

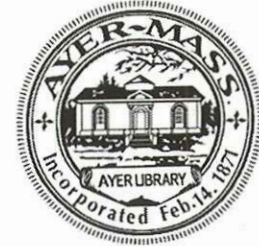
RECEIVED  
OCT 13 2023

TOWN OF AYER  
TOWN CLERK

11:45am



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



**Tuesday October 17, 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\*

**Public Hearing – Calendar Year 2024 Solid Waste (Transfer Station) Rates**

6:20 PM

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

1. Award of Kiddie Junction Playground Improvement Project
2. Memorandum of Understanding – Curley Circle
3. Water Supply Update

6:30 PM

**Insurance Advisory Committee Recommendation**  
**FY '25 Employee Health Insurance**

6:40 PM

**Town Manager's Report**

1. Administrative Update/Review of Warrants
2. Appointments
3. Review/Approval of FY '25 Budget Calendar
4. Review/Approval of Community Choice Power Supply Program Aggregation Plan

6:50 PM

**New Business/Select Board Member Questions**

6:55 PM

**Approval of Meeting Minutes**

September 19, 2023; October 3, 2023

7:00 PM

**Adjournment**

[Click on the blue box to view the Ayer Municipal Aggregation Plan](#)

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

*The Fall Special Town Meeting will be held on Monday October 23, 2023 at 7:00 PM at the Ayer Shirley Regional High School. The next regularly scheduled meeting of the Ayer Select Board will be held on Tuesday November 7, 2023 at 6:00 PM, both in-person and via Zoom.*

RECEIVED  
SEP 26 2023

TOWN OF AYER  
TOWN CLERK

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



2:45pm @

**Calendar Year 2024 Solid Waste (Transfer Station) Rates  
Public Hearing**

The Ayer Select Board will be conducting a remote and In-Person Public Hearing on Tuesday October 17, 2023 at 6:05 PM, Ayer Town Hall, 1 Main Street, Ayer, MA. The Select Board, in their legal capacity as the rate-setting authority for the Solid Waste Enterprise Fund (Transfer Station), will hear the report and recommendation(s) of the Town's Rate Review Committee; take public comment(s); and consider approval and adoption of the Calendar Year 2024 Solid Waste (Transfer Station) Rates. For Zoom/Call-In information, please contact Assistant Town Manager, Carly Antonellis at 978-772-8220 x100 or [atm@ayer.ma.us](mailto:atm@ayer.ma.us).

**Date of Public Hearing:** Tuesday October 17, 2023

**Time of Public Hearing:** 6:05 PM

**Location of Public Hearing:** In-Person at Ayer Town Hall, 1 Main Street, Ayer, MA  
Remote Participation Meeting held on Zoom

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



# Rate Review Committee Transfer Station Rate Recommendations



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October 17, 2023

Dan Van Schalkwyk, P.E., DPW Director

Town of Ayer, Massachusetts

# Rate Review Committee Purpose

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- Evaluate and recommend Transfer Station Rates to the Select Board
- Rate Review Committee also considers water and sewer rates at the appropriate time
- The goal of this meeting is to provide the recommendation for the Transfer Station Rates

# Rate Review Committee Members

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- Select Board Member, Jannice Livingston, Chair
- Mr. Andy Loven, Citizen Representative
- Mr. Kurt Fraczkowski, Finance Committee
- Mr. Dan Van Schalkwyk, P.E., DPW Director
- Ms. Kimberly Abraham, Water and Sewer Superintendent
- Ms. Pam Martin, DPW Business Manager
- Ms. Barbara Tierney, Finance Manager
- Mr. Robert Pontbriand, Town Manager

# Overview

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- Solid Waste Disposal / Transfer Station Operation is an Enterprise Fund
  - Separate accounting
  - Fees and rates charged for solid waste services
- Revenue is primarily obtained from annual permit sales and “Pay As You Throw” (PAYT) bag sales
- A portion of the solid waste budget is subsidized by General Fund (taxes)



# Transfer Station Operation

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- Municipal Solid Waste (Trash)
- Recycling (Zero-Sort)
- Food Waste Collection
- Bulk Items
- Yard Waste (Process and Haul to Brush Dump on Bishop Rd)
- Swap Shed
- Book / Textile / Metal Recycling



## Current Fees

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Annual Permit:	\$105.00
Senior Citizen Rate:	\$60.00
Second Permit:	\$30.00
One day Permit	\$15.00
PAYT 15 Gal Trash Bag	\$4.00
PAYT 33 Gal Trash Bag	\$5.00
PAYT 50 Gal Trash Bag	\$6.00
Bulk Tag	\$5.00 each

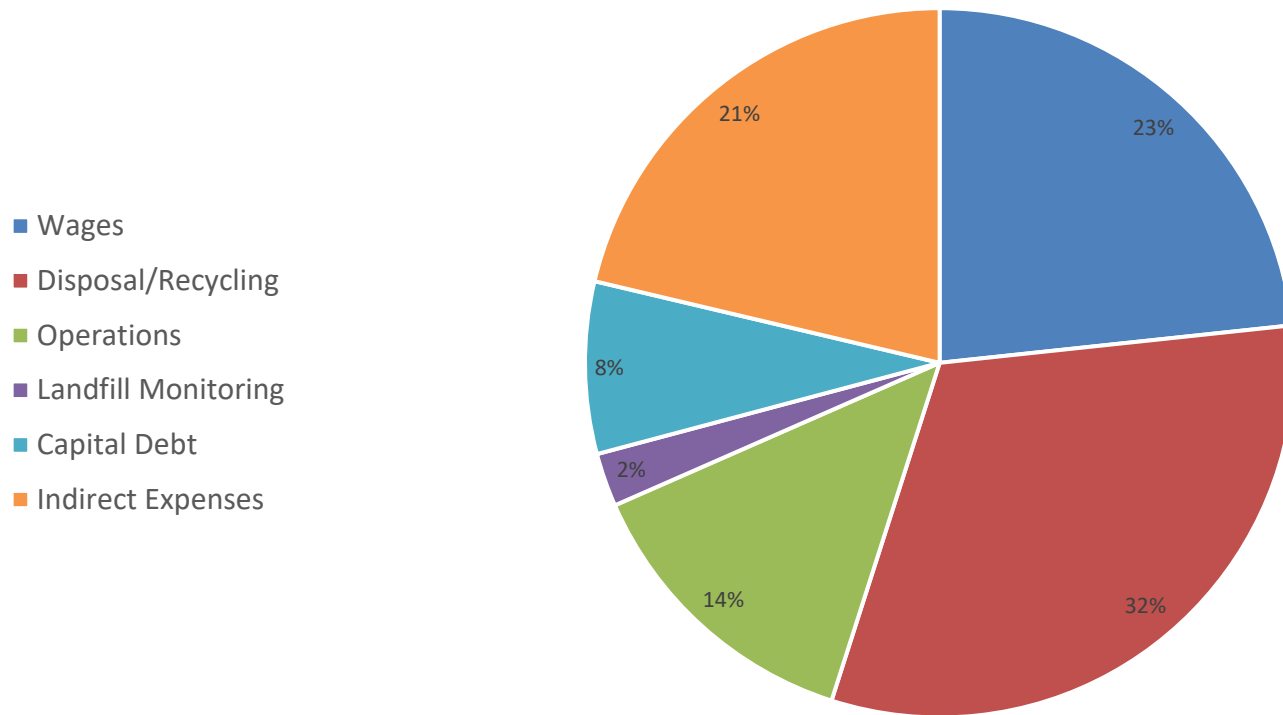


# Current Bulk Items

TELEVISIONS	\$25.00
COMPUTER MONITORS	\$25.00
REFRIGERATORS/FREEZERS	\$20.00
STOVES	\$15.00
WASHERS/DISHWASHERS	\$20.00
DRYERS	\$20.00
WATER HEATERS	\$20.00
AIR CONDITIONERS	\$20.00
EMPTY PROPANE TANKS	\$10.00
MICROWAVES	\$10.00
AUTOMOBILE BATTERIES	\$5.00
TOILETS	\$10.00
FURNITURE	\$20.00
RUGS	\$15.00
TIRES – Passenger Car	\$10.00
Truck	\$10.00

# FY24 Solid Waste Budget Breakdown

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# Revenue Needed through Rates

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Total Budget \$594,970

General Fund Subsidy \$198,970

Retained Earnings \$45,000

Other Revenue\* \$29,881

**Total Revenue needed \$321,299**

\*(Solar Lease, Recycling Committee, Recycling Revenue (e.g., textiles))

