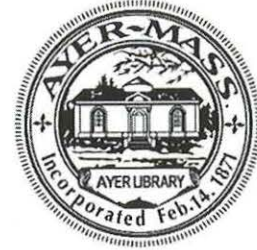


12:30pm
RECEIVED
SEP 29 2023



**TOWN OF AYER
TOWN CLERK**

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



Tuesday October 3, 2023
Open Session Meeting Agenda

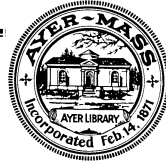
*This meeting/hearing of the Ayer Select Board will be held in-person at the location provided on this notice. Members of the public are welcome to attend this in-person meeting. Please note that while an option for remote attendance and/or participation via Zoom is being provided as a courtesy to the 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*** **Dan Van Schalkwyk, Director, Department of Public Works**
1. Public Meeting for Vote to Layout Curley Circle
2. Agreement for Sandy Pond Road Sanitary Sewer Rehabilitation Project
- 6:10 PM** **Appointment of Senior Center Site Selection/Building Committee**
- 6:30 PM** **Review and Approval of October 23, 2023, Fall Special Town Meeting Warrant**
- 6:40 PM** **Town Manager's Report**
1. Administrative Update/Review of Warrants
2. Keno Application – Pleasant Café, Inc., 7 Depot Square
3. 2024 Annual License Renewal Fees
- 6:50 PM** **New Business/Select Board Member Questions**
- 6:55 PM** **Approval of Meeting Minutes**
September 6, 2023
- 7:00 PM** **Adjournment**

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

*The next regularly scheduled meeting of the Ayer Select Board will be held on Tuesday October 17, 2023 at 6:00 PM, both in-person and via Zoom.
The Fall Special Town Meeting will be held on Monday October 23, 2023 at 7:00 PM at the Ayer Shirley Regional High School.*

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



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

MEMORANDUM

Date: September 28, 2023
To: Select Board
From: Dan Van Schalkwyk, P.E., Director
Subject: **Agenda Items for October 3, 2023, Select Board Meeting**

1. **Public Meeting for Vote to Layout Curley Circle**

Attached is a memorandum and Order of Layout, to be executed by the Board recommending that the Board accept the following roads as public streets. In accordance with M.G.L. c.82, §§21-24, the Board must hold a public meeting and vote to approve the layout as shown on the metes and bounds plan. DPW has notified all abutters of the time and location of this meeting.

The Order of Layout, executed by the Board, needs to be filed with the Town Clerk, who, within 10 days, must record the description in a book kept for this purpose. We have also prepared a Town Meeting Warrant Article for Street Acceptance.

- Curley Circle

Requested Motion – Vote to execute the Order of Layout of Curley Circle as a public way (for signature by the Board)

2. **Agreement for Sandy Pond Road Sanitary Sewer Rehabilitation Project**

Attached is a contract for execution for the Sandy Pond Road Sanitary Sewer Rehabilitation Project, which was awarded by the Board at its last meeting. The Contractor, Vortex Services, LLC, has provided all necessary bonds, insurance, and other paperwork required for a full contract.

Requested Motion – Vote to execute the contract with Vortex Services, LLC, for the Sandy Pond Road Sanitary Sewer Rehabilitation Project in the amount of \$1,743,160.00 (for signature by the Chair)

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

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

Memorandum

Date: September 28, 2023

To: Ayer Select Board

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

Re: Curley Circle Street Acceptance

The Ayer Planning Board voted at their meeting on September 26, 2023 to recommend that the Select Board accept Curley Circle as a Town Street. I had sent the Planning board a letter with my recommendation for street acceptance, pending completion of several punch list items. The Developer is currently working on the punch list items. If the items are not complete by 2023 Fall Town Meeting, I will report on the floor of said Town Meeting of the incompleteness and recommend against street acceptance.

Attached is the Order of Layout for execution by the Board. The Order of Layout needs to be filed with the Town Clerk, who, within 10 days, must record the description in a book kept for this purpose.

Select Board Adopts Order of Layout and Files Layout with Town Clerk

TOWN OF AYER

ORDER OF LAYOUT OF CURLEY CIRCLE

Whereas the Select Board of the Town of Ayer, acting pursuant to G.L. c. 82, §§21-24, having deemed that common convenience and necessity require the acceptance of Curley Circle as a Town way, hereby lays out Curley Circle as a public way, all as shown on the plan referenced below, and

Whereas the boundaries of the layout of Curley Circle are shown on a plan entitled “Definitive Subdivision Open Space Residential Development,” prepared by Goldsmith, Prest & Ringwall, Inc., recorded with the Middlesex South District Registry of Deeds as Plan #561 of 2020, which plan was referred to the Planning Board and which plan is hereby adopted as a part of this Order, is hereby laid out as a public way.

The aforementioned plan is hereby forwarded to the Town Clerk for filing and the foregoing layout is hereby reported to the Town for acceptance.

Adopted: October ____, 2023

TOWN OF AYER,
By its Select Board

Scott A. Houde, Chair

Jannice L. Livingston, Vice Chair

Shaun C. Copeland, Clerk

Filed in the office of the

Town Clerk, October ____, 2023. Town Clerk, Attest

CURVE	LENGTH	RADIUS
C1	39.82	25.00
C2	42.97	25.00
C3	32.69	60.00
C4	22.57	60.00
C5	20.13	60.00
C6	29.84	60.00
C7	35.80	60.00
C8	20.39	60.00
C9	33.68	60.00
C10	48.24	60.00
C11	25.79	60.00
C12	30.85	270.00
C13	57.27	270.00
C14	44.34	270.00
C15	54.98	270.00
C16	40.15	25.00

PLAN REFERENCES:

PLANS ON FILE AT THE MIDDLESEX SOUTH DISTRICT REGISTRY OF DEEDS

- PLAN 1487 OF 1980 "LAND IN AYER, MASS" BY CHARLES A. PERKINS Co., Inc.; DATED: MAY 1980
- PLAN 1046 OF 2007 "PLAN OF LAND IN AYER, MASS" BY DAVID E. ROSS & Assoc. Inc.; DATED: JAN. 2005
- PLAN 411 OF 1967 "LAND IN AYER, MASS" BY CHARLES A. PERKINS Co., Inc.; DATED: JULY 1966
- PLAN 453 OF 1996 "PLAN OF EASEMENT IN AYER, MASS" BY DAVID E. ROSS & Assoc. Inc.; DATED: AUGUST 1995
- 1916 COUNTY LAYOUT No. 1717 OF LITTLETON ROAD (ROUTES 2A & 110)

NOTES:

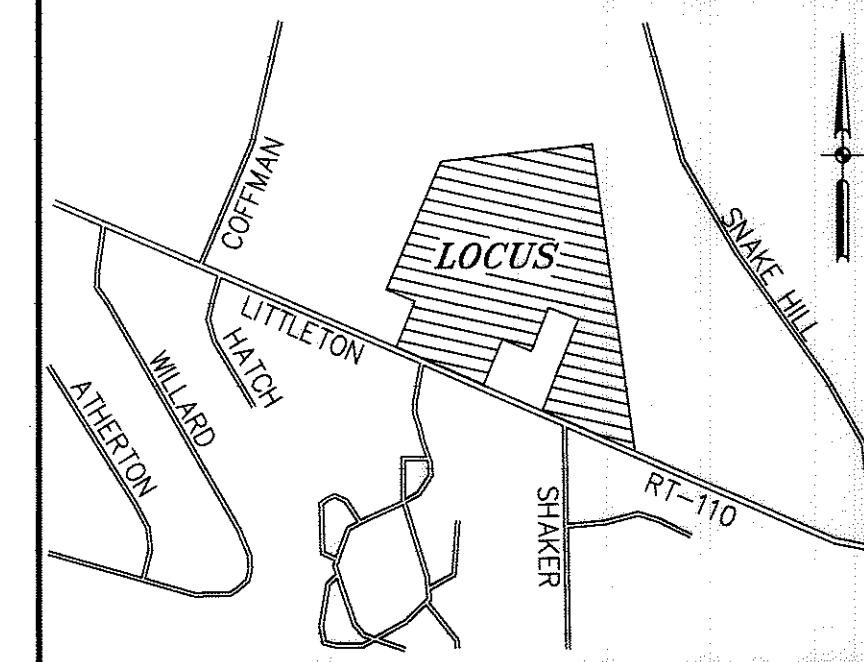
1. AN INSTRUMENT SURVEY WAS PERFORMED BY THIS OFFICE DURING MAY 2018, WITH SUPPLEMENTED DATA ADDED APRIL 22, 2019.

Middlesex Registry of Deeds,
Southern District
Cambridge, Massachusetts
Plan No. 561 of 2020
Rec'd 8-14 2020
at 11 41 PM

Attest
Alison A. ...
Register

FOR REGISTRY USE ONLY

JOB NO. 181020



LOCUS MAP ~ NOT TO SCALE

APPROVAL IS REQUIRED UNDER THE
SUBDIVISION CONTROL LAW
AYER PLANNING BOARD

Kevin D. ...
John ...
Matt ...

BEING A MAJORITY
DATE APPROVED: 10/8/2019
DATE ENDORSED: 8/17/2020

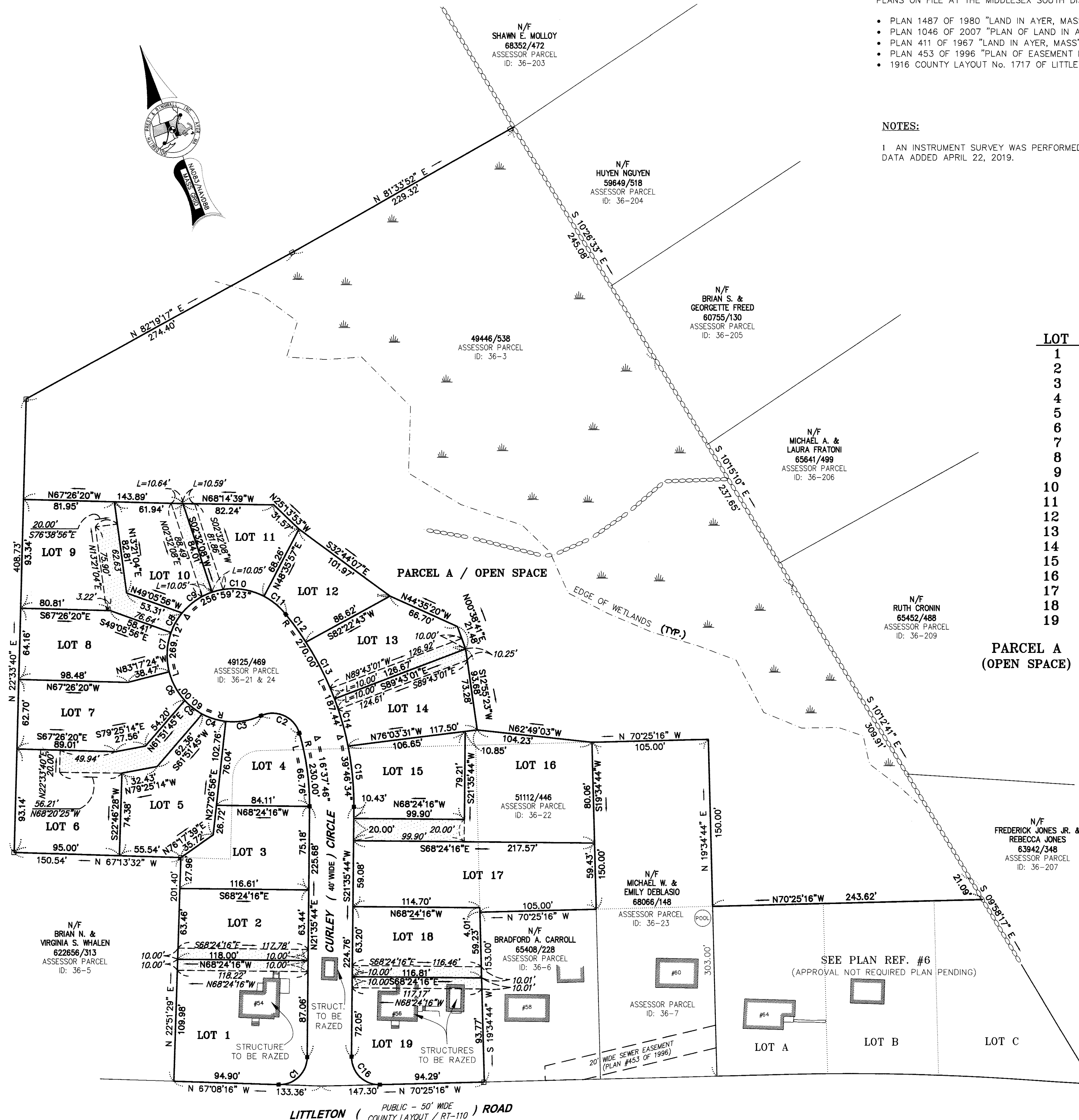
Janis J. ...
CLERK OF THE TOWN OF AYER, HEREBY CERTIFY THAT THE NOTICE OF THE APPROVAL OF THIS PLAN BY THE PLANNING BOARD HAS BEEN RECEIVED AND RECORDED BY THIS OFFICE AND NO APPEAL WAS RECEIVED DURING THE 20 DAYS NEXT AFTER RECEIPT AND RECORDING OF SAID NOTICE.

