

RECEIVED  
OCT 29 2021

TOWN OF AYER  
TOWN CLERK

11:55am @

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



**Tuesday November 2, 2021 6:00 PM**  
**Open Session Remote Participation Meeting Agenda**

Due to the ongoing COVID-19 Pandemic, in accordance with Chapter 20 of the Acts of 2021, suspending certain provisions of the Open Meeting Law (OML), 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 live on Zoom and Channel 8. The public may participate remotely by joining Zoom (Meeting ID# 897 9080 0793) or by calling (929-205-6099). For additional information about remote participation, please contact Carly Antonellis, Assistant Town Manager at atm@ayer.ma.us or 978-772-8220 ext. 100 prior to the meeting.

- 6:00 PM**                    **Call to Order**  
Pledge of Allegiance; Review and Approve Agenda; Announcements
- Moment of Silence in Memory of Paul D. Bresnahan**
- Public Input**
- 6:05 PM**                    **Reserve Fund Transfer Request – Council on Aging – Dr. Katie Petrossi**  
1. COA Other Charges and Expenses (01541-57000) for Software Upgrade
- 6:10 PM**                    **Chief Brian P. Gill, Ayer Police Department**  
1. Massachusetts Police Accreditation Commission Award Presentation
- 6:15 PM**                    **Public Hearing – Calendar Year 2022 Solid Waste (Transfer Station) Rates**
- 6:30 PM**                    **Dan Van Schalkwyk, Director, Ayer Department of Public Works**  
1. Execution of MOU and License Agreement – Littleton Electric Light Department
- 6:35 PM**                    **PACE Update on PFAS Human Health Study**
- 6:45 PM**                    **Town Manager's Report**  
1. Administrative Update/Review of Town Warrant(s)  
2. Contract Award – Ayer Police Station – HVAC Rooftop Units  
3. Reauthorization of UDAG Parks Funding for Kidde Junction Study  
4. Amendment to legal boundary description for 2020 Census Re-Precincting Plan
- 6:50 PM**                    **New Business/Select Board Member Questions**
- 6:55 PM**                    **Approval of Meeting Minutes**  
October 19, 2021
- 7:00 PM**                    **Adjournment**

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

*The next regularly scheduled meeting of the Select Board is Tuesday November 16, 2021 at 6:00 PM via Remote Participation  
Zoom Meeting ID #897 9080 0793 or by Phone 929-205-6099*

## RESERVE FUND TRANSFER REQUEST

### **Section I (Completed by Elected Official or Department Head)**

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

1. Amount requested: \$4,500.00
  
2. To be transferred to:
  - A. Account Name Council on Aging Other Charges & Expenses
  - B. Account #: 01541-57000
  
3. Present balance in budget \$145,660.05
  
4. The amount requested will be used for (please attach supporting information):  
MySeniorCenter Customizable Cloud-Based Software
  
5. The expense is extraordinary or unforeseen for the following reason(s):  
Due to change in COA Director mid-year, this software was not budgeted for. It will allow for increased productivity for staff and clients by allowing the COA to manage the following:  
Manage client information; schedule events and manage room use; manage events sign-ups and check-ins; track participation/usage statistics required for Executive Office of Elder Affairs reporting; Generate mass calls for event updates, center closures, etc; Manage volunteer hours for Senior Tax Workoff Securely store private outreach/social services notes; meal tracking to simplify MOC reporting

  
Date 10/28/2021 Elected Official or Department Head

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

Transfer Approved: YES NO

Amount Approved: \$ \_\_\_\_\_

Date of Meeting: \_\_\_\_\_ Number Present/Voting \_\_\_\_\_

\_\_\_\_\_  
Chairman

### **Section III Action by Finance Committee**

Transfer Approved: YES NO

Amount Approved: \$ \_\_\_\_\_

Date of Meeting: \_\_\_\_\_ Number Present/Voting \_\_\_\_\_

\_\_\_\_\_  
Chairman

Xavus Solutions  
PO Box 55071 #30713  
Boston, MA 02205-5071  
5088344113  
tina@myseniorcenter.com



# Quote

**ADDRESS**

Katie Petrossi  
Ayer Council on Aging  
18 Pond Street  
Ayer, MA 01432

**SHIP TO**

Katie Petrossi  
Ayer Council on Aging  
18 Pond Street  
Ayer, MA 01432

**QUOTE #** s-090917-8129

**DATE** 09/16/2021

ACTIVITY	QTY	RATE	AMOUNT
MySeniorCenter System Configuration with All in One Computer/Touchscreen and MySeniorCenter Management System and MySeniorCenter Touchscreen application. Includes one omni-directional scanner, one webcam, and 900 standard MySeniorCenter keytags.	1	10,000.00	10,000.00
Web-based training and remote configuration	1	750.00	750.00
Complimentary upgrade to On-site Training - MA CUSTOMERS ONLY	1	0.00	0.00
Shipping and handling	1	120.00	120.00
Sponsor-based model	1	-6,370.00	-6,370.00
'	1	0.00	0.00

Annual maintenance fee in subsequent years for the configuration listed above and the sponsor-based model is \$1200 beginning in year 2. Any changes to the configuration listed above may increase the annual maintenance fee. Maintenance includes updates to the software, access to technical support, nightly database backups and periodic web-based refresher training.

Please sign fax to 508-834-4125 or scan/email to tina@myseniorcenter.com.

**TOTAL**

**\$4,500.00**

Accepted By \_\_\_\_\_

Accepted Date \_\_\_\_\_



# AYER POLICE DEPARTMENT

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



Brian P. Gill  
*Chief of Police*

## MEMO

**To:** Town Manager, Robert A. Pontbriand  
**From:** Chief Brian P. Gill  
**Date:** October 28, 2021  
**RE:** Ayer PD – MPAC Certification Award

Dear Mr. Pontbriand,

I am extremely proud to announce that on September 23<sup>rd</sup>, 2021, the Ayer Police Department was awarded the prestigious status of **Certification** by the Massachusetts Police Accreditation Commission. As noted in their award letter, *“Achieving state Certification demonstrates your Department’s commitment to delivering an exemplary level of police service in your community”*.

Achieving this official credential was a long standing goal of the Ayer Police Department, that began in earnest during the summer of 2019 when we entered into a phase called “Self-Assessment”. The team, consisting of myself, Chief William Murray, Sgt. Andrew Kularski and Detective Kellie Barhight, was tasked with reviewing the Departments policies and procedures, ensuring that they met 159 “standards” (or best practices in Law Enforcement) identified by the Commission. This period of self-review was not easy; long standing processes were assessed, critiqued and sometimes changed in order to meet these best practices.

Once we believed we had met all of the standards prescribed, we requested that the Commission convene an assessing team to evaluate our Department. This award is the culmination of all of that hard work!

This is not only a huge achievement for the Ayer Police Department, it is also one that belongs to the Town of Ayer. As such, I would like to present the Select Board with a plaque awarded by the Commission to be proudly hung in Town Hall, commemorating this accomplishment!

Sincerely,

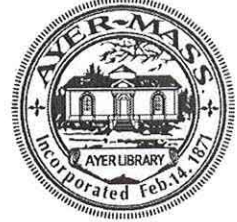
Brian P. Gill  
Chief of Police

RECEIVED  
OCT 13 2021

TOWN OF AYER  
TOWN CLERK

1:40pm 

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



**Calendar Year 2022 Solid Waste (Transfer Station) Rates**

The Ayer Select Board will be conducting a remote Public Hearing on Tuesday November 2, 2021 at 6:15 PM. The Select Board, in their legal capacity as the rate-setting authority for the Solid Waste Enterprise Fund (Transfer Station), will hear the report and recommendation(s) of the Town's Rate Review Committee; take public comment(s); and consider approval and adoption of the Calendar Year 2022 Solid Waste (Transfer Station) Rates. For Zoom/Call-In information, please contact Assistant Town Manager, Carly Antonellis at 978-772-8220 x100 or [atm@ayer.ma.us](mailto:atm@ayer.ma.us).

**Date of Public Hearing:** Tuesday November 2, 2021

**Time of Public Hearing:** 6:15 PM

**Location of Public Hearing:** Remote Participation Meeting held on Zoom  
Zoom ID # 897 9080 0793

Meeting materials/information may be obtained by contacting Carly Antonellis, Assistant Town Manager at [atm@ayer.ma.us](mailto:atm@ayer.ma.us) or 978-772-8220 x100.



