

RECEIVED
FEB 11 2022

TOWN OF AYER
TOWN CLERK

11:20am

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



Tuesday February 15, 2022, 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
- Public Input**
- 6:05 PM** **Public Hearing – Application for Flammable and Combustible Liquids, Gases and Solids License (G.L. 148 sec. 13) – Lexvest Ayer, LLC, 1B Sculley Road (Assessor’s Map 33 Parcel 26)**
- 6:10 PM** **Public Hearing – Application for Transfer of Wine & Malt Beverages Package Store License and Change of Location from Ayer Beer & Wine Corp., 210D West Main Street to Global Montello Group Corp., d/b/a Alltown Fresh Ayer, 28 Harvard Rd.**
- 6:20 PM** **Presentation of the FY '23 Ayer Shirley Regional School District Budget**
Dr. Adam Renda, Superintendent of Schools
- 6:50 PM** **Town Manager’s Report**
1. Administrative Update/Review of Town Warrant(s)
2. FY '23 Budget Update
3. FY '23 COLA Recommendation
- 7:00 PM** **New Business/Select Board Member Questions**
- 7:05 PM** **Approval of Meeting Minutes**
January 18, 2022; January 26, 2022; February 1, 2022
- 7:10 PM** **Executive Session Pursuant to MGL c. 30A, Section 21A****
Exemption #2 (Non-Union Personnel) Building Commissioner and Facilities Director
Exemption #3 (Contract Negotiations) Police Superiors Contract

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

*** The Select Board will adjourn at the conclusion of the Executive Session*

*The next regularly scheduled meeting of the Select Board is March 1, 2022 at 6:00 PM via Remote Participation.
Zoom Meeting ID #897 9080 0793 or by Phone 929-205-6099*

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



The Ayer Select Board will be conducting a remote Public Hearing at 6:05 PM on Tuesday February 15, 2022 regarding an application by Lexvest Ayer, LLC, 1B Sculley Road (Assessor's Map 33 Parcel 26) Ayer, MA. The applicant is seeking a new Flammable and Combustible Liquids, Gases and Solids License for the storage of up to 2,000 gallons of propane pursuant to M.G.L. 148 sec. 13. For Zoom/Call-In information please contact atm@ayer.ma.us or 978-772-8220 x100.


Name of Applicant: Lexvest Ayer, LLC
1B Sculley Road/Map 33 Parcel 26
Ayer, MA 01432

Date of Public Hearing: Tuesday February 15, 2022

Time of Public Hearing: 6:05 PM

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

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

1:30 pm
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TOWN OF AYER
TOWN CLERK 



FP-002
(Rev. 1.1.2015)

The Commonwealth of Massachusetts
City/Town of Ayer, MA

License

Massachusetts General Law, Chapter 148 §13

New License Amended License

After notice and hearing, and in accordance with Chapter 148 of the Mass. General Laws, a license is hereby granted to use the land herein described for the purposes described.

Location of Land: 1 Sculley Road, Building B, Ayer MA 01432 33-26
Number, Street and Assessor's Map and Parcel ID
Owner of Land: Lexvest Ayer LLC
Address of Land Owner: 141 Parker Street, Suite 305, Maynard MA 01754

2/15/22
6:05 pm

GIS Coordinates

LAT.

LONG.

License Number

Flammable and Combustible Liquids, Flammable Gases and Solids

Complete this section for the storage of flammable and combustible liquids, solids, and gases. All tanks and containers are considered full for the purposes of licensing and permitting. (Attach additional pages if necessary.)

PRODUCT NAME	CLASS	MAXIMUM QUANTITY	UNITS gal., lbs, cubic feet	CONTAINER UST, AST, IBC, drums
Propane	2	2,000	Gallons	2 AST

LP-gas (Complete this section for the storage of LP-gas or propane)

❖ Maximum quantity (in gallons) of LP-gas to be stored in aboveground containers: 2,000
 List sizes and capacities of all aboveground containers used for storage Two 1,000 Gallon AST

❖ Maximum quantity (in gallons) of LP-gas to be stored in underground containers: N/A
 List sizes and capacities of all underground containers used for storage _____

Total aggregate quantity of all LP-gas to be stored: 2,000

Fireworks (Complete this section for the storage of fireworks)

❖ Maximum amount (in pounds) of Class 1.3G: _____

❖ Maximum amount (in pounds) of Class 1.4G: _____

❖ Maximum amount (in pounds) of Class 1.4: _____

Total aggregate quantity of all classes of fireworks to be stored: _____

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 OFFICE OF THE SELECT BOARD

THIS LICENSE OR A CERTIFIED COPY THEREOF MUST BE CONSPICUOUSLY POSTED ON THE LAND FOR WHICH IT IS GRANTED.

Explosives (Complete this section for the storage of explosives)

- | | |
|--|---|
| ❖ Maximum amount (in pounds) of Class 1.1: _____ | Number of magazines used for storage: _____ |
| ❖ Maximum amount (in pounds) of Class 1.2: _____ | Number of magazines used for storage: _____ |
| ❖ Maximum amount (in pounds) of Class 1.3: _____ | Number of magazines used for storage: _____ |
| ❖ Maximum amount (in pounds) of Class 1.4: _____ | Number of magazines used for storage: _____ |
| ❖ Maximum amount (in pounds) of Class 1.5: _____ | Number of magazines used for storage: _____ |
| ❖ Maximum amount (in pounds) of Class 1.6: _____ | Number of magazines used for storage: _____ |

Licensing Authority Use:

This license is granted upon the condition that the licensed activity will comply with all applicable laws, codes, rules and regulations, including but not limited to Massachusetts General Law, Chapter 148, and the Massachusetts Fire Code (527 CMR 1.00) as amended. The license holder may not store materials in an amount exceeding the capacities herein specified unless and until any amended license has been granted.

ADDITIONAL RESTRICTIONS:

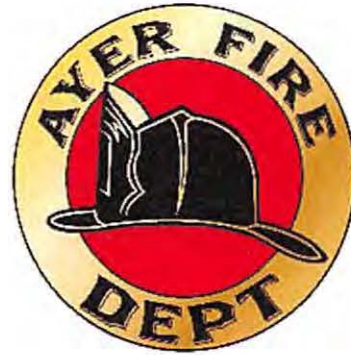
Signature of Licensing Authority

Title

Date

THIS LICENSE OR A CERTIFIED COPY THEREOF MUST BE CONSPICUOUSLY POSTED ON THE LAND FOR WHICH IT IS GRANTED.

MEMO



To: Select Board

From: Chief Timothy Johnston

CC: Mr. Robert Pontbriand
Ms. Carly Antonellis

Date: February 1, 2022

Re: 1B Sculley Road, Public hearing for flammable storage license

Comments:

The new property owners of 1B Sculley road are in the process of renovations and upgrades of the property. During this process they applied for a permit with the fire department to replace (2) existing 1000-gallon propane tanks. After reviewing the permit application, we found no record of the property having a license to store flammable gas. A license is required for storage of 2000 gallons or more of propane. The fire department recommends issuing the license.

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JAN 31 2022

TOWN OF AYER
TOWN CLERK



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

2:50pm
(Signature)

The Ayer Select Board will conduct a remote Public Hearing on Tuesday February 15, 2022 at 6:10 PM to consider a transfer of a Wine & Malt Beverages Package Store License and Change of Location from Ayer Beer & Wine Corp., d/b/a Ayer Beer & Wine, 210D West Main Street Ayer, MA to Global Montello Group Corp., d/b/a Alltown Fresh Ayer, 28 Harvard Rd., Ayer, MA. For Zoom/Call-In information please contact atm@ayer.ma.us or 978-772-8220 x100.

Name of Applicant: Transferring from Ayer Beer & Wine Corp., d/b/a Ayer Beer & Wine, 210D West Main Street Ayer, MA
Transferring to Global Montello Group Corp., d/b/a Alltown Fresh Ayer, 28 Harvard Rd., Ayer, MA

Date of Public Hearing: Tuesday February 15, 2022

Time of Public Hearing: 6:10 PM

Location of Public Hearing: Remote Participation Meeting held on Zoom
Zoom ID # 897 8090 0793

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

McDERMOTT
QUILTY &
MILLER LLP

28 STATE STREET, SUITE 802
BOSTON, MA 02109

January 27, 2022

RECEIVED

JAN 28 2022

TOWN OF AYER
OFFICE OF THE SELECT BOARD

9:05am

Via email (cantonellis@ayer.ma.us)

Town of Ayer
Select Board
1 Main Street
Ayer, MA 01432
Attn: Carly Antonellis, Assistant Town Manager

**RE: Transfer of Wine and Malt Beverages Package Store License
and Change of Location from Ayer Beer & Wine, Corp. to
Global Montello Group Corp. d/b/a Alltown Fresh Ayer
28 Harvard Road, Ayer, MA 01432**

Dear Ms. Antonellis:

Enclosed please find the following **revised** documents for the proposed Manager of Record, **Jonathan Cantillon**, in connection with Global Montello Group Corp.'s application for a Transfer of the Wine and Malt Beverages Package Store License (ABCC#89540-PK-0060) and a Change of Location to 28 Harvard Road, Ayer, Massachusetts:

1. Application for a Transfer of License – Revised Page 1;
2. Manager Application;
3. ABCC CORI Request Form for Jonathan Cantillon;
4. Proof of Citizenship for Jonathan Cantillon; and
5. Corporate Vote.

Kindly remove the corresponding documents from the original application referencing **Krystal Tate**. Please assign this matter for a hearing on the next meeting date and contact me regarding the legal notice requirements.

Thank you for your attention to and courtesy in this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,


Jon D. Aieta, Esquire
jaieta@mqmlp.com

JDA:ks



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3, Chelsea, MA 02150-2358
 www.mass.gov/abcc

APPLICATION FOR A TRANSFER OF LICENSE

Municipality

1. TRANSACTION INFORMATION

- Transfer of License
- Alteration of Premises
- Change of Location
- Management/Operating Agreement
- Pledge of Inventory
- Pledge of License
- Pledge of Stock
- Other
- Change of Class
- Change of Category
- Change of License Type (\$12 ONLY, e.g. "club" to "restaurant")

Please provide a narrative overview of the transaction(s) being applied for. On-premises applicants should also provide a description of the intended theme or concept of the business operation. Attach additional pages, if necessary.

Transfer of Wine & Malt Beverages Package Store License from Ayer Beer & Wine Corp. to Global Montello Group Corp. and Change of Location from 210D West Main Street, Ayer, Massachusetts to 28 Harvard Road, Ayer, Massachusetts.

2. LICENSE CLASSIFICATION INFORMATION

ON/OFF-PREMISES	TYPE	CATEGORY	CLASS
Off-Premises-15	\$15 Package Store	Wines and Malt Beverages	Annual

3. BUSINESS ENTITY INFORMATION

The entity that will be issued the license and have operational control of the premises.

Current or Seller's License Number FEIN

Entity Name

DBA Manager of Record

Street Address

Phone Email

Add'l Phone Website

4. DESCRIPTION OF PREMISES

Please provide a complete description of the premises to be licensed, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage. If this application alters the current premises, provide the specific changes from the last approved description. You must also submit a floor plan.

The 4,800 square foot building on one (1) floor with seven (7) rooms. There is one (1) main entrance/exit and in the rear of the store there is one (1) exit. The wine and malt beverages will be located on the main retail floor in a 5-door cooler and on 102 linear feet of retail shelving. Remaining stock will be located in the walk-in-cooler for storage.

Total Sq. Footage	<input type="text" value="4,800"/>	Seating Capacity	<input type="text" value="36"/>	Occupancy Number	<input type="text" value="TBD"/>
Number of Entrances	<input type="text" value="1"/>	Number of Exits	<input type="text" value="2"/>	Number of Floors	<input type="text" value="1"/>

APPLICATION FOR A TRANSFER OF LICENSE

5. CURRENT OFFICERS, STOCK OR OWNERSHIP INTEREST

Transferor Entity Name By what means is the license being transferred?

