

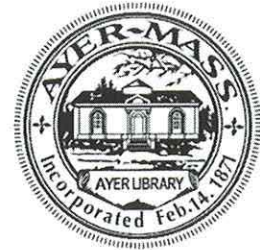
RECEIVED

AUG 11 2023

TOWN OF AYER
TOWN CLERK

11:50am
SC

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



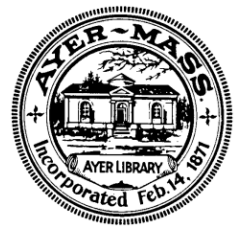
Tuesday August 15, 2023
Open Session Meeting Agenda

This meeting/hearing of the Ayer Select Board will be held in-person at the location provided on this notice. Members of the public are welcome to attend this in-person meeting. Please note that while an option for remote attendance and/or participation via Zoom is being provided as a courtesy to the public, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless otherwise required by law. Members of the public with particular interest in a specific item on this agenda should make plans for in-person vs. virtual attendance accordingly. This meeting will be live on Zoom and Channel 8. The public may access the proceedings 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
- Public Input**
- 6:05 PM*** **Introduction and Ratification of Town Social Worker Appointment**
- 6:10 PM** **Meg Delorier, Interim EVP, Devens Operations & Director of Military Initiatives, Mass Development**
1. Discussion on Moore Airfield Noise Concerns
- 6:30 PM** **Barbara Tierney, Finance Manager – Tax Collector/Treasurer**
1. Vote on useful life of Ladder Truck and Pumper Truck
- 6:35 PM** **Dan Van Schalkwyk, Director, Department of Public Works**
1. DPW Updates (Water Supply and Clearwell Storage Funding, West Main St BRI, Complete Streets Grant)
2. Sandy Pond Sanitary Sewer Rehabilitation – Rescinding of Award
- 6:40 PM** **Town Manager’s Report**
1. Administrative Update/Review of Town Warrant(s)
2. Authorization to request Minuteman Nashoba Health Group Claims History
3. Opening of the October 23, 2023 Special Fall Town Meeting Warrant
- 6:50 PM** **New Business/Select Board Member Questions**
1. September Meeting Schedule (Select Board Member Houde)
- 6:55 PM** **Approval of Meeting Minutes**
June 20, 2023; July 18, 2023
- 7:00 PM** **Adjournment**

**Agenda Times are approximate and do not constitute exact times*

**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 11, 2023

TO: Ayer Select Board

FROM: Robert A. Pontbriand
Town Manager

SUBJECT: Introduction and Ratification of Town Social Worker

Dear Honorable Select Board,

I am pleased to report that the Town has hired a Town Social Worker, Brittany Beaudry, who will appear before the Select Board at your meeting for the purposes of introduction and ratification of her appointment to the position. Brittany brings a wealth of knowledge, skills, passion, and energy to the position and to the Town. She was able to start working on July 24, 2023 and has hit the ground running. For your review, attached is her cover letter and resume (see attached).

The Town publicly advertised the position on the Town's website and Town's social media as well as with the Massachusetts Municipal Association and the Massachusetts Association of Social Workers. Brittany was interviewed by a screening panel consisting of the Town Manager; Assistant Town Manager; COA/Senior Center Director; Chief of Police; Deputy Chief of Police; and the Program Manager for the Ayer Office of Community & Economic Development. The panel unanimously recommended Brittany Beaudry for the position of Town Social Worker. All her professional references were impeccable.

The Town Manager appointed Brittany Beaudry as Town Social Worker effective July 24, 2023. She was hired at Grade 10, Step 1 (\$61,136) on the Non-Union Compensation Plan. I am respectfully requesting that the Select Board vote to ratify the appointment of Brittany Beaudry as Town Social Worker effective July 24, 2023.

Brittany looks forward to meeting and to working with the Select Board and will be happy to answer any questions that the Select Board may have. Additionally, the Town will be holding a public "Meet & Greet" for Brittany on Thursday, August 17, 2023 from 10am to 11:30am in the First Floor Meeting Room of the Ayer Town Hall. The Town has invited various community and social stakeholders from the Town and the region to attend. The public and Select Board Members are welcome to attend.

Thank you.

Attachments: Cover Letter and Resume for Brittany Beaudry

Brittany Beaudry



May 15, 2023

Town of Ayer, Massachusetts

1 Main Street

Ayer, MA 01432

To Whom It May Concern,

For several years, I have worked with numerous individuals with varying needs, supports, and resources. I have a passion for creating positive change, engaging in collaboration, helping others in different ways, and serving a variety of people. I pride myself in maintaining a comparable work ethic and dedication to social work.

The experience that I have gained throughout the past years has allowed me to develop stronger communication, interpersonal, and professional skills. I am patient, thorough, and detail-oriented. I am hoping to utilize my flexible, empathetic, creative, personable, and energetic personality in a meaningful setting.

As someone who is an attentive learner and a hard worker, I guarantee that my services will be beneficial to all those involved. I am confident that I would be an ideal candidate for this job opening.

My credentials and job history show my unwavering dedication to social work. I truly love helping people and it would be my honor to continue doing so as the Social Worker of Ayer.

Thank you for taking the time to consider my candidacy. I look forward to discussing how I can contribute to the Town of Ayer.

Sincerely,

X *Brittany Beaudry*
Brittany Beaudry

BRITTANY BEAUDRY

Social Worker

EDUCATION

Bachelor of Science
Psychology

Plymouth State University

📅 2016 - 2020

📍 Plymouth, NH

CERTIFICATIONS

- Will be taking the exam on 07/18/23 to obtain LSWA (Licensed Social Work Associate) certification
- Adult and Pediatric First Aid/CPR/AED
- Previously held a Registered Behavior Technician certification
- National Alliance on Mental Illness Suicide Prevention Gatekeeper Training certification

CURRENT VOLUNTEER WORK

*Respite Home Health Care
for patient with limited physical
abilities*

- Assist patient with bathing, toileting, dressing, and other activities of daily living.
- Accompany patient to outings.
- Administer prescribed medications.
- Supervise activities.

CAREER OBJECTIVE

Dedicated social worker with 6 years of experience demonstrating a strong commitment to serving multiple populations, including youth in foster care, individuals with specific needs, and low-income families. Skills include effective communication, critical thinking, problem solving and crisis management. Seeking a long-term position where collaboration, management, and creativity are vital to the success of the program.

WORK EXPERIENCE

Program Services Clinical Coordinator

Massachusetts MENTOR

📅 2022 - current 📍 Lawrence, MA

- Coordinate the development, review and implementation of services, case management and behavior intervention plans in a way that best serves youth.
- Provide social work support, including community resource planning and crisis intervention.
- Complete thorough documentation, and keep accurate historical records for all clients.
- Build and maintain professional relationships with families, external case managers, and other collaterals.
- Collaborate with team members on a regular basis.

Registered Behavior Technician

AK Behavioral Health Clinic

📅 2021 - 2022 📍 Orlando, FL

- Provide support to individuals, with various needs, ages 10 and under in a clinic setting.
- Remain flexible and willing to adapt to schedule and client changes.
- Teach specific skills, behaviors, objectives and strategies identified in behavior treatment plans as developed by BCBA.
- Input data during sessions and complete progress notes accurately.
- Ensure that caregivers are engaged in follow-through, in order to best support youth.