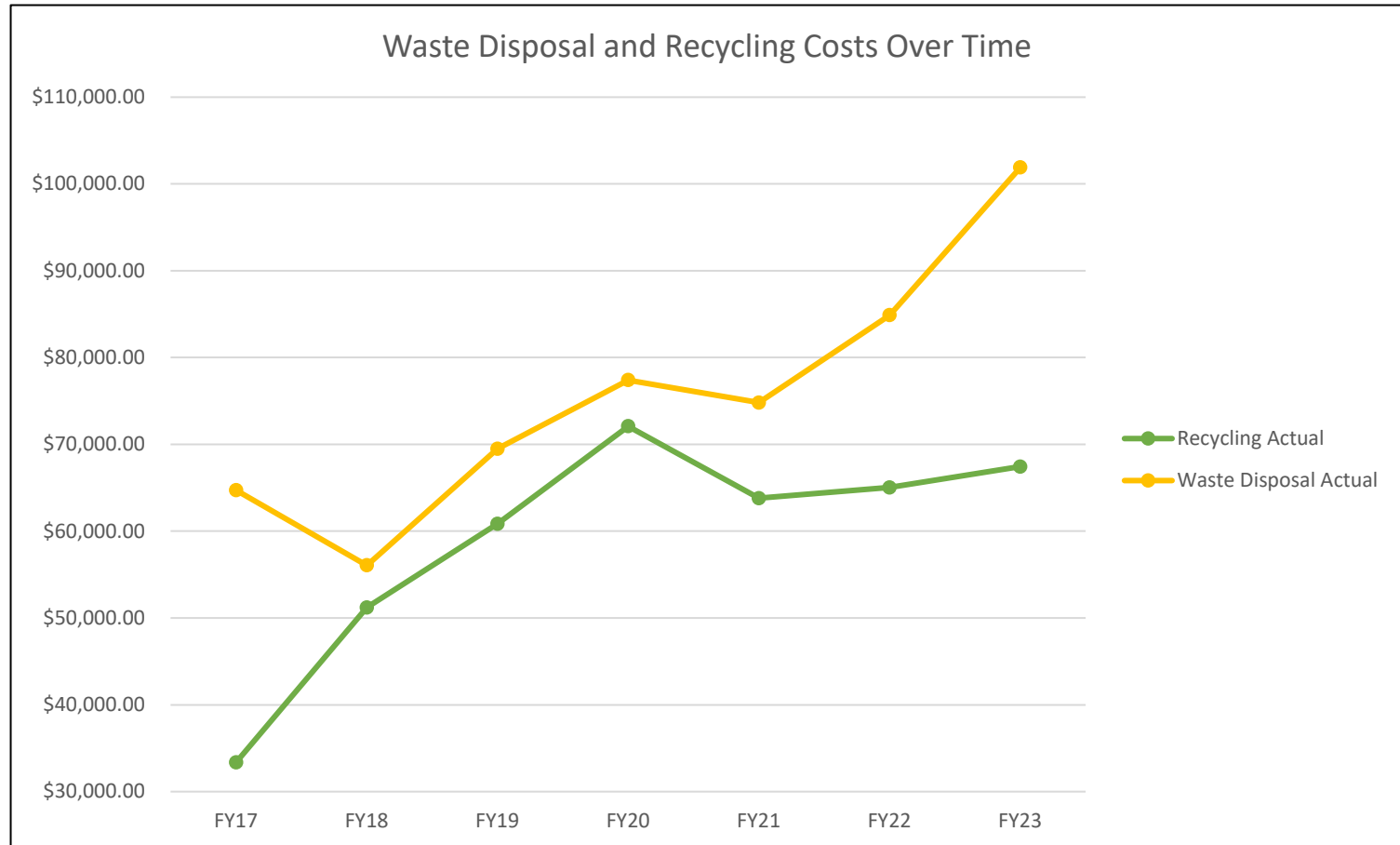
# Notable Budget Considerations

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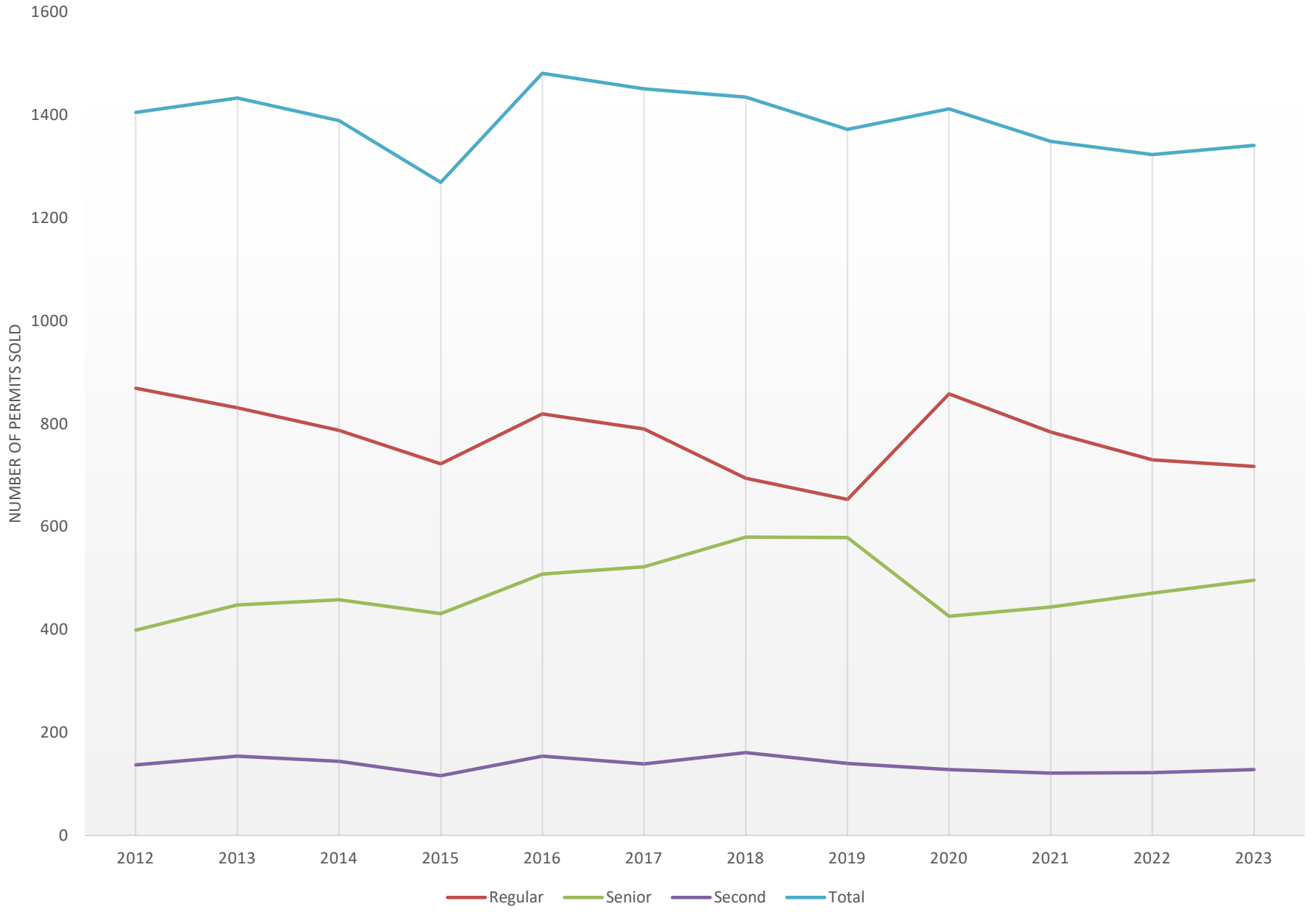
- Contracts for solid waste disposal and recycling collection have increased due to increased hauling and disposal costs over the past several years, though FY24 is slightly down from FY23.
- The recycling commodities market is more favorable than past years, we are paying less to remove recycling
- General cost increases due to inflation
- Tax Levy and Retained Earnings Subsidy
- Transfer Station user trends



# Trends of Waste/Recycling Expenses



# Transfer Station Permits By Group



# Rate Model

- Rate Model used to estimate revenue generated from permit and PAYT bag sales
- Different rate scenarios for modifications to permit and PAYT bag fees can easily be evaluated

