

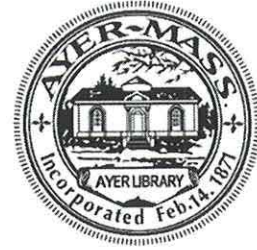
RECEIVED

MAY 31 2024

TOWN OF AYER
TOWN CLERK

10:30
am
@1

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



Tuesday June 4, 2024
Open Session Meeting Agenda

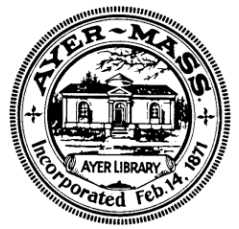
This meeting/hearing of the Ayer Select Board will be held in-person at the location provided on this notice. Members of the public are welcome to attend this in-person meeting. Please note that while an option for remote attendance and/or participation via Zoom is being provided as a courtesy to the public, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless otherwise required by law. Members of the public with particular interest in a specific item on this agenda should make plans for in-person vs. virtual attendance accordingly. This meeting will be live on Zoom and Channel 8. The public may access the proceedings by joining Zoom (Meeting ID# 897 9080 0793) or by calling (929-205-6099). For additional information about remote participation, please contact Carly Antonellis, Assistant Town Manager at atm@ayer.ma.us or 978-772-8220 ext. 100 prior to the meeting.

- 6:00 PM** **Call to Order**
Pledge of Allegiance; Review and Approve Agenda; Announcements
- Moment of Silence in Memory of Denis J. Callahan, Jr.**
- Public Input**
- 6:05 PM** **Approval of Quitclaim Deed for 71 Sandy Pond Road**
- 6:10 PM** **Town Manager's Report**
1. Administrative Update/Review of Warrants
 2. Appointments
 3. 2024 Reappointments Part 1
 4. Initial Discussion on FY 2025 Goals and Objectives
 5. Select Board Summer Schedule
- 6:25 PM** **New Business/Select Board Member Questions**
Transfer Station Study Update (Select Board Member Livingston)
- 6:35 PM** **Approval of Meeting Minutes**
May 7, 2024; May 21, 2024
- 6:40 PM** **Reorganization of the Select Board**
- 6:45 PM** **Adjournment**

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

The next regularly scheduled meeting of the Ayer Select Board will be Tuesday June 18, 2024 at 6:00 PM, both in-person and via Zoom.

**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: May 31, 2024

TO: Ayer Select Board

FROM: Robert A. Pontbriand
Town Manager

SUBJECT: Approval of Quitclaim Deed for 71 Sandy Pond Road

Dear Honorable Select Board Members,

Attached is the Quitclaim Deed as prepared by Town Counsel (Attorney Katie Klein) for the acquisition by purchase of 71 Sandy Pond Road in the amount of \$700,000 from North County Developers, LLC (Mr. Brent Routhier, Manager). As the Select Board is aware, this acquisition by purchase was authorized and approved by the Ayer Town Meeting on April 22, 2024 (passage of Article 24).

The Select Board is respectfully requested to vote to approve the attached Quitclaim Deed for 71 Sandy Pond Road for signature by the Select Board. (See attached).

If you have any questions prior to the meeting, please do not hesitate to contact me directly.

Thank you.

Attachment: Quitclaim Deed for 71 Sandy Pond Road

QUITCLAIM DEED

North Country Developers LLC, a duly organized Massachusetts Limited Liability Company, having an address of 11 Harvard Road, Ayer, MA 01432

For consideration of and in full consideration of Seven Hundred Thousand (\$700,000) Dollars,

Grants to the **Town of Ayer**, a Massachusetts municipal corporation, having an address of 1 Main Street, Ayer, MA 01432

With Quitclaim Covenants

The land, with the improvements thereon, situated on the westerly side of Snake Hill Road in Ayer, Middlesex County, Massachusetts, being bounded and described as follows:

Beginning at a corner bound on the westerly side of Snake Hill Road and at the northeasterly corner of land now or formerly of Goodwin and said land being formerly of David W. McDowell, and running two hundred (200) feet, more or less, in a generally northerly direction along a stone wall by the westerly side of Snake Hill Road to a cement bound at Sandy Pond Road, so-called:

Thence running in a generally westerly direction by the southerly side of said Sandy Pond Road, two hundred (200) feet, more or less, to a Massachusetts Highway Bound;

Thence running in a straight line in a southwesterly direction, eight hundred fifty (850) feet, more or less, by land now or formerly of said McDowell, to a cement bound at land of the Boston & Maine Railroad Company;

Thence running easterly by said Boston & Maine Railroad Company land, one hundred (100) feet, more or less, to a cement bound at land now or formerly of Morency;

Thence running northerly or northeasterly by land of said Morency and land now or formerly of said Goodwin, seven hundred (700) feet, more or less, to a cement bound in the northwesterly corner of land of said Goodwin;

Thence running easterly by said Goodwin land, one hundred (100) feet, more or less, to a cement bound at the point of beginning.

The Grantor hereby certifies under the pains and penalties of perjury that the above described premises is not homestead property of the Grantor, and further certifies that no other person or entity is entitled to an estate of homestead in the premises.

This conveyance is not a sale or transfer of all or substantially all of the assets of North Country Developers LLC within the Commonwealth of Massachusetts.

Being the same premises as conveyed to Grantor herein by Foreclosure Deed dated May 5, 2023 and recorded with the Middlesex Southern District Registry of Deeds in Book 81572, Page 347.

Grantor recites compliance with the provisions of G.L. c. 59, §72A and G.L. c. 7C, §38.

No deed stamps are due pursuant to G.L. c. 64D, §1.

The Town of Ayer's Acceptance of Deed is attached hereto and incorporated herein.

[Signature Page Follows]

Executed as a sealed instrument this ____ day of June, 2024.

NORTH COUNTRY DEVELOPERS LLC

By: _____
Brent Routhier, Manager

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this ____ day of June, 2024, before me the undersigned Notary Public, personally appeared Brent Routhier, Manager of North Country Developers LLC, and proved to me through satisfactory evidence of identification which was a driver's license/personal knowledge, to be the person whose name is signed above and acknowledged he signed such voluntarily for its stated purpose on behalf of North Country Developers LLC.

Notary Public
My Commission Expires:

ACCEPTANCE OF DEED

On this ____ day of June, 2024, the Town of Montague, acting by through its Select Board, pursuant to the vote taken under Article ____ of the _____ Annual Town Meeting, a certified copy of which is attached hereto, hereby accepts the foregoing deed from North Country Developers LLC.

TOWN OF AYER,
By its Select Board

Jannice L. Livingston, Member

Shaun C. Copeland, Member

Christopher Tavares, Member

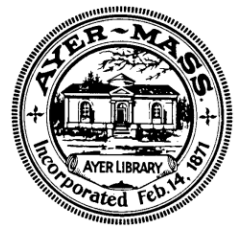
COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this ____ day of June, 2024, before me, the undersigned Notary Public, personally appeared _____, member of the Ayer Select Board, as aforesaid, who proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she/they signed it voluntarily for its stated purpose on behalf of the Town of Ayer.

Notary Public
My Commission Expires:

**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: May 31, 2024

TO: Ayer Select Board

FROM: Robert A. Pontbriand
Town Manager

SUBJECT: Town Manager's Report for the June 4, 2024 Ayer Select Board Meeting

Dear Honorable Select Board Members,

I am pleased to transmit to you the following Town Manager's Report for the June 4, 2024 Select Board meeting. If you have any questions prior to the meeting, please do not hesitate to contact me directly. Thank you.

