularly excited about working with are elementary school children. Working with the Ayer Shirley Regional school district, we hope to create and offer a visitation program for local students. This will be modelled on similar programs at Parkerville School in Westford, the District #1 Schoolhouse in Nashua, NH, and the Adams School in North Attleboro during which students have an opportunity to experience a typical day in a 19th century, single room schoolhouse.

c. How will success be measured?

The single most important metric of success for this project will be the number of people who visit the schoolhouse and attend programs held on site once the schoolhouse has been refurbished and is open to the public on a continuing basis.

While it is impossible to predict what these numbers might look like, we do know that recent Open Houses have always attracted an enthusiastic and sizeable audience. In the summer of 2017, for example, some 154 people voluntarily filled out a "sign-up" sheet during the three Open Houses held in May, July, and September. Since many of these "sign-ups" were for an entire family, total attendance was significantly higher than 154, probably somewhere in the range of 200-225 or 65-75 per event. More recently, the September 2019 special Open House attracted over 100 attendees.

We also anticipate the possibility of working with groups such as Friends of Ayer Library, the Ayer Cultural Council, and other local organizations, to host jointly sponsored events. If so, this will expand both the number of cultural and educational events that can be offered, and the size of their potential audiences. Over time, we believe that a restored Sandy Pond Schoolhouse can become an exciting and vibrant addition to Ayer community life.

3. Community Preservation Committee Criteria:

Which of the General Criteria does this project fulfill and how? (**Note: The application should address multiple criteria - please address all that apply to speed up the application process.)

- a. It is consistent with the most recent *Community Preservation Plan, Comprehensive Master Plan and Open Space & Recreation Plan*. Sandy Pond Schoolhouse (District School #11) is included in the inventory of Ayer Historic Resources in the *Community Preservation Plan Fiscal Years 2010-2014*. It also appears as one of the cultural resources that “contribute to a community’s identity” on page 59 of the *Ayer Comprehensive Plan Update 2005*. In addition, it is one of the Scenic Resources and Unique Environments listed in the most recent (2017) Update of the *Open Space & Recreation Plan* (page 67), Earlier, it was listed in the June 2006 *Ayer Reconnaissance Report* which noted that it was listed as “scenic” in the 1997 OSRP and is “potentially National Register eligible”. That potentiality has since been converted into a reality.
- b. It will preserve and enhance the character of the Town as described in the Comprehensive Master Plan. In addition to being identified as one of Ayer’s cultural resources that contribute to a community’s identity in the *Ayer Comprehensive Plan Update 2005*, Sandy Pond Schoolhouse is now listed on both the Massachusetts and the National Register of Historic Places. As such, it meets CPA Eligibility Requirements “as a building, structure, vessel, real property, document or artifact that is listed or eligible for listing on the state register of historic places”.
- c. It will save a historical resource that will otherwise be threatened. Now almost 150 years old, Sandy Pond Schoolhouse is the oldest public building in Ayer and one of a very small number of Ayer properties listed on the National Register of Historic Places. It has been remarkably well-preserved to date, but as the April 2017 the *Conditions Assessment & Treatment Plan* indicates, its continued preservation will require significant repair and maintenance work, the projected cost of which exceeds the resources of the owner, Sandy Pond School Association.
- d. We believe this project will be endorsed by several other municipal boards, committees, departments, and/or community groups and are actively working on obtaining this support. Specifically, we plan to solicit letters of support from a set of potential sources that includes the Ayer Board of Selectmen, Ayer Historic Commission, Friends of the Ayer Library, and Ayer Cultural Council.
- e. Site control: The schoolhouse and the parcel on which it resides were deeded to the Sandy Pond School Association by the Town of Ayer on December 22, 1908. A subsequent transfer of additional land from George L. Donahue in November 1934 slightly increased the size of the original parcel. The current boundaries are as shown in the January 2017 site survey prepared by David E. Ross Associates, Inc., which is reproduced in the April 2017 *Conditions Assessment*.
- f. Timeline: SPSA anticipates the project can be completed within 12-18 months of receipt of grant monies. If project funding is approved by Fall 2020 Annual Town Meeting, we will promptly line up the needed architectural, engineering, and contracting assistance and begin soliciting quotes. See item 8 below for a more detailed timeline.

4. Statement of Community Need:

a. How does the Town of Ayer, and its residents, benefit from this project?

The primary benefit of this project will be the preservation of a unique and invaluable historic cultural resource. As such, it will benefit the entire Ayer community. In addition, it will restore this iconic property's role as a center for a variety of community events, thus enriching the cultural life of the community.

b. If applicable, explain how this project addresses needs identified in existing Town plans? (i.e. most recent Comprehensive Master Plan, Open Space and Recreation Plan, Community Preservation Plan)

This project has long been on the Town's historic preservation "wish list". See, for example:

"Restore Sandy Pond School – Make this old school more accessible for public use. There may be a need for improvements to the building, such as accessibility improvements. Improvements to privately-owned buildings, such as this, would require a public benefit in return for CPA funds, such as a preservation restriction to permanently protect the building." *Community Preservation Plan, Fiscal Years 2010-2014*, page 27

"Cultural resources are places and institutions that contribute to a community's unique identity.... The 1997 *Open Space and Recreation Plan* identifies other historic buildings and landmarks.... One significant building is District School #11, a one-room wooden (*actually brick*) schoolhouse that was built in 1792 (*actually 1869*). Located at the junction of Sandy Pond, Westford, and Willow roads, the District School #11 is owned by the town (*no*) and managed by the Sandy Pond School Association (*the actual owner*)." *Ayer Comprehensive Plan Update 2005*, pages 59-60.

And the following from page 20 of the June 2006 *Ayer Reconnaissance Report*:

"Sandy Pond Schoolhouse, Sandy Pond Road

Also known as District 11 School. One-room schoolhouse built in 1792 (*1869*). Located at intersection of Sandy Pond, Westford, and Willow Roads. Managed by the Sandy Pond School Association. Identified as scenic in 1997 OSRP. Potentially NR eligible."

