

# Town of Ayer



## SPECIAL FALL TOWN MEETING WARRANT

Ayer Shirley Regional High School Laura S. Leavitt Auditorium, Washington St.  
Ayer, MA  
Monday, October 22, 2012 @ 7:00 p.m.

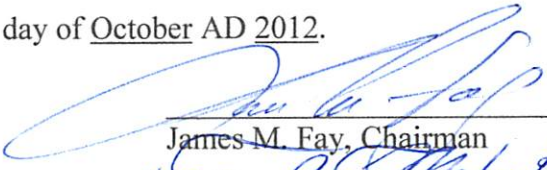
Commonwealth of Massachusetts  
Middlesex, ss.

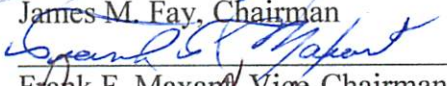
### GREETINGS:

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 Laura S. Leavitt Auditorium in the Ayer Shirley Regional High School on Monday, the Twenty-Second day of October, 2012, 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.

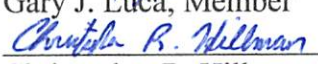
Given under our hands this 2nd day of October AD 2012.

  
James M. Fay, Chairman

  
Frank F. Maxant, Vice-Chairman

  
Pauline Conley, Clerk

  
Gary J. Luca, Member

  
Christopher R. Hillman, Member

### AYER BOARD OF SELECTMEN

Any persons needing disability related assistance (such as signing, etc.) at the town meeting please contact the Selectmen's Office at 978-772-8220 before October 15, 2012. We shall make every reasonable effort to assist you.

Large print version of the text of this warrant is available upon request.

Any persons needing disability related assistance (such as signing, etc.) at the town meeting please contact the Selectmen's Office at 978-772-8220 before October 15, 2012. We shall make every reasonable effort to assist you.

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**ARTICLE 1. AN ACT RESTORING CONSTITUTIONAL MUNICIPAL AUTHORITY TO THE TOWN OF AYER (Section 8 of Chapter 498 of the Acts of 1993 Hereby Has No Force and Effect in the Town of Ayer)**

**PETITION**

To be submitted as a Home Rule Petition from the Devens Host Community of Ayer, after adoption by its Town Meeting

We undersigned registered voters of the Town of Ayer petition the Ayer Board of Selectmen to call a Special Town Meeting to see whether the Town will adopt the following as a Home Rule Petition to the Massachusetts Legislature such that the General Court may make clerical or editorial changes of form only to the bill.

**AN ACT RESTORING CONSTITUTIONAL MUNICIPAL AUTHORITY TO THE TOWN OF AYER**

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same.

Section 1. Section eight of Chapter four hundred ninety-eight of the Acts of nineteen hundred ninety-three is hereby of no force and effect in the town of Ayer. (Town)

Section 2. The portion of the original Devens Regional Enterprise Zone within the boundaries of Ayer hereby reverts to the municipal jurisdiction of the town of Ayer. Within sixty days of the effective date of this Act, MassDevelopment will cause a survey to be done of the Town's boundaries in the Devens Regional Enterprise Zone, as defined in Section eight of Chapter four hundred ninety-eight of the Acts of nineteen hundred ninety-three, whereupon Section eight of Chapter four hundred ninety-eight of the Acts of nineteen hundred ninety-three shall be amended so that no part of Ayer is in the Devens Regional Enterprise Zone. Concurrently MassDevelopment shall file and record the plans and descriptions detailing the resulting boundaries and configuration of the Devens Regional Enterprise Zone as was required for the original Devens Regional Enterprise Zone.

Section 3. Section nine of Chapter four hundred ninety-eight of the Acts of nineteen hundred ninety-three is hereby of no force and effect in the town of Ayer.

Section 4. All municipal authority for the portion of the Devens Regional Enterprise Zone within the boundaries of Ayer hereby reverts to the town of Ayer.

*October 2012 Fall Town Meeting  
Ayer, Massachusetts  
(Citizen's Petition #1)  
Page 2 of 3*

Section 5. MassDevelopment, the Devens Enterprise Commission, and the Town shall do all things and perform all acts necessary or appropriate to effect prompt and smooth return of all municipal jurisdiction and authority to the town of Ayer within its boundaries.