Ass't. *Janis J. ...* CLERK DATE 8/11/2020

LOTGING AREA CHART

LOT	S.F.±	ACRES±	EASEMENTS
1	13,127	0.30	(ACCESS & UTILITY = 1,181±S.F.)
2	7,442	0.17	(ACCESS & UTILITY = 1,179±S.F.)
3	7,617	0.17	
4	5,944	0.14	
5	8,442	0.19	
6	10,575	0.24	(ACCESS & UTILITY = 2,794±S.F.)
7	8,555	0.20	
8	7,953	0.18	
9	9,780	0.22	(ACCESS & UTILITY = 2,517±S.F.)
10	6,297	0.14	(DRAINAGE & MAINT. = 861±S.F.)
11	6,089	0.14	(DRAINAGE & MAINT. = 825±S.F.)
12	5,668	0.13	
13	7,280	0.17	(ACCESS & UTILITY = 1,268±S.F.)
14	7,097	0.16	(ACCESS & UTILITY = 1,256±S.F.)
15	7,352	0.17	
16	13,133	0.30	(ACCESS & UTILITY = 1,998±S.F.)
17	13,143	0.30	
18	7,312	0.17	(ACCESS & UTILITY = 1,166±S.F.)
19	11,211	0.26	(ACCESS & UTILITY = 1,170±S.F.)

PARCEL A
(OPEN SPACE) 237,514 5.45



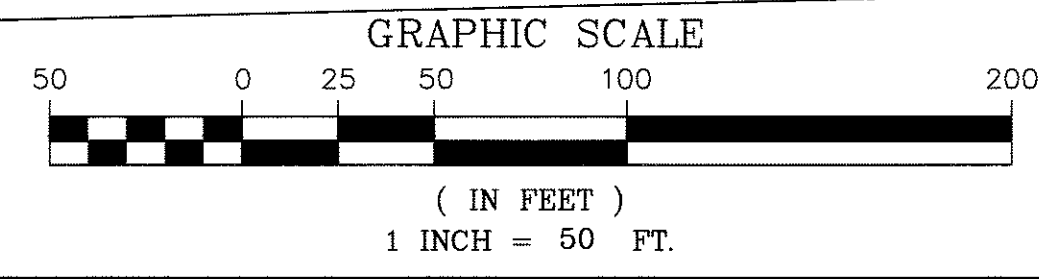
THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.

DAVID J. DeBAY, P.L.S. # 33887
DATE

LEGEND

N/F	NOW OR FORMERLY
1111/111	DEED BOOK/PAGE
IP	IRON/STEEL PIPE
SB	STONE BOUND
○	STONE WALL
CTR	CENTER
DH	DRILL HOLE
○	PIPE/ROD
□	STONE BOUND (FOUND)
■	STONE BOUND (PROPOSED)

THIS LAND MAY BE SUBJECT TO EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS, COVENANTS, OR OTHER LIMITATIONS WHICH MAY BE DISCLOSED BY A TITLE EXAMINATION.



NO.	DATE	BY	APP.	REVISION DESCRIPTION
1	9/04/19	DSB	DJD	20' EASEMENTS & LOT 16

GPR Engineering Solutions for Land & Structures
GOLDSMITH, PREST & RINGWALL, INC.
39 MAIN STREET, SUITE 301, AYER, MA 01432
CIVIL ENGINEERING • LAND SURVEYING • LAND PLANNING
VOICE: 978.772.1590 FAX: 978.772.1591
www.gpr-inc.com

DEFINITIVE SUBDIVISION
OPEN SPACE RESIDENTIAL DEVELOPMENT
LOTGING & EASEMENT PLAN

JOHN CARROLL RESERVE
54 & 56 LITTLETON ROAD
AYER, MASS

PREPARED FOR:
LR PROPERTIES, LLC
450 OLD TURNPIKE ROAD
LANCASTER, MA 01523

DES. BY: NMP	DATE: JULY, 2019	JOB 181020	C 3.1
CHK. BY: DSB			

561 of 2020

AGREEMENT BETWEEN OWNER AND CONTRACTOR FOR CONSTRUCTION CONTRACT (STIPULATED PRICE)

This Agreement is by and between the Town of Ayer acting through its Department of Public Works (“Owner”) and Vortex Services, LLC (“Contractor”).

Terms used in this Agreement have the meanings stated in the General Conditions and the Supplementary Conditions.

Owner and Contractor hereby agree as follows:

ARTICLE 1—WORK

1.01 Contractor shall complete all Work as specified or indicated in the Contract Documents. The Work is generally described as follows:

provide all labor, services, tools, materials, equipment, and incidentals necessary to complete all the Work as specified or indicated in the Contract Documents to construct the Sandy Pond Road Sanitary Sewer Rehabilitation. The Work is generally described in Specifications Section 01 11 13, Summary of Work.

ARTICLE 2—THE PROJECT

2.01 The Project, of which the Work under the Contract Documents is a part, is generally described as follows: **[Brief description of Project]**

Providing all materials, equipment, labor, incidentals, and supervision for trenchless rehabilitation of 15-inch, 21-inch, and 24-inch diameter sanitary sewer pipe including pipeline cleaning and pre- and post-rehabilitation closed-circuit television (CCTV) inspection, cured-in-place pipe lining (CIPPL) by Ultraviolet (UV) CIPPL, post rehabilitation reinstatement of service connections, cured-in-place lateral connection lining (LCL), Additive Alternate bid item No. 1 – Manhole Rehabilitation; including manhole frame and cover replacement, cementitious lining, and epoxy lining and all appurtenances and related work to complete all bid items included in the contract.

ARTICLE 3—ENGINEER

3.01 The Owner has retained Arcadis U.S., Inc., 500 Edgewater Drive, Suite 511, Wakefield, MA 01880, (“Engineer”) to act as Owner’s representative, assume all duties and responsibilities of Engineer, and have the rights and authority assigned to Engineer in the Contract.

ARTICLE 4—CONTRACT TIMES

4.01 *Time is of the Essence*

A. All time limits for Milestones, if any, Substantial Completion, and completion and readiness for final payment as stated in the Contract Documents are of the essence of the Contract.

4.03 *Contract Times: Days*

- A. The Work will be substantially complete within 160 days after the date when the Contract Times commence to run as provided in Paragraph 4.01 of the General Conditions

4.04 *Liquidated Damages*

- A. Contractor and Owner recognize that time is of the essence as stated in Paragraph 4.01 above and that Owner will suffer financial and other losses if the Work is not completed and Milestones not achieved within the Contract Times, as duly modified. The parties also recognize the delays, expense, and difficulties involved in proving, in a legal or arbitration proceeding, the actual loss suffered by Owner if the Work is not completed on time. Accordingly, instead of requiring any such proof, Owner and Contractor agree that as liquidated damages for delay (but not as a penalty):
 - 1. *Substantial Completion*: Contractor shall pay Owner \$1,000.00 for each day that expires after the time (as duly adjusted pursuant to the Contract) specified above for Substantial Completion, until the Work is substantially complete.
- B. If Owner recovers liquidated damages for a delay in completion by Contractor, then such liquidated damages are Owner's sole and exclusive remedy for such delay, and Owner is precluded from recovering any other damages, whether actual, direct, excess, or consequential, for such delay, except for special damages (if any) specified in this Agreement.

4.06 *Special Damages*

- A. Contractor shall reimburse Owner (1) for any fines or penalties imposed on Owner as a direct result of the Contractor's failure to attain Substantial Completion according to the Contract Times, and (2) for the actual costs reasonably incurred by Owner for engineering, construction observation, inspection, and administrative services needed after the time specified in Paragraph 4.02 for Substantial Completion (as duly adjusted pursuant to the Contract), until the Work is substantially complete.
- B. After Contractor achieves Substantial Completion, if Contractor shall neglect, refuse, or fail to complete the remaining Work within the Contract Times, Contractor shall reimburse Owner for the actual costs reasonably incurred by Owner for engineering, construction observation, inspection, and administrative services needed after the time specified in Paragraph 4.02 for Work to be completed and ready for final payment (as duly adjusted pursuant to the Contract), until the Work is completed and ready for final payment.
- C. The special damages imposed in this paragraph are supplemental to any liquidated damages for delayed completion established in this Agreement.

ARTICLE 5—CONTRACT PRICE

5.01 Owner shall pay Contractor for completion of the Work in accordance with the Contract Documents, the amounts that follow, subject to adjustment under the Contract:

- A. For all Work, at the prices stated in Contractor's Bid, attached hereto as an exhibit.
 - 1. For all Unit Price Work, an amount equal to the sum of the extended prices (established for each separately identified item of Unit Price Work by multiplying the unit price times the actual quantity of that item). The extended prices for Unit Price Work set forth as of the Effective Date of the Contract are based on estimated quantities. As provided in Paragraph 13.03 of the General Conditions, estimated quantities are not guaranteed, and determinations of actual quantities and classifications are to be made by Engineer.

ARTICLE 6—PAYMENT PROCEDURES

6.01 *Submittal and Processing of Payments*

- A. Contractor shall submit Applications for Payment in accordance with Article 15 of the General Conditions. Applications for Payment will be processed by Engineer as provided in the General Conditions.

6.02 *Progress Payments; Retainage*

- A. Owner shall make progress payments on the basis of Contractor's Applications for Payment on or about the 25th day of each month during performance of the Work as provided in Paragraph 6.02.A.1 below, provided that such Applications for Payment have been submitted in a timely manner and otherwise meet the requirements of the Contract. All such payments will be measured by the Schedule of Values established as provided in the General Conditions (and in the case of Unit Price Work based on the number of units completed) or, in the event there is no Schedule of Values, as provided elsewhere in the Contract.
 - 1. Prior to Substantial Completion, progress payments will be made in an amount equal to the percentage indicated below but, in each case, less the aggregate of payments previously made and less such amounts as Owner may withhold, including but not limited to liquidated damages, in accordance with the Contract.
 - a. 95% percent of the value of the Work completed (with the balance being retainage).
- B. Upon Substantial Completion, Owner shall pay an amount sufficient to increase total payments to Contractor to 100 percent of the Work completed, less such amounts set off by Owner pursuant to Paragraph 15.01.E of the General Conditions, and less 150 percent of Engineer's estimate of the value of Work to be completed or corrected as shown on the punch list of items to be completed or corrected prior to final payment.

6.03 *Final Payment*

- A. Upon final completion and acceptance of the Work, Owner shall pay the remainder of the Contract Price in accordance with Paragraph 15.06 of the General Conditions.

6.04 *Consent of Surety*

- A. Owner will not make final payment, or return or release retainage at Substantial Completion or any other time, unless Contractor submits written consent of the surety to such payment, return, or release.

6.05 *Interest*

- A. All amounts not paid when due will bear interest at the maximum rate allowed by law at the place of the Project.

ARTICLE 7—CONTRACT DOCUMENTS

7.01 *Contents*

- A. The Contract Documents consist of all of the following:
1. This Agreement.
 2. Bonds:
 - a. Performance bond (together with power of attorney), Section 00 61 13.
 - b. Payment bond (together with power of attorney), Section 00 61 16.
 3. General Conditions, Section 00 73 01.
 4. Supplementary Conditions, Section 00 73 01.
 5. Specifications as listed in the table of contents of the project manual. Section 00 01 10.
 6. The Drawings comprising a set titled "Sandy Pond Road Sanitary Sewer Rehabilitation", dated June 2023.
 8. Addenda (numbers 1 to 1 , inclusive).
 9. Exhibits to this Agreement (enumerated as follows):
 - a. 00 73 46, Wage Determination Schedule

The following which may be delivered or issued on or after the Effective Date of the Contract and are not attached hereto:

- a. Notice to Proceed.
 - b. Work Change Directive(s).
 - c. Change Orders.
- B. The Contract Documents listed in Paragraph 7.01.A are attached to this Agreement (except as expressly noted otherwise above).
- C. There are no Contract Documents other than those listed above in this Article 7.
- D. The Contract Documents may only be amended, modified, or supplemented as provided in the Contract.

