

RECEIVED
NOV 12 2021

TOWN OF AYER
TOWN CLERK

9:40am

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



Tuesday November 16, 2021, 6:00 PM
Open Session Remote Participation Meeting Agenda

Due to the ongoing COVID-19 Pandemic, in accordance with Chapter 20 of the Acts of 2021, suspending certain provisions of the Open Meeting Law (OML), public bodies otherwise governed by the OML are temporarily relieved from the requirement that meetings be held in public places, open and physically accessible to the public, so long as measures are taken to ensure public access to the bodies' deliberations "through adequate, alternative means." This meeting will be live on Zoom and Channel 8. The public may participate remotely by joining Zoom (Meeting ID# 897 9080 0793) or by calling (929-205-6099). For additional information about remote participation, please contact Carly Antonellis, Assistant Town Manager at atm@ayer.ma.us or 978-772-8220 ext. 100 prior to the meeting.

6:00 PM

Call to Order

Pledge of Allegiance; Review and Approve Agenda; Announcements

Recognition of Lauri J. Fritz, Assistant Town Clerk

Public Input

6:05 PM

Discussion on Future of Town Fireworks

Town Manager, Police Chief, Fire Chief

6:20 PM

Town Manager's Report

1. Administrative Update/Review of Town Warrant(s)
2. FY '23 Budget Update

6:25 PM

New Business/Select Board Member Questions

6:30 PM

Approval of Meeting Minutes

November 2, 2021

Executive Session pursuant to MGL Chapter 30A, Section 21A

1. Exemption #3 (Contract Negotiations) Fire Contract; DPW Contract; Police Superiors Contract

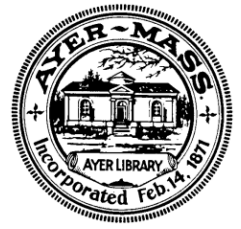
7:00 PM

Adjournment

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

*The next regularly scheduled meeting of the Select Board is Tuesday December 7, 2021 at 6:00 PM via Remote Participation; the FY '22 Tax Classification Hearing will be at 6:15 PM.
Zoom Meeting ID #897 9080 0793 or by Phone 929-205-6099*

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: November 12, 2021

TO: Ayer Select Board

FROM: Robert A. Pontbriand
Town Manager

SUBJECT: Town Manager's Report for the November 16, 2021, Ayer Select Board Meeting

Dear Honorable Select Board Members,

I am pleased to transmit to you the following Town Manager's Report for the November 16, 2021, Ayer Select Board Meeting. If you have any questions prior to the meeting, please do not hesitate to contact me directly. Thank you.

Administrative Update/Review of Town Warrant(s):

- I will provide a brief Administrative Update at the meeting of the various activities, initiatives, and projects of the Town since the Select Board last met on November 2, 2021.
- I have reviewed, approved, and signed the following Town Warrants since the Select Board last met on November 2, 2021:

Payroll Warrant #22-09 in the amount of \$359,514.63 was reviewed, approved, and signed on November 2, 2021.

Accounts Payable Warrant #22-09 in the amount of \$2,508,615.30 was reviewed, approved, and signed on November 9, 2021.

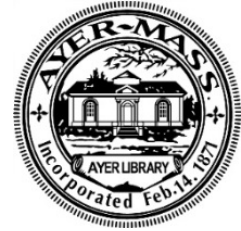
FY 2023 Budget Update:

- At the meeting, I will provide a brief update on the FY 2023 Budget process which is underway.
- The FY 2023 Capital Planning Process has commenced. The Committee had its first meeting on November 10, 2021. All FY 2023 Capital Planning Requests are posted on the Town's website at [FY 2023 Capital Budget Requests | Town of Ayer MA](#). The Committee has scheduled its next three meetings as follows: November 17, 2021 at 4pm on Zoom; December 1, 2021 at 4pm on Zoom; and December 8, 2021 at 4pm on Zoom.
- The Executive Bi-Board continues to meet regarding various FY 2023 Budget matters and financial matters of the Town. The Bi-Board has been discussing the development of a plan and policy for the Town regarding the Town's ARPA funds. Ultimately, a formal proposal/recommendation from the Executive Bi-Board will be presented to the Select Board for review, discussion, and approval regarding the Town's ARPA funds.