5. Community Support:

What is the nature and level of support? **See 2c and 3d above.**

Include letters of support from any Town Committees, Boards, and Departments, as well as local community groups that have reviewed and endorsed the project. **See Appendix D.**

6. Budget:

a. Budget Summary

- Total Projected Cost \$191,910
- CPA Funds Requested \$187,340
- Cost Share Amount and Percent:

CPA \$187,340 100.0%

b. Budget Categories (as applicable)

- Equipment is generally defined as an item with a useful life expectancy of more than one year.
 - Supplies are defined as an item with a useful life of less than one year.
 - Construction means all types of work done on a particular property or building, including erecting, altering, or remodeling.
 - The cost share is very important in giving the application a competitive advantage.)
- **Note:** CPA FUNDING FOR ANY CATEGORY REQUIRES COMPETITIVE BIDDING unless you can provide a sole source justification for any category. ** Attach a minimum of one recent bid**

	CPA	Total
Personnel/Labor	\$69,010	\$69,010
Equipment	\$190	\$190
Supplies/Materials	\$16,900	\$16,900
Contractual/ Subcontractors	\$67,430	\$67,430
Construction/ Contractor	\$15,350	\$15,350
Architectural/ Engineering	\$23,030	\$23,030
TOTAL	\$191,910	\$191,910

- **Note:** Above costs are based on April 2017 *Conditions Assessment* estimates plus 11.75% allowance for 2017-2021 construction cost increases. **For a more detailed budget, please see Appendix B attached.**

c. Budget Cost Sharing

Note: As of this writing, we have not yet identified another source of funding with an interest in this project. We continue to work on this. Initially, we identified five potential sources of which we have now ruled out two: a) Cummings Foundation, and b) Main Street Bank Foundation. The issue in both cases was a lack of interest in historic preservation. The MSB representative, in particular, was polite but quite clear about this.

That leaves the three following potential sources. As of this writing, none has as yet announced a funding plan or application schedule for the coming year:

- **Massachusetts Project Preservation Fund (MPPF):** publicly funded, offers 50% matching grants, requires 75% funding in hand; has not yet announced any awards for the current year (normally done in early June) or a schedule for the coming year.
- **The Bruce J. Anderson Foundation:** privately funded, grant amount capped at \$12,000; has not yet announced a schedule for the coming year.
- **Massachusetts Historic Preservation Matching Grants** (*1772 Foundation in cooperation with Preservation Massachusetts*): A new privately funded program which just released its first list of grant recipients; offers matching grants capped at \$10,000; has not yet announced a schedule for the coming year.

We will continue to monitor the above sources and any others we are able to identify. We will promptly pursue any relevant opportunities. The prospects of qualifying for funding from any of these sources is necessarily unclear as of this writing, as is the timing of any awards that might be received. Ideally, any such funding would be available in time to enable the completion of Phase II in 2021, the year of Ayer's 150th anniversary celebration.

- Identify the amount of cost sharing for this project. Sources include private, federal, state, or local government, or any other sources. Use additional pages as necessary. (**See above.**)

Organization

Item: _____

Amount: _____

Type (cash, in-kind, etc.): _____

7. Funding:

- a. Note below and attach commitment letters from any organization providing a cost share contribution as listed above.

Current status of following grant applications:

- b. Describe any other attempts (including unsuccessful ones) to secure funding for this project..
- c. Are any 'Other Funds' in the budget in-kind? If yes, describe how the value of the in-kind contribution was derived. (In-kind contributions can be defined as a contribution of services or property, donated equipment or land, or donated supplies.)

None currently.

8. Timeline:

Provide a schedule for project implementation, including a timeline for starting and ending major tasks as well as a reasonable estimate for project completion. If the project is expected to take multiple years to complete, please break down on a year by year basis.

Date	Action	Notes
June 3, 2020	CPC initial review of funding application	Approval of motion to put application on agenda for September 2 public hearing
September 2, 2020	CPC public hearing	
Fall 2020	Annual Town Meeting	Date to be determined
Late fall 2020/January-February 2021	Select and contract with architectural/ engineering firm Request quotes & schedule from contractor	We currently plan to continue with the Phase I vendors: <ul style="list-style-type: none"> • Architect & project manager: Spencer, Sullivan & Vogt • General contractor: O'Doherty
March 2021	General contractor agreement	Schedule to allow for schoolhouse participation in Ayer's 150 th anniversary celebration
Fall 2021 (September-October)	Fall open house	Date to be determined; will depend in part on construction schedule, which may need to be temporarily interrupted
Late 2021	Completion of construction work	Date to be determined

9. Maintenance:

- a. If ongoing maintenance is required, who will be responsible for it?

Ongoing maintenance of the schoolhouse will remain the responsibility of the Sandy Pond School Association.

Completion of this project per se is unlikely to materially affect or alter annual maintenance expenses which currently include insurance, miscellaneous office expenses, e.g. the website, and routine building maintenance (mostly accomplished by donated in-kind labor)

- b. How will it be funded? (CPA funds cannot be used for regular maintenance.)

By SPSA, primarily from donations

- c. Expected Annual Maintenance Budget (Please include a 5-year budget and documentation of commitment.)

Year one: \$3,500 (current costs)

Year two: \$4,500 (additional insurance, utility, and operational expenses)

Year three: \$5,000

Year four: \$5,500

Year five: \$6,000

10. Project/Site Documentation (If applicable) (Submit 1 hard copy and 1 electronic copy):

- a. Note below and attach documentation that you have control over the site, such as a Purchase and Sale Agreement, option, or deed.

Town records list the Sandy Pond School Association as owner of the parcel upon which the Schoolhouse resides; the parcel is identified as follows:

Assessors Map Number: 23 Lot/Parcel Number: 15

Deed Book Number: 3413 Deed Page Number: 430

Please see Appendix C for copies of the following deeds of transfer:

- From the Town of Ayer to Oliver K. Pierce et al, Trustees of the Sandy Pond School Association, December 22, 1908
- From George L. Donahue to Daniel W. Fletcher et al, Trustees, Sandy Pond School Association, November 19, 1934

b. Note below and submit photographs of the “before” status of your project via email to cpc@ayer.ma.us with your electronic submission. If your application is approved, additional photographs of the completed work will be required. These photographs are needed for documentation of the use of Town funds and for use on the web site.