ARTICLE 8—REPRESENTATIONS, CERTIFICATIONS, AND STIPULATIONS

8.01 *Contractor's Representations*

- A. In order to induce Owner to enter into this Contract, Contractor makes the following representations:
1. Contractor has examined and carefully studied the Contract Documents, including Addenda, if any.
 2. Contractor has visited the Site, conducted a thorough visual examination of the Site and adjacent areas, and become familiar with the general, local, and Site conditions that may affect cost, progress, and performance of the Work.
 3. Contractor is familiar with all Laws and Regulations that may affect cost, progress, and performance of the Work.
 4. Contractor has considered the information known to Contractor itself; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Contract Documents; and the Technical Data identified in the Supplementary Conditions or by definition, with respect to the effect of such information, observations, and Technical Data on (a) the cost, progress, and performance of the Work; (b) the means, methods, techniques, sequences, and procedures of construction to be employed by Contractor; and (c) Contractor's safety precautions and programs.
 5. Based on the information and observations referred to in the preceding paragraph, Contractor agrees that no further examinations, investigations, explorations, tests, studies, or data are necessary for the performance of the Work at the Contract Price, within the Contract Times, and in accordance with the other terms and conditions of the Contract.
 6. Contractor is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Contract Documents.
 7. Contractor has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Contractor has discovered in the Contract Documents, and of discrepancies between Site conditions and the Contract Documents, and the written resolution thereof by Engineer is acceptable to Contractor.
 8. The Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing of the Work.
 9. Contractor's entry into this Contract constitutes an incontrovertible representation by Contractor that without exception all prices in the Agreement are premised upon performing and furnishing the Work required by the Contract Documents.

8.02 *Contractor's Certifications*

- A. Contractor certifies that it has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for or in executing the Contract. For the purposes of this Paragraph 8.02:

1. "corrupt practice" means the offering, giving, receiving, or soliciting of anything of value likely to influence the action of a public official in the bidding process or in the Contract execution;
2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process or the execution of the Contract to the detriment of Owner, (b) to establish Bid or Contract prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;
3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish Bid prices at artificial, non-competitive levels; and
4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

8.03 *Standard General Conditions*

- A. Owner stipulates that if the General Conditions that are made a part of this Contract are EJCDC® C-700, Standard General Conditions for the Construction Contract (2018), published by the Engineers Joint Contract Documents Committee, and if Owner is the party that has furnished said General Conditions, then Owner has plainly shown all modifications to the standard wording of such published document to the Contractor, through a process such as highlighting or "track changes" (redline/strikeout), or in the Supplementary Conditions.

IN WITNESS WHEREOF, Owner and Contractor have signed this Agreement.

This Agreement will be effective on _____ September 20th _____, 2023 (which is the Effective Date of the Contract).

Owner:

Town of Ayer, MA
(typed or printed name of organization)

By: _____
(individual's signature)

Date: _____
(date signed)

Name: _____
(typed or printed)

Title: _____
(typed or printed)

Attest: _____
(individual's signature)

Title: _____
(typed or printed)

Address for giving notices:
Department of Public Works
25 Brook Street
Ayer, MA 01432

Designated Representative:
Name: _____
(typed or printed)

Title: _____
(typed or printed)

Address: _____

Phone: _____

Email: _____
(If [Type of Entity] is a corporation, attach evidence of authority to sign. If [Type of Entity] is a public body, attach evidence of authority to sign and resolution or other documents authorizing execution of this Agreement.)

Contractor:

Vortex Services, LLC
(typed or printed name of organization)

By: _____
(individual's signature)

Date: 09/20/2023
(date signed)

Name: Isaiah Bean
(typed or printed)

Title: Regional Vice President
(typed or printed)

(If [Type of Entity] is a corporation, a partnership, or a joint venture, attach evidence of authority to sign.)

Attest: _____
(individual's signature)

Title: Courtney Swartzel-Contracts Coordinator
(typed or printed)

Address for giving notices:
521 Federal Road, Livermore, ME 04253

Designated Representative:
Name: _____
(typed or printed)

Title: Isaiah Bean - Regional Vice President
(typed or printed)

Address: 521 Federal Road, Livermore, ME 04253

Phone: 207-807-3348

Email: isaiah.bean@vortexcompanies.com

License No.: _____
(where applicable)

State: Maine

TOWN OF AYER, MA
DEPARTMENT OF PUBLIC WORKS
SANDY POND ROAD SANITARY SEWER REHABILITATION

BID FORM

The terms used in this Bid with initial capital letters have the meanings stated in the Instructions to Bidders, the General Conditions, and the Supplementary Conditions.

ARTICLE 1—OWNER AND BIDDER

1.01 This Bid is submitted to:

Town of Ayer, Massachusetts
Department of Public Works
25 Brook Street
Ayer, Massachusetts 01432

1.02 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with Owner in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.

ARTICLE 2—ATTACHMENTS TO THIS BID

2.01 The following documents are submitted with and made a condition of this Bid:

- A. Required Bid security;
- B. Evidence of authority to do business in the state of the Project; or a written covenant to obtain such authority within the time for acceptance of Bids;
- C. Contractor's license number as evidence of Bidder's State Contractor's License or a covenant by Bidder to obtain said license within the time for acceptance of Bids;
- D. Affidavit of Non-Collusion; and
- E. Required Bidder Qualification Statement with supporting data.

ARTICLE 3—BASIS OF BID—LUMP SUM BID AND UNIT PRICES

3.01 *Lump Sum and Unit Price Bids*

- A. Bidder will complete the Work in accordance with the Contract Documents for the lump sum (stipulated) price(s), together with any Unit Prices indicated in the attached Unit Price Bid Form.
- B. Bidder acknowledged that:
 - 1. Each Bid Unit Price and Lump Sum Price includes an amount considered by Bidder to be adequate to cover Contractor's overhead and profit for each separately identified item; and
 - 2. Estimated quantities are not guaranteed, and are solely for the purpose of comparison of Bids, and final payment for all Unit Price Work will be based on actual quantities, determined as provided in the Contract Documents.

ARTICLE 4—NOT USED

ARTICLE 5—NOT USED

ARTICLE 6—TIME OF COMPLETION

- 6.01 Bidder agrees that the Work will be substantially complete and will be completed and ready for final payment in accordance with Paragraph 15.06 of the General Conditions on or before the dates or within the number of calendar days indicated in the Agreement.
- 6.02 Bidder accepts the provisions of the Agreement as to liquidated damages.

ARTICLE 7—BIDDER'S ACKNOWLEDGEMENTS: ACCEPTANCE PERIOD, INSTRUCTIONS, AND RECEIPT OF ADDENDA

7.01 *Bid Acceptance Period*

- A. This Bid will remain subject to acceptance for 60 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.

7.02 *Instructions to Bidders*

- A. Bidder accepts all of the terms and conditions of the Instructions to Bidders, including without limitation those dealing with the disposition of Bid security.

7.03 *Receipt of Addenda*

- A. Bidder hereby acknowledges receipt of the following Addenda:

Addendum Number	Addendum Date
1 1	9/8/23


ARTICLE 8—BIDDER'S REPRESENTATIONS AND CERTIFICATIONS

8.01 *Bidder's Representations*

- A. In submitting this Bid, Bidder represents the following:
1. Bidder has examined and carefully studied the Bidding Documents, including Addenda.
 2. Bidder has visited the Site, conducted a thorough visual examination of the Site and adjacent areas, and become familiar with the general, local, and Site conditions that may affect cost, progress, and performance of the Work.
 3. Bidder is familiar with all Laws and Regulations that may affect cost, progress, and performance of the Work.
 4. Bidder has considered the information known to Bidder itself; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Bidding Documents; and the Technical Data identified in the Supplementary Conditions or by definition, with respect to the effect of such information, observations, and Technical Data on (a) the cost, progress, and performance of the Work; (b) the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder, if selected as Contractor; and (c) Bidder's (Contractor's) safety precautions and programs.
 5. Based on the information and observations referred to in the preceding paragraph, Bidder agrees that no further examinations, investigations, explorations, tests, studies, or data are necessary for the performance of the Work at the Contract Price, within the Contract Times, and in accordance with the other terms and conditions of the Contract.
 6. Bidder is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.
 7. Bidder has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and of discrepancies between Site conditions and the Contract Documents, and the written resolution thereof by Engineer is acceptable to Contractor.
 8. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing of the Work.
 9. The submission of this Bid constitutes an incontrovertible representation by Bidder that without exception the Bid and all prices in the Bid are premised upon performing and furnishing the Work required by the Bidding Documents.

BIDDER hereby submits this Bid as set forth above:

Bidder: Vortex Services
(typed or printed name of organization)

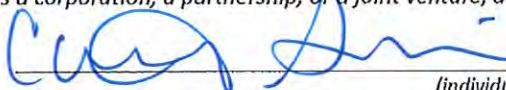
By: 
(individual's signature)

Name: Isaiah Bean
(typed or printed)

Title: Regional Vice President
(typed or printed)

Date: 09/13/2023
(typed or printed)

If Bidder is a corporation, a partnership, or a joint venture, attach evidence of authority to sign.

Attest: 
(individual's signature)


Name: Courtney Swartzel
(typed or printed)

Title: Contracts Coordinator
(typed or printed)

Date: 09/13/2023
(typed or printed)

Address for giving notices: 521 Federal Road, Livermore, ME 04253

Bidder's Contact: Vortex Services
Name: _____
(typed or printed)

Title:  Isaiah Bean- Regional Vice President
(typed or printed)

Phone: 207-897-3348

Email: isaiah.bean@vortexcompanies.com

Address: 521 Federal Road, Livermore, ME 04253

Bidder's Contractor License No.: (if applicable) _____

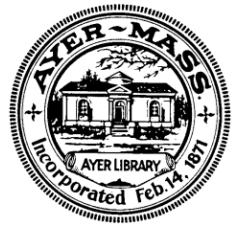
Town of Ayer, Massachusetts
Sandy Pond Road Sanitary Sewer Rehabilitation
Unit Price Bid Tab

Item No.	Brief Description and Unit or Lump Sum Price Bid in Words	Estimated Quantity	Units	Unit Price Bid in Numbers	Total Item Bid Price
1. SANITARY SEWER CLEANING AND CCTV INSPECTION					
1a.	Sanitary Sewer Cleaning and CCTV Inspection of 15-inch Sewer Pipe <i>Four Dollars and Fifty Cents</i> Dollars	550	LF	<i>4.50</i>	<i>2,475.00</i>
1b.	Sanitary Sewer Cleaning and CCTV Inspection of 21-inch Sewer Pipe <i>Three Dollars and Fifty Cents</i> Dollars	4,550	LF	<i>3.50</i>	<i>15,925.00</i>
1c.	Sanitary Sewer Cleaning and CCTV Inspection of 24-inch Sewer Pipe <i>Three Dollars and Fifty Cents</i> Dollars	3,300	LF	<i>3.50</i>	<i>11,550.00</i>
2. GRINDING OF PROTRUDING SERVICE CONNECTIONS					
2a.	Grinding of Protruding Service Connections <i>Ten</i> Dollars	31	EA	<i>10.00</i>	<i>310.00</i>
3. UV CURED-IN-PLACE PIPE LINING					
3a.	UV Cured-in-place Pipe Lining of 15-inch Sewer Pipe <i>Eighty Three</i> Dollars	550	LF	<i>83.00</i>	<i>45,650.00</i>
3b.	UV Cured-in-place Pipe Lining of 21-inch Sewer Pipe <i>One Hundred Twenty One</i> Dollars	4,550	LF	<i>121.00</i>	<i>550,550.00</i>
3c.	UV Cured-in-place Pipe Lining of 24-inch Sewer Pipe <i>One Hundred Eighty two</i> Dollars	3,300	LF	<i>182.00</i>	<i>600,600.00</i>
4. REINSTATEMENT OF SERVICE CONNECTION BY REMOTE (TRENCHLESS) METHOD					
4a.	Reinstatement of Service Connections in Sewer Pipe <i>Forty</i> Dollars	60	EA	<i>40.00</i>	<i>2,400.00</i>
5. CURED-IN-PLACE LATERAL CONNECTION LINERS					
5a.	Cured-in-Place Lateral Connection Liners <i>Six Thousand Nine Hundred</i> Dollars	60	EA	<i>6,900.00</i>	<i>414,000.00</i>
6. CURED-IN-PLACE PIPE LINING (CIPPL) WARRANTY INSPECTION					
6a.	CIPPL Warranty Inspection <i>THREE</i> Dollars	8,400	LS	\$ 3.00	\$ 25,200.00
7. CHEMICAL SEALING OF SERVICE CONNECTIONS					
7a.	Chemical Sealing of Service Connections <i>Five One Thousand Three Hundred</i> Dollars	5	EA	<i>1,300.00</i>	<i>6,500.00</i>
8. SEALED SERVICE CONNECTION WARRANTY INSPECTION					
8a.	Sealed Service Connection Warranty Inspection and Testing <i>THREE THOUSAND</i> Dollars	1	LS	\$ 3,000.00	\$ 3,000.00
SUBTOTAL ITEMS 1 THROUGH 8					<i>1,678,160.00</i>
9. MOBILIZATION AND DEMOBILIZATION					
9a.	Mobilization and Demobilization (maximum 5% of subtotal of items 1 through 8) <i>Sixty Five Thousand</i> Dollars	1	LS	<i>65,000.00</i>	<i>65,000.00</i>
TOTAL BASE BID PRICE IN WORDS <i>one million seven hundred forty three thousand one hundred sixty</i> Dollars					<i>1,743,160.00</i>