Administrative Update/Review of Town Warrants:

- At the meeting I will provide a brief Administrative Update on the various activities, initiatives, and projects of the Town since the Select Board last met on May 21, 2024.
- I have reviewed, approved, and signed the following Town Warrants since the Select Board last met on May 21, 2024:

Accounts Payable Warrant #24-23 in the amount of \$1,108,181.07 was reviewed, approved, and signed on May 21, 2024.

Payroll Warrant #24-24 in the amount of \$407,318.56 was reviewed, approved, and signed on May 28, 2024.

Appointments:

- Senior Center Site Selection and Building Committee:

I am respectfully recommending that the Select Board appoint Mr. Jim Pinard of Ayer to the Senior Center Site Selection and Building Committee to fill a vacancy. Mr. Pinard contacted the Town Manager's Office expressing his interest in serving on this important Committee.

- Annual Appointments/Reappointments – Part 1:

Please see the attached memo prepared by the Assistant Town Manager recommending that the Select Board appoint/reappoint the individuals to the various positions listed in the memo. As in past years, this is Part 1 of the annual appointments/reappointments by the Select Board. Part 2 (additional appointments/reappointments) will be presented at the June 18, 2024 Select Board Meeting. (See attached).

Initial Discussion on FY 2025 Goals and Objectives:

- At the meeting, I am respectfully requesting that the Select Board begin an initial discussion on potential goals and objectives for the Select Board and Town Manager for FY 2025. In preparation for the discussion on June 4, 2024, if Select Board Members could be thinking of potential goals for the year ahead in addition to all the regular business of the Select Board.

Select Board Summer Schedule:

- As in previous years, the Select Board has adopted a summer meeting schedule in which the Board has met once in July and once in August with the caveat that if time sensitive or emergency matters present themselves the Board will always have additional meeting(s). The past practice of the Board has been to meet on the third Tuesday in July which this year would be Tuesday, July 16, 2024 and the third Tuesday in August which this year would be Tuesday, August 20, 2024. Both meetings would start at 6pm. The Select Board is respectfully requested to discuss and set the 2024 summer meeting schedule.

Thank you.


Attachment(s): Appointments Part 1 Memo from the Assistant Town Manager

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



Town of Ayer | Ayer Town Hall | 1 Main Street | Ayer, MA 01432 | 978-772-8220 x100 | www.ayer.ma.us

Memorandum

To: Select Board
From: Carly Antonellis, Assistant Town Manager 
Date: May 31, 2024
Re: Appointments and 2024 Annual Reappointments Part 1

Dear Select Board,

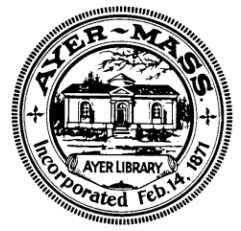
I am respectfully requesting that the following be reappointed by the SB:

Reappointments		
Board / Committee	Length of Term	Current Member
Cemetery Commission	3 Years	Betsy Diskin
Commission on Disabilities	3 Years	David Cibor
Community Preservation Commission	3 Years	Colleen Krieser
Conservation Commission Committee	3 Years	Jess Gugino
Council on Aging	2 Years*	Robert Gardner
Council on Aging	3 Years	Mary Markham
Cultural Council	3 Years	Jin Hong
Historical Commission	3 Years	Margaret Durand
Registrar of Voters	3 Years	Kathleen O'Connor

**Term adjustment to reestablish staggered terms to ensure Board continuity. Mr. Gardner will then be eligible for the regular 3-year term reappointment in 2026.*

There will be additional reappointment requests for the June 18, 2024, meeting. Thank you for your consideration!

**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: May 31, 2024

TO: Ayer Select Board

FROM: Robert A. Pontbriand
Town Manager

SUBJECT: Select Board Committee/Board Assignments

Dear Honorable Select Board Members,

As part of the annual Select Board Reorganization to take place at the June 4, 2024 meeting, the Select Board should review, discuss, and decide which Select Board Members will serve on the various Committee's and Boards that have a Select Board representative for the year ahead. To facilitate that discussion, the following are the current Select Board Committee/Board assignments:

Executive Bi-Board:

Vacant

Capital Planning Committee:

Vacant

Devens Jurisdictional Framework Committee:

Select Board Member Jannice Livingston

Devens Resolution Committee:

Vacant

Ayer Affordable Housing Trust:

Select Board Member Shaun Copeland

OPEB Board of Trustees:

Select Board Member Shaun Copeland

Rate Review Committee:

Select Board Member Jannice Livingston

Stormwater Utility Working Group:

Select Board Member Jannice Livingston

Ayer, Massachusetts Transfer Station Evaluation

TO: Dan Van Schalkwyk, PE, Director, Town of Ayer - Public Works Department
FROM: Brian Huntley, PE
CC: Ayer Rate Committee
DATE: May 22, 2024

The Town of Ayer (Town) operates their transfer station located at 100 Groton-Harvard Road as an enterprise fund, supported by revenue from Pay As You Throw (PAYT) bags, vehicle permits and bulk item disposal stickers. Additional revenue, while less significant, is also derived from metal salvage and solar lease payments. Although the cost of PAYT bags to residents is high compared to similar, proximate communities, the fund has been running at a deficit for the last five years. Although the sales of PAYT bags and permits has been relatively flat, the facility usage has been decreasing and operating costs have been increasing. These reasons were the catalyst for undertaking an assessment of the operation and finances for the transfer station by Tighe & Bond. Our assessment, summary and recommendations are detailed below.

During our kickoff meeting with the Ayer Rate Review Committee on January 9, 2024 the following issues were raised to guide the focus of the study:

1. Enterprise fund versus general fund for the Transfer Station
2. General fund subsidy
3. Review of the current rate model
4. Number of days employees need without the public
5. PAYT bags versus stickers
6. Permit alternatives
 - Having permits or not (enforcement)
 - Non-resident use of transfer station / Higher non-resident permit fee
 - Townwide permit
7. Selling permits and bags at the transfer Station with or without a service kiosk
8. Hours of operation and hours open to the residents
9. Enforcement and monitoring of bags
10. Selling permits for the calendar year versus the fiscal year

Following the kickoff meeting, Tighe & Bond reviewed the financial, operational and historical data that was provided by the Town in order to prepare a comprehensive financial model as well as to provide a baseline for the review of the issues noted above. In addition, we interviewed Ayer DPW staff and reviewed the policies, costs and operational hours of several proximate communities (Acton, Bolton, Groton, Littleton and Harvard).

The summary below is a compilation of the data that we analyzed, detailed information provided by the Ayer Public Works Director, combined with recommendations based on what we believe to be efficiency improvements and potential cost savings opportunities for the Town.

For simplicity, the responses and recommendations below match the order and number of the issues outlined above.

1. Enterprise fund versus general fund for the Transfer Station

Of the five adjacent communities that we looked at; only Acton operates their transfer station with an enterprise fund. Bolton, Groton, Littleton and Harvard all support the transfer station operations through general funds. Our recommendation is that either general fund or enterprise fund are both used throughout the Commonwealth, and the decision on what is better for the Town of Ayer should be decided within the community and with the finance committee.

2. General fund subsidy

Similar to Item 1, the level of subsidy that the Town is willing to finance for the operation of the transfer station is a decision that the community needs to make. For communities that fund their transfer station operations through the general fund, it is difficult to ascertain the actual income and liabilities directly related to the transfer station and therefore the ability to compare the amount of subsidy in those communities is not possible without a great deal more research into the communities' total budgets (not completed with this analysis). It does appear that there are communities subsidizing the transfer station operations with general funds, beyond the income from sticker and bag/tag sales.

3. Review of the current rate model

The first analysis conducted was to compare the Ayer resident rates to the other proximate communities. The summary of the costs to the residents of Ayer compared with the other communities is shown in the table below.