# Recommended Transfer Station Fees

November 2, 2021

Ayer Rate Review Committee

Town of Ayer, Massachusetts

# Overview

- Solid Waste Disposal / Transfer Station Operation is Enterprise Fund
  - Separate accounting
  - Fees and rates charged for solid waste services
- Revenue is based on annual permit sales and “Pay As You Throw” bag sales
- Current budget is subsidized by General Fund (taxes) – approx 40%



# Town Transfer Station Operation

- Municipal Solid Waste (Trash)
- Recycling (Zero-Sort)
- Food Waste Collection
- Bulk Items
- Yard Waste (Process and Haul to Brush Dump on Bishop Rd)
- Swap Shed
- Book / Textile / Metal Recycling





# Current Fees

- Annual Permit: \$95.00
- Senior Citizen Rate: \$60.00
- Second Permit: \$30.00
- One day Permit \$15.00
- PAYT 15 Gal Trash Bag \$4.00
- PAYT 33 Gal Trash Bag \$5.00
- PAYT 50 Gal Trash Bag \$6.00
- Bulk Tag \$5.00 each





# FY22 Budget

- Total Budget \$528,382
- General Fund Subsidy \$160,000
- Retained Earnings \$ 35,000
  
- Total Revenue needed \$333,382

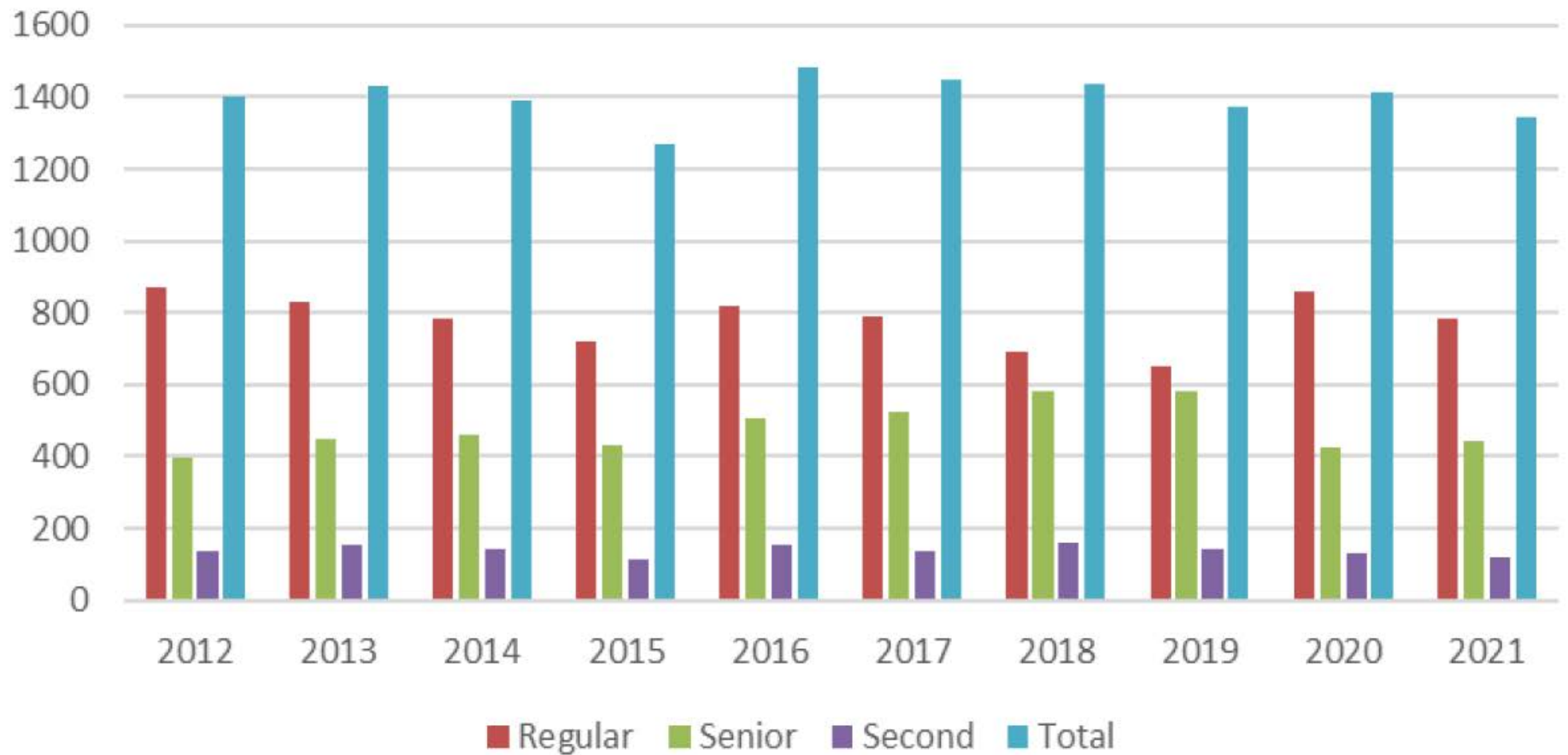


# Budget Issues

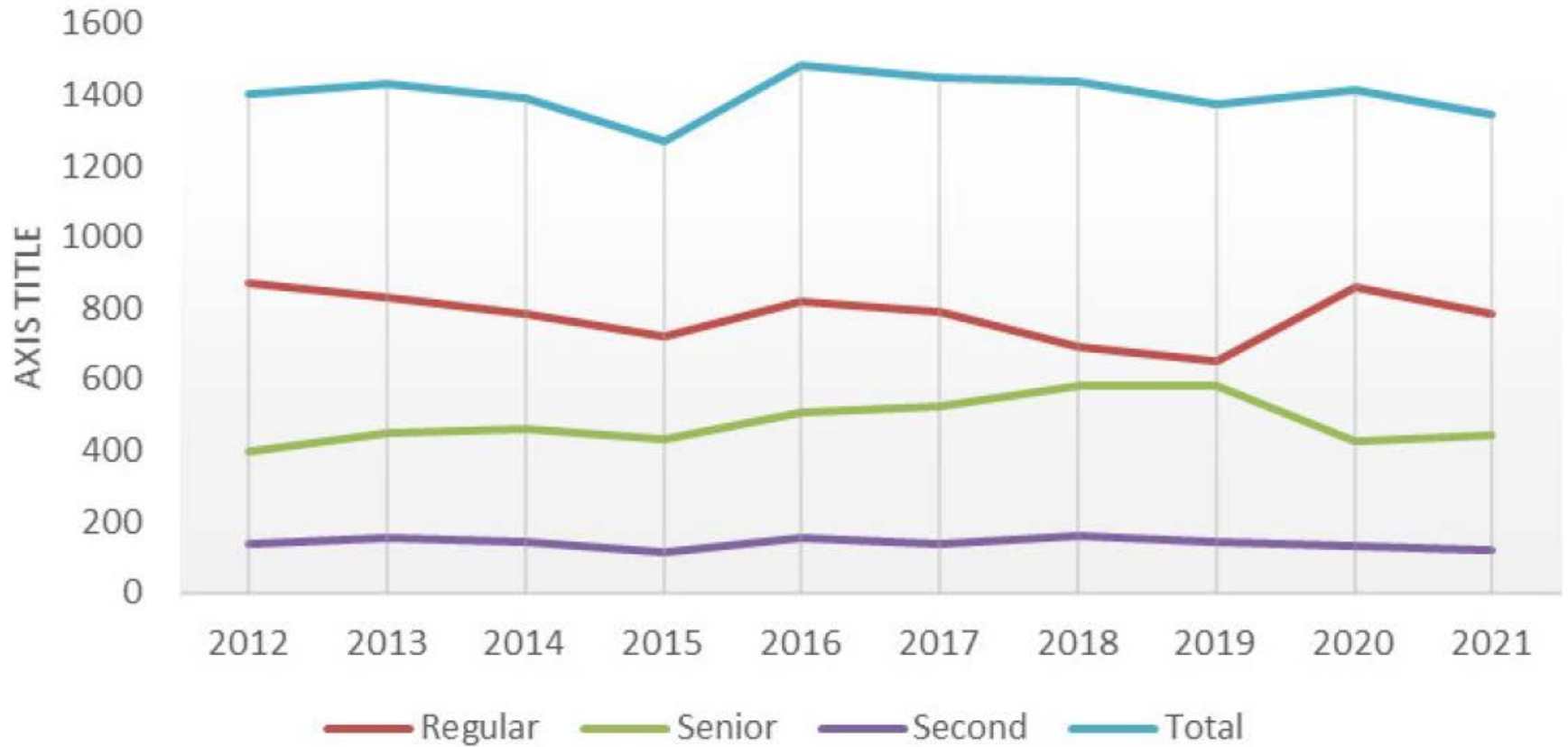
- FY22 budget is lower than FY21 due to retiring debt payments
- FY22 Solid Waste disposal costs, recycling costs and bag costs have increased by 10% over budget
- FY23 budget is anticipated to increase by 15% to 20%
- Total number of Transfer Station users is decreasing every year and senior permit sales are increasing



## Transfer Station Permits By Group



## Transfer Station Permits By Group



# Rate Model

- Rate Model used to estimate revenue generated from permit sales and bag sales.
- Assumed that fees would need to generate approx. \$357K based on FY22 and preliminary FY23 budget
- Different rate scenarios for increases in permit fee and bag prices can easily be evaluated



# Rate and Fee Discussion

- Evaluated 10 different rate scenarios for bag and permit increases
- PAYT bag fee increase from last July should result in increased revenue
- Current Fees should generate \$348K
- Will review revenues and expenses in Spring 2022





# Recommendation

- Annual Permit (\$5 Increase) **\$100.00**
- Senior Citizen Permit (No Change) **\$60.00**
- Second Permit (No Change) **\$30.00**
- One day Permit **\$15.00**
- PAYT 15 Gal Trash Bag (No Change) **\$3.00**
- PAYT 33 Gal Trash Bag (No Change) **\$4.00**
- PAYT 50 Gal Trash Bag (No Change) **\$5.00**
- Bulk Tag (No Change) **\$5.00 each**