Town of Ayer, Massachusetts
Sandy Pond Road Sanitary Sewer Rehabilitation
Unit Price Bid Tab

Item No.	Brief Description and Unit or Lump Sum Price Bid In Words	Estimated Quantity	Units	Unit Price Bid in Numbers	Total Item Bid Price
ADDITIVE ALTERNATE A. BID ITEMS					
10. MANHOLE FRAME AND COVER REPLACEMENT					
10a.	Manhole Frame and Cover Replacement <i>Five Thousand Five Hundred</i> Dollars	8	EA	<i>5,500.00</i>	<i>\$44,000.00</i>
11. MANHOLE CEMENTITIOUS LINING					
11a.	Manhole Rehabilitation - Fiber Reinforced Cementitious Lining <i>Three Hundred</i> Dollars	550	VF	<i>300.00</i>	<i>\$165,000.00</i>
12. MANHOLE EPOXY LINING					
12a.	Manhole Rehabilitation - Monolithic Epoxy Lining <i>Eight Hundred Forty</i> Dollars	610	VF	<i>840.00</i>	<i>\$512,400.00</i>
13. MANHOLE REHABILITATION WARRANTY INSPECTION					
13a.	Manhole Rehabilitation Warranty Inspection <i>TWO HUNDRED</i> Dollars	36	EA	\$ 200.00	\$ 7,200.00
SUBTOTAL ITEMS 10 THROUGH 13					<i>728,600.00</i> 728,600.00
14. MOBILIZATION AND DEMOBILIZATION					
14a.	Mobilization and Demobilization (maximum 5% of subtotal of items 10 through 13) <i>Twenty Seven Thousand</i> Dollars	1	LS	<i>27,000.00</i>	<i>27,000.00</i>
TOTAL BID FOR ADDITIVE ALTERNATE A. BID PRICE IN WORDS <i>Seven Hundred Fifty Five Thousand Six Hundred</i> Dollars					<i>755,600.00</i>
TOTAL BASE BID AND ADDITIVE ALTERNATE A. BID PRICE IN WORDS <i>Two million four hundred ninety eight thousand seven hundred sixty</i> Dollars					<i>2,498,760.00</i>

**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: September 29, 2023

TO: Ayer Select Board

FROM: Robert A. Pontbriand
Town Manager

SUBJECT: Appointments to the Senior Center Site Selection and Building Committee

Dear Honorable Select Board Members:

In accordance with the Select Board's authorization of the proposal (see attached) to form a Senior Center Site Select and Building Committee at the September 6, 2023 Select Board Meeting, the Town publicly advertised the five (5) Ayer Resident positions on the Committee for Ayer Residents to apply. The positions were advertised starting on September 7, 2023 with a deadline of September 29, 2023. The Town received eleven (11) applications of intent which are attached for your review. The applicants are as follows:

Bob Bozek
Shelia Carman
David Cibor
Ellen FitzPatrick
Dave Grubb
Nancy Jackvony
Christine Malette
Carolyn McCreary
Chris Prehl
Charlie Shultz
Marge Withee

At the October 3, 2023 Select Board Meeting each applicant will appear before the Select Board to be interviewed by the Select Board. At the conclusion of the interviews, the Select Board may by simple majority vote appoint up to five (5) Ayer Resident applicants to the Committee. The other four (4) positions on the Committee as authorized by the Select Board are the COA/Senior Center Director; DPW Director; Planning Board Member (the Planning Board voted at their meeting on September 26, 2023 to recommend Ken Diskin as the Planning Board Representative); and a COA Member (the COA voted at their meeting on September 12, 2023 to recommend Dennis Curran as the COA Representative).

Thank you.

Attachments: Proposal for Senior Center Building Committee (as Authorized on September 6, 2023 by the Select Board)
Applicants to the Senior Center Site Selection Building Committee Letters of Intent

**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: September 1, 2023

TO: Ayer Select Board

FROM: Robert A. Pontbriand
Town Manager

SUBJECT: Proposal for Senior Center Building Committee

Dear Honorable Select Board Members,

In light of the Parks Commission's recent vote to withdraw their support for a Senior/Community Center to be located on a portion of Pirone Park and considering the subsequent unanimous recommendation by the Senior/Community Center Building Committee to dissolve due to the withdrawal of the Parks Commission support and the reasons set forth in their report to the Select Board, the critical need for a Senior Center for Ayer's Seniors still urgently remains. I am respectfully recommending for your consideration that the Select Board create a Senior Center Building Committee charged with the following responsibilities:

Proposed Charge of the Building Committee:

- Identify and recommend a viable site(s) in the Town of Ayer for the development of a Senior Center.

(Note: As stated in the previous Senior/Community Center Building Committee's report to the Select Board, the potential use of Pirone Park as a site is not for consideration by this new Committee nor is the incorporation of an indoor gym facility for the project due to the location no longer on Pirone Park and the position of the Parks Commission to defer an indoor gym for their capital plan until a future date to be determined)

- Oversee and administer the necessary due diligence and conceptual design for the purposes of recommending the site to the Select Board for appropriate consideration by a future Town Meeting for the acquisition of the recommended site(s)
- Oversee and conduct the necessary public outreach and participation in the site(s) selection process and conceptual design.
- Identify and secure funding for the land acquisition and 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 meetings of the Senior Center 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 publicly post meeting minutes).
- Provide periodic public updates to the Select Board (and other Boards and Committees as necessary or requested) regarding the status/progress of the project.
- The Senior Center 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 related duties with respect to this project as needed or requested by the Select Board.

Proposed Composition of the Senior Center Building Committee:

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

A nine (9) member Committee as follows:

- One (1) Member of the Council on Aging
- The COA/Senior Center Director
- The DPW Director
- One (1) Member of the Planning Board
- Five (5) Ayer Residents

In terms of the appointments of the five (5) Ayer Residents, it is recommended that the Select Board publicly post the five (5) Resident positions for two weeks on the Town's website; Town Hall posting Board; and Town of Ayer social media. Interested applicants must be an Ayer Resident and should submitted a letter (or email) of intent to the Assistant Town Manager, Carly Antonellis (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 Senior Center Building Committee not meet until the majority of

Resident positions on the Committee are appointed. The Building Committee would determine its organization of Officers.

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

Thank you.

From: [Lt. Bob Bozek](#)
To: [Carly Antonellis](#)
Cc: [Charlie Shultz](#)
Subject: Senior Center Committee
Date: Monday, September 25, 2023 12:06:41 PM

Good morning Carly,

This letter is to inform you that I am interested in serving on the Senior Center Site Selection and Building Committee. I feel that I would be a good "fit" for the committee. As the Town of Ayer Fire Prevention Officer, who works closely with the Building Commissioner on both private and town projects, we would be valuable assets for both the Town and the Committee. I also have 20 years of experience working with an electrician and being around building construction. Please consider me for one of the five Ayer Resident positions.

Best,

Lt. Robert Bozek
Ayer Fire Department
1 West Main Street
Ayer, MA 01432
(978) 772- 8231

From: [Carly Antonellis](#)
To: [REDACTED]
Cc: [Robert Pontbriand](#)
Subject: RE: center committee site committee
Date: Thursday, September 7, 2023 4:25:00 PM

Sheila,

Please send a letter of intent to me so that it can be shared with the Select Board prior to committee appointments.

Thank you.

Carly

Carly M. Antonellis
Assistant Town Manager
Town of Ayer
1 Main Street
Ayer, MA 01432
978-772-8220 x100

 Please consider the environment before printing this email.

From: Sheila Carman [REDACTED]
Sent: Thursday, September 7, 2023 4:19 PM
To: Carly Antonellis <cantonellis@ayer.ma.us>
Subject: center committee site committee

Hi Carly

Put me on the list. Thank you

From: [David Cibor](#)
To: [Carly Antonellis](#)
Subject: Re: Senior center committee
Date: Wednesday, September 27, 2023 8:32:36 PM

Good morning Carly:

I would like to be on the senior committee in order to help ensure that the center will be a fiscal prudent and accessible center that the town can be proud of.

As someone who is approaching the age where I will be looking to utilize the center, I want to try and have some input as to what is available for the future seniors of Ayer.

David Cibor

From: Carly Antonellis <cantonellis@ayer.ma.us>
Sent: Wednesday, September 27, 2023 8:32 AM
To: David Cibor <dcibor@ayer.ma.us>
Subject: RE: Senior center committee

Thanks Dave.

Could you send an email back with a few sentences on why you would like to be considered for this committee? Thanks!

Carly

Carly M. Antonellis
Assistant Town Manager
Town of Ayer
1 Main Street
Ayer, MA 01432
978-772-8220 x100

 Please consider the environment before printing this email.

From: David Cibor <dcibor@ayer.ma.us>
Sent: Tuesday, September 26, 2023 8:53 PM
To: Carly Antonellis <cantonellis@ayer.ma.us>
Subject: Senior center committee

Good Morning Carly

I would like To be considered for the senior center search committee.

Thank your for your assistance,
David Cibor

RECEIVED

SEP 28 2023

TOWN OF AYER
OFFICE OF THE SELECT BOARD

Ellen Smith FitzPatrick

September 27, 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 Site Selection and Building Committee. I served as a member of the recent Ayer Senior Center/Community Center Building Committee before the proposed site at Pirone Park was withdrawn.

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 would be honored to have the opportunity to work with this new public Building Committee to help find a site for the Ayer Senior Center, as well as getting the building designed and built.

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 Forests and Parks, Public

Relations Director, Special Projects Coordinator, and Customer Service Representative. I have expertise in the areas of communication, writing/editing, event planning, and project organization/management.

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.

I am very excited that this Senior Center project is once again active, as I know many in our community of seniors are frustrated with all the starts and stops for this building project. They are looking forward to getting a local facility that meets their unique needs built as soon as possible.

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

Sincerely,

A handwritten signature in blue ink that reads "Ellen Smith FitzPatrick". The signature is written in a cursive style.

Ellen Smith FitzPatrick

September 14, 2023

To Whom It May Concern-

My name is Dave Grubb. I am a resident of Ayer, residing at [REDACTED], with my wife and three children (ages 8, 5, and 3). It was recently brought to my attention that the Town is seeking volunteers willing to serve on the Building Committee for a potential future Senior/Community Center. Please accept this letter as my request to be considered for this committee.