Town	Annual Permit/Sticker Cost			PAYT Bag Cost						
	Regular	Senior	2nd Sticker	8Gal	15Gal	24 Gal	33 Gal	32 Gal	45 Gal	55 Gal
Acton	\$105.00	\$10.00	\$15.00	\$1.67	\$1.15		\$2.55			
Ayer	\$105.00	\$60.00	\$30.00		\$4.00		\$5.00			\$6.00
Bolton					\$1.25		\$2.50			
Groton	\$80.00	\$20.00	\$25.00		\$1.50			\$2.50	\$3.00	
Littleton	\$155.00	\$60.00	\$70.00	\$1.50	\$2.50		\$3.50			
Harvard	\$130.00		\$0.00		\$1.00		\$2.00			

This table shows that the annual permit cost for Ayer residents is in line with the other communities. This also confirms that the cost per bag for PAYT bags in Ayer is higher than in the other communities, which was stated as a concern during the kickoff meeting with the committee.

Following this analysis, a modeling exercise was completed that compiled all of the costs and income for the transfer station starting in FY2021 and then projected through FY2029. The projections going forward were challenging to predict as the use of the transfer station as well as the costs associated with disposal of solid waste and transferring of recyclable products are difficult to project; we therefore held those as constant going forward.

In the first model (Alternate A), the Town’s subsidy remains constant at \$190,000. This requires a 6-8% annual increase for the permit/sticker fee as well as the bag fee over the next several years to stabilize the budget without changing the subsidy. This model is shown below.

Alt. A - Maintain Existing Rate Structure

	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
Revenue	<i>Rate Increase</i>				8.0%	8.0%	8.0%	6.0%	6.0%
Sticker Revenue	\$ 124,357	\$ 132,651	\$ 109,493	\$ 110,723	\$ 119,580	\$ 129,147	\$ 139,478	\$ 147,847	\$ 156,718
Bag Revenue	\$ 171,317	\$ 190,050	\$ 205,135	\$ 187,600	\$ 202,608	\$ 218,817	\$ 236,322	\$ 250,501	\$ 265,531
Recycling Fees	\$ 8,782	\$ 10,955	\$ 3,882	\$ 8,000	\$ 8,000	\$ 8,000	\$ 8,000	\$ 8,000	\$ 8,000
Solar Lease Rent	\$ 22,838	\$ 23,180	\$ 23,528	\$ 23,500	\$ 23,500	\$ 23,500	\$ 23,500	\$ 23,500	\$ 23,500
Misc.	\$ 9,471	\$ 11,476	\$ 4,149	\$ 8,500	\$ 8,500	\$ 8,500	\$ 8,500	\$ 8,500	\$ 8,500
TOTAL REVENUE	\$ 336,764	\$ 368,312	\$ 346,186	\$ 338,323	\$ 362,188	\$ 387,963	\$ 415,800	\$ 438,348	\$ 462,249
Net Revenue	\$ (204,816)	\$ (120,590)	\$ (191,944)	\$ 338,323	\$ 362,188	\$ 387,963	\$ 415,800	\$ 438,348	\$ 462,249
Retained Earnings (Begin)	\$ 113,463	\$ 113,218	\$ 132,553	\$ 128,091	\$ 86,674	\$ 97,670	\$ 127,465	\$ 165,286	\$ 204,418
Net Revenue	\$ (206,305)	\$ (133,651)	\$ (195,827)	\$ (231,417)	\$ (179,004)	\$ (160,205)	\$ (152,179)	\$ (150,868)	\$ (149,752)
GF Subsidy	\$ 212,573	\$ 160,000	\$ 197,000	\$ 190,000	\$ 190,000	\$ 190,000	\$ 190,000	\$ 190,000	\$ 190,000
Capital Outlay	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Retained Earnings (End)	\$ 119,731	\$ 139,812	\$ 133,726	\$ 86,674	\$ 97,670	\$ 127,465	\$ 165,286	\$ 204,418	\$ 244,666

In the next model (Alternate B), similar to the previous model, usage and disposal costs were kept constant. Instead of maintaining the general fund subsidy, the model reduces the general fund subsidy before eliminating it, which provides a self-sustaining enterprise after the transition. The model takes a staged approach assuming that the reduction in subsidy (approximately 50% of the FY24 value) would be maintained for two fiscal years (FY25 and FY26) and then eliminated. This model is shown below.

Alt. B - Self Sufficient

	<i>Fiscal Year / Rate Increase</i>								
Revenue - Alt. B	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
<i>Stickers</i>					80.0%	10.0%			
<i>Bags</i>					30.0%	10.0%	10.0%	10.0%	8.0%
Sticker Revenue	\$ 124,357	\$ 132,651	\$ 109,493	\$ 110,723	\$ 199,301	\$ 219,231	\$ 219,231	\$ 219,231	\$ 219,231
Bag Revenue	\$ 171,317	\$ 190,050	\$ 205,135	\$ 187,600	\$ 243,880	\$ 268,268	\$ 295,095	\$ 324,604	\$ 350,573
Recycling Fees	\$ 8,782	\$ 10,955	\$ 3,882	\$ 8,000	\$ 8,000	\$ 8,000	\$ 8,000	\$ 8,000	\$ 8,000
Solar Lease Rent	\$ 22,838	\$ 23,180	\$ 23,528	\$ 23,500	\$ 23,500	\$ 23,500	\$ 23,500	\$ 23,500	\$ 23,500
Misc.	\$ 9,471	\$ 11,476	\$ 4,149	\$ 8,500	\$ 8,500	\$ 8,500	\$ 8,500	\$ 8,500	\$ 8,500
Total Revenue	\$ 336,764	\$ 368,312	\$ 346,186	\$ 338,323	\$ 483,181	\$ 527,499	\$ 554,325	\$ 583,835	\$ 609,803
delta previous	\$ -	\$ -	\$ (23,158)	\$ 1,230	\$ 88,578	\$ 19,930	\$ -	\$ -	\$ -
Retained Earnings (Begin)	\$ 113,463	\$ 113,218	\$ 132,553	\$ 128,091	\$ 86,674	\$ 128,663	\$ 207,992	\$ 194,338	\$ 188,956
Net Revenue	\$ (206,305)	\$ (133,651)	\$ (195,827)	\$ (231,417)	\$ (58,012)	\$ (20,670)	\$ (13,654)	\$ (5,382)	\$ (2,198)
GF Subsidy	\$ 212,573	\$ 160,000	\$ 197,000	\$ 190,000	\$ 100,000	\$ 100,000	\$ -	\$ -	\$ -
Capital Outlay	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Retained Earnings (End)	\$ 119,731	\$ 139,812	\$ 133,726	\$ 86,674	\$ 128,663	\$ 207,992	\$ 194,338	\$ 188,956	\$ 186,758

In this model, the cost increase incurred by the transfer station patrons is 80% for the annual permit/sticker fee (Resident - \$105 to \$189) and 30% for the bag prices for the first year. Following the initial increase in FY25, a 10% increase is utilized for both sticker and bag costs in FY26 and then the 10% increase in bag costs is maintained for the following two years (FY27 and FY28).

In Alternate C we reduced the price per PAYT bag by \$1 per bag, but maintained an increase in sticker price similar to the first model of 6-8%, and then modified the GF subsidy to determine the cost subsidy to reduce the user costs for bags.

