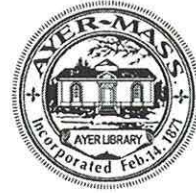


RECEIVED  
MAY 12 2023

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



TOWN OF AYER  
TOWN CLERK

12:00pm  
(Signature)

**Tuesday May 16, 2023**  
**Open Session Meeting Agenda**

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

**6:00 PM**

**Call to Order**

Pledge of Allegiance; Review and Approve Agenda; Announcements

**Public Input**

**6:05 PM\***

**Vote of Approval for Bond Anticipation Note (BAN)**

**6:10 PM**

**Dan Van Schalkwyk, Director, Department of Public Works**

1. Easy Street Easement Agreement
2. Grove Pond WTP Production Evaluation Presentation
3. DPW Project Updates -
  - West Main Street BRI Main Street TIP*
  - Central Ave/Groton Harvard Road Intersection*
  - Sandy Pond Road Complete Streets*
  - Stormwater Utility Evaluation Route 2A / Willow Road (MassDOT)*

**6:30 PM**

**Town Manager's Report**

1. Administrative Update/Review of Town Warrant(s)
2. Appointments – COA Board of Directors and Senior Center/Community Center Building Committee
3. Update on Opioid Settlement Allocation
4. Review/Approval of Policy – Disposition of Town of Ayer Surplus Tangible Supplies

**6:45 PM**

**New Business/Select Board Member Questions**

Devens Committee Discussion/Update (Select Board Member S. Houde)

**6:50 PM**

**Approval of Meeting Minutes**

April 4, 2023; May 2, 2023

**6:55 PM**

**Reorganization of the Select Board**

**7:00 PM**

**Adjournment**

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

*The next regularly scheduled meeting on the Select Board is Tuesday June 6, 2023 at 6:00 PM, both in-person and via remote participation.*

# Town of Ayer

## Treasurer/Tax Collectors Office



1 Main Street – Ayer, Massachusetts – 01432

**Barbara Tierney, CMMT, CMMC Finance Manager-Treasurer/Tax Collector**

**Natalie Goodwin, Assistant Treasurer/Tax Collector**

**Michelle Bishara, Finance Assistant**

Tel: (978) 772-8220 EXT 152

Fax: (978) 772-3017

### MEMORANDUM

May 11, 2023

To: Robert Pontbriand, Town Manager

From: Barbara Tierney,  
Treasurer/Tax Collector

**Re: Bond Anticipation Note,(BAN)**

Dear Robert,

On May 10, 2023, the Town of Ayer received competitive bids for a \$6,095,803 six-month BAN. In the fall it will go to Bond and include the West Main Street Bridge project.

Jefferies LLC, is the winning bidder awarding a premium of \$23,407.89 bringing the net interest cost to 3.4909%.

The Town of Ayer maintains an S&P, AA+ Bond rating, issued in 2021. This favorable rating is primarily due to the Town's good financial policies, strong management, and strong budget flexibility, and liquidity.

The next step is to have the Select Board kindly approve, by vote, the BAN at the May 16, 2023, meeting.

The suggested motion is *"I move that the Select Board vote to approve the sale of \$6,095,803 4.50 percent General Obligation Bond Anticipation Note dated May 25, 2023 and payable to Jefferies LLC at par and accrued interest, if any, plus premium of \$23,407.89. The enclosed vote will be signed by the Clerk and incorporated into the meeting minutes, as presented in this meeting."*

All other documentation will be provided to the Select Board, at the meeting, for signatures.

**Attachment:** \$6,095,803 Vote, to be signed by the Select Board Clerk after approval.

## 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 May 16, 2023, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: to approve the sale of \$6,095,803 4.50 percent General Obligation Bond Anticipation Notes (the “Notes”) of the Town dated May 25, 2023, and payable October 12, 2023, to Jefferies LLC at par and accrued interest, if any, plus a premium of \$23,407.89.

Further Voted: that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated May 3, 2023, and a final Official Statement dated May 10, 2023, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Town Treasurer and the Select Board be, and hereby are, authorized to execute and deliver a significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Notes for the benefit of the holders of the Notes from time to time.

Further Voted: that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Notes and to comply with relevant securities laws.

Further Voted: that any certificates or documents relating to the Notes (collectively, the “Documents”), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a “.pdf” file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures.

Further Voted: that each member of the Select Board, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

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

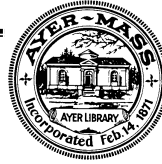
Dated: May 16, 2023

\_\_\_\_\_  
Clerk of the Select Board

132755012v.1

COPY

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



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

## MEMORANDUM

Date: May 11, 2023  
To: Select Board  
From: Dan Van Schalkwyk, P.E., Director  
Kimberly Abraham, Water and Sewer Superintendent  
Matt Hernon, P.E., Town Engineer  
Subject: **Agenda Items for May 16, 2023, Select Board Meeting**

**1. Easy Street Easement Agreement –**

Included in the packet is an easement agreement for the Town to acquire stormwater easements for the maintenance of the two stormwater basins in the Easy Street subdivision. A member of the Homeowner Trust is planning to be present, and I will provide a brief summary for the Board.

**2. Grove Pond Water Treatment Plant Production Evaluation –**

The Select Board is aware that since PFAS Treatment began, the Water Division has experienced a decrease in production capacity, particularly at the Grove Pond Treatment Facility. An Engineering Firm was hired to evaluate the issue. A presentation will be made, “Drinking Water Production Capacity Discussion,” which summarizes the current conditions and the recommended solution. Discussion and guidance by the Select Board is requested.

A copy of the presentation is included in the packet.

**3. Brief Project Update –**

We will provide a brief update of the following projects:

- West Main Street BRI
- Main Street TIP
- Central Ave / Groton Harvard Road Intersection
- Sandy Pond Road Complete Street
- Stormwater Utility Evaluation
- Route 2A / Willow Road (MassDOT)

## EASEMENT AGREEMENT

**Easy Street Homeowners Trust** (the “Grantor”), a Massachusetts homeowners trust, having an address of Easy Street, Ayer, Massachusetts 01432, pursuant to a Declaration of Trust dated January 17, 2012, recorded with the Middlesex South District Registry of Deeds (the “Registry”) in Book 58312, Page 207, for consideration paid of One Dollar (\$1.00), hereby grants, with Quitclaim Covenants, to the **Town of Ayer** (the “Town”), a Massachusetts municipal corporation, having a usual place of business at 1 Main Street, Ayer, Massachusetts 01432, the following rights:

Two (2) permanent non-exclusive easements shown as (1) “Proposed Drainage Easement” in, on, over and under Lot 1 as shown on a plan entitled “Definitive Subdivision of Land in Ayer, Massachusetts Entitled ‘Easy Street,’” dated April 7, 2006, revised through May 30, 2006 prepared by David E. Ross Associates, Inc., recorded with the Registry as Plan 1393 of 2006 (the “Plan”) and (2) “Proposed 20’ Wide Drainage Easement” in, on, over and under Lot 7 as shown on the Plan (together, the “Easement Premises”), for the purpose of constructing, inspecting, maintaining, repairing, removing, replacing, operating, relocating, and abandoning in place stormwater drain or drains, and any manholes, pipes, conduits and other structures or facilities for the drainage of stormwater, and for all uses and purposes incidental or related thereon.

The Town shall have the right of entry upon and passage over said Easement Premises as reasonably necessary or convenient, by foot and motor vehicle, including heavy equipment, from time to time for all purposes stated herein and uses incidental thereto. This grant of easement includes the right to remove any structures, objects or vegetation (including trees and shrubs) from the Easement Premises as may be reasonably necessary or convenient to exercise the rights granted herein.

Grantor agrees, for itself and its successors and assigns, not to place or cause to be placed any temporary or permanent buildings or structures, on or upon the Easement Premises or otherwise interfere unreasonably with the rights granted to the Town hereunder.

The rights and privileges herein granted, including all benefits and burdens, shall run with the land and shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, executors, administrators, successors, assigns and legal representatives.

The Town of Ayer’s Acceptance of this Easement Agreement is attached hereto and incorporated herein.

Meaning and intending to convey those easement rights set forth in an Easement Deed to Grantor dated January 7, 2012, recorded with the Registry in Book 58312, Page 227.

[Signature Page Follows]

Signed under seal as of this \_\_\_\_ day of \_\_\_\_\_, 2023.

EASY STREET HOMEOWNERS TRUST,  
By Its Trustees

\_\_\_\_\_  
Steven Mariotti

\_\_\_\_\_  
Lindsey Miller

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this \_\_\_\_ day of \_\_\_\_\_, 2023, before me, the undersigned Notary Public, personally appeared Steven Mariotti, Trustee of Easy Street Homeowners Trust, 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 signed it voluntarily for its stated purpose on behalf of the Easy Street Homeowners Trust.

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

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this \_\_\_\_ day of \_\_\_\_\_, 2023, before me, the undersigned Notary Public, personally appeared Lindsey Miller, Trustee of Easy Street Homeowners Trust, 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 signed it voluntarily for its stated purpose on behalf of the Easy Street Homeowners Trust.