List the individuals and entities of the current ownership. Attach additional pages if necessary utilizing the format below.

Name of Principal	Title/Position	Percentage of Ownership
<input type="text" value="Xia Zhao"/>	<input type="text" value="Pres., Treas, Sect. and Director"/>	<input type="text" value="100"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

6. PROPOSED OFFICERS, STOCK OR OWNERSHIP INTEREST

List all individuals or entities that will have a direct or indirect, beneficial or financial interest in this license (E.g. Stockholders, Officers, Directors, LLC Managers, LLC Members, LLP Partners, Trustees etc.). Attach additional page(s) provided, if necessary, utilizing Addendum A.

- The individuals and titles listed in this section must be identical to those filed with the Massachusetts Secretary of State.
- The individuals identified in this section, as well as the proposed Manager of Record, must complete a CORI Release Form.
- Please note the following statutory requirements for Directors and LLC Managers:
On Premises (E.g. Restaurant/ Club/Hotel) Directors or LLC Managers - At least 50% must be US citizens;
Off Premises(Liquor Store) Directors or LLC Managers - All must be US citizens and a majority must be Massachusetts residents.
- If you are a Multi-Tiered Organization, please attach a flow chart identifying each corporate interest and the individual owners of each entity as well as the Articles of Organization for each corporate entity. Every individual must be identified in Addendum A.

Name of Principal Residential Address SSN DOB

Title and or Position Percentage of Ownership Director/ LLC Manager Yes No US Citizen Yes No MA Resident Yes No

Name of Principal Residential Address SSN DOB

Title and or Position Percentage of Ownership Director/ LLC Manager Yes No US Citizen Yes No MA Resident Yes No

Name of Principal Residential Address SSN DOB

Title and or Position Percentage of Ownership Director/ LLC Manager Yes No US Citizen Yes No MA Resident Yes No

Name of Principal Residential Address SSN DOB

Title and or Position Percentage of Ownership Director/ LLC Manager Yes No US Citizen Yes No MA Resident Yes No

APPLICATION FOR A TRANSFER OF LICENSE

6. PROPOSED OFFICERS, STOCK OR OWNERSHIP INTEREST (Continued...)

Name of Principal: **Mark A. Romaine** [Redacted Address] [Redacted SSN] [Redacted DOB]

Title and or Position: Chief Operating Officer
 Percentage of Ownership: 0
 Director/ LLC Manager: Yes No
 US Citizen: Yes No
 MA Resident: Yes No

Name of Principal: **Matthew J. Spencer** [Redacted Address] [Redacted SSN] [Redacted DOB]

Title and or Position: Chief Accounting Officer
 Percentage of Ownership: 0
 Director/ LLC Manager: Yes No
 US Citizen: Yes No
 MA Resident: Yes No

Name of Principal: **Global Operating LLC** [Redacted Address] [Redacted SSN] [Redacted DOB]

Title and or Position: Shareholder
 Percentage of Ownership: 100
 Director/ LLC Manager: Yes No
 US Citizen: Yes No
 MA Resident: Yes No

Additional pages attached? Yes No

CRIMINAL HISTORY

Has any individual listed in question 6, and applicable attachments, ever been convicted of a State, Federal or Military Crime? If yes, attach an affidavit providing the details of any and all convictions. Yes No

6A. INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Does any individual or entity identified in question 6, and applicable attachments, have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages? Yes No If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality
*PLEASE SEE EXHIBIT A ATTACHED HERETO			

6B. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Has any individual or entity identified in question 6, and applicable attachments, ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held? Yes No If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	
*PLEASE SEE EXHIBIT B ATTACHED HERETO			

ADDENDUM A

6. Change of Officers, Stock or Ownership Interest (Continued...)

List all proposed individuals or entities that will have a direct or indirect, beneficial or financial interest in this license (E.g. Stockholders, Officers, Directors, LLC Managers, LLP Partners, Trustees etc.).

Entity Name

Global Operating LLC

Percentage of Ownership in Entity being Licensed
(Write "NA" if this is the entity being licensed)

100*

* in Global Montello Group Corp.

Name of Principal

Global Partner LP

Residential Address

800 South Street, Suite 500, Waltham, MA 02453

Title and or Position

Sole Managing Member

Percentage of Ownership

100

Director/ LLC Manager

Yes No

US Citizen

Yes No

MA Resident

Yes No

Name of Principal

Residential Address

SSN

DOB

Title and or Position

Percentage of Ownership

Director/ LLC Manager

Yes No

US Citizen

Yes No

MA Resident

Yes No

Name of Principal

Residential Address

SSN

DOB

Title and or Position

Percentage of Ownership

Director/ LLC Manager

Yes No

US Citizen

Yes No

MA Resident

Yes No

Name of Principal

Residential Address

SSN

DOB

Title and or Position

Percentage of Ownership

Director/ LLC Manager

Yes No

US Citizen

Yes No

MA Resident

Yes No

Name of Principal

Residential Address

SSN

DOB

Title and or Position

Percentage of Ownership

Director/ LLC Manager

Yes No

US Citizen

Yes No

MA Resident

Yes No

Name of Principal

Residential Address

SSN

DOB

Title and or Position

Percentage of Ownership

Director/ LLC Manager

Yes No

US Citizen

Yes No

MA Resident

Yes No

Name of Principal

Residential Address

SSN

DOB

Title and or Position

Percentage of Ownership

Director/ LLC Manager

Yes No

US Citizen

Yes No

MA Resident

Yes No

CRIMINAL HISTORY

Has any individual identified above ever been convicted of a State, Federal or Military Crime?
If yes, attach an affidavit providing the details of any and all convictions.

Yes No

APPLICATION FOR A TRANSFER OF LICENSE

6C. DISCLOSURE OF LICENSE DISCIPLINARY ACTION

Have any of the disclosed licenses listed in question 6A or 6B ever been suspended, revoked or cancelled?

Yes No If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Date of Action	Name of License	City	Reason for suspension, revocation or cancellation
N/A	N/A	N/A	N/A

7. CORPORATE STRUCTURE

Entity Legal Structure

Corporation

Date of Incorporation

11/30/1998

State of Incorporation

Delaware

Is the Corporation publicly traded?

Yes

No

8. OCCUPANCY OF PREMISES

Please complete all fields in this section. Please provide proof of legal occupancy of the premises.

- If the applicant entity owns the premises, a deed is required.
- If leasing or renting the premises, a signed copy of the lease is required.
- If the lease is contingent on the approval of this license, and a signed lease is not available, a copy of the unsigned lease and a letter of intent to lease, signed by the applicant and the landlord, is required.
- If the real estate and business are owned by the same individuals listed in question 6, either individually or through separate business entities, a signed copy of a lease between the two entities is required.

Please indicate by what means the applicant will occupy the premises

Lease

Landlord Name

Maxant Industries, Inc.

Landlord Phone

Landlord Email

Landlord Address

201 South Road, Pepperell, MA 01463

Lease Beginning Date

07/13/2019

Rent per Month

\$7,333.33

Lease Ending Date

06/30/2029

Rent per Year

\$88,000.00

Will the Landlord receive revenue based on percentage of alcohol sales?

Yes No

9. APPLICATION CONTACT

The application contact is the person who the licensing authorities should contact regarding this application.

Name:

Jon D. Aieta

Phone:

(617) 946-4600

Title:

Attorney

Email:

jaieta@mqmlp.com

APPLICATION FOR A TRANSFER OF LICENSE

10. FINANCIAL DISCLOSURE

A. Purchase Price for Real Estate	\$0.00
B. Purchase Price for Business Assets	\$0.00
C. Other* (Please specify)	\$12,500.00
D. Total Cost	\$12,500.00

*Other: (i.e. Costs associated with License Transaction including but not limited to: Property price, Business Assets, Renovations costs, Construction costs, Initial Start-up costs, Inventory costs, or specify other costs):"

SOURCE OF CASH CONTRIBUTION

Please provide documentation of available funds. (E.g. Bank or other Financial institution Statements, Bank Letter, etc.)

Name of Contributor	Amount of Contribution
Global Partners LP	\$12,500.00
Total:	\$12,500.00

SOURCE OF FINANCING

Please provide signed financing documentation.

Name of Lender	Amount	Type of Financing	Is the lender a licensee pursuant to M.G.L. Ch. 138.
N/A	N/A	N/A	<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No
			<input type="radio"/> Yes <input type="radio"/> No

FINANCIAL INFORMATION

Provide a detailed explanation of the form(s) and source(s) of funding for the cost identified above.

All costs associated with this transaction are provided by the ultimate beneficial interest holder, Global Partners LP, a publicly traded company.

11. PLEDGE INFORMATION

Please provide signed pledge documentation.

Are you seeking approval for a pledge? Yes No

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

To whom is the pledge being made?

12. MANAGER APPLICATION

A. MANAGER INFORMATION

The individual that has been appointed to manage and control the licensed business and premises.

Proposed Manager Name Date of Birth

Residential Address

Email

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

B. CITIZENSHIP/BACKGROUND INFORMATION

Are you a U.S. Citizen?* Yes No *Manager must be a U.S. Citizen

If yes, attach one of the following as proof of citizenship US Passport, Voter's Certificate, Birth Certificate or Naturalization Papers.

Have you ever been convicted of a state, federal, or military crime? Yes No

If yes, fill out the table below and attach an affidavit providing the details of any and all convictions. Attach additional pages, if necessary, utilizing the format below.

Date	Municipality	Charge	Disposition
N/A	N/A	N/A	N/A

C. EMPLOYMENT INFORMATION

Please provide your employment history. Attach additional pages, if necessary, utilizing the format below.

Start Date	End Date	Position	Employer	Supervisor Name
04/2019	Present	Store Operations Manager	Global Partners LP	Kenny Wong
02/2011	04/2019	EMT-B	Critical Systems	Eric Gordon
01/2015	09/2017	Call FF/EMT-B	Town of Hopedale	Chief Daige
02/2004	02/2011	Mechanic	Ron Bouchards	Jim Kane

D. PRIOR DISCIPLINARY ACTION

Have you held a beneficial or financial interest in, or been the manager of, a license to sell alcoholic beverages that was subject to disciplinary action? Yes No If yes, please fill out the table. Attach additional pages, if necessary,utilizing the format below.

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

I hereby swear under the pains and penalties of perjury that the information I have provided in this application is true and accurate:

Manager's Signature Date

13. MANAGEMENT AGREEMENT

Are you requesting approval to utilize a management company through a management agreement?

Yes No

If yes, please fill out section 13.

Please provide a narrative overview of the Management Agreement. Attach additional pages, if necessary.

IMPORTANT NOTE: A management agreement is where a licensee authorizes a third party to control the daily operations of the license premises, while retaining ultimate control over the license, through a written contract. *This does not pertain to a liquor license manager that is employed directly by the entity.*

13A. MANAGEMENT ENTITY

List all proposed individuals or entities that will have a direct or indirect, beneficial or financial interest in the management Entity (E.g. Stockholders, Officers, Directors, LLC Managers, LLP Partners, Trustees etc.).

Entity Name	Address	Phone
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>

Name of Principal	Residential Address	SSN	DOB
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>

Title and or Position	Percentage of Ownership	Director	US Citizen	MA Resident
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>

Title and or Position	Percentage of Ownership	Director	US Citizen	MA Resident
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>

Title and or Position	Percentage of Ownership	Director	US Citizen	MA Resident
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of Principal	Residential Address	SSN	DOB
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>

Title and or Position	Percentage of Ownership	Director	US Citizen	MA Resident
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

CRIMINAL HISTORY

Has any individual identified above ever been convicted of a State, Federal or Military Crime?