Alt. C - Reduce PAYT Price by \$1 Per Bag

	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
Revenue	<i>Rate Increase</i>				8.0%	8.0%	8.0%	6.0%	6.0%
Sticker Revenue	\$ 124,357	\$ 132,651	\$ 109,493	\$ 110,723	\$ 119,580	\$ 129,147	\$ 139,478	\$ 147,847	\$ 156,718
Bag Revenue	\$ 171,317	\$ 190,050	\$ 205,135	\$ 187,600	\$ 150,400	\$ 150,400	\$ 150,400	\$ 150,400	\$ 150,400
Recycling Fees	\$ 8,782	\$ 10,955	\$ 3,882	\$ 8,000	\$ 8,000	\$ 8,000	\$ 8,000	\$ 8,000	\$ 8,000
Solar Lease Rent	\$ 22,838	\$ 23,180	\$ 23,528	\$ 23,500	\$ 23,500	\$ 23,500	\$ 23,500	\$ 23,500	\$ 23,500
Misc.	\$ 9,471	\$ 11,476	\$ 4,149	\$ 8,500	\$ 8,500	\$ 8,500	\$ 8,500	\$ 8,500	\$ 8,500
TOTAL REVENUE	\$ 336,764	\$ 368,312	\$ 346,186	\$ 338,323	\$ 309,980	\$ 319,547	\$ 329,878	\$ 338,247	\$ 347,118
Net Revenue	\$ (204,816)	\$ (120,590)	\$ (191,944)	\$ 338,323	\$ 309,980	\$ 319,547	\$ 329,878	\$ 338,247	\$ 347,118
Retained Earnings (Begin)	\$ 113,463	\$ 113,218	\$ 132,553	\$ 128,091	\$ 106,674	\$ 115,462	\$ 126,840	\$ 128,739	\$ 127,770
Net Revenue	\$ (206,305)	\$ (133,651)	\$ (195,827)	\$ (231,417)	\$ (231,212)	\$ (228,622)	\$ (238,101)	\$ (250,970)	\$ (264,883)
GF Subsidy	\$ 212,573	\$ 160,000	\$ 197,000	\$ 210,000	\$ 240,000	\$ 240,000	\$ 240,000	\$ 250,000	\$ 260,000
Capital Outlay	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Retained Earnings (End)	\$ 119,731	\$ 139,812	\$ 133,726	\$ 106,674	\$ 115,462	\$ 126,840	\$ 128,739	\$ 127,770	\$ 122,887

The result of the increase in the GF subsidy can be seen in the table above. The first years see the largest increase while still maintaining slightly lower retained earnings annually for the enterprise fund.

It is difficult to predict how the costs in any of these models may influence permit/sticker purchase and use of the transfer station. It is understood that there are already complaints associated with the current cost structure. It's possible that even Alternates A and C, including PAYT bag cost reductions or only modest proposed cost increases could result in a reduction in use of the transfer station.

There are other factors beyond the cost structure modeled in the above scenarios that are commonly considered in a person's/family's decision whether to utilize a municipal transfer station for their trash disposal and recycling services versus utilizing a private hauler. Some of these factors include: the convenience and cost of a private hauler, the income available for an individual/family to allocate to these services, the hours of operation of the transfer station and the time the individual/family have available to make weekly (regular) trips to the transfer station.

Our recommendation is that the Town needs to discuss and review internally the above models to determine which (subsidized or not and/or fee increases) works best to provide the amenities desired by the residents, as well as not hinder the Town's financial budget.

4. Number of days employees need without the public

When considering operations, safety and staffing, two days/16 hours appears to be a reasonable amount of time for operation and preparation of the transfer station facility without the public present.

During the time when the Facility is closed to the public, the on-site staff conduct the following activities:

- General cleaning of the transfer station
- Scheduling of vendors for removal of waste and recycling
 - After Sunday, most acceptance areas are full (e.g. trash, zero-sort recycling, cardboard, planet aid, black earth compost, etc.)
- Cleanout of the swap shed
- Transport of brush to the brush dump

Providing two days for these activities allows for flexibility with contracted haulers for material removal while still completing the activities noted above. It is a good general practice to minimize and/or separate commercial and residential traffic. Having these available staffed (but not open) hours minimizes that safety concern. It should also be noted that the DPW receives compliments on the cleanliness of the transfer station.

5. PAYT bags versus stickers

In 2010, the Town transitioned from bag stickers (called bag tags) to PAYT bags. Based on review of the memo prepared by Daniel Nason, Public Works Superintendent at the time, the reasons for the change were:

- Monitoring of bag tags is extremely difficult; each bag needs to be tediously inspected.
- Fraudulent activity was occurring:
 - Bags discarded with no tag
 - Bags discarded with partial tag
 - Bags varying in size (a maximum of 30-gallon was often being exceeded)
 - Difficulty to identify when properly stickered (bags often overturned so tag is not easily seen)

These reasons would still hold true today and the current staffing level at the transfer station does not include dedicated staff to reviewing and confirming compliance with the sticker application to bags and appropriate use. PAYT bags are very common throughout the industry as a way to make this enforcement easier due to the immediate visibility and recognition of the bags. In communities where bag tags are being used, there are dedicated staff at the facility for enforcement of the tags.

Pepperell is currently making the change from bag tags to PAYT bags. Ken Kalinowski, Pepperell Town Engineer / DPW Director indicated that their reasons for this change are the same as the issues that Ayer faced prior to 2010. Pepperell currently has a staff member who specifically carefully checks bag tags during operation. Additionally, for Pepperell, the PAYT bags provided an option for the use of a smaller bag instead of using a tag for up to 33-gallon bag; this was a concern/issue they were facing especially with their senior residents.

The cost of bag tags is approximately one-quarter the cost of PAYT bags. For example, the Town of Ayer spends approximately \$18,000 annually on bag furnishment from its vendor, the same number of bag tags would cost around \$4,500, a difference of \$13,500 annually. Although it's impossible to quantify the loss of income due to misuse and fraudulent use of bag tags, we believe that the combination of loss of income and the additional costs associated with oversight of the appropriate use of bag tags would exceed the savings associated with the purchase of bag tags over the PAYT bags.

If the Town were to transition back to bag tags, we would recommend that staff be added dedicated to reviewing the bags and enforcing the bag tag use.

6. Permit alternatives

Having permits or not (enforcement)

The current permit allows residents of Ayer access to the transfer station for any recycling (zero-sort, scrap metal, textiles, etc.). PAYT bags can be purchased for disposal of household trash. This system provides a mechanism to manage the transfer station for residential users and provides incentive for recycling.

Over the past several years, the finances of recycling have significantly changed; rather than providing a revenue stream, many recyclables now have an associated disposal/removal/processing cost.

The following concerns have been raised as potential downsides and additional costs if the annual permit/sticker system was discontinued:

- Anyone (resident, business, out-of-town, etc.) could enter the transfer station and use its services. This could result in commercial waste and/or commercial recycling being disposed at additional costs to the Town.
- Non-resident users would have access to this free service
- The only revenue would come from PAYT bags, annual permit/stickers are a reliable revenue source which is easier to predict annually
- Residents are subsidizing the transfer station through the tax base and out-of-town users are not contributing (unfair to residents)

The majority of communities utilize annual permit/stickers to allow access to their municipal transfer station. We do not recommend eliminating the use of stickers to allow access to the recycling benefits associated with the transfer station.

Non-resident use of transfer station / Higher non-resident permit fee

Ayer currently allows Devens residents within the boundary of Ayer to purchase an Ayer permit sticker at a rate calculated to account for the Devens resident not paying taxes or subsidy in Ayer. Proof of residency in the Ayer portion is provided by voter registration records. The current rate is \$175 per year set by the Select Board at the March 19, 2019 meeting. The DPW has not sold a sticker to a resident of Devens within the boundaries of Ayer to date.