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

ACCEPTANCE OF EASEMENT

The Town of Ayer, acting by and through its Select Board, hereby accepts the foregoing drainage easement from the Easy Street Homeowners Trust on this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

TOWN OF AYER,  
By its Select Board

\_\_\_\_\_  
Jannice L. Livingston, Chair

\_\_\_\_\_  
Shaun C. Copeland, Vice Chair

\_\_\_\_\_  
Scott A. Houde, Clerk

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me, the undersigned Notary Public, personally appeared \_\_\_\_\_, member of the Town of Ayer Select Board, 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:



# Town of Ayer

## Drinking Water Production Capacity Discussion

Ayer Select Board May 23, 2023



# Discussion

- Brief Supply System History
- What is the Concern
- Engineering Study
- Recommended Solution
- Estimated Costs and Funding Opportunities
- Strategy to Address Immediate Concern

# Brief Supply System History

- Authorized in 1887
- 3340 Service Accounts
- Two Supply Sources
  - Spectacle Pond (Merrimack River Basin)
  - Grove Pond (Nashua River Basin)
- Emergency Interconnections
  - Three with Devens (Barnum Rd., West Main St., Fitchburg Rd.)
  - One with Littleton (Willow Rd.)

# Grove Pond

- Well 1 was activated in 1943
- Well 2 was activated in 1952
- Primary water supply until 1975
- Initial Treatment Plant was completed in 1998
  - 2.0 MGD
  - Removal of Iron, Manganese, and Arsenic
  - Primary Producer for Town once again
- 2015 Wells 6, 7, and 8 replaced 1 and 2
- 2018 Temporary PFAS treatment with GAC for Well 8
- 2020 Permanent PFAS treatment with AIX became active



# Spectacle Pond

- Well 1 was activated in 1975
- Initial Treatment Plant was completed in 1984
  - 2.0 MGD
  - Removal of Iron and Manganese
  - Primary producer for Town until 1998
- Well 2 was activated in 1986
- Became primary producer again in 2020
- Wells 1 and 2 were replaced in 2021 and 2017 respectively
- PFAS treatment with GAC was activated July 2022



# What is the Concern

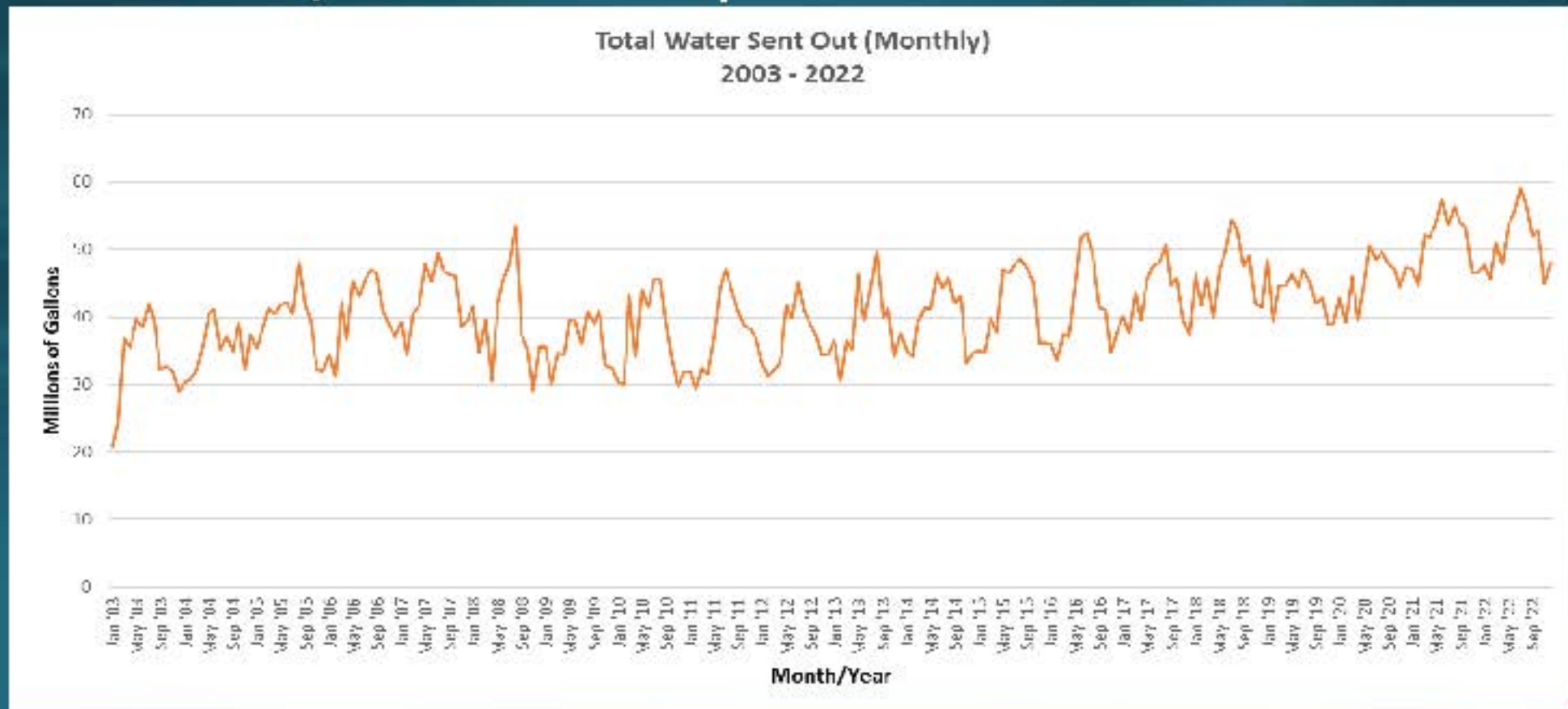
- Water Consumption has Increased
  - Concerns about being able to meet summer demands
  - Concerns about being able to meet future demands
- Production Capacity has Decreased
  - PFAS Treatment

# Water Consumption has Increased



# Water Consumption has Increased

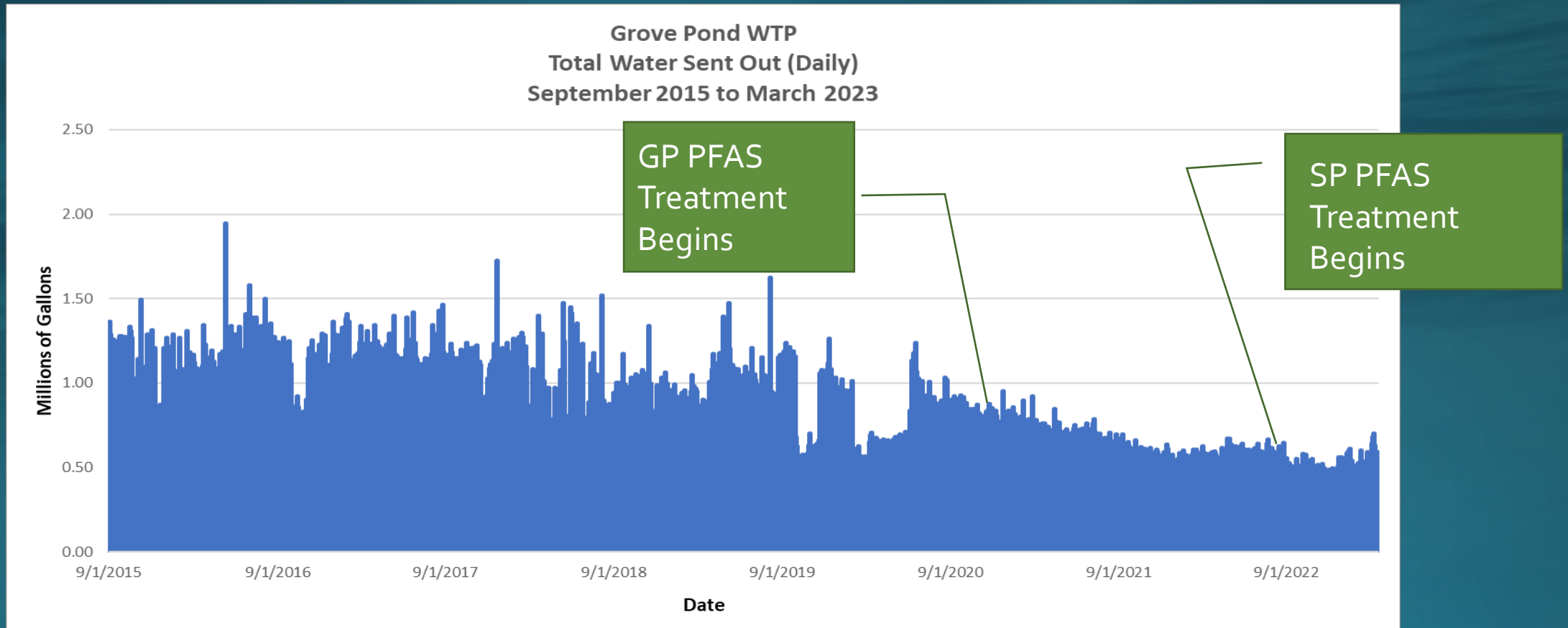
- Since winter of 2013 / 2014 winter consumption has increased
- Since 2018, overall consumption has increased





