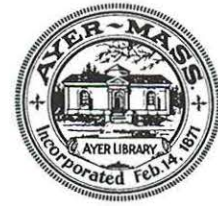


RECEIVED
JAN 29 2021

TOWN OF AYER
TOWN CLERK

10:30am
Marian Copeland

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



Tuesday February 2, 2021 – 6:00 PM Open Session
Open Session Remote Participation Meeting Agenda

Due to the ongoing COVID-19 Pandemic, Governor Baker issued an Emergency Order Temporarily Suspending Certain Provisions of the Open Meeting Law. Public bodies otherwise governed by the OML are temporarily relieved from the requirement that meetings be held in public places, open and physically accessible to the public, so long as measures are taken to ensure public access to the bodies' deliberations "through adequate, alternative means." This meeting will be broadcast live on Channel 8, and on Zoom. The public may participate remotely by following the call-in information on the bottom of the live broadcast screen. For the Zoom meeting information relating to remote participation, please contact Cindy Knox, IT Director at cknox@ayer.ma.us or 978-772-8220 x123 or Carly Antonellis, Assistant Town Manager at atm@ayer.ma.us or 978-772-8220 x100 prior to the meeting.

6:00 PM

Call to Order

Pledge of Allegiance; Review and Approve Agenda; Announcements

Public Input

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

6:05 PM*

Treasurer/Tax Collector Barbara Tierney

1. Approval of Massachusetts Clean Water Trust Loan #DWP-20-04

6:10 PM

Town Manager's Report

1. Administrative Update/Review of Town Warrant(s)
2. COVID-19 Update
3. FY '22 Budget Update
4. ABCC Seasonal Population Estimate

6:20 PM

New Business/Selectmen's Questions

1. Rate Review Committee Update (Select Board Member Livingston)

6:25 PM

Approval of Meeting Minutes

January 19, 2021

6:30 PM

Executive Session Pursuant to MGL 30A, sec. 21A:

Exemption#2 (Non-Union Negotiations) Deputy Fire Chief Contract

Adjournment

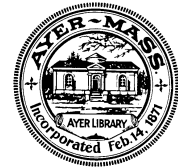
**Agenda times are for planning purposes only and do not necessarily constitute exact time.*

The SB will meet remotely in a Joint Session with the Ayer Shirley Regional School Committee on Tuesday February 9, 2021 at 6:00 PM relating to the FY '22 School Budget.

The next Select Board Meeting will be held remotely on Tuesday February 16, 2021

Town of Ayer

Treasurer/Tax Collectors Office



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

Tel: (978) 772-8209
Fax: (978) 772-3017
Email: TAX@Ayer.ma.us

MEMORANDUM

DATE: January 28, 2021

TO: Robert Pontbriand, Town Manager

FROM: Barbara Tierney, *CMMT*, Treasurer/Tax Collector

SUBJECT: Spectacle Pond Water Treatment Plant, PFAS Treatment Facilities

The Town of Ayer successfully qualified to receive a Massachusetts Clean Water Trust loan #DWP-20-04, for the purpose of improving the Spectacle Pond Wellfield and implementing PFAS Treatment.

The Town authorized the borrowing of \$6,052,983.00 as follows:

- 10/28/2019 – Article 2 for \$3,570,000.00 of which \$2,812,983.00 is being voted.
- 06/15/2020 – Article 11 for \$2,630,000.00 and
- 10/26/2020 – Article 5 for \$610,000.00

This vote is to authorize an interim Loan during the construction at a rate of 0% and the issue of 20-year bonds at completion of construction at a rate of 0%, excluding loan origination and administration fees.

The vote for the Select Board's consideration and approval is attached.