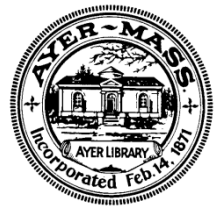
Lead Camp Counselor

Boys & Girls Club of Greater Salem

📅 2017 - 2020 📍 Salem, NH

- Manage and assess the daily operations of a summer camp and after-school program, so that the children and staff's needs and wants are met as fully as possible.
- Coordinate and run activities, field trips, and events for children, families and staff.
- Meet with staff to discuss and make certain that rules and regulations are enforced, to ensure safety and maintain discipline.

**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

June 29, 2023

Meg Delorior, Acting EVP, Devens
Mass Development
33 Andrews Parkway
Devens, MA 01434

Dear Ms. Delorior,

Thank you for the response dated May 16, 2023 regarding our concerns over autocross usage at Moore Airfield. We are inviting you, or a representative, to meet with us at our next Select Board meeting on Tuesday July 18, 2023 at 6:00 PM at the Ayer Town Hall. We wish to discuss the following items:

- The manner which noise levels at the airfield are monitored during autocross events
- Documentation of recorded noise level over the past 2 years
- Hours which groups are allowed to use the site for autocross
- Frequency the area is rented to autocross groups

Our intent is not a full stop regarding usage of the airfield for autocross event. We understand autocross usage provides a benefit to local businesses. Our goal is to discuss the current concerns our community has given the noise levels over the past two years. We hope to find a balanced solution for our residents and businesses alike while providing some input from our community.

We look forward to your response and a face-to-face discussion with the Select Board. Thank you.

Scott A. Houde, Chair

Jannice L. Livingston, Vice-Chair

Shaun C. Copeland, Clerk

TOWN OF AYER
SELECT BOARD

Town of Ayer

Treasurer/Tax Collectors Office



1 Main Street – Ayer, Massachusetts - 01432
Barbara Tierney CMMT, *Treasurer/Tax Collector*
Christina Boudreau, *Asst. Treasurer/Tax Collector*

Tel: (978) 772-8220 ext. 152
Fax: (978) 772-3017
Email: TAX@Ayer.ma.us

Memorandum

Date: August 9, 2023

To: Town of Ayer Select Board

From: Barbara Tierney, Finance Manager-Treasurer/Tax Collector

Subject: Useful life of ladder truck

A handwritten signature in blue ink, appearing to be 'BMT', is written over the 'From' line of the memorandum.

Annual Town Meeting on April 24, 2023, Article 11, followed by approval at town election, authorized the treasurer to borrow \$1,692,8888 for a fire department ladder truck.

The ladder truck falls under G.L. c.44, §7(1) which stipulates; if the useful life is determined to be longer than 5 years, the Select Board must vote on the useful life.

The Finance Manager in consultation with the Fire Chief recommends the useful life of the ladder truck to be 20 years.

I ask that you make a motion and vote for a 20-year useful life of the ladder truck.

Enclosed is the voting certificate. Please let me know if you have any questions.

Thank you.

VOTE OF THE SELECT BOARD

I, the Clerk of the Select Board of the Town of Ayer, Massachusetts, certify that at a meeting of the board held _____, 20__, of which meeting all members of the board were duly notified and at which a quorum was present, the following vote was unanimously passed, all of which appears upon the official record of the board in my custody:

Voted: that the maximum useful life of the departmental equipment listed below to be financed with the proceeds of the borrowing authorized by the votes of the Town passed April 24, 2023 (Articles 10 and 11) is hereby determined pursuant to G.L. c.44, §7(1) to be as follows:

<u>Purpose</u>	<u>Borrowing Amount</u>	<u>Maximum Useful Life</u>
Fire Ladder Truck	\$1,692,888	20 Years

I further certify that the vote was taken at a meeting open to the public, that the vote was not taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above vote) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located, or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the subject matter of this vote were taken in executive session, all in accordance with G.L. c.30A, §§18-25 as amended.

Dated: _____, 20__

Clerk of the Select Board

Town of Ayer

Treasurer/Tax Collectors Office



1 Main Street – Ayer, Massachusetts - 01432
Barbara Tierney CMMT, *Treasurer/Tax Collector*
Christina Boudreau, *Asst. Treasurer/Tax Collector*

Tel: (978) 772-8220 ext. 152
Fax: (978) 772-3017
Email: TAX@Ayer.ma.us

Memorandum

Date: August 9, 2023

To: Town of Ayer Select Board

From: Barbara Tierney, Finance Manager-Treasurer/Tax Collector

Subject: Useful life of pumper truck

A handwritten signature in blue ink, consisting of the letters 'BMT' enclosed in a circular scribble.

Annual Town Meeting on April 25, 2022, Article 14, followed by approval at town election, authorized the treasurer to borrow \$805,000.00 for a fire department pumper truck.

The pumper truck falls under G.L. c.44, §7(1) which stipulates; if the useful life is determined to be longer than 5 years, the Select Board must vote on the useful life.

The Finance Manager in consultation with the Fire Chief recommends the useful life of the pumper truck to be 15 years.

I ask that you make a motion and vote for a 15-year useful life of the pumper truck.

Enclosed is the voting certificate. Please let me know if you have any questions.

Thank you.

VOTE OF THE SELECT BOARD

I, the Clerk of the Select Board of the Town of Ayer, Massachusetts, certify that at a meeting of the board held _____, 20__, of which meeting all members of the board were duly notified and at which a quorum was present, the following vote was unanimously passed, all of which appears upon the official record of the board in my custody:

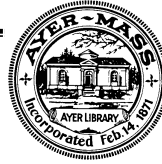
Voted: that the maximum useful life of the departmental equipment listed below to be financed with the proceeds of the borrowing authorized by the votes of the Town passed April 25, 2022 (Articles 13 and 14) and May 10, 2022 (Question 2) is hereby determined pursuant to G.L. c.44, §7(1) to be as follows:

<u>Purpose</u>	<u>Borrowing Amount</u>	<u>Maximum Useful Life</u>
Fire Engine(Pumper)	\$805,000	15 Years

I further certify that the vote was taken at a meeting open to the public, that the vote was not taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above vote) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located, or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the subject matter of this vote were taken in executive session, all in accordance with G.L. c.30A, §§18-25 as amended.

Dated: _____, 20__

Clerk of the Select Board



MEMORANDUM

Date: August 11, 2023
To: Select Board
From: Dan Van Schalkwyk, P.E., Director
Subject: **Agenda Items for August 15, 2023, Select Board Meeting**

1. DPW Updates

a. Water Supply and Clearwell Storage Funding

As discussed at previous Board meetings, the DPW will provide status updates of the Town's water supply.

- Production has continued to be resilient in the past month as demand is stable and large spikes in usage have not been observed. The weather combined with the water conservation efforts appear to be helping.
- Wells have had breaks on most weekends and storage tanks are near full on most mornings.

I will provide a brief update of the Town's request for the Army to support payment of the Clearwell Storage project.

b. Funding Request for West Main Street BRI with Congresswoman Trahan

I will provide a brief update of the status of the funding request with Congresswoman Lori Trahan's office to support the West Main Street BRI.

c. Complete Streets Grant Award

The Town applied for and was awarded a \$500,000 Complete Streets Grant for the Sandy Pond Road Complete Streets Project.