The possibility of allowing non-resident (but still non-commercial) users at the transfer station has the potential to increase usership. Given the comparison costs with proximate communities, it doesn't seem likely that this would provide a large increase in users for the Ayer transfer station. We would also recommend that the sticker rate should be increased over the Ayer resident cost, similar to above, to avoid the general fund subsidy being applied to non-residents.

Townwide permit

Ayer town residency stickers are available for non-transfer station users at no cost. These stickers allow parking in resident only marked locations and parking at Sandy Pond Beach. It was thought that these residency stickers could indicate residency in Ayer and that a Townwide permit or authorization utilizing these stickers would grant access to the transfer station (eliminating the annual transfer station permit/sticker).

Revenue associated with the transfer station annual permit/sticker provides income to the Town that is used toward the operation of the transfer station and is a reliable source. Having the permit/sticker fee in place also keeps the cost of PAYT bags lower.

Eliminating the transfer station annual permit/sticker would require revenue associated with sticker sales to be provided through either increases in PAYT bags or additional general fund subsidies for the operation.

We do not recommend eliminating the transfer station annual permit/sticker nor do we recommend the Townwide general permit for the above reasons.

7. Selling permits and bags at the transfer station with or without a service kiosk

There is a mixture of communities that have sales at their transfer stations and ones that don't. Currently, Ayer sells transfer station annual permit/stickers at the DPW office. The permit/stickers are also available for online purchase. PAYT bags and bulk tags are available at the DPW office and local retailers. The local retailers are open when the transfer station is open.

In order for sales to be conducted at the transfer station, the following would be required:

- Administrative staff
- Safe location for cash and checks
- Safe location for bags, permits/stickers, bulk tags
- Area out of the weather
- IT infrastructure for processing credit cards and providing receipts
- Office supplies and furniture

The current staff onsite are laborers required to implement station operations and enforcement and do not have the capacity to conduct administrative sales. Sales at the transfer station on Saturday or Sunday would require existing Town administrative staff working overtime or new administrative staff. Sales on Wednesdays with existing administrative staff is not recommended because the existing staff are needed at the main office to perform duties other than transfer station transactions such as answering phones, general front desk customer service, processing payables and invoices, processing and customer service for water and sewer bills, alerting staff to digsafe notifications, etc. In addition to those administrative tasks, the existing staff also process transfer station sales (permits/stickers and bags) on Wednesdays in the main office.

Providing the necessary staff, equipment and technology to allow for sales in support of the transfer station onsite would require additional costs that would need to be absorbed either through increases in the cost of the permits/stickers, PAYT bags or additional general fund subsidies.

During COVID-19, in the fall of 2020, onsite sales were available for two Wednesdays and three Saturdays. In this scenario, a temporary employee worked sales for 8 hours on Wednesdays and 4 hours on Saturdays. A full-time employee worked the final 4-hours on Saturdays on overtime, then secured the cash back at the DPW Administrative office at 25 Brook Street. This is a possible scenario that could be implemented during the renewal period for additional convenience for Ayer residents.

While this will not provide financial savings for the Town, it may increase the efficiency of sticker sales and provide better customer service.

Installation of a kiosk would require electrical power, internet connection, proper location, a weatherproof enclosure, and procedure for operation, maintenance and customer service when there are issues with the kiosk.

Permit/sticker sales require review of documentation, residency and manual notation of vehicle registration number on the sticker, therefore would not be ideally suitable for automatic or kiosk sales. The current system for online permit/sticker sales provides an efficient process for the purchase, and the sales receipt can be shown to the operators to provide access and use of the transfer station.

The sale of bags would be cumbersome due to the size of the bag rolls and that is not conducive to sales through a kiosk. The sale of bulk tags may be the most practical with a kiosk, however, the issues of maintenance and user problems are a concern and would require technical support onsite. Additionally, staff time would likely be required to assist patrons making proper selections and understanding costs associated with the various bulk items. The issue of vandalism is one that would need to be addressed due to the value of the goods supported by a kiosk or vending machine.

We recommend that online sticker sales be promoted via a posted notice with QR code link to the sales website. We also recommend avoiding sales at the transfer station that result in cash, unless there are dedicated staff at all times when cash may be present on site with a security plan in place, similar to the operation in the fall of 2020 during the Covid pandemic.

8. Hours of operation and hours open to the residents

Adjustment to hours requires modification to the Collective Bargaining Agreement (CBA) via a Memorandum Of Agreement (MOA).

Based on our discussions and review, we recommend adjusting hours to eliminate overtime which has the potential to provide savings while trying to minimize the impact to convenience of residents and overall usage of the transfer station. Currently the transfer station is open Wednesdays from 7:00AM to 7:00PM and Saturdays and Sundays from 7:00AM to 3:00PM. The data (usage/vehicle trips) indicates that maintaining Saturday and Sunday 7:00AM to 3:00PM is recommended, however, modifying the operation hours on Wednesdays to 11:00AM to 7:00PM or changing Tuesday to 7:00AM to 11:00AM and Wednesday 3:00PM to 7:00PM allows for evening hours while eliminating the overtime work.

On July 6, 2022 the Wednesday operating hours of the transfer station changed from 7:00AM to 3:00PM to 7:00AM to 7:00PM. There does not appear to be an increase in sticker sales or transfer station usership due to the additional evening hours. Additionally, one operator is required to work 4 hours of overtime on each Wednesday to accommodate the 3:00PM to 7:00PM portion of the operational hours. This increase in wages (approximately \$8,000 per year) has not been recovered in additional sticker sales or transfer station use.

The traffic counter data provided by the Ayer Police Department did not break down the trips based on hourly usage, therefore has not provided beneficial data to inform the hourly usage of the transfer station. Ayer DPW collected manual traffic counts on Wednesday, April 17, 2024, from 3:00PM to 7:00PM and Wednesday May 2, 2024, from 3:00PM to 7:00PM. It should be noted April 17th was during school vacation week and could bias data high:

4/17/2024	3:00PM to 4:00PM	4:00PM to 5:00PM	5:00PM to 6:00PM	6:00PM to 7:00PM
Number of Vehicles	25	25	28	19
5/2/2024	3:00PM to 4:00PM	4:00PM to 5:00PM	5:00PM to 6:00PM	6:00PM to 7:00PM
Number of Vehicles	28	24	17	14

Data provided by the Public Works Director has shown the transition to night hours on Wednesdays did not increase revenue but increased cost. Currently, in accordance with the CBA, we understand that the Town is within its rights to revert back to the former Wednesday hours from 7:00AM to 3:00PM. This should be further evaluated and discussed as a Town weighing the convenience to the residents against the financial implications of providing this convenience.

The following table shows the hours of operation for Ayer’s and other proximate transfer stations. This is intended to provide a relative comparison to how other communities have addressed ideal operating hours for their respective transfer stations. In an attempt to maintain the evening hour convenience, we have included the option below for proposed hours to include Wednesday evening hours.

Town	M	T	W	Th	F	Sat	Sun	Total Hours
Acton	closed	7:30-3:00	7:30-3:00	7:30-3:00	7:30-3:00	7:30-3:00	closed	37.5
Ayer	closed	closed	7:00-7:00	closed	closed	7:00 - 3:00	7:00 - 3:00	28
Ayer - Proposed	closed	closed	11:00 - 7:00	closed	closed	7:00 - 3:00	7:00 - 3:00	24
Bolton	closed	closed	1:00 - 7:00	closed	1:00-4:00	8:00-3:00	closed	16
Groton	closed	closed	7:30 - 4:30	7:30-4:30	7:30-4:30	7:30-4:30	closed	36
Littleton	closed	12:00-7:00	12:00-7:00	12:00-7:00	closed	8:00 - 5:00	closed	30
Harvard	closed	closed	7:30 - 11:30	closed	closed	8:00-2:00	closed	10

9. Enforcement and monitoring of bags

The enforcement and monitoring of bags at the transfer station relies on the onsite staff. The Interim Operations Plan for the transfer station (included as an attachment) identifies expectations and responsibilities for each employee, including enforcement. The two existing onsite employees are responsible to oversee compliance with the bag disposal and permit/stickers policies. This current level of staffing is adequate to manage enforcement. There are also cameras onsite which can be used after the fact to find violators.

