



Town of Ayer

ANNUAL TOWN MEETING WARRANT

Ayer Shirley Regional High School Auditorium

141 Washington Street

Ayer, MA 01432

April 25, 2022 at 7:00 PM

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 in the Auditorium of the Ayer Shirley Regional High School located at 141 Washington Street, Ayer, Massachusetts on Monday, the twenty-fifth (25th) day of April 2022, at seven o'clock (7:00 PM) in the evening 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 5th day of April AD 2022.

Shaun C. Copeland, Chair

Scott A. Houde, Vice Chair

Jannice L. Livingston, Clerk

The Ayer Select Board

Any persons needing disability related assistance (such as signing, etc.) at the Town Meeting please contact the Select Board's Office at 978-772-8220 before April 22, 2022. We shall make every reasonable effort to assist you. Large print version of the text of this warrant is available upon request.

For more information, please visit the Town's website: www.ayer.ma.us/townmeeting

Table of Contents

Art.	Description	FY '23 Financial Impact	SB	Fin Com*
1	Salaries of Elected Officials*	\$16,192	Recommends	<i>*At the time of printing, there was no quorum of the Fin. Com.</i>
2	Contract Funding: Firefighters*	\$46,052	Recommends	
3	Contract Funding: Police Superior Officers*	\$29,857	Recommends	
4	Contract Funding: Dept. of Public Works*	\$60,253	Recommends	
5	5 Year Contract Authorization Police Tasers	\$13,950	Recommends	
6	FY '23 Omnibus Budget	\$16,962,924	Recommends	
7	FY '23 ASRSD Assessment	\$13,133,346	Recommends	
8	FY '23 NVTHS Assessment	\$1,010,957	Recommends	
9	Solid Waste Enterprise Fund	\$570,540	Recommends	
10	Ambulance Enterprise Fund	\$543,103	Recommends	
11	Sewer Enterprise Fund	\$3,448,606	Recommends	
12	Water Enterprise Fund	\$2,427,786	Recommends	
13	FY '23 Capital Budget Requests to Borrow	\$998,238	Recommends	
14	Debt Exclusion – Fire Engine Pumper	\$805,000	Recommends	
15	FY '23 Capital Budget Requests	\$312,696	Recommends	
16	GASB-15/OPEB Fund	\$300,000	Recommends	
17	1 st Year's Interest-General Fund Borrowing	\$61,900	Recommends	
18	Funding for Aquatic Weed Control – Ponds	\$30,000	Recommends	
19	Matching Funding for Firefighters Grant	\$2,376.19	Recommends	
20	Funding of Compensated Balance Reserve Fund	\$63,837	Recommends	
21	Forward Funding of the Town's Pension Assessment	\$300,000	Recommends	
22	UDAG Replenishment	\$65,000	Recommends	
23	Stabilization Fund	\$1,919,090	Recommends	
24	Community Preservation Act	\$1,083,698	Recommends	
25	CPC Fund FY '23 Transfer of Funds	\$20,000	Recommends	
26	CPC Fund – Pirone Park Playground	\$400,000	Recommends	
27	CPC - Affordable Housing Trust	\$60,000	Recommends	
28	CPC – Library Digitation of Records	\$25,000	Recommends	
29	CPC – Flannagan Pond Public Access Feasibility Study	\$25,000	Recommends	
30	Zoning Bylaw Amendment – Minimum Lot Size	n/a	Recommends	
31	Zoning Bylaw Amendment – Definitions	n/a	Recommends	
Petition Article	Petition Article: 27 Harvard Rd. Rezoning	n/a		

*Cost of these articles is included in Article 6 the Omnibus Budget

ARTICLE 1: SALARIES OF ELECTED OFFICIALS

To see if the Town will vote to fix the salary and compensation of elected officers of the Town of Ayer, as provided by Section 108, Chapter 41 of the General Laws, as amended; or take any action thereon or in relation thereto.