I believe I am uniquely qualified to serve on this committee due to the combination of experience that I bring both personally and professionally. I am an active resident involved in many organizations in town, including being a volunteer coach for Ayer-Shirley Soccer, Ayer Youth Baseball, and Ayer Youth Basketball, just to name a few. Professionally, I am the Director of Recreation for the Town of Billerica where I have helped oversee and complete numerous capital projects. Examples of projects that we have successfully completed under my watch have been: creation of a Disc Golf Course, improvements at Micozzi Beach, and the recent opening of an \$11 million intergenerational recreation park complex. Additionally, I serve on our Capital Facilities Committee where we are currently working to complete a Community Center, similar to what has been discussed for Ayer. I believe my understanding of town operations, as well as capital projects, makes me an ideal candidate for this committee.

I am hopeful you will consider me for a position within this committee. Please don't hesitate to reach out should you have any questions.

Thanks!



Dave Grubb

[REDACTED]
Ayer, MA 01432

From: [REDACTED]
To: [Carly Antonellis](#)
Subject: Senior Center Site Selection
Date: Tuesday, September 19, 2023 11:10:41 AM

Assistant Town Manager:

I am a resident in the town of Ayer. I worked hard, along with others, to save Pirone Park for our future generations of youth. Along with that, I feel an obligation to finding a site that would serve the needs and desires of our Seniors.

Being a Senior myself, I will dedicate myself to this project for the Seniors in Ayer.

I hope that you will consider me as a member in the Senior Center site committee.

Respectfully

Nancy Jackvony

[REDACTED]
Ayer, MA 01432

[REDACTED]

From: [REDACTED]
To: [Carly Antonellis](#)
Subject: Senior center committee interest
Date: Sunday, September 17, 2023 6:59:16 PM

Hi

My neighbor Janet forwarded the request for applicants for a committee to oversee the building of the senior center. I am certain I have much I can contribute. I am a certified gerontology nurse and retired from Emerson in March. I would like to be considered for participation.

Thank you

Christine Malette

From: [Katie Petrossi](#)
To: [Robert Pontbriand](#)
Cc: [Carly Antonellis](#)
Subject: FW: position on site selection committee.
Date: Monday, September 11, 2023 3:09:30 PM

See letter of interest below for Senior Center Building Committee...

Thanks,
Katie

Katie Petrossi, Ph.D.

Director
Ayer Council on Aging
18 Pond Street
Ayer, MA 01432
(978) 772-8260
kpetrossi@ayer.ma.us

From: [REDACTED]
Sent: Saturday, September 9, 2023 12:28 PM
To: Katie Petrossi <kpetrossi@ayer.ma.us>
Subject: position on site selection committee.

Dear Robert and Katie,

I would like to be considered as a member of the newly forming COA building site committee. As you know I have volunteered for many positions, both appointed and elected, in Ayer. I served 2 terms as a selectman, was on several master plan committees as well as the open space plan committee. In addition, a year ago, I volunteered to lead the COA board as we transitioned between COA directors.

Thank you for your consideration.

Carolyn McCreary

September 12, 2022

Mr. Robert Pontbriand
Town Manager
Ayer Town Hall
1 Main ST.
Ayer, MA. 01432

Mr. Pontbriand,

I am writing this letter as my letter of intent to serve on the Senior Center Building Committee for the Town of Ayer. I feel that it is important to find a suitable location for our senior citizens to come together and interact with fellow members of the community in an environment not only suited for today's needs but also for years to come. I have served my community in many capacities over the last 32 years and feel that I would be a good candidate would like to share my knowledge as a member of the committee. I have listed my present and past service to our community and would hope that the board takes this into consideration.

Current Service to Ayer and Community Service;

School Committee representative for Nashoba Valley Technical School District.
Member of Sandy Pond School House Association

Past service to Ayer;

Vice Chairman for Ayer Shirley High School building project
School Council at Ayer Shirley High School
Fin-Com member
Fire Chief search committee
Ayer Shirley pop warner and cheer

Thank you for your consideration in the appointment

Charistopher N. Prehl

[REDACTED]

Ayer, MA 01432

[REDACTED]

From: [Charlie Shultz](#)
To: [Carly Antonellis](#)
Cc: [Lt. Bob Bozek](#)
Subject: Senior Center
Date: Monday, September 25, 2023 10:15:28 AM

Good Morning Carly,

I hope this email finds you well.

I would like to serve on the senior center committee, I believe I would be a valuable asset as I was the Chair and also serve as the project manager for the Shirley Middle School from 2000 to 2007. I was also in construction from 1982 until 2016. Presently I am the Building Commissioner for the Town of Ayer.

Charles R. Shultz, Jr.
Building Commissioner
Zoning Enforcement Officer
Town of Ayer
1 Main Street
Ayer, MA 01432

From: [REDACTED]
To: [Carly Antonellis](#)
Subject: Senior Center bldg committee
Date: Tuesday, September 12, 2023 4:35:29 PM

Carly,

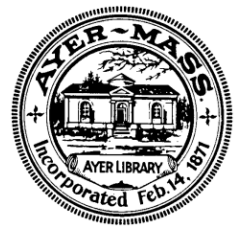
I would love to be considered for the new Senior Center Bldg Committee. I'm sorry to be late for applying for this, but there's been a few things happening in the back drop not seen. My other thing is I'm not available on the night of October 3rd, as that is our oldest grandson's birthday [REDACTED]

You should have my resume on file by now?

Thank you so much for everything you do. Take care. I will be down sometime this week, because I can't get on my email! The woes!!

Marge

**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: September 29, 2023

TO: Ayer Select Board

FROM: Robert A. Pontbriand
Town Manager

A handwritten signature in blue ink that reads 'R.A.P.' with a horizontal line underneath.

SUBJECT: Review and Approval of the 2023 Fall Special Town Meeting Warrant

Dear Honorable Select Board Members:

Attached is the DRAFT 2023 Fall Special Town Meeting Warrant for review and approval by the Select Board at your meeting on October 3, 2023 (see attached).

The 2023 Fall Special Town Meeting will take place on Monday, October 23, 2023 at 7pm in the Auditorium of the Ayer Shirley Regional High School.

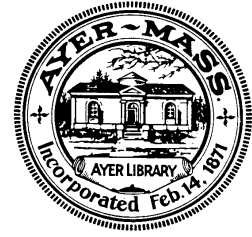
The 2023 Fall Special Town Meeting Warrant contains five (5) Articles for consideration by Town Meeting. At the Select Board Meeting on October 3, 2023, I will provide a brief overview of the Warrant Articles and answer any questions that the Select Board may have.

Upon your approval of the Warrant at you meeting on October 3, 2023, the Warrant will be officially posted on Friday, October 6, 2023 at the following physical locations: Town Hall; Post Office; Library; Police Station; Pauline's Variety; Jack-o-Lantern Liquors; and the Transfer Station. The Warrant will also be posted at that time on the Town's website at www.ayer.ma.us The Warrant will also be sent to print and mailing on October 6, 2023 with the Warrant being mailed by the U.S. Post Office to all Ayer households in advance of Town Meeting. Hard copies of the Warrant will also be available upon request at the Select Board's Office at Town Hall during normal business hours.

If you have any questions regarding the Warrant prior to your meeting on October 3, 2023, please do not hesitate to contact me directly.

Thank you.

Attachment: DRAFT 2023 Fall Special Town Meeting Warrant for October 23, 2023



Town of Ayer

SPECIAL ANNUAL FALL TOWN MEETING WARRANT

*****DRAFT*****

Ayer Shirley Regional High School Auditorium
141 Washington Street, Ayer, MA 01432
October 23, 2023 @ 7:00 P.M.

Commonwealth of Massachusetts
Middlesex, ss.

GREETINGS:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Ayer qualified to vote in Town Elections and Affairs to meet at the Auditorium in the Ayer Shirley Regional High School located at 141 Washington Street, Ayer, Massachusetts on Monday, the Twenty-third (23rd) day of October, 2023, at seven o'clock in the evening (7:00 p.m.) then and there to act on the following articles:

Hereof fail not and make due return of this warrant with your doings thereof to the Town Clerk before the date appointed for said meeting.

Given under our hands this 3rd day of October AD 2023.

Scott A. Houde, Chair

Jannice L. Livingston, Vice Chair

Shaun C. Copeland, Clerk

AYER SELECT BOARD

Any persons needing disability related assistance (such as signing, etc.) at the Town Meeting please contact the Select Board Office at 978-772-8220 x100 before October 20, 2023. We shall make every reasonable effort to assist you. Large print version of the text of this warrant is available upon request.

ARTICLE 1: ADOPTION OF G.L. c.39, §23D (Mullin Rule)

To see if the Town will vote to accept, for all boards, committees or commissions holding adjudicatory hearings in the Town, the provisions of G.L. c.39, §23D, which provide that a member of a board, committee, or commission holding an adjudicatory hearing shall not be disqualified from voting in the matter solely due to the member's absence from one session of such hearing, provided that certain conditions are met, or take any action thereon or in relation thereto.

Sponsor: Select Board

Simple Majority Vote

Explanatory Note: This Article would authorize the Town to adopt G.L. c.39, §23D (known as the Mullin Rule) which would allow any member on a town board, committee, or commission to miss one public hearing and still be able to vote on that application. The member shall review all meeting materials, minutes, and or recordings of the missed meeting and certify in writing that they have reviewed all relevant information to be able to vote on the application before that board, committee, or commission.

ARTICLE 2: CPA AFFORDABLE HOUSING TRUST FUNDING

To see if the Town will vote to transfer from Community Preservation Fund (FY 2024) Balance Reserve from the Housing Category the sum of \$200,000 for the Ayer Affordable Housing Trust for the following purposes:

Ayer Rental Assistance Program:	\$72,000
Administration and Financial Audit of Trust:	\$3,000
Future Acquisition of Affordable Housing:	\$125,000
<u>Total:</u>	<u>\$200,000</u>

Or take any action thereon or in relation thereto.

Sponsor: Community Preservation Committee

Select Board:

Finance Committee: Will Report at Town Meeting

Simple Majority Vote

Explanatory Note: This Article would authorize the transfer of \$200,000 from the Town's CPA (Community Preservation Act) Funds from the Housing Category to the Ayer Affordable Housing Trust. \$72,500 of these funds will be for the Rental Assistance Program (ARAP); \$3,000 will be for administrative costs for the Trust as well as an independent audit; and \$125,000 will be for building the Trust for possible future property purchases for affordable housing. For more information, please visit the Community Preservation Committee webpage on the Town's website at www.ayer.ma.us. Presentation to be made at Town Meeting.

ARTICLE 3 BY-LAW AMENDMENT: CHAPTER 130 (DOGS)

To see if the Town will vote to amend Chapter 130 (Dogs) of the General Bylaws of the Town by deleting the ~~strikethrough bold~~ text and inserting the underlined bold text as follows:

§ 130-1 Applicable Law and Definitions.

- A. In addition to the requirements set forth in this Bylaw, the licensing, keeping and control of dogs shall be in accordance with all applicable provisions of the Massachusetts General Laws, including but not limited to the provisions of MGL c. 140, §§136A to 174E, inclusive, as may be amended from time-to-time, which provisions are incorporated herein.
- B. The terms used in this Bylaw shall be as defined in MGL 140, §136A, as may be amended from time-to-time, and the following additional terms shall have the meanings indicated:

ABANDON:

A dog is considered abandoned within the meaning of this chapter when it has been left alone or unattended by the owner for any period greater than 24 hours without the owner providing for its needs.

AT LARGE:

Off the premises of the owner and not under the physical control of the owner or keeper by means of a leash held by a person capable of controlling the dog.

COMPLAINANT:

Any person, including the Animal Control Officer, who makes a written complaint regarding an animal committing a violation under this chapter. In the case where the complaint is from other than the Animal Control Officer, the Ayer Dog Incident Complaint Form.

COMPLAINT:

A formal written report of a dog incident.

DOG:

Any animal of the canine species.

DOMESTIC ANIMAL:

An animal designated as domestic by regulations promulgated by the Department of Fish and Game, as may be amended from time-to-time.

HEARING AUTHORITY:

The Select Board is charged with the responsibility of handling nuisance or dangerous dog complaints.

LICENSE:

A valid and current municipal dog license and dog license tag.

OWNER:

Any person or persons, firm, association or corporation owning, keeping or harboring a dog.

PHYSICAL CONTROL:

Control of a dog with a restraint.

