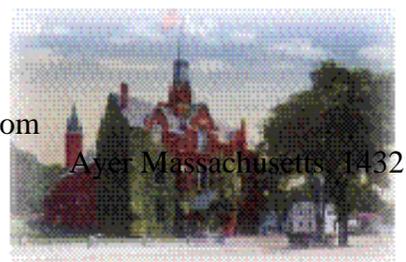


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Town of Ayer
 Board of Selectmen
 Town Hall, First Floor Meeting Room



Wednesday, March 7, 2012
Selectmen's Meeting on Town of Ayer Website www.ayer.ma.us

Gary J. Luca, Chairman	X	Carolyn McCreary, Member	Absent
James M. Fay, Vice Chairman	Absent	Pauline Conley, Member	X
Frank F. Maxant, Clerk	X	Robert Pontbriand, Town Administrator	X
Janet S. Lewis, Secretary	X		

6:00p.m. Open Session-Signing of the 3-28 12 Super Town Meeting Warrant

Chairman Luca called the meeting to order. Present for the discussion Edward Starzec/MADEV. Chairman Luca advising to Super Town Meeting being held on Wednesday, March 28, 2012 at 7:00p.m. at the Ayer/Shirley Regional High School on Washington St., Laura S. Leavitt Auditorium. Warrant containing 26 pages of text and two maps re Article 1. Revisions to Devens Reuse Plan, Zoning By-laws and Zoning Map, Redevelopment of Vicksburg Square including attachment 3-5-12 Memorandum of Agreement between Massachusetts Development Finance Agency and Trinity Vicksburg Square Limited Partnership.

Selectman Maxant moved the Board sign the 3-28-12 Super Town Meeting Warrant, 2nd by Chairman Luca. Selectman Conley stating she was not prepared to sign the warrant without reading stating it would be disrespectful to the Town of Ayer. Selectman Conley stating Selectmen have not had Public Hearing. Selectman Conley spoke to MADEV not properly convening a Public Hearing on 3/1/12 stating she did not consider this a Public Hearing, the Board did not open or close the hearing, no warrant/s –documentation were made available to the public at this meeting for the public's review and the Selectman did not sit together stating only she and Chairman Luca sat at the table, Selectmen Fay and McCreary and Maxant were in audience. Selectman Maxant stating he takes the same position as Selectman Conley and suggested MADEV do historical research. Chairman Luca stating the public hearing was noticed and scheduled and properly conducted, wishing to not delay the process. Chairman Luca stated Town Counsel reviewed and advised to posting meeting Open Meeting Law. David Bodurtha requested who published Notice and advised by Edward Starzec to MADEV. Mr. Bodurtha questioning why didn't the Board of Selectmen do it. Mr. Starzec advising the provisions of Chapter 498 of the Acts of 1993 An Act creating the Devens Enterprise Commission and the special acts therein specified in Section 10 the method of preparation and adoption of a Reuse Plan and associated zoning bylaws relative to the Devens area. This section includes specific notice and timing requirements for the public hearings necessary for consideration of the proposed zoning bylaws, this act does not however, specify the procedure for the public hearings and it does differ in some ways from local hearing procedures. There is no mention made of specific procedure for opening or closing the public hearing and details differ re public hearing/s procedures in each municipality. Selectman Conley again questioned why the Board of Selectmen were not sitting together as a group. Mr. Starzec advising stated he made himself known at hearing to the Board of Selectmen.

Selectman Conley stated she was not prepared to endorse the warrant tonight and will not sign document

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3-7-12

without reading it being a disservice to the Town of Ayer's townspeople. Selectman Conley read Public Hearing notice questioning again why documents were not at Public Hearing. Mr. Starzec stating final document could not have been produced without edits/changes added. Selectman Conley left table advising to not voting or signing warrant.

6:25p.m. Meeting adjourned.

Date: _____

Frank F. Maxant, Clerk

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3-7-12