It should be noted that enforcement is more difficult in the winter due to the lack of shelter for the employees. The bags can be checked by an employee inside the tipping floor while the compactor area has a small shelter for one person which is not heated or insulated. In the long term, it may be advisable to provide a sheltered space with heat and compactor controls that provides visibility to both the recycling and bag disposal areas. The capital cost and payback for such a shelter would have to be considered. Grant funding should also be considered to fund this and/or any other improvements at the transfer station.

10. Selling permits for the calendar year versus the fiscal year

In 2014, the Town moved from selling annual permits/stickers for the fiscal year to the calendar year. The reasons for this change were to lessen the administrative burden on the Town and to provide more efficient customer service at the fiscal year-end. Some of the important at fiscal year-end tasks include:

- Closing out contracts
- Personnel reports
- Procuring new contracts/services
- Closing out accounts payable and preparing encumbrances

The above tasks, as well as typically being short staffed during the summer with planned vacations and staff using remaining vacation time before the end of the fiscal year made the change make sense.

Other communities appear to have a mix of dates for their annual sticker renewal. Acton renews their stickers on September 1st, Pepperell renews on March 31st, several communities renew their stickers on July 1st.

The current renewal date of January 1st ensures that all revenue received is within the given fiscal year. Renewals on July 1st result in revenue received before July 1st being within a given fiscal year, and revenue after July 1st within the next fiscal year. Because there is an Enterprise fund, the revenue distribution between fiscal years is not impactful. More appropriate considerations should be for administrative operations, customer service and when is the most appropriate time of year for rate setting. Based on the Town's current rate setting aligning with the Town's budgeting which begins in the Fall, it appears the current schedule is suitable.

Based on our review, the current calendar year schedule for the annual permits/stickers seems appropriate.

Dan Van Schalkwyk, P.E., Director
Kimberly Abraham, Water and Sewer Superintendent
Matt Hemon, P.E., Town Engineer
Pam Martin, Business Manager



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

Memorandum

Date: January 2, 2024

To: Andrew Jackson, Solid Waste Foreman

From: Dan Van Schalkwyk, P.E., DPW Director

Re: Interim Operations Plan for the Transfer Station

Dear Andrew:

I am developing an Operations Plan for the Transfer Station. The Plan will provide a clear outline of the tasks required to provide quality customer service and efficient operation of the Station. It will also take into account recommendations from the operation and financial review currently being performed by Tighe and Bond. The Plan will include information such as monitoring for Stickers and PAYT bags, vendors, pickup schedule, etc. In the interim, I've prepared this brief memo to serve until the Operations Plan is complete. Note this does not cover every detail of the operation. Please adhere to these requirements.

During Hours Open to the Public (Saturday/Sunday 7AM to 3PM, Wednesday 7AM to 7PM)

A. General

- a. Cones shall be laid out on the dividing line as you enter the transfer station to support the traffic pattern and disallow vehicles from going directly to the trash collection area.
- b. Staff shall wear yellow vests around the station at all times.

B. Trash Collection

- a. The trash collection area at the tipping building shall be physically monitored by one of the two employees onsite. The employee shall enforce the Pay as You Throw (PAYT) bag requirement and transport trash to the trash container across the tipping floor.
- b. An offender shall not be allowed to dispose of their trash and shall be educated on the use of PAYT bags.
- c. If a non-PAYT bag is discovered in the waste stream without understanding who placed it there, the employee shall note the approximate time it was placed. Subsequently, and outside of hours open to the public, the employee shall review the CCTV record for the noted time to identify who may have placed the bag. Personnel shall attempt to contact the individual to provide a verbal warning.

C. Recycling and Swap Shed Areas

- a. One of the two employees onsite shall manage the recycling and swap shed areas.
 - b. The employee at this location shall be the primary employee responsible for enforcing permit stickers.
 - c. If a permit sticker is not valid or present, the employee shall provide a warning and has discretion to disallow use of the Transfer Station. A repeat offender shall not be allowed use of the Transfer Station.
- D. Note: there is a period on Wednesday's when only one employee is onsite (7AM to 11AM). The employee shall float between the two areas above and execute the operations to the maximum extent practicable.

During Hours Closed to the Public (Monday and Tuesday)

- A. Maintenance
 - a. Employees shall clean the transfer station areas that have been disturbed. All areas of the transfer station shall be kept in a neat and orderly condition, including office and utility spaces.
 - b. Vendor services shall generally be scheduled for hours closed to the public. Vendors may only come on a Thursday or a Friday with prior approval of the DPW Director.

New Year (New Sticker) Operations

- A. General
 - a. Permit Stickers are currently renewed on January 1st of each year.
 - b. For a minimum of the first two weeks of the new year, an employee shall be present at the entrance gate to enforce the requirement of a new permit sticker. Verbal warnings shall be given initially, a subsequent offense shall result in no use of the Transfer Station.
 - c. The employee shall keep a list of offenders to support enforcement.



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

Broadcast and Recorded by APAC

May 7, 2024
Open Session Meeting Minutes

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

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

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

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

Approval of Meeting Agenda:

Motion: A motion was made by J. Livingston and seconded by S. Copeland to adjust the meeting agenda, moving the Approval of Meeting Minutes in front of New/Business/Select Board Member Questions.

Motion passed 3-0.

Announcements: None

Public Input: Amy Messcher, Chair of the Independence in Ayer Committee invited the Select Board members to participate in the June 22, 2024, Ayer Independence Parade. The committee thanked the Town, Park and Recreation Department, DPW and all sponsors for the funding and other contributions that make the parade and celebration possible.

Pauline Conley, 40 Cambridge Street thanked the DPW for the crosswalk signs installed around Town. She asked when the striping and stenciling would take place. Matt Herson, Town Engineer stated that road striping and stenciling will started on Main Street tonight. He was not sure when Central Avenue is scheduled but will follow-up.

Introduction of Recently Hired Ayer Police Patrol Officers: Chief Brian Gill introduced the new Police Patrol Officers to the Board. Officer Jared Splaine, hired in October 2023 is the liaison to the Council of Aging; Officer Jacob Noll, hired in December 2023. Officer Noll is an Ayer Shirley High School graduate; Officer Jacqueline Stiles, hired in May 2024. Officer Stiles is originally from Ayer and familiar with the Town. The Board welcomed the new officers and wished them well.

Recognition of Retirement of Jeff Thomas, Parks and Recreation Director: R. Pontbriand reported that Jeff Thomas submitted this intent to retire in April from his position as Ayer Director of Parks. He has remained in his position to assist the Town with finding his replacement and the transition in the department. R. Pontbriand recognized Mr. Thomas' long-term service and dedication to the Town. J. Livingston recognized Mr. Thomas' passion for this work and his demonstration for great care for the Parks and Recreation properties and programs. S. Copeland stated Mr. Thomas demonstrated great leadership and led by example and thanked him for his time. S. Houde stated he has known Mr. Thomas for many years through coaching sports and scouts. He said Mr. Thomas always stepped up when needed. He always supported a scout needing assistance in an Eagle Project. S. Houde presented a certificate of acknowledgement and gift to Mr. Thomas.

