

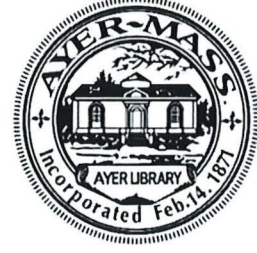
2:17pm  
**RECEIVED**

AUG 31 2023

TOWN OF AYER  
TOWN CLERK



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



**Wednesday September 6, 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](mailto:atm@ayer.ma.us) or 978-772-8220 ext. 100 prior to the meeting.*

**5:00 PM**

**Call to Order**

Pledge of Allegiance; Review and Approve Agenda; Announcements

**Public Input**

**5:05 PM\***

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

1. Petition for Street Acceptance – Curley Circle
2. Amendment #2 – W. Main St. Sewer Trunk Repair
3. DPW Project Updates (West Main St. Bridge & Sandy Pond Rd. Complete Streets)

**5:20 PM**

**Report and Recommendations of the Senior/Community Center Building Committee - Dr. Katie Petrossi, COA Director, Chair of the Committee**

1. Report and Recommendations of the Committee
2. Vote to Create a Senior Center Building Committee

**5:35 PM**

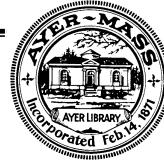
**Approval of Meeting Minutes**

August 15, 2023

**5:40 PM**

**Adjournment**

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



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

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

## MEMORANDUM

Date: August 31, 2023  
To: Select Board  
From: Dan Van Schalkwyk, P.E., Director  
Subject: **Agenda Items for September 6, 2023, Select Board Meeting**

**1. Petition for Street Acceptance – Peter Decarolis, John Carrol Reserve Subdivision (i.e., Curley Circle)**

Please find a memorandum attached related to a petition for street acceptance of the John Carrol Reserve Subdivision (i.e., Curley Circle).

**2. Amendment 2 – West Main Street Emergency 24” Sewer Trunk Repair –**

Attached is Amendment 2 for the emergency repair work related to the West Main Street 24” sewer repair. 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. Note the project is funded through FY24 I/I Capital funds.

I recommend approval of Amendment No. 2 for the West Main Street Sewer Repair Project, GVC Construction, Inc., in the amount of \$60,983.86 for signature by the Chair.

**3. DPW Update**

- a. West Main Street BRI
- b. Sandy Pond Road Complete Street – Public Meeting September 13<sup>th</sup>

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

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

## Memorandum

Date: August 31, 2023

To: Ayer Select Board

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

Re: Intention to Layout Road for Acceptance

Mr. Peter Decarolis has requested that the Town accept the John Carrol Reserve Subdivision (i.e., 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 third vote at Fall Town Meeting. Note, the Developer must complete a punch list prior to the Town Meeting vote or the Article shall be withdrawn.

The DPW recommends the Select Board vote intention to layout the John Carrol Reserve Subdivision as a public way as the first step toward road acceptance.

Regards,

**AYER PUBLIC WORKS DEPARTMENT**



Dan Van Schalkwyk, P.E.  
Director



August 31, 2023

Town Administrator, Robert Pontbriand  
c/o Ayer Select Board  
1 Main Street  
Ayer, MA 01432-1365

RE: Petition for Street Acceptance – John Carroll Reserve – Curley Circle

Dear Mr. Pontbriand and Members of the Select Board:

Our client, Peter DeCarolis of DECA Corp., recently completed construction of the John Carroll Reserve Open Space Residential Development off of Littleton Road and the Curley Circle roadway. DECA Corp would like to petition for street acceptance to be included in the warrant for the October 2023 fall town meeting.

A field survey has been completed and a draft Construction Record Drawing of the subdivision roadway and infrastructure has been provided to the Department of Public Works for review and comment. We are in the process of preparing the right-of-way Acceptance Plan and associated metes and bounds descriptions as required by the Rules and Regulations Governing the Subdivision of Land in the Town of Ayer.