# Cost to Residents

- **Current Cost**

Regular - Permit \$95 plus \$350 (70 medium bags) = \$ 445

Senior – Permit \$60 plus \$100 ( 25 small bags) = \$ 160

- **Proposed Cost**

Regular - Permit \$100 plus \$350 (70 medium bags) = \$ 450

Senior – Permit \$60 plus \$100 ( 25 small bags) = \$ 160

- Increase in Permit Fee = 5%

- Increase in Total Cost = 1%



Town of Ayer

**\*\*\*\*[DRAFT]\*\*\*\* Rate Review Committee Meeting Minutes**  
**Tuesday, October 12, 2021, 4:00pm**

Ayer Town Hall – 1<sup>st</sup> Floor Meeting Room  
1 Main Street, Ayer, MA 01432

*Remote Public Participation Meeting Due to the ongoing COVID-19 Pandemic in Accordance with Chapter 20 of the Acts of 2021 Pertaining to the Open Meeting Law*

**Attendance:** Jannice Livingston (Select Board Member); Rick Skoczylas; Mark Smith (Fin Com Representative); Robert Pontbriand (Town Manager); Lisa Gabree (Finance Manager); Pam Martin (DPW Business Manager); Mark Wetzal (DPW Special Projects Manager)

**Absent:** Dan Van Schalkwyk (DPW Director)

**Call to Order:** The Rate Review Committee was called to order at 4:00pm using remote public participation (Zoom Meeting) due to the COVID-19 Pandemic in accordance with the provisions of the Chapter 20 of the Acts of 2021 pertaining to the Open Meeting Law.

R. Pontbriand read the following statement into the record: Due to the ongoing COVID-19 Pandemic, in accordance with Chapter 20 of the Acts of 2021, suspending certain provisions of the Open Meeting Law (OML), 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 "though adequate, alternative means." This meeting will be live on Zoom. The public may participate remotely by joining Zoom (Meeting ID# 854 0032 4335) or by calling 929-205-6099. For additional information about remote participation, please contact Carly Antonellis, Assistant Town Manager at [atm@ayer.ma.us](mailto:atm@ayer.ma.us) or 978-772-8220 ext. 100 prior to the meeting.

**Review/Approve Previous Meeting Minutes:**

The Rate Review Committee reviewed the meeting minutes from the last meeting on May 25, 2021.

**Motion:** A motion was made by M. Smith and seconded by R. Skoczylas to approve the Meeting Minutes from May 25, 2021. **Motion passed 7-0 by roll call vote (J. Livingston, Y; M. Smith, Y; R. Skoczylas, Y; P. Martin, Y; M. Wetzal, Y; R. Pontbriand, Y; L. Gabree, Y.)**

**Review/Discussion/Vote Recommendation(s) for the Proposed FY 2023 Solid Waste (Transfer Station) Rates:**

J. Livingston stated that last time the Town did not raise the permit rates but just the bag rates.

M. Wetzal presented his memo/recommendation titled "FY 23 Solid Waste Fees". He advised that bag prices have gone up by 23% and the costs of solid waste disposal and recycling contracts have increased by 10%. At this time and there will be an approximate \$25,000 budget shortfall if no action is taken.

He further recommended per his memo that the Rate Committee recommend to the Select Board that they increase the current Residential Permit from \$95 a year to \$100 a year. All other permit and bag fees would remain the same.

J. Livingston noted that we should present the breakdown of the cost increase which would be approximately \$8.33 a month.

M. Wetzel stated that permit sales are still decreasing and that we are selling more Senior permits than regular permits.

L. Gabree stated that she is in support of the recommendation to increase the permit fees by \$5.00 from \$95 to \$100. The FY 2021 expenses in the Solid Waste Enterprise exceeded revenues by \$1,000 which is too close.

R. Skoczylas asked if the increase was on all permits including Seniors or just regular permits?

M. Wetzel stated that the proposed increase would be on the regular permits and that there would be no increase to the Senior permits.

J. Livingston asked how many permits have been sold at this time?

M. Wetzel stated 182 regular permits; 434 Senior permits; and 120 second permits.

J. Livingston asked about increasing the second permit fee.

M. Wetzel state that an increase from \$30 to \$35 for second permits would only generate about \$600 and might cause people not to buy a second permit.

M. Smith stated that he agreed with the recommendation of increasing the regular permits by \$5.00. He stated that he does have concerns about the sustainability of the rate and of the overall Solid Enterprise Fund. He asked about a proposal that you must buy a sticker to have trash cans on the street. And that trash cans can only be out for 24 hours or there is a fine?

J. Livingston stated that COVID has impacted the use of the Transfer Station. We need to publicly show the value. It seems the closer you live to the Transfer Station; you tend to go to it more.

M. Wetzel stated that it is largely a generational change. Younger people do not want to take their trash to the Transfer Station especially if they have babies in diapers. They would rather have curbside. Many are working during the week and have other obligations on the weekends, the last thing they want to do is drive their trash to the Transfer Station.

J. Livingston stated that she would hop we could get the younger crowd educated and using the Transfer Station.

M. Smith asked if ARPA Funds could be used toward the Transfer Station, perhaps for equipment?

R. Pontbriand said that this would have to be investigated.

R. Pontbriand stated that it would be ideal to have a recommendation to the Select Board by the beginning of November so that any new rate can be implemented. He proposed that the Select

Board meets on November 2, 2021, at 6pm on Zoom and that the public hearing for the rate increase could be part of this meeting. This would also give time to promote the public hearing.

J. Livingston concurred that November 2, 2021, would work.

**Motion:** A motion was made by R. Skoczylas and seconded by M. Smith to recommend to the Select Board that the regular Transfer Station permit fee be raised \$5; from \$95 to \$100. **Motion passed 7-0 by roll call vote (J. Livingston, Y; M. Smith, Y; R. Skoczylas, Y; P. Martin, Y; M. Wetzel, Y; R. Pontbriand, Y; L. Gabree, Y.)**

J. Livingston stated that for the presentation slides for November 2, that they clearly breakdown the cost impact per month of the increase.

M. Wetzel stated that he would prepare the presentation slides for November 2 and send to the Committee in advance to review.

**New Business:**

M. Wetzel stated that the ASRSD Field Committee is looking at the costs to water the fields. The cost is approximately \$150,000 for wells to water the fields. One potential option would be for an agreement between the Town for irrigation at a lower cost tier with restrictions.

L. Gabree asked if separate meter?

M. Wetzel stated yes.

M. Smith stated that he would like to see the numbers for such a proposal.

M. Wetzel stated that he would prepare an analysis for the Committee to look at.

L. Gabree brought up the issue of water/sewer liens on bills and lien notifications. Is there a process to notify people before the lien?

P. Martin stated that there is a general Facebook warning/notification, but she will ask I.T. to create an email blast to everyone signed up to receive email notifications from the Town. before the lien appears on the bill.

There was no other New Business.

R. Pontbriand stated that the next meeting of the Rate Review Committee will be on November 23, 2021, at 4pm on Zoom.

**Motion:** A motion was made by R. Skoczylas and seconded by M. Smith to adjourn the Rate Review Committee Meeting. **Motion passed 7-0 by roll call vote (J. Livingston, Y; M. Smith, Y; R. Skoczylas, Y; P. Martin, Y; M. Wetzel, Y; R. Pontbriand, Y; L. Gabree, Y.)**

The Rate Review Committee Meeting adjourned at 4:46pm

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

Minutes reviewed and approved by the Rate Review Committee on \_\_\_\_\_

Signed: \_\_\_\_\_  
Robert A. Pontbriand, Town Manager

DRAFT

DEPARTMENT OF PUBLIC WORKS

Dan Van Schalkwyk, P.E. Director  
Pamela J. Martin, Business Manager

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

**Memorandum**

Date: October 12, 2021  
To: Ayer Rate Review Committee  
From: Mark Wetzel P.E.  
Re: FY23 Solid Waste Fees

I updated the Solid Waste Fee Model using FY22 budget and revenue data. I have also prepared a very preliminary FY23 Solid Waste budget. Note that we have new contracts for solid waste disposal and recycling collection and disposal which result in increased costs of approximately 10%. In addition, the DPW received new bids for the purchase of the PAYT bags, which increase the cost by 23%.

For FY22, PAYT bag fees were increased on July 1, 2021, by \$1.00 per bag for all sizes. Based on the PAYT bag sales trends, this increase should generate an additional revenue of approximately \$24,000 per year.

Based on the ATM Appropriation for FY22, the needed revenue is as follows:

<b>Town Meeting Article</b>	
Budget	\$ 528,382
Tax Levy	\$ 160,000
Retained Earnings	\$ 35,000
Revenue needed	\$ 333,382

I evaluated various rate increase scenarios including increasing permit fee and PAYT bag prices to meet the FY22 revenue requirement. Based on the FY22 budget, permit and PAYT bag revenue needs to generate \$333,382. The current rates are projected to generate sufficient revenue (\$348,330) to meet the FY22 budget.

I also evaluated the estimated revenue requirements for FY23. I projected significant budget increases due to 1) increase in solid waste and recycling disposal contract rates, 2) general cost increases due to inflation, 3) aging transfer station facility and vehicles. This estimate will be further refined in the FY23 Budget process. Based on this analysis, it appears the under the current rates, the budget shortfall would be approximately \$25,000.