- The Rate Review Committee continues to meet and as the Board is aware most recently focused on developing the Calendar Year 2022 Solid Waste Rate Recommendation which was approved by the Select Board at your November 2, 2021, meeting. The Committee will now turn its focus to the review and development of the FY 2023 water and sewer rate recommendations to be considered by the Select Board in March of 2022.
- The contract negotiations for the three Unions (DPW, Fire, and Police Superiors) have commenced as of November 1, 2021, per the Town's Budget Calendar as approved by the Select Board. All three Unions have collective bargaining agreements which will expire on June 30, 2022.
- The FY 2023 Budget Preparation Directive will be issued on December 1, 2021, per the Town's Budget Calendar as approved by the Select Board. As in previous years, the Directive will be using a level-services approach based on the FY 2022 Budget with an emphasis on Departmental savings and efficiencies when possible. Additionally, as in previous years, a conservative budget approach will be followed especially since the impacts of the pandemic on the overall economy remain and further economic impacts of the pandemic on the national, state, and local level have yet to be fully realized. At the meeting I would like to discuss some of the Town's needs for consideration that have been initially identified in terms of the FY 2023 Budget.
- I look forward to further discussing this FY 2023 Budget Update with the Select Board at the meeting and to working with you, the Finance Committee, and all Town Departments, Boards, Commissions, and Committees in developing the FY 2023 Budget for consideration by the 2022 Annual Town Meeting on Monday, April 25, 2022.

Thank you.

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



Broadcast and Recorded by APAC

Tuesday November 2, 2021
Open Session Meeting Minutes

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

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

Call to Order: S. Copeland called the meeting to order at 6:00 PM. Due to the ongoing COVID-19 Pandemic, in accordance with Chapter 20 of the Acts of 2021, suspending certain provisions of the Open Meeting Law (OML), public bodies otherwise governed by the OML are temporarily relieved from the requirement that meetings be held in public places, open and physically accessible to the public, so long as measures are taken to ensure public access to the bodies' deliberations "through adequate, alternative means." This meeting will be live on Zoom and Channel 8. S. Copeland stated that all votes will be taken by Roll Call.

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

Approval of Meeting Agenda:

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve the meeting agenda. **By Roll Call**

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

Announcements: S. Copeland announced that the Winter Parking Ban will be in effect from November 15, 2021 – April 15, 2022.

Moment of Silence in Memory of Paul D. Bresnahan: Select Board Members and meeting attendees observed a moment of silence in memory of former Select Board and Board of Assessor member Paul D. Bresnahan.

Public Input: None

Reserve Fund Transfer Request – Council on Aging – Dr. Katie Petrossi - COA Other Charges and Expenses (01541-57000) for Software Upgrade: R. Pontbriand introduced Dr. Petrossi and stated that the Senior Center reopened on November 1, 2021. He encouraged Board members to see the newly renovated space. Dr. Petrossi is requesting a Reserve Fund Transfer in the amount of \$4,500 to purchase *Myseniorcenter* software, which is the predominately used software used in all senior centers to track data and manage reporting, etc.

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve the Reserve Fund Transfer request in the amount of \$4,500 in account 01541-57000 for the purchase of *Myseniorcenter* software. **By Roll Call Vote:** J. Livingston, aye; S. Houde, aye; S. Copeland, aye. **Motion passed 3-0.**

Chief Brian P. Gill, Ayer Police Department - Massachusetts Police Accreditation Commission Award

Presentation: The SB was joined by Police Chief Brian Gill. Chief Gill was in attendance to present the Select Board with the Massachusetts Police Accreditation Commission Award for recently achieving certification in September. Chief Gill noted that certification and accreditation are long-standing goals of the Ayer Police Department and Town of Ayer. SB members and R. Pontbriand congratulated Chief Gill and all members of the Ayer Police Department.