	<u>FY-22 SALARY</u>	<u>FY-23 SALARY</u>	<u>% OF CHANGE</u>
Moderator	\$552	\$563	2%
Select Board: Chair	\$2,767	\$2,822	2%
Select Board: Members (2)	\$2,468	\$2,517	2%
Assessors: Chair	\$2,740	\$2,795	2%
Assessors: Members (2)	\$2,440	\$2,489	2%

Sponsor: Select Board
Finance Committee: Simple Majority Vote Required

Explanatory Note: This Article is required as Town Meeting sets the salaries of elected officials pursuant to MGL Chapter 41, Section 108. The two percent (2%) increase is the FY 2023 Cost of Living Adjustment approved by the Select Board on February 15, 2022, on recommendation of the Town Manager and Benefits & Payroll Manager in accordance with the Town's Financial Policies.

ARTICLE 2: CONTRACT FUNDING: AYER INTERNATIONAL FIREFIGHTERS ASSOCIATION – LOCAL #2544

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the first-year cost items of a collective bargaining agreement between the Town of Ayer and the Ayer International Firefighters Association, Local #2544 for the period of July 1, 2022, through June 30, 2025; or take any action thereon or in relation thereto.

Sponsor: Select Board
Finance Committee: Simple Majority Vote Required

Explanatory Note: Per MGL Chapter 150E, Union Contracts are subject to the appropriation of funds by Town Meeting. The FY 2023 estimated total cost of the Contract is \$46,052. Contract Memorandum of Agreement is available on the Town's website (www.ayer.ma.us). Presentation to be made at Town Meeting.

ARTICLE 3: CONTRACT FUNDING: AYER POLICE SUPERIOR OFFICERS – NEPBA #32

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the first-year cost items of a collective bargaining agreement between the Town of Ayer and the Ayer Police Superior Officers, NEPBA #32 for the period of July 1, 2022, through June 30, 2025; or take any action thereon or in relation thereto.

Sponsor: Select Board
Finance Committee: Simple Majority Vote Required

Explanatory Note: Per MGL Chapter 150E, Union Contracts are subject to the appropriation of funds by Town Meeting. The FY 2023 estimated total cost of the Contract is \$29,857. Contract Memorandum of Agreement is available on the Town's website (www.ayer.ma.us). Presentation to be made at Town Meeting.

For more information, please visit the Town's website: www.ayer.ma.us/townmeeting

ARTICLE 4: CONTRACT FUNDING: AYER DEPARTMENT OF PUBLIC WORKS UNION – LOCAL #1703

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the first-year cost items of a collective bargaining agreement between the Town of Ayer and the Ayer Department of Public Works Union, AFSCME 93, Local #1703 for the period of July 1, 2022, through June 30, 2025; or take any action thereon or in relation thereto.

Sponsor: Select Board

Finance Committee:

Simple Majority Vote Required

Explanatory Note: Per MGL Chapter 150E, Union Contracts are subject to the appropriation of funds by Town Meeting. The FY 2023 estimated total cost of the Contract is \$60,253 (including enterprise fund wages). Contract Memorandum of Agreement is available on the Town's website (www.ayer.ma.us). Presentation to be made at Town Meeting.

ARTICLE 5: AUTHORIZATION TO ENTER INTO A 5-YEAR CONTRACT FOR POLICE DEPARTMENT TASER EQUIPMENT

To see if the Town will vote to authorize the Town to enter into a five (5) year service contract with Axon Enterprises Inc. for the purposes of upgrading the Police Department's taser equipment for the period of July 1, 2022, through June 30, 2027; or take any action thereon or in relation thereto.

Sponsor: Select Board

Finance Committee:

Simple Majority Vote Required

Explanatory Note: Per Massachusetts General Law (G.L. c. 30B, sec. 12(b)), any contract with a term greater than three years requires Town Meeting authorization. The five-year service contract with Axon Enterprises Inc. would reduce the annual costs associated with upgrading the necessary equipment from \$23,255 per year (3-year contract) to \$13,950 a year (5-year contract). This Article would authorize the 5-year contract at a cost savings to the Town.