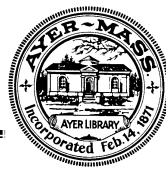
My recommendation for the Solid Waste Fee increase is to raise the regular residential permit fee from \$95 to \$100 per calendar year. All other permit and PAYT bag fees should remain at current amounts. The fees should be re-evaluated in the spring of 2022 as more revenue data will be available.

In addition, while the bulk tag rates do not generate a significant amount of revenue. The Rate Review Committee should review the current bulk tag requirements and adjust if required.

**Rate Scenarios**

Current Rates	\$348,330
Permit Increase \$5 -All Permits	\$355,060
Increase Regular Permit Only \$5	\$352,040
Permit Increase \$10 /\$5 /\$0	\$358,370
Permit Increase \$15/\$10/\$5	\$365,100
Bag increase \$0.50	\$354,468
Bag Increase \$1.00	\$360,605
Permit Increase \$5 Bag \$1.00	\$367,335
Permit Increase \$5 , Bag \$0.50	\$361,198
Permit Increase \$10/5 , Bag \$0.50	\$364,508
<b>Sales Revenue Needed FY22 -</b>	<b>\$333,382</b>
<b>Estimated Sales Revenue Needed FY23 -</b>	<b>\$357,980</b>





## MEMORANDUM

Date: October 28, 2021  
To: Select Board  
From: Dan Van Schalkwyk, P.E., Director  
Subject: **Agenda Items for November 2, 2021, Select Board Meeting**

1. **Execution of Memorandum of Understanding and License Agreement with Littleton Electric Light Department** – As part of the Spectacle Pond Water Treatment Plant PFAS upgrade, electricity is being brought to the new PFAS treatment building by Littleton Electric Light Department (LELD). In order for LELD to install the electrical components on Town property, the Town must grant permission to LELD. This can be accomplished by a Memorandum of Understanding and License Agreement and will require a formal easement in the future, after installation is completed and as-built location is known. The MOU/License Agreement is included in the packet and was reviewed by Town Counsel.

Requested Motion – Vote to execute the MOU/License Agreement with Littleton Electric Light Department for the Spectacle Pond Water Treatment Plant PFAS Project, for signature by the Chair.

**MEMORANDUM OF UNDERSTANDING  
(MOU) AND LICENSE AGREEMENT**

This MEMORANDUM OF UNDERSTANDING AND LICENSE AGREEMENT (the “Agreement”) is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2021 (“Effective Date”) by and between the TOWN OF AYER, body politic with a principal office at 1 Main Street, Ayer, MA 01432 (“Town”), and the LITTLETON ELECTRIC LIGHT DEPARTMENT, a municipal light department with a principal office at 39 Ayer Road, Littleton, MA 01460 (“LELD”) (individually, a “Party,” together, the “Parties”).

**Recitals**

WHEREAS, the Town owns a Water Treatment Plant located off Spectacle Pond Road in Ayer (Map 17 Parcel 7) (the “Spectacle Pond Water Treatment Plant Property”):

WHEREAS, the Town desires to have LELD construct, connect, install and operate certain utilities to the Spectacle Pond Water Treatment Plant Property as set forth below in Section 1 (the “Use”);

WHEREAS, the Town and LELD intend to negotiate an easement or similar long-term binding agreement to permit the Use, containing substantially similar terms as those in the attached easement (Attachment 1) along with a plan;

WHEREAS, until such time as the foregoing arrangements can be finalized, the Town and LELD desire to memorialize their agreements regarding access to the Spectacle Pond Water Treatment Plant Property and the Use.

NOW, THEREFOR, in consideration of the mutual covenants and agreements herein contained, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Town and LELD hereby agree as follows:

1. The Town grants the LELD the following licenses:
  - a. to lay, install, construct, reconstruct, alter, relocate, repair, replace, add to, remove, operate and maintain above ground and underground cables, conduit, wires, poles, anchors and guys, and related equipment and facilities, for the transmission and distribution of electricity and telephone, cable television, data, and/or related services (or “distribution of intelligence”), in, through, under, over, across and upon the Spectacle Pond Water Treatment Plant Property as indicated in the attached drawing (Attachment 2) (all of the equipment described in this subparagraph (a) is hereinafter collectively referred to as the “System.” All of the license areas described in subparagraph (a) are hereinafter collectively referred to as the “License Areas”);
  - b. to use the System for the transmission and distribution of electricity and the transmission and distribution of intelligence to the Spectacle Pond Water Treatment Plant Property;
  - c. to pass and re-pass and to authorize others to pass and re-pass over, across and upon the License Areas and other portions of the Spectacle Pond Water Treatment Plant Property as may be reasonable and necessary in the opinion of LELD in connection with the foregoing purposes;
  - d. to make such other installation upon the Spectacle Pond Water Treatment Plant Property as may be reasonable and necessary in the opinion of LELD in connection with all of the foregoing purposes; and
  - e. to do all other acts incidental and reasonably necessary to said purposes.



**Attachment 1**

**Example Easement Agreement**

**LITTLETON ELECTRIC LIGHT DEPARTMENT**

**GRANT OF EASEMENT**

---

(name and address of Grantor)

---

(the "Grantor"), for good and valuable consideration and One Dollar (\$1.00) paid, the receipt and sufficiency of which are hereby acknowledged, grants to the Town of Littleton, a municipal corporation located in Middlesex County, Massachusetts, acting by and through the Littleton Electric Light Department, 39 Ayer Road, Littleton, Middlesex County, Massachusetts (the "Grantee"), which term shall also refer to any successor in title to the easement rights granted hereunder, with quitclaim covenants, the following perpetual rights and easements:

- (a) to lay, install, construct, reconstruct, alter, relocate, repair, replace, add to, remove, operate and maintain:

above ground and underground cables, conduit, wires, poles, anchors and guys, and related equipment and facilities, for the transmission and distribution of electricity and telephone, cable television, data and/or related services (or "distribution of intelligence") , in, through, under, over, across and upon

*(Enter legal description of property, book and page number and plan reference as applicable in area below)*

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and shown on a plan hereinafter specified;

(All of the equipment described in this subparagraph (a) is hereinafter collectively referred to as the "System." All of the easement areas described in subparagraph (a) are hereinafter collectively referred to as the "Easement Areas".)

- (b) to use the System for the transmission and distribution of electricity and the transmission and distribution of intelligence to the property of Grantor [and to the property of other customers of Grantee];

Grant of Easement

- (c) to pass and re-pass and to authorize others to pass and re-pass over, across and upon the Easement Areas and other land of Grantor as may be reasonable and necessary in the opinion of Grantee in connection with all of the foregoing purposes;
- (d) to make such other installations upon other land of Grantor as may be reasonable and necessary in the opinion of Grantee in connection with all of the foregoing purposes;
- (e) to keep the Easement Areas cleared of such trees, shrubs, bushes, structures, objects and surfaces as may in the opinion of Grantee interfere with the safe and efficient operation and maintenance of the System; and
- (f) to do all other acts incidental and reasonably necessary to said purposes.

Grantor hereby grants to Grantee all the perpetual rights and easements aforesaid needed to lay, install, construct, reconstruct, alter, relocate, repair, replace, add to, remove, operate and maintain the System for the purposes of transmitting and distributing electricity and intelligence to the property of Grantor shown on said plan [and to the property of other customers of Grantee.] Any entry by Grantee in the exercise of its rights under this Easement shall be at Grantee's sole risk.

The Easement Areas are shown on a plan as follows:

*(insert description, attach drawing and exhibit reference)*

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If the Easement Area is unsuitable for the purposes of the Grantee, then the location(s) of the Easement Area shall be changed to areas mutually satisfactory to both Grantor and Grantee.

The System is further shown on a layout plan showing installation details entitled:

---

Prepared by \_\_\_\_\_

And dated \_\_\_\_\_ on file with Grantee.

[The height of any poles above the finished grade of the Easement Area and the placement of the wires thereon and the placement of cables, wires, anchors and guys

## Grant of Easement

shown on said layout shall not be thereafter altered so as to interfere with vehicular access (passenger or commercial) of any currently existing access areas within the Easement Area.]

By Grantee's acceptance hereof, such Grantee agrees that it shall indemnify and hold Grantor harmless from any loss, cost, damage or expense sustained by Grantor as a result of the exercise by such Grantee of the rights and easements granted herein, provided, however, that to the extent that any such loss, cost, damage or expense is attributable to Grantor's negligence or willful misconduct, the foregoing indemnification and hold harmless agreement shall be of no force and effect.

Grantee agrees that following any installations made by such Grantee as permitted by this Grant of Easement, such Grantee shall properly restore the surface of the Easement Areas to as reasonably good condition as said surface was in immediately prior to said installations.

If the System shall no longer be used, and there are no plans of Grantee to restore the System to operational status for the uses specified herein, all of the equipment that is not in operation or held in readiness to resume operations shall be removed by the Grantee which shall also restore the surface of the Easement Areas to as nearly as is practical to the same condition such Easement Areas were in immediately prior to such removal.

The provisions hereof shall inure to the benefit of and be binding upon Grantor, Grantee, and their respective successors in the title forever.