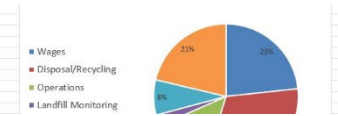
SOLID WASTE ENTERPRISE FY24 Rate and Fee Model					
	FY22 Budget	FY22 Actual	FY23 Budget	FY23 Actual	FY24 Budget
Transfer station stickers and bulk tags	125,000	132,651	125,000	144,746	109,125
Bag receipts	170,000	190,050	190,000	169,882	225,800
Recycling revenue	7,500	10,955	7,500	4,149	5,000
Recycling Committee	1,000	1,000	1,000	1,000	1,000
Borrow Premium					
Recycling Committee Grant - SM Scale		521			
Recycling Donations					
DEF Grant					
Solar Lease	23,142	23,180	23,528	23,528	23,881
Miscellaneous					
<b>Total charges for services</b>	<b>326,642</b>	<b>358,357</b>	<b>347,028</b>	<b>343,304</b>	<b>364,806</b>
Transfer from general fund - debt exclusion	0	0	0	0	0
General fund subsidy	160,000	160,000	160,000	197,000	198,790
From Retained Earnings	35,000	0	0	0	45,000
Funds from borrowing					
<b>Total available funds</b>	<b>521,642</b>	<b>518,357</b>	<b>507,028</b>	<b>540,304</b>	<b>608,596</b>
<b>Direct Expenses:</b>					
Wages	124,320	122,360	135,839	131,656	138,598
Expenses	243,200	205,680	261,200	241,224	288,600
Landfill Monitoring	14,000	14,000	14,300	19,100	14,500
Other					
Annual share of Household Hazardous Waste Facility -	4,200	4,200	4,200	3,999	3,999
Capital improvements			10,000		
Paying Back Oneway					25,000
Regular Debt	18,825	18,825	18,225	18,225	17,625
Debt Exclusion					
Short-term interest & bond fees					
<b>Total Direct Expenses</b>	<b>401,545</b>	<b>365,064</b>	<b>413,864</b>	<b>414,204</b>	<b>468,320</b>

**ENTERPRISE FUND ARTICLES**  
The Annual Budget Book will be provided at Town Meeting with further detail on Article No. 4 - 9

**ARTICLE 6: SOLID WASTE**  
To see if the Town will vote to raise and appropriate or transfer from available funds the follow funds to operate the solid waste department:  
Direct costs of \$468,320 of which \$351,180 is to come from solid waste revenue, \$45,000 is to come from solid waste retained earnings and \$72,140 is to come from the tax levy, and indirect costs \$126,650 is to come from the tax levy, or take any action thereon or in relation thereto.

Sponsor: Select Board  
Finance Committee: Recommends  
Simple Majority Vote Required

For more information, please visit the Town's website: [www.gueron.ny.us/townmeeting](http://www.gueron.ny.us/townmeeting)



# Rate and Fee Discussion

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Evaluated 12 different rate scenarios for PAYT bag and permit modifications:

- Current Rates are anticipated to generate \$334,925
  - Sufficient to meet the \$321,999 revenue required
  - Allows a cushion of \$13,626 in the event revenues fall short of modeled projections
- Rate Review Committee recommends no changes to the fees



# Recommendation = No Change to Fees

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Annual Permit (\$5 Increase)	<b>\$105.00</b>
Senior Citizen Permit (No Change)	<b>\$60.00</b>
Second Permit (No Change)	<b>\$30.00</b>
One Day Permit (No Change)	<b>\$15.00</b>
PAYT 15-Gal Trash Bag (No Change)	<b>\$4.00</b>
PAYT 33-Gal Trash Bag (No Change)	<b>\$5.00</b>
PAYT 50-Gal Trash Bag (No Change)	<b>\$6.00</b>
Bulk Fees (No Changes)	

# Recent Fee Increases

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November 2022	Regular Sticker \$5, Various Bulk Item Increases
October 2021	Regular Sticker \$5
March 2021	Bags \$1.00 each
September 2020	No Raises
October 2019	Senior Age change from 60 to 65 and Regular Sticker \$5

# Estimated Cost to Residents

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Regular – Permit \$105 plus \$350 (\*70 medium bags) = \$ 455

Senior – Permit \$60 plus \$100 (\*25 small bags) = \$ 160

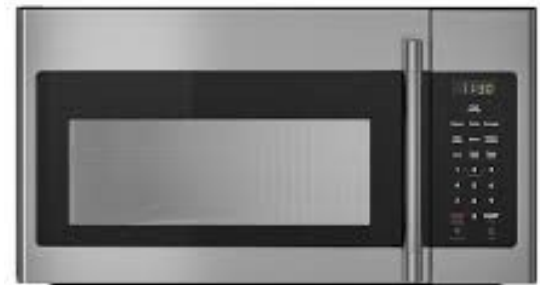
\*The above costs include assumptions on the number of bags used, note this would vary by user / family size.

Cost for a resident to hire a private hauler is approximately \$720 per year

# Other – Analysis of Bulk Item Fee Changes

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- Based on a comparison of FY2022 and FY2023 revenues, it appears approximately \$5,000 to \$9,000 of increased annual revenue will be realized by changes to the bulk prices, which became effective January 1, 2023.



# Other – Transfer Station Evaluation

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- Evaluation of Transfer Station Finances and Operations

- In Fall 2022, the RRC began evaluating Ayer's Transfer Station. Some of the items looked at included
  - Comparison to other Town's and local concerns
  - Reduce PAYT bag fees by shifting cost to permit sticker
- Data indicates the fees in Ayer are slightly higher than neighboring and similar sized communities.
- Based on the concerns, in the RRC began consideration of a third-party professional review of the operations and finances of the Transfer Station.



# Other – Transfer Station Evaluation

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- The professional review would include scope to address concerns such as:
  - Relatively high bag and sticker prices compared to nearby
  - Flat sticker sales
  - Complaints of non-PAYT bags in waste-stream
  - Complaints of vehicles without stickers
  - Wage expenses by operation with full-time employees
  - Day and hours of operation and days closed to public for O&M purposes
  - Usership concerns
  - General fund subsidy
  - Non-resident use of TS and associated permit fee
  - Permit sales – calendar vs. fiscal year; sell at the TS; discontinue permits, etc.

# Other – Transfer Station Evaluation

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- The professional evaluation would ultimately provide recommended changes that are anticipated to be effective at reducing rates and improving efficiency of operations. The evaluation would not look at curbside.
- The RRC recommends the Select Board implement the professional evaluation.
- Two proposals received as of today range in cost from \$16,540 to \$21,100
- Funding for the proposals would be required, some options which may be considered include:
  - ARPA
  - UDAG
  - Capital (funds not available until July 1, 2024)

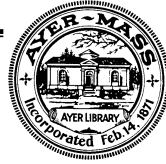
# Summary of Recommendations

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- No changes to the Transfer Station fees
- Implementation of a professional evaluation of the operations and finances of the Transfer Station







## MEMORANDUM

Date: October 12, 2023  
To: Select Board  
From: Dan Van Schalkwyk, P.E., Director  
Subject: **Agenda Items for October 17, 2023, Select Board Meeting**

### 1. Award of Kiddie Junction Playground Improvements Project

General bids for the Kiddie Junction Playground Improvement Project will be received at the DPW on October 13, 2023, at 1:00PM, after the DPWs submission of this agenda is due. This is a short turnaround; however, due to the importance of the schedule of this project, we have included this as an agenda item.

Based on review of the bids, the DPW and Parks Department will provide a recommendation memo by close of business Monday, October 16, 2023, to the Board. We will then present the award to the Select Board on October 17, 2023.

### 2. Memorandum of Understanding – Curley Circle

Curley Circle is scheduled for Street Acceptance vote at Fall Town Meeting (October 23, 2023). After discussing with the Developer, DECA Corp., he will not receive the remaining parts to complete the streetlight installation, may not receive the street sign before Town Meeting, and must improve an area of drainage channelization. These are items on his punch list. Rather than restart the street acceptance process due to these items, I recommend the Board execute a Memorandum of Understanding (MOU) with the Developer to require these items be completed after a presumed affirmative Town Meeting vote. The MOU will require the Town continue to hold the current surety of \$24,750 until completion of the items. This monetary value is sufficient for the remaining work to be completed.

I recommend the Board vote to execute the Memorandum of Understanding with the Developer of Curley Circle for signature by the Chair.

### 3. Water Supply Update

As discussed at previous Board meetings, the DPW will provide status updates of the Town's water supply.