Please see *Conditions Assessment & Treatment Plan, Sandy Pond School*, Spencer & Vogt Group, April 2017

c. Note below and attach any applicable engineering plans, architectural drawings, site plans, as well as any other renderings, relevant studies, historical background summaries, or material.

Please see *Conditions Assessment & Treatment Plan, Sandy Pond School*, Spencer & Vogt Group, April 2017

11. Zoning Compliance:

If applicable, note below and provide evidence that the project does not violate any Zoning by-laws or any other laws or regulations, including environmental. List permits or approvals that may be needed.

We are not currently aware of any required permits for the work comprising this project but will check with the Town of Ayer before proceeding with any actual work.

13. Is there any additional information that might benefit CPC in consideration of this project?

None of which we are currently aware.

APPLICANT’S SIGNATURE

To the best of my knowledge and belief, all data in this application is true and correct. The document has been duly authorized by the individual or governing body of the applicant.

Applicant’s Signature: _____

Applicant Name/Title: Irving E. Rockwood, President, Sandy Pond School Association

Date: _____

Appendix A. Recap of Work & Costs: Phase I

Phase I Work Completed to Date	Costs	
Classroom ceiling repair & replacement		
Masonry stabilization and repair		
Other structural work		
Paint exterior trim		
Paint classroom ceiling & walls		
Site improvements for drainage		
Beginning Grant \$	\$ 108,000	
Contractor payments	\$ 57,530	
SSV Payments	\$ 14,411	
Total Payments	\$ 71,941	
Remaining Grant \$	\$ 36,059	
Phase I Planned 2020 Work		
	Quote	
<i>Remaining Phase IA Grant Monies</i>	(Estimate)	Actual
Electrical system upgrade (In process)	\$ 7,500	\$ -
Shutter replacement & painting (done)	\$ 11,900	\$ -
<i>Access hatch (tentative)</i>	<i>\$ 1,050</i>	<i>\$ -</i>
<i>Wireless burglar & fire alarm (tentative)</i>	<i>\$ 7,648</i>	<i>\$ -</i>
Contractor payments	\$ 28,098	\$ -
SSV Payments	\$ 1,090	\$ -
SSV Contract Amendment	\$ 2,300	\$ -
Total Payments	\$ 31,488	\$ -
Remaining Grant \$	\$ 4,571	TBD

Notes:

All completed work costs are actual.

Unhighlighted 2020 costs are per 6/3/2020 Change Order.

Highlighted 2020 costs are tentative.