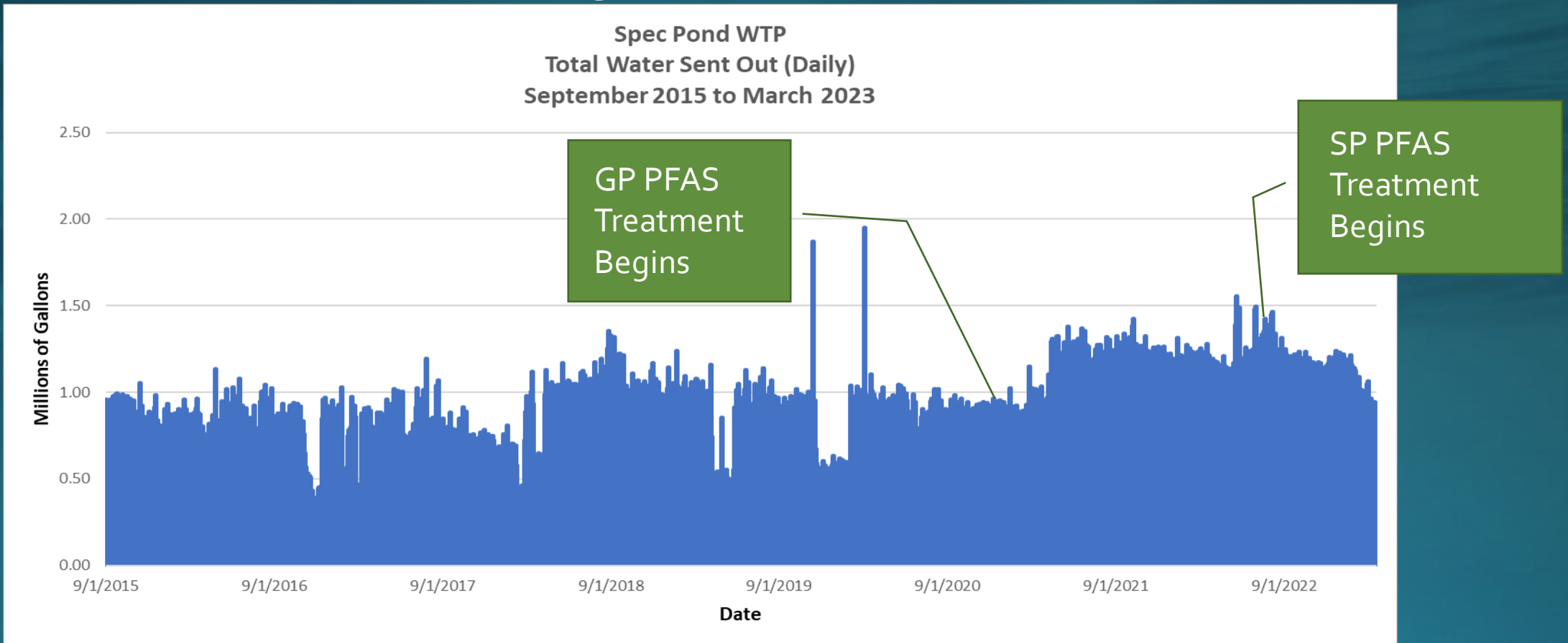
# Production Capacity has Decreased

- PFAS Treatment has created a production bottleneck: Grove Pond
- Production is hindered from ~1.2 MGD to ~0.6 MGD



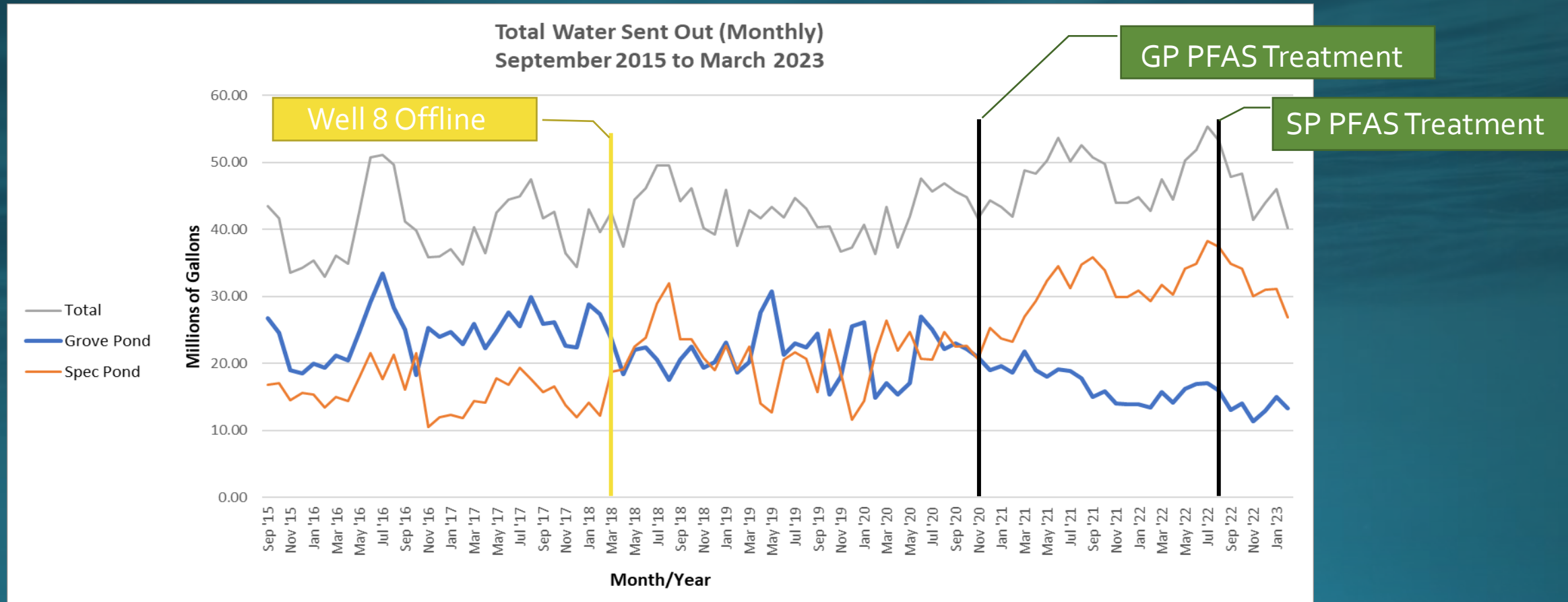
# Production Capacity has Decreased

- PFAS Treatment has created a production bottleneck: Spec Pond
- Spec Pond production increased in 2020
- Since PFAS treatment began, production is capped at 1.2 MGD



# Production Capacity has Decreased

- Primary producer has flipped from Grove to Spectacle



# Production Capacity has Decreased

- After PFAS Treatment began both facilities began to lose production capacity due to excessive head loss
  - Grove Pond is experiencing 43-49% decrease in production capability

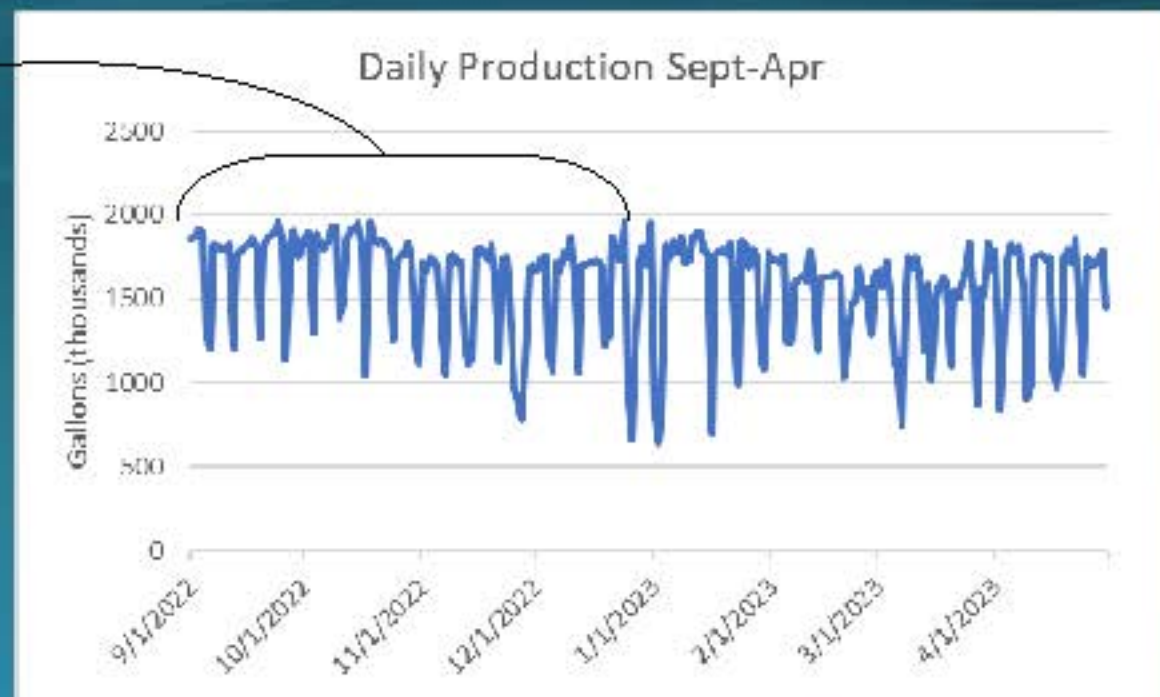
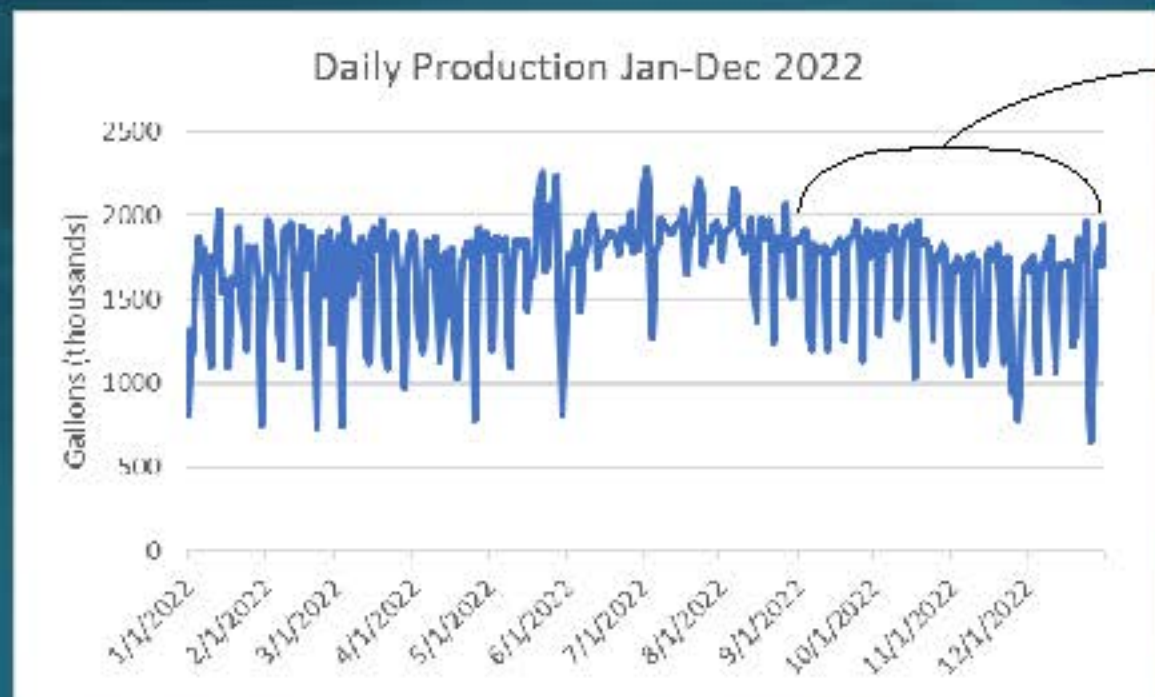
Grove Pond	April 2019	April 2022	Percent Decrease
Average	710 GPM	407 GPM	43%
Maximum	1,054 GPM	539 GPM	49%