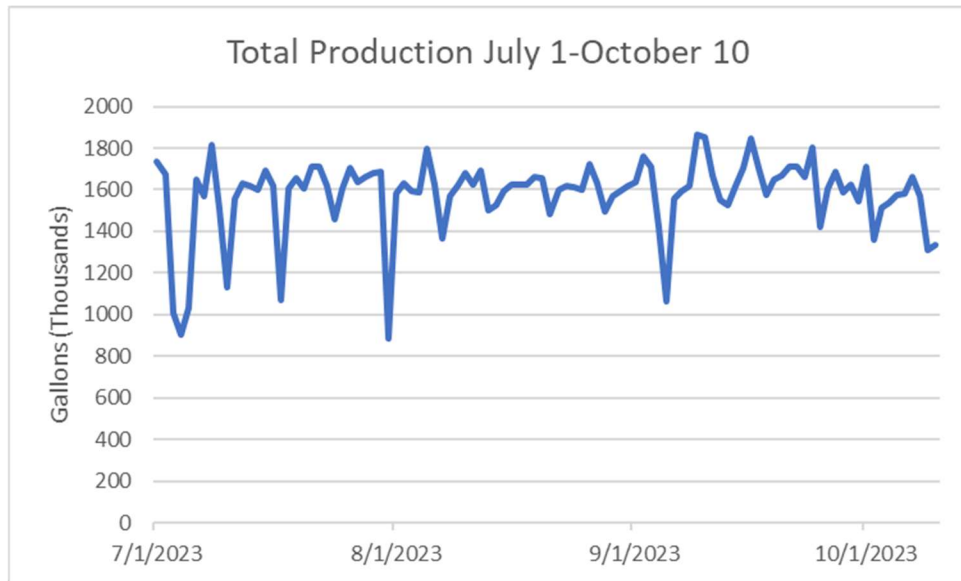
- Since the last update, water production continues to face challenges meeting demand. During the month of September and early October, the treatment facilities did not rest for more than an hour or two each weekend. Please see the chart on the next page.
- The tank levels, which is an indication of our ability to meet demand, continue to slowly decline during the work week and along with industry usage. To echo how this topic was discussed at the last update, at full, Washington Street Tank is approximately 55-feet; by Friday, levels are at their lowest, industries generally

reduce usage over the weekend and by the early hours of Monday morning full storage is typically obtained. On Friday 9/22, tank levels were at 45-feet. On Friday 9/29, tank levels were at 44-feet.

We were able to fill the tank on 9/18, 9/25, 10/2 and 10/10.

Beginning the week of 10/16, leak detection services will be performed by Prowler Water. Although there do not appear to be any leaks in the system, this service will help us better determine if there are leaks that can be repaired.

At this time, we do not recommend any changes to the existing water use restriction or other directive from the Water and Sewer Commissioners.



MEMORANDUM OF UNDERSTANDING

(MOU)

The Parties subject to this MOU are; Town of Ayer, Massachusetts (Town) and Mr. Peter DeCarolis of DECA Corp. (Developer), developer of John Carrol Reserve Subdivision (aka Curley Circle).

The Parties legal business addresses are;

Town of Ayer  
1 Main Street  
Ayer, MA 01432

DECA Corp., Peter DeCarolis  
2 Starwood Crossing  
Andover, MA 01810

PURPOSE:

The Developer has constructed John Carrol Reserve Subdivision and is seeking Street Acceptance of Curley Circle.

The purpose of this memorandum is to set out in general terms, an agreement for proposed work to be completed after an affirmative Town Meeting vote for street acceptance. The work consists of furnishing and installing fully functional streetlights, furnishing and installing the Curley Circle street sign that meets Town standards, and improving a drainage issue occurring near the rear of #1, 3, 5, 9, and 11 Curley Circle.

AGREEMENT:

Whereas the Parties seek to formally address the completion of the aforementioned items, the Parties set forth the following understanding on this 17<sup>th</sup> day of October, 2023:

The Developer shall furnish and install fully functional streetlights as required per the Subdivision Approval. The Developer shall furnish and install the Curley Circle streetsign that meets Town standards. Improving a drainage issue occurring near the rear of #1, 3, 5, 7, 9, and 11 Curley Circle and identified in an email titled "RE: MOU for Curley Circle" from Dan Van Schalkwyk on October 12, 2023. These items shall be considered complete once approval has been obtained, in writing, from the Town of Ayer.

The Ayer Planning Board will hold a sum of \$24,750 from the Subdivision bond which cannot be released until this work is complete to the satisfaction of the Town.

The above represents the understanding between the Parties to resolve the outstanding matter in its entirety. Any and all previous writings, discussions, agreements and/or communications are hereby superseded by this MOU which is final.

By signature and date below, the Parties represent that they are fully authorized to, and agree to the above terms without further stipulation.

TOWN OF AYER MASSACHUSETTS

RILEY JAYNE FARM LLC AND  
COWFIELD TRUST LLC

\_\_\_\_\_  
Sign Date

\_\_\_\_\_  
Sign Date

\_\_\_\_\_  
Print Name – Title

\_\_\_\_\_  
Print Name – Title

# Town of Ayer

## Benefits and Payroll Department




1 Main Street – Ayer, Massachusetts – 01432  
*Amanda Lewis, Benefits & Payroll Manager*

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

# Memorandum

Date: October 12, 2023

To: Robert A. Pontbriand, Town Manager  
Select Board Members: Scott Houde, Shaun Copeland, Jannice Livingston

From: Insurance Advisory Committee: Amanda Lewis (Non-Union Representative)   
Kevin Johnston (Retiree Representative)  
Dave Greenwood (Fire Union Representative)  
Janet Providakes (Police Union and Dispatcher Union Representative)  
Ryan Januskiewicz (DPW Union Representative)  
Alicia Hersey (Clerical Union Representative)

Re: Insurance Advisory Committee Recommendation

The Insurance Advisory Committee (IAC) was tasked to evaluate and provide a recommendation to the Select Board on whether it would be advisable to move from the Minuteman Nashoba Health Group (MNHG) to the Massachusetts Interlocal Insurance Association (MIIA) Health Benefits Trust. The IAC met July 25th, September 13th, September 27th, and October 10th, 2023, gathering information to share with association members and seeking feedback to make a recommendation to the Select Board.

The Town must notify MNHG by December 1st if it plans to leave the group. To meet this deadline, the IAC will present its recommendation to the Select Board at the October 17th meeting.

Following feedback from their respective associations, the IAC voted 6-0 in favor of recommending the Town of Ayer offers health insurance through MIIA Health Benefits Trust for FY25.

### **Advantages to moving from MNHG to MIIA**

- A larger municipal joint purchase collaborative – one of the largest in the country.
- Can best absorb high claims and balance cost impacts.
- The ability to take a proactive stance.
- Customizable health plans with rates based on claim experience.
- Rates locked in at the Trust average for FY25.
- Added reimbursement up to \$300 for both fitness and weight loss programs.
- Option of adding Dental Insurance.

- A 60 day notice to leave MIIA.
- There will be a premium decrease for current Tufts and Harvard Pilgrim members.

**Concerns discussed moving from MNHG to MIIA**

- Specific rate increase unknown at this time; this information typically released in March.
- MNHG offers Tufts and HPHC in addition to BCBS.
- The termination of a long-term relationship.

In closing, the IAC recommends to the Select Board that they accept the MIIA Insurance Rate Proposal and join the MIIA Health Benefits Trust in FY25.

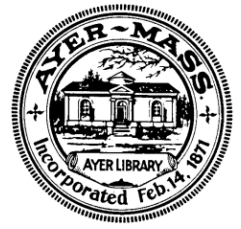
The IAC is eager to collaborate with MIIA and the Town to provide ongoing information to employees and retirees, ensuring a smooth transition.

Respectfully,

A handwritten signature in cursive script that reads "Amanda Lewis".

Amanda Lewis  
Benefits and Payroll 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 | www.ayer.ma.us

**MEMORANDUM**

**DATE:** October 12, 2023

**TO:** Ayer Select Board

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

**SUBJECT: Town Manager's Report for the October 17, 2023 Ayer Select Board Meeting**

Dear Honorable Select Board Members,

I am pleased to transmit to you the following Town Manager's Report for the October 17, 2023 meeting of the Ayer Select Board. If you have any questions prior to the meeting, please do not hesitate to contact me directly. Thank you.

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

- At the meeting I will provide the Select Board with a brief Administrative Update on the various activities, initiatives, and projects of the Town since the Select Board last met on October 3, 2023.
- I have reviewed, approved, and signed the following Town Warrants since the Select Board last met on October 3, 2023:

Payroll Warrant #24-07 in the amount of \$395,666.26 was reviewed, approved, and signed on October 3, 2023.

Accounts Payable Warrant #24-07 in the amount of \$1,247,282.69 was reviewed, approved, and signed on October 10, 2023.