(continued on next page)

---

Grant of Easement

FIRST MORTGAGE HOLDER

---

---

(name and address of bank)

---

---

having its principal place of business in \_\_\_\_\_

---

(the "Bank"), holder of a first mortgage on said land of Grantor, \_\_\_\_\_

---

(mortgage information)

---

for good and valuable consideration paid, the receipt and sufficiency of which are hereby acknowledged, hereby joins in this Grant of Easement and agrees with Grantee that Bank shall hold said mortgage and, in the event of foreclosure thereof, the mortgaged premises, subject to the rights and easements contained herein, however, that the rights of Bank under said mortgage shall not otherwise be affected.

For Grantor's title see \_\_\_\_\_

---

---

---

(continued on next page)



SECOND MORTGAGE HOLDER

---

(name and address of bank)

---

---

having its principal place of business in \_\_\_\_\_

---

---

(the "Bank"), holder of a second mortgage on said land of Grantor, \_\_\_\_\_

---

---

(mortgage information)

---

for good and valuable consideration paid, the receipt and sufficiency of which are hereby acknowledged, hereby joins in this Grant of Easement and agrees with Grantee that Bank shall hold said mortgage and, in the event of foreclosure thereof, the mortgaged premises, subject to the rights and easements contained herein, however, that the rights of Bank under said mortgage shall not otherwise be affected.

(continued on next page)

Grant of Easement

IN WITNESS WHEREOF, Grantor has caused this instrument to be signed and delivered in Grantor's name this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
(Grantor)

\_\_\_\_\_  
(title)

\_\_\_\_\_  
(print name)

\_\_\_\_\_

COMMONWEALTH OF MASSACHUSETTS

\_\_\_\_\_, ss.  
(county)

Then personally appeared the above-named \_\_\_\_\_

\_\_\_\_\_  
(grantor)

and acknowledged the foregoing instrument to be her/his free act and deed,

\_\_\_\_\_ before me.  
(date)

\_\_\_\_\_  
Notary Public  
My Commission Expire

Grant of Easement

IN WITNESS WHEREOF, said \_\_\_\_\_  
has caused its corporate seal to be hereto affixed and this instrument to be signed and  
delivered in its name and behalf by its duly authorized officers this \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(name of bank)  
By: \_\_\_\_\_  
(signature)  
\_\_\_\_\_  
(print name)  
\_\_\_\_\_  
(title)

COMMONWEALTH OF MASSACHUSETTS

\_\_\_\_\_, ss.  
(county)

Then personally appeared the above-named \_\_\_\_\_

\_\_\_\_\_  
(name of person signing for bank)

and acknowledged the foregoing instrument to be her/his free act and deed,

\_\_\_\_\_ before me.  
(date)

\_\_\_\_\_  
Notary Public  
My Commission Expires

Grant of Easement

IN WITNESS WHEREOF, said \_\_\_\_\_  
has caused its corporate seal to be hereto affixed and this instrument to be signed and  
delivered in its name and behalf by its duly authorized officers this \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(name of bank)  
By: \_\_\_\_\_  
(signature)  
\_\_\_\_\_  
(print name)  
\_\_\_\_\_  
(title)

COMMONWEALTH OF MASSACHUSETTS

\_\_\_\_\_, ss.  
(county)

Then personally appeared the above-named \_\_\_\_\_

\_\_\_\_\_  
(name of person signing for bank)

and acknowledged the foregoing instrument to be her/his free act and deed,

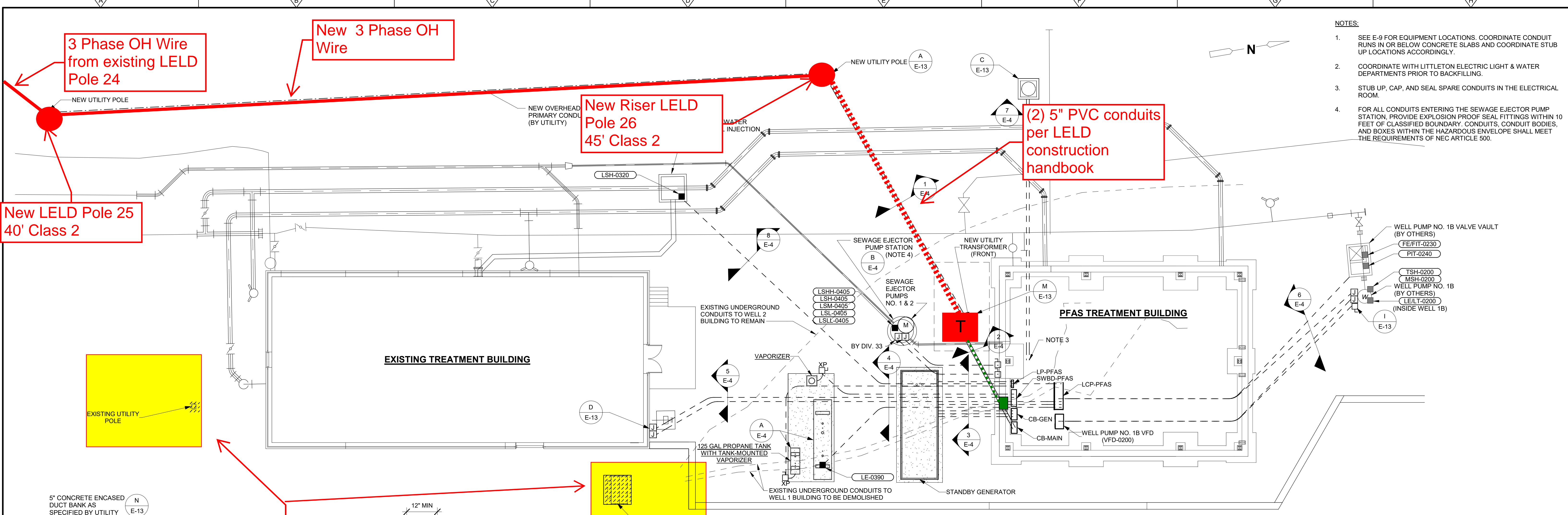
\_\_\_\_\_ before me.  
(date)

\_\_\_\_\_  
Notary Public  
My Commission Expires

**Attachment 2**

**Plan**

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- NOTES:**
- SEE E-9 FOR EQUIPMENT LOCATIONS. COORDINATE CONDUIT RUNS IN OR BELOW CONCRETE SLABS AND COORDINATE STUB UP LOCATIONS ACCORDINGLY.
  - COORDINATE WITH LITTLETON ELECTRIC LIGHT & WATER DEPARTMENTS PRIOR TO BACKFILLING.
  - STUB UP, CAP, AND SEAL SPARE CONDUITS IN THE ELECTRICAL ROOM.
  - FOR ALL CONDUITS ENTERING THE SEWAGE EJECTOR PUMP STATION, PROVIDE EXPLOSION PROOF SEAL FITTINGS WITHIN 10 FEET OF CLASSIFIED BOUNDARY. CONDUITS, CONDUIT BODIES, AND BOXES WITHIN THE HAZARDOUS ENVELOPE SHALL MEET THE REQUIREMENTS OF NEC ARTICLE 500.