Section 6. No later than July 1, 2014, the town of Ayer shall establish zoning regulations for its land formerly in the Devens Regional Enterprise Zone. The Town shall not be required to entertain any development proposals or issue any permits for its land formerly in the Devens Regional Enterprise Zone until it has established zoning regulations therefore, or July 1, 2014, whichever comes first.

Section 7. This act shall take effect upon its passage.

It is further voted by the Ayer Town Meeting that its Planning Board is instructed, from time to time, at its sole discretion, to petition the Legislature to amend the date in Section 6. of the above Act to accommodate the pace of legislative action. Such amendment(s) shall have the full force and effect of a Home Rule Petition voted by Town Meeting.

A True Copy Attest: John C. Canney, II Date October 5, 2012  
John C. Canney, II  
Town Clerk/Tax Collector

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.

Robert D. Friedrich Date: 10/5/12  
Robert D. Friedrich, Constable

# Town of Ayer



## SPECIAL FALL TOWN MEETING WARRANT

Ayer Shirley Regional High School Laura S. Leavitt Auditorium, Washington St.  
Ayer, MA  
Monday, October 22, 2012 @ 7:15 p.m.

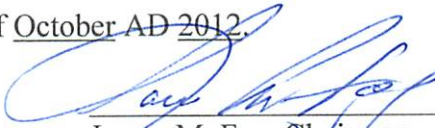
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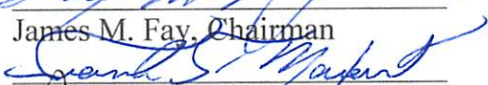
### GREETINGS:

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 Laura S. Leavitt Auditorium in the Ayer Shirley Regional High School on Monday, the Twenty-Second day of October, 2012, at seven fifteen o'clock in the evening (7:15 p.m.) then and there to act on the following articles:

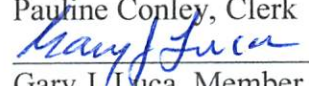
Hereof fail not and make due return of this warrant with your doings thereof to the Town Clerk before the date appointed for said meeting.

Given under our hands this 2nd day of October AD 2012.

  
James M. Fay, Chairman

  
Frank F. Maxam, Vice-Chairman

  
Pauline Conley, Clerk

  
Gary J. Luca, Member

  
Christopher R. Hillman, Member

### AYER BOARD OF SELECTMEN

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Any persons needing disability related assistance (such as signing, etc.) at the town meeting please contact the Selectmen's Office at 978-772-8220 before October 15, 2012. We shall make every reasonable effort to assist you.

Large print version of the text of this warrant is available upon request.

**ARTICLE 1: AN ACT RESTORING CONSTITUTIONAL MUNICIPAL AUTHORITY TO THE TOWN OF AYER (Section 8 of the Chapter 498 of the Acts of 1993 is Hereby Repealed)**

To see whether the Town will adopt the following as a Home Rule Petition to the Massachusetts General Legislature regarding an Act restoring Constitutional Municipal Authority to the Town of Ayer

**PETITION**

We undersigned registered voters of the Town of Ayer petition the Ayer Board of Selectmen to call a Special Town Meeting to see whether the Town will adopt the following as a Home Rule Petition to the Massachusetts Legislature such that the General Court may make clerical or editorial changes of form only to the bill.

**AN ACT RESTORING CONSTITUTIONAL MUNICIPAL AUTHORITY TO THE TOWN OF AYER**

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same.

Section 1. Section eight of Chapter four hundred ninety-eight of the Acts of nineteen hundred ninety-three is hereby repealed.

Section 2. The portion of the former Devens Regional Enterprise Zone within the boundaries of Ayer hereby reverts to the municipal jurisdiction of the town of Ayer. (Town)

Section 3. Section nine of Chapter four hundred ninety-eight of the Acts of nineteen hundred ninety-three is hereby repealed.

Section 4. All municipal authority for the portion of the former Devens Regional Enterprise Zone within the boundaries of Ayer hereby reverts to the town of Ayer.

Section 5. Section twenty-three of Chapter four hundred ninety-eight of the Acts of nineteen hundred ninety-three is hereby repealed.

Section 6. MassDevelopment, cooperating with former Devens Enterprise Commission staff as necessary, and the Town shall do all things and perform all acts necessary or appropriate to effect prompt and smooth return of all municipal jurisdiction and authority to the town of Ayer.