- Spectacle Pond is experiencing 2-9% decrease in production capability

Spec Pond	Jan-Apr 2022	Jan-Apr 2023	Percent Decrease
Average	719 GPM	708 GPM	2%
Maximum	893 GPM	815 GPM	9%

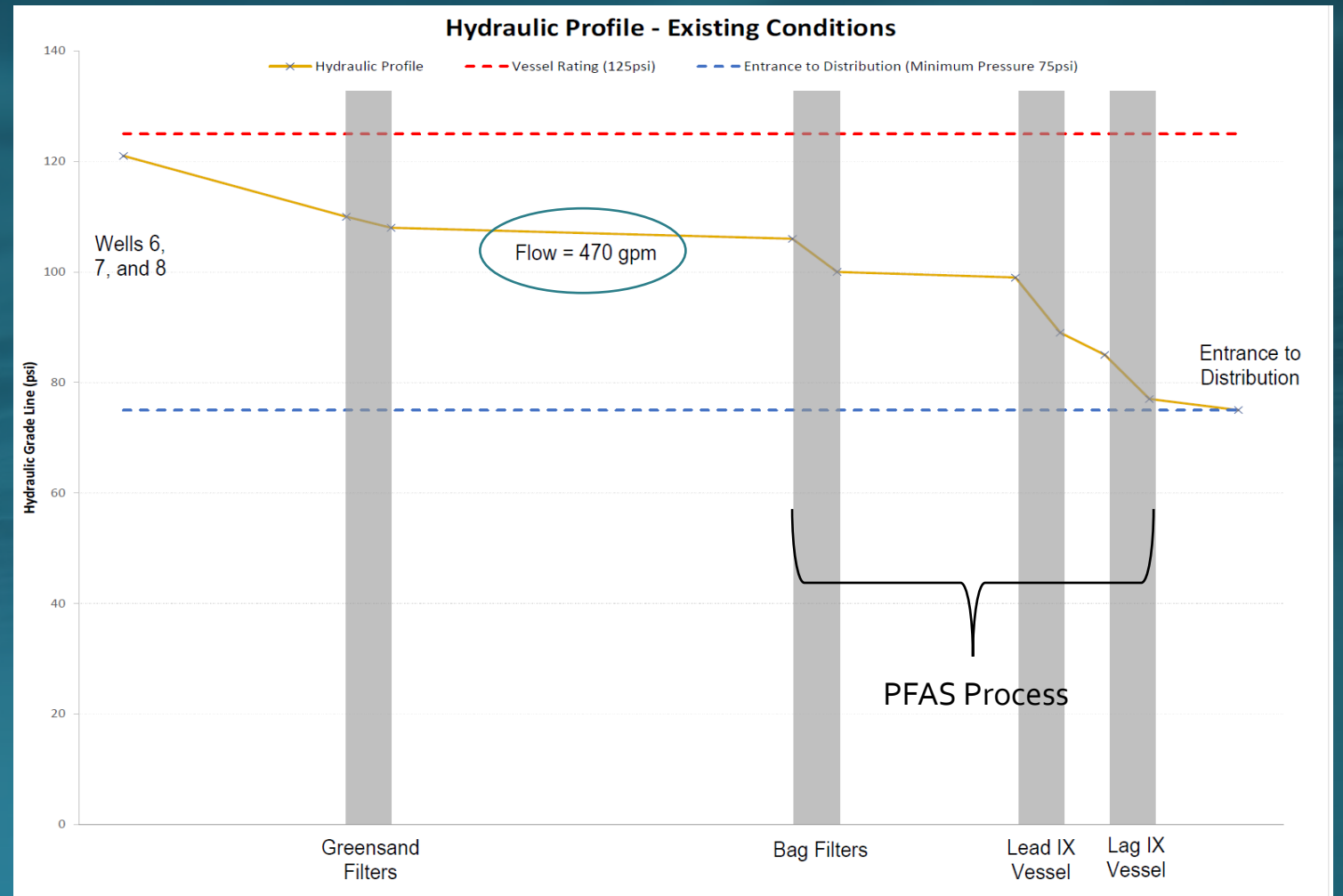
# Production Capacity has Decreased

- Currently pumping at full capacity
- Resiliency in cases of emergencies is hindered
- Projected spikes in Summer will be difficult to meet



# Engineering Study: Grove

- Firm hired to evaluate Grove Pond: Woodard and Curran
- Significant pressure loss through the PFAS system
- The wells are working at the max rate without damaging the facility with excessive pressure while still providing enough pressure to pump into the distribution system