**Appointments:**

- Please see the attached letter of interest from Jane Morriss of Ayer who would like to serve on the Ayer Affordable Housing Committee (See attached). I hereby recommend that the Select Board vote to appoint Jane Morriss to the Ayer Affordable Housing Committee for a term to expire on June 30, 2025.

**Review/Approval of the FY 2025 Budget Calendar:**

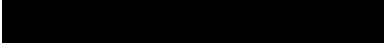

- Attached is the proposed FY 2025 Budget Calendar which was initially presented to and discussed with the Select Board at the September 19, 2023 meeting. I am respectfully recommending that the Select Board review and approve the FY 2025 Budget Calendar (See attached).

**Review/Approval of Community Choice Power Supply Program Aggregation Plan:**

The Public Review and Comment period of the Town's Community Choice Power Supply Program Aggregation Plan is complete. The Town received comments from two residents which were responded to by the Assistant Town Manager. The Select Board's vote to approve the Aggregation Plan is the last step in the local approval process. Once approved, the Town's Plan and supporting documents (together with the Town Meeting vote) will be sent onto the DOER's attorney for review. Once the review is completed, the Town will receive a "letter of satisfaction" from the DOER and then we'll move forward with the Town's complete DPU Filing for submittal. The DPU process may be a long one given everything that's going on with the open docket around the proposed guidelines. Please see the attached Town of Ayer Municipal Aggregation Implementation Outline (See attached).

Thank you.

Attachment(s):            Letter of interest from Jane Morriss for the Ayer Affordable Housing Committee  
                                 Proposed/DRAFT FY 2025 Budget Calendar  
                                 Town of Ayer Municipal Aggregation Implementation Outline

**From:**   
**To:**   
**Subject:** Letter of interest AAHC  
**Date:** Friday, October 6, 2023 8:31:41 AM

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October 4, 2023

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

RE: Affordable Housing Committee

**Via Email: atm@ayer.ma.us**

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Dear Select Board,

I understand that there is a vacancy on the Ayer Affordable Housing Committee (AAHC), and I am submitting this Letter of Interest requesting your consideration for appointment to this committee.

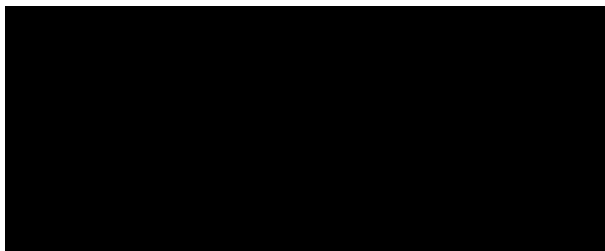
For many years I was a real estate agent and broker working through ERA Home & Family in Groton. I have a background as a professional writer and editor that spans over 50 years and includes covering local events for the Groton *Herald* and the Groton *Landmark* newspapers, and working with APAC to produce several episodes of Jane's Ayer which was broadcast locally. In addition, I was Bob Hargraves' legislative aide.

I would be honored to work with the members of this committee to address the diverse housing needs of the residents of Ayer.

Thank you for your careful consideration of this request to serve as a member of the Affordable Housing Committee.

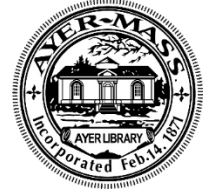
Respectfully,

Jane Morriss





# Town of Ayer FY '25 Budget Calendar



## August ☀️

- Open Fall Special Town Meeting Warrant (Completed August 15, 2023)

## September 🍁

- Wednesday September 20, 2023, 4:00 PM*  
Rate Review Committee meets to discuss Calendar Year 2024 Transfer Station Rates
- Friday September 29, 2023 at 12:00 PM*  
Deadline for all Warrant Articles to the Select Board and all Citizen's Petitions to the Town Clerk

## October 🎃

*\*Note: Bi-Board; Capital Planning; Fin Com; and Rate Review Committee to meet monthly in posted open meetings. Please refer to the posting board outside of Town Hall or the Town's website for specific meeting dates and times.*

- Tuesday October 3, 2023*  
Select Board Meeting - Review and approve Fall Special Town Meeting Warrant
- Friday October 6, 2023*  
The Warrant will be publicly posted on the Town's website and at several locations throughout Town (Town Hall, Library, Police Station, Jack-O-Lantern, Pauline's Variety, Main Street Bank, Transfer Station). Additionally, all Ayer households will receive a hard copy in the mail the week of October 17<sup>th</sup> or sooner
- Town Manager sends FY '25 Capital Directive
- Friday October 13, 2023*  
This is the last day to register to vote to participate in the Fall Special Town Meeting, if you are not already a registered voter.



*Tuesday October 17, 2023*  
Public Hearing Transfer Station Rates

**Monday October 23, 2023, 7:00 PM, ASRHS Auditorium**  
**Fall Special Town Meeting**

*Friday October 27, 2023*  
Capital Requests due from Departments

**November** 

*\*Note: Bi-Board; Capital Planning; Fin Com; and Rate Review Committee to meet monthly in posted open meetings. Please refer to the posting board outside of Town Hall or the Town’s website for specific meeting dates and times.*

*Wednesday November 1, 2023*  
Union Negotiations Begin (APPOA Union – Patrol Officers and Communicators)

*Wednesday November 8, 2023*  
Capital Planning Committee Begins to Meet

*Tuesday November 21, 2023*  
Public Hearing FY '24 Tax Classification Hearing

**December** 

*\*Note: Bi-Board; Capital Planning; Fin Com; and Rate Review Committee to meet monthly in posted open meetings. Please refer to the posting board outside of Town Hall or the Town’s website for specific meeting dates and times.*

*Friday December 1, 2023*  
Town Manager sends out FY '25 Budget Directive

*Friday December 29, 2023*  
FY '25 Budget Requests due from Departments

**January** 

*\*Note: Bi-Board; Capital Planning; Fin Com; and Rate Review Committee to meet monthly in posted open meetings. Please refer to the posting board outside of Town Hall or the Town’s website for specific meeting dates and times.*

*Monday January 8, 2024*

Non-Union Negotiations Begin (DPW Director, Police Chief, COA Director, Finance Manager)

*Friday January 12, 2024*

DRAFT #1 Budget to Select Board and Finance Committee

*Tuesday January 16, 2024*

Select Board Meeting - Open Annual Town Meeting Warrant & Calling of Annual Town Election

*Wednesday January 24, 2024*

1<sup>st</sup> Budget Public Forum

**February**



*\*Note: Bi-Board; Capital Planning; Fin Com; and Rate Review Committee to meet monthly in posted open meetings. Please refer to the posting board outside of Town Hall or the Town's website for specific meeting dates and times.*

*Wednesday February 14, 2024*

Target date to end Union and Non-Union Contract Negotiations

**March**



*\*Note: Bi-Board; Capital Planning; Fin Com; and Rate Review Committee to meet monthly in posted open meetings. Please refer to the posting board outside of Town Hall or the Town's website for specific meeting dates and times.*

*Friday March 1, 2024*

Regional School Assessments Due

*Tuesday March 19, 2024*

Select Board Meeting – Public Hearing FY '25 Water and Sewer Rates

*Friday March 29, 2024 at 12:00 PM*

Annual Town Meeting Warrant Closes - Deadline for all Warrant Articles to the Select Board and all Citizen's Petitions to the Town Clerk

## April

*\*Note: Bi-Board; Capital Planning; Fin Com; and Rate Review Committee to meet monthly in posted open meetings. Please refer to the posting board outside of Town Hall or the Town's website for specific meeting dates and times.*

*Tuesday April 2, 2024*

Select Board Meeting – Review and Approve Annual Town Meeting Warrant

Select Board Approves FY '25 IDFA Budget

*Friday April 5, 2024*

The Warrant will be publicly posted on the Town's website and at several locations throughout Town (Town Hall, Library, Police Station, Jack-O-Lantern, Pauline's Variety, Main Street Bank, Transfer Station). Additionally, all Ayer households will receive a hard copy in the mail the week of April 15<sup>th</sup> or sooner

***Monday April 22, 2024, 7:00 PM, ASRHS Auditorium  
Annual Town Meeting***

## May

*Tuesday May 14, 2024*

Annual Town Election

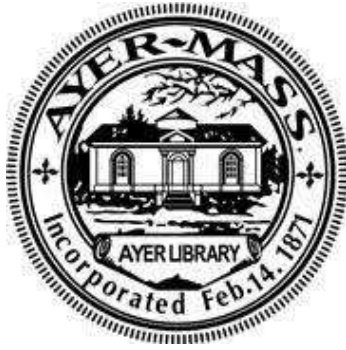


## Town of Ayer

# Municipal Aggregation Implementation Outline

- Local Adoption (*completed*)
  - Town Meeting Vote
    - Certified minutes of vote
- Aggregation Consultant (*completed*)
  - CPG consulting agreement executed
- Aggregation Plan and Supporting Documentation
  - Standard Plan presented to Town by CPG (*completed*)
  - Public Posting of Plan for 30 Days (*completed*)
    - Hard Copy with Town Clerk
    - Town Website with CPG taking a screen-shot for state DPU filing
  - Select Board Vote of Plan acceptance (*you are here!*)
    - Certified minutes of vote
- State Approvals
  - DOER consultation (*4 weeks*)
    - Coordination by CPG of document submission and conference call with Town
  - DPU Filing (*3-4 weeks for filing; 2+ years for approval*)
    - Coordination by CPG of full filing and presentation at hearing
    - Town posts CPG provided hearing notice

**NOTE:** Basic Service rates change twice a year or more, depending on rate class. As a result, the aggregation rate may not always be lower than the Basic Service rate. The goal of the aggregation is to deliver savings over the life of the Program against National Grid Basic Service. However, such savings and future savings cannot be guaranteed.