2. Rescind Award of Sandy Pond Road Sanitary Sewer Rehabilitation Project

At the Board's previous meeting, the Sandy Pond Sewer Rehabilitation Project was awarded to National Water Main. Since that time, the Town received a complaint related to the bid. The Town worked with Counsel and the recommended best course of action is to rescind the award of the project and rebid the project. I will provide a brief summary and request the Board vote to rescind the award to National Water Main.

Recommended Vote – Make a motion to rescind the award of the Sandy Pond Sewer Rehabilitation Project which was voted at the July 18, 2023 Select Board meeting.



Maura Healey, Governor
Kimberley Driscoll, Lieutenant Governor
Gina Fiandaca, Secretary & CEO
Jonathan L. Gulliver, Highway Administrator



August 7, 2023

Dan Van Schalkwyk P.E.
Department of Public Works Director
25 Brook Street
Ayer, MA 01432

Via email: dvanschalkwyk@ayer.ma.us

Dear Dan Van Schalkwyk P.E.:

Thank you for your Tier 3 submission to the Compete Streets Funding Program during Round 1 of the Fiscal Year 2024 application solicitation. We received many applications and had a very competitive application pool from which to select. I am pleased to notify you that Ayer's application has been approved for \$500,000.00.

Awarded municipalities will enter into a contract with MassDOT for the completion of approved work. A member of the Community Grants Group will reach out shortly to gather all necessary information to begin the contracting process. It is anticipated that the Notice to Proceed (NTP) will be issued by November 1, 2023, and the deadline for construction will be December 31, 2025. MassDOT-funded work may not proceed until the NTP is issued.

Please note that as detailed in the Program Guidance, design is not an eligible grant cost. Design work for this project may begin at any time and must be completed by a MassDOT Prequalified Contractor. Construction funds awarded through this program are paid via the reimbursement of approved costs. Reimbursement requests are processed by your District State Aid Engineer in the same manner as Chapter 90 projects.

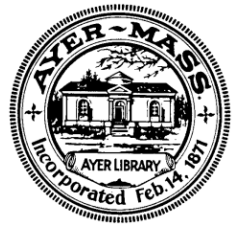
Please email CompleteStreetsProgram@dot.state.ma.us with questions related to this award. Thank you for your commitment to improving safety, access, and mobility for all roadway users in your community and for your participation in the Complete Streets Funding Program. MassDOT looks forward to working with you on this important project.

Sincerely,

Jonathan L. Gulliver
Highway Administrator

cc: Kristen Pennucci, MassDOT Community Grants Program Administrator
Barry Lorion, MassDOT District 3 Highway Director
Robert Pontbriand, Ayer Town Manager

**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 11, 2023

TO: Ayer Select Board

FROM: Robert A. Pontbriand
Town Manager

SUBJECT: Town Manager's Report for the August 15, 2023 Ayer Select Board Meeting

Dear Honorable Select Board Members,

I am pleased to transmit to you the following Town Manager's Report for the August 15, 2023 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 Warrants:

- 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 July 18, 2023.
- I have reviewed, approved, and signed the following Town Warrants since the Select Board last met on July 18, 2023:

Payroll Warrant #24-02 in the amount of \$437,828.00 was reviewed, approved, and signed on July 25, 2023.

Accounts Payable Warrant #24-02 in the amount of \$1,274,557 was reviewed, approved, and signed on August 1, 2023.

Payroll Warrant #24-03 in the amount of \$413,036.98 was reviewed, approved, and signed on August 8, 2023.

Authorization to Request Minuteman Nashoba Health Group Claims History:

- I will be joined by Ms. Amanda Lewis, Benefits and Payroll Manager at the meeting to request that the Select Board vote to authorize the Town to request the claims history for the Town of Ayer from the Minuteman Nashoba Health Group for the purposes of the IAC to conduct its due diligence with respect to employee and retiree health insurance plans. The IAC voted at their July 25, 2023 meeting to request that the Select Board authorize the Town to request the claims history for the Town of Ayer from the Minuteman Nashoba Health Group. Please see the attached memo from Ms. Amanda Lewis, Benefits and Payroll Manager. (See attached)

Opening of the October 23, 2023 Special Fall Town Meeting Warrant:

- I am respectfully requesting that the Select Board vote to official open the Warrant for the Special Fall Town Meeting to take place on Monday, October 23, 2023 at 7pm in the Auditorium of the Ayer Shirley Regional High School and to further approve the following schedule with respect to the Warrant for the Special Fall Town Meeting on October 23, 2023 at follows:
 - August 15, 2023: Select Board officially opens the Special Fall Town Meeting Warrant.
 - September 29, 2023 at 12pm (Noon): Deadline for all Warrant Articles and all Citizens Petitions to the Town Clerk.
 - October 3, 2023: Select Board to review and approve the Special Fall Town Meeting Warrant.
 - October 6, 2023: Special Fall Town Meeting Warrant to be officially and publicly posted and sent to print and mailed to all Ayer households.
 - October 13, 2023 by 5pm: Last day to register to vote for Special Fall Town Meeting.
 - October 23, 2023 at 7pm: Special Fall Town Meeting takes place in the Auditorium of the Ayer Shirley Regional High School.

Thank you.

Attachment: IAC Memo from Amanda Lewis, Benefits and Payroll Manager (August 10, 2023)

Town of Ayer

Benefits and Payroll Department



1 Main Street – Ayer, Massachusetts – 01432
Amanda Lewis, Benefits & Payroll Manager

Tel: (978) 772-8220
Fax: (978) 772-3017

Memorandum

Date: August 10, 2023

To: Robert Pontbriand, Town Manager

From: Amanda Lewis, Benefits and Payroll Manager *al*

Re: **Insurance Advisory Committee – Request for Select Board Authorization to Obtain Town of Ayer’s Claim History from the Minuteman Nashoba Health Group**

Due to health insurance cost trends with the Town of Ayer’s existing Joint Purchasing Plan (JPG), Minuteman Nashoba Health Group (MNHG), the Insurance Advisory Committee (IAC) has reconvened to evaluate the current insurance benefits offered to employees, and to determine whether the Town of Ayer is providing the best choice relative to insurance coverage. The IAC has not met since 2018.

The first meeting of the IAC was Tuesday, July 25, 2023, in the First Floor Meeting Room of the Ayer Town Hall.

Tara Fafard, MIIA Senior Account Executive, was in attendance. She was invited to present an overview of the MIIA Health and Benefits Trust, and provided the following:

- MIIA holds the distinction of being the largest Joint Purchasing Group in the country, allowing the trust to better absorb higher insurance claims, helping offset cost impacts.
- MIIA offers Blue Cross Blue Shield Health Insurance, Dental and Vision Insurance
- MIIA’s rate increases are based on each member’s claim history, with consideration of trust’s minimum and maximum averages.
- MIIA boasts a Comprehensive Wellness and Cost Savings Program, inclusive of wellness grants and disease specific initiatives such as Disease Management, Musculoskeletal, and Cancer Care.

Key points of discussion following the presentation included:

MNHG

- The unanticipated 13.75% increase in FY24.
- One rate assessed to all group members.
- Recently lost two member towns.
- Other towns are contemplating leaving the group.

- Exiting members must provide notice of intent to leave the group by December 1.
- Exiting member responsible for six months of runoff claims.
- Low health trust reserves
- Offers 3 plans (Tufts, HPHC, BCBS).
- Plan designs are based on group needs.
- Does not offer Dental and/or Vision coverage.
- Limited wellness program.