Public Hearing – Calendar Year 2022 Solid Waste (Transfer Station) Rates: J. Livingston opened the public hearing at 6:15 PM by reading the public hearing notice as advertised in the *Nashoba Valley Voice* on October 22, 2021 and October 29, 2021. R. Pontbriand was joined by DPW Director Dan Van Schalkwyk. D. Van Schalkwyk made a

presentation to the SB about recommended Transfer Station Rates for Calendar Year 2022. D. Van Schalkwyk noted that recycling and bag costs have increased 10%, while the budget is anticipated to increase by 15%-20% next year. He stated that total number of transfer station users is decreasing, yet senior permit sales are increasing. The recommendation of the Rate Review Committee is to increase the cost of the annual permit (not senior citizen permit) by \$5.00.

J. Livingston stated that when you look at the graph there is not a dramatic change over the years. S. Houde brought up changing the hours so that the transfer station would be open late one night a week to facilitate more use. He also asked if the Town considered looking at the scope of their recycling to help contain costs. J. Livingston stated that the Rate Review Committee has not had conversations about the scope of the recycling. J. Livingston stated that the Transfer Station would never make money and that the Town could see another change in the future where the transfer station would be the preferred method of trash disposal.

Laurie Sabol, 1 Winthrop Ave. stated that she echoed Select Board Member Houde's thoughts on making the Transfer Station more accessible to the public, and she would like to see the Town embark on a public education campaign to promote reducing, reusing and recycling.

James O'Connor, 12A Turtle Hill Road asked if there was a permit for the swap shed only. J. Livingston stated that it would be the day permit or the annual permit.

Laurie Nehring, 35 Highland Avenue, asked about a bin for Styrofoam.

J. Livingston stated that a sticker would be needed for swap shed use only to ensure that other areas of the transfer station are not being used. J. Livingston stated that she had an idea of making a separate entrance for the swap shed. L. Sabol asked what committee would be discussing these ideas in the future. J. Livingston stated that she would make sure these ideas are brought up at the Rate Review Committee. R. Pontbriand stated that he and DPW Director Van Schalkwyk will review all recommendations brought forth at this hearing.

J. Livingston stated that Sanbornton, NH has a bunch of volunteers to help manage the transfer station and it was impressive setup. She would like the Town to review using volunteers to help run the facility.

Motion: A motion was made by S. Houde and seconded by J. Livingston to approve the recommended rates, which is an increase in the annual permit (not senior citizen permit) fee by \$5 for calendar year 2022. **By Roll Call Vote:** J. Livingston, aye; S. Houde, aye; S. Copeland, aye. **Motion passed 3-0.**

Motion: A motion was made by S. Houde and seconded by J. Livingston to close the Public Hearing at 6:42 PM. **By Roll Call Vote:** J. Livingston, aye; S. Houde, aye; S. Copeland, aye. **Motion passed 3-0.**

Dan Van Schalkwyk, Director, Department of Public Works - Execution of MOU and License Agreement - Littleton Electric Light Department: D. Van Schalkwyk stated that as part of the Spectacle Pond Water Treatment Plant PFAS upgrade, electricity is being brought to the new PFAS treatment building by Littleton Electric Light Department (LELD). For LELD to install the electrical components on Town property, the Town must grant permission to LELD. This can be accomplished by a Memorandum of Understanding and License Agreement and will require a formal easement (Town Meeting Approval) in the future, after installation is completed. The MOU/License Agreement is included in the packet and was reviewed by Town Counsel.