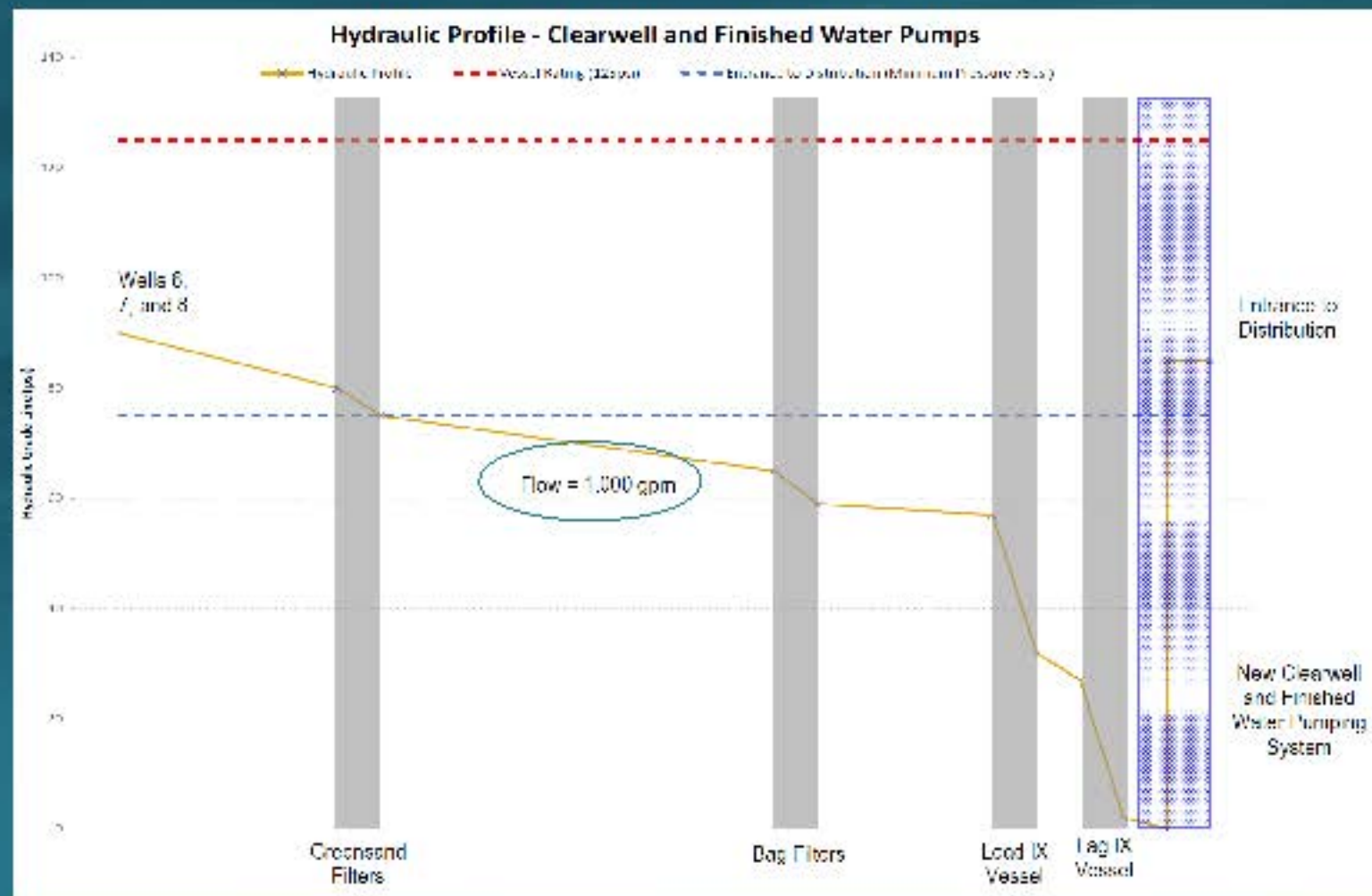
# Recommended Solution



## Install Clearwell and Finished Water Pumps

- A Clearwell is a storage tank that is at the end of the treatment process
- Creates a hydraulic break between the facility and the distribution system
- Allows the facility to operate at full capacity
- Finished Water Pumps to pump from the Clearwell to the distribution system
- Resizing the existing well pumps/motors to accommodate the new hydraulic conditions may be needed

# Potential Hydraulic Profile





# Estimated Costs and Funding Opportunities

Item	Unit	Quantity	Unit Cost	Total Cost
Administration	LS	1	\$ 150,000	\$ 150,000
Clearwell	LS	1	\$ 400,000	\$ 400,000
Yard Piping and Valving	LS	1	\$ 125,000	\$ 125,000
Pump Station Building	LS	1	\$ 475,000	\$ 475,000
Finish Water Pumps	EA	2	\$ 90,000	\$ 180,000
Electrical & Instrumentation	LS	1	\$ 150,000	\$ 150,000
Well Pump Replacement	EA	3	\$ 50,000	\$ 150,000
Earthwork	LS	1	\$ 200,000	\$ 200,000
<b>Construction Subtotal</b>				<b>\$ 1,830,000</b>
<b>Contingency (30%)</b>				<b>\$ 549,000</b>
<b>Engineering Design, Bidding, Regulatory Approval and Construction Phase Services (20%)</b>				<b>\$ 366,000</b>
<b>Total</b>				<b>\$ 2,745,000</b>

This is the engineer's preliminary cost estimate

- Army
- Emergency SRF
- Grant Opportunities

# Strategy to Address Immediate Concern

How we plan to get through this summer:

- Monitor the need to recommend State of Water Supply Conservation measures
  - Daily monitoring of tank levels, production, and operations
  - Updates to Select Board / Water Commissioners at a frequency TBD
- Work with our large customers
- Work with Devens and Littleton

# Thank you

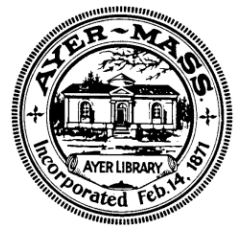
Dan Van Schalkwyk, P.E., Director

Kimberly Abraham, Water and Sewer Superintendent

Matt Herson, P.E., Town Engineer



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 12, 2023

**TO:** Ayer Select Board

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

**SUBJECT:** Town Manager's Report for the May 16, 2023 Ayer Select Board Meeting

Dear Honorable Select Board Members,

I am pleased to submit to you the following Town Manager's Report for the May 16, 2023 Select Board Meeting. If you have any questions prior to the meeting, please do not hesitate to contact me directly. Thank you.

**Administrative Update/Review of Town Warrants:**

- At the meeting I will provide a brief Administrative Update on the various activities, initiatives, and projects of the Town since the Select Board last met on May 2, 2023.
- I have reviewed, approved, and signed the following Town Warrants since the Select Board last met on May 2, 2023:

Payroll Warrant #23-22 in the amount of \$415,600.09 was reviewed, approved, and signed on May 2, 2023.

Accounts Payable Warrant #23-12 in the amount of \$1,358,439.26 was reviewed, approved, and signed on May 9, 2023.

**Appointments:**

- COA Board of Directors:

On the recommendation of the Council on Aging, I recommend that the Select Board appoint Judge Robert Gardner to the Council on Aging for a term to expire on June 30, 2024.

On the recommendation of the Council on Aging, I recommend that the Select Board appoint Mary Markham to the Council on Aging for a term to expire on June 30, 2024.

Senior Center/Community Center Building Committee:

In accordance with the Select Board's authorization of the proposal to form a Senior Center/Community Center Building Committee at the April 4, 2023 (See attached), I am respectfully recommending that the Select Board appoint the following individuals to the Senior Center/Community Center Building Committee as follows:

Mr. Dennis Curran (COA Representative selected by the COA and an Ayer resident)

Dr. Katie Petrossi, COA/Senior Center Director

Mr. Kevin Malantic (Parks Commission Representative selected by the Parks Commission and an Ayer resident)

Mr. Jeff Thomas, Parks Director (Ayer resident)

Mr. Dan Van Schalkwyk, P.E., DPW Director

Mr. Ken Diskin (Planning Board Representative selected by the Planning Board and an Ayer resident)

Ms. Ellen Fitzpatrick (Ayer resident) *\*Letter of interest attached\**

Ms. Christine Logan (Ayer resident) *\*Letter of interest attached\**

Ms. Marge Withee (COA Member and Ayer resident) *\*Letter of interest attached\**

**Update on Opioid Settlement Allocations:**

- At the May 2, 2023 Select Board Meeting under Public Input, a resident raised the issue of an apparent funding disparity between the funding allotments to the Town of Ayer and the Town of Harvard as highlighted in an article in *The Harvard Free Press*. The Select Board asked the Town Manager to research the matter and advise back at the May 16, 2023 meeting.
- As of May 12, 2023, the Town Manager has formally contacted the Opioid Settlement Division of the Attorney General's Office and is awaiting a response. Additionally, the Town Manager has contacted State Senator Eldridge and State Representative Sena regarding this issue. Finally, the Town Manager has also asked Town Counsel to advise from their perspective on the settlement calculation and is awaiting a response.
- The Town Manager hopes to have responses and more information for the Select Board by the meeting on May 16, 2023 and will provide a brief update at the meeting. The issue continues to be actively researched.

**Review/Approval of Policy – Disposition of Town of Ayer Surplus Tangible Supplies:**

- The disposition by a governmental body of tangible supplies, which would include equipment and furniture but not real property, is governed the provisions of G.L. c. 30B, §15. The statute provides a process for the disposition of such tangible supplies through competitive sealed bids, public auction, or established markets. The notice to be provided for such disposition is specified by the statute. Further, the statute

provides that supplies with an estimated value of less than \$10,000 may be disposed of using written procedures of the governmental body. In order to address the requirements of G.L. c. 30B, §15 with respect

to the disposition supplies with an estimated value of less than \$10,000, I recommend consideration of the following disposition policy as reviewed and approved by Town Counsel for adoption by the Select Board. (See attached).

Thank you.

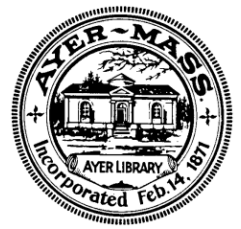
Attachments: Proposal for Senior/Community Center Building Committee (approved by the Select Board on April 4, 2023)

Letters of interest from Residents: Ellen Fitzpatrick; Christine Logan; and Marge Withee to serve on the Senior Center/Community Center Building Committee

Proposed Disposition Policy for Town of Ayer Surplus Tangible Supplies

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

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

**MEMORANDUM**

**DATE:** March 31, 2023

**TO:** Ayer Select Board

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

**SUBJECT: Proposal for Senior/Community Center Building Committee**

Dear Honorable Select Board Members,

At the March 27, 2023 the Select Board received and discussed the Study Report from the Senior Center Site Selection Working Group and further voted to further pursue and develop the recommendation of the Study Report to locate a Senior/Community Center (also referred to as a Center for Active Living) on a portion of Pirone Park as set forth in the Study Report. Additionally, the Select Board voted to form an official Building Committee charged with the following responsibilities (as set forth on Page 7 of the Study Report):

Proposed Charge of the Building Committee:

- Oversee the further development of the Pirone Park site location for the purposes of a Senior/Community Center
- Oversee the conceptual plan development to include extensive public outreach and participation in the conceptual design
- Identify and secure funding for the design of the project to include Town Meeting approval.
- Oversee the final design of the project.
- Develop, oversee, and administer a construction budget for the project to include Town Meeting approval.
- Oversee the construction of the project.
- Conduct all meeting of the Building Committee in accordance with the provisions of the Open Meeting law (publicly posted meetings) and in accordance with the provisions of the Public Records Law (maintain and issue meeting minutes)
- Provide periodic public updates to the Select Board (and other Board and Committee as necessary) regarding the status/progress of the project.