We will provide the finalized Construction Record Drawing, the Roadway Acceptance plan and descriptions as soon as they are completed within the coming month. Meanwhile, we respectfully request to be placed on the agenda of the September 5, 2023, select Board meeting to discuss the street layout and acceptance process.

We look forward to discussing the matter with the Board. Please feel free to contact our office with any questions.

Sincerely,  
Goldsmith, Prest & Ringwall, Inc.

Nicholas Pauling, P.E.

Copy to: client  
File 181020A

**Goldsmith, Prest & Ringwall, Inc.**

**AMENDMENT 2**

**West Main Street Sewer Repair**

**Subject of Amendment: Time Extension, Additional Scope of Work, and Price Change**

**1. Background Data:**

- a. Effective Date of Agreement: July 7, 2023
- b. OWNER: Town of Ayer, One Main Street, Ayer MA 01432
- c. CONTRACTOR: GVC Construction, Inc, 305 Leominster Road, Lunenburg, MA
- d. Original Contract Term: July 7, 2023 – July 11, 2023
- e. Amended Contract Term (Amendment 1): extended through July 17, 2023

**2. Nature of Amendment**

Amend Contract for time extension, additional scope of work, and price change.

The Contract Term shall be extended to September 19, 2023.

Additional Scope of Work shall include the inspection and repair of a 12" water main on West Main Street.

This Amendment 2 shall be for a price of \$60,983.86, resulting in a total price for all work in this Contract (the Agreement, Amendment 1, and Amendment 2) not to exceed \$310,983.96 without further authorization by Town of Ayer.

OWNER and CONTRACTOR hereby agree to modify the above-referenced Agreement as set forth in this Amendment. All provisions of the Agreement not modified by this or previous Amendments remain in effect. The Effective Date of this Amendment is September 19, 2023.

OWNER: Ayer Department of Public Works

CONTRACTOR: GVC Construction, Inc.

By: \_\_\_\_\_

Title: Chair, Select Board

*Giuseppe Valenti*  
\_\_\_\_\_  
President

Title:

Date Signed: \_\_\_\_\_

Date Signed: 8/29/23

# **Town of Ayer**



## **Senior Center/Community Center Building Committee Study Report for The Ayer Select Board September 5, 2023**

*Katie Petrossi, Ph.D., COA/Senior Center Director*

*Ken Diskin, Planning Board*

*Dennis Curran, COA Board President*

*Jeff Thomas, Parks Director*

*Kevin Malantic, Parks Commissioner*

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

*Ellen FitzPatrick, Resident Representative*

*Marge Withee, Resident Representative*

*Christine Logan, Resident Representative*

## **Overview of the Creation of the Senior Center/Community Center Building Committee**

Following the tabling of a West Main Street property for the site of a new Senior Center at a 2020 Special Town Meeting, the Town Manager in consultation with the Select Board convened a Senior Center Site Selection Working Group with the task of finding a viable site recommendation for consideration by the Select Board. The Site Selection Working Group examined fourteen sites, issued an RFP for land, and had many conversations with private landowners. Following conversations with Parks & Recreation Director and Park Commissioners, an opportunity to partner developed, whereby the project could benefit a larger portion of the population. The Site Selection Working Group therefore recommended that the Town of Ayer pursue a combined Senior and Community Center – A Center for Active Living – to be constructed on a portion of Pirone Park, specifically Field 6. For more information about their methodology, see their [report](#) on the Town website.

At their March 27 and April 4, 2023 meetings, The Select Board accepted the recommendation of the Site Selection Working Group and appointed the Senior Center/Community Center Building Committee, charged with the oversight and further development of the Pirone Park site location for the project; oversight of the conceptual plan development to include extensive public outreach and participation in the conceptual design; identify and secure funding for the design of the project to include town meeting approval; oversee the final design of the project; develop and administer the construction budget for the project to include town meeting approval; oversee the construction of the project; and provide periodic public updates to the Select Board. The building committee was subject to all provisions of the open meeting law (hold publicly posted meetings) and in accordance with the provisions of the public records law (maintain and issue meeting minutes).