Section 7. No later than July 1, 2014, the town of Ayer shall establish zoning regulations for its land formerly in the Devens Regional Enterprise Zone. The Town shall not be required to entertain any development proposals or issue any permits for its land formerly in the Devens Regional Enterprise Zone until it has established zoning regulations therefore, or July 1, 2014, whichever comes first.

Section 8. This act shall take effect upon its passage.

It is further voted by the Ayer Town Meeting that its Planning Board is instructed, from time to time, at its sole discretion, to petition the Legislature to amend the date in Section 7. of the above Act to accommodate the pace of legislative action. Such amendment(s) shall have the full force and effect of a Home Rule Petition voted by Ayer Town Meeting.

A True Copy Attest: John C. Canney, II Date October 5, 2012  
John C. Canney, II  
Town Clerk/Tax Collector

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Robert D. Friedrich Date: 10/5/12  
Robert D. Friedrich, Constable

# Town of Ayer



## SPECIAL FALL TOWN MEETING WARRANT

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Ayer, MA

Monday, October 22, 2012 @ 7:30 p.m.

Commonwealth of Massachusetts  
Middlesex, ss.


### GREETINGS:

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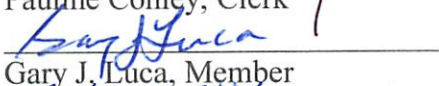
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Frank F. Maxam, Vice-Chairman

  
Pauline Conley, Clerk

  
Gary J. Luca, Member

  
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## **ARTICLE 1:     SCHOOL DEPARTMENT**

To see if the Town will vote to amend the current Section VI, Subsection C,1,c. of the Ayer Shirley Regional School District Agreement by inserting therein the following provision:

(3) Contingent upon the approval by the Towns of Ayer and Shirley of the incurring of debt in the amount approved by the Regional School Committee in fiscal year 2013 for the renovation of the District's high school located in Ayer (referred to in the balance of this paragraph as the "High School Debt"), and contingent upon the successful passage of a Proposition 2½ debt exclusion by the voters of each town relative to said High School Debt, the following will occur. Commencing in fiscal year 2014, the assessment of capital costs on account of the High School Debt to the Town of Ayer will be increased by an additional annual amount (referred to in the balance of this paragraph as the "additional capital cost assessment") above the assessment to Ayer on account of said High School Debt that would normally occur under Section VI, subsection C,1,c,(2) of the Regional Agreement, and the assessment of capital costs assessed to the Town of Shirley on account of the High School Debt shall be decreased by a like amount in each fiscal year. Said additional capital cost assessment will be equal to a portion of the debt service payments that are due to be paid by the Town of Shirley in that same fiscal year on bonds issued for the original construction of the school which was formerly known as the Shirley Middle School. Said additional capital cost assessment will be calculated consistent with Section VI, subsection C,1,c,(2) of the Regional Agreement when that language is applied to the Middle School, and this additional capital cost adjustment shall continue so long as the school formerly known as the Shirley Middle School is used as the District's middle school, and until the bonds of the Town of Shirley attributable to said school are paid off. In fiscal year 2014, and in any subsequent fiscal year in which the amount of Shirley's capital cost assessment on account of the High School Debt would be reduced to less than zero, the amount of Ayer's capital cost assessment on the High School Debt that would have otherwise reduced Shirley's capital cost assessment below zero on account of the High School Debt shall be deposited into a separate stabilization fund of the District established in accordance with Chapter 71, Section 16G½ of the General Laws, the establishment of which is hereby approved, and will be applied by the District in future fiscal years to reduce capital cost assessments on the High School Debt to the Town of Shirley in such amounts as the District School Committee determines, after seeking input from the Selectmen of the Town of Shirley.

Or take any action thereon or in relation thereto.

Sponsor: Ayer Shirley Regional School Committee  
Board of Selectmen  
Finance Committee: Report at Town Meeting

**Simple Majority Vote Required**

***Explanation:*** In order to decrease the overall expense to the Towns, the District is proposing a more-limited renovation/addition to the District's high school in Ayer than was originally planned, and is consequently considering the continued use of the former Shirley Middle School as the District's Middle School. Because a majority of the students who will attend the Middle School reside in Ayer, while the Town of Shirley continues to make debt service payments on the bonds that were issued for the original construction of the Shirley Middle School, the Regional School Committee proposes that Ayer should pay a commensurately larger assessment for the debt attributable to the high school renovation until the bonds on the Shirley Middle School are paid off.