- The Building Committee shall be provided with appropriate and reasonable levels of professional and administrative support from the Town Manager's Office; Town Departments; and professional consultants as warranted and with approved funding.
- Other duties with respect to this project as needed.

Proposed Composition of the Building Committee:

It is respectfully recommended/proposed that the Select Board authorize the following composition of the Building Committee:

A nine (9) Member Committee as follows:

- One (1) Member of the Council on Aging
- The COA/Senior Center Director (Dr. Katie Petrossi)
- One (1) Parks Commissioner
- The Parks and Recreation Director (Mr. Jeff Thomas)
- The DPW Director (Dan Van Schalkwyk, P.E.)
- One (1) Member of the Planning Board
- Three (3) Ayer Residents

In terms of the appointments of the three (3) Ayer Residents, it is recommended that the Select Board publicly post the three (3) resident positions for a minimum of two (2) weeks on the Town's website; Town Hall posting Board; and Town social media. Interested applicants must be an Ayer Resident and should submit a letter (or email) of intent to the Assistant Town Manager, Carly Antonellis ([atm@ayer.ma.us](mailto:atm@ayer.ma.us)) by the deadline established by the Select Board.

The Select Board would then interview Resident applicants at a Select Board Meeting and vote by simple majority to make the appointments.

It is recommended that the Building Committee not formally meet until the Resident positions on the Committee are appointed. The Building Committee would determine its organization of Officers.

This is a recommended proposal for the Building Committee for the Select Board to consider and it is the purview of the Select Board to adjust accordingly.

Thank you.



**Ellen Smith FitzPatrick**



April 28, 2023

Carly Antonellis, Assistant Town Manager  
Town Hall  
Ayer, Massachusetts 01432

Dear Ms. Antonellis,

My name is Ellen Smith FitzPatrick and I am a 74-year-old retiree. I have lived in Ayer at 801 Autumn Ridge Drive since 2012. I am writing to apply for one of the openings for a Town resident on the Ayer Senior Center/Community Center Building Committee. I understand that this Public Building Committee will be charged with development of a proposed building for such a center on a portion of Pirone Park.

Prior to Covid-19 shutdowns, I was a frequent participant at exercise, social and other programs at the Ayer Senior Center. I was also very active at other area Senior Centers, especially in Groton and Pepperell. I feel this gives me a good understanding of the kinds of activities and facilities needed for an effective program for seniors. I also closely followed the successful effort to publicize, fund, design and build a new Senior Center/Community Center in Groton.

I have been an enthusiastic supporter of efforts to build a new Senior Center in Ayer for several years. I was actively involved in efforts to get the community of Ayer seniors to give input on their preferences for the Center's facilities and activities. I attended the group meeting with the original design team at the Ayer Regional High School. It was a great disappointment when that effort had to be tabled.

I am very excited that the Town has made an in-depth study of possible locations for a new Senior Center/Community Center, eliminating a large number of possible sites and focusing on Pirone Park. I also applaud the idea of partnering with the Department of Parks and Recreation and combining the facility with a gymnasium. I would be honored to have the opportunity to work with this new Public Building Committee to help make this facility a reality that will benefit not only seniors, but also youth and other members of the Ayer community.

Some background on myself: I retired in 2015 from the Massachusetts Department of Conservation and Recreation (DCR), where I worked for 20 years in various roles including Centennial Coordinator for the Massachusetts State Forest and Parks, as well as a Special Projects Coordinator, Public Relations Director and Customer Service Representative. I have expertise in the areas of communication, writing/editing, event planning, and project management. At DCR, I coordinated the multi-department team that handled project communication during the closure of the Plymouth Rock Memorial Pavilion for a year during ceiling repairs. Plymouth Rock is the second most visited tourist attraction in the Commonwealth and a very popular destination for school fieldtrips from all across the region. This project involved interacting with town and state officials, schools, the harbormaster, tourism officers and many others to provide information to visitors at the site and for those planning to visit. I also coordinated a large team that designed, produced, installed and arranged funding for new National Park Service-mandated signage on seven of the Boston Harbor Islands managed by DCR.

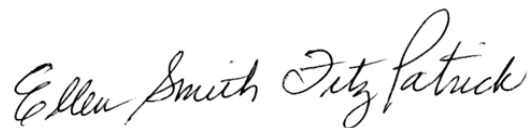
In terms of Town involvement, I was very active in the successful effort to get state/federal-funded parking and accessibility improvements completed at the commuter rail station in Ayer. Currently, I am a member of the Friends of the Ayer Library Executive Committee.

As a member of the Public Building Committee for the Senior Center/Community Center, I can contribute assistance in the area of communication, such as ideas on how to prepare information about the project for Ayer residents, especially seniors. I also have thoughts on how to mitigate the major objections to the proposed site and to strategize a plan to turn negative opinions into positives.

I am very excited that this Senior Center/Community Center project is once again active, as I know many in our community of seniors are looking forward to having a local facility dedicated to meeting their unique needs.

You can contact me at [REDACTED] or via email at [REDACTED]. Any thanks for your consideration.

Sincerely,



Ellen Smith FitzPatrick

**From:** [REDACTED]

**To:** [atm@ayer.ma.us](mailto:atm@ayer.ma.us)

**Subject:** Letter of intent for Ayer Residents Needed for Senior Center/Community Center Building Committee

**Date:** Wednesday, April 26, 2023 2:32:23 PM

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Hi,

My name is Christine Logan. I have lived in Ayer for the past 31 years and I am interested in possibly being on the committee for the proposed senior/community center.

I can be reached via this email or at my home phone [REDACTED]

Feel free to leave a message if no one is able to pic u

Thank you,

Christine

**From:** [REDACTED]  
**To:** [Carly Antonellis](#)  
**Subject:** Building Committee  
**Date:** Monday, April 10, 2023 5:04:41 PM

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would like to be considered for the Building Committee of the Senior Center/ Recreation Center for the Town of Ayer, as a resident of Ayer.

Thank you.

Marge Withee

[REDACTED]  
Ayer

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

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Town of Ayer| Ayer Town Hall| 1 Main Street| Ayer, MA 01432|978-772-8220| [www.ayer.ma.us](http://www.ayer.ma.us)

**DISPOSITION OF TOWN OF AYER SURPLUS TANGIBLE SUPPLIES**

The following shall constitute the written procedures to be used by the Town of Ayer for the disposition of surplus tangible supplies pursuant to the provisions of G.L. c.30B, §15:

1. Upon determination by the Town Manager that a tangible supply is surplus to its use due to age, obsolescence, or non-use, the Town Manager may in their reasonable discretion determine the value of such tangible supply.
2. For tangible supply having an estimated net value of less than \$10,000.00, the Town Manager may either:
  - (1) solicit written or oral price quotes by posting written notice of the disposition
    - (a) in a conspicuous place in or near Town Hall
    - (b) on the Town website, and/or
    - (c) posting notice or advertising in any other location in the Town Manager's discretion;
  - (2) solicit no less than three written or oral price quotes from persons who customarily purchase and/or sell equipment or materials of the type to be disposed of by the Town; or
  - (3) list the tangible supply on an on-line auction website that is open to the public, provided that notice has also been posted in a conspicuous place in or near Town Hall, such posting to include the web address for the auction site, the opening and closing dates of the auction, and any keyword or auction identification number to locate the item on the auction website.
3. For tangible supply having an estimated net value of \$10,000.00 or more, the Town Manager shall offer such tangible supply through competitive sealed bids, public auction, or established markets. The notice of sale shall indicate the tangible supply offered for sale, designate the location and method for inspection of such tangible supply, state the terms and conditions of sale including the place, date and time for the bid opening or auction, and state that the Town retains the right to reject any and all bids. The notice of sale shall be posted for at least two weeks in a conspicuous place in or near Town Hall until the time specified in the invitation for bids; and be published at least once, not less than two weeks prior to the time specified for the receipt of bids, in a newspaper of general circulation within the area served by the Town and on the COMMBUYS system.
4. The Town Manager shall dispose of tangible supply to the bidder offering the highest bid price.
5. If the Town Manager rejects the bid from the highest responsive bidder, the Town Manager may negotiate a sale of such tangible supply so long as the negotiated sale price is higher than the bid price or resolicit bids.
6. The Town Manager shall maintain a written record of all dispositions of tangible supplies.

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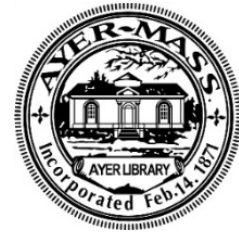
Jannice L. Livingston, Chair

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Shaun C. Copeland, Vice-Chair

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Scott A. Houde, Clerk



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

*Broadcast and Recorded by APAC*

**April 4, 2023**  
**Open Session Meeting Minutes**

**SB Present:** Jannice L. Livingston, Chair; Scott A. Houde, Clerk

**SB Absent:** Shaun C. Copeland, Vice-Chair

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

**Call to Order:** J. Livingston called the meeting to order at 6:00 PM. J. Livingston stated that 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).

**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.

**Motion passed 2-0.**

**Announcements:** J. Livingston announced that there are two vacancies on the COA Board of Directors and that the Annual Townwide Cleanup is being held on April 22, 2023.