MIIA Health and Benefits Trust

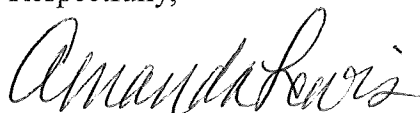
- Largest Joint Purchasing Group in the country; with over 160 member towns and continues to expand.
- Rate is based on the member's own claim history, within trust average.
- Exclusively offers BCBS plans.
- Availability to offer Dental and Vision coverage, with an option to bundle.
- Capability to tailor plan designs to match the specific requirements of each member town, offering over 100 different plan design options.
- Requirement of a 60-day notice of intent to leave the trust for exiting members.
- No obligation for exiting members to pay for runoff claims.
- Healthy trust reserve levels.
- Offering a comprehensive wellness program tailored for each member.

Discussion and next steps:

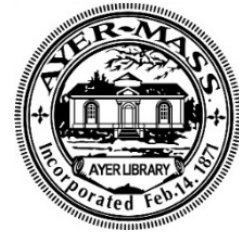
- A decision against issuing a formal Request for Proposals (RFP) concerning health insurance, as it is not a legal requirement and holds limited benefit related to the process.
- Should the Town of Ayer decide to join MIIA, notification must be provided to MNHG by December 1, 2023.
- A MIIA requirement for current census and claims data to assess the Town of Ayer's Insurability.
- A vote was taken to formally request that the Selectboard vote to authorize the IAC to get the Town of Ayer's claim history from MNHG.
- Anticipated discussions between the CBA (Collective Bargaining Agreement) representatives and their respective Unit members regarding the IAC's process of due diligence.

At the July 25, 2023 IAC Meeting, the IAC voted unanimously to request that the Selectboard vote to authorize the Town to obtain the Town of Ayer's claim history from the Minuteman Nashoba Health Group.

Respectfully,



Amanda Lewis
Benefits and Payroll Manager



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

Broadcast and Recorded by APAC

June 20, 2023
Open Session Meeting Minutes

SB Present: Scott A. Houde, Chair; Jannice L. Livingston, Vice-Chair;

SB Absent: Shaun C. Copeland, Clerk

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

Call to Order: S. Houde called the meeting to order at 6:00 PM. S. Houde further stated that this meeting/hearing of the Ayer Select Board (SB) will be held in-person at the location provided on this notice. Members of the public are welcome to attend this in-person meeting. Please note that while an option for remote attendance and/or participation via Zoom is being provided as a courtesy to the public, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless otherwise required by law. Members of the public with particular interest in a specific item on this agenda should make plans for in-person vs. virtual attendance accordingly. This meeting will be live on Zoom and Channel 8. The public may access the proceedings by joining Zoom (Meeting ID# 897 9080 0793) or by calling (929-205-6099).

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.

Motion passed 2-0.

Announcements: S. Houde announced that the “Independence in the Ayer” event will begin on Friday June 23, 2023 and run through Sunday June 25, 2023.

Recognition of Student T-Shirt Designers for the “Independence in the Ayer” Celebration: The SB recognized Page Hilltop 5th Graders, Torri Cauley, and Thomas Angers for designing this year’s T-Shirt for the “Independence in the Ayer” Celebration.

Public Input: Dennis Curran, 51 Pleasant Street stated that he wanted to speak about certain items on the agenda but would wait until they came up.

Dan Van Schalkwyk, Director, Department of Public Works - Stormwater Utility Update and Brief

Presentation: D. Van Schalkwyk was joined by Emily Scerbo from Tighe & Bond to give the Board a presentation on establishing a Stormwater Utility Fund. Since 2003, Ayer’s stormwater management program has included public education and outreach; water quality testing; oversight of construction sites and local permitting for new development and redevelopment to manage stormwater runoff. D. Van Schalkwyk stated that in 2011, Town Meeting approved a Stormwater Utility Enterprise Fund, but a funding mechanism still needs to be developed. In 2013, a Stormwater Utility Committee developed a funding mechanism – funding via the general fund – but Town Meeting voted to eliminate the fund all

together. In 2019, the DPW presented to the Select Board, and the Board supported revisiting the stormwater utility fund; capital funds were then approved at Town Meeting to work with a consultant to revisit the stormwater utility fund. The Town contracted with Tighe and Bond in 2023. E. Scerbo stated that replacement of the Town's drainage system would cost around \$90 Million. She also stated that under the new MS4 General Permit (coming later this year), she expects more stringent requirements. E. Scerbo stated that the benefit of establishing a stormwater utility fund is a dedicated revenue source that is equitable and fair. E. Scerbo continued the presentation detailing impervious area and how a fee is generated. DPW is looking to convene an Advisory Group (likely consisting of D. Van Schalkwyk, the Town Engineer, a local business leader, IPP representative, someone from the Town Manager's Office, a Select Board member, three residents and a member of the Planning Board) to make policy decisions as the town is reexploring the issue. The DPW is planning on presenting to the Town at the Annual Town Meeting in 2024 to allow for plenty of public input.

S. Houde asked if presenting at the Fall Town Meeting in 2023 was possible. D. Van Schalkwyk stated no that there is a substantial amount of public outreach involved and the Spring of 2024 would be ideal. S. Houde asked if the new fund would cover capital costs that the Town is already paying for. D. Van Schalkwyk stated yes. S. Houde clarified stating that the Town already spends funding on stormwater, but this fund would allow for a dedicated revenue source.

J. Livingston agreed that presenting this at the Fall Town Meeting in 2023 would be too soon. She stated that this is considered a "tax on rain". She asked about a homeowner who has a rain barrel system and whether someone from the DPW would be coming to measure the impervious surface. She said that things like that should be discussed at the Advisory Board. E. Scerbo stated that all measurements would be taken from satellite imagery. J. Livingston stated that the angle of the satellite should be taken into consideration.

R. Pontbriand agreed that the earliest the topic should go to Town Meeting is the Spring of 2024. He stated that the Town also has a Rate Review Committee and that the advisory board should present to the Committee in the future. One of the major concerns from the last time was the issue of commercial/industrial owners who do not live in Ayer and therefore cannot vote on the issue.

There was additional discussion. R. Pontbriand recommended adding a member of the Finance Committee to the advisory board.

Change Order 1 – Third Street Water and Drainage Improvement Project – Town Engineer Matt Herson presented a Change Order 1 for the Third Street Water and Drainage Improvements Project. It includes the replacement of additional drainage piping and structures not included in the original contract for a total amount of \$59,140.00. This additional drainage infrastructure replacement was not included in the original bid plans due to budgetary concerns at that time. He is also requesting a 45-day time extension on the original contract.

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve Change Order 1 in the amount of \$59,140 with a 45-day extension with signature by the Chair. **Motion passed 2-0.**

Grove Pond Water Treatment Plant Production and Clearwell Storage Update – Water and Sewer Superintendent Kimberly Abraham provided an update to the Select Board. She stated that water usage in May and June has remained high with weekend use increasing. The DPW staff and the Town Manager met with the largest commercial user to request that they modify their production through the summer months. Since this meeting, the DPW has noticed a change in their water use but have not noticed a

change in overall water consumption and production. They also met with the second largest commercial user earlier today and made them aware of the situation and requested that they curb their use as much as possible. She is recommending conservation measures by all customers and that the Board declare a State of Water Supply Conservation to include that as of July 1st, all Town irrigation systems be banned from use until further notice. In addition, all other customers restrict irrigation use to odd/even day outdoor watering, but on the weekends only. This means that no watering will be allowed during the weekdays. Handheld watering would still be allowed.