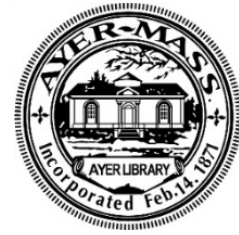
## **Town of Ayer**

### **Municipal Aggregation**

### **Implementation Outline (cont'd)**

- Supply Bidding
  - CPG meeting with Town regarding program options
  - RFP developed and distributed by CPG
  - CPG provides Town with indicative/executable pricing
  - Bids received and reviewed with the Town
  - Town chooses supplier, or rejects bids
- Public Information/Customer Notification
  - Statutory customer notification letters sent by supplier to all Basic Service accounts
  - CPG provided press release issued upon Town approval
  - Informational meetings
  - Local cable programs, if any
  - Social media content, if applicable, provided by CPG
- Implementation
  - CPG manages opt-out process and all public requests for information and questions
- Ongoing Service
  - CPG manages future opt-outs and opt-ins
  - CPG files required reports
  - CPG manages ongoing requests for information
  - CPG conducts regular meeting with Town as required/requested

**NOTE:** Basic Service rates change twice a year or more, depending on rate class. As a result, the aggregation rate may not always be lower than the Basic Service rate. The goal of the aggregation is to deliver savings over the life of the Program against National Grid Basic Service. However, such savings and future savings cannot be guaranteed.



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

*Broadcast and Recorded by APAC*

**September 19, 2023**  
**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 6:00 PM. 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:** R. Pontbriand asked to add a Restorative Justice update under Chief Gill's report. He also noted that he has one Board appointment under his report for the Rate Review Committee.

**Motion:** A motion was made by S. Copeland and seconded by J. Livingston to approve the meeting agenda, as amended. **Motion passed 3-0.**

**Announcements:** None

**Moment of Silence in Remembrance of Chief Paul Fillebrown, Sr., Ret.:** The Board and meeting attendees observed a moment of silence in remembrance of Retired Fire Chief Paul B. Fillebrown, Sr., who recently passed away.

**Public Input:** Amy McCoy, 187 Old Groton Road, thanked the Select Board for reaching out to MassDevelopment regarding the noise from the car racing at the Moore Airfield. She stated she was recently made aware that some racers add lead fuel to their cars prior to racing to gain a speed boost. She handed the Select Board an article about race fuel being sold by Sunoco.

Dennis Curran, 51 Pleasant Street, stated that there is a perception in the community that the former Senior/Community Center Building Committee failed in its mission due to ineffective communication. He stated that was not his experience. J. Livingston asked if he was looking at the DRAFT meeting minutes from the Parks Commission because those minutes have not been approved. D. Curran stated he has seen them but would like to address the topic based on other public meetings. He noted that in

December 2022/January of 2023, conversations began with the Parks Commission about the possibility of building a combined senior and community center at Pirone Park. In February, the Parks Commission voted to support that idea. He noted that in March of 2023, the Senior Center Director held a public forum regarding the potential project. He stated that the meeting was hijacked by abutters and baseball "afficionados" who were not comfortable with the project moving forward. He stated that the COA Board fulfilled its obligation by convening the March 2023 meeting to solicit support for the project. He urged the Parks Commission to garner support for the proposed project. He stated that the Parks Commission refused to do this and started saying that this was not their project. He stated that the number of players who need to use Field 6, is far less than those who could use it for a Senior/Community Center. D. Curran then asked about the authority of the Parks Commission. S. Houde urged Mr. Curran to speak with the Parks Commission. S. Houde stated that the Senior Center project has the full support of the Select Board. D. Curran stated that public officials have given private citizens the ability to preemptively veto use of public land. D. Curran stated he appreciates the Board's support moving forward for a Senior Center.

Pauline Conley, 40 Cambridge Street stated that the Parks Commission is authorized under Massachusetts General Laws Chapter 45.

A meeting attendee stated that she was having a hard time hearing.

**Application for Common Victualler's License and Entertainment License - Pleasant Café Inc. of Ayer - 7 Depot Square:** Frank Dzerkacz, owner of the Pleasant Café joined the Select Board. C. Antonellis stated that the Town is waiting for the liquor license approval from the ABCC. The entertainment license is for live entertainment (acoustic bands, DJ, and karaoke) Monday-Sunday. All departments have reviewed the request and there are no issues. J. Livingston asked if they would be open on Mondays? Mr. Dzerkacz stated not at first.

**Motion:** A motion was made by J. Livingston and seconded by S. Copeland to approve the Common Victualler's License and Entertainment License as presented. **Motion passed 3-0.**

**Barbara Tierney, Finance Director - Treasurer/Tax Collector - Approval of General Obligation Municipal Purpose Loan of 2023 Bonds:** B. Tierney stated that on September 13, 2023, the Town of Ayer received nine (9) competitive bids for a \$11,050,000 BOND, net of premium. This issue includes the West Main Street Bridge and several other capital projects. Raymond James & Associates Inc. was the winning bidder awarding a net premium of \$802,568.60 and a net interest cost of 3.45% The Town of Ayer maintains an S&P, AA+ Bond rating, issued in 2023.

**Motion:** A motion was made by S. Copeland and seconded by J. Livingston to approve the sale of \$11,050,000 General Obligation Municipal Purpose Loan of 2023 Bonds of the Town dated October 11, 2023,(the Bonds), to Raymond James & Associates Inc., at the price of \$11,852,568.60 and accrued interest, if any, is hereby approved and confirmed. The enclosed vote will be signed by the Clerk and incorporated into the meeting minutes, as presented in this meeting: that the sale of the \$11,050,000 General Obligation Municipal Purpose Loan of 2023 Bonds of the Town dated October 11, 2023 (the "Bonds"), to Raymond James & Associates, Inc. at the price of \$11,852,568.60 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on October 1 of the years and in the principal amounts and bear interest at the respective rates, as follows:



<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2024	\$725,000	5.00%	2034	\$515,000	5.00%
2025	705,000	5.00	2035	515,000	4.00
2026	690,000	5.00	2036	515,000	4.00
2027	685,000	5.00	2037	515,000	4.00
2028	660,000	5.00	2038	435,000	4.00
2029	620,000	5.00	2039	420,000	4.00
2030	610,000	5.00	2040	420,000	4.00
2031	605,000	5.00	2041	415,000	4.00
2032	595,000	5.00	2042	415,000	4.00
2033	575,000	5.00	2043	415,000	4.00

Further Voted: that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated August 30, 2023, and a final Official Statement dated September 13, 2023 (the "Official Statement"), 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 Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

Further Voted: that the Town Treasurer and the Select Board be, and hereby are, authorized to execute and deliver a continuing 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 Bonds for the benefit of the holders of the Bonds 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 Bonds and to comply with relevant securities laws.

Further Voted: that any certificates or documents relating to the Bonds (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. **Motion passed 3-0.**

**Alicia Hersey, Program Manager, Community Development - Approval of Request to Apply for FY '24 CDBG Housing Rehabilitation Program:** A. Hersey is requesting that the Select Board support of her office's pursuit for a FY '24 CDBG grant for the Town's Housing Rehabilitation Program. The Office of Community & Economic Development is planning to hold the required Public Hearing for this grant application process on November 2nd at 6:00 pm. The waitlist is currently about 10 people and is about 5 years long.