PUBLIC NUISANCE

~~Any dog shall be deemed a public nuisance when attacking persons or domestic animals when such dog is on property other than that of the dog owner; when destroying property; when on public school grounds and not under restraint ("Restraint" shall mean physical restraint, i.e., chain, rope or other material, and shall not mean voice control.); when it persistently chases moving motor vehicles, pedestrians, or bicycle riders; when it persistently and continually barks or howls; when it is permitted to run at large and unrestrained ("Restrained" shall mean physically restrained, i.e., with chain, rope or other material, and shall not mean voice control) on property other than its owners. Any unspayed female dog in season shall be deemed a public nuisance when not confined indoors or housed in a veterinary hospital or registered kennel. Each time one of the above nuisances exists shall constitute a separate offense.~~

PUBLIC DISTURBANCE

Any dog shall be deemed a public disturbance when such dog is engaged or has engaged in any combination of one or more of the following activities. Each instance

of a public disturbance is considered to be a violation. Each day of a violation is determined to be a separate violation.

- A. **Destroying, disturbing or otherwise molesting the property, including refuse, of another while outside the property of its owner, whether under such owner's physical control or not.**
- B. **Being upon any public park, playground, schoolyard, beach or in any place to which the public has a right of access while not under the physical control of its owner or keeper. The determination of physical control shall be that of the Animal Control Officer.**
- C. **Being permitted to run unrestrained at large. The running of hunting dogs, certified service dogs and search and rescue dogs shall not constitute a public disturbance hereunder. The exercising of other dogs which are under the physical control of their owner or keeper shall not constitute a public disturbance hereunder, providing permission of the landowner has been obtained.**
- D. **Being upon any public way or in any place to which the public has a right of access, chasing motor vehicles, bicycles or pedestrians.**
- E. **Being an unspayed female or unneutered male at large.**
- F. **Being over the age of six months and not wearing a suitable collar and current municipal dog license tag issued for it and while not on the property of the owner.**
- G. **Being a dog, which has been abandoned.**
- H. **Being a dog, which deposits solid waste not removed, or not properly disposed of, by the dog's owner or keeper upon any public park, playground, schoolyard, beach, public or private way sidewalk, in any place to which the public has a right of access or any property other than that of its owner.**

RESTRAINT:

The control of a dog by physical means, such as a leash, fence or other means of physically confining or restraining a dog.

RESTRAINT ORDER

Order to confine or restrain a dog with conditions determined by the Animal Control Officer.

§ 130-2 Dog restraint; enforcement. Nuisance Dog / Dangerous Dog / Public Disturbance Prohibited; Enforcement

- A. No owner or keeper of any dog shall permit such dog to become a Nuisance **Dog, Dangerous Dog or Public Disturbance** within the Town at any time.
- B. ~~This bylaw does not prohibit the running of hunting dogs or the exercising of dogs that are under the immediate control of the owner or keeper while on private property with the property owner's permission.~~ **If the owner or keeper of a dog is a minor, the parent or guardian of such minor shall be held liable for any violation of the bylaw.**
- C. ~~If the owner or keeper of a dog is a minor, the parent or guardian of such minor shall be held liable for any violation of the bylaw. It shall be the duty of the Animal Control Officer to apprehend any dog which is found at large and to impound such dog in a suitable place or to order the owner to restrain such dog.~~
- D. ~~The owner shall pay such fees as established by the Town and it shall be the duty of the Animal Control Officer to apprehend any dog which he/she has reason to believe to be a public nuisance and to impound such dog in a suitable place or to order the owner to restrain such dog. If such a dog is impounded and has upon it the name and/or address of the owner, or owner if otherwise known, the Animal Control Officer shall immediately notify the owner.~~
- E. ~~If such a dog is impounded and has upon it the name and/or address of the owner, or owner if otherwise known, the Animal Control Officer shall immediately notify the owner. The owner of any dog impounded may reclaim such dog upon payment of a \$25 pick-up fee, together with any kennel fees incurred; provided, however, that if the dog is not licensed, a license must be secured from the Town Clerk before the dog is released. The sums collected pursuant to the provisions of this section shall be accounted for and paid over to the Town Treasurer/Tax Collector. Any dog which has been impounded and has not been redeemed by the owner within 7 days shall be disposed of as provided by the laws of the Commonwealth of Massachusetts.~~
- F. ~~The owner of any dog impounded may reclaim such dog upon payment of \$25; provided, however, that if the dog is not licensed, a license must be secured from the Town Clerk before the dog is released. The sums collected pursuant to the provisions of this section shall be accounted for and paid over to the Town Treasurer/Tax Collector. Any dog which has been impounded and has not been redeemed by the owner within 10 days shall be disposed of as provided by the laws of the Commonwealth of Massachusetts. The Animal Control Officer, members of the Police Department, or whoever else may be designated by the Select Board shall enforce the provisions of this bylaw and shall attend to all~~

complaints pertaining to dogs in the Town.

~~G. The Animal Control Officer, members of the Police Department, or whoever else may be designated by the Select Board shall enforce the provisions of this bylaw and shall attend to all complaints pertaining to dogs in the Town, with citation rights.~~

~~§ 130-3 Dog licenses; fees. Nuisance or Dangerous Dog Complaints.~~

~~A. MGL c. 140, § 137 requires that all owners or keepers of dogs shall cause the dog to be registered, numbered, described and licensed each year. All dogs must be vaccinated against rabies.~~

~~B. Fees.~~

~~(1) The annual fee in the Town of Ayer shall be:~~

~~(a) Unspayed female/unneutered male: \$10.~~

~~(b) Spayed female/neutered male: \$6.~~

~~(2) Dogs for which it can be verified by a veterinarian in writing that they cannot be spayed or neutered due to severe medical reasons shall pay the same fee as spayed or neutered dogs.~~

~~(3) A valid rabies certificate must be presented each time a dog is licensed.~~

~~(4) Kennel:~~

~~(a) One to four dogs: \$25.~~

~~(b) Five to 10 dogs: \$50.~~

~~(c) Over 10 dogs: \$75.~~

~~C. Any person or entity who fails to register and license their dog each year by the last day of March in the Town of Ayer, and pay the fees and charges under any and all applicable ordinances, bylaws or regulations adopted/observed by the Town of Ayer, will be required to pay to the Town a late fee, in the amount of \$10. Anyone acquiring a dog over the age of six months, after that date, shall have 30 days from the date the dog was received to register and license the dog or be subject to the late fee of \$10.~~

~~D. Fee exemptions. In accordance with MGL c. 140, § 139, no fee shall be charged for a license issued for a service animal as defined by the Americans with Disabilities~~

~~Act or regulations promulgated thereunder; or for a license for a dog owned by a person aged 70 years or over.~~

- A. Complaints concerning Nuisance Dogs or Dangerous Dogs shall be addressed in accordance with MGL c. 140, §157, as may be amended from time-to-time.
- B. The Select Board is designated as the Hearing Authority to oversee the process of responding to all nuisance or dangerous dog complaints. The Select Board may designate another Town Employee as the Hearing Authority.
- C. The Hearing Authority shall notify the Town Clerk of any complaints filed and shall report any findings that a dog is a nuisance or dangerous dog to the Town Clerk.
- D. Issuance of temporary restraint orders. The Animal Control Officer may issue a temporary restraint order to the owner or keeper of any dog that is alleged to be a nuisance or dangerous dog and is awaiting a decision under this chapter. The Animal Control Officer's order shall expire upon receipt of a decision from the Hearing Authority on the nuisance dog or dangerous dog hearing.

~~§ 130-4 Dog waste.~~ Dog Licenses; Fees

~~The owner or any person having the care, custody or control of a dog shall remove forthwith any excrement deposited by said dog and properly dispose of same in a trash container. This section shall apply to excrement left by a dog on public sidewalks, public streets or roadways, public parks, recreational fields and on the property other than the dog owner's.~~

- A. MGL c. 140, § 137 requires that all owners or keepers of dogs shall cause the dog to be registered, numbered, described, and licensed each year. All dogs must be vaccinated against rabies. A Valid rabies certificate must be presented each time a dog is licensed.
- B. The annual license period shall be February 1 to January 31 of the following calendar year.
- C. Fees.
 - 1. The annual dog licensing fee in the Town of Ayer shall be:
 - i. Unaltered: \$15

- ii. Spayed / Neutered: \$10
- iii. Dangerous Dog: \$300

NOTE: Dogs for which it can be verified by a veterinarian in writing that they cannot be spayed or neutered due to medical reasons shall pay the same fee as spayed or neutered dogs

- 2. **Fee exemptions. In accordance with MGL c. 140, § 139, no fee shall be charged for a license issued for a service animal as defined by the Americans with Disabilities Act or regulations promulgated thereunder; or for a license for a dog owned by a person aged 70 years or over.**
- 3. **The annual kennel licensing fee in the Town of Ayer shall be:**
 - i. **One to four dogs: \$40**
 - ii. **Five to ten dogs: \$70**
 - iii. **Over Ten dogs: \$100**

§130-5 Violations and Penalties.

- A. **Any person or entity who fails to register and license their dog each year by the last day of February in the Town of Ayer and pay the required fees and charges will be required to pay to the Town a late fee, in the amount of \$50, in addition to the original licensing fee and any fines assessed. Anyone acquiring a dog over the age of six months, after that date, shall have 30 days from the date the dog was received to register and license the dog or be subject to the late fee of \$50.**
- B. **This Bylaw may be enforced by the Animal Control Officer or any police officer of the Town through any means available in law or equity, including but not limited to by the noncriminal disposition statute, MGL c. 40, § 21D, MGL c. 140, §173A and the Town Code, Chapter 1, Article I, § 1-4. When so enforced, the fines shall be as follows:**
 - (a) First violation: \$50.**
 - (b) Second violation: \$100.**
 - (c) Third violation: \$300.**
 - (d) Fourth and subsequent violations: \$500**

§130-6 Severability

The invalidity of any section, provision, paragraph, sentence, or clause of this bylaw shall not invalidate any other section, provision, paragraph, sentence, or clause thereof, nor shall it invalidate any permit or determination that previously has been issued.

Or take any action thereon or in relation thereto.

Sponsor: Select Board

Simple Majority Vote

Explanatory Note: This Article will amend the existing By-Law by adding a comprehensive definition section consistent with MGL Ch 140 Sec. 136A, clarifying prohibited behavior and responsibilities for dog owners, codifying the process of conducting a nuisance or dangerous dog hearings by the Hearing Authority, moving up the licensing late fee date to February 28th, updating the schedule of fines in accordance with MGL and updating the licensing / kennel fees. For more information, please visit the Town's website at www.ayer.ma.us/townmeeting Presentation to be made at Town Meeting.

ARTICLE 4: BY-LAW AMENDMENT: Chapter 265 (TRANSIENT MERCHANTS)

To see if the Town will vote to amend Chapter 265 (Transient Merchants) of the General Bylaws of the Town by deleting the strikethrough bold text and inserting the **underlined bold text** as follows:

§ 265-1 Definitions.

For the purpose of this bylaw, the following terms shall have the meanings indicated below:

PEDDLER

Any person who sells and makes immediate delivery of, or offers for sale and immediate delivery of, any goods, wares or merchandise, in possession of the seller, at any place within the Town of Ayer other than from a fixed place of business.

PERSON

Includes the singular and the plural and shall also mean and include any person, firm or corporation, association, club, partnership or society, or any other organization.

SOLICITOR

Any person who sells or takes orders or offers to sell or take orders for goods, wares, or merchandise for future delivery, or for services to be performed, at any place within the Town of Ayer other than a fixed place of business.

TRANSIENT MERCHANT

Any person, firm, or corporation, whether as owner, agent, or employee, whether a resident of the Town or not, who engages in or transacts any temporary business within the Town, either in one location or by moving from one place to another, selling or

buying goods, wares, merchandise, or services, or who solicits for orders, sales, subscriptions or business of any kind, or who solicits for information or donations and shall include all peddlers, canvassers and solicitors.

§ 265-2 ~~Exceptions.~~ Permit required.

Every Person intending to engage in soliciting or canvassing door-to-door as a Transient Merchant in the Town of Ayer must apply for a permit with the Chief of Police at least fourteen (14) business days in advance by filing an application form with the Chief of Police for a permit.

~~This bylaw, except as hereinafter provided, shall not apply to:~~

- ~~A. Persons, firms or corporations selling services, goods, wares, merchandise or materials at wholesale to dealers in such articles.~~
- ~~B. Newsboys.~~
- ~~C. Persons vending and delivering goods, wares or merchandise to regular customers on established routes in the regular course of business.~~
- ~~D. Sales in private residences of the owner's household goods and belongings.~~
- ~~E. Religious, charitable, patriotic or philanthropic organizations; provided, however, that such organization shall register with the Police Department prior to engaging in any business or activity related to the work or purposes of such organizations in Ayer and shall furnish such information in writing as is required from a permit applicant hereunder.~~
- ~~F. Governmental officers or employees of the Town, county, state or federal government, or any subdivision thereof, when on official business.~~
- ~~G. Insurance companies authorized to do business in Massachusetts.~~

§ 265-3 ~~Permit required.~~ Exceptions.