K. Abraham then gave an update on the Grove Pond Clearwell Project. The project is needed to restore water production capacity at Grove Pond to the levels experienced prior to PFAS treatment. The first phase of the project is design and bidding, she is requesting \$300,000 in ARPA funds for Phase 1 to be able to get the project going. For potential sources for funding for the overall project, the DPW is looking at an Army Grant, ARPA funding, State Revolving Fund, USDA Revolving Funds and Congressional Earmarks.

S. Houde asked about going back to the manufacturer of the PFAS treatment system. D. Van Schalkwyk stated that he is still looking into that, in addition to an Army Grant.

Dennis Curran, 51 Pleasant Street, asked that before a decision is made on this request, a discussion be had about other uses of ARPA funds by other departments. S. Houde stated that other ARPA funding requests would be discussed later on this evening.

Sarah Withee, 11 Groton Shirley Road, asked if the Board was voting on the water restrictions. S. Houde said yes. She stated that she wants to use her water more than one day on the weekend.

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve up to \$300,000 in ARPA funding for the design on the Clearwell for the Grove Pond Treatment Facility. **Motion passed 2-0.**

S. Houde went back to the issue of the Declaration of a State of Water Supply Conservation. He asked what the public outreach would be. K. Abraham said they will do an email blast, a reverse 911, place notices on the website and social media and on the Town's electronic sign board.

Dennis Curran asked when the end date was. K. Abraham said they will continue to monitor.

There was additional discussion.

Pauline Conley, 40 Cambridge Street, asked about enforcement of the ban. D. Van Schalkwyk stated that the enforcement is noted in the water regulations that there is a first violation, then a written warning and then charges may be assessed. K. Abraham stated that the goal is compliance.

Sara Withee stated that she uses the Town's water 52 weeks a year. There was additional discussion.

Motion: A motion was made by J. Livingston and seconded by S. Houde that the following water conservation restrictions be made: Only use irrigation on odd/even days on the weekends only; no watering between 9:00 AM – 5:00 PM on all days; total ban on Town's irrigations systems to ease the use of the water treatment facility to ensure no major issues in the future. **Motion passed 2-0.**

Sandy Pond Road Complete Street Conceptual Design – M. Hernon gave a presentation to the Select Board for the Sandy Pond Road Complete Street Conceptual Design. A Complete Street is one that provides safe and accessible options for all travel modes – walking, biking transit and vehicles – for all ages and

disabilities. He presented several conceptual plans; the project will be broken into two phases. The total cost is estimated to be about \$1.7 million. The next step is to hold public input meetings.

S. Houde asked whether it was worth splitting the project into two phases? M. Hernon stated that he agreed it would be better to do it all at once since there is a lot of room for improvement on Sandy Pond Road. J. Livingston agreed, stating that costs will only increase as time goes on.

Request for Abatement – Water Bill - 95 Washington Street: Matt Murphy, 95 Washington Street stated that he saw a significant spike in his water bill over the past nine months. He detailed the increase in rates. He has been in communication with the DPW and they have changed the meter. Since the replacement of the new meter, the bill has returned to its normal usage. The Board discussed the dollar amount requested in the abatement. S. Houde suggested that Mr. Murphy review the request to come up with a dollar amount and be added to the next agenda in July. J. Livingston agreed.

Correspondence to MassDevelopment – Moore Airfield Autocross Events: S. Houde presented a DRAFT letter inviting MassDevelopment to the next meeting to discuss noise levels at the Moore Airfield. J. Livingston stated she reviewed the letter and supports it. She would like MassDevelopment to be aware that the Town of Ayer would like more of a seat at the table.

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve and sign the letter in the packet to MassDevelopment regarding noise levels. **Motion passed 2-0.**

Town Manager’s Report - Administrative Update/Review of Town Warrant(s): R. Pontbriand provided a brief Administrative Update to the Select Board on the various activities, initiatives, and projects of the Town since the Select Board last met and referenced the Town Warrants that are in the Select Board’s packet that were approved since the Select Board last met.

Reappointments Part 2 – C. Antonellis referenced the memo contained in the meeting packet. She is recommending the following be either appointed or reappointed:

New Appointment		
Board / Committee	Length of Term	Seeking Appointment
Historical Commission	3 Years	Chris Pataky *Effective July 1, 2023
Reappointments		
Board / Committee	Length of Term	Current Member
Commission on Disabilities	3 Years	Russell Anderson
		Mindy Titus
Recycling Committee	3 Years	Bonnie Tillotson

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve the appointments and reappointments as presented in the packet. **Motion passed 2-0.**

FY 2023 Year-End Reserve Fund Transfers for Various Town Departments – R. Pontbriand reported that the current balance in the FY '23 Reserve Fund is \$300,000. He is seeking approval on the following RFT requests, which will then be put before the Finance Committee for their consideration. All departments are in attendance in the event the Board has questions.

Department	RFT Amount Request	Justification	Vote	Questions
Accounting	\$10,000	Unforeseen personnel change and additional audit due to personnel change	Motion to approve by J. Livingston; seconded by S. Houde Approved 2-0	P. Conley, 40 Cambridge asked whether the RFT was for wages. R. Pontbriand and K. Cooper answered no.
Assessing	\$20,400	Unforeseen personnel transition and consultant services	Motion to approve by J. Livingston; seconded by S. Houde Approved 2-0	
Fire	\$20,000	Unforeseen employee job injuries and extended sick time	Motion to approve by J. Livingston; seconded by S. Houde Approved 2-0	
Information Technology	\$28,000	Unforeseen mandatory cyber security requirements and unforeseen hardware failure (server power surge)	Motion to approve by J. Livingston; seconded by S. Houde Approved 2-0	Kurt Frazkowski asked if the email was being switched to MFA (multi factor authentication). C. Knox replied yes.
Treasurer/Tax Collector	\$2,800	Unforeseen price increases and unexpected need for multiple payment agreements	Motion to approve by J. Livingston; seconded by S. Houde Approved 2-0	
	TOTAL: \$81,200			

Regional Dispatch Intermunicipal Agreement – One Year Extension – Chief Gill joined R. Pontbriand and the SB. R. Pontbriand stated that both Towns had not entered into negotiations in enough time for the current Budget cycle. He is recommending a one-year extension to June 30, 2024. Shirley’s assessment will be \$145,000, the balance of their assessment, including the escalator will be picked up by State 911.

S. Houde asked if the escalator would cover the additional costs for personnel. Chief Gill said yes. J. Livingston stated that the State approached us about working with Shirley several years ago.

Dennis Curran, 51 Pleasant Street asked what the real costs are to each Town and if they’ve been equitably shared between the two towns. R. Pontbriand shared the figures for FY ’24, noting that Shirley has an issue with their ability to pay. D. Curran if there was an ability to recoup the costs that Ayer has fronted for Shirley. R. Pontbriand stated that will play a role in the upcoming negotiations. S. Houde also noted there is a timing issue and that the state mandates that we enter into this agreement. D. Curran would like the Town of Shirley to appear before the SB to explain their inability to pay. There

was additional discussion. Chief Gill stated that it is important to look at where we were and where we are now. He also stated that the Town of Ayer benefits by being in this regional agreement, as it opens up other funding opportunities from the state. D. Curran stated that the Town of Shirley has the ability to determine what is important to them as a Town.