**Motion:** A motion was made by J. Livingston and seconded by S. Copeland to support the pursuit of a FY '24 CDBG grant for the Housing Rehabilitation Program. **Motion passed 3-0.**

*Approval of Housing Rehabilitation Program Income for General Use in Housing Rehabilitation Program –* A. Hersey stated that the Town of Ayer Housing Rehabilitation Program Income currently has a balance of \$48,816. This fund has been used in the past for emergency home repair through the Housing Rehabilitation Program. She is recommending that the SB designate these funds for the Town's Housing Rehabilitation Program in general, and not just emergency rehabilitation. This would allow her office to Rehab the next property on the wait list.

S. Houde asked how much money A. Hersey would feel comfortable leaving in the fund for emergencies. A. Hersey said she would like the whole amount to be redesignated to allow the department flexibility.

**Motion:** A motion was made by J. Livingston and seconded by S. Copeland to approve the Ayer Housing Rehabilitation Program Income to be used for general use in the Ayer Housing Rehabilitation Program. **Motion passed 3-0.**

*Letter of Support for 65 Fitchburg Road, NOAH, 40B Affordable Housing Project –* A. Hersey referenced a DRAFT Letter of Support from the SB in the meeting packet requesting that DHCD waive a state appraisal requirement for the purchase of the property at 65 Fitchburg Road.

**Motion:** A motion was made by S. Copeland and seconded by J. Livingston to approve the DRAFT letter of support in the meeting packet requesting that the state waive the appraisal requirement for 65 Fitchburg Road. **Motion passed 3-0.**

**Alan Manoian, Director of Community and Economic Development - Authorization of UDAG Portion of FY 2024 AOCED Office Budget:** A. Manoian is requesting the Board approve \$122,980 in UDAG funding for FY '24 for the Community and Economic Development Office.

**Motion:** A motion was made by J. Livingston and seconded by S. Copeland to approve the AOCED FY '24 UDAG Budget and proposed targeted new enterprise loan program in the amount of \$122,980. **Motion passed 3-0.**

**Dan Van Schalkwyk, Director, Department of Public Works - Award of Sandy Pond Road Sanitary Sewer Rehabilitation Project:** D. Van Schalkwyk stated that the Town rebid the project. The Town received 4 bids ranging from \$1,743,160.00 to \$1,992,700.00 for the base bid. The lowest bidder is Vortex Services, LLC.

**Motion:** A motion was made by S. Copeland and seconded by J. Livingston to award the Sandy Pond Road Sanitary Sewer Rehabilitation Project in the amount of \$1,743,160 to Vortex Services, LLC for signature by the Chair. **Motion passed 3-0.**

*Water Supply Update –* D. Van Schalkwyk reported a high demand for water usage in the past month. Starting on Sunday during the week the tanks top off and are near full, but by the end of the week the tank supply reduces as the big water users in Town (CPF, Inc. and Nasoya) use the water. He is working

with both companies to reduce usage while other issues in the system are resolved. He is not recommending any changes to the water use restrictions at this time.

**Chief Brian Gill, Ayer Police Department – Restorative Justice Update:** Chief Gill stated that the Town was re-partnering with C4RJ (Communities for Restorative Justice). Chief Gill was joined by Erin Freeman, Executive Director for C4RJ. Ms. Freeman gave the Select Board a presentation on Restorative Justice, stating it was a voluntary process whereby offenders, victims and members of the community collectively identify and address harms, needs and obligations resulting from the impact of that offense. Ms. Freeman stated that the recidivism rate for C4RJ is much lower than that of the traditional legal system. C4RJ is now partnered with 30 police departments in Massachusetts and 3 District Attorney's Offices.

Board members agreed that it was a positive step that the Town was re-partnering with C4RJ. A resident (not identified) asked Chief Gill several questions about the program.

*Update on Proposed Bylaw Amendments for Fall Special Town Meeting: Animal Control Bylaw and Transient Merchant Bylaw* - Chief Gill appeared before the SB to provide an update on two proposed bylaw amendments, the Dog Bylaw, and the Transient Merchant Bylaw for consideration by the Fall Special Town Meeting. Chief Gill provided a power-point presentation of the proposed bylaw amendment to Chapter 130 (Dogs) of the Town's General Bylaws. The Town's current bylaw is outdated, and the Chief used the Town of Groton's bylaw as a model. The proposed bylaw amendment to Chapter 130 would add comprehensive definitions in accordance with State Law and for clarity; clarifies prohibited behavior and responsibilities; adds a \$25 animal control dog "pick up" fee for transportation to kennels; codifies the process of Nuisance or Dangerous Dog Complaints and Hearings; changes the licensing late fee to March 1<sup>st</sup> instead of April 1; and provides a schedule of fines for unlicensed, public disturbance and Nuisance listed in accordance with State Law. Chief Gill continued that the updated fees in Chapter 130 per the bylaw amendment would be \$10 for spayed/neutered dog licenses; \$15 for unaltered dogs; and a \$300 license fee for a dog that is formally determined a dangerous dog. There would also be a licensing late fee of \$50 and the schedule of public disturbance/nuisance violations would be \$50 for first offense; \$100 for second offense; \$300 for third offense; and \$500 for fourth offense. The kennel fees would also be updated to \$40 for 1-4 lbs dogs; \$70 for 5-10 lbs dogs and \$100 for +10 lbs dogs.

Chief Gill provided a power-point presentation of the proposed bylaw amendment to Chapter 265 (Transient Merchants) of the Town's General Bylaws. Chief Gill stated that a resident, Sara Withee had reached out to him about the concept of a "No Knock List" for the Transient Merchant Bylaw and he worked with her and incorporated her input into the proposed bylaw amendment. He stated that the proposed bylaw amendment would implement a \$25 application and investigation fee for transient merchants. The bylaw amendment further implements a permit duration for 1 day (\$5); 1 week (\$25); 1 month (\$50) and 1 year (\$100). The amendment also clarifies the application investigative period to five business days; adds language to include a "No Solicitation List" also known as a "No Knock List"; adds language for the Police Chief to revoke permits for cause; and adds language clarifying that youth activity/sports associations that are not for profit are exempt. Finally, the time limits for operation are currently 8am to 6pm and the Chief asked the Select Board if they wanted different times?

S. Copeland asked for clarification that youth groups and non-profit groups are exempt from the fees. Chief Gill stated yes. The Select Board indicated that keeping the 8am to 6pm time limits was fine.

**Town Manager's Report - Administrative Update/Review of Warrants:** 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 stated that the Insurance Advisory Committee has been meeting to discuss upcoming insurance options for the next fiscal year. He also reported that the Town's financial policies are under review by several Town departments. He stated that the Town did maintain its AA+ bond rating.

*Appointment(s)* – R. Pontbriand is recommending that the Select Board appoint Mr. Andrew Loven to the Rate Review Committee to fill an unexpired term ending on June 30, 2025.

**Motion:** A motion was made by S. Copeland and seconded by J. Livingston to appoint Mr. Andrew Loven to the Rate Review Committee for an unexpired term to expire on June 30, 2025. **Motion passed 3-0.**

*Update on State's Migrant Shelter* – R. Pontbriand referenced the public notification that was contained in the meeting packet. He noted that the Town's Social Worker has been working nonstop on the issue. R. Pontbriand thanked C. Antonellis, Community Development Program Manager A. Hersey, and School Superintendent Dr. Adam Renda for working collaboratively on the appropriate Town/School System response.

Pauline Conley, 40 Cambridge Street asked if we are receiving families that were immigrants or migrants? R. Pontbriand stated it could be migrants, immigrants, refugees, or Massachusetts families. The Town has been using the term "migrant" because that is the term the Governor's office is using. R. Pontbriand stressed that this is not a Town-run shelter, but run by the State through MOC, Inc. Town staff has done the appropriate public safety inspections.

J. Livingston asked where Senator Eldridge and Rep. Sena were, and it would be helpful for them to come explain this state program.

*FY '25 Budget Process Discussion and DRAFT FY '25 Budget Schedule* – R. Pontbriand presented the DRAFT budget calendar. R. Pontbriand pointed out that for the past three years, the Town has held two budget forums per budget season to try to get public input/feedback. He noted that all those forums have had low attendance. R. Pontbriand is exploring the idea of doing prerecorded budget sessions and he is also open to any Board suggestions.

J. Livingston asked R. Pontbriand if he had heard feedback that people didn't like the way the Town was presenting the information. R. Pontbriand stated that the turnout of the public is so low, he wants to reevaluate. J. Livingston stated that the Finance Committee meets publicly and is recorded; same with the Capital Planning Committee so the information is out there. She stated maybe the Town could hold one public hearing and refer those looking for additional information to previous meeting minutes. S. Houde said when we first started doing the public forums it was to put all the pieces of the budget together for the taxpayer. He feels that doing prerecorded messages may be more beneficial. J. Livingston stated that a "one-sheeter" might be helpful to refer residents back to prior meetings.