ARTICLE 6: FY 2023 OMNIBUS BUDGET

To see if the Town will vote to raise and appropriate a sum of money for the FY 2023 Omnibus Budget items; or take any action thereon or in relation thereto:

Dept. 100: General Government

Dept. 200: Finance

Dept. 300: Public Safety

Dept. 400: Public Works

Dept. 500: Human Services

Dept. 600: Management Support

Sponsor: Select Board

Finance Committee:

Simple Majority Vote Required

Explanatory Note: Please see insert for the FY 2023 Omnibus Budget. Presentation on the budget to be made at Town Meeting. The FY 2023 Omnibus Budget includes a 2% Cost of Living Adjustment (COLA) for Non-Union Personnel, as recommended by the Town Manager and Benefits & Payroll Manager in accordance with the Town's Financial Policies and approved by the Select Board on February 15, 2022. All materials related to the FY 2023 Budget are available on the Town's website at www.ayer.ma.us/budget or by contacting the Town Manager's Office at 978-772-8220 x100 or by email at tm@ayer.ma.us

For more information, please visit the Town's website: www.ayer.ma.us/townmeeting

FY2023 Omnibus Budget

	FY2021 Actual	FY2022 Approved	FY2023 Proposed	Difference		Notes
Department 100 - General Government						
01 Select Board	\$265,397.00	\$279,896.00	\$342,002.00	\$62,106.00	22.19%	includes \$50,000 for new administrative assistant & \$9,402 in personal service contract increases
02 Town Counsel	\$51,197.00	\$80,000.00	\$80,000.00	\$0.00	0.00%	
03 Town Clerk	\$133,464.00	\$141,100.00	\$138,264.00	(\$2,836.00)	-2.01%	decrease due mainly to decrease in pay for replacement of retired assistant
04 Moderator	\$541.00	\$552.00	\$663.00	\$111.00	20.11%	
05 Parking Tickets	\$689.00	\$1,500.00	\$1,250.00	(\$250.00)	-16.67%	
06 Public Buildings & Property Maint.	\$361,262.00	\$373,855.00	\$386,117.00	\$12,262.00	3.28%	includes \$8,212 in personal service contract for Facilities Director
07 Registrations & Elections	\$22,898.00	\$16,296.00	\$26,796.00	\$10,500.00	64.43%	increase due mostly to increase in elections including early voting, state primary, general election and worker training for the new equipment
08 Postage	\$19,812.00	\$21,000.00	\$23,100.00	\$2,100.00	10.00%	
09 American Legion	\$600.00	\$600.00	\$600.00	\$0.00	0.00%	
10 Memorial Day	\$0.00	\$500.00	\$500.00	\$0.00	0.00%	
11 4th of July Celebration	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	
12 Holiday Lights	\$15,000.00	\$15,000.00	\$15,000.00	\$0.00	0.00%	
Department 100 Total	\$870,860.00	\$930,299.00	\$1,014,292.00	\$83,993.00	9.03%	
Department 200 - Finance						
01 Town Accountant	\$211,715.00	\$218,197.00	\$218,953.00	\$756.00	0.35%	
02 Benefits & Payroll	\$76,025.00	\$80,146.00	\$89,566.00	\$9,420.00	11.75%	includes \$8,243 for increase in part-time staff wages for payroll backup
03 Computer Support - Financial Systems	\$49,111.00	\$50,213.00	\$51,942.00	\$1,729.00	3.44%	
04 Assessors	\$190,496.00	\$206,786.00	\$205,934.00	(\$852.00)	-0.41%	
05 Treasurer/Tax Collector	\$182,066.00	\$188,444.00	\$208,225.00	\$19,781.00	10.50%	includes \$9,439 for increase in part-time staff hours and \$2,148 for personal service contract impact and step increases
06 Health & Life Insurance	\$1,701,696.00	\$1,873,786.00	\$2,001,857.00	\$128,071.00	6.83%	based on March 2022 enrollments and premium increases of between 8.5% and 11.7%