*The language of the proposed amendment makes it clear that this arrangement is contingent upon the approval of the incurring of debt for the high school renovation in the amount approved by the Regional School Committee and contingent upon the successful passage of a Proposition 2½ debt exclusion by the voters of each town relative to the high school debt. (ASRSD)*

## **ARTICLE 2: CREATION OF FINANCE DEPARTMENT**

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to create a finance department of the Town, in the form set forth below; and provided further that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court, and to authorize the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of the petition:

An Act Creating a Department of Municipal Finance in the Town of Ayer under the Direction of a Finance Manager

Section 1. Notwithstanding the provisions of any general or special law to the contrary, there shall be in town of Ayer a department of municipal finance responsible for the coordination of all financial services and activities of the town, the maintenance of all accounting records and other financial statements, payment of all obligations, receipt of all funds due, monitoring of and reporting on all fiscal and financial activities of the town, supervision of all purchases of goods, materials and supplies, and maintenance of inventory controls. The department shall include the offices and functions of the town accountant, town treasurer, and tax and town collector. The department shall have such additional powers, duties and responsibilities with respect to municipal finance-related functions and activities as the town may from time to time provide by bylaw.

Section 2. Finance Manager Appointment. The department of municipal finance shall be under the direct control and supervision of a finance manager who shall be appointed, and may be removed, by the Board of Selectmen, and whose salary shall be fixed annually within the amount appropriated by the town. The manager of municipal finance shall be a person especially fitted by education, experience and training to perform the duties of the office. The salary, fringe benefits and other conditions of employment of the finance manager, including but not limited to, severance pay, relocation expenses, reimbursement for expenses incurred in the performance of the duties of office, liability insurance, conditions of discipline, termination, dismissal and reappointment, performance standards and leave may be established by contract.

The Board of Selectmen shall appoint the town treasurer, town collector, and town accountant if separate from the finance manager.

Other finance staff shall be appointed by the Board of Selectmen in consultation with the town administrator and the finance manager.

Section 3. Finance Manager, Duties and Responsibilities. The finance manager shall serve as the town accountant and shall be responsible for coordinating the fiscal management procedures of the offices of the town treasurer, tax collector and shall be the administrator of budgeting, encompassing financial reporting, accountability and control, as well as an advisor to the board of selectmen, town administrator, finance committee, and all other town departments, concerning financial and programmatic implications of current and future financial policies, including standards for the preparation of the annual budget and capital plan. The finance manager shall, in consultation with the town administrator, be responsible for the supervision and coordination of all

financial personnel, tasks and activities of the department. The finance manager shall have such additional duties and responsibilities as may be determined from time to time by the board of selectmen, town administrator, or vote of town meeting.

Section 4. Transition. Following acceptance of this act by the voters and the appointment of a treasurer and town collector, respectively, as provided for herein, the positions of elected treasurer and tax collector shall be abolished, and the terms of any persons holding such positions terminated. Thereafter, appointments to such positions shall be made in accordance with section 3 of this act. Further, the incumbent town accountant in office at the time this act is accepted shall serve until such time as an appointment is made to the position of finance manager; provided however, that should the town administrator and board of selectmen so determine, the incumbent shall continue to serve as the town accountant or in such other capacity as they determine until her retirement, resignation, or sooner removal, including removal as a result of reorganization or reduction in work force.

Section 5. Contracts, Transfer of Records and Property. No contracts or liabilities in force on the effective date of this act shall be affected by abolition of the elected offices and consolidation of financial functions of the town provided for herein, and the newly created appointed offices and municipal finance department shall in all respects be the lawful successor of offices and departments so abolished or consolidated. All records, property and equipment whatsoever of any office, department, or part thereof, the powers and duties of which are assigned in whole or in part to the municipal finance department are assigned to such department.

Section 6. This act shall be submitted for acceptance to the voters of the Town of Ayer at an annual or special election in the form of the following question:

Shall an act passed by the General Court in the year 2013 entitled “An Act Creating a Department of Municipal Finance in the Town of Ayer under the Direction of a Finance Manager”, be accepted?