Appendix B. Proposed Scope & Budget: Phase II

	Total		Personnel/Labor		Supplies/Materials		Equipment		Subcontractors		Check Sum	
	2017	2021	2017	2021	2017	2021	2017	2021	2017	2021	2017	2021
New accessible rest room & plumbing												
Demo existing walls & save for reuse	\$ 1,543	\$ 1,724	\$ 1,543	\$ 1,724	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,543	\$ 1,724
Underlayment for new MAAB restroom	\$ 1,048	\$ 1,171	\$ 880	\$ 983	\$ 168	\$ 188	\$ -	\$ -	\$ -	\$ -	\$ 1,048	\$ 1,171
New vinyl floor for MAAB restroom	\$ 2,297	\$ 2,567	\$ 1,760	\$ 1,967	\$ 537	\$ 600	\$ -	\$ -	\$ -	\$ -	\$ 2,297	\$ 2,567
New walls for MAAB restroom	\$ 1,961	\$ 2,191	\$ 1,760	\$ 1,967	\$ 201	\$ 225	\$ -	\$ -	\$ -	\$ -	\$ 1,961	\$ 2,191
Purchase & install new restroom door	\$ 2,927	\$ 3,271	\$ 914	\$ 1,021	\$ 2,013	\$ 2,249	\$ -	\$ -	\$ -	\$ -	\$ 2,927	\$ 3,271
Purchase & install new restroom accessories	\$ 1,283	\$ 1,434	\$ 880	\$ 983	\$ 403	\$ 450	\$ -	\$ -	\$ -	\$ -	\$ 1,283	\$ 1,434
Install new and rough plumbing & fixtures	\$ 11,005	\$ 12,298	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 11,005	\$ 12,298	\$ 11,005	\$ 12,298
Subtotal	\$ 22,064	\$ 24,656	\$ 7,737	\$ 8,646	\$ 3,322	\$ 3,712	\$ -	\$ -	\$ 11,005	\$ 12,298	\$ 22,064	\$ 24,656
Entrance & door accessibility												
Demo opening from ell to classroom to enlarge	\$ 1,543	\$ 1,724	\$ 1,543	\$ 1,724	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,543	\$ 1,724
Patch trim around enlarged opening	\$ 2,028	\$ 2,266	\$ 1,760	\$ 1,967	\$ 268	\$ 299	\$ -	\$ -	\$ -	\$ -	\$ 2,028	\$ 2,266
Patch plaster around expanded opening	\$ 1,861	\$ 2,080	\$ 1,760	\$ 1,967	\$ 101	\$ 113	\$ -	\$ -	\$ -	\$ -	\$ 1,861	\$ 2,080
Repair/replace ell entrance & screen doors	\$ 2,028	\$ 2,266	\$ 1,760	\$ 1,967	\$ 268	\$ 299	\$ -	\$ -	\$ -	\$ -	\$ 2,028	\$ 2,266
Ramp & walk w/curb cut at dead end street	\$ 22,090	\$ 24,685	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 22,090	\$ 24,685	\$ 22,090	\$ 24,685
Reuse/reset front stair for ell entry	\$ 2,953	\$ 3,300	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,953	\$ 3,300	\$ 2,953	\$ 3,300
Subtotal	\$ 32,503	\$ 36,321	\$ 6,823	\$ 7,624	\$ 637	\$ 712	\$ -	\$ -	\$ 25,043	\$ 27,985	\$ 32,503	\$ 36,321
Repair/reglaze/repaint windows & exterior trim												
Repair windows, dip strip & reglaze	\$ 14,109	\$ 15,766	\$ 9,814	\$ 10,967	\$ 4,295	\$ 4,800	\$ -	\$ -	\$ -	\$ -	\$ 14,109	\$ 15,766
Paint windows/prime (2 coats)	\$ 5,835	\$ 6,520	\$ 5,499	\$ 6,145	\$ 336	\$ 375	\$ -	\$ -	\$ -	\$ -	\$ 5,835	\$ 6,520
Subtotal	\$ 19,944	\$ 22,287	\$ 15,313	\$ 17,112	\$ 4,631	\$ 5,175	\$ -	\$ -	\$ -	\$ -	\$ 19,944	\$ 22,287
Interior improvements												
Create new access hatch for crawl space	\$ 940	Phase I	\$ 880	Phase I	\$ 60	Phase I	\$ -	\$ -	\$ -	\$ -	\$ 940	Phase I
Insulate walls, floor, ceiling	\$ 9,427	\$ 10,534	\$ 7,615	\$ 8,510	\$ 1,812	\$ 2,025	\$ -	\$ -	\$ -	\$ -	\$ 9,427	\$ 10,534
Repair plaster from insulation install	\$ 3,688	\$ 4,121	\$ 3,520	\$ 3,933	\$ 168	\$ 188	\$ -	\$ -	\$ -	\$ -	\$ 3,688	\$ 4,121
Repair wall cracks	\$ 3,688	\$ 4,121	\$ 3,520	\$ 3,933	\$ 168	\$ 188	\$ -	\$ -	\$ -	\$ -	\$ 3,688	\$ 4,121
Subtotal	\$ 17,743	\$ 18,777	\$ 15,535	\$ 16,376	\$ 2,208	\$ 2,400	\$ -	\$ -	\$ -	\$ -	\$ 17,743	\$ 18,777
HVAC & electrical												
Install mini-split HVAC system	\$ 16,105	\$ 17,997	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 16,105	\$ 17,997	\$ 16,105	\$ 17,997
Wire electric heat split system & condenser	\$ 3,355	\$ 3,749	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,355	\$ 3,749	\$ 3,355	\$ 3,749
New historic classroom ceiling fixture	\$ 400	\$ 447	\$ -	\$ -	\$ 400	\$ 447	\$ -	\$ -	\$ -	\$ -	\$ 400	\$ 447
Wireless burglar & fire alarm w/phone line	\$ 6,844	Phase I	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 6,844	Phase I	\$ 6,844	Phase I
Subtotal	\$ 26,704	\$ 22,193	\$ -	\$ -	\$ 400	\$ 447	\$ -	\$ -	\$ 26,304	\$ 21,746	\$ 26,704	\$ 22,193
Exterior maintenance & repair												
Repair exterior trim, dutchmen, fill damaged areas	\$ 9,336	\$ 10,433	\$ 8,799	\$ 9,833	\$ 537	\$ 600	\$ -	\$ -	\$ -	\$ -	\$ 9,336	\$ 10,433
Repair ell siding after insulation	\$ 2,216	\$ 2,476	\$ 1,760	\$ 1,967	\$ 456	\$ 510	\$ -	\$ -	\$ -	\$ -	\$ 2,216	\$ 2,476
Finish paint siding on ell prime & 2 coats	\$ 2,029	\$ 2,267	\$ 1,828	\$ 2,043	\$ 201	\$ 225	\$ -	\$ -	\$ -	\$ -	\$ 2,029	\$ 2,267
Clean moss from roof	\$ 3,361	\$ 3,756	\$ 3,086	\$ 3,449	\$ 107	\$ 120	\$ 168	\$ 188	\$ -	\$ -	\$ 3,361	\$ 3,756
Replace flagpole	\$ 4,444	\$ 4,966	\$ 1,760	\$ 1,967	\$ 2,684	\$ 2,999	\$ -	\$ -	\$ -	\$ -	\$ 4,444	\$ 4,966
Repair lawn after work (loam & seed)	\$ 4,831	\$ 5,398	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,831	\$ 5,398	\$ 4,831	\$ 5,398
Subtotal	\$ 26,217	\$ 29,297	\$ 17,233	\$ 19,257	\$ 3,985	\$ 4,453	\$ 168	\$ 188	\$ 4,831	\$ 5,398	\$ 26,217	\$ 29,297
Subtotal	\$ 145,175	\$ 153,530	\$ 62,641	\$ 69,016	\$ 15,183	\$ 16,899	\$ 168	\$ 188	\$ 67,183	\$ 67,427	\$ 145,175	\$ 153,530
Contractor	\$ 14,518	\$ 15,353	\$ 6,264	\$ 6,902	\$ 1,518	\$ 1,690	\$ 17	\$ 19	\$ 6,718	\$ 6,743	\$ 14,518	\$ 15,353
Architect	\$ 21,776	\$ 23,029	\$ 9,396	\$ 10,352	\$ 2,277	\$ 2,535	\$ 25	\$ 28	\$ 10,077	\$ 10,114	\$ 21,776	\$ 23,029
Estimated Remaining Work Total	\$ 181,469	\$ 191,912	\$ 78,301	\$ 86,270	\$ 18,979	\$ 21,124	\$ 210	\$ 235	\$ 83,979	\$ 84,284	\$ 181,469	\$ 191,912
<i>Note: All 2021 cost estimates are based on 2017 Conditions Assessment cost plus 11.75%. See next worksheet for detail.</i>												
											\$ 191,912	
											Less Phase I balance \$ 4,571	
											Net Phase II Request \$ 187,341	

Appendix B. Proposed Scope & Budget: Phase II

Source	2017-2020 Ratio	2017 \$ Construction	Est 2020 \$ Construction	Est 2020 \$ Contractor	Est 2020 \$ Architect	Est 2020 Total \$	Variance	% Increase
<i>Engineering News-Record (ENR) 2020</i>	0.9276	\$145,175	\$156,506	\$15,651	\$23,476	\$195,633	\$11,331	7.81%
<i>Engineering News-Record (ENR) 2021</i>	0.9050	\$145,175	\$160,414	\$16,041	\$24,062	\$200,518	\$15,239	10.50%
<i>RS Means</i>	0.8934	\$145,175	\$162,506	\$16,251	\$24,376	\$203,133	\$17,331	11.94%
<i>Turner Building Cost Index</i>	0.8819	\$145,175	\$164,616	\$16,462	\$24,692	\$205,770	\$19,441	13.39%
<i>Zarenski, Construction Inflation 2020 (Non-residential)</i>	0.8688	\$145,175	\$167,098	\$16,710	\$25,065	\$208,873	\$21,923	15.10%
Average	0.8953	\$145,175	\$162,228	\$16,223	\$24,334	\$202,785	\$17,053	11.75%
							Current est.	11.75%