**New LELED Pole 25  
40' Class 2**

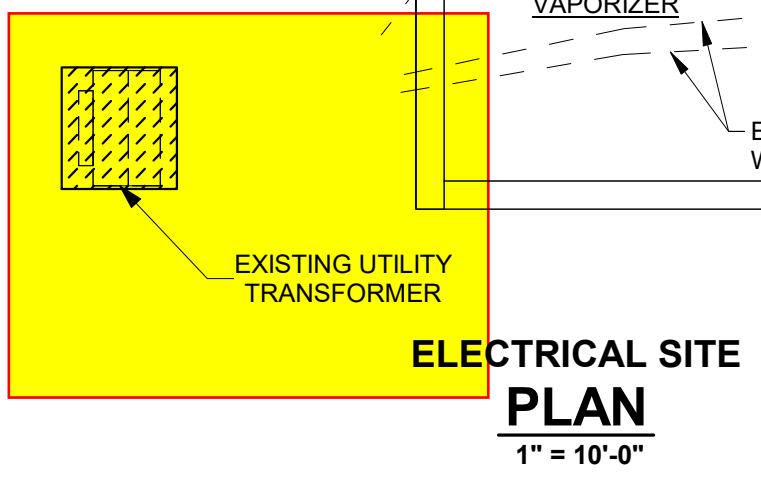
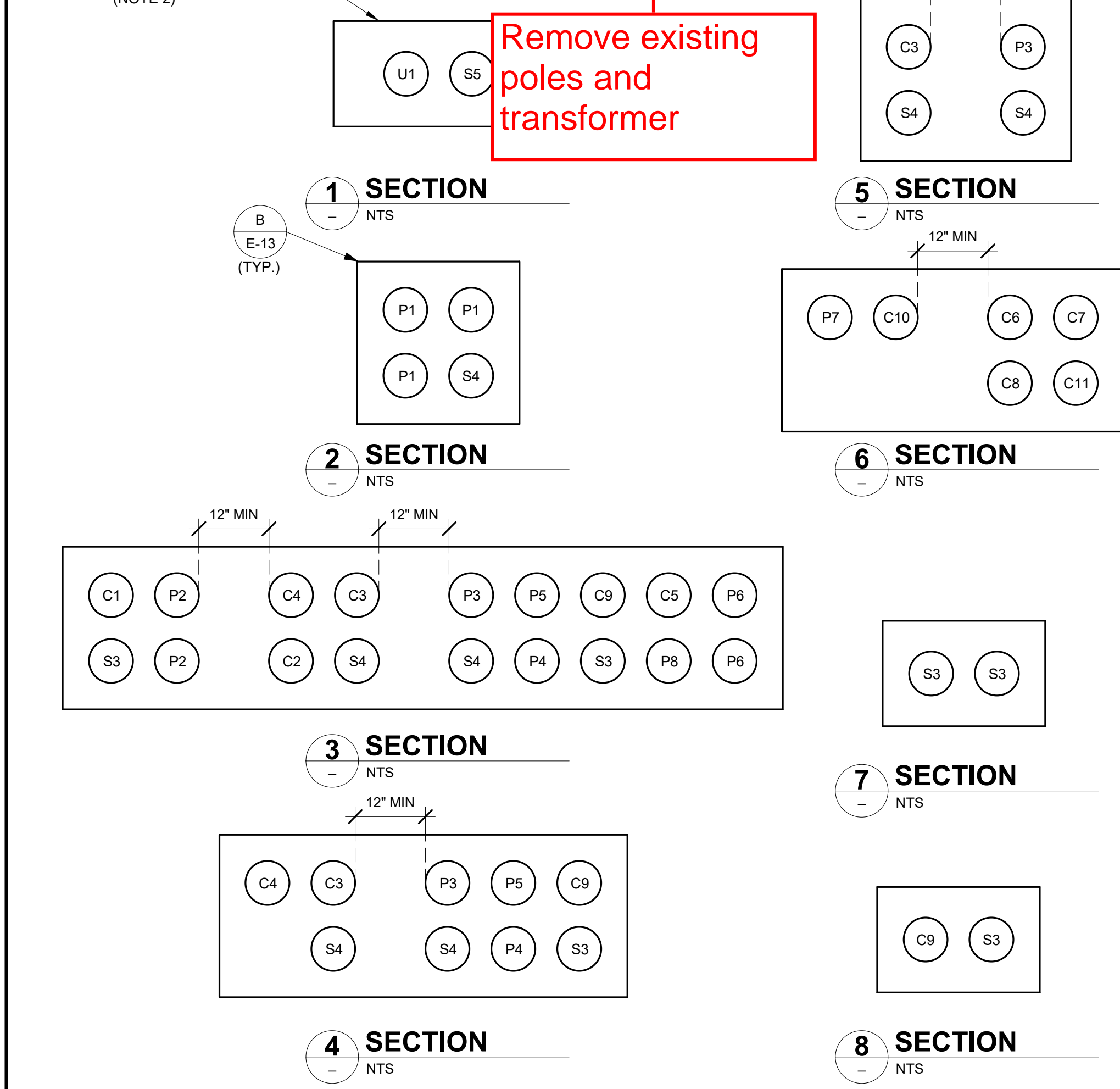
**New 3 Phase OH  
Wire**

**New Riser LELED  
Pole 26  
45' Class 2**

**(2) 5" PVC conduits  
per LELED  
construction  
handbook**

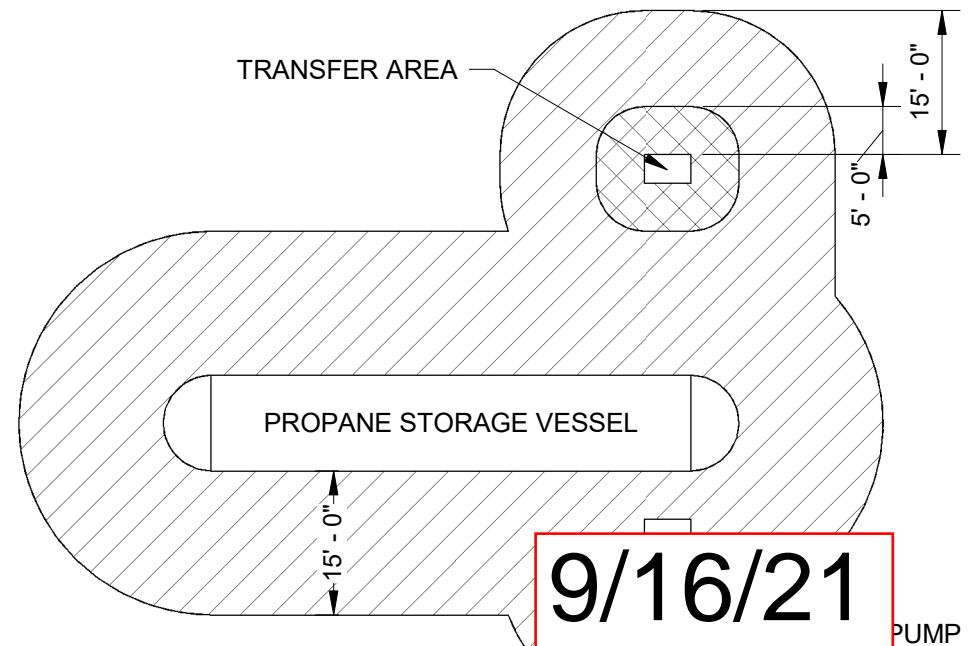
**Remove existing  
poles and  
transformer**

5" CONCRETE ENCASED  
DUCT BANK AS  
SPECIFIED BY UTILITY  
(NOTE 2)



**ELECTRICAL SITE  
PLAN  
1" = 10'-0"**

ID NO.	FROM	TO	CONDUIT SIZE	CONDUCTOR QTY.	CONDUCTOR SIZE	REMARKS
C1	STANDBY GENERATOR	AUTOMATIC TRANSFER SWITCH (ATS-PFAS)	2"	-	-	SEE INSTRUMENTATION RISER DIAGRAM ON E-7
C2	STANDBY GENERATOR	LCP-PFAS	2"	-	-	SEE INSTRUMENTATION RISER DIAGRAM ON E-7
C3	LCP-PFAS	MCP-SPEC	2"	-	-	SEE INSTRUMENTATION RISER DIAGRAM ON E-7
C4	LIT-0390	LE-0390	2"	-	-	SEE INSTRUMENTATION RISER DIAGRAM ON E-7
C5	SEWAGE EJECTOR PUMP CONTROL PANEL	SEWAGE EJECTOR PUMP STATION INSTRUMENT JUNCTION BOX	2"	-	-	SEE INSTRUMENTATION RISER DIAGRAM ON E-7
C6	WELL PUMP NO. 1B VFD	TSH-0200, MSH-0200	2"	-	-	SEE ONE LINE DIAGRAM ON E-6
C7	LCP-PFAS	METER VAULT INSTRUMENTS (DISCRETE)	2"	-	-	SEE INSTRUMENTATION RISER DIAGRAM ON E-7
C8	LCP-PFAS	METER VAULT INSTRUMENTS (ANALOG)	2"	-	-	SEE INSTRUMENTATION RISER DIAGRAM ON E-7
C9	LCP-PFAS	LSH-0320	2"	-	-	SEE INSTRUMENTATION RISER DIAGRAM ON E-7
C10	LCP-PFAS	FIT-0230 (UPS POWER)	2"	-	-	SEE INSTRUMENTATION RISER DIAGRAM ON E-7
C11	LCP-PFAS	LE/LT-0200	2"	-	-	SEE INSTRUMENTATION RISER DIAGRAM ON E-7
P1	NEW UTILITY TRANSFORMER	MAIN CIRCUIT BREAKER (CB-MAIN)	4"	-	-	SEE ONE LINE DIAGRAM ON E-6
P2	STANDBY GENERATOR	GENERATOR CIRCUIT BREAKER (CB-GEN)	3"	-	-	SEE ONE LINE DIAGRAM ON E-6
P3	SWBD-PFAS	EXISTING TREATMENT BUILDING MAIN CIRCUIT BREAKER (CB-ETB)	3"	-	-	SEE ONE LINE DIAGRAM ON E-6
P4	LP-PFAS	TANK-MOUNTED VAPORIZER	2"	2	#6 #10(G)	
P5	SWBD-PFAS	VAPORIZER	2"	-	-	SEE ONE LINE DIAGRAM ON E-6
P6	SEWAGE EJECTOR PUMP CONTROL PANEL	SEWAGE EJECTOR PUMP	2"	3	#12 #12(G)	VIA POWER JUNCTION BOX (BY DIV. 33) AND LOCAL DISCONNECT SWITCH
P7	WELL PUMP NO. 1B VFD	WELL PUMP NO. 1B	3"	-	-	SEE ONE LINE DIAGRAM ON E-6
P8	LCP-PFAS	STANDBY GENERATOR CONTROL PANEL	2"	3	#4 #4(N) #10(G)	
S3	SEE SECTIONS	SEE SECTIONS	3"	-	-	PROVIDE PULLSTRING AND CAP
S4	SEE SECTIONS	SEE SECTIONS	4"	-	-	PROVIDE PULLSTRING AND CAP
S5	SEE SECTIONS	SEE SECTIONS	5"	-	-	PROVIDE PULLSTRING AND CAP
U1	NEW UTILITY POLE	NEW UTILITY TRANSFORMER	5"	-	-	SEE ONE LINE DIAGRAM ON E-6



**LEGEND:**

- CLASS I, DIVISION 1
- CLASS I, DIVISION 2
- UNCLASSIFIED

ELECTRICAL EQUIPMENT PLACED IN A CLASS I, DIVISION 1 GROUP C&D OR IN A CLASS I, DIVISION 2 GROUP C&D AREA SHALL MEET "T3" TEMPERATURE RATING.