If yes, attach an affidavit providing the details of any and all convictions.

Yes No

13B. EXISTING MANAGEMENT AGREEMENTS AND INTEREST IN AN ALCOHOLIC BEVERAGES

LICENSE

Does any individual or entity identified in question 13A, and applicable attachments, have any direct or indirect, beneficial or financial interest in any other license to sell alcoholic beverages; and or have an active management agreement with any other licensees?

Yes No If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality

13C. PREVIOUSLY HELD INTEREST IN AN ALCOHOLIC BEVERAGES LICENSE

Has any individual or entity identified in question 13A, and applicable attachments, ever held a direct or indirect, beneficial or financial interest in a license to sell alcoholic beverages, which is not presently held?

Yes No If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Name	License Type	License Name	Municipality

13D. PREVIOUSLY HELD MANAGEMENT AGREEMENT

Has any individual or entity identified in question 13A, and applicable attachments, ever held a management agreement with any other Massachusetts licensee?

Yes No If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

Licensee Name	License Type	Municipality	Date(s) of Agreement

13E. DISCLOSURE OF LICENSE DISCIPLINARY ACTION

Have any of the disclosed licenses listed in question section 13B, 13C, 13D ever been suspended, revoked or cancelled?

Yes No If yes, list in table below. Attach additional pages, if necessary, utilizing the table format below.

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

13F. TERMS OF AGREEMENT

- a. Does the agreement provide for termination by the licensee? Yes No
- b. Will the licensee retain control of the business finances? Yes No
- c. Does the management entity handle the payroll for the business? Yes No

d. Management Term Begin Date e. Management Term End Date

f. How will the management company be compensated by the licensee? (check all that apply)

- \$ per month/year (indicate amount)
- % of alcohol sales (indicate percentage)
- % of overall sales (indicate percentage)
- other (please explain)

ABCC Licensee Officer/LLC Manager

Management Agreement Entity Officer/LLC Manager

Signature:

Signature:

Title:

Title:

Date:

Date:

Exhibit A
Other Beneficial Interests

Name of Licensee	Type of License	License Number	Licensee Name & Address
Global Montello Group Corp.	§15 Package Store	00012-PK-0034	Global Montello Group Corp. d/b/a Alltown Ashburnham 6 Gardner Road, Ashburnham, MA 01430
Global Montello Group Corp.	§15 Package Store	89344-PK-0984	Global Montello Group Corp. d/b/a Alltown Fresh 22 Long Pond Road, Plymouth, MA 02360
Global Montello Group Corp.	§15 Package Store	00023-PK-0596	Global Montello Group Corp. d/b/a Convenience Plus #2750 241 Main Street, Lee, MA 01238
Global Montello Group Corp.	§15 Package Store	00046-PK-0636	Global Montello Group Corp. d/b/a Honey Farms #3829 134 Leominster Shirley Road, Lunenburg, MA 01462
Global Montello Group Corp.	§15 Package Store	00037-PK-0944	Global Montello Group Corp. d/b/a Honey Farms #2759 24 Sutton Avenue, Oxford, MA 01540
Global Montello Group Corp.	§15 Package Store	00044-PK-0932	Global Montello Group Corp. d/b/a Honey Farms #3826 167 Daniel Shays Highway, Orange, MA 01364
Global Montello Group Corp.	§15 Package Store	90022-PK-0394	Global Montello Group Corp. d/b/a Alltown Fitchburg 129 Whalon Street, Fitchburg, MA 01420
Global Montello Group Corp.	§15 Package Store	90047-PK-0544	Global Montello Group Corp. d/b/a Hopkinton Mobil 92 West Main Street, Hopkinton, MA 01748
Drake Petroleum Company, Inc.	§15 Package Store	00033-PK-1248	Drake Petroleum Company, Inc. d/b/a/ Sturbridge Xtra Mart 215 Charlton Road, Sturbridge, MA 01566

Exhibit B
Prior Beneficial Interests

Name of Licensee	Type of License	License Number	Licensee Name & Address
Global Montello Group Corp.	§15 Package Store	00300-PK-0630	Global Montello Group Corp. d/b/a Alltown Lowell 980 Chelmsford Street, Lowell, MA 01851
Global Montello Group Corp.	§15 Package Store	15-1400042	Global Montello Group Corp. d/b/a Alltown Wrentham 1001 South Street, Wrentham, MA 02093
Global Montello Group Corp.	§15 Package Store	0546000006	Global Montello Group Corp. d/b/a/ Mr. Mike's 35 Main Street, Hubbardston, MA 01452
Global Montello Group Corp.	§15 Package Store	89921-PK-0608	Global Montello Group Corp. d/b/a Alltown Leominster 2850 New Lancaster Road, Leominster, MA 01453
Drake Petroleum Company, Inc.	§15 Package Store	00023-PK-1254	Drake Petroleum Company, Inc. d/b/a Sutton Xtra Mart 27 Worcester Providence Turnpike, Sutton, MA 01590
Drake Petroleum Company, Inc.	§15 Package Store	00573-PK-1508	Drake Petroleum Company, Inc. d/b/a Exit 4 Xtra Mart 1181 West Boylston Street, Worcester, MA 01606
Drake Petroleum Company, Inc.	§15 Package Store	00047-PK-0712	Drake Petroleum Company, Inc. d/b/a Millbury Xtra Mart 100 Worcester Providence Turnpike, Millbury, MA 01527
Drake Petroleum Company, Inc.	§15 Package Store	122400019	Drake Petroleum Company, Inc. d/b/a Spencer Xtra Mart 94-96 Main Street, Spencer, MA 01562

Corporate Organizational Structure

Global Partners LP is a publicly traded company (NYSE: *GLP*) acting through its wholly-owned subsidiary, Global Montello Group Corp.



APPLICANT'S STATEMENT

I, Sean T. Geary the: sole proprietor; partner; corporate principal; LLC/LLP manager
Authorized Signatory

of Global Montello Group Corp.
Name of the Entity/Corporation

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

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

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises are in compliance with state and local laws and regulations;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the ownership as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.
- (10) I confirm that the applicant corporation and each individual listed in the ownership section of the application is in good standing with the Massachusetts Department of Revenue and has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.

Signature:

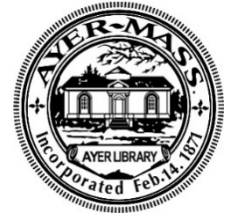


Date:

12/7/2021

Title:

Secretary, VP & Acting General Counsel



**Town of Ayer
Select Board
Department Head Review Summary**

Application for Transfer of existing Wine & Malt Beverages Package Store License and Change of Location from Ayer Beer and Wine, 210D West Main Street to Alltown Fresh, 28 Harvard Road

Department	Comments
Board of Health	No Issues
Department of Public Works	DPW has no issues
Police Department	None at this time
Fire Department	No Fire Department Issues
Building Commissioner/Zoning Enforcement Officer	No Issues
Conservation Commission	No Conservation Issues
Treasurer/Tax Collector	Taxes Current
Town Clerk	No Issues
Assessor's Office	No Comment
Economic & Community Development	Recommend Approval
Town Planner	I support this transfer. I believe the Alltown store is a good location for such license.

From: [William Plunkett](#)
To: [Robert Pontbriand](#); [Carly Antonellis](#)
Subject: ASRSD FY23 Budget Book and Slide Presentation for 2-15-22
Date: Tuesday, February 8, 2022 12:25:41 PM
Attachments: [Ayer FY23 Preliminary ASRSD Budget Presentation 2-15-22.pptx](#)

Hi Robert & Carly,

We wanted to provide our Budget Book and slide presentation in anticipation of our meeting with the BOS and FinCom next Tuesday, February 15, 2022.

Link to budget book:

<https://www.flipsnack.com/asrsd/copy-of-asrsd-fy21-23-capital-plan-12-16-2020/full-view.html>

Presentation is attached.

Thank you,

Bill

William Plunkett
Finance Director
Ayer Shirley Regional School District
115 Washington St.
Ayer MA 01432
(978) 772-8600 ext. 1510
wplunkett@asrsd.org

AYER SHIRLEY REGIONAL SCHOOL DISTRICT

FY 2023 PRELIMINARY BUDGET PRESENTATION TO THE AYER BOS & FINCOM



Tuesday, February 15, 2022

Dr. Adam Renda, Superintendent
William Plunkett, Director of Finance



Our District Vision

Our vision is to connect, **engage, and inspire every student** to reach **academic excellence**. The educators of the Ayer Shirley Regional School District will instill habits of reflection and inquiry that **challenge our students to set ambitious academic and personal goals**. Students will **develop a strong voice** to express thoughts and ideas in the community, the **confidence to showcase their talents**, and academic and personal successes in **preparation for entry into college and the world of work**.



Mrs. Michele Granger, Chair	Mr. James D. Quinty
Mrs. Joyce L. Reischutz, Vice-Chair	Ms. Erica Spann
Mrs. Cheryl Simmons, Secretary	Mr. Christopher Rupprecht

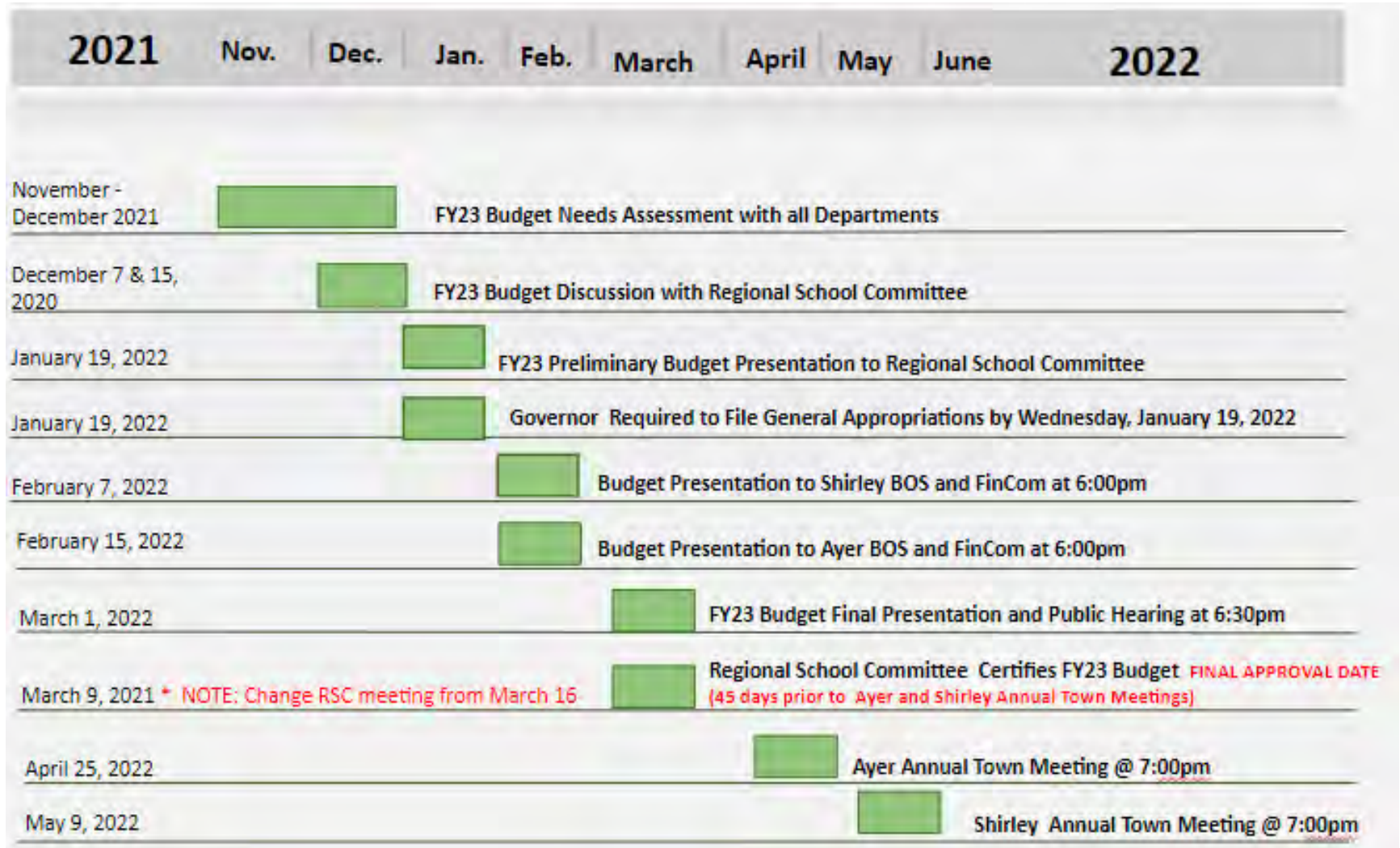
Superintendent of Schools: Dr. Adam Renda