The Town shall include below the ballot question a fair and concise summary thereof prepared by Town Counsel and approved by the Board of Selectmen. If a majority of votes cast in answer to this question is in the affirmative, this act shall take effect immediately and shall be implemented in accordance with Section 4, but not otherwise.

Or take any action thereon or in relation thereto.

Sponsor: Board of Selectmen  
Finance Committee: Report at Town Meeting

**Simple Majority Vote Required**

### **ARTICLE 3: CHANGE OF THE ELECTED TREASURER TO AN APPOINTED TREASURER**

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to create the appointed position of Town Treasurer, in the form set forth below; and provided further that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court, and to

authorize the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of the petition:

*An Act Creating the Appointed Position of Treasurer in the Town of Ayer.*

SECTION 1. Notwithstanding the provisions of chapter 41, sections 1 or 1B of the General Laws, or of any other general or special law to the contrary, there shall be an appointed treasurer in the town of Ayer. The Ayer board of selectmen shall appoint said treasurer for a term of no more than three years, and may remove said treasurer at its discretion, following the opportunity for a hearing. Any vacancies arising in said office shall be filled by said board of selectmen for the remainder of the unexpired term. The board of selectmen may establish an employment contract with the treasurer for salary, fringe benefits and other conditions of employment, including, but not limited to, severance pay, reimbursement for expenses incurred in the performance of the duties of office, liability insurance, and conditions of discipline, termination, dismissal, reappointment, performance standards and leave.

SECTION 2. Following acceptance of this act and appointment of a treasurer under section 1, the term of the elected treasurer shall be terminated and the position of elected treasurer abolished.

SECTION 3. This act shall be submitted for acceptance to the voters of the Town of Ayer at an annual or special election in the form of the following question:

Shall the an act passed by the General Court in the year 2013 entitled "An Act Creating the Appointed Position of Treasurer in the Town of Ayer", be accepted?

If a majority of the votes cast in answer to said question is in the affirmative, sections 1 and 2 of this act shall take full effect in the town of Ayer, but not otherwise.

SECTION 4. This act shall take effect upon passage.

Or take any action thereon or in relation thereto.

Sponsor: Board of Selectmen  
Finance Committee: Report at Town Meeting

**Simple Majority Vote Required**

**ARTICLE 4: CHANGE OF THE ELECTED OFFICE OF TAX COLLECTOR TO AN APPOINTED TOWN COLLECTOR**

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to change the elected Tax Collector position to the appointed position of Town Collector, in the form set forth below; and provided further that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court, and to authorize the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of the petition:

*An Act Creating the Appointed Position of Town Collector in the Town of Ayer.*

SECTION 1. Notwithstanding the provisions of chapter 41, sections 1, 1B or 38A of the general laws, or of any other general or special law to the contrary, there shall be an appointed town collector in the town of Ayer. The Ayer board of selectmen shall appoint and may remove said town collector for a term of no more than three years, and may remove said town collector at its discretion, following the opportunity for a hearing. Any vacancies arising in said office shall be filled by said board of selectmen for the remainder of the unexpired term. The board of selectmen may establish an employment contract with the town collector for salary, fringe benefits and other conditions of employment, including, but not limited to, severance pay, reimbursement for expenses incurred in the performance of the duties of office, liability insurance, and conditions of discipline, termination, dismissal, reappointment, performance standards and leave.

SECTION 2. Said town collector shall collect all accounts due the town and shall have all the remedies provided by sections 35, 36, and 93 of chapter 60 of the general laws for the collection of taxes on personal estate; provided, however, that this section shall not apply to the collection of interest on investments of sinking or trust funds.

SECTION 3. Following acceptance of this act and appointment of a town collector under section 1, the term of the elected tax collector shall be terminated and the position of elected tax collector abolished.

SECTION 4. This act shall be submitted for acceptance to the voters of the Town of Ayer at an annual or special election in the form of the following question:

Shall the an act passed by the General Court in the year 2013 entitled "An Act Creating the Appointed Position of Town Collector in the Town of Ayer", be accepted?

If a majority of the votes cast in answer to said question is in the affirmative, sections 1 through 3 of this act shall take full effect in the town of Ayer, but not otherwise.

SECTION 5. This act shall take effect upon passage.