07 General Insurance	\$246,673.00	\$267,000.00	\$293,700.00	\$26,700.00	10.00%	estimate based on 10%; town is currently awaiting quotes
09 Unemployment Compensation	\$12,831.00	\$11,200.00	\$11,200.00	\$0.00	0.00%	
10 County Retirement Assessment	\$1,787,745.00	\$1,934,480.00	\$2,058,373.00	\$123,893.00	6.40%	per Middlesex Retirement Assessment
11 Notes & Bonds (Principal)	\$969,600.00	\$1,076,000.00	\$706,000.00	(\$370,000.00)	-34.39%	decrease due mainly to \$214,000 paydown of debt exclusion on fire station; also includes \$105,000 paydown of debt on various borrows for equipment authorized in FY2017
12 Interest	\$219,119.00	\$214,111.00	\$181,820.00	(\$32,291.00)	-15.08%	same explanation as Notes & Bonds
13 Tax Title	\$5,530.00	\$15,000.00	\$15,000.00	\$0.00	0.00%	
14 FICA Medicare	\$119,626.00	\$140,000.00	\$158,000.00	\$18,000.00	12.86%	increased to reflect FY 2022 estimated actuals as well as new positions and other wages increases
15 Finance Committee	\$180.00	\$500.00	\$500.00	\$0.00	0.00%	
16 Reserve Fund	\$150,000.00	\$300,000.00	\$300,000.00	\$0.00	0.00%	remains at \$300,000 to provide for unknown potential costs related to ongoing pandemic, supply chain issues and inflation
Department 200 Total	\$5,922,413.00	\$6,575,863.00	\$6,501,070.00	(\$74,793.00)	-1.14%	
Department 300 - Public Safety						
01 Police Department	\$2,755,054.00	\$3,205,887.00	\$3,299,703.00	\$93,816.00	2.93%	includes \$39,948 increase in wages including overtime, \$18,919 increase in maintenance agreements, \$10,600 increase in college reimbursements, \$7,200 for new hire training, clothing and equipment, \$5,100 for vests, plus other increases in expenses
02 Fire Department	\$1,894,205.00	\$2,023,471.00	\$2,192,432.00	\$168,961.00	8.35%	includes \$96,743 of costs related to 4 new firefighters not covered by grant; also includes \$49,997 in wages increases including overtime, \$10,065 increase for college reimbursement and various increases in other expenses
03 Building Department	\$102,197.00	\$109,326.00	\$147,292.00	\$37,966.00	34.73%	includes \$28,800 for increase in assistant building inspector wages to cover zoning enforcement, \$6,166 for increase in wages for building inspector which includes \$1,500 personal services contract impact
04 Emergency Management	\$21,145.00	\$22,482.00	\$23,240.00	\$758.00	3.37%	
05 Animal Control Officer	\$14,480.00	\$16,034.00	\$16,660.00	\$626.00	3.90%	
06 Animal/Barn Inspector	\$2,600.00	\$2,600.00	\$2,652.00	\$52.00	2.00%	
07 Tree Warden	\$48,313.00	\$44,612.00	\$69,424.00	\$24,812.00	55.62%	increase due mostly to additional \$22,600 for tree maintenance plan
Department 300 Total	\$4,837,994.00	\$5,424,412.00	\$5,751,403.00	\$326,991.00	6.03%	
Department 400 - Public Works						
01 Public Works	\$1,073,780.00	\$1,323,229.00	\$1,364,165.00	\$40,936.00	3.09%	includes \$57,232 for new position of Junior Engineer
02 Snow & Ice Removal	\$254,876.00	\$321,000.00	\$321,000.00	\$0.00	0.00%	
03 Public Works - Street Lighting	\$31,918.00	\$44,000.00	\$42,000.00	(\$2,000.00)	-4.55%	
04 Care of Graves	\$3,950.00	\$3,950.00	\$1,200.00	(\$2,750.00)	-69.62%	decrease due to Woodlawn Cemetery now being owned by the town
05 Woodlawn Cemetery	\$0.00	\$41,000.00	\$41,000.00	\$0.00	0.00%	
Department 400 Total	\$1,364,524.00	\$1,733,179.00	\$1,769,365.00	\$36,186.00	2.09%	
Department 500 - Human Services						