Matt Hernon, DPW Town Engineer - Approval of Contract for Sandy Pond Road Complete Streets Improvement: M. Hernon communicated an update on Sandy Pond Road project. He stated the Town has received grant money for the project. The lowest bid was from PJ Keating Company, \$618,765. S. Copeland asked for clarification that this is the same Sandy Pond Road project discussed at Town Meeting. M. Hernon stated that it was.

Motion: A motion made by J. Livingston and seconded by S. Copeland to execute the contract for the Sandy Pond Road Complete Streets Improvement project in the amount of \$618,765 with PJ Keating Company for signature by the board. **Motion passed 3-0.**

Approval of Contract for Willow Road Water Main Replacement and Interconnections - M. Hernon reported that MassDOT is working at the intersection at the end of Willow Road, a location that has had issues with water main pipes. It has been determined the best course to resolve the water pipe issues/breakage is to replace the pipes at a cost of \$210,000. The DPW believes it is in the best interest in the Town to have these pipes replace with the current MassDOT work. S. Houde asked if there was a target date for the completion of the work. M. Hernon stated this work was delayed but is hopeful the project will be completed at the end of this construction year.

Motion: A motion made by S. Copeland and seconded by J. Livingston that the Board approve and execute the extra work authorization related to the Non-Participating Agreement with MassDOT at the cost of \$210,000 for the Willow Road Water Main Replacement and Interconnections for signature by the Chair. **Motion passed 3-0.**

Execution of Easement Agreement for Jonathan Drive Cross-Country Water Main - M. Hernon stated the DPW's Master Plan included adding a short pipe to connect Pleasant Street and Jonathan Drive. This short pipe will increase the water quality and water pressure north of this area. DPW needs to acquire four easements for the work. This is the last one, it is DCR property. This easement is needed to have the project go out for bid.

Motion: A motion made by J. Livingston and seconded by S. Copeland for the board to execute the easement Grant of Easement and MEPA Agreement with the Commonwealth of Massachusetts. **Motion passed 3-0.**

Town Manager's Report - Administrative Update/Review of Warrants: R. Pontbriand communicated that since the last Select Board Meeting, he signed Payroll Warrants on April 16, 2024, and May 1, 2024, and Account Payable Warrant on May 1, 2024.

Annual Town Meeting Update - R. Pontbriand stated the Town had a successful Annual Town Meeting and wanted to thank the boards, committees, town departments, Town Moderator and Town residents for its success. All 31 Articles passed including the FY25 budget. S. Houde remarked on the budget passing without question or debate, stating that is it a testament to the upfront work in advance of Town

Meeting and available information and many forms of communication to the residents available on the budget. He thanked Robert and all involved in the work up to and continuing with Town Meeting.

R. Pontbriand stated that purchase of 71 Sandy Pond needs closed in 60 days. Town Counsel is working on the closing materials, and everything is on track. The board's signature will be required for the purchase. He stated the DPW is working on a timeline for the sewer connection with the Town of Littleton. The DPW will be present to the board the timeline at the next meeting. The Town Clerk has submitted all documents/paperwork to the State required from Town Meeting.

R. Pontbriand said the Senior Center Site Selection Building Committee has been meeting and is working on the goal of identifying a site for a senior center. The Chair has communicated a request to attend an upcoming meeting to update the board on the committee's work. R. Pontbriand said the Regional Dispatch Agreement will be ready to review and sign at the May 21, 2024, meeting.

Update on Potential Reserve Fund Transfer for Town Counsel/Legal Services - The Town budgeted \$75,000 for the FY24 Town Counsel/Legal Services Budget. This budget was on target but there is an unforeseen property enforcement matter that requires the use of legal services. He is anticipating a Reserve Fund Transfer in the estimated amount of \$30,000 for the Town Counsel/Legal Services Budget. The plan is to present the Reserve Fund Transfer to the Select Board on May 21, 2024 and then to present it to the Finance Committee. R. Pontbriand continued saying the Town Account is monitoring the IT department account for a Reserve Fund Transfer because of additional costs due to security measures required to keep the Town safe from cyberattacks. Both Reserve Fund Transfers are well within the available funds from the reserve account.

Approval of Meeting Minutes:

Motion: Motion made by J. Livingston and seconded by S. Copeland to approve the meeting minutes of April 16, 2024. **Motion passed 3-0.**

New Business/Select Board Member Questions: None

Recognition of Scott Houde Service to Town Retirement: J. Livingston expressed her admiration for the work of Scott Houde on the Select Board and other boards and committees. She stated it was a pleasure to collaborate with him over the years. She continued saying she is impressed with what has been accomplished. S. Copeland stated it has been an honor to have had the opportunity to work with Scott Houde and thanked him for his welcoming support when joining the Select Board. He also is proud of the accomplishments and collaboration on the board. They both said Scott would be missed and wished him the best.

R. Pontbriand stated it was his honor and privilege to work with Scott Houde for the last 14 years. He commented that Scott's leadership and hard work is remarkable. His service and dedication to the Town with membership on many boards and committees such as the Finance Committee, Select Board, CPA, Personnel Board, Capital Planning and the Executive Bi-Board have had positive impacts. He continued, stating Scott's focus on the Town's finance policies and finances being transparent and public has had a measurable and strong positive impact. Scott's creation of the Executive Bi-Board has proved to be a great tool for communication for department heads, Select Board and Finance Committee, leading to working in a collaborative manner. R. Pontbriand presented Scott Houde with a plaque and gift card recognizing his years of service.

Scott Houde expressed his gratitude and sincere thanks. He thanked Carly Antonellis, Assistant Town Administrator and Robert Pontbriand for their leadership and hard work for the Town, stating it has been a pleasure to collaborate with them and how valuable they are to the Town. He continued thanking his co-board members, all Town volunteers, for their valuable service, recognizing that there are many

who contribute to the Town. He said he started volunteering because he wanted to service the Town, he and his family call home and it has been a pleasure.

Adjournment:

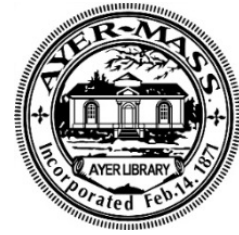
Motion: A motion was made by J. Livingston and seconded by S. Copeland to adjourn at 6:48PM. **Motion passed 3-0.**

Minutes Recorded and Submitted by Maureen Adema, Admin. Asst. to Town Manager and Select Board

Date Minutes Approved by SB: _____

Signature Indicating Approval: _____

DRAFT



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

Broadcast and Recorded by APAC

May 21, 2024
Open Session Meeting Minutes

SB Present: Shaun C. Copeland, Christopher E. Tavares

SB Absent: Jannice L. Livingston

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

Call to Order: S. Copeland called the meeting of May 21, 2024, to order at 6:00pm. S. Copeland further stated that this meeting/hearing of the Ayer Select Board (SB) will be held in-person at the location provided on this notice. Members of the public are welcome to attend this in-person meeting. Please note that while an option for remote attendance and/or participation via Zoom is being provided as a courtesy to the public, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless otherwise required by law. Members of the public with particular interest in a specific item on this agenda should make plans for in-person vs. virtual attendance accordingly. This meeting will be live on Zoom and Channel 8. The public may access the proceedings by joining Zoom (Meeting ID# 897 9080 0793) or by calling (929-205-6099).

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

Approval of Meeting Agenda:

Motion: A motion was made by S. Copland and seconded by C. Tavares to approve the agenda as presented. **Motion passed 2-0.**

Announcements: S. Copeland welcomed new Select Board Member Christopher Tavares.