Agenda

- FY23 Budget Presentation
- Assessments
- Questions



FY23 Budget Timeline



District Student Enrollment

FY17-FY22 (October 1 Report)

	FY17	FY18	FY19	FY20	FY21	FY22	Change FY21- FY22	Projected FY23
District Enrollment	1721	1706	1712	1682	1603	1622	+19	1703
Total ASRSD Student Population (includes OOD)	1755 (34)	1738 (32)	1745 (33)	1716 (34)	1638 (35)	1655 (33)	+17	1739 (36)
Ayer Shirley Regional High School	409	409	389	374	357	368	+11	442
Ayer Shirley Regional Middle School	395	370	416	407	410	390	-20	381
Lura A White	389	400	377	343	331	324	-7	333
Page Hilltop	528	527	530	558	505	540	+35	547

Choice Out	FY17	FY18	FY19	FY20	FY21	FY22	Change FY21- FY22	Change FY17- FY22
District	122	124	112	99	110	121	+11	-1

Choice In	FY17	FY18	FY19	FY20	FY21	FY22	Change FY21- FY22	Change FY17- FY22
District	125	126	128	130	118	105	-13	-20*



District Student Enrollment

FY17-FY22 (October 1 Report)

Choice Out

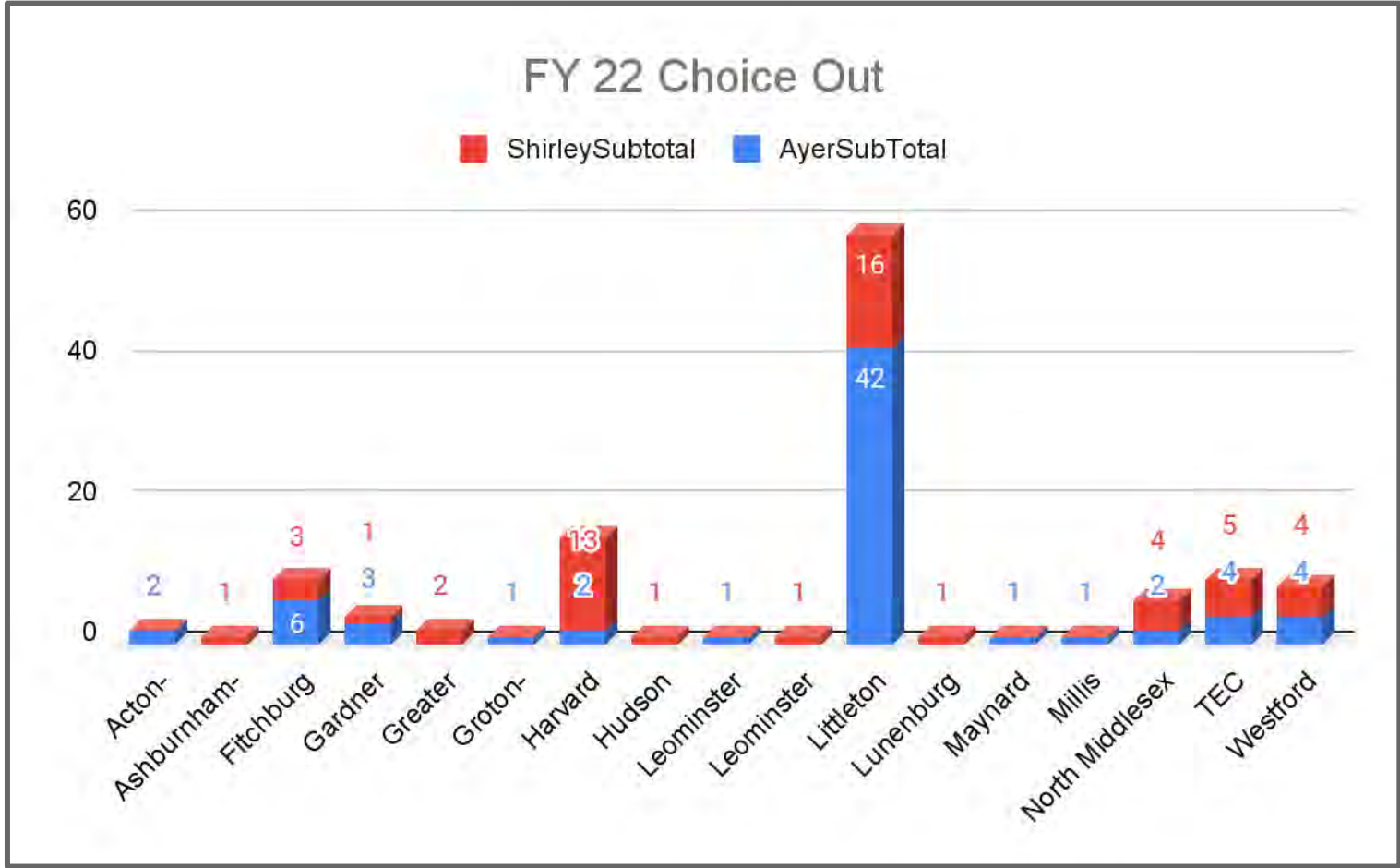
	FY17	FY18	FY19	FY20	FY21	FY22	Change FY21-FY22	Change FY17-FY22
Ayer	66	63	54	49	61	69	+8	+3
Shirley	56	63	58	50	49	52	+3	-4
District	122	126	112	99	110	121	+11	-1

Choice In

Choice In	FY17	FY18	FY19	FY20	FY21	FY22	Change FY21-FY22	Change FY17-FY22
District	125	126	128	130	118	105	-13	-20



District Choice Out



District Student Enrollment

FY17-FY22 (October 1 Report)

Charter

	FY17	FY18	FY19	FY20	FY21	FY22	Change FY21-FY22	Change FY17-FY22
Ayer	38	42	37	37	36	34	-2	-4
Shirley	32	29	29	30	26	25	-1	-7
District	70	71	66	67	62	59	-3	-11

Nashoba Tech

	FY17	FY18	FY19	FY20	FY21	FY22	Change FY21-FY22	Change FY17-FY22
Ayer	48	47	49	54	57	61	+4	+13
Shirley	57	53	50	51	54	49	-5	-8
District	105	100	99	105	111	110	-1	+5



Field Project / NEASC Report



New England Association of
School and Colleges, Inc.

Commission on Public Schools



Commission on Public Schools

Report of the Visiting Team for
Ayer Shirley Regional High School

Ayer, MA

10-24-2021 - 10-27-2021

Mr. Michael Rubin, Chair
Mr. Paul Daigle, Assistant Chair
Spencer Christie, Principal



Enrollment Special Education

Student Enrollment	FY17	FY18	FY19	FY20	FY21	FY22 (Oct1st)
Total District Enrollment	1755	1738	1745	1716	1638	1655
ASRSD Special Education Students	319	292	301	325	317	306
Out of District Special Education Students	34	32	33	34	35*	33*
Total Special Education Student Population	353	324	334	357	352	339
ASRSD Average	18.2%	16.8%	17.2%	20.8%	21.5%	20.5%
State Average	17.4%	17.7%	18.1%	18.4%	18.7%	18.9%
Percent of Special Education Students Out of District	9.6%	9.9%	9.9%	9.5%	9.9%	9.7%
Special Education Students In Out of District Placements from Total Enrollment	1.9%	1.8%	1.9%	2.0%	2.1%	2.0%

* Total out of district students are 38 as of January 5, 2022. Five students have since been outplaced between October 1, 2021, and January 5, 2022.



Enrollment English Learners

*As of October 1, 2021

English Language Enrollment						
	FY17	FY18	FY19	FY20	FY21	FY22
State	9.5%	10.2%	10.5%	10.8%	10.5%	11.0%
District	59 3.4%	56 3.3%	64 3.7%	57 3.4%	58 3.6%	57 3.6%
High School	10 2.4%	8 2.0%	8 2.1%	7 1.9%	8 2.2%	9 2.4%
Middle School	8 2.0%	7 1.9%	14 3.4%	8 2.0%	9 2.2%	6 1.5%
Lura A White	6 1.5%	3 0.8%	8 2.1%	7 2.0%	8 2.4%	3 .93%
Page Hilltop	35 6.7%	38 7.2%	34 6.4%	35 6.3%	33 6.5%	39 7.2%



Special Education Out of District Costs

	FY18	FY19	FY20	FY21	FY22	FY23 Projected
Cost Range Placements Per Year	\$41,675 - \$251,780	\$33,300- \$283,694	\$33,900- \$288,806	\$34,917- \$297,470	\$36,663- \$312,344	\$38,496- \$327,961
Total Cost	\$3,072,698	\$2,844,769	\$2,791,862	\$2,850,692	\$2,935,533	\$3,001,412
	10% of total budget	9% of total budget	8.7% of total budget	8.8% of total budget	8.9% of total budget	8.9% of total budget



FY23 Budget Drivers & Projections

Gen. Fund Revenue		FY22	FY23	Change		
Chapter 70	8,350,691		8,400,431	49,740	0.6%	FY23 Preliminary (\$30 per student)
Charter Reim.	100,000		100,000	0	0.0%	FY21 Final Reimb. = \$130k
Transportation Reim.	400,000		450,000	50,000	12.5%	based on FY22 estimate @ 90%
Medicaid	100,000		120,000	20,000	20.0%	FY21 actual \$177k
Total General Fund Revenue	8,950,691		9,070,431	119,740		
Budget Drivers		FY22	FY23	GF Impact		Detail
Health Ins. Employees	3,540,696		3,717,731	177,035	5.0%	5 % increase
Out of District Tuition	2,285,533		2,285,533	0	0.0%	(\$679k avail. in Circuit Breaker)
Charter Tuition Out	950,000		920,000	(30,000)	-3.2%	FY21 Final \$984,182
SPED Transportation	935,000		935,000	0	0.0%	Level Funded
Regular Transportation	840,815		882,856	42,041	5.0%	Contract up for renewal 7/1/22
Choice Out	700,000		660,000	(40,000)	-5.7%	FY21 Final \$628,955
Middlesex Retirement Assessment	490,917		514,000	23,083	4.7%	FY22 actual
Salary Increase	425,000		525,000	100,000	23.5%	3% on Teachers Schedule = \$600k
Utilities - Electricity	345,808		330,108	(15,700)	-4.5%	Net metering savings
Heating Gas + Oil	292,496		275,495	(17,001)	-5.8%	PHT conversion to gas
Health Ins. Retirees	203,044		203,044	0	0.0%	Level Funded
Salary Lane changes	0		100,000	100,000		New Teacher Salary Columns
Property Insurance	90,000		92,700	2,700	3.0%	3 % increase
Health Offset	48,000		46,000	(2,000)	-4.2%	23 former APS teachers @\$2k each
McKinney Vento Transportation	30,000		30,000	0	0.0%	Level Funded
OPEB Valuation	0		7,210	7,210		Required every 2 years
Total of Selected General Fund Expenditures	11,177,309		11,524,677	347,368		
Rev. Fund Revenue		FY22	FY23	Change		
School Choice	831,508		831,508	0		FY21 actual \$703,592
Circuit Breaker	650,000		679,880	29,880		FY22 reimbursement \$786,093
Revolving Fund Revenue Sub-total:	1,481,508		1,511,388	29,880		