At their July 18<sup>th</sup> meeting, the Select Board voted to allocate \$150,000 of ARPA fund for preliminary schematic design and engineering to determine the viability of a Community Center at Pirone Park.

## **Composition of the Senior Center/Community Building Committee:**

The Senior Center/Community Center Building Committee consisted of the following individuals:

- Katie Petrossi, Ph.D., COA/Senior Center Director
- Ken Diskin, Planning Board
- Dennis Curran, COA Board President
- Jeff Thomas, Parks Director
- Kevin Malantic, Parks Commissioner
- Dan Van Schalkwyk, P.E., DPW Director
- Ellen FitzPatrick, Resident Representative
- Marge Withee, Resident Representative
- Christine Logan, Resident Representative

### **Committee Work:**

Following appointment by the Select Board, the Senior Center/Community Center held meetings on: June 15<sup>th</sup>, July 12<sup>th</sup>, July 26<sup>th</sup>, August 23<sup>rd</sup>. The Building Committee's work included:

- Oversight of the Assistant Town Manager's inquiry into the Article 97 process for using open space.
- Collaboration with AOECD to pursue State grant funding in the amount of \$300,000 to supplement the ARPA funding allocated.
- Soliciting letter proposals from architectural firms for preliminary schematic design and engineering to locate a building at Pirone Park, including alternatives both on and off Field 6.
- Crafting public input tools such as a Frequently Asked Questions document, and a Community Recreation Survey to engage community members about the desired programs and services desired.

At their August 10<sup>th</sup> meeting, the Parks Commission voted 4-0 (with one abstention) to revoke authorization to use Field 6 of Pirone Park for the building of a senior/community center.

At the final meeting of Senior Center/Community Center Building Committee on August 23<sup>rd</sup>, a discussion about the viability of moving forward at Pirone Park, in light of the Parks Commission vote, was held. In the absence of support from the Parks Commission/Parks & Recreation Director for using Field 6, and the conditions placed on partnering elsewhere in Pirone Park, the Senior Center/Community Center Building Committee voted 9-0 to recommend the dissolution of the Committee to the Select Board.

### **Recommendations of the Senior Center/Community Center Building Committee:**

- Dissolution of the Senior Center/Community Center Building Committee by the Select Board.
- The critical and urgent need for a modern Senior Center remains. The Senior Center/Community Center Building Committee recommends the appointment of a committee tasked with the site selection, design, and construction of a stand-alone Senior Center in the Town of Ayer.
- Reallocation of the \$150,000 ARPA funds for the Senior Center Building Committee's use.
- Pursue revision or reapplication of the State grant submitted by AOECD.

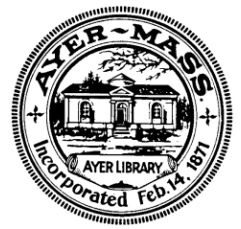
### **Documents Referenced:**

- Senior Center Feasibility Report
- Senior Center Site Selection Committee Report
- Frequently Asked Questions
- Community Recreation Survey



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

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

**MEMORANDUM**

**DATE:** 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](mailto:atm@ayer.ma.us)) by the deadline established by the Select Board.

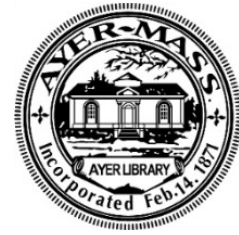
The Select Board would then interview Resident applicants at a Select Board Meeting and vote by simple majority to make the appointments.

It is recommended that the 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.