Motion: A motion was made by S. Houde and seconded by J. Livingston to extend the agreement until June 30, 2024. **Motion passed 2-0.**

ARPA Funding Requests/Proposals – R. Pontbriand is following up on a previous discussion from the June 6, 2023 Select Board Meeting, he would like to further discuss consideration for ARPA funding. Specifically, he is requesting the following:

Clear Well Project for PFAS (Design Funding):**	Up to \$300,000
Senior Center/Community Center Project (Design and Due Diligence Funding for Town Meeting Approval)	Up to \$150,000
Inter-Town Department Competitive Project Grant Program	Up to \$150,000

***was approved earlier in the evening under the DPW Director's report*

R. Pontbriand stated that with respect to the proposed Senior Center/Community Project that for Town Meeting to make an informed decision regarding the proposed project at Pirone Park, the Building Committee needs to further design the project. The Building Committee currently has no funding to further develop and propose this project for proper consideration by Town Meeting. He is also proposing that up to \$150,000 of the ARPA funds be set aside for the further development of an Inter-Town Department Competitive Project Grant Program with the program guidelines to be completed by the Fall for Town Departments to submit ARPA eligible projects for funding.

J. Livingston stated that she was happy to see the funding for the Senior Center come down from \$300,000 to \$150,000.

Dennis Curran, 51 Pleasant Street said he was joined by members of the COA Board of Directors. He said they have been seeking funding for a new senior center since 2018. D. Curran stated that to date, the seniors have not received any portion of ARPA funding. He stated that seniors were most adversely affected by the pandemic.

S. Houde asked how many times the building committee has met. D. Curran stated once; they are meeting again on July 12, 2023. S. Houde would like the Building Committee to come up with a figure for the next iteration of drawings, which would be schematic design and a construction estimate. D. Curran stated that this center is an investment in the townspeople. J. Livingston stated that if the COA needs funding for something else, the Board should look into it. COA Director Katie Petrossi stated that the figure of \$150,000 was to take into consideration the surrounding wetlands and other constraints on the site. There was additional discussion about funding. C. Antonellis stated that she will work with DPW to fine tune the funding request. J. Livingston asked when a Request for Proposals would be posted? C. Antonellis estimated about 45 days.

Pauline Conley, 40 Cambridge, stated that Article 97 issues were not brought up this evening.

The Select Board recessed for two minutes.

R. Pontbriand stated that the Town is actively gathering information on the Article 97 process and the Executive Office of Environmental Affairs has not been responsive to the Town's request.

D. Curran stated that Town will never get to unanimous consent on the site, the building design, etc. He said we cannot let the project come to a halt because of fear working through the difficulties. S. Houde said there is support to provide ARPA funding, they would just need a more quantitative figure from the Building Committee. He would like to discuss this at the July 18, 2023 meeting.

P. Conley stated that she didn't mean to imply there was a cloak and dagger approach. She stated she is appreciative of C. Antonellis' explanation at the last Building Committee meeting of the Article 97 process.

R. Pontbriand stated there was an oversight in his memo, as he forgot to include a potential project submitted by the DPW for ARPA funding for the Sandy Pond Road sewer project.

Update on Opioid Settlement Allocation – R. Pontbriand stated he is still awaiting information from the Attorney General's Office. He proposes putting this on the July 18, 2023 meeting agenda.

New Business/Select Board Member Questions - Proposal for future meeting with Secretary of Housing and Livable Communities (Select Board Member Livingston): J. Livingston stated that she received an email from the Chair of the Harvard Board of Selectmen wanting to have the Ayer, Shirley, Harvard Select Board Chairs meet with the new Secretary of Housing and Livable Communities. Senator Cronin (D-Lunenburg) put forward a bill to the legislature, without Senator Eldridge's knowledge, regarding zoning of Vicksburg Square. She stated that the bill did fail. She is recommending that they proceed with the request to schedule the meeting and that she would like to be the representative for the Board, as her schedule is more flexible.

Approval of Meeting Minutes:

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve the meeting minutes from June 6, 2023. **Motion passed 2-0.**

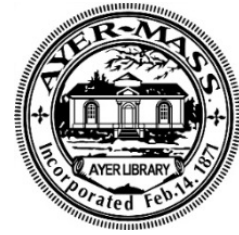
Adjournment:

Motion: A motion was made by J. Livingston and seconded by S. Houde to adjourn at 8:43 PM. **Motion passed 2-0.**

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

Date Minutes Approved by SB: _____

Signature Indicating Approval: _____



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

Broadcast and Recorded by APAC

July 18, 2023
Open Session Meeting Minutes

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

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

Call to Order: S. Houde called the meeting to order at 6:00 PM. S. Houde further stated that this meeting/hearing of the Ayer Select Board (SB) will be held in-person at the location provided on this notice. Members of the public are welcome to attend this in-person meeting. Please note that while an option for remote attendance and/or participation via Zoom is being provided as a courtesy to the public, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless otherwise required by law. Members of the public with particular interest in a specific item on this agenda should make plans for in-person vs. virtual attendance accordingly. This meeting will be live on Zoom and Channel 8. The public may access the proceedings by joining Zoom (Meeting ID# 897 9080 0793) or by calling (929-205-6099).

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. Copeland to approve the meeting agenda. **Motion passed 3-0.**

Announcements: None

Public Input: Fran Callahan, 98 Sandy Pond Road stated he was there because of Pirone Park and has been in Town for 79 years and a previous member of the Select Board for 9 years. He is against the project at Pirone Park. He stated that there is other land that the Town could use, such as Bishop Road and the DPW. He said he knows 50 people who are against this project.

Fred Meshna, 21 Prospect Street stated he is very confused about the process. He stated that it is his understanding that some money is going to be used for the planning and site development. S. Houde stated this is for an architectural rendering to be presented at Town Meeting. He said it doesn't make sense to spend money before it goes to the Town Meeting. He stated he didn't know about the process. J. Livingston stated there have been public meetings on this proposal. He asked how the Board can approve funding without a Town Meeting vote. S. Copeland stated that the ARPA funds are under the discretion of the Select Board.

Cynthia LeFave, 37 Old Farm Way stated that she is against building this on Pirone park. She said that the Town needs a Senior Center but not at the expense of Open Space. She does not support the Town spending money. She's asking that the Town go back to the drawing Board.

Melissa Curtis, 22 Westford Road asked about the project funding. S. Houde stated that ARPA funds are for one time use from the federal government. She then asked where the baseball/little league teams were going to play. S. Houde and J. Livingston stated that the Parks Commission is supportive of the project.

Shawn Merritt, 25 Grove Street stated that he is urging the Select Board to vote no on the use of ARPA funding for plan development at Pirone Park. He supports a new senior center, but not at Pirone Park.

Eric Sechman, 7 Church Street stated that he does not support using Pirone Park for the proposed project; he stated that is ok that the baseball field is underutilized and not every inch of open space has to be used at all times. He stated that the Town stopped having the fireworks at Pirone Park because of the concern of too many people in a small space, and now they are looking to add a building at the Park with one way in and one way out.