**LELED LEGEND**

- 5" PVC CONDUIT FOR UNDERGROUND PRIMARY (ALL CONDUIT UNDER A DRIVEABLE SURFACE SHALL BE CONCRETE ENCASED OR SCH. 80)
- UNDERGROUND CUSTOMER SECONDARY
- TRANSFORMER (NOT TO SCALE)
- METER SOCKET LOCATION
- UTILITY POLE

**\*\*EXACT LOCATIONS TO BE DETERMINED IN FIELD, ALL LELED INFRASTRUCTURE MUST HAVE A MINIMUM CLEARANCE OF 5ft FROM ALL WATER AND DRAIN INFRASTRUCTURE\*\***



REV. NO.	DATE	DRWN	CHKD	REMARKS

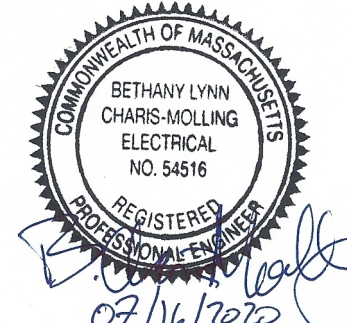
DESIGNED BY: B. CHARIS-MOLLING  
 DRAWN BY: J. DRAWBAUGH  
 SHEET CHKD BY: J. DONALDSON  
 CROSS CHKD BY: A. LeBLANC  
 APPROVED BY: B. CHARIS-MOLLING  
 DATE: JULY 2020

**CDM Smith**  
 75 State Street, Suite 701  
 Boston, MA 02109  
 Tel: (617) 452-6000

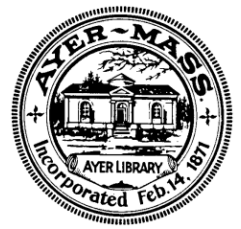
TOWN OF AYER, MA  
 SPECTACLE POND WATER TREATMENT PLANT  
 PFAS TREATMENT FACILITY  
 CONTRACT NO. 20DPW-12

**ELECTRICAL SITE PLAN  
 AND UNDERGROUND RACEWAY SCHEDULE**

PROJECT NO. 0240-238501  
 FILE NAME:  
 SHEET NO. **E-4**



**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:** October 29, 2021

**TO:** Ayer Select Board

**FROM:** Robert A. Pontbriand  
Town Manager

**SUBJECT: Town Manager's Report for the November 2, 2021, Ayer Select Board Meeting**

Dear Honorable Select Board Members,

I am pleased to transmit to you the following Town Manager's Report for the November 2, 2021, 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):**

- At the meeting, I will provide a brief Administrative Update on the various activities, initiatives, and projects of the Town since the Select Board last met on October 19, 2021.
- I have reviewed, approved, and signed the following Town Warrants since the Select Board last met on October 19, 2021:

Payroll Warrant #22-08 in the amount of \$371,519.12 was reviewed, approved, and signed on October 19, 2021.

Accounts Payable Warrant #22-08 in the amount of \$774,547.18 was reviewed, approved, and signed on October 26, 2021.

**Contract Award – Ayer Police Station – HVAC Rooftop Units:**

- I will be joined by Facilities Director, Chuck Shultz at the meeting to respectfully recommend/request that the Select Board vote to award the contract for the Ayer Police Station HVAC Rooftop Units to Thomas E. Snowden, Inc. of Saugus MA. Please see the attached memo from the Facilities Director. (See attached)

**Reauthorization of UDAG Parks Funding for Kiddie Junction Study:**

- I will be joined by Parks Director, Jeff Thomas at the meeting to respectfully recommend/request that the Select Board vote to reauthorize UDAG funding in the amount of \$14,452 (originally authorized for upgrades to the Parks Building) for the purposes of the Kiddie Junction Playground study and design. Please see the attached memo from the Parks Director. (See attached)

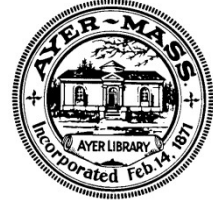
**Amendment to Legal Boundary Description for 2020 Census Re-Precincting Plan:**

- I will be joined by the Town Clerk, Susan Copeland to respectfully recommend/request that the Select Board vote to amend the legal boundary description for the 2020 Census Re-Precincting Plan (originally approved by the Select Board on October 5, 2021) per the attached memo and supporting materials from the Town Clerk. (See attached)

Thank you.

Attachment(s):           Contract Award Memo for Ayer Police Station HVAC Rooftop Units from Facilities Director  
  
                                  Memo from Parks Director Re: Reauthorization of UDAG Parks Funding for Kiddie Junction  
  
                                  Memo and Supporting Documents from the Town Clerk Re: Amendment to Legal Boundary  
                                  Description for 2020 Census Re-Precincting Plan





# Town of Ayer

## Department of Facilities Maintenance

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Charles R. Shultz III, Director | Town of Ayer | Ayer Town Hall | 1 Main Street | Ayer, MA 01432 | 978-833-2301 | [www.ayer.ma.us](http://www.ayer.ma.us) | [crshultz@ayer.ma.us](mailto:crshultz@ayer.ma.us)

To: The Ayer Select Board

From: Chuck Shultz, Facilities Director

Date: October 28, 2021

Re: Recommendation for Bid 21FAC01 Police Station HVAC Rooftop Unit Replacement

I am recommending awarding the bid to Thomas E. Snowden, Inc. of Saugus, MA for the 21FAC01 Police Station HVAC Rooftop Unit Replacement project. The Town received 9 bids which were opened at the Town Hall on October 8, 2021. The project pricing ranged from \$130,000 - \$266,000, with Thomas E. Snowden, Inc. being the low bidder.

I have contacted references for the 3 lowest bidders (Thomas E. Snowden, Inc., TAG Heating & Cooling, N&J Mechanical). Thomas E. Snowden, Inc. was found to be the most responsive, eligible and responsible bidder offering the lowest price in the amount of \$130,000.

If approved, I'll begin to work on contract documents with Thomas E. Snowden, Inc. for execution at the Select Board's next meeting on November 16, 2021.

Thank you for your consideration.

# Ayer Parks Department

Town Hall ♦ One Main Street ♦ Ayer, MA 01432  
978-772-8217 ♦ 978-772-8222 (fax)



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October 27, 2021

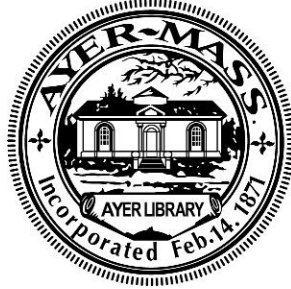
Select Board Members,

At their meeting on October 21, 2021, the Ayer Parks Commission voted unanimously to allow the remaining \$14,452 UDAG funds appropriated by the Ayer Select Board on May 5, 2021 for potentially needed upgrades to complete the new Parks building to be used instead for overruns in cost for the design of the Kiddie Junction Playground project. The design portion of the project had an initial budget approved for \$20K, but based on bids that were submitted, it appears \$35K is needed to fulfill all the tasks laid out in the RFP. The new Parks building had upgrades done to the water heater, shelving, cabinets and lockers, but most of these costs were able to be covered by excess funds left over from the original project budget.

Please feel free to contact us if you would like more information or to discuss this further.

Sincerely,

Ayer Parks Commission



Date: October 29, 2021

To: Select Board  
Town of Ayer

From: Susan Copeland  
Ayer Town Clerk

Subject: \*\*Amendment to Legal Description  
Re-Precincting Plan Census 2020

Upon discussion and review with the Local Election District Review Commission (LEDRC), an amendment to a section of Precinct 2 has been updated. The concern was the access road behind the high school needed to be represented clearly.

The amended section is highlighted in yellow.

“and proceeding northerly along Snake Hill Rd to Sandy Pond Rd, and proceeding westerly along Sandy Pond Rd to Central Ave, and proceeding westerly along Central Ave to Groton-Harvard Rd, and proceeding northerly along Groton-Harvard Rd to Washington St Local road and proceeding northerly along Washington St local road , and proceeding northerly along to Washington St, and proceeding westerly along Washington St to Nashua St, and proceeding northerly along Nashua St to Taft St, and proceeding westerly along Taft St to Pleasant St, and proceeding.....”

## Ayer Legal Boundary Descriptions

### Ayer Precinct 1

All of that portion of Middlesex County bounded and described as follows: Beginning at the point of intersection of the Shirley/Ayer town line and Boston and Maine RR, and proceeding northerly along the Shirley/Ayer town line to the Groton/Ayer town line, and proceeding easterly along the Groton/Ayer town line to Boston and Maine RR, and proceeding southerly along Boston and Maine RR to powerline, and proceeding easterly along powerline to a point, and proceeding southerly to Pleasant St, and proceeding southerly along Pleasant St to Taft St, and proceeding easterly along Taft St to Nashua St, and proceeding southerly along Nashua St to Washington St, and proceeding easterly along Washington St, and proceeding southerly along Washington St Local road to Groton-Harvard Rd, and proceeding southerly along Groton-Harvard Rd to Boston and Maine RR, and proceeding westerly along Boston and Maine RR to Mill St, and proceeding westerly along Mill St to Boston and Maine RR, and proceeding westerly along Boston and Maine RR to the point of beginning.