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

*Broadcast and Recorded by APAC*

**August 15, 2023**  
**Open Session Meeting Minutes**

**SB Present:** Scott A. Houde, Chair; Shaun C. Copeland, Clerk

**SB Absent:** Jannice L. Livingston, Vice-Chair

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

**Call to Order:** S. Houde called the meeting to order at 6:10 PM. S. Houde further stated that this meeting/hearing of the Ayer Select Board (SB) will be held in-person at the location provided on this notice. Members of the public are welcome to attend this in-person meeting. Please note that while an option for remote attendance and/or participation via Zoom is being provided as a courtesy to the public, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless otherwise required by law. Members of the public with particular interest in a specific item on this agenda should make plans for in-person vs. virtual attendance accordingly. This meeting will be live on Zoom and Channel 8. The public may access the proceedings by joining Zoom (Meeting ID# 897 9080 0793) or by calling (929-205-6099).

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

**Approval of Meeting Agenda:** R. Pontbriand explained that the agenda was amended yesterday because he received notice that Meg Delorier from MassDevelopment was unable to join the Board this evening, so it was removed from the agenda.

**Motion:** A motion was made by S. Copeland and seconded by S. Houde to approve the meeting agenda, as amended. **Motion passed 2-0.**

**Announcements:** None

**Public Input:** Sarah Withee, 11 Groton Shirley Road stated that she felt there was not enough public notice regarding the vote taken by the Parks Commission on August 10, 2023, in regard to Field 6 at Pirone Park and the Senior/Community Center. She has submitted a request for the minutes to the Town Manager's Office.

**Introduction and Ratification of Town Social Worker Appointment:** R. Pontbriand introduced Brittany Beaudry, the Town's first Social Worker. Brittany joined the Town on July 24, 2023, R. Pontbriand is seeking ratification of her appointment. R. Pontbriand is hosting a Meet & Greet for Brittany on Thursday September 17, 2023. The Town has invited various community stakeholders. Board members welcomed Brittany. Brittany thanked the Board for the opportunity.

**Motion:** A motion was made by S. Copeland and seconded by S. Houde to approve the ratification of the appointment of Brittany Beaudry as the Town's Social Worker. **Motion passed 2-0.**

**Barbara Tierney, Finance Manager – Tax Collector/Treasurer - Vote on useful life of Ladder**

**Truck and Pumper Truck:** B. Tierney referenced her memos in the meeting packet. She stated that at the Annual Town Meeting on April 24, 2023, Article 11, followed by approval at a town election, authorized the Treasurer to borrow \$1,692,8888 for a Fire Department Ladder Truck, which falls under G.L. c.44, §7(1) which stipulates; if the useful life is determined to be longer than 5 years, the Select Board must vote on the useful life. The Finance Manager in consultation with the Fire Chief recommends the useful life of the ladder truck to be 20 years. Similarly, the Town Meeting on April 25, 2022, Article 14, followed by approval at a Town Election, authorized the Treasurer to borrow \$805,000 for a Fire Department Pumper Truck. The Finance Manager in consultation with the Fire Chief recommends the useful life of the pumper truck to be 15 years.

**Motion:** A motion was made by S. Copeland and seconded by S. Houde to approve the 20-year useful life of the Ladder Truck. **Motion passed 2-0.**

**Motion:** A motion was made by S. Copeland and seconded by S. Houde to approve the 15-year useful life of the Pumper Truck. **Motion passed 2-0.**

**Dan Van Schalkwyk, Director, Department of Public Works - DPW Updates (Water Supply and Clearwell Storage Funding, West Main St BRI, Complete Streets Grant):**

D. Van Schalkwyk reported that water production has continued to be resilient in the past month as demand is stable and large spikes in usage have not been observed. The weather combined with the water conservation efforts appear to be helping. Wells have had breaks on most weekends and storage tanks are near full on most mornings. The Town has been in contact with the Army about the need to install the Clearwell Storage system at the Grove Pond Facility. The Army has verbally confirmed to the Town that they will pay for the system installation. He reported that Congresswoman Trahan has submitted an earmark request for funding of the West Main Street Bridge. Though the original request was \$3.5M, the earmark has moved through the process, but reduced to \$700,000. The House will take up the bill, then the Senate and then to the President's desk. D. Van Schalkwyk also reported that the Town was awarded a grant in the amount of \$500,000 for a Complete Streets Grant for Sandy Pond Road.