Revenue FY22 – FY23

Source	FY22 Budget	FY23 Proposed Budget	+/-
Chapter 70	\$8,350,691	\$8,400,431	\$49,740
Regional School Transportation	\$400,000	\$450,000	\$50,000
Charter Tuition Reimbursement	\$100,000	\$100,000	\$0
School Choice Receiving Tuition	\$831,508	\$831,508	\$0
Medicaid	\$100,000	\$120,000	\$20,000
Total Estimated Receipts:	\$9,782,199	\$9,901,939	\$119,740
Estimated Charges:			
School Choice Sending Tuition	\$700,000	\$660,000	(\$40,000)
Charter School Sending Tuition	\$950,000	\$920,000	(\$30,000)
Total Estimated Charges:	\$1,650,000	\$1,580,000	(\$70,000)
Receipts Net of Charges:	\$8,132,199	\$8,321,939	\$189,740



History of Regional Budget

	FY19	FY20	FY21	FY22	FY23 Proposed
General Fund	28,322,490	29,710,875	30,594,309	30,063,164	30,855,382
Grants/ Revolving	3,006,596	3,100,935	2,993,423	2,973,676	3,008,956
All Funds	31,603,426	32,811,810	33,587,732	33,036,841	33,864,339
Increase Over Prior Year	2.6%	3.8%	2.4%	-1.64%	2.5%
Excluded Debt	(1,380,779)	(1,378,379)	(1,379,679)	(1,379,579)	(1,382,729)
All Funds (Less Debt)	30,222,647	31,433,431	32,208,053	31,657,262	32,481,610
Increase Over Prior Year	2.7%	4.0%	2.5%	-1.7%	2.6%

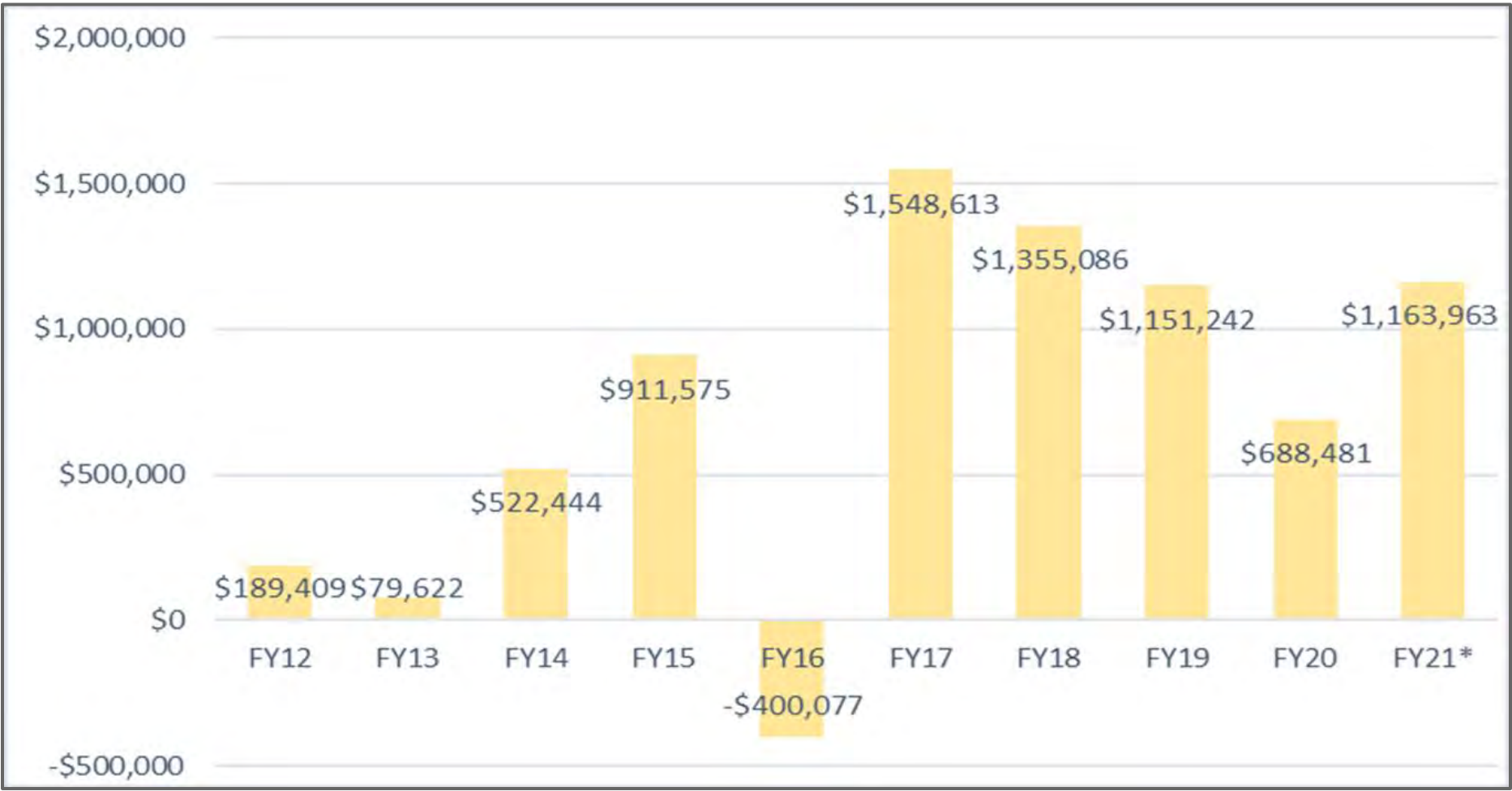


Assessment History FY18-FY23

	FY18	FY19	FY20	FY21	FY22	FY23 Proposed
Assessment (Operating)	17,455,126	18,025,219	18,702,142	19,302,222	19,732,894	20,402,222
Increase	692,140	570,091	676,923	600,081	430,672	669,328
%	4.1%	3.3%	3.75%	3.2%	2.2%	3.4%



ASRSD Excess and Deficiency FY12-FY21



Foundation Enrollment

Shirley	FY19	FY20	FY21	FY22	FY23	5 year Avg.
Foundation Enrollment	785	757	738	713	699	736 43.5%
Required Local Contribution	\$4,678,267	\$4,867,440	\$5,049,741	\$5,145,775	\$5,410,313	
Ayer	FY19	FY20	FY21	FY22	FY23	5 year Avg.
Foundation Enrollment	951	980	972	929	959	956 56.5%
Required Local Contribution	\$7,215,157	\$7,565,796	\$8,013,738	\$8,150,767	\$8,677,592	



ASRSD Foundation Enrollment & Required Local Contribution by Member Town

Massachusetts Department of Elementary and Secondary Education

Office of School Finance

FY23 Chapter 70



Regional District Enrollment and Contributions by Member City or Town

The table below presents the minimum required local contribution for each member to the selected regional district.

Note: A city or town might belong to more than one regional district (e.g., a regional district and a vocational district) and therefore be required to contribute to multiple districts. See the *regional allocation* tab for a full list of minimum required contributions for each city or town.

Foundation enrollments are presented as whole numbers. The change column reflects differences prior to rounding.

616 Ayer Shirley

LEA	Member	Foundation Enrollment in Regional District			Required Minimum Contribution to Regional District		
		FY22	FY23	Change	FY22	FY23	Change
	Total	1,642	1,658	16	13,326,540	14,087,905	761,365
	19 Ayer	929	959	30	8,156,896	8,677,592	520,696
	270 Shirley	713	699	-14	5,169,644	5,410,313	240,669

ASRSD FY23 Chapter 70 Summary

Massachusetts Department of Elementary and Secondary Education

FY23 Chapter 70 Summary

616 Ayer Shirley



Aid Calculation FY23

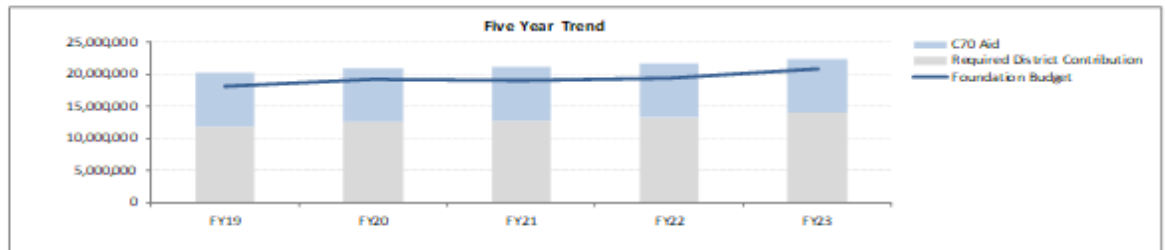
Prior Year Aid	
1 Chapter 70 FY22	8,350,691
Foundation Aid	
2 Foundation budget FY23	20,782,031
3 Required district contribution FY23	14,087,905
4 Foundation aid (2 - 3)	6,694,126
5 Increase over FY22 (4 - 1)	0
Minimum Aid	
6 Minimum \$30 per pupil increase	49,740
7 Minimum aid amount (if line 6 - line 5 > 0, then line 6 - line 5, otherwise 0)	49,740
Subtotal	
8 Sum of 1,5,7	8,400,431
Minimum Aid Adjustment	
9 Minimum aid adjustment	8,400,431
10 Aid adjustment increment (if line 9 - line 8 > 0, then line 9 - line 8, otherwise 0)	0
Non-Operating District Reduction to Foundation	
11 Reduction to foundation	0
FY23 Chapter 70 Aid	
12 Sum of 1,5,7,10 minus 11	8,400,431

Note on Minimum Aid Adjustment on lines 9 and 10:

The minimum aid adjustment is the sum of (a) the greater of foundation aid or base aid determined based on the FY21 base and incremental rates, inflated to FY23, and (b) foundation enrollment multiplied by \$30. The aid adjustment increment (line 10) is the line 9 amount less the line 8 amount if the difference is positive. Otherwise, the increment is zero.