VOTE OF THE SELECT BOARD

I, the Clerk of the Select Board of the Town of Ayer, Massachusetts, certify that at a meeting of the board held February 2, 2021, of which meeting all members of the board were duly notified and at which a quorum was present, the following vote was passed, all of which appears upon the official record of the board in my custody:

- VOTED:
- (1) that the Town shall issue a bond or bonds in an aggregate principal amount not to exceed \$6,052,983 (the “Bonds”) pursuant to Chapters 29C and 44 of the General Laws, of which \$2,812,983 is under a vote of the Town passed October 28, 2019 (Article 2), which authorized a total borrowing of \$3,570,000; \$2,630,000 is under a vote of the Town passed June 15, 2020 (Article 11), which authorized a total borrowing of \$2,630,000; and \$610,000 is under a vote of the Town passed October 26, 2020 (Article 5), which authorized a total borrowing of \$610,000, for the drinking water project identified in such votes (the “Project”);
 - (2) that in anticipation of the issuance of the Bonds the Treasurer is authorized to issue an interim loan note or notes (the “Notes”) from time to time in an aggregate principal amount not to exceed \$6,052,983;
 - (3) that each Bond or Note shall be issued as a single registered security, and sold to the Massachusetts Clean Water Trust (the “Trust”) at a price determined pursuant to the Financing Agreement;
 - (4) that the Treasurer is authorized to determine the date, the form, the maximum interest rate and the principal maturities of each Bond and Note, and to execute a Financing Agreement (or Agreements) with the Trust with respect to the sale of the Bonds and Notes, such date, form and maturities and the specific interest rate or rates of the Bonds and Notes to be approved by a majority of the Select Board and the Treasurer and evidenced by their execution of the Bonds or Notes;
 - (5) that all action taken to date by the Town and its officers and agents to carry out the Project and its financing, including the execution of any loan commitment or agreement by the Treasurer, are hereby ratified, approved and confirmed; and
 - (6) that the Treasurer and the other appropriate Town officials are each hereby authorized to take any and all actions necessary or convenient to carry out the provisions of this vote, including execution and delivery of the Financing Agreement(s) and the Project Regulatory Agreement(s) relating to the Project.

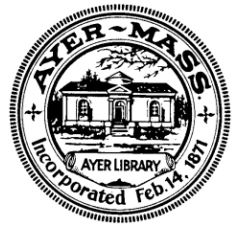
I further certify that the vote was adopted at a meeting open to the public, that no vote was taken by secret ballot, that notice stating the place, date, time and agenda of the meeting (which agenda included the adoption of the above vote) was filed with the Town Clerk and a copy thereof posted in a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

Dated: February 2, 2021

Clerk of the Select Board

COPY

**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: January 29, 2021

TO: Ayer Select Board

FROM: Robert A. Pontbriand
Town Manager

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

Dear Honorable Select Board,

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

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

Accounts Payable Warrant #21-14 in the amount of \$426,909.57 was reviewed, approved, and signed on January 19, 2021.

Payroll Warrant #21-15 in the amount of \$331,335.98 was reviewed, approved, and signed on January 26, 2021.

COVID-19 Update:

- I will provide a brief COVID-19 Update at the meeting of the Town's ongoing COVID-19 preparedness efforts.

FY 2022 Budget Update:

- I will provide a brief FY 2022 Budget Update at the meeting.

ABCC Seasonal Population Estimate:

- The ABCC requires the Town to submit an Annual Population Estimate Form (See attached). This typically affects destination cities and towns, found on Cape Cod or the Berkshires whose populations temporarily increase in the summer and fall seasons. Ayer's seasonal population will remain the same at 7519. The Select Board is respectfully requested to vote to approve the ABCC Annual Population Estimate Form with signature by the Select Board.

Attachment: ABCC Annual Population Estimate Form

COMMONWEALTH OF MASSACHUSETTS
ALCOHOLIC BEVERAGES CONTROL
COMMISSION

95 Fourth Street, Suite 3, Chelsea, MA 02150

2021 Seasonal Population Increase Estimation Form

City / Town:

Date:

Alcoholic Beverages Control Commission
c/o Licensing Department
95 Fourth Street, Suite 3
Chelsea, MA 02150

To Whom It May Concern:

Acting under authority contained in M.G.L. Ch. 138, s17, as amended, our Board at a meeting held on

Date of Meeting

, estimated that the temporary increased resident population

of

City / Town Name

, as of July 10, 2021 will be

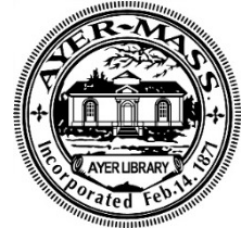
Estimated Population

This estimate was made and voted upon by us at a meeting called for the purpose, after due notice to each of the members of the time, place and purpose of said meeting, and after investigation and ascertainment by us of all the facts and after cooperative discussion and deliberation. The estimate is true to the best of our knowledge and belief.