Dennis Curran, 51 Pleasant St. stated that it is important that he comments as a senior and that he fully understands the desire to maintain the open space. He said that the \$150,000 is to provide more than one rendering with cost estimates. He stated that the Parks Department identified Field 6 as the ideal location at the Park and that no one is taking anything away, but rather looking to enhance the Park.

Susan Copeland, 4 Mountain Ave. stated that she is not speaking directly about Pirone Park and that eventually there will be a ballot question. She does not want the integrity of the election skewed with the fact she is speaking up. The Town put forth opportunities for people to sit on the building committee and only got 3 or 4 names. She is urging people to get more involved and pay attention to what is happening with their local government. She said it is insulting to Town workers when people say they didn't know about something and that all the information is out there.

Public Hearing – Application for G.L. c.138 sec. 12 All Alcoholic Beverages Restaurant License - Pleasant Cafe Inc. of Ayer, 7 Depot Square Ayer: S. Houde opened the public hearing at 6:24 PM by reading the public hearing notice as advertised in the Nashoba Valley Voice on Friday July 7, 2023 and sent to statutorily required abutters. The Board is considering an application for a new G.L. c. 138, sec. 12 All Alcoholic Beverages Restaurant License from Pleasant Cafe Inc. of Ayer, 7 Depot Square Ayer, MA. Attorney Roy Pastor joined the applicant, Frank Dzerkacz. C. Antonellis stated that the application has been reviewed by the departments and the Police Chief had follow-up questions about the floor plan and food trucks. F. Dzerkacz stated that they may bring in an ice cream truck occasionally. J. Livingston asked about the menu. F. Dzerkacz stated it'll be basic burger and fries and will mirror the Maynard location.

Pauline Conley, 40 Cambridge Street asked what the status of the former tenant's license was. C. Antonellis said it was back in the Town's possession.

Motion: A motion was made by S. Copeland and seconded by J. Livingston to approve the Liquor License Application for Pleasant Café Inc. as requested. **Motion passed 3-0.**

Motion: A motion was made by J. Livingston and seconded by S. Copeland to close the public hearing at 6:31 PM. **Motion passed 3-0.**

Municipal Aggregation Update – Colonial Power Group: C. Antonellis introduced Mark Cappadona and Denise Allard from Colonial Power Group who were attending via Zoom. She also noted that an email went out earlier today informing residents and business owners that the DRAFT Municipal Aggregation Plan is now on the Town's website and in the Town Clerk and Town Manager's office for public input starting tomorrow for the next 30 days. Mark Cappadona stated that the aggregation

program is about the supply side of the electricity bill. It is a Town program that is an opt-out of at any time, that essentially works with 3rd party suppliers. He stated that before the program starts, everyone that is signed up for basic service will receive a letter with the choice to opt-out. Colonial Power Group runs this program in 80 other communities in Massachusetts. After the 30-day public comment period is over, the Select Board will vote on the plan, which will then get sent to the Department of Energy Resources and the Department of Public Utilities (DPU). He noted that the DPU has a long backlog, and it could be up to 3 years before approval. National Grid will continue to be the Town's distribution company. The savings are not guaranteed but are dictated by the market. He noted there have been significant savings as of late.

Denise Allard stated that any utility discount, budget billing, or access to MassSave will still be in effect and will not change with the implementation of this program. M. Cappadona stated that if you have solar on your house, the program will still work for you but instead of paying the National Grid rate, you'll pay the Town aggregation rate.

Pauline Conley, 40 Cambridge Street asked if the aggregation rate was annual. M. Cappadona stated that it will be up to the Town to make that decision.

Eric Sechman, 7 Church Street asked if you already used a 3rd party supplier, would you automatically be enrolled in the Town's plan. M. Cappadona stated that that no they would not because they are in an agreement with another 3rd party supplier. There is always the option to opt-in to the Town's program but urged consumers to make sure there is no penalty for leaving a current agreement early.

Request for Abatement – Water Bill - 95 Washington Street: Matt Murphy, 95 Washington Street was back in attendance following the last Select Board meeting with more information on the amount of the requested abatement. Mr. Murphy is requesting \$389.07.

Motion: A motion was made by J. Livingston and seconded by S. Copeland to request the abatement in the amount of \$389.07 to Matthew Murphy for his water bill. **Motion passed 3-0.**

ARPA Funding Request from the Building Committee for the Proposed Senior Center/Community Center: Katie Petrossi, Chair and Ken Diskin, Vice-Chair of the Senior/Community Center Building Committee joined the SB. K. Petrossi thanked the Board for their consideration. K. Diskin stated that the site selection of Pirone Park was a cooperative effort between the Parks Commission and the COA. He said that there is a misconception that there were no other sites considered, which is not true. Over 14 sites were looked at; some of those conversations were private because financial information was being shared. He stated the project may not work on the site, but at this point we have to take a risk to be able to present the project to Town Meeting.

S. Houde asked what the \$150,000 in ARPA funding would yield. C. Antonellis stated that they have received a proposal from Catlin Architecture which would provide soil investigation, civil, structural, environmental and cost estimation. C. Antonellis stated that she met with John Catlin (Catlin Architecture), Katie Petrossi, Kevin Malantic (Parks Commission) at Pirone Park to show the site and what the public concerns were with the project. The total cost of the proposal was \$125,000 (\$25,000 going towards the geotechnical consulting).

J. Livingston stated that no shovel would go into the ground unless Town Meeting stated go forward. K. Petrossi stated correct, that these drawings will allow voters to make an informed decision.

P. Conley, 40 Cambridge Street asked what the plan would be to recoup ARPA funds, if the State Public

Lands Protection Act will prohibit the building of the center on Pirone Park. S. Houde stated that there were no plans to recoup the funds, as they were one-time ARPA funds. C. Antonellis stated that there is a misconception floating around that the Town is not able to build on Pirone Park, which is not true. The Town can build on Pirone Park, provided it follows the Article 97 process, which the Town will do. P. Conley then asked about an RFP process for hiring an architect/engineer. C. Antonellis stated design services are exempt from the bidding process. P. Conley asked if the Town was only looking at one architect. C. Antonellis stated that she and D. Van Schalkwyk had reviewed a list of firms that had submitted to the Town for the feasibility study and were recommending Catlin Architecture. K. Petrossi agreed.

Shawn Merritt, 25 Grove Street asked about the format of the meeting and when the public could speak. S. Houde stated all public are welcome to speak during public input and may ask questions throughout the meeting.

There was additional discussion.

Motion: A motion was made by S. Copeland and seconded by J. Livingston to approve \$150,000 in ARPA funding for the Building Committee for the proposed Senior/Community Center. **Motion passed 3-0.**

Ayer + Devens 2033 Study & Report Committee Interviews/Appointments: The Select Board interviewed the following candidates to serve on the Ayer + Devens 2033 Study & Report Committee: Jim Fay, Rebecca Jones, Sandra Kelly, Rachel Kozera, Barry Schwarzel, Erich Sechman, Geof Tillotson and Ben Vogelsang. The Board was impressed with all the candidates and wished to appoint them all. There was room for only 7 resident positions. The Board discussed increasing those seats from 7 to 9 and are recommending that Geof Tillotson serve as one of the two Planning Board reps.