Comparison to FY22

	FY22	FY23	Change	Pct Chg
Enrollment	1,642	1,658	16	0.97%
Foundation budget	19,326,736	20,782,031	1,455,295	7.53%
Required district contribution	13,326,540	14,087,905	761,365	5.71%
Chapter 70 aid	8,350,691	8,400,431	49,740	0.60%
Required net school spending (NSS)	21,677,231	22,488,336	811,105	3.74%
Target aid share	30.88%	29.07%		
C70 % of foundation	43.21%	40.42%		
Required NSS % of foundation	112.16%	108.21%		



Ayer FY23 Chapter 70 Determination of Total Required Contribution

Massachusetts Department of Elementary and Secondary Education

Office of School Finance

FY23 Chapter 70 Determination of City and Town Total Required Contribution



19 Ayer

<u>Effort Goal</u>		<u>FY23 Increments Toward Goal</u>	
1) 2020 equalized valuation	1,414,841,800	13) FY22 required local contribution	8,938,701
2) Uniform property percentage	0.3624%	14) Municipal revenue growth factor (DOR)	5.42%
3) Local effort from property wealth	5,127,091	15) FY23 preliminary contribution (13 raised by 14)	9,423,179
		16) Preliminary contribution pct of foundation (15 / 8)	71.54%
4) 2019 income	316,196,000		
5) Uniform income percentage	1.5242%	<i>If preliminary contribution is above the target share:</i>	
6) Local effort from income	4,819,331	17) Excess local effort (15 - 10)	
		18) 100% reduction toward target (17 x 100%)	
7) Combined effort yield (3 + 6)	9,946,423	19) FY23 required local contribution (15 - 18), capped at 90% of foundation	
		20) Contribution as percentage of foundation (19 / 8)	
8) FY23 Foundation budget	13,171,324		
9) Maximum local contribution (82.5% * 8)	10,866,342	<i>If preliminary contribution is below the target share:</i>	
		21) Shortfall from target local share (10 - 15)	523,244
10) Target local contribution (lesser of 7 or 9)	9,946,423	22) Shortfall percentage (11 - 16)	3.98%
		23) Added increment toward target (13 x 1% or 2%)*	89,387
11) Target local share (10 as % of 8)	75.52%	<i>*1% if shortfall is between 2.5% and 7.5%; 2% if shortfall > 7.5%</i>	
12) Target aid share (100% minus 11)	24.48%	24) Special increment toward 82.5% target**	0
		<i>**if combined effort yield > 175% foundation</i>	
		Combined effort yield as % of foundation	
		25) Shortfall from target after adding increments (10 - 15 - 23 - 24)	433,857
		26) FY23 required local contribution (15 + 23 + 24)	9,512,566
		27) Contribution as percentage of foundation (26 / 8)	72.22%

[See a listing of all 351 communities](#)

Ayer FY23 Chapter 70 Apportionment of Total Required Contribution

Massachusetts Department of Elementary and Secondary Education
Office of School Finance



FY23 Chapter 70 Apportionment of Local Contribution Across School Districts

19 Ayer	Ayer	Ayer Shirley	Nashoba Valley	Combined Total for All Districts
<u>Prior Year Data (for comparison purposes)</u>				
1 FY22 foundation enrollment		929	59	988
2 FY22 foundation budget		10,929,926	1,047,589	11,977,515
3 Each district's share of municipality's combined FY22 foundation		91.25%	8.75%	100.00%
4 FY22 required contribution		8,156,896	781,805	8,938,701
<u>FY23 apportionment of contribution among community's districts</u>				
5 FY23 total unapportioned required contribution ('municipal contribution' tab row 19 or 25)				9,512,566
6 FY23 foundation enrollment		959	61	1,020
7 FY23 foundation budget		12,015,200	1,156,124	13,171,324
8 Each district's share of municipality's total FY23 foundation		91.22%	8.78%	100.00%
9 FY23 Required Contribution		8,677,592	834,974	9,512,566
10 Change FY23 to FY22 (9 - 4)		520,696	53,169	573,865

Proposed ASRSD FY23

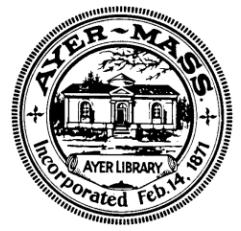
Assessments to Ayer & Shirley

	Operating Assessment	Total	Ayer	Shirley	Formula Source and Shares
1	Required Local Contribution	14,087,905	8,677,592	5,410,313	FY23 Preliminary 1-27-22
2	Net School Spending Above RLC	4,414,605	2,494,252	1,920,353	ASRSD - 56.5/43.5 % allocation
3	Transportation	1,847,856	1,044,039	803,817	ASRSD - 56.5/43.5 % allocation
4	Capital: Interest (Not Excluded)	51,856	28,313	23,543	ASRSD - 54.6/45.4 % allocation (Field Project BAN)
5	Capital - All Other				ASRSD #5 Allocation Method
	Total	20,402,222	12,244,196	8,158,026	
	FY22	19,732,894	11,759,189	7,973,705	
	increase	669,328	485,007	184,321	
		3.4%	4.1%	2.3%	
	Excluded Debt				
4	Capital: Debt Service	1,396,369	889,150	507,219	Calculation on Capital Debt detail page 18
4	Capital: Stab. Fund Withdrawal	(13,640)	0	(13,640)	To be Approved by Shirley Selectmen vote
	Total	1,382,729	889,150	493,579	
	Operating Assessment & Debt	21,784,951	13,133,346	8,651,605	
	FY22	21,112,473	12,670,130	8,442,343	
	increase	672,478	463,216	209,262	
		3.2%	3.7%	2.5%	
	Assessment Element	Basis & Calculation			
1	Required Local Contribution	FY23 from DESE - Based on town income & property value			
2	Net School Spending Above RLC	Foundation Enrollment Share - five year average			
3	Transportation	Foundation Enrollment Share - five year average			
4	Capital: Principal & Interest	50% Found. Enroll. Share and 50% Resid. Enroll. Share MS & HS (Roll. Avg.)			
5	Capital - All Other	Five Yr. Avg. of 50% Found Enroll. Share and 50% Comb. Effort Yield (DESE)			

Questions?



**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: February 11, 2022

TO: Ayer Select Board

FROM: Robert A. Pontbriand
Town Manager

SUBJECT: Town Manager's Report for the February 11, 2022, Ayer Select Board Meeting

Dear Honorable Select Board Members,

I am pleased to transmit to you the following Town Manager's Report for the February 11, 2022, Ayer 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 February 1, 2022.
- I have reviewed, approved, and signed the following Town Warrants since the Select Board last met on February 1, 2022:

Accounts Payable Warrant #22-15 in the amount of \$1,885,753.87 was reviewed, approved, and signed on February 1, 2022.

Payroll Warrant #22-16 in the amount of \$351,754.56 in the amount of \$351,754.56 was reviewed, approved, and signed on February 9, 2022.

FY 2023 Budget Update:

- At the meeting, I will provide a brief update on the FY 2023 Update. Please note that all documents related to the FY 2023 Budget are available on the Town's website at www.ayer.ma.us/budget
- As the Select Board is aware, on Tuesday, March 1, 2022, as part of the Select Board's Meeting, I will provide a specific presentation/update on what will be "DRAFT 2" of the FY 2023 Budget. Part of this presentation on March 1 will include an update/discussion on the recommended uses for Free Cash for FY 2023.
- Additionally, as the Select Board is aware, the date of the Second FY 2023 Budget Public Forum has been rescheduled from March 30 to Wednesday, March 16, 2023, at 6pm on Zoom.

FY 2023 COLA (Cost of Living Adjustment) Recommendation:

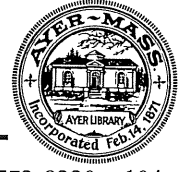
- At the meeting, in accordance with the provisions of the Town's Financial Policies, I will be making a formal recommendation for a FY 2023 Cost of Living Adjustment (COLA) of two percent (2%) for all Non-Union Personnel; Call Firefighters; and Compensated Elected Town Officials effective July 1, 2022, with funding subject to appropriation by Town Meeting.
- This recommendation is based on an analysis of the following resources as set forth by the Town's Financial Policies: Consumer Prices Index (CPI) for the Boston-Cambridge-Newton Area; Federal Reserve Bank of Boston – Economic Update; Responses from a Survey of Neighboring Communities conducted by the Benefits and Payroll Office; Massachusetts Municipal Human Resources Association COLA Survey; Social Security Benefits Analysis; and an analysis of Ayer's Collective Bargaining Agreements which all include a 2% COLA for FY 2023.
- The estimated budgetary impact of this recommendation to the FY 2023 Budget would be \$50,000.
- I will be joined at the meeting by Mr. Kevin Johnston, Benefits and Payroll Manager who conducted the analysis for this recommendation (See attached) to answer any questions that the Select Board may have.

Thank you.

Attachment: Memo: Cost of Livings Adjustment (COLA) for Non-Union Personnel for FY 2023 prepared by Kevin Johnston, Benefits and Payroll Manager (February 10, 2022)

Town of Ayer

Benefits and Payroll Department



1 Main Street – Ayer, Massachusetts - 01432
Kevin A. Johnston, Benefits and Payroll Manager

Tel: (978) 772-8220, x104
Fax: (978) 772-3017

Memorandum

Date: February 10, 2022

To: Robert Pontbriand, Town Manager

From: Kevin A. Johnston *KAS*

Subject: Cost of Living Adjustment (COLA) for Non-Union Personnel for FY 2023

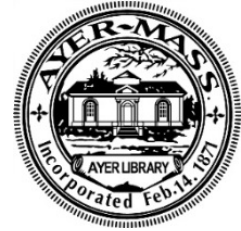
To assist in the annual COLA recommendation for Non-Union Personnel for the FY 2023 budget, I am providing the following information for your consideration:

- The Consumer Price Index (CPI) for the Boston-Cambridge-Newton area has increased 6.3% from one year ago (Bureau of Labor Statistics, New England Consumer Price Index Card, Boston-Cambridge-Newton, February 10, 2022).
- The Federal Reserve Bank of Boston, Monthly Economic Update – State of Massachusetts, lists the Boston CPI increasing 2.1% through December 2021.
- Responses from a survey of neighboring communities conducted by the Benefits and Payroll Office are:
 - 1 community at more than 2% (Harvard)
 - 3 communities at 2% (Groton, Lunenburg, Lancaster)
 - 0 communities less than 2%
- The Massachusetts Municipal Human Resources Association (MMHR) COLA survey of communities through February 10, 2022 includes:
 - 19 communities more than 2%
 - 23 communities at 2%
 - 3 communities less than 2%
- Social Security Benefits are increasing 5.9% in CY 2023.
- Ayer's Collective Bargaining Agreements include 2% COLA adjustments for FY 2023.

I am available to discuss this further and answer any questions at your convenience.

Thank you.

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



Broadcast and Recorded by APAC

Tuesday January 18, 2022
Open Session Meeting Minutes

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

SB Members Absent: Shaun C. Copeland, Chair

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

Call to Order: S. Houde called the meeting to order at 6:01 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. Houde 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: R. Pontbriand asked to table the recognition of Ms. Gabree to the February 1, 2022 meeting.

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

By Roll Call Vote: J. Livingston, aye; S. Houde, aye; **Motion passed 2-0.**

Announcements: S. Houde announced that the first public budget forum will be held on January 26, 2022 at 6:00 PM.

Public Input: James O'Connor, 12A Turtle Hill Road stated that he would like to bring attention the two vacancies on the Finance Committee. He asked interested candidates to forward a letter of interest to him as Town Moderator pursuant to the Town Bylaw. S. Houde stated that as a former member of the Finance Committee that he learned a lot and it was important for the Town have a full committee. J. Livingston stated that her recommendation is to run the notice again with less imitating language. R. Pontbriand is encouraging members to submit a letter of interest to J. O'Connor.

Public Hearing – Application for Flammable and Combustible Liquids, Gases and Solids License (G.L. 148 sec. 13) – ENI Fitchburg Road, LLC., 97 Fitchburg Road: At 6:10 PM J. Livingston opened up the Public Hearing by reading the public hearing notice as advertised in the Lowell Sun on January 10, 2022 and sent to specified abutters. The applicant is seeking a new Flammable and Combustible Liquids, Gases and Solids License for the storage of up to 73, 500 gallons of propane and 165 gallons of methanol pursuant to M.G.L. 148 sec. 13. Jody Ameden and Chris Tymela were in attendance on behalf of the applicants. Ms. Ameden stated that the license is required for any company that has bulk storage of propane and/or methanol on site.

J. Livingston asked whether this was a new or existing facility. J. Ameden stated that it was for a new facility. J. Livingston stated that she deferred to Fire Chief Tim Johnston on the specifics of the application. Chief Johnston stated that they have made several site visits and the applicant has met all requirements of the State Fire Marshal's Office and NFPA 58. In addition, water flows were tested and the flow exceeded what was required.