Public Input: None

Ratification of Appointment of Parks Director: R. Pontbriand introduced Ms. Sarah Ernst to the Board. R. Pontbriand continued saying that Ms. Ernst is the current Administrative Assistant for the Ayer Parks Department and the Administrative Assistant to the Athletic Director/Facilities for the Ayer Shirley Regional School District. She holds a bachelor's degree in Sports and Recreational Management and a master's degree in business administration and Sports Management. After conducting interviews, the Parks Commission unanimously voted to recommend Ms. Ernst for appointment by the Town Manger. R. Pontbriand respectfully requested the board ratify the appointment of Ms. Ernst as Parks Director for the Town of Ayer effective May 22, 2024, she will be compensated at Grade 11, Step 1 per the Town's Non-Union Compensation and Classification Grid.

Ms. Ernst said that at an early age she knew she wanted to work in sports, parks, and recreation. She said retired Parks Director Jeff Thomas has always been her role model. She continued stating that her education and work with Mr. Thomas guided her to this position and will do the position justice.

C. Tavares stated he was a member of the Parks Commission that voted unanimously to recommend Ms. Ernst for appointment as Parks Director, and he has complete faith in her abilities, and she will do a wonderful job as the Ayer Parks Director.

Motion: A motion was made by S. Copeland and seconded by C. Tavares to ratify the appoint of Sarah Ernst as Parks Director. **Motion passed 2-0.**

Dan Van Schalkwyk. DPW Director Update/Report - Stormwater Utility Advisory Workgroup

Update: D. Van Schalkwyk was present to update the board on DPW work/projects. The Workgroup has been meeting monthly since September and is working to establish a utility fund. A preliminary rate structure for stormwater utility and a policy has been drafted. There is a dedicated webpage on the Stormwater Utility Advisory Workgroup on the Town website.

Water Supply Update - D. Van Schalkwyk briefly explained that the Select Board are the Water Commissioners, and he reports to the Board monthly on the water operations, concerns, and plans. Since the last update water production has faced challenges meeting demand during the work week. Both well fields work 24 hours a day, five days a week with a few hours of rest during the weekend. He said he does not recommend changes to the existing water use restrictions.

C. Tavares asked the impact on running the wells at high amount, such as fatigue on motors. D. Van Schalkwyk said running the wells at a high amount is a concern and increasing maintenance and burn motors and pumps quicker. He said measures have been made to help lessen the impact such as replacement of green sand at Spectacle Pond over the winter. He said the Town has agreements with Devens and Littleton for emergencies, and the Town will ask the big users to temporarily halt water use.

Reserve Fund Transfer Requests Budget Line Items: R. Pontbriand stated the Town Department Heads are present tonight for any questions the Board may have. The balance in the reserve fund account is \$175,000.

Legal Services – 01151

R. Pontbriand reviewed the request for \$30,000 for legal services. He stated that was an unforeseen increase in legal services that involved an ongoing property enforcement matter. The legal cost of this enforcement has been extraordinary in scope. The present balance in the budget for legal services is \$13,821.73. The transfer request from the Reserve Fund is \$30,000. This amount is for the April, May, June invoices and the ongoing property enforcement matters. Town Counsel has reviewed and agreed with the amount.

Motion: A motion was made by S. Copeland and seconded by C. Tavares to transfer \$30,000 from the Reserve Fund Account for legal services due to unforeseen legal services. **Motion passed 2-0.**

Unemployment – 01913

R. Pontbriand reviewed the request for \$2,178.00 for unemployment compensation. He stated that this year there was an employee that was let go who has been collecting employment benefits. The account currently has a balance of -\$1,725.00.

Motion: A motion was made by S. Copeland and seconded by C. Tavares to transfer \$2,178.00 from the Reserve Fund Account for unemployment compensation. **Motion passed 2-0.**

Information Technology – 01166

R. Pontbriand reviewed the request for \$40,000 from the Reserve Fund Account for IT Services. The present balance is \$-15,500.00. R. Pontbriand stated that the IT budget was underfunded in FY24 due to

the unknown new costs for Town email, server security requirements, and other client-based security enhancements. R. Pontbriand stated that the FY25 budget has these new costs budgeted for. C. Tavares said although not to discuss now, he would like to revisit and discuss the IT costs. R. Pontbriand agreed to discuss IT at an upcoming meeting as the IT department is undergoing changes.

Motion: A motion was made by S. Copeland and seconded by C. Tavares to transfer \$40,000.00 from the Reserve Fund Account to the IT budget account for new unknown costs in FY24 as presented. **Motion passed 2-0.**

Town Manager's Report - Administrative Update/Review of Warrants: R. Pontbriand stated, as reflected in the meeting packet, he reviewed, approved, and signed the following Town Warrants since the Select Board last met on May 7, 2024. Accounts Payable Warrant #24-22, signed May 7, 2024, and Payroll Warrant #24-23 signed May 14, 2024. R. Pontbriand continued stating that 71 Sandy Pond title search and closing is on schedule per town Counsel. He said many projects were approved at the Town Meeting that will have the DPW and Parks busy heading into FY25. The Town Administration is working on closing FY24. R. Pontbriand asked the board to think about goals for the board to discuss at the June 4th meeting. And he stated the June 4th meeting will have the board reorganize and assign committee assignments. And set the summer meeting schedule.

Approval of Intermunicipal Agreement for Regional Dispatch Services New Business/Select Board Member - Chief Brian Gill was present to review and discuss the Regional Dispatch Services Agreement. R. Pontbriand gave a summary and history of Intermunicipal Agreement Regional Dispatch Services for Ayer and Shirley. The first agreement was in 2018. At this time Shirley needed dispatch. The State 911 overseeing dispatch and encourages regional dispatches The State 911 approved of the regional dispatch agreement between Ayer and Shirley. The agreement has worked well. The dispatch center is housed in Ayer, serves both Ayer and Shirley. Chief Gill is the director of the center, and the dispatchers are Ayer employees. The agreement has remained unchanged other than two points.

1. Section 6, #4. Shirley shall have a seat at the bargaining table during contract negotiation. R. Pontbriand said that the Town of Shirley has not exercised this right. He continued saying that since the dispatchers are all Town of Ayer employees having the Town of Shirley take part in contract negotiations/bargaining is not appropriate.
2. Section 11, the assessment. It has been a challenge receiving payment from the Town of Shirley for dispatch services. The Town of Ayer received \$145,000 from the Town of Shirley. The agreement states the following: FY25 Shirley Assessment \$175,000, to be billed semiannually. The balance of the Shirley Assessment for FY25 in the amount of \$130,545 will be funded from the State 911 Grant. FY26 Shirley Assessment \$200,000, to be billed semiannually. The balance is to be funded by the State 911 Grant. FY27 Shirley Assessment \$225,000, to be billed semiannually. The balance of the Shirley to be funded by the State 911 Grant. By FY27 the Towns should be close to the 50/50 split.

R. Pontbriand said the Shirley Select Board is expected to approve this agreement at their June 3, 2024, meeting.

Motion: A motion was made by S. Copeland and seconded by C. Tavares to approve the Intermunicipal Agreement between the Town of Ayer and the Town of Shirley regarding the Ayer Shirley Regional Emergency Communication Center as presented. **Motion passed 2-0.**

Approval of Meeting Minutes

Motion: A motion was made by S. Copeland and seconded by C. Tavares to table the meeting minutes of May 7, 2024 to the next meeting. **Motion passed 2-0.**

Adjournment:

Motion: A motion was made by S. Copeland and seconded by C. Tavares to adjourn at 6:27 PM. **Motion passed 2-0.**

Minutes Recorded and Submitted by Maureen Adema, Admin. Asst. to Town Manager and Select Board

Date Minutes Approved by SB: _____

Signature Indicating Approval: _____

DRAFT