The above statements are made under the pains and penalties of perjury.

Very truly yours,
Local Licensing Authorities

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



Broadcast and Recorded by APAC

Tuesday January 19, 2021
Open Session Meeting Minutes

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

Also Present: Robert A. Pontbriand, Town Manager
Carly M. Antonellis, Assistant Town Manager
Both Via Remote Participation

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

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

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

Announcements: S. Copeland announced that the First FY '22 Budget Presentation to the SB and Finance Committee will be held remotely on Wednesday January 27, 2021 at 6:00 PM. Finance Forums

Approval of Meeting Agenda:

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

Public Input: D. Bodurtha, 28 Coolidge Road asked if there was a traffic study done by the Town of Ayer relating to an upcoming project at the Indian Music Hall in Groton. R. Pontbriand reported that he would look into the issue further.

Recognition of Assessors Office for Data Conversion: S. Copeland read the following letter into the record from Board of Assessors Chair John Kilcommins:

On behalf of the entire Board of Assessors, I would like to express our sincere admiration for the amazing efforts put in by Assessing Administrator Tom Hogan and Assessing Department Assistant Jacquelyn Guthrie on their successful conversion of Ayer's entire real estate database. The Assessing Department's internal audit of the conversion to Tyler Technologies' iasWorld Appraisal Solution has received final approval from the Bureau of Local Assessment. Out of the 40 Massachusetts communities participating in this process Ayer is one of the few to have received this approval. This conversion, lasting over 18 months, involved a considerable amount of work. In FY20 both the legacy system, CSC, and iasWorld Appraisal Solution were run in parallel. For FY21 the town has moved to iasWorld Appraisals while all ongoing Assessing Department functions continued without interruption. Thank you to Tom and Jacquelyn for all of their hard work and diligence.

Superintendent Mark Wetzel, DPW: *Street Opening and Driveway/Accessway Permit Regulations* – The SB received a presentation from the DPW Superintendent on the proposed Street Opening and

Driveway/Accessway Permit Regulations. These regulations will be available on the Town's website at www.ayer.ma.us for public review and input. The public should direct any questions/input to the DPW Superintendent at mwetzels@ayer.ma.us or at 978-772-8240. The SB will vote to adopt at a future meeting after the public input period.

Beth Suedmeyer, Committee Member, Wild and Scenic River Stewardship Committee: *Update on Wild and Scenic River Stewardship Committee* – B. Suedmeyer gave a brief update to the SB. She stated since its formation, the Stewardship Council has organized itself through adoption of Bylaws and supplemental Policies and Procedures; designated the NRWA as its fiscal agent; and adopted a budget and work plan. The Council is working on a variety of projects including some of the following: Canoe Access Assessments, Shoreline Surveys, and Riparian Land Management Educational Brochures.

Town Clerk Susan Copeland: *Approval of Annual Town Election Warrant* – The SB was joined by Town Clerk Susan Copeland. to officially call the 2021 Annual Town Election to be held on May 11, 2021 from 7:00 AM – 8:00 PM in the Auditorium of the Ayer Town Hall.

Motion: A motion was made by S. Copeland and seconded by J. Livingston to Call the Annual Town Election for Tuesday, May 11, 2021 to be held at the Ayer Town Hall, 2nd Floor Great Hall from 7am – 8pm. Warrant with the following open positions: *Assessor (1) 3 year term, (1) 2 year term; Board of Health (1) 3 year term; Commissioner of Trust Funds (1) 3 year term; Constable (1) 3 year term; Housing Authority (1) 5 year term; Library Trustee (3) 3 year term; Park Commissioner (2) 3 year term; Planning Board (2) 3 year term; Regional School District Committee (1) 3 year term; Select Board (1) 3 year term; Moderator (1) 1 year term.* The last day to request nomination papers is Friday, March 19th, 2021, at 12:00 PM. The last day to submit nomination papers is Monday, March 22nd, 2021, at 4:00 PM. **Roll Call:** S. Copeland, aye; S. Houde, aye; J. Livingston, aye. **Motion passed by Roll Call Vote 3-0.**

Annual Election Update – Town Clerk Susan Copeland then gave the SB an overview of the nomination paper process and obtaining signatures during the COVID-19 pandemic.

