

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



Tuesday, February 24, 2015
Meeting Minutes

Broadcast and Recorded by APAC

Present: Christopher R. Hillman, Chair; Jannice L. Livingston, Vice-Chair; Gary J. Luca, Clerk
Robert A. Pontbriand, Town Administrator
Carly M. Antonellis, Assistant to the Town Administrator

Call to Order: C. Hillman called the meeting to order at 7:01 PM.

Approval of Agenda:

Motion: A motion was made by G. Luca and seconded by J. Livingston to approve the agenda. **Motion passed 3-0.**

Public Hearing - Presentation of Stormwater Utility Implementation and Rate Development: C. Hillman opened the hearing at 7:02 PM. G. Luca read the Public Hearing notice as published in the *Lowell Sun* and *Ayer Public Spirit*.

DPW Superintendent Mark Wetzel introduced members of the Stormwater Utility Committee that were in attendance. He gave a brief history of Town Meeting votes relative to stormwater funding, outlined the current stormwater system, detailed the mapping/inventory of the system, and went over regulatory issues relating to the Environmental Protection Agency.

He then presented the operating and capital budgets for current stormwater operations and proposed funding options: general fund, federal/state grants, bonding for capital projects and an enterprise fund with user fees. He presented the stormwater fee requirements and fee options. The fee options are: per-unit charge, flat fee and tiered equivalent residential unit (ERU's). The Stormwater Utility Committee recommends a per-unit fee, with a 50% maximum credit policy for water quality management, volume runoff management, and peak flow management. The Committee also recommends an ERU of 2,500 square feet of impervious area and recommends a fee of \$3.00 per month per ERU and quarterly billing along with the water and sewer bill.

Mr. Frank Maxant, 14 Williams Street said that he is opposed to the proposal and that this fund should be paid out of the general fund.

Mr. Michael Pattenden, 42 Westford Road, stated that he agrees with Mr. Maxant.

Mr. Sam Goodwin, 23 Williams Street, said that staff would have to be increased for monitoring. He also asked if the purpose of the fund was to stockpile money in case something major with the system goes wrong. He then stated that there are so many washouts of culverts because roads designed back in the 1970's weren't designed to last very long.

Ms. Carolyn McCreary, 6 Wachusett Avenue asked if the funding recommendation was adequate enough.

J. Livingston stated her concern with the accuracy of the data because it is listed as 2010 data. M. Wetzel explained that the numbers are up-to-date.

M. Wetzel said that regardless of the enterprise fund passing, the Department of Public Works will still service the stormwater infrastructure.

C. Hillman stated that these types of repairs often are underfunded because you can't actually see the system. He also stated that contingencies are important.

M. Wetzel read Stormwater Utility Committee member Don Smallwood's email because Mr. Smallwood was unable to attend.

Jane Morris, 62 Pleasant Street, said that if the stormwater rate passed it will focus people's awareness on water and where it goes for a nominal fee and that the credit program allows you the opportunity to help conserve.

G. Luca read budget figures relating to stormwater. He stated his concern that the DPW hasn't used all of the funding appropriated in prior years so he doesn't see the need for an increase.

F. Maxant stated that in the event of a major infrastructure break or mandated upgrades by the federal government a 2.5% debt exclusion override could be useful.

R. Pontbriand thanked Mark Wetzel and Stormwater Utility Committee. He also clarified a few technical points; the Department of Revenue will not allow the general fund budget to continue to subsidize the stormwater fund. Meaning, either fund from general fund or vote to create the stormwater utility fund.

MOTION: Motion made by G. Luca and seconded by J. Livingston to close the public hearing at 8:26 PM. **Motion passed 3-0.**

R. Pontbriand said that ultimately this is a policy decision for the Board.

G. Luca stated that he has complete confidence that this can get done through operating budget.

MOTION: Motion made by G. Luca and seconded by J. Livingston to fund stormwater through the general fund and not through a rate fee structure. **Motion passed 2-1.**

Adjournment:

MOTION: Motion made by G. Luca and seconded by J. Livingston to adjourn at 8:53 PM. **Motion passed 3-0.**

Minutes Recorded and Submitted by Carly M. Antonellis

Minutes Approved by BOS: March 17, 2015

Gary J. Luca, Clerk: Gary J. Luca