~~No persons, firm or corporation shall engage in the business of a transient merchant as defined herein within the Town of Ayer without first obtaining a permit in compliance with the provisions of this bylaw.~~

This bylaw shall not apply to:

- A. Persons, firms or corporations selling services, goods, wares, merchandise or materials at wholesale to dealers in such articles.**
- B. Newspaper Delivery.**

- C. Persons vending and delivering goods, wares, or merchandise to regular customers on established routes in the regular course of business.
- D. Sales in private residences of the owner's household goods and belongings.
- E. Any activity for religious, political, or public policy purposes or other non-commercial purposes, regardless of whether such activity includes acts that would otherwise constitute soliciting or canvassing.
- F. Governmental officers or employees of the Town, county, state or federal government, or any subdivision thereof, when on official business.
- G. Insurance companies authorized to do business in Massachusetts.
- H. Any youth activity / sports association affiliated with the Town of Ayer and/ or Ayer Shirley Regional School District.

§ 265-4 Application for permit.

- A. Each applicant hereunder shall obtain from and file with the Police Department an application for a transient merchant permit and accompany said application with an investigation fee to cover the cost of investigating the applicant in an amount set from time to time by the Select Board.
- B. ~~The written application shall state the amount of time for which the permit is desired; the nature of the product or services in which he is interested; the name, date of birth and permanent address of the applicant for said permit; the name and address of the person, firm, partnership, association or corporation represented; and the proposed method of operation in the Town. The written application shall contain the required information:~~
 - a. Applicant Name, permanent address and telephone number, and temporary address if any.
 - b. Applicant date of birth
 - c. Applicant height, weight, color of hair and eyes.
 - d. Make, model and registration number and owner of any vehicle to be used by the applicant while soliciting or canvassing. Period of time for which the permit is needed.
 - e. Brief description of nature of business and goods to be sold.

Name, address and telephone number of the person or organization whom the applicant represents and the length of time the applicant has been associated with or employed by that person or organization. C. A permit fee structure shall be issued for one (1) day, one (1) week, one (1) Month, or one (1) Year. The fees for each duration shall be set from time to time by the Select Board. One Year duration permits will be pro-rated from the set fee if not obtained in the month of January.

§ 265-5 Investigation of applicant; issuance or denial of permit.

~~Upon receipt of each such application, the Police Department shall immediately institute such investigation of the applicant, his business, financial responsibility and moral character as the Department deems necessary for the protection of the public good, and the Chief of Police, or in his absence, the officer in charge of said Department, shall endorse his approval or disapproval upon said application within 72 hours after it has been filed with said Department. Each applicant who shows evidence of good character and who pays the fee provided for herein shall be furnished a permit. If the investigation reveals that the applicant has ever been convicted of a felony, the Chief of Police shall refuse to issue the permit requested, specifying the reason for such refusal.~~

- A. Upon receipt of each such application, the Police Department shall initiate an investigation of the applicant as the Department deems necessary for the protection of the public good, subject to all applicable legal requirements, including authorized criminal history background checks.
- B. The Chief of Police, or in their absence, the Chief's designee, shall endorse their approval or disapproval upon said application within five (5) business days after it has been filed with said Department.
- C. The Police Chief or their designee shall refuse to register an organization or individual whose registration has been revoked for violation of this bylaw within the previous two-year period, or who has been convicted of murder/manslaughter, rape, robbery, arson, burglary/breaking and entering, assault, larceny, as such persons pose a substantial degree of danger to minors and other persons vulnerable to becoming victims of the violent crimes so listed. The Police Chief or their designee shall also refuse to register a person who is a sex offender required to register with the Sex Offenders Registry Board and who is finally classified as Level 2 or Level 3 Sex Offender, as such persons have been found to have a moderate to high risk of re-offense and pose a substantial degree of danger to minors and other persons vulnerable to becoming victims of sex crimes.

§ 265-6 Permits.

- A. ~~No permit shall be issued until three business days after application is made in writing to the Police Department. Permits shall be issued, or denied, by the Chief no later than five (5) business days after the application therefore is made in writing to the Police Department.~~
- B. All permits shall clearly indicate the dates of issuance and expiration and the name and address of the permittee.
- C. All permits issued under this bylaw are personal; they shall not be transferable. Any holder who allows a permit to be used by any other person shall be guilty of a violation of this bylaw.
- D. Permittees under this bylaw shall carry their permit with them while engaged in permitted activities and shall display such permit to any police officer or any person being solicited upon request.
- E. Annual permits shall expire on May 1 and expire on April 30 of each year. December 31st of the year issued.

§ 265-7 Time limit for operations.

No permittee under this bylaw shall sell, peddle, or solicit between the hours of 6:00 p.m. and 8:00 a.m. or on Sundays and legal holidays, unless invited to do so by the owner or occupant of any private residence in the Town.

§ 265-8 ~~Revocation of permit; appeals.~~ No Solicitation List.

~~A. Permits issued under this bylaw may be revoked by the Chief of Police after notice and hearing for any of the following causes:~~

- ~~(1) Fraud, misrepresentation or false statements contained in the application for a permit.~~
- ~~(2) Fraud, misrepresentation or false statements in the course of carrying on his business or transient merchant.~~
- ~~(3) Any violation of this bylaw.~~
- ~~(4) Conviction of a felony.~~

~~B. Notice of the hearing for the revocation of the permit shall be given in writing, setting forth the grounds of complaint and the time and place of hearing. Such notice shall be mailed, postage prepaid, to the permittee at his last known~~

~~address, or at an address contained in the application for a permit. It shall be mailed at least five days prior to the date set for the hearing.~~

~~C.—Any person aggrieved by the action of the Chief of Police in the denial of a permit, or in refusing a permit, shall have the right of appeal to the Select Board. Such appeal shall be taken by filing with the Select Board, within 10 days after any notice complained of has been mailed to the permittee's last known address, a written statement setting forth fully the grounds for appeal. The Selectmen shall set a time and place for a hearing on such appeal, and notice of the hearing shall be given to the appellant in writing five days before the date set for hearing. The decision and order of the Select Board on such appeal shall be final and conclusive.~~

A No Solicitation List shall be established and maintained by the Ayer Police Department to prohibit the practice of going in or upon the private property or residence of such owner or occupant by Transient Merchants as defined. Residents may submit their property for inclusion on the list without charge. Upon approval of the issuance of a license as provided herein, each such licensed entity or individual shall be provided with a copy of the No Solicitation List and may not solicit or canvass such property.

~~§ 265-9 Violations and penalties. Revocation of permit; appeals~~

~~Any person, firm, or corporation violating any provisions of this bylaw shall be fined not more than \$300 for each offense, except as otherwise provided herein; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.~~

- ~~A. Permits issued under this bylaw may be revoked by the Chief of Police for any of the following causes:~~
- ~~a. Fraud, misrepresentation, or false statements contained in the application for a permit.~~
 - ~~b. Fraud, misrepresentation, or false statements in the course of carrying on his business or transient merchant.~~
 - ~~c. Any violation of this bylaw.~~
 - ~~d. Commission or conviction of a felony.~~
 - ~~e. Commission or conviction of any crime or misdemeanor of moral turpitude.~~
 - ~~f. Conducting the business of soliciting, or of canvassing, in a threatening,~~

abusive or illegal fashion so as to constitute a menace to the health, safety, or general welfare of the public.

- B. **Notice of the revocation of the permit shall be given in writing, setting forth the grounds of complaint and the opportunity to appeal the decision of revocation. Such notice shall be made in-person or mailed to the permittee at their last known address, or at an address contained in the application for a permit.**

Any Person who is denied registration or whose registration has been revoked may appeal by filing a written notice of appeal with the Select Board. Such appeal must be filed within five (5) days after receipt of the notice of denial or revocation. The Board of Selectmen shall hear the appeal at its next scheduled meeting after the filing of the written notice of appeal, provided, however, that if the Board of Selectmen fails to make a determination within thirty (30) days after the filing of the appeal, the registration shall be deemed granted or reinstated as the case may be.

§265-10 Violations and penalties.

Any person, firm, or corporation violating any provisions of this bylaw shall be fined not more than \$300 for each offense, except as otherwise provided herein; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

§265-11 Severability

Invalidity of any individual provision of this section shall not affect the validity of the bylaw as a whole.

Or take any action thereon or in relation thereto.

Sponsor: Select Board

Simple Majority Vote

Explanatory Note: This Article will amend the existing By-Law by adding an investigative fee to offset costs of investigating and issuing a transient merchant permit, creates a duration period for permits to be issued (1 Day, 1 Week, 1 Month and 1 Year) and an accompanying fee structure, clarified the application investigative period (5 Days), added language to include a "No Solicitation List" prohibiting solicitors from certain residences who sign up, modify language allowing for the Chief to revoke permits for cause, and added exemption language for youth activity and sports associations. For more information please go to the Town's website at www.ayer.ma.us/townmeeting. Presentation to be made at Town Meeting.

ARTICLE 5: STREET ACCEPTANCE: CURLEY CIRCLE

To see if the Town will vote to accept the layout of Curley Circle as a public way, the metes and bounds of which are on file in the Office of the Town Clerk as previously laid out by the Select Board, and to authorize the Select Board to acquire by gift, purchase or eminent domain, a fee interest or easement in such public way and any and all easements related thereto, and further, to authorize the Select Board to enter into all agreements and take all related actions necessary or appropriate to carry out this acquisition, on such terms and conditions as the Select Board deems appropriate; or take any action thereon or in relation thereto.

Sponsor: Select Board
Planning Board:

Simple Majority Vote

Explanatory Note: This Article would accept Curley Circle as a public way in the Town. The metes and bounds of the street to be accepted are shown on plans on file in the Office of the Town Clerk and are available on the Town’s website at www.ayer.ma.us/townmeeting. Presentation to be made at Town Meeting.

A True Copy Attest: _____
Susan E. Copeland, Town Clerk

Date: October __, 2023

As directed in the foregoing warrant, I have this day posted three attested copies in three public places, one of which was the Town Hall, at least fourteen days before said meeting, all as herein directed.

Constable

Date: October __, 2023

**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: September 29, 2023

TO: Ayer Select Board

FROM: Robert A. Pontbriand
Town Manager

SUBJECT: Town Manager's Report for the October 3, 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 3, 2023 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 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 September 19, 2023.
- The following Town Warrants have been reviewed, approved, and signed by the Town Manager since the Select Board last met on September 19, 2023:

Payroll Warrant #24-06 in the amount of \$435,205.24 was reviewed, approved, and signed on September 20, 2023.

Accounts Payable Warrant #24-06 in the amount of \$419,802.09 was reviewed, approved, and signed on September 26, 2023.

Keno Application – Pleasant Café, Inc., 7 Depot Square:

- The Select Board is respectfully requested to authorize the Keno Application for the Pleasant Café, Inc., located at 7 Depot Square. Please see the attached memo from the Assistant Town Manager (see attached).

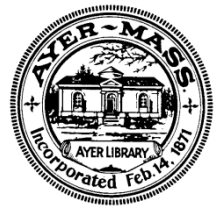
2024 Annual License Renewal Fees:

- As the Town prepares for the annual license renewal fees for all licenses under the Select Board, the Select Board is respectfully requested to advise on the fees for the annual license renewals. The past couple of years, the Select Board has reduced the fees due to the impacts of the COVID-19 Pandemic. Please see the attached memo from the Assistant Town Manager (see attached).

Thank you.


Attachment: Memo from the Assistant Town Manager Re: Keno Application and 2024 Annual License Renewal Fees

**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

To: Ayer Select Board
Town Manager Robert A. Pontbriand 

From: Carly M. Antonellis, Assistant Town Manager

Date: September 29, 2023

Re: October 3, 2023 Town Manager's Report – Items #2 & #3

Dear Honorable Select Board,

#2 - KENO Application – Pleasant Café, Inc., 7 Depot Square

Please see the attached correspondence from the Massachusetts State Lottery Commission (MSLC) dated September 21, 2023. Pleasant Café of Ayer, Inc. has applied for a KENO license. In short, if the Town has any objections to the issuing of the KENO license, we can request a hearing with the MSLC within 21 days of receipt of the attached correspondence, which would bring us to Thursday October 12, 2023.