Or take any action thereon or in relation thereto.

Sponsor: Board of Selectmen

**Simple Majority Vote Required**

Finance Committee: Report at Town Meeting

**ARTICLE 5:      RESCISSION OF PRIOR BORROW AUTHORIZATIONS**

To see if the Town will vote to rescind the following borrowing authorizations:

Original Authorization	Description	Amount
Article 10, May 1995 ATM	Police Station	\$ 50,000.00
Article 20, May 1999 ATM	Open Space	\$100,000.00
Article 17, May 2010 ATM	Water Main Upgrade-Park St.	\$300,000.00

Or take any action thereon or in relation thereto.

Sponsor: Board of Selectmen Recommends  
Finance Committee: Report at Town Meeting

**Simple Majority Vote Required**

**ARTICLE 6:      ARBITRAGE REBATE COMPLIANCE SERVICE**

To see if the Town will vote to raise and appropriate from available funds the sum of \$9,330.00 for Arbitrage Rebate Compliance Services, or take any action thereon or in relation thereto.

Sponsor: Board of Selectmen Recommends  
Finance Committee: Report at Town Meeting

**Simple Majority Vote Required**

*Explanation: This is a Federal IRS requirement for a prior year bond issue and is a result of the timing of the spending of that bond issue. (Town Treasurer)*

**ARTICLE 7:      NON-UNION EMPLOYEE CLASSIFICATION AND COMPENSATION PLAN**

To see if the Town will vote to raise and appropriate from available funds the sum of \$6,000.00 to update the Non-Union Compensation Plan, or take any action thereon or in relation thereto.

Sponsor: Personnel Board  
Board of Selectmen: Recommends  
Finance Committee: Report at Town Meeting

**Simple Majority Vote Required**

*Explanation: This Article would fund the use of an independent human resources consulting firm to revise and update the Town of Ayer's Non-Union Employee Classification and Compensation Plan. (Town Administrator)*

**ARTICLE 8:      POLICE & FIRE ACCIDENT INSURANCE**

To see if the Town will vote to raise and appropriate from available funds the sum of \$17,710.00 for a FY '13 Supplemental Appropriation for funding Police & Fire Accident Insurance or take any action thereon or in relation thereto.

Sponsor: Board of Selectmen Recommends  
Finance Committee: Report at Town Meeting

**Simple Majority Vote Required**

*Explanation: This is a supplemental appropriation as a result of unforeseen increases in the Town's Police and Fire Accident Insurance as a result of an increase in claims. (Town Administrator)*

**ARTICLE 9:      PERSONNEL BY-LAW AMENDMENT**

To see if the Town will vote to amend the Personnel Bylaw by deleting the following existing language of Section 3 therein in its entirety:

**SECTION 3: PERSONNEL BOARD**

**A) Composition, Mode of Selection, Term of Office, Qualifications.**

The Board of Selectmen shall appoint a Personnel Board consisting of five registered voters of the Town, to be appointed for three-year overlapping terms. Whenever possible, the Selectmen will appoint members possessing a professional personnel background, including one Town employee or official not a member of the school department or covered by any collective bargaining agreement, and one member of the Advisory Committee, to be appointed on a yearly basis. Members of the Personnel Board shall serve without compensation.

The Personnel Board shall annually elect a Chairman and other officers as the Board so determines from its membership at the first meeting following the appointment of new members.

Any three members of the board shall constitute a quorum for the transaction of business.

Action by a majority of those Board members present shall be binding.

And inserting in place thereof the following language:

### SECTION 3 - PERSONNEL BOARD

#### A) Composition, Mode of Selection, Term of Office, Qualifications.

The Board of Selectmen shall appoint a Personnel Board consisting of five individuals, one of which must be a Town employee or official not a member of the school department or covered by any collective bargaining agreement, and one member of the Finance Committee. With the exception of the Employee representative all Members of the Personnel Board shall be registered voters of the Town of Ayer.

Members of the Personnel Board shall serve three-year overlapping terms, except for the Finance Committee representative who will be designated annually by the Finance Committee. All members of the Personnel Board shall serve without compensation. Whenever possible, the Selectmen will appoint members possessing a professional personnel background.

The Personnel Board shall annually elect a Chairman and other officers as the Board so determines from its membership at the first meeting following the appointment of new members.