P. Conley stated she appreciates the frustration the Board is having in having low public participation. She stated that the goal is to get information to the public, but also, the public has to do their part and

participate. S. Houde stated that the Town's website has a lot of information on it and the information is always timely.

A resident (not identified) stated that a glossary of Town Meeting terms would be helpful. S. Houde stated that there is a glossary in the Town's Budget Book.

*Update on 2023 Fall Special Town Meeting Warrant* – R. Pontbriand noted that the Fall Town Meeting Warrant will have 5 articles. The Board will consider the final draft of the October 23, 2023 Fall Special Town Meeting Warrant at their next meeting on October 3, 2023.

*Funding for the Library Boiler Replacement* – R. Pontbriand was joined by Facilities Director Chuck Shultz and Library Director Luke Kirkland. The library boiler is currently twenty (20) years old, installed in 2003. The corrosion on the boiler has reached a level of critical concern that it could fail resulting in no heat for the library. The cost for the replacement of the library boiler is \$50,000. The funding for the library boiler is not in the current FY 2024 Budget nor was it originally in the Town's capital plan for 2023. He presented the different funding options which are as follows: Reserve Fund Transfer (RFT); Transfer Article from Capital Stabilization; ARPA Funds; UDAG Funds. S. Houde asked what the general lifespan was for a boiler. C. Shultz stated about 30 years. J. Livingston and S. Copeland think that ARPA funds would be the best choice for funding.

**Motion:** A motion was made by J. Livingston and seconded by S. Copeland to fund the cost of the Library Boiler Replacement up to \$75,000 through the ARPA funds. **Motion passed 3-0.**

L. Kirkland informed the Board that Library usage has increased dramatically.

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

**Adjournment:**

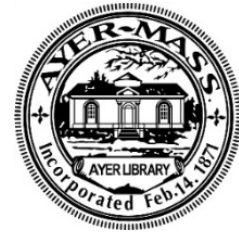
**Motion:** A motion was made by S. Copeland and seconded by J. Livingston to adjourn at 8:08 PM.

**Motion passed 3-0.**

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

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

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



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

*Broadcast and Recorded by APAC*

**October 3, 2023**  
**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 6:00 PM. 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 S. Copeland and seconded by J. Livingston to approve the meeting agenda. **Motion passed 3-0.**

**Public Input:** None

**Dan Van Schalkwyk, Director, Department of Public Works – Public Meeting for Vote to Layout**

**Curley Circle:** D. Van Schalkwyk reported that the Ayer Planning Board recently voted to recommend that the SB accept Curley Circle as a Town Street. He noted that the Developer is still working on several punch list items. D. Van Schalkwyk will report at the Town Meeting on whether the items have been completed. S. Houde asked if there were any concerns with the Developer completing the punch list prior to the Town Meeting. D. Van Schalkwyk stated that there is a long lead time with ordering/receiving the streetlights.

**Motion:** A motion was made by S. Copeland and seconded by J. Livingston to execute the Order of Layout of Curley Circle as a public way for signature by the Board. **Motion passed 3-0.**

*Agreement for Sandy Pond Road Sanitary Sewer Rehabilitation Project* – D. Van Schalkwyk presented the contract between the Town of Ayer and Vortex Services, LLC in the amount of \$1,743,160 for the Sandy Pond Sanitary Sewer Rehabilitation Project. Vortex Services, LLC, has provided all necessary bonds, insurance, and other paperwork required for a full contract.

**Motion:** A motion was made by J. Livingston and seconded by S. Copeland to execute the contract with Vortex Services, LLC., for the Sandy Pond Road Sanitary Sewer Rehabilitation Project in the amount of \$1,743,16 for signature by the Chair. **Motion passed 3-0.**

**Appointment of Senior Center Site Selection/Building Committee:** The Select Board received letters of interest from the following candidates: Bob Bozek (via Zoom), David Cibor, Ellen FitzPatrick (via Zoom), Dave Grubb, Nancy Jackvony (not in attendance), Christine Malette (not in attendance), Carolyn McCreary (not in attendance), Chris Prehl (via Zoom), Charlie Shultz (via Zoom), and Marge Withee (not in attendance). S. Houde noted that Sheila Carman has expressed interest but has since withdrawn. There are 5 open spaces on the Committee. Four others have already been appointed: Katie Petrossi, Senior Center Director; Dennis Curran, Senior Center Board of Directors; Ken Diskin, Planning Board; and Dan Van Schalkwyk, DPW Director. The Board asked each candidate to introduce themselves and tell them why they are interested in serving on the Committee.

S. Houde asked if there were any standouts for the other Board members. J. Livingston stated that the Committee members that have already been appointed is “male heavy” and she would like to push for some females to balance it out. S. Houde stated that he would like to appoint C. Prehl and D. Grubb. J. Livingston stated that D. Grubb had good energy and he has yet to serve on any Town Committee. She also would like to appoint D. Cibor because he serves on the Disabilities Commission. S. Copeland stated that he too would like to appoint C. Prehl and D. Grubb. He also added he would like to see E. FitzPatrick, C. McCreary, and C. Schultz appointed. J. Livingston stated that the Town is unaware of how long site selection may take and that people may step down from the Committee; so those not chosen this evening could possibly serve in the future.

The Board narrowed the list of members to C. Prehl, D. Grubb, E. FitzPatrick, C. McCreary, and D. Cibor.

**Motion:** A motion was made by J. Livingston and seconded by S. Copeland to appoint C. Prehl, D. Grubb, E. FitzPatrick, C. McCreary, and D. Cibor to the Senior Center Site Selection/Building Committee. **Motion passed 3-0.**

**Review and Approval of October 23, 2023, Fall Special Town Meeting Warrant:** R. Pontbriand and the SB reviewed the final draft of the 5-article Fall Special Town Meeting Warrant. R. Pontbriand highlighted the edits were made since the last time the Board saw the Warrant; specifically on pages 8 and 12. R. Pontbriand reported that Article 2 is being reviewed by the Finance Committee and they will make their recommendation on the floor of Town Meeting. There will be brief presentations made for all articles at Town Meeting.

**Motion:** A motion was made by S. Copeland and seconded by J. Livingston to approve the Fall Special Town Meeting Warrant to be held on October 23, 2023 at 7:00 PM. **Motion passed 3-0.**

**Town Manager’s Report - Administrative Update/Review of Warrants:** 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 reported that the Insurance Advisory Committee has been meeting and discussing changing employee health insurance for FY ’25. He also stated that Senator Eldridge, Senator Cronin, Representative Sena, and Representative Scarsdale hosted a transportation forum at the Town Hall on Monday October 2, 2023, that was well attended. APAC recorded the forum, and it will be available in the next several days.

*Keno Application – Pleasant Café, Inc., 7 Depot Square – C. Antonellis referenced correspondence from the Massachusetts State Lottery Commission (MSLC) regarding Pleasant Café of Ayer, Inc. who has*

applied for a KENO license. If the Town has any objections to the issuing of the KENO license, we can request a hearing with the MSLC. There were no objections. J. Livingston stated that in the past the Board has requested that the Keno monitors not be viewable from the outside windows. C. Antonellis stated that she can add that to her communication back to the MSLC.

**Motion:** A motion was made by S. Copeland and seconded by J. Livingston to support the KENO application for Pleasant Café, Inc. provided that the KENO monitor is not visible from the outside of the restaurant. **Motion passed 3-0.**

*2024 Annual License Renewal Fees* – C. Antonellis stated that for the past three years the Select Board as reduced the annual licensing renewal fees due to the impacts of the COVID-19 pandemic. Prior to the pandemic, the Town collected approximately \$50,000 per year from license renewals (Class 1-3 Auto; Liquor Licenses; Common Victualler’s; Entertainment; and Amusement). In 2021 and 2022, the Select Board reduced license fees by 75%. In 2023, the Select Board reduced fees by 50%. Board members agree to reduce the 2024 license fees by 25% and that this would be the final year of the reduction.

**Motion:** A motion was made by S. Copeland and seconded by J. Livingston to reduce the annual license renewal fees by 25%. **Motion passed 3-0.**

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

**Approval of Meeting Minutes:**

**Motion:** A motion was made by J. Livingston and seconded by S. Copeland to approve the meeting minutes from September 6, 2023. **Motion passed 3-0.**

**Adjournment:**

**Motion:** A motion was made by J. Livingston and seconded by S. Copeland to adjourn at 6:50 PM. **Motion passed 3-0.**

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

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

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