**Public Input:** Amy Messcher, 11 Gardner Lane, stated that she was in attendance on behalf of the 4<sup>th</sup> of July Celebration Community Group. She invited the Select Board to the upcoming celebration on June 23, 2023, through June 25, 2023.

Fire Chief Tim Johnston invited the public to the fire station on Saturday April 8, 2023 from 10am – 12pm for an informational session regarding the department's upcoming FY '24 budget proposals.

**Update from Laurie Nehring - Water Chestnut PULL Campaign for Grove Pond and MA PFAS and Health Study:** Ms. Nehring was not in attendance.

**Final Review and Approval of the 2023 Annual Town Meeting Warrant Joint Meeting of the Select Board and Finance Committee:** K. Fraczkowski called the Finance Committee to order at 6:09 PM. K. Fraczkowski was in attendance. Committee members Andrew Sealey, Jin Hong, and Sebastian Cordoba joined by Zoom. R. Pontbriand highlighted some changes in the warrant that were approved by the Capital Planning Committee in January but were inadvertently left out of a previous draft of the warrant:

Article 10 - DPW Stormwater Account - Culvert Improvements for \$130,000; Water Enterprise Account - Grove Pond Green Sand Valve Replacement for \$50,000; and in the Sewer Enterprise Account - Replacement of the Wastewater Treatment Plant Boilers for \$100,000. Article 13 - Capital Requests Transfer from Capital Stabilization - library HVAC repairs for \$25,000 and the library roof repair in the amount of \$15,000. Article 15 - reimbursement of Library Trust Funds was removed from the warrant after being flagged by Town Counsel. R. Pontbriand stated that at the 2<sup>nd</sup> public budget forum on March 8, 2023 the issue was raised about reimbursing the 4<sup>th</sup> of July Celebration Account in the amount of \$10,000 from Free Cash. This item was also flagged by Town Counsel. R. Pontbriand is recommending adding that \$10,000 to the omnibus budget. R. Pontbriand stated that there was also a request for funding additional RRFB (automated light) crosswalk systems in the amount of \$100,000. D. Van Schalkwyk has asked that he is given additional time to do engineering due diligence. There was additional discussion about the warrant.

S. Houde asked if there was urgency in replenishing the \$35,000 to the Library Trust Funds? R. Pontbriand stated no and that it will be taken up at a future Town Meeting.

R. Pontbriand stated that this draft of the warrant also contains the recommendations of the Finance Committee.

J. Livingston asked how long the due diligence would take for the crosswalks. R. Pontbriand stated that it would be done over the course of the summer.

Pauline Conley, 40 Cambridge Street said that she would like to spend the proposed \$100,000 on the crosswalks now and then if it is not spent, it would go back to Free Cash.

S. Houde stated he is a process guy and an item for \$100,000 should go through the Capital Planning Committee. J. Livingston said what about setting aside \$50,000 for 5 of the RRFB systems.

Susan Copeland, Town Clerk stated that she believes in the process and referred to the memo sent by the DPW Director. She stated that all department heads are asked to follow the process and is concerned that this could establish precedent. Barbara Tierney, Finance Manager stated that it is generally not looked upon favorably to purchase one-time expenses out of Free Cash. There was additional discussion. S. Houde stated that we should stick to the process, J. Livingston agreed.

S. Houde stated that the current 4<sup>th</sup> of July budget is \$13,000. There was discussion about the omnibus 4<sup>th</sup> of July budget vs. the revolving 4<sup>th</sup> of July fund budget. S. Houde is suggesting that \$10,000 be added to the omnibus budget.

P. Conley referenced page 9 of the Town's Financial Policies where it states that a prudent use of Free Cash is for one-time expenses. There was additional discussion.

S. Houde stated that he would like to increase the omnibus budget by \$10,000 in the 4<sup>th</sup> of July account.

There were no questions from the Finance Committee. K. Fraczkowski reported that the Finance Committee met March 29, 2023 and reviewed all the articles in the warrant. All Finance Committees recommendations are noted in the DRAFT warrant as presented and in the meeting packet.

S. Houde asked why the Finance Committee voted "no position" on Article 5, the Nashoba Valley Technical High School Assessment. K. Fraczkowski stated it was because the Finance Committee hadn't seen a presentation on the budget.

**Motion:** A motion was made by S. Houde and seconded by J. Livingston to recommend articles 4,5,28 and 29. **Motion passed 2-0.**

R. Pontbriand recapped all of the changes made at the table.

P. Conley asked what the current limit on debt exclusions are? S. Houde answered \$350,000.

**Motion:** A motion was made by S. Houde and seconded by J. Livingston to approve the Special Town Meeting Warrant as presented. **Motion passed 2-0.**

**Motion:** A motion was made by S. Houde and seconded by J. Livingston to approve the Annual Town Meeting Warrant with the discussed adjustments. **Motion passed 2-0.**

**Finance Committee Meeting Motion:** A motion was made by A. Sealey and seconded by J. Hong to adjourn at 6:55 PM. **Motion passed 4-0.**

**Review and Approval of Cable License with COMCAST:** The SB was joined remotely by Attorney William Hewig from KP Law, who assisted the Town with the Comcast Cable Television Renewal License. The Cable Advisory Committee was appointed by the Select Board last fall and consists of Select Board Member Jannice Livingston, Janet Providakes, Julie Murray, Brian Gill. Attorney Hewig reported that subscriber figures continue to decrease. The proposed license is for 10 years and will expire on March 31, 2033. The operating funding received by Town will increase from 4.6 % of Comcast's gross annual revenues to 5% for public access. Attorney Hewig referenced his Executive Summary as contained in the meeting packet and highlighted the major changes. J. Livingston stated that we do not stop any other cable companies from coming into Town and that they don't want to because of the cost. S. Houde thanked all members who participated. Attorney Hewig stated that the proposal meets the town's future community cable-related needs, as established during our ascertainment period, and he is recommending approval and execution.

**Motion:** A motion was made by S. Houde and seconded by J. Livingston to approve the proposed license with Comcast for the period of April 1, 2023 through March 31, 2033. **Motion passed 2-0.**

**Proposal for Senior/Community Center Building Committee:** R. Pontbriand stated that at the March 27, 2023 Select Board meeting, they received and discussed the Study Report from the Senior Center Site Selection Working Group and further voted to further pursue and develop the recommendation of the Study Report to locate a Senior/Community Center (also referred to as a Center for Active Living) on a portion of Pirone Park as set forth in the Study Report. For the proposed composition of the Building Committee, he is recommending a nine (9) Member Committee as follows: One (1) Member of the Council on Aging; The COA/Senior Center Director (Dr. Katie Petrossi); One (1) Parks Commissioner; The Parks and Recreation Director (Mr. Jeff Thomas); The DPW Director (Dan Van Schalkwyk, P.E.); One (1) Member of the Planning Board; Three (3) Ayer Residents. He is recommending the SB post the three (3) resident positions for a minimum of two (2) weeks on the Town's website; Town Hall posting Board; and Town social media.

**Motion:** A motion was made by S. Houde and seconded by J. Livingston to create a building committee with nine members as in the meeting packet and presented. **Motion passed 2-0.**

**Approval of Select Board Letter to MassDevelopment Re: Noise Issues:** J. Livingston stated that on the weekends from April to October there is car racing going on at the old airfield. She would like MassDevelopment to know that they are causing severe noise pollution. She thanked S. Houde for the edits made to the letter.



**Motion:** A motion was made by J. Livingston and seconded by S. Houde to approve the letter as edited.

Pauline Conley, 40 Cambridge Street stated if we resumed jurisdiction of Devens, we could stop the noise.

**Motion passed 2-0.**

**Town Manager's Report - Administrative Update/Review of Town Warrant(s):** R. Pontbriand provided a brief Administrative Update to the Select Board on the various activities, initiatives, and projects of the Town since the Select Board last met and referenced the Town Warrants that are in the Select Board's packet that were approved since the Select Board last met. R. Pontbriand stated that the Warrant will be posted by Friday April 7, 2023. He noted that the Howitzer rededication will take place on Monday April 17, 2023 at 12:00 PM.

**New Business/Select Board Member Questions:** J. Livingston is requested for the first meeting in May to have a Great Hall Improvements for acoustics.

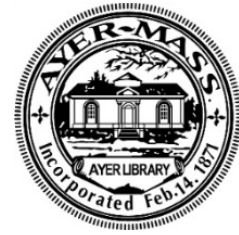
**Adjournment:**

**Motion:** A motion was made by S. Houde and seconded by J. Livingston to adjourn at 7:21 PM. **Motion passed 2-0.**

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

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

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



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

*Broadcast and Recorded by APAC*

**May 2, 2023**  
**Open Session Meeting Minutes**

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

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

**Call to Order:** J. Livingston called the meeting to order at 6:00 PM. J. Livingston stated that 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).

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

**Announcements:** J. Livingston announced: the Annual Town Election will take place on May 9, 2023, the current list of Board/Committee vacancies; and that the Memorial Day Parade will be taking place on Saturday May 27, 2023.

**Public Input:** Dennis Curran, Pleasant Street had a question relative to the amount of Opioid Settlement money the Town of Ayer is receiving vs. the Town of Harvard. He referenced a recent article in the Harvard Press. The Town of Harvard, which has a smaller population and had 3 opioid-related deaths received \$346,114 dollars. The Town of Ayer which had 18 opioid-related deaths and a higher population is only set to receive \$37,681. J. Livingston stated that Harvard receives a higher amount in Lottery Aid (UGGA) although Harvard does not sell lottery tickets. D. Curran is requesting that the Town reach out to our state delegation to find out the reason for the difference. R. Pontbriand stated that a decision on how to use the funds has not been made final yet.