July 20, 2020

Ms. Janet K. Providakes, Chair
Ayer Community Preservation Committee
1 Main Street
Ayer, MA 01432

Dear Ms. Providakes,

I am writing on behalf of the Friends of Ayer Library to wholeheartedly support the request by the Sandy Pond Schoolhouse Association (SPSA) for funding from the Community Preservation Committee (CPC) Historic Preservation Fund for Phase II of the Sandy Pond Schoolhouse Restoration and Preservation Project.

This project overlaps with the Ayer Library's mission to serve the community as a source of reliable information as well as providing educational, informational, cultural and recreational materials to meet the needs of users. The Friends of the Ayer Library share this mission and we see close parallels with the educational and cultural work that the SPSA plans to do at the site once the preservation and restoration work at the Schoolhouse is completed.

The Friends of Ayer Library are anxious to see the Town's singlemost important preservation project at the Schoolhouse completed in order to protect this very significant piece of our Town's history. We also look with great anticipation for the building to become a key cultural center for our community. The Friends have already co-sponsored the Open House and 150th Anniversary Celebration at the Schoolhouse along with the SPSA last year. We now look forward to working together with them on future educational, cultural and entertainment events at the Schoolhouse. We believe strongly that Ayer needs an additional accessible venue such as the Schoolhouse where programs are offered to the community with special emphasis on families and school-age children.

We sincerely recommend that the CPC fund Phase II of this important project, not only to preserve this important piece of Ayer's past for future generations to enjoy, but also to provide an important new venue for educational and cultural programs to benefit our community. Please contact me if you have any questions.

Sincerely,

Carol Horgan, President
Friends of the Ayer Library
(978) 990-0536; jhch112233@gmail.com

✓ cc: Irv Rockwood, Sandy Pond Schoolhouse Association

**Office of the Select Board
Office of the Town Manager**



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

August 14, 2020

Ayer Community Preservation Committee
c/o Janet Providakes, Chair
1 Main Street – Ayer Town Hall
Ayer, MA 01432

Re: Letter of Support for the Sandy Pond Schoolhouse Association’s CPC Application in the Amount of \$187,340 for the Sandy Pond Schoolhouse Restoration and Preservation Project Phase II

Dear Ayer Community Preservation Committee,

We are writing this letter in strong support of the CPC Application submitted to your from the Sandy Pond Schoolhouse Association seeking \$187,340 in CPC Funds from the Historic Category to complete Phase II of the ongoing historic restoration and preservation of the Sandy Pond School House. The Select Board was previously supportive of Phase I which has been successfully completed and under budget with \$ 4,570 in remaining funds which will be applied to Phase II.

The ongoing historic restoration and preservation of the Sandy Pond Schoolhouse is an ideal project for CPC funding. Phase II consists of the construction and installation of a fully accessible restroom; installation of an accessible entrance and door; repairs/re-glazing of the windows and trim; interior improvements which includes insulation; HVAC and electrical work; and exterior maintenance and repair. In addition to fulfilling the goals of historic restoration and preservation, Phase II improves the access of the Sandy Pond Schoolhouse for all members of the public. Additionally, Phase II significantly improves the interior conditions of the schoolhouse making it conducive for more community and educational events. The completion of Phase II will ensure not only the preservation of the historic schoolhouse, but it will increase the capacity and capabilities of the schoolhouse for increased educational and community classes, workshops, and events.

It is important to note that the restoration and preservation of the Sandy Pond Schoolhouse is a priority for the Town of Ayer has stated in the Town’s most recent Master Plan; Open Space and Recreation Plan; and the Town’s Community Preservation Plan. Furthermore, both Phase I and Phase II of this important project is consistent with the Town’s commitment to this important historical asset remaining on the National Historic Register for which the Select Board enthusiastically supported. The Select Board is also committed to the educational and community components of the Sandy Pond Schoolhouse which can only continue to be achieved and enhanced through the restoration and preservation efforts set forth in Phase II.

In conclusion, the Ayer Select Board strongly supports the Sandy Pond Schoolhouse Restoration and Preservation Project Phase II and respectfully recommends that the Ayer Community Preservation Committee acts favorably on this application for \$187,340 in CPC Historic Preservation Funds. The Select Board remains not only supportive of the Phase II application but is prepared to provide its full support at Town Meeting for the approval of the CPC project funds. This is not only an investment in the preservation of the Town’s history but an investment in the future education and enjoyment of this important historical resource to our Town.

Thank you for your time, consideration, and continued support of the Sandy Pond School Association's ongoing historic restoration and preservation efforts of this invaluable community, education, and historic resource of the Town of Ayer.

Sincerely,

Shaun C. Copeland, Chair

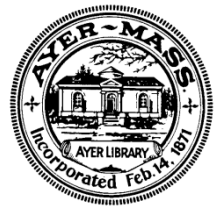
Scott A. Houde, Vice Chair

Jannice L. Livingston, Clerk

The Ayer Select Board

DRAFT


**Office of the Select Board
Office of the Town Manager**



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

Memorandum

To: Ayer Select Board
Robert A. Pontbriand, Town Manager

From: Carly Antonellis, Assistant Town Manager 

Date: August 13, 2020

Re: August 18, 2020 Select Board Meeting

Greetings! Please see additional information below relating to Items 6,7,8 under the Town Manager's Report.