Motion: A motion was made by S. Copeland and seconded by J. Livingston that the SB expand the Committee membership from 9 to 11 positions. **Motion passed 3-0.**

Motion: A motion was made by S. Copeland and seconded by J. Livingston to appoint the following residents to the Ayer + Devens 2033 Committee: Jim Fay, Rebecca Jones, Sandra Kelly, Rachel Kozera, Barry Schwarzel, Erich Sechman, and Ben Vogelsang. **Motion passed 3-0.**

Dan Van Schalkwyk, Director, Department of Public Works - Ratification of Agreement for W. Main St. Emergency 24" Sewer Trunk Repair: D. Van Schalkwyk reported that a sink hole had opened up on Main Street last week and that the Town had to make emergency repairs. The Town procured a Contractor under emergency conditions to replace the failed pipe as soon as possible. He is recommending that the Board vote to ratify an Agreement and Amendment with GVC Construction, Inc. of Lunenburg, MA. He showed the Select Board several photos of the repair process.

Motion: A motion was made by S. Copeland and seconded by J. Livingston to ratify the agreement with GVC Construction, Inc. for emergency repairs up to \$100,000. **Motion passed 3-0.**

Motion: A motion was made by S. Copeland and seconded by J. Livingston to approve an amendment to the emergency repairs contract to allow the repair work up to \$250,000. **Motion passed 3-0.**

Award of Sandy Pond Road Sanitary Sewer Rehabilitation Project – D. Van Schalkwyk stated he has been doing analysis on available funds for this project. He detailed the benefits of using a UV liner vs. a water/steam liner and is recommending a UV liner. He is requesting \$600,000 in ARPA funds to be used for this project.

Motion: A motion was made by J. Livingston and seconded by S. Copeland to authorize \$600,000 in ARPA funds for inflow/infiltration repairs. **Motion passed 3-0.**

Motion: A motion was made by J. Livingston and seconded by S. Copeland to award the Sandy Pond Road Sanitary Sewer Rehabilitation Project Alternative 2 to National Water Main Cleaning Company in the amount of \$1,398,831. **Motion passed 3-0.**

Change Order 2 – Ayer W. Main St. Public Infrastructure Project (MassWorks) – D. Van Schalkwyk presented Change Order 2 for the construction of the Ayer West Main Street Public Infrastructure Project. The change order includes additional work due to unknown utilities, unforeseen concrete base material, winter pavement markings, curbing changes, and overages for some actual quantities versus estimated quantities at time of bidding; for a total amount of \$347,105.69. He is recommending approval of Change Order No. 2 for the Ayer West Main Street Public Infrastructure Project, Onyx Corporation, in the amount of \$347,105.69 for signature by the Chair.

Motion: A motion was made by S. Copeland and seconded by J. Livingston to approve Change Order #2 for Onyx Corporation in the amount of \$347,105.69 with signature by the Chair. **Motion passed 3-0.**

Water Supply Update – D. Van Schalkwyk reported that water production has been resilient over the past couple of weeks and the large usage spikes have come down.

Central Ave./Groton Harvard Road 4-Way Stop – D. Van Schalkwyk stated that the 4-way stop conversion at Central Ave. and Groton Shirley Road will take place on Wednesday July 26, 2023.

Transfer Station Wednesday Hours Update – D. Van Schalkwyk detailed a memo in the Select Board's packet relative to the extended Wednesday hours at the transfer station.

J. Livingston asked if anyone had called to complain about the hours. D. Van Schalkwyk stated no. She stated that she is not in favor of the Town doing another survey. She then asked how the Town is monitoring customers that drive in without a sticker because it has been mentioned online. D. Van Schalkwyk stated he hadn't heard anything but will mention it to Transfer Station personnel. J. Livingston stated that she thinks the Board should keep the hours the way they are. S. Houde agreed and added he would like more context with the numbers in the memo. J. Livingston stated that the Town is inadvertently causing a problem by trying different approaches to increase the number of customers. She stated that a working group looked at the issue in 2014 and perhaps it was time to look at it again, as far as what is and isn't working.

Pauline Conley, 40 Cambridge Street stated that there have been a number of posts on Facebook encouraging people to use the transfer station without a permit. She would like a cost-benefit analysis.

J. Livingston asked if transfer station employees were still working forty hours a week. D. Van Schalkwyk stated no, there are overtime hours available every week.

The Board agreed to keep the hours at the transfer station status quo.

Town Manager's Report - Administrative Update/Review of Town Warrant(s): R. Pontbriand provided a brief Administrative Update to the Select Board on the various activities, initiatives, and projects of the Town since the Select Board last met and referenced the Town Warrants that are in the Select Board's packet that were approved since the Select Board last met. R. Pontbriand reported that there has been a successful close out of the FY '23 budget.

Appointments – R. Pontbriand is recommending that Amanda Lewis, Benefits and Payroll Manager and Kevin Johnston (Retired) being appointed to the Insurance Advisory Committee.

Motion: A motion was made by J. Livingston and seconded by S. Copeland to appoint Ms. Amanda Lewis to the Insurance Advisory Committee, term to expire June 30, 2024. **Motion passed 3-0.**

Motion: A motion was made by S. Copeland and seconded by J. Livingston to appoint Mr. Kevin Johnston as the Retiree representative to the Insurance Advisory Committee, term to expire June 30, 2024. **Motion passed 3-0.**

R. Pontbriand is also recommending that Ms. Donna Lavoie be appointed to the Disabilities Commission.

Motion: A motion was made by J. Livingston and seconded by S. Copeland to appoint Ms. Donna Lavoie to the Disabilities Commission, term to expire June 30, 2024. **Motion passed 3-0.**

Update on Opioid Settlement Allocation – R. Pontbriand updated the Select Board on the opioid settlement allocation. He has spoken with the Attorney General’s Office. The Town was part of a federal class action lawsuit with 51 parties (all 50 states and the District of Columbia) and that settlement figures were reached at a federal level. One aspect of the formula was number of deaths by county, which may be one reason that Harvard in Worcester County received more than Ayer in Middlesex County. R. Pontbriand stated that he will reach out to the national settlement administrator to inquire about the discrepancy between Ayer and Harvard. The Town of Ayer will be making a determination on what they will be using the funds for in the coming months.

New Business/Select Board Member Questions - Devens Jurisdictional Framework Committee (DJFC) Update – SB Member Livingston: J. Livingston stated that no formal votes were taken at the last meeting of the DJFC. She reported to the DJFC that the local Ayer Committee would be up and running by August. She stated that the local Harvard Committee has recently discussed changing the study date of 2033 to 2024 or as soon as possible due to Senator Cronin’s attempt to change Chapter 498 without any of the Town’s or Senator Eldridge’s knowledge. The Town of Shirley is working on getting their local committee up and running. She gave an update from each of the DJFC stakeholders. She noted that MassDevelopment is still not at the table and that they wouldn’t be joining for several years as 2033 approaches. She stressed the need for a consultant to help the three towns navigate through the process. The Devens census shows about 500 residents. The DJFC will be meeting on October 11, 2023 in Ayer. There was additional discussion about reporting dates and timelines. Community and Economic Development Director Alan Manoian joined the SB and stated that the first step is a study from all three Towns and then in 2 years submit a report to the State.

Approval of Meeting Minutes: The SB agreed to table the June 20, 2023 until the August 15, 2023 meeting.

Adjournment:

Motion: A motion was made by S. Copeland and seconded by J. Livingston to adjourn at 8:37 PM.

Motion passed 3-0.

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

Date Minutes Approved by SB: _____

Signature Indicating Approval: _____