Sarah Withee, 11 Groton Shirley Road, stated that she submitted some questions prior to the hearing. She stated that she was hoping to learn more about the propane delivery process and asked if the propane and methanol were mixed on site. J. Ameden stated that yes methanol is added to the hose of the propane tanks to prevent freezing. S. Withee then asked about the bobtail trucks arriving with a delivery. J. Ameden stated that bobtails will come in and connect their hoses to the facility to fill their trucks. She stated that drivers monitor the filling process and are trained. S. Withee then asked about the structures located within 600' of the facility. Ms. Withee then asked additional questions regarding a utility easement. S. Withee asked the Fire Chief what the Ayer Fire Department response time would be in responding to an incident. Chief Johnston explained that in February there will be four full time firemen on every 24-hour shift. In addition, if an incident requires additional personnel, the Chief can activate the call department and mutual aid. Chief Johnston mentioned that all fire personnel are trained in valve leaks, etc.

Pauline Conley, 40 Cambridge Street asked the Fire Chief about federal regulations for these types of facilities. She asked if something was not secured what the safety measures were and how would the department know if there was a leak. Chief Johnston stated that the system includes redundant and automatic controls for the facility. He stated that if there was a leak, people would be able to smell it and it report it to 911. J. Ameden stated that the valves are only open when personnel are onsite. Chief Johnston noted that there is another facility double the size of this one currently operating in Town for the past 10 years and there have been zero incidents. P. Conley then asked about truck traffic in the neighborhood of this facility and who will be monitoring it? R. Pontbriand stated that the enforcement agent is the Ayer Police Department. P. Conley asked if any written comments were received by the Town Manager on this issue. R. Pontbriand stated that the Town only received correspondence from Ms. Withee.

Edith Stephen, 93 Groton School Road, stated that there are currently 18 wheelers traveling down Groton Shirley Road. S. Houde stated that we need to enforce our existing restrictions that are in place.

Cheryl Boissy, 63 Snake Hill Road stated that she grew up in Tewksbury at the time of the tank explosion. She asked what kind of safety measures are going to be in place. J. Ameden stated she is very familiar with the incident and that the technology and safety measures have come a long way since the 1970s. Ms. Boissy asked about the abutting properties and where the closest residences were in proximity to the facility. Chief Johnston stated that he thinks that James Brook Way is the closest residential house at about 1,900 feet.

S. Withee asked about the discrepancy with the address. The application says 97 Fitchburg Road and the Planning Board process speaks of 99 Fitchburg Road. C. Antonellis stated that she was in contact with the Building Commissioner and he initially planning on numbering the facility at 97, but then after the Planning Board process switched to 99. S. Withee stated she did not feel comfortable with that answer. S. Withee stated that the numbers do not match up. Chris Tymela said that there was confusion in process, and they are looking for clarification. C. Antonellis stated she met with the Fire Chief, Building Commissioner, and the Town Planner earlier in the day and all confirmed 99.

P. Conley then asked if the Planning Board Chair could speak to the process? C. Antonellis stated that she spoke with Planning Board Chair Geoff Tillotson earlier in the day. G. Tillotson stated that C. Antonellis described the process accurately and that the applicant was very responsive.

Chief Johnston then stated that he was confused because a 99 Fitchburg Road already exists for KTR, a company in the area.

J. Livingston stated that she had a headache over this issue. She is asking for this item to be continued until the next meeting and to make sure the Building Commissioner to be in attendance.

Motion: A motion was made by J. Livingston and seconded by S. Houde to continue the hearing until 6:05 PM on Tuesday February 1, 2022. The meeting will be held on the Town's Zoom platform. **By Roll Call Vote:** J. Livingston, aye; S. Houde, aye; **Motion passed 2-0.**

Susan Copeland, Town Clerk - Opening of the Annual Town Election: Town Clerk Susan Copeland was in attendance requesting that the SB open the Annual Town Election, being held on Tuesday May 10, 2022, to begin the

nomination process. Nomination papers will be available tomorrow until March 18, 2022. She noted that there will also be a question on the Town ballot involving the appointment of a 3-member cemetery commission.

S. Houde stated that the The Annual Town Election will be held on Tuesday, May 10, 2022 from 7am – 8pm in the 2nd Floor Great Hall at 1 Main Street in Ayer, Massachusetts.

Nomination Papers for the following offices are now available as they will appear on the ballot:

Assessor (1)	3-year term	Board of Health (1)	3-year term
Commissioner of Trust Funds (1)	3-year term	Constable (1)	3-year term
Library Trustee (1)	3-year term	Planning Board (1)	3-year term
(1)	1 year term	Moderator (1)	3-year term
Park Commissioner (1)	3-year term	Select Board (1)	3-year term
(1)	1 year term		
Regional School District Committee (1)	3-year term		

Nomination papers can be requested from and submitted to the Town Clerk's Office; 1 Main Street; Ayer, Massachusetts during regular business hours. The last day to request nomination papers is Friday, March 18th, 2022, at 12:00 PM. The last day to submit nomination papers is Tuesday, March 22nd, 2022, at 5:00 PM.

Ayer Town Meeting voted at the October 2021 Fall Town Meeting to authorize the creation of an appointed Cemetery Commission subject to approval by the voters at the next Annual Town Election. The ballot question will read:

Shall the Town vote to have its Select Board appoint a three-member Cemetery Commission? Yes/No

Motion: A motion was made by J. Livingston and seconded by S. Houde to open the nomination process for the Annual Town Election offices and Ballot Question to appear on the ballot as read by the Chair. **By Roll Call Vote:** J. Livingston, aye; S. Houde, aye; **Motion passed 2-0.**

Dan Van Schalkwyk, Director, and Mark Wetzel, Special Project Manager, DPW: *Vote to Authorize Usage of ARPA Funds for Spectacle Pond Water Transmission* – D. Van Schalkwyk reported that the Capital Planning Committee met on December 15, 2021, discussed the funding request for the Spectacle Pond Water Transmission Main Project and passed a motion requesting the Select Board utilize American Rescue Plan Act (ARPA) funds. There are corrosion issues in the line, which need to be resolved as soon as possible. The estimated cost for repair is approximately \$600,000. ARPA funds can be used for water, wastewater infrastructure projects. The Select Board has already authorized \$700,000 in ARPA funding for the Westford Road Sewer Replacement. Ayer will receive a total of \$2.4 M in funding.

S. Houde stated that the Capital Planning Committee looked at the use of ARPA funding because it fit within the scope of use of ARPA funds. He stated that with the size of the project and the immediate need for funding, the use of ARPA funding made the most sense.

Motion: A motion was made by J. Livingston and seconded by S. Houde to authorize up to \$600,000 in ARPA funds for the Spectacle Pond Water Transmission Main Project. **By Roll Call Vote:** J. Livingston, aye; S. Houde, aye. **Motion passed 2-0.**

Ayer Tree Inventory and Management Plan – M. Wetzel gave a presentation on the 2021 Tree Inventory Analysis and Management Plan. Half of the funding for the plan was awarded via grant from Mass. Dept. of Conservation and Recreation. The Davey Resource Group conducted the work associated with the study. They did an inventory/assessment of all Town maintained trees, such as in road rights-of-way, public parks and at public buildings. They have prepared a management plan for prioritizing tree maintenance and planning. The 10 year estimated cost for implementing the management plan is about \$1.4M, which includes hazard tree removals, stump removals, pruning, routine inspections and planting. For FY '23 he is proposing the total budget should be in the \$65,000 range

with \$15,000 coming from the YouthWorks budget. He will further refine the figures with the Town Manager and Finance Manager.

Opening of the April 25, 2022 Annual Town Meeting Warrant: R. Pontbriand is requesting that the Select Board open the Warrant for the April 25, 2022 Annual Town Meeting. All warrant articles and citizen's petitions will be due by 12:00 PM on Friday April 1, 2022.

Motion: A motion was made by J. Livingston and seconded by S. Houde to open the Annual Town Meeting Warrant for the Annual Town Meeting on April 25, 2022. **By Roll Call Vote:** J. Livingston, aye; S. Houde, aye. **Motion passed 2-0.**

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.

Appointments – Ayer Housing Authority Tenant Board – R. Pontbriand is recommending that the SB appoint Mr. Roger Martel as the Ayer Housing Authotiyu Tenant Member for a term to expire May 2026.

Motion: A motion was made by S. Houde and seconded by J. Livingston to appoint Mr. Roger Martel as the Tenant Board Member to the Ayer Housing Authority, term to expires May 2026. **By Roll Call Vote:** J. Livingston, aye; S. Houde, aye; **Motion passed 2-0.**

FY 23 Budget Update – R. Pontbriand stated that the first budget public forum will be held on Wednesday January 26, 2022. He noted that the budget is a process and is subject to change.

Wild and Scenic River Update Report – R. Pontbriand stated that at the request of the Nashua River Wild & Scenic Stewardship Council and the Town's representative to the Stewardship Council, Ms. Beth Suedmeyer, he was asked to provide a brief update to the Select Board regarding the recent activities of the Stewardship Council which includes their Community Grants Program. He referenced a memo in the packet highlighting some of the accomplishments of the Nashua, Squannacook, and Nissitissit River Wild & Scenic Stewardship Council.

Recommendation of Capital Planning Committee – UDAG Funds for Depot Square – R. Pontbriand stated that at the December 15, 2021, Capital Planning Committee, the Committee agreed to recommend the FY 2023 Request for the Completion of Depot Square be referred to the Select Board for funding to come from the Town's UDAG Funds. He noted that the rationale behind having this request funded by UDAG is that the project speaks to the true intent of the UDAG Funds which are to be used for Economic Development/Infrastructure Projects; there are potential supply chain delays and shortages for some of the components of this project which could negatively impact the targeted completion date of September 1, 2022. He is requesting that the SB vote to authorize \$65,000 for the Completion of Depot Square from the Town's UDAG Funds. S. Houde added that the funding would go towards purchasing the waiting shelter, trash receptacles, benches and landscaping.

P. Conley, 40 Cambridge Street stated she would like the Select Board to review the costs of the trash receptacles and benches at \$900+ each. She is suggested the *Big Belly* Trash Cans for Depot Square. C. Antonellis stated that the price proposals came from DPW, and they will continue to look at costs.

Motion: A motion was made by J. Livingston and seconded by S. Houde to authorize up to \$65,000 in UDAG funding for the completion of Depot Square as recommended by the Capital Planning Committee. **By Roll Call Vote:** J. Livingston, aye; S. Houde, aye. **Motion passed 2-0.**

New Business/Selectmen's Questions: *Initial Discussion on Town's 5-Year Capital Plan and Future Debt Exclusion Projects (Select Board Member S. Houde):* S. Houde stated he wanted to start some initial discussions on the 5-year capital plan and future debt exclusions. He stated that his concern is that projects that would trigger a debt exclusion are often pushed down the road a year. He would like to plan out larger expenditures and coordinate with the school district about the rehab/replacement of the elementary school.

Approval of Meeting Minutes:

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve the meeting minutes from December 21, 2021. **By Roll Call Vote:** J. Livingston, aye; S. Houde, aye. **Motion passed 2-0.**

Adjournment: A motion was made by J. Livingston and seconded by S. Houde to adjourn at 7:46 PM. **By Roll Call Vote:** J. Livingston, aye; S. Houde, aye. **Motion passed 2-0.**

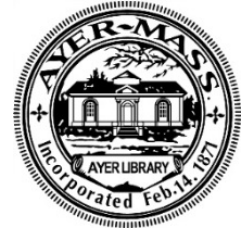
Minutes Recorded and Submitted by Carly M. Antonellis, Assistant Town Manager

Date Minutes Approved by SB: _____

Signature Indicating Approval: _____

DRAFT

Town of Ayer
Joint Meeting of the Ayer Select Board and
Ayer Finance Committee
Ayer Town Hall – 1st Floor Meeting Room
Ayer, MA 01432



Broadcast and Recorded by APAC

Tuesday January 26, 2022
Open Session Meeting Minutes

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

Fin Com Remotely Present: Patrick Diamond, Chair; Mark Smith, Vice-Chair; Lou Conrad

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

SB Call to Order: S. Copeland called the meeting to order at 6:00 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.