#6 Approval of Easement Deed – 0 Park Street

This item is related to the confirmatory deed approved by the SB on June 30, 2020. F&P Willows Trust recently conveyed 16 Park Street to Bike Realty, LLC – at which time the Trust's failure to reserve the access easement was identified as an issue. Peter Knox, the attorney for the Trust, contacted the Town, and requested that the Town sign a confirmatory deed reserving the access easement. The Town had no issue with the easement, as it would not interfere with the Town's intended use of the Park Street property. This confirmatory deed was drafted, reviewed and approved by both Attorney Knox and Mark Bourbeau, the attorney for Bike Realty, LLC. The Select Board executed the confirmatory deed on June 30, 2020 and it was recorded. Attorney Bourbeau subsequently determined that he would prefer, from a conveyancing standpoint, to have the access easement conveyed directly to his client, Bike Realty, LLC. It is the same access easement as contained in the confirmatory deed which the Select Board executed in June. The Deed of Easement states that it "supersedes" the confirmatory deed already recorded. The Town is not prejudiced by executing the Deed of Easement. The rights of Bike Realty, Inc., as the new owner of 16 Park Street, are identical to those reserved in the confirmatory deed. Therefore, I am respectfully requesting the approval of the attached Deed of Easement, as drafted by Town Counsel.

7 Execution of National Grid Easement (Approved June 15, 2020 Annual Town Meeting, Article 35)

Please see the attached Grant of Easement, as authorized by Article 35 of the June 15, 2020 Annual Town Meeting. This is relating to the installation of the overhead electric equipment at the Ayer Rail Trail Parking Facility. [On November 5, 2019](#), the Select Board approved a license agreement to allow the work to proceed, prior to the Annual Town Meeting to facilitate the opening of the facility. The approval of this document is the final step in the process.

#8 Reauthorization of Remaining UDAG Funds (Depot Sq.) for Depot Sq. Landscaping

Recently Facilities Director Chuck Shultz and I met with Pinard Landscaping to discuss landscaping options at Depot Square. Due to initial delays in the project, the money budgeted in FY '20 for landscaping is unavailable. According to the Town Accountant, there is \$7,450 remaining in the UDAG authorization for the Worthen Dale Law Suit relating to eminent domain. I am respectfully requesting that the Select Board reauthorize the use of these available funds to pay for landscaping at Depot Square, for the planting of four trees and over 50 plants in the raised bed planters on-site. The type of plants selected will be very similar to the Rotary Island Plantings which can sustain drought and high heat.

Return to:
DROHAN TOCCHIO & MORGAN, P.C.
175 DERBY STREET, SUITE 30
HINGHAM, MASSACHUSETTS 02043
Telephone: (781) 749-7200
Facsimile: (781) 740-4335

DEED OF EASEMENT

The **Town of Ayer**, by its Board of Selectmen, acting pursuant to the authority granted by the vote under Article 10 of the October 26, 2015 Special Fall Town Meeting, a certified copy of which is attached hereto, and every other power thereto appertaining,

In consideration of \$1.00 paid and other good and valuable consideration,

Grants to **Bike Realty, LLC**, a limited liability corporation organized under the laws of the Commonwealth of Massachusetts, and having its principal office at 72 Sharp Street, Unit A-7, Hingham, MA 02043,

A right-of-way access easement, 20 feet in width, over land of the Town of Ayer situated on the west side of Park Street, with an address of 0 Park Street, which easement is designated as "Proposed Driveway Easement" on a plan entitled "Plan of Land in Ayer, Mass. Prepared for F&P - Willows Trust," dated May, 1990, prepared by David E. Ross Associates, Inc., which plan is recorded with the Middlesex South Registry of Deeds as Plan No. 682 of 1990, in Book 20705, Page 200 (the "Ross Plan").

The purpose of this right-of-way access easement is to provide access to and from Park Street to the property of Grantee at 16 Park Street labeled "Lot 1-B" on the Ross Plan, as described in a deed recorded with the Middlesex South Registry of Deeds in Book 74800, Page 358. Said right-of-way access easement is intended to be appurtenant to said Lot 1-B, and to run with the land. The aforesaid easement is for pedestrian and vehicular use, and by acceptance of this deed the said Grantee agrees to be responsible for the installation, maintenance, repair, and replacement of the access right-of-way.

Grantee shall not, except for the rights granted herein, otherwise interfere with the Town's use of the Town property, as described below.

Said land of the Town of Ayer subject to this easement is described in a deed recorded on August 12, 2015 with the Middlesex South Registry of Deeds in Book 65896, Page 503.

For more particular descriptions, reference may be made to the Ross Plan.

The purpose of this Deed is to convey to the Grantee the right-of-way access easement, described above, which was inadvertently not reserved in the deed of the underlying land to the Town of Ayer by Grantee's predecessor in title, Francis W. Finney (a/k/a Francis L. Finney) and J. Paul Routhier, Trustees of the F&P Willows Trust, which deed was recorded August 12, 2015 with the Middlesex South Registry of Deeds in Book 65896, Page 503.

This Deed of Easement supersedes the Confirmatory Quitclaim Deed recorded July 1, 2020 with the Middlesex South Registry of Deeds in Book 75024, Page 477, which shall have no force or effect.

No deed stamps are due hereon pursuant to G.L. Ch. 64D Sec. 1.

[Signature Page Follows]

COPY

Witness our hands and seals this 18th day of August, 2020.

TOWN OF AYER,
By its Board of Selectmen

Shaun C. Copeland, Chair

Scott A. Houde, Vice Chair

Jannice L. Livingston, Clerk

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this 18th day of August, 2020, before me, the undersigned Notary Public, personally appeared _____, member of the Ayer Board of Selectmen, who proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose as a member of the Board of Selectmen of the Town of Ayer.

Notary Public
My Commission Expires:

GRANT OF EASEMENT

The **TOWN OF AYER**, a municipal corporation, duly organized and existing under the laws of the Commonwealth of Massachusetts, having an address at 1 Main Street, Ayer, Massachusetts 01432 (hereinafter referred to as the Grantor), for consideration of One (\$1.00) Dollar, grants to **MASSACHUSETTS ELECTRIC COMPANY**, 40 Sylvan Road, Waltham, Massachusetts 02451, a Massachusetts corporation and **VERIZON NEW ENGLAND INC.**, a New York corporation, having a local address of 125 High Street – Oliver Tower, 07 Floor, Boston, MA 02110 (hereinafter referred to as the Grantee) with quitclaim covenants, the perpetual right and easement to construct, reconstruct, repair, maintain, operate and patrol, for the transmission of high and low voltage electric current and for the transmission of intelligence and telephone use, lines to consist of, but not limited to, one (1) pole, (which may be erected at different times) with wires and cables installed thereon, and all necessary foundations, anchors, guys, braces, fittings, equipment and appurtenances (hereinafter referred to as the “OVERHEAD SYSTEM”) over, across, under and upon the Grantor’s land in Ayer, Middlesex County, Massachusetts, to serve Grantor’s property and others.