Any three members of the board shall constitute a quorum for the transaction of business.

Action by a majority of those Board members present shall be binding.

Or take any action thereon or in relation thereto.

Sponsor: Board of Selectmen Recommends

**ARTICLE 10: OLD CENTRAL FIRE STATION**

To see if the Town will vote to authorize the Board of Selectmen to seek options for adaptive reuse by municipal use or by lease of the property known as the Old Central Fire Station; and to transfer the care, custody, management, and control of the Old Central Fire Station from the Board or Officer currently having the care, custody, management and control thereof for its current purpose, to the Board of Selectmen for general municipal purposes and the purpose of conveyance; and further to authorize the Board of Selectmen to dispose of by lease, sale, or otherwise the Old Central Fire Station property, including real property and buildings situated thereon, in accordance with the requirements of G.L. c.30B, sec 16, in such manner as the Board of Selectmen deems in the best interest of the Town, or act thereon or in relation thereto.

Sponsor: Fire Station Re-Use Committee

Board of Selectmen

Finance Committee: Report at Town Meeting

Two-Thirds Vote Required

**ARTICLE 11: PETITION FOR STREET ACCEPTANCE-CRABTREE DEVELOPMENT, LLC –FOX RUN DRIVE, QUAIL RUN, AND PORTION OF HAYMEADOW LANE AND OLD FARM WAY**

To see if the Town will vote to accept the layouts of the following streets as public ways, the metes and bounds of which are on file in the Office of the Town Clerk, and to authorize the Board of selectmen to acquire by gift, purchase or eminent domain, fee interest or easement in such public ways and any and all easements related thereto, and further, to authorize the Board of Selectmen 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 Board of Selectmen deems appropriate or take any action thereon or in relation thereto.

1. Fox Run Drive
2. Quail Run
3. Haymeadow Lane between Fox Run Drive and Old Farm Way
4. Old Farm Way between Haymeadow Lane and Holly Ridge Road

Sponsor: Board of Selectmen Recommends

Planning Board Recommends

Finance Committee: Report at Town Meeting

Simple Majority Vote Required

**ARTICLE 12. PETITION FOR STREET ACCEPTANCE -PATRIOT WAY**

To see if the Town will vote to accept the layouts of the following street as a public way, the metes and bounds of which are on file in the Office of the Town Clerk, and to authorize the Board of selectmen to acquire by gift, purchase or eminent domain, fee interest or easement in such public

ways and any and all easements related thereto, and further, to authorize the Board of Selectmen 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 Board of Selectmen deems appropriate or take any action thereon or in relation thereto.

Sponsor: Board of Selectmen

Planning Board Recommends

Finance Committee: Report at Town Meeting

**Simple Majority Vote Required**

**ARTICLE 13. PROPOSED REVISED AYER ZONING BY-LAW**

To see if the Town will vote to amend the Ayer Zoning Bylaw, by replacing the text of the bylaw in its entirety with new text as found in the document labeled "Proposed Ayer Zoning Bylaw" dated March 2011, as available for review on the Town Website, and as on file in the offices of the Town Clerk and the Planning Board, and further to amend the Zoning Map as on file in the offices of the Town Clerk and the Planning Board, or take any action thereon or in relation thereto,

Sponsor: Ayer Planning Board

**Two-Thirds Majority Vote Required**

Board of Selectmen

Finance Committee: Report at Town Meeting

**ARTICLE 14. REPORT ON COLLECTIVE BARGAINING AGREEMENTS**

To see if the Town will vote to hear a report on the Town's Collective Bargaining Agreements, or take any action thereon or in relation thereto.

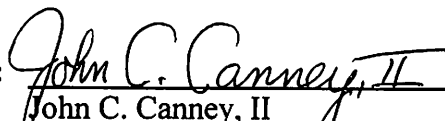
Sponsor: Board of Selectmen

**Simple Majority Vote Required**

Finance Committee: Report at Town Meeting

***Explanation:** The Board of Selectmen and/or Town Administrator will report to Town Meeting on the status and funding of the Town's various Collective Bargaining Agreements which have been concluded since the Annual Town Meeting.*

A True Copy Attest:

  
John C. Canney, II  
Town Clerk/Tax Collector

Date October 5, 2012

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.

  
Robert D. Friedrich, Constable

Date: 10/5/12