### Ayer Precinct 2

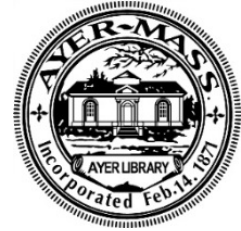
All of that portion of Middlesex County bounded and described as follows: Beginning at the point of intersection of Boston and Maine RR and powerline, and proceeding easterly along Boston and Maine RR to the Groton/Ayer town line, and proceeding easterly along the Groton/Ayer town line to the Littleton/Ayer town line, and proceeding westerly along the Littleton/Ayer town line to the Harvard/Ayer town line, and proceeding westerly along the Harvard/Ayer town line , and proceeding northerly along to Bennetts Crossing, and proceeding northerly along Bennetts Crossing to Hickory Way, and proceeding northerly along Hickory Way to Old Farm Way, and proceeding northerly along Old Farm Way to Haymeadow Ln, and proceeding northerly along Haymeadow Ln to Fox Run Dr, and proceeding westerly along Fox Run Dr to Snake Hill Rd, and proceeding northerly along Snake Hill Rd to Sandy Pond Rd, and proceeding westerly along Sandy Pond Rd to Central Ave, and proceeding westerly along Central Ave to Groton-Harvard Rd, and proceeding northerly along Groton-Harvard Rd to Washington St Local road and proceeding northerly along Washington St local road , and proceeding northerly along to Washington St, and proceeding westerly along Washington St to Nashua St, and proceeding northerly along Nashua St to Taft St, and proceeding westerly along Taft St to Pleasant St, and proceeding northerly along Pleasant St to a point, and proceeding northerly to powerline, and proceeding westerly along powerline to the point of beginning.

### Ayer Precinct 3

All of that portion of Middlesex County bounded and described as follows: Beginning at the point of intersection of the Shirley/Ayer town line and the Harvard/Ayer town line, and proceeding easterly along the Shirley/Ayer town line to Boston and Maine RR, and proceeding easterly along Boston and Maine RR to Mill St, and proceeding northerly along Mill St to Boston and Maine RR, and proceeding easterly along Boston and Maine RR to Groton-Harvard Rd, and proceeding northerly along Groton-Harvard Rd to Central Ave, and proceeding easterly along Central Ave to Sandy Pond Rd, and proceeding easterly along Sandy Pond Rd to Snake Hill Rd, and proceeding southerly along Snake Hill Rd to Fox Run

Dr, and proceeding easterly along Fox Run Dr to Haymeadow Ln, and proceeding southerly along Haymeadow Ln to Old Farm Way, and proceeding easterly along Old Farm Way to Hickory Way, and proceeding southerly along Hickory Way to Bennetts Crossing, and proceeding southerly along Bennetts Crossing to a point, and proceeding southerly to the Harvard/Ayer town line, and proceeding westerly along the Harvard/Ayer town line to the point of beginning.

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



*Broadcast and Recorded by APAC*

**Tuesday October 19, 2021**  
**Open Session Meeting Minutes**

**SB Remotely Present:** Shaun C. Copeland, Chair; Scott A. Houde, Vice-Chair; Jannice L. Livingston, Clerk

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

**Call to Order:** S. Copeland called the meeting to order at 6:02 PM. Due to the ongoing COVID-19 Pandemic, in accordance with Chapter 20 of the Acts of 2021, suspending certain provisions of the Open Meeting Law (OML), 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 live on Zoom and Channel 8. S. Copeland stated that all votes will be taken by Roll Call.

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

**Approval of Meeting Agenda:**

**Motion:** A motion was made by J. Livingston and seconded by S. Houde to approve the meeting agenda. **By Roll Call**

**Vote:** J. Livingston, aye; S. Houde, aye; S. Copeland, aye. **Motion passed 3-0.**

**Announcements:** S. Copeland announced that the Fall Special Town Meeting will take place on Monday October 25, 2021 at 7:00 PM at the Ayer Shirley Regional High School.

**Acceptance of Donation from Lorna Briggs & Briggs Family for the Downtown Ayer "Heart of Hometown Festival":** Alan Manoian joined the Select Board to recognize Lorna and Lisa Briggs for donating \$1,500 to the Heart of Hometown Festival in memory of Clarence and Beatrice Briggs. Lisa Briggs stated that the Briggs family was so happy to give to the event and be recognized by the Select Board. She noted that her parents would be proud and very proud of the Town of Ayer. Board members thanked the Briggs Family.

**Motion:** A motion was made by J. Livingston and seconded by S. Houde to accept the donation of \$1,500 from the Briggs Family for the Heart of Hometown Festival. **By Roll Call Vote:** J. Livingston, aye; S. Houde, aye; S. Copeland, aye. **Motion passed 3-0.**

**Public Hearing – ch. 138, sec. 15 – Beer & Wine License – Yatim Central Convenience:** J. Livingston opened the public hearing at 6:09 PM by reading the Public Hearing Notice as advertised in the *Nashoba Valley Voice* October 8, 2021. Khalil and Darline Yatim were in attendance. C. Antonellis stated that with the Select Board's approval, the application will then go the ABCC for their review. S. Houde stated that he had no questions. J. Livingston asked how the remodeling was going? Khalil and Darline Yatim said it was slower than expected, but it was going along. They thanked Board members and reported that they've hired 5 employees, 3 from Ayer and 2 from Shirley.

**Motion:** A motion was made by S. Houde and seconded by J. Livingston to approve the Beer and Wine License for Yatim Central Convenience, 38 Park Street. **By Roll Call Vote:** J. Livingston, aye; S. Houde, aye; S. Copeland, aye. **Motion passed 3-0.**

**Motion:** A motion was made by S. Houde and seconded by J. Livingston to close the public hearing at 6:14 PM. **By Roll Call Vote:** J. Livingston, aye; S. Houde, aye; S. Copeland, aye. **Motion passed 3-0.**

**Public Input:** Denise Perrault stated that the Heart of Hometown Festival was a great event in Ayer and that all Devenscrest families were happy to be a part of the community event.

**Execution of West Main Street. MassWorks Infrastructure Project:** Special Project Manager Mark Wetzel was in attendance. He stated that general bids for the Ayer West Main Street Infrastructure Project were received at the DPW on September 23, 2021. The SB voted on October 5, 2021 to award the contract to Onyx Corporation from Acton, MA.

This project is funded with a MassWorks Grant.

**Motion:** A motion was made by J. Livingston and seconded by S. Houde to execute the agreement with Onyx Corporation for the Ayer West Main Street Infrastructure Project in the amount of \$2,582,522.50 (for signature by the Board). **By Roll Call Vote:** J. Livingston, aye; S. Houde, aye; S. Copeland, aye. **Motion passed 3-0.**

J. Livingston asked when the project will start. M. Wetzel stated that he thinks utility work will begin soon and the project start date will depend on the ability to get materials.

**Town Manager's Report:** *Administrative Update/Review of Town Warrant(s)* - R. Pontbriand provided the Select Board with an update on the various activities, initiatives, and projects of the Administration since the Select Board last met. He also provided a list of signed Town Warrants in the meeting packet. He reported that he received an inquiry from APAC about live broadcasting the Town Meeting on October 25<sup>th</sup>. SB members agreed that the Town Meeting should be broadcast live. R. Pontbriand stated that Town Hall has been extremely busy with Town Meeting preparations. He noted that FY '23 Capital Budget requests are due on October 29, 2021. The Senior Center will be reopening on November 1, 2021. He stated that the new director, Dr. Katie Petrossi has hit the ground running.

*Presentation/Overview of Woodlawn Cemetery Transfer Study Report* - R. Pontbriand was joined with M. Wetzel. They presented an overview of the Woodlawn Cemetery Transfer Study Report. They gave a background and history of the Woodlawn Cemetery, noting that the Board of Directors had contacted the Town back in 2019 about the possibility of transferring the cemetery to the Town. The report highlights the progress made to date and needed next steps, such as the 3 Town Meeting articles to be presented on October 25, 2021.

J. Livingston asked if there was training that Town staff would have to go through for caring for the cemetery? M. Wetzel said yes, they will be collaborating with the current Board of Directors and other area municipal cemeteries.

*FY 2023 Budget Process & Update* - R. Pontbriand stated that the Capital process is on target and that he'll be having upcoming discussions with the Board about the FY '23 budget and ARPA funding.

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

**Approval of Meeting Minutes:**

**Motion:** A motion was made by J. Livingston and seconded by S. Houde to approve the meeting minutes from October 5, 2021. **By Roll Call Vote:** J. Livingston, aye; S. Houde, aye; S. Copeland, aye. **Motion passed 3-0.**

**Adjournment:**

**Motion:** A motion was made by J. Livingston and seconded by S. Houde to adjourn at 6:43 PM. **By Roll Call Vote:** J. Livingston, aye; S. Houde, aye; S. Copeland, aye. **Motion passed 3-0.**

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

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

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