Said “OVERHEAD SYSTEM” is to be installed on Grantor’s property, which is located on the southerly side of Groton Street, to originate from Pole P.1-50, which is located on the southerly side of Groton Street, then proceed in a southeasterly direction over, across and upon land of the Grantor to new Pole P.1-51, to become established by and upon the final installation thereof by the Grantee.

WR #28623364

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

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

05 AYERMA GEN

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

It is agreed that the "OVERHEAD SYSTEM" shall remain the property of the Grantee, their successors and assigns, and that the Grantee, their successors and assigns, shall pay all taxes assessed thereon. Grantor agrees that the rights and easement herein granted are for the purpose of providing service to Grantor's property and the further right to service others from said "OVERHEAD SYSTEM". The Grantor, for itself, its successors and assigns, covenant and agrees with the Grantee, for themselves, their successors and assigns, that this Grant of Easement and the location of the "OVERHEAD SYSTEM" may not be changed or modified without the written consent of the Grantee, their successors and assigns, which consent may be withheld by the Grantee in their sole discretion. The rights and easement herein granted are over, across and upon a certain parcel of land being shown as "PARCEL A" on a Plan of Land recorded with the Middlesex South District Registry of Deeds in Plan Book 63 of 2018.

And further, said "OVERHEAD SYSTEM" (locations of the electrical equipment and other facilities on the hereinbefore referred to premises of the Grantor) is approximately shown on a sketch entitled: "**Exhibit A**"; nationalgrid; Sketch to accompany the easement for the installation of 1 JO Pole.; Distances are Approximate Exhibit A Not to Scale; Drawn By: Michael Fraser; Date: 10/9/2019; Actrix Drawing Number 28623364", a reduced copy of said sketch is attached hereto as "Exhibit A", copies of which are in the possession of the Grantor and Grantee herein, but the final definitive locations of said "OVERHEAD SYSTEM" shall become established by and upon the installation and erection thereof by the Grantee.

This easement to Massachusetts Electric Company is granted pursuant to the authority of the vote taken under Article ____ of the June 2020 Town Meeting, a certified copy of which is attached hereto and incorporated herein.

For Grantor's title, see release deed dated January 23, 2018, recorded with the Middlesex South District Registry of Deeds in Book 70578, Page 306.

EXECUTED as a sealed instrument this _____ day of _____, 2020.

TOWN OF AYER
Acting by and through its Board of
Selectmen

By: Scott A. Houde
Its: Selectperson

By: Jannice L. Livingston
Its: Selectperson

By: Shaun C. Copeland
Its: Selectperson

Commonwealth of Massachusetts

County of _____ } ss.

On this the _____ day of _____, 2020, before me,

_____ the undersigned Notary Public,
Name of Notary Public

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

_____,
Description of Evidence of Identity

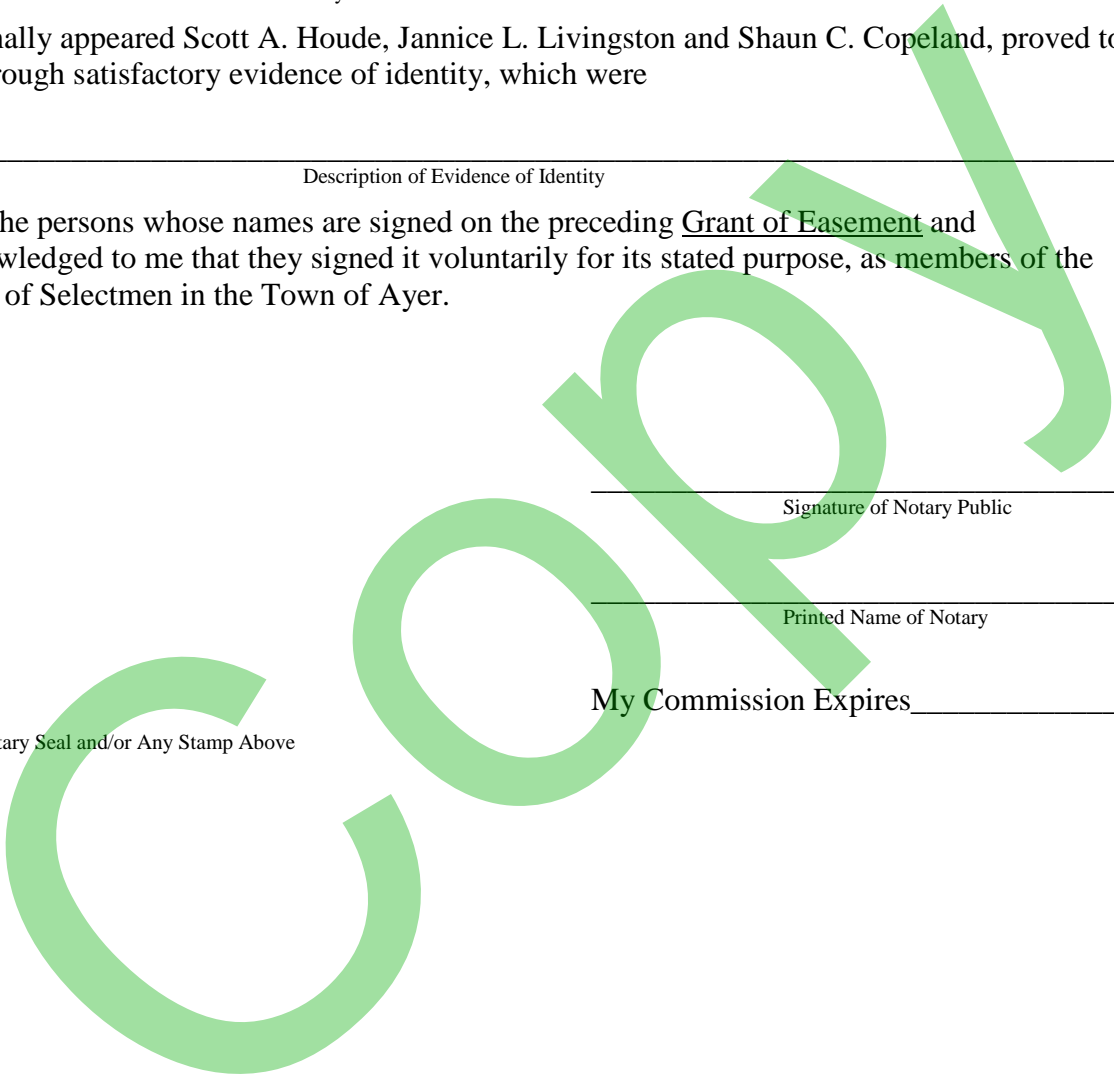
to be the persons whose names are signed on the preceding Grant of Easement and acknowledged to me that they signed it voluntarily for its stated purpose, as members of the Board of Selectmen in the Town of Ayer.