**Dr. Katie Petrossi, Director, Ayer Council on Aging - Approval of Anonymous Donation:** Dr. Katie Petrossi was in attendance requesting that the Select Board accept an anonymous donation in the amount of \$2,000.

**Motion:** A motion was made by S. Houde and seconded by S. Copeland to accept the anonymous donation to the COA in the amount of \$2,000. **Motion passed 3-0.**

**Transfer of Class II License - 77 Fitchburg Road - From Edward J. Morin d/b/a Route 2A Auto Sales Center, LLC. to Broadway Motoring, Inc.:** Edward Gukasov, applicant was joined by building owner Ed Morin. Mr. Morin will be leasing out space to Mr. Gukasov; Mr. Morin currently has a Class II License and will be transferring it to Mr. Gukasov. C. Antonellis has reported that all Departments have reviewed the request and there are no issues.

**Motion:** A motion was made by S. Copeland and seconded by S. Houde to approve the Class II application for Broadway Motoring, Inc., as presented. **Motion passed 3-0.**

**Chuck Shultz, Facilities Director - Update on Proposed Great Hall Improvements:** C. Shultz joined the Select Board to provide an update on the Great Hall Acoustics Project. He reported that the Town Hall is currently bursting at the seams, and that we are in need of storage and meeting space. He showed conceptual drawings of renovated cubicle space in the Great Hall, which will accommodate for both meeting space and storage. He will also be submitting two projects to the Green Communities Competitive Grant, the window weatherization and insulation of the Town Hall attic. C. Shultz also presented plans for improving the acoustics and multimedia options in the Great Hall. He will be working with Rosati Acoustics (proposal in the packet) to analyze and engineer a solution that will work within the Great Hall footprint.

J. Livingston stated that she noticed the metal pieces hanging from the Town Hall ceiling and suggested draping that would look nice and help with the acoustics. C. Shultz stated that he had looked into it, but it would interfere with the sprinkler system. J. Livingston then asked about replacing Town Hall windows, noting that the Massachusetts Historic Commission had issues with the replacement about 8 years ago. R. Pontbriand stated that it has been a considerable amount of time since the Town worked with Mass Historic relating to the windows, but that all work done in the Great Hall will need their approval. C. Shultz stated he had been to Harvard and Groton's Town Halls to look at their setups. J. Livingston asked about the possibility of rolling out a carpet for certain events to help with the noise. C. Shultz stated that he is sure it could be incorporated into the overall project.

Pauline Conley, 40 Cambridge Street asked if the Town was eligible for MassSave. C. Shultz has been working with the Department of Energy Resources and they feel that insulating the attic would be all grant funded. She also asked if the acoustics in the First Floor Meeting Room would be addressed. C. Shultz stated that he would be asking the acoustics engineers to analyze the room.

**Dan Van Schalkwyk, Director, Department of Public Works - Update - W. Main Street Public Infrastructure Project (MassWorks):** Dan Van Schalkwyk was in attendance and stated that the project was mostly completed last year, and the remaining work is the curbing, sidewalks and driveway aprons, paving, line striping and signage. The target completion date is June 30, 2023. He showed all work presented to date and plans that were approved by Mass Highway. He stated that the curb extensions were originally designed at 8 feet, and they were supposed to be 6 feet, therefore the curb extensions will be taken in 2 feet on each side.

J. Livingston stated that there were a lot of issues with the 8 feet curb extensions and people felt uncomfortable because of how tight it was. D. Van Schalkwyk stated that the widening of that area will start in the morning.

S. Houde asked if the speed limit would be reduced. Police Chief Gill said they have been reevaluating the speed limit, which is currently at 35 mph. They are looking to have it reduced to a posted 30 mph or a townwide non-posted 25 mph.

J. Livingston asked if trucks are really able to get in and out of the Devens Plaza parking lot. D. Van Schalkwyk stated the design is to Town of Ayer's regulations, which are done to MassDOT standards.

Marcy Logan, Sculley Road asked how long the port-a-potty would be there. She stated it is from the train derailment in late March. She then stated that she helped clean Sculley Road during the Townwide cleanup. She asked if there is a way to get the businesses on Sculley Road and in Molumco Park to show up and help clean during the Townwide clean up day. D. Van Schalkwyk stated he will look into the port-a-potty issue. Ms. Logan also stated that it took her effort and time to widen Sculley Road. She said she now feels safe travelling on Sculley Road. There was additional discussion. S. Houde suggested the Adopt-a-Road program for Sculley Road.

*Change Order 1 – W. Main Street Public Infrastructure Project (MassWorks)* – D. Van Schalkwyk presented Change Order 1 for the construction of the Ayer West Main Street Public Infrastructure Project. The change order includes additional work due to unknown utilities, unforeseen concrete base material, winter pavement markings, curbing changes, time extension for winter shutdown, and overages for some actual quantities versus estimated quantities at time of bidding; for a total amount of \$339,393.76. He is recommending approval.

**Motion:** A motion was made by S. Houde and seconded by S. Copeland to approve Change Order No. 1 for the Ayer West Main Street Public Infrastructure Project in the amount of \$339,393.76 and including the time extension for signature by the Chair. **Motion passed 3-0.**

*Execution of Contract – Pleasant Street Drain Improvements* – D. Van Schalkwyk presented a contract for execution for drain improvements on Pleasant Street. The project is located near 109 Pleasant Street and Pleasant Street Extension to replace a poor condition drainage pipe that failed and includes improvements to structures being replaced. Eight bids were received for the project; bids ranged from \$70,750 to \$147,950. The low bidder is CHB Excavating of Westford, MA, already contracted to complete Third Street Water and Drain Improvements this year. He is recommending execution of the contract as presented.

**Motion:** A motion was made by S. Copeland and seconded by S. Houde to approve the contract with CHB Excavating for the Pleasant Street Drain Improvements project in the amount of \$70,750 with signature by the Board. **Motion passed 3-0.**

**Local Devens Committee Discussion:** R. Pontbriand provided an overview of the status of the local Devens Committee. The Select Board approved the formation, composition, and charge of a local Devens Committee back in November 2018. The main challenge has been getting the Committee populated; as well as clearly defining the scope of the Committee. Efforts were further delayed due to COVID-19. In the SB Meeting Packet are the following documents: the November 2018 memo creating the committee as approved by the Select Board; a proposed Committee interest document developed by the Director of Community and Economic Development; and a proposed questionnaire for interested applicants as developed by the Director of Community and Economic Development. R. Pontbriand further stated that from his vantage point, three initial issues are the appropriate name for the Committee; developing the charge/scope of the Committee (specifically the tasks of the Committee); and appointing the Committee. Having some type of informational questionnaire as proposed in the packet would make sense so that individuals understand what is involved with the Committee.

S. Houde stated that as the individual originally appointed by the Select Board to represent the Select Board on this Committee and to lead the effort he would like to do so. J. Livingston and S. Copeland concurred.

J. Livingston stated that in terms of a name for the Committee, that is important. The use of “2033” may be confusing in the name of the Committee as proposed.

S. Houde stated that he did not like the use of “2033” and that he would give the issue of the appropriate name as well as a defined charge and scope for the Committee some serious thought for further review and discussion at the next meeting.

Alan Manoian, Director of Community and Economic Development stated that he is available and willing to work with S. Houde. C. Antonellis asked for clarification at this point if there was anything that was expected or needed of from the Office of the Town Manager. S. Houde stated not at this time but in the future, he will let the Town Manager’s Office know.

P. Conley stated that she realizes that she is not the Board’s favorite person but that she would be interested in serving on this Committee and would like the Board to seriously consider it. She has a lot of knowledge about this issue and probably has more documents than anyone related to this subject.

J. Livingston stated that she took issue with the characterization that P. Conley is not the Board’s favorite person. She stated that P. Conley should submit a letter of interest.

**Town Manager’s Report - Administrative Update/Review of Town Warrant(s):** R. Pontbriand provided a brief Administrative Update to the Select Board on the various activities, initiatives, and projects of the Town since the Select Board last met and referenced the Town Warrants that are in the Select Board’s packet that were approved since the Select Board last met. He gave a brief Administrative Update thanking all Town Departments, Boards, Committees, Commissions, the Select Board, and Finance Committee, and the residents of Ayer for a successful Town Meeting on April 27. All 29 Articles passed including the FY 2024 Budget as submitted. He stated that the Town will now be focused on the end of the fiscal year which will include some potential Reserve Fund Transfers for consideration by the Select Board and Fin. Com. before June 30. He also advised that the Town will be updating MUNIS, the Town’s financial software system this Friday, May 5, 2023 and there may be some financial functions not available that day. Advanced public notice will be given. It is also that time of the year when the Select Board will be conducting annual appointments/re-appointments over the two meetings in June.

**New Business/Select Board Member Questions:** None

**Approval of Meeting Minutes:**

**Motion:** A motion was made by S. Copeland and seconded by S. Houde to approve the meeting minutes from April 18, 2023. **Motion passed 3-0.**

**Adjournment:**

**Motion:** A motion was made by S. Copeland and seconded by S. Houde to adjourn at 7:10 PM. **Motion passed 3-0.**

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

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

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