#3 – 2024 Annual License Renewals Fees

As you are aware, 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%. I'm requesting that the Select Board discuss and vote on the 2024 Renewal Fees, as we are very rapidly approaching the renewal season.

Thank you for your consideration!



Massachusetts State Lottery Commission

DEBORAH B. GOLDBERG
Treasurer and Receiver General

MICHAEL R. SWEENEY
Executive Director

September 21, 2023

Ayer Board of Selectmen
22 Fitchburg Road
Ayer, MA 01432

Dear Sir/Madam:

In accordance with Massachusetts General Laws, chapter 10, section 27A, (as amended on 5/20/96), you are hereby notified that an application for a KENO license has been received by the Massachusetts State Lottery Commission, (MSLC) from:

Pleasant Café of Ayer
7 Depot Square
Ayer, MA

If the city/town objects to the issuance of the KENO license, it must claim its right to a Hearing before the MSLC within twenty-one (21) days of receipt of this notice.

In accordance with section 27A(b), the objection of the city/town must be “as a result of an official action” taken by said city or town regarding the KENO applicant. In order to be fair and apply the same criteria to all cities, towns, and applicants, the MSLC defines an “official action” to be one in which the applicant appeared, or was given the opportunity to appear, before the licensing authority to discuss the issue at the local level in an open hearing or meeting prior to the Hearing at the MSLC.

If you object to these agent(s) receiving a monitor, you must do so, in writing, within twenty-one (21) days of receipt of this letter. If applicable, please address your written objection to the Massachusetts State Lottery Commission, Legal Department, 150 Mount Vernon Street, Dorchester, MA 02125 and send via email to Leslie Zella lzella@masslottery.com or by mail. Should you have any questions regarding this program or any other issues relative to the Lottery, please call the Lottery’s General Counsel, Greg Polin, at 781-917-6057 or via email at gpolin@masslottery.com. We look forward to working with you as the Lottery continues its efforts to support the 351 cities and towns of the Commonwealth.

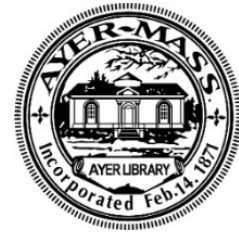
Very truly yours,

MSLC Licensing Department

Pleasant Café of Ayer
sccopeland@ayer.ma.us
shoude@ayer.ma.us



Supporting the 351 Cities and Towns of Massachusetts



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

Broadcast and Recorded by APAC

September 6, 2023
Open Session Meeting Minutes

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

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

Call to Order: S. Houde called the meeting to order at 5:00 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.

S. Houde stated that all votes will be taken by Roll Call due to Select Board Member Copeland attending via Zoom.

Approval of Meeting Agenda:

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

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

Announcements: S. Houde announced that the following Board and Committees have vacancies: Affordable Housing Committee, Capital Planning Committee, Finance Committee, Rate Review Committee and the Zoning Board of Appeals.

Public Input: None

Dan Van Schalkwyk, Director, Department of Public Works - Petition for Street Acceptance –

Curley Circle: D. Van Schalkwyk reported that Mr. Peter Decarolis has requested that the Town accept the John Carrol Reserve Subdivision, being Curley Circle. Upon the Select Board's affirmative vote to layout the road, DPW will notify the Planning Board for a non-binding approval, notify abutters with easements related to the roadway and then recommend that the Select Board vote to layout the street. The final acceptance will require a two-thirds vote at the Fall Town Meeting. He noted that the Developer must complete a punch list prior to the Town Meeting vote, or the Article shall be withdrawn.

Motion: A motion was made by J. Livingston and seconded by S. Copeland that the Select Board vote its intention to layout the John Carrol Reserve Subdivision as a public way. **Roll Call Vote:** J. Livingston, aye; S. Copeland, aye; S. Houde, aye. **Motion passed by Roll Call Vote 3-0.**

Amendment #2 – W. Main St. Sewer Trunk Repair – D. Van Schalkwyk presented Amendment #2 for the emergency repair work related to the West Main Street 24” line sewer repair. He noted that this is the final amendment for the project and includes additional work for sewer and water main repairs required as part of the work. The amendment is for \$60,983.86 for a total project cost of \$310,983.96 being funded through FY24 I/I Capital funds.

Motion: A motion was made by J. Livingston and seconded by S. Copeland to approve Amendment #2 for the West Main Street Sewer Trunk Repair in the amount of \$60,983 with GVC Construction, Inc. with signature by the Chair. **Roll Call Vote:** J. Livingston, aye; S. Copeland, aye; S. Houde, aye. **Motion passed by Roll Call Vote 3-0.**

DPW Project Updates (West Main St. Bridge & Sandy Pond Rd. Complete Streets) – D. Van Schalkwyk stated that the West Main Street Bridge is still on schedule to be bid this fall and substantial construction will begin in the spring of 2024. Relating to funding, he is still waiting to hear from MassDOT about the Town’s 2nd application for a Small Bridge Grant in the amount of \$500,000. Additionally, Congresswoman Trahan has submitted an earmark in an upcoming federal budget in the amount of \$700,000, which is currently working its way through Congress.

He announced that the DPW would be hosting a Public Input Session at the Town Hall on September 13, 2023, at 6:00 PM for the Sandy Pond Road Complete Streets Program.

J. Livingston asked what funding was already in place for the West Main Street Bridge. D. Van Schalkwyk stated that Town Meeting authorized \$3M and the Town has already secured \$500,000 in an initial Small Bridge grant, have applied for the 2nd, and have the pending earmark in the federal budget. J. Livingston asked about the length of the bridge. D. Van Schalkwyk stated that in Massachusetts it qualifies as a small bridge, but federally it only qualifies as a culvert, so many federal funding programs are not available. She then asked if the bridge was safe. D. Van Schalkwyk stated that yes, it is being inspected every 6 months by MassDOT. C. Antonellis added that she and D. Van Schalkwyk, the Fire and Police Departments met with MassDOT several months ago and they are concerned with the bridge and really made it clear that the Town needed to get funding for repairs, sooner rather than later.

Report and Recommendations of the Senior/Community Center Building Committee - Dr. Katie Petrossi, COA Director, Chair of the Committee - Report and Recommendations of the Committee and Vote to Create a Senior Center Building Committee: Dr. Petrossi was joined by Ken Diskin, Planning Board and Dennis Curran, Council on Aging Board of Directors. K. Petrossi referenced a report in the meeting packet and stated that at the August 10, 2023 Park Commission meeting, the Parks Commission voted to revoke their prior authorization to use Field 6 of Pirone Park for a combined senior/community center. She stated that in the absence of support from the Parks Commission for using Field 6, and the conditions placed on partnering elsewhere in Pirone Parks, the Senior Center/Community Center Building Committee voted 9-0 to recommend the dissolution of the Committee to the Select Board. She stated that the need for the Senior Center still urgently exists. She is recommending that the Select Board create a new committee for site selection/building of a standalone senior center. Additionally, she is requesting that the \$150,000 previously allocated to the Senior/Community Center project, be reallocated to the new committee being created this evening.

R. Pontbriand referenced his memo in the meeting packet relating to the creation of a new Building Committee. The proposed charge of the Committee is to identify and recommend a viable site; oversee and administer the necessary due diligence and conceptual design for the purposes of recommending the site to the Select Board for appropriate consideration by a future Town Meeting for the acquisition of the recommended site(s); oversee and conduct the necessary public outreach; identify and secure

funding for the land acquisition and design of the project to include Town Meeting approval; oversee the final design and construction of the project; develop, oversee, and administer a construction budget for the project to include Town Meeting approval and to conduct all meetings of the Senior Center Building Committee in accordance with the provisions of the Open Meeting Law and in accordance with the provisions of the Public Records Law. The Committee will also provide periodic public updates and 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. He is recommending a 9-member committee composed of the following: One (1) Member of the Council on Aging; the COA/Senior Center Director; the DPW Director; One (1) Member of the Planning Board; and five (5) Ayer Residents.

J. Livingston stated that she thinks that the Committee should be called the Site Selection Committee to avoid confusion. She also thinks that \$150,000 of ARPA funding is too high and is recommending the Committee be authorized up to \$60,000. S. Houde asked what the funding would be used for. K. Petrossi stated that it would be used to issue an RFP looking for land, preliminary land investigation fees (21e report/testing; appraisals; wetlands flagging; survey work) and the engagement of an architect. J. Livingston and S. Houde stated the Committee could always come back to request additional funding if needed.

D. Curran stated that the Committee may not be spending all of the \$150,000 and any unused funds would revert back. He is concerned that waiting weeks in between meetings could result in project delays. S. Houde stated he disagreed and that there is a process; when the \$150,000 was initially authorized there were known expenses. He stated that the Select Board has shown support and will convene a meeting within three days if necessary. C. Antonellis stated that there was also some remaining funding in a prior UDAG appropriation, approximately \$8,000-\$12,000.

K. Diskin stated that based on the prior committee's experience any site looked at by the Committee will need some level of due diligence done whether for environmental testing or wetland flagging, etc. There was additional discussion. S. Copeland is also in favor of \$60,000 in initial ARPA funding. S. Houde asked if there was any objection to moving forward with a Community Center with a space carved out for a Senior Center. K. Petrossi said she is not opposed to the idea, because there is a lot of synchronicity between the COA and Parks Department, however; without having an active partner in the Parks and Recreation Commission, she doesn't think a project would pass. J. Livingston stated that it appears that the Parks Commission doesn't want a community center at this time.

Pauline Conley, Cambridge Street stated that in previous administrations staff members working on the committee would be considered "ex-officio"/non-voting. She feels that the 5 residents that will join this new committee should all be registered voters. She also offered a thought that non-residents that are employees should not be committee chairs because of comments made on a private Friends of Pirone Park Facebook page. J. Livingston asked if the Committee charge should be changed to have it stated that the Chair should be a resident.

R. Pontbriand stated that he feels that the Committee name should be changed from the Building Committee to the Site Selection/Building Committee since the two - finding the site and construction of the building - are intimately connected. There was additional discussion.

Motion: A motion was made by J. Livingston and seconded by S. Houde to dissolve the Senior Center/Community Center at Pirone Park Committee. **Roll Call Vote:** J. Livingston, aye; S. Copeland, aye; S. Houde, aye. **Motion passed by Roll Call Vote 3-0.**

Motion: A motion was made by J. Livingston and seconded by S. Copeland to rescind the \$150,000 in ARPA funds for the Senior Center/Community Center at Pirone Park Committee. **Roll Call Vote:** J. Livingston, aye; S. Copeland, aye; S. Houde, aye. **Motion passed by Roll Call Vote 3-0.**

Motion: A motion was made by S. Copeland and seconded by J. Livingston to vote to approve the formation of the Senior Center Site Selection/Building Committee. **Roll Call Vote:** J. Livingston, aye; S. Copeland, aye; S. Houde, aye. **Motion passed by Roll Call Vote 3-0.**

Motion: A motion was made by S. Copeland and seconded by J. Livingston to approve the allocation of up to \$60,000 dollars in ARPA funding for the newly formed Senior Center Site Selection/Building Committee. **Roll Call Vote:** J. Livingston, aye; S. Copeland, aye; S. Houde, aye. **Motion passed by Roll Call Vote 3-0.**

Approval of Meeting Minutes: C. Antonellis stated that she received an email from resident Sara Withee who is requesting that the line “she did not attend the meeting of the Parks Commission and she is disappointed because she wanted to hear what a citizen-elected board had to say”. C. Antonellis stated she reviewed the tape, the Ms. Withee did say that, and she has added it to the DRAFT minutes in front of the Board.

Motion: A motion was made by S. Houde and seconded by S. Copeland to approve the meeting minutes from August 15, 2023, as amended. **Roll Call Vote:** J. Livingston, aye; S. Copeland, aye; S. Houde, aye. **Motion passed by Roll Call Vote 3-0.**

Adjournment:

Motion: A motion was made by J. Livingston and seconded by S. Copeland to adjourn at 5:59 PM. **Roll Call Vote:** J. Livingston, aye; S. Copeland, aye; S. Houde, aye. **Motion passed by Roll Call Vote 3-0.**

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

Date Minutes Approved by SB: _____

Signature Indicating Approval: _____