Signature of Notary Public

Printed Name of Notary

My Commission Expires _____

Place Notary Seal and/or Any Stamp Above



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



Broadcast and Recorded by APAC

Tuesday July 14, 2020
Open Session Meeting Minutes

BOS Present: Shaun C. Copeland, Chair; Scott A. Houde, Vice-Chair; Jannice L. Livingston, Clerk
(Entered 4:46 PM)

Also Present: Robert A. Pontbriand, Town Manager; Carly M. Antonellis, Assistant Town Manager

Call to Order: S. Copeland called the meeting to order at 4:45 PM.

Remote Access: S. Copeland stated that pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, MGL Chapter 30A, Section 18 and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Ayer Board of Selectmen is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort has been made to ensure that the public can adequately access the proceedings as provided in the Order.

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

J. Livingston entered at 4:46 PM.

Approval of Meeting Agenda: S. Houde asked to amend the agenda by adding "ASRHS Field Project" under New Business.

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

Public Input: None

Superintendent Mark Wetzel, Department of Public Works: M. Wetzel stated that the construction of the DPW Highway Storage Garage was recently completed. During construction there were unanticipated sub-surface conditions, such as 12 large boulders that had to be removed from the site. Additionally, the Sewer Force Main was discovered under the building location, not where it had been shown on the record plans. He is therefore requesting the authorization for Change Order 2 and authorization for the use of UDAG funds in the amount of \$53,490 for removal of the boulders and the sewer encasement.

Motion: A motion was made by S. Houde and seconded by S. Copeland to approve the authorization of UDAG Funds in the amount of \$53,490 for the DPW Highway Storage Garage. **Motion passed 3-0.**

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve Change Order 2, as requested. **Motion passed 3-0.**

Ayer Affordable Housing Committee: *Request to Reduce Number of Seats* – Affordable Housing Committee Chair Janet Providakes is requesting that the number of seats of the AHC be reduced to five seats from seven and to add two alternate seats. She reported that the Committee is having a hard time achieving a quorum since receiving two resignations.

Motion: A motion was made by L. Livingston and seconded by S. Houde to reduce the number of the Affordable Housing Committee to five members, with two alternates. **Motion passed 3-0.**

Update on the Various Activities of the AHC – J. Providakes stated that the AHC is moving forward with submitting a warrant article for the 2020 Fall Town Meeting to establish an Affordable Housing Trust. The warrant article will also provide a \$30,000 request for seed funding. The proposed Trust's mission is to provide for the creation and preservation of affordable housing for the benefit of low- and moderate-income households. The Board of Trustees will be comprised of 7 members (SB rep, Affordable Housing rep, COA rep, Planning Board rep, three residents with real estate, banking, contractor, or social services backgrounds)

J. Livingston asked when the warrant for the Fall Special Town Meeting opened and closed. R. Pontbriand stated that the opening of the Fall Town Meeting Warrant will happen at August meeting of the SB.

S. Copeland asked about how the Trust gets funded moving forward. A. Hersey stated that in addition to the \$30,000 in seed money, building permit fees could be diverted to the Trust. Additionally, private contributions can be made.

Town Manager's Report: *Administrative Update/Review of Town Warrant(s)* – R. Pontbriand referenced the meeting packet memo, which contains a list of all the warrants signed since the BOS last met. Relating to COVID-19, things remain status quo and there are no negative trends to report. The School Superintendent is working on the reopening plan for the fall. R. Pontbriand have a brief update on outdoor seating requests and reported that the lower section of Washington Street was recently paved.

August SB Meeting Date – SB members discussed moving the August meeting date from August 11th to August 18th to avoid a conflict with the Planning Board. Members agreed; the next SB meeting will be held on August 18, 2020 at 6:00 PM.

S. Houde asked if there were any project renderings for Depot Square. R. Pontbriand stated that he could email them out.

New Business/Selectmen's Questions: S. Houde updated the SB on the School Fields project. He stated that the School Committee will be meeting on August 19, 2020 to present a consensus plan, option 1, which is down a scaled down version of what was previously passed in Ayer. The price is approximately \$5.2 – \$5.3 million. The School Committee will also be working on their public outreach plan.

Other – J. Livingston asked for an update of Master Plan for the next meeting.

Approval of Meeting Minutes:

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve the meeting minutes from June 17, 2020. **Motion passed 3-0.**

SB members discussed the omission of S. Copeland being appointed to MRPC in the 6/30/20 DRAFT minutes. S. Houde also pointed out the header still had him listed as Chairman. C. Antonellis stated she had received that feedback previously and made adjustments accordingly.

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve the meeting minutes from June 30, 2020, as amended. **Motion passed 3-0.**

Adjournment:

Motion: A motion was made by S. Houde and seconded by J. Livingston to adjourn at 5:22 PM. **Motion passed 3-0.**

Minutes Recorded and Submitted by Carly M. Antonellis, Assistant Town Manager

Date Minutes Approved by BOS: _____

Signature Indicating Approval: _____

DRAFT