*Sandy Pond Sanitary Sewer Rehabilitation – Rescinding of Award* – D. Van Schalkwyk stated that at the last meeting the Select Board awarded the bid to National Water Main. Since that time, the Town was contacted by another bidder who contested the bid. The bid wasn't clear enough on how it would be awarded. After consultation with Town Counsel, D. Van Schalkwyk is requesting that the Board rescind the bid award from the July 18, 2023 meeting.

**Motion:** A motion was made by S. Copeland and seconded by S. Houde to rescind the award of the Sandy Pond Sanitary Sewer Rehabilitation that was voted at the July 18, 2023 Select Board Meeting. **Motion passed 2-0.**

**Town Manager's Report - Administrative Update/Review of Town Warrant(s):** R. Pontbriand provided a brief Administrative Update to the Select Board on the various activities, initiatives, and projects of the Town since the Select Board last met and referenced the Town Warrants that are in the Select Board's packet that were approved since the Select Board last met. He stated that he was very happy to have the Town Social Worker on board. He reported that the Building Commissioner will be retiring on August 30, 2023. The Insurance Advisory Committee has recently met and is doing its due diligence looking at different health plans, due to last year's almost 15% increase.

*Authorization to request Minuteman Nashoba Health Group Claims History* – R. Pontbriand is seeking authorization to request claims history from Minuteman Nashoba Health Group.

**Motion:** A motion was made by S. Copeland and seconded by S. Houde to authorize the request to Minuteman Nashoba Health Group for the Town of Ayer's claim history. **Motion passed 2-0.**

*Opening of the October 23, 2023 Special Fall Town Meeting Warrant* – R. Pontbriand is requesting that the Select Board vote to officially open the Warrant for the Special Fall Town Meeting to take place on Monday, October 23, 2023 at 7pm in the Auditorium of the Ayer Shirley Regional High School and to further approve the following schedule with respect to the Warrant for the Special Fall Town Meeting on October 23, 2023:

- August 15, 2023: Select Board officially opens the Special Fall Town Meeting Warrant.
- September 29, 2023 at 12pm (Noon): Deadline for all Warrant Articles and all Citizens Petitions to the Town Clerk.
- October 3, 2023: Select Board to review and approve the Special Fall Town Meeting Warrant.
- October 6, 2023: Special Fall Town Meeting Warrant to be officially and publicly posted and sent to print and mailed to all Ayer households.
- October 13, 2023 by 5pm: Last day to register to vote for Special Fall Town Meeting.
- October 23, 2023 at 7pm: Special Fall Town Meeting takes place in the Auditorium of the Ayer Shirley Regional High School.

**Motion:** A motion was made by S. Copeland and seconded by S. Houde to Open the Special Fall Town Meeting Warrant to be held on October 23, 2023. **Motion passed 2-0.**

**New Business/Select Board Member Questions – September Meeting Schedule – SB Member**

**Houde:** S. Houde stated he is not able to meet the Tuesday after Labor Day. C. Antonellis reported that the Board could meet on September 6, 2023 or September 13, 2023. The Select Board, if needed, will meet at 5:00 PM on September 6, 2023.

**Approval of Meeting Minutes:**

**Motion:** A motion was made by S. Copeland and seconded by S. Houde to approve the meeting minutes from June 20, 2023, and July 18, 2023. **Motion passed 2-0.**

**Adjournment:**

**Motion:** A motion was made by S. Copeland and seconded by S. Houde to adjourn at 6:37 PM. **Motion passed 2-0.**

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

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

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