Motion: A motion was made by J. Livingston and seconded by S. Houde to execute the MOU/License Agreement with Littleton Electric Light Department for the Spectacle Pond Water Treatment Plant PFAS Project, for signature by the Chair. **By Roll Call Vote:** J. Livingston, aye; S. Houde, aye; S. Copeland, aye. **Motion passed 3-0.**

PACE Update on PFAS Human Health Study: The SB was joined by Laurie Nehring from PACE (People of Ayer Concerned for the Environment) and Dr. Laurel Schaidler from Silent Spring Institute to brief the SB on an ongoing health study relating to PFAS contamination. Ayer was chosen to be a core community in an upcoming multi-site PFAS study. The study will span seven different states and will begin in Ayer in 2022 where recruitment of adults (ages 18+)

and children (ages 4-17) who lived in Ayer sometime between May 2006 and February 2018 will take place. The goal of the study is to study the human health effects of exposure to PFAS contaminants through drinking water among affected communities across the nation. Study participants will be asked to provide a blood sample, urine sample, and body measurements; complete a questionnaire and children will complete a neurobehavioral assessment, which includes a series of learning and memory games. SB members thanked Laurie Nehring and Dr. Shaider for making this important presentation.

Town Manager's Report: *Administrative Update/Review of Town Warrant(s)* - R. Pontbriand provided the Select Board with an update on the various activities, initiatives, and projects of the Administration since the Select Board last met. He also provided a list of signed Town Warrants in the meeting packet. He noted that the FY '23 budget is well underway and that capital requests have been submitted. He stated that the CARES program concluded last month and that he and the Finance Manager Lisa Gabree are reviewing any items that may have been deemed ineligible. He noted in the increase in the FY '22 reserve fund, in the event items are not deemed reimbursable by CARES. He stated that the Downtown Holiday Stroll and Tree Lighting will take place at 5:00 PM on December 4, 2021.

Contract Award – Ayer Police Station – HVAC Rooftop Units – R. Pontbriand was joined by Facilities Director Chuck Shultz who is recommending that the bid be awarded to Thomas E. Snowden, Inc., who was the low bidder at \$130,000. He noted that Tomas E. Snowden, Inc. was the most responsive, eligible and responsible bidder and that all references were positive.

Laurie Nehring, 35 Highland Ave. questioned whether the rooftop units were the most energy efficient.

Motion: A motion was made by J. Livingston and seconded by S. Houde to award the 21FAC01 Police Station HVAC Rooftop Unit Replacement to Thomas E. Snowden, Inc. in the amount of \$130,000. **By Roll Call Vote:** J. Livingston, aye; S. Houde, aye; S. Copeland, aye. **Motion passed 3-0.**

Reauthorization of UDAG Parks Funding for Kidde Junction Study – Parks and Recreation Director Jeff Thomas was in attendance asking the SB for consideration to reauthorize \$14,452 in UDAG funding for originally needed for the final upgrades for the new Parks Building to the Kidde Junction remediation study. The original appropriation for the new parks building is no longer needed.

Motion: A motion was made by S. Houde and seconded by J. Livingston to reauthorize \$14,452 in UDAG funding to go towards the Kidde Junction Remediation Study. **By Roll Call Vote:** J. Livingston, aye; S. Houde, aye; S. Copeland, aye. **Motion passed 3-0.**

Amendment to legal boundary description for 2020 Census Re-Precincting Plan – Town Clerk Susan Copeland joined the SB and asked for their consideration on an amendment for the legal boundary description for the 2020 Census re-precincting plan. She stated that upon review and discussion with the Local Election District Review Commission (LEDRC), an amendment was needed to include the access road behind the Ayer Shirley Regional High School.

Motion: A motion was made by S. Houde seconded by J. Livingston to approve the amendment to the 2020 Census re-Precincting plan. **By Roll Call Vote:** J. Livingston, aye; S. Houde, aye; S. Copeland, aye. **Motion passed 3-0.**

New Business/Selectmen's Questions: None

Approval of Meeting Minutes:

Motion: A motion was made by J. Livingston and seconded by S. Houde to approve the meeting minutes from October 19, 2021. **By Roll Call Vote:** J. Livingston, aye; S. Houde, aye; S. Copeland, aye. **Motion passed 3-0.**

Adjournment:

Motion: A motion was made by J. Livingston and seconded by S. Houde to adjourn at 7:19 PM. **By Roll Call Vote:** J. Livingston, aye; S. Houde, aye; S. Copeland, aye. **Motion passed 3-0.**

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

Date Minutes Approved by SB: _____

Signature Indicating Approval: _____

DRAFT