Fin Com Call to Order: P. Diamond called the Finance Committee to order at 6:01 PM.

First FY '23 Budget Public Presentation: R. Pontbriand thanked both boards for their attendance and noted that all department heads were in attendance. He will be using two documents this evening, the FY '23 DRAFT #1 budget (posted on website) and a Power Point Presentation that will be posted on the website following this presentation. R. Pontbriand reviewed the annual budget process. He presented several of the Town of Ayer's budget successes, such as the 2021 Free Cash Balance at \$2,528,927; the 2021 Stabilization Fund Balance at \$2,684,322; the Capital Stabilization Fund Balance at \$2,787,812 and the growth of the unused levy capacity from \$2,449 in FY '12 to \$3,491,202 in FY '23.

R. Pontbriand stated that DRAFT #1 does not include the school assessments, nor the costs of the union contracts, not the COLA for non-union staff. The total increase over last year at this point in the process is 4.22%. He noted that there are 4 new proposed positions in the budget: Town Social Worker, DPW Junior Engineer, Benefits Specialist/Administrative Support and Planning & Conservation Administration. There is also a requested increase for additional Code Enforcement hours and about \$100,000 in additional wages for the Fire Department, not covered by the SAFER grant. There will be a reduction in debt service by \$324,000 and due to the reorganization of the Benefits and Payroll office, there will be about \$26,000 in savings.

R. Pontbriand presented a Wage and Expense analysis, noting that wages and benefits make up about 75% of the omnibus budget. 81% percent of the Town's revenue comes from the tax levy and about 2.7% comes from state aid. R. Pontbriand urged residents to visit the Town's budget webpage at ayer.ma.us/budget.

J. Livingston stated that it was a beautiful presentation and noted that all contact information was listed on the Town's website. S. Houde asked about the consulting services increase in the Assessor's Department. Town Assessing Administrator Tom Hogan said that he will be retiring within the next year and the Town will then need to contract out for valuation services. S. Houde asked about the amount in the Reserve Fund being at \$300,000. R. Pontbriand stated that he and the Finance Manager made a recommendation, but the decision will ultimately rest with the Finance Committee.

S. Copeland asked about the \$96,000 in additional funding for the Fire Department not covered by the SAFER Grant. Chief Johnston stated that shift coverage for personnel taking vacation, personal time, is not covered by the Grant resulting in the needed increase.

L. Conrad asked what the staff turnover has been in the past year and if we were retaining the staff we want to retain. R. Pontbriand stated that the Town has a very good record of retaining personnel, but that we are in a unique position with several key department heads retiring. R. Pontbriand also noted the difficult job market whereby the Town has to go out for advertising 2-3 times per job posting, which was not the case in the past.

Pauline Conley, 40 Cambridge Street asked P. Diamond when the Finance Committee would be meeting with departments to review their budgets. P. Diamond stated that he already went through that process. P. Conley asked if these meetings had been done in public session. P. Diamond stated that all Finance Committee meetings are public, open meetings. P. Conley asked about the difficult job market and finding replacements for the expected retirees and how many of those retiring would be coming back as consultants. R. Pontbriand stated Mr. Wetzel has stayed on in the DPW until the end of April to do special projects. He stated that he has not received all formal retirement requests but that there may be opportunity to keep people on in a parttime basis, which will be looked at for each position. P. Conley asked if there would be an update by Town Meeting on whether the Town has hired replacements or fund for consultants. R. Pontbriand stated for the known positions, whether it was replacement positions or consulting arrangements, he would update and budget accordingly. P. Conley then asked the SB to add another budget presentation since the next one scheduled is the day prior to the warrant closing. She then asked what the Executive Bi-Board was and who was on it. R. Pontbriand stated that the Bi-Board was an advisory group who looks at the budget and financial manners. The Bi-Board is subject to the Open Meeting Law and Public Records Law. The following individuals are on the Committee: The Chair and Vice-Chair of the Finance Committee, a Select Board member, Town Manager, Finance Manager, Treasurer/Tax Collector and Assistant Town Manager.

Fred Meshna, 21 Prospect Street asked if the new playground was included in the budget this year. R. Pontbriand stated that Capital Planning Committee recommended putting forth up to \$320,000 for the project. The remaining funding, \$300,000, is pending before the Community Preservation Committee.

R. Pontbriand asked Chief Johnston to explain why the Department pursued the SAFER grant. T. Johnston stated that the need for additional firefighters has been an ongoing discussion for several years. There were several significant fires, growth of the town and an increase in the number of calls. He noted that the shift personnel have not changed since 1998. The SAFER (Staffing for Adequate Fire and Emergency Response) Grant, through FEMA, will pay for the costs of four new firefighters for three years. He noted that this would be in accordance NFPA 1720 and 1710 standards, which promotes the most efficient and safest response. Chief Johnston stated that maintaining a Call Fire Department has been challenging over the past several years. L. Conrad stated he was concerned about when the grant ends in three years, who would pay the cost. R. Pontbriand stated that in year 4, the Town owns those positions. He is proposing earmarking funding over the next three years to help offset the costs in year 4.

Fin Com Adjournment: A motion was made by M. Smith and seconded by L. Conrad to adjourn at 7:01 PM. **By Roll Call Vote:** P. Diamond, aye; M. Smith, aye; L. Conrad, aye. **Motion passed 3-0.**

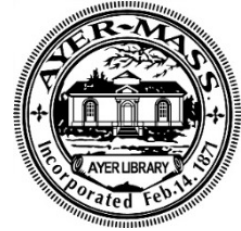
SB Adjournment: A motion was made by J. Livingston and seconded by S. Houde to adjourn at 7:02 PM. **By Roll Call Vote:** S. Copeland, aye; J. Livingston, aye; S. Houde, aye. **Motion passed 3-0.**

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

Tuesday February 1, 2022
Open Session Meeting Minutes

SB Remotely Present: Shaun C. Copeland, Chair, 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 6:01 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 S. Houde and seconded by J. Livingston to approve the meeting agenda. **By Roll Call**

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

Announcements: S. Copeland announced that the DPW will be performing snow removal operations on Main Street beginning at 10:00 PM on Wednesday, February 2nd. He also thanked DPW staff for a job well done during the latest snowstorm.

Public Input: None

Continued Public Hearing – Application for Flammable and Combustible Liquids, Gases and Solids License (G.L. 148 sec. 13) – ENI Fitchburg Road, LLC., 97 Fitchburg Road: S. Copeland reopened the public hearing at 6:05 PM. Building Commissioner Charlie Shultz stated that the assigned business address will be 97 Fitchburg Road when the sale takes place. He made a mistake in reporting the street address to the Assistant Town Manager. C. Shultz recommending using the parcel ID in the future.

Pauline Conley, 40 Cambridge Street asked for follow-up after the November 23, 2021 Planning Board meeting in which a company representative stated that there would be 6 employees on site at a time because at the last SB hearing it was called an unmanned facility. Jody Ameden, from ENI stated that it is an unmanned facility but there will be personnel such as drivers, technicians, in and out of the facility. P. Conley then asked how the site would be secured at 7:00 PM? Jody Ameden stated the facility will be locked at all times, except for authorized personnel. P. Conley stated that the lot size is misrepresented on the zoning map and asked Building Commissioner Shultz how it would affect the permit issuing. C. Shultz stated that in the Zoning Book it says 120,000 sq. ft. for industrial and the Planning Board found a mistake whereby it was supposed to be listed as 20,000 sq. ft. The Planning Board will be recommending a correction at the next Town Meeting. C. Shultz stated that they would still fit within current zoning because the lot size will exceed 120,000 sq. ft.

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve the application for flammable, combustible, liquids, gases and solids pursuant to MGL c. 148 sec. 13 for ENI Fitchburg Road, 97 Fitchburg Road. **By Roll Call Vote:** S. Copeland, aye; J. Livingston, aye; S. Houde, aye. **Motion passed 3-0.**

Motion: A motion was made by J. Livingston and seconded by S. Houde to close the Public Hearing at 6:13 PM. **By Roll Call Vote:** S. Copeland, aye; J. Livingston, aye; S. Houde, aye. **Motion passed 3-0.**

Dan Van Schalkwyk, Director, DPW: *Main Street TIP Project Update and Request for Letter of Support* – D. Van Schalkwyk was in attendance requesting a letter of support from the Select Board for the Main Street TIP project. He stated that based on internal design meetings with Town officials and our engineering consultant, the preferred street design is for wider sidewalks with shared bike lanes as opposed to narrow sidewalks with dedicated bike lanes. Bike lanes are a standard of MassDOT for projects to be eligible for funding. The wider sidewalks are very helpful to the downtown economy. D. Van Schalkwyk presented a diagram which is a cross section of Main Street with the different lane and sidewalk widths. SB members agreed with the Shared Bicycle accommodation to allow for larger sidewalks. J. Livingston asked if there would be a rumble strip or any other indicators for the Shared Lane. D. Van Schalkwyk stated that traffic calming measures will be included. After the 25% design is complete, a public hearing will be held for public input.

Pauline Conley, 40 Cambridge Street asked about the public process. Sara Withee, 11 Groton Shirley Road asked about the timing of the TIP funding. R. Pontbriand stated that \$250,000 was authorized by the 2019 Annual Town Meeting.

Motion: A motion was made by S. Houde and seconded by J. Livingston to draft and approve a letter of support for the Main Street TIP process. **By Roll Call Vote:** J. Livingston, aye; S. Houde, aye; S. Copeland, aye. **Motion passed 3-0.**

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 noted that there have been several promotions and new hires in the Police, Fire and Dept. of Public Works. He would like to bring the new hires to a meeting to meet the SB in the future. R. Pontbriand stated that the Ayer Shirley Regional School District will be joining the SB on Tuesday February 15, 2022 to present their FY '23 budget. The Nashoba Valley Technical High School budget will be released on February 11, 2022.

FY 23 Budget Update – R. Pontbriand asked that the SB move the 2nd budget presentation forum on March 30, 2022, to March 16, 2022, at 6:00 PM. He will also be presenting a DRAFT # 2 of the budget on March 1, 2022.

Motion: A motion was made by J. Livingston and seconded by S. Houde to move the 2nd public budget forum to March 16, 2022 at 6:00 PM and to do a DRAFT #2 update of the budget at the March 1, 2022 meeting. **By Roll Call Vote:** S. Copeland, aye; J. Livingston, aye; S. Houde, aye. **Motion passed 3-0.**

R. Pontbriand asked the SB if there were any questions on the budget at this point. There were none. R. Pontbriand stated after the Bi-Board meets next week, he will have a recommendation for the uses of free cash and an update on hiring a consultant for the ARPA funds.

New Business/Selectmen's Questions: *FY '23 Capital Plan Update (Select Board Member S. Houde):* S. Houde presented a matrix of the FY '23 capital budget requests. He noted that the Capital Planning Committee did two rounds of votes for all requests. R. Pontbriand thanked S. Houde for putting together the document.

J. Livingston asked for an update on the West Main Street Bridge at an upcoming meeting, potentially in March of 2022.

Adjournment: A motion was made by J. Livingston and seconded by S. Houde to adjourn at 6:52 PM. **By Roll Call Vote:** J. Livingston, aye; S. Houde, aye. **Motion passed 3-0.**

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

Date Minutes Approved by SB: _____

Signature Indicating Approval: _____