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 stated that the main focus of the Administration is preparing for next week's budget forum. He also stated that various Town Departments are focusing on the implementation of the recently awarded Massworks grant.

COVID-19 Update – R. Pontbriand reported that things are mainly status quo and the Town of Ayer is listed as red on the State's COVID-19 map. He stated that the Town continues to follow best practices and is looking forward to more information relating to the vaccine. He reported that Fire Department personnel are doing testing for Town employees and that the Nashoba Associated Boards of Health will be holding a vaccine clinic for first responders.

FY '22 Budget Update – R. Pontbriand reported that the Finance Committee and the SB have the first version of the FY '22 budget. He stated that he will be giving a very high-level introduction to the budget at the 1/27/21 forum. He and the Finance Manager continue to review the budget to look for additional efficiencies. He noted that the Nashoba Tech Assessment will be available Feb. 5, 2021 and the Ayer Shirley Regional School District assessment will be available Feb. 9, 2021.

Request to Increase Reserve Fund for FY '22 – R. Pontbriand, Finance Manager Lisa Gabree, and the SB discussed increasing the Town's reserve fund in FY '22 due to the COVID-19 pandemic. This will allow the Town to address the unforeseen impacts of COVID-19 if they arise. S. Houde noted that this would allow the Town to rely less on the UDAG account and noted that it is a good policy to be proactive.

Extension of Family First Corona Relief Act – R. Pontbriand was joined by Benefits and Payroll Director Kevin Johnston. K. Johnston stated that The Families First Coronavirus Response Act (FFCRA) mandate to provide Emergency Paid Sick Leave for employees with a COVID-19 diagnosis or exposure and Expanded Family and Medical Leave to employees with dependent children whose school or place of day care is closed due to COVID-19 expired on December 31, 2020. The federal Consolidated Appropriations Act (CCA) approved in December 2020 includes a provision for the employer to voluntarily extend both the EPSL and EFML benefits through March 31, 2021. He noted there is no increase in the EPSL or the EMFL benefits; the voluntary extension provides an additional three months of the time to use these benefits. He is recommending the SB extend the FFCRA until March 31, 2021.

Motion: A motion was made by J. Livingston and seconded by S. Houde to extend the FFCRA through March 31, 2021. **Roll Call:** S. Copeland, aye; S. Houde, aye; J. Livingston, aye. **Motion passed by Roll Call Vote 3-0.**

Opening of the Annual Town Meeting Warrant – R. Pontbriand stated that the Annual Town Meeting will be held on Monday April 26, 2021. He is requesting that the SB open the ATM warrant and have it close on Friday April 2, 2020 at 12:00 PM (both for warrant articles and Citizen’s Petitions).

Motion: A motion was made by J. Livingston and seconded by S. Houde to open the April 26, 2021 Annual Town Meeting Warrant until 12:00 PM on Friday April 2, 2021. **Roll Call:** S. Copeland, aye; S. Houde, aye; J. Livingston, aye. **Motion passed by Roll Call Vote 3-0.**

New Business/Selectmen’s Questions: None

Approval of Meeting Minutes: A motion was made by S. Houde and seconded by J. Livingston to approve the Meeting Minutes from December 21, 2020. **Roll Call:** S. Copeland, aye; S. Houde, aye; J. Livingston, aye. **Motion passed by Roll Call Vote 3-0.**

Adjournment:

Motion: A motion was made by J. Livingston and seconded by S. Houde to adjourn at 7:24 PM. **Roll Call:** S. Copeland, aye; S. Houde, aye; J. Livingston, aye. **Motion passed by Roll Call Vote 3-0.**

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

Date Minutes Approved by BOS: _____

Signature Indicating Approval: _____