FY2023 Omnibus Budget

	FY2021 Actual	FY2022 Approved	FY2023 Proposed	Difference		Notes
01 Council on Aging	\$114,360.00	\$156,410.00	\$216,611.00	\$60,201.00	38.49%	includes replacement of part-time nutrition coordinator totaling \$21,162, \$34,950 increase in food supplies and increases in other expenses
02 Board of Health	\$150.00	\$2,375.00	\$7,300.00	\$4,925.00	207.37%	
03 Nashoba Assoc.. Board of Health	\$30,921.00	\$32,468.00	\$38,579.00	\$6,111.00	18.82%	
04 Social Worker	\$0.00	\$0.00	\$67,500.00	\$67,500.00	100.00%	
05 Parks Department	\$138,487.00	\$173,145.00	\$194,203.00	\$21,058.00	12.16%	
06 Ayer/Shirley Youth Football & Cheer.	\$4,000.00	\$4,000.00	\$4,000.00	\$0.00	0.00%	
07 Little League	\$4,000.00	\$4,000.00	\$4,000.00	\$0.00	0.00%	
08 Veterans Agent	\$20,143.00	\$20,783.00	\$20,991.00	\$208.00	1.00%	
09 Veterans Benefits	\$112,472.00	\$125,000.00	\$125,000.00	\$0.00	0.00%	
10 Library	\$595,156.00	\$625,244.00	\$657,380.00	\$32,136.00	5.14%	
11 Disabilities Comm.	\$0.00	\$500.00	\$3,000.00	\$2,500.00	500.00%	includes \$26,031 for reclassification of staff wages and \$6,105 for increases in books as required for state certification
Department 500 Total	\$1,019,689.00	\$1,143,925.00	\$1,338,564.00	\$194,639.00	17.02%	\$2,500 is stipend for town staff to oversee required updates for ADA
Department 600 - Management Support						
01 Conservation Commission	\$66,145.00	\$71,110.00	\$76,570.00	\$5,460.00	7.68%	includes \$10,000 for added outside services and \$4,540 reduction in wages for vacant agent position moves program manager wages totaling \$37,085 from housing grant to local funding as recommended by the Ayer Affordable Housing Committee in order to provide additional funds for housing needs increase in wages
02 Economic & Community Development	\$40,205.00	\$42,857.00	\$81,879.00	\$39,022.00	91.05%	
03 Town Planner	\$87,186.00	\$93,265.00	\$97,420.00	\$4,155.00	4.46%	
04 Historical Commission	\$0.00	\$750.00	\$750.00	\$0.00	0.00%	
05 Montachusett Reg. Plan. Comm.	\$2,573.00	\$2,638.00	\$2,889.00	\$251.00	9.51%	
06 Management Support	\$77,061.00	\$89,077.00	\$140,820.00	\$51,743.00	58.09%	
07 Information Technology	\$189,270.00	\$185,826.00	\$187,902.00	\$2,076.00	1.12%	
Department 600 Total	\$462,440.00	\$485,523.00	\$588,230.00	\$102,707.00	21.15%	includes \$45,000 for new administrative staff for Conservation and Planning Departments
Total Summary by Department						
Dept 100 - General Government	\$870,860.00	\$930,299.00	\$1,014,292.00	\$83,993.00	9.03%	
Dept 200 - Finance	\$5,922,413.00	\$6,575,863.00	\$6,501,070.00	(\$74,793.00)	-1.14%	
Dept 300 - Public Safety	\$4,837,994.00	\$5,424,412.00	\$5,751,403.00	\$326,991.00	6.03%	
Dept 400 - Public Works	\$1,364,524.00	\$1,733,179.00	\$1,769,365.00	\$36,186.00	2.09%	
Dept 500 - Human Services	\$1,019,689.00	\$1,143,925.00	\$1,338,564.00	\$194,639.00	17.02%	
Dept 600 - Management Support	\$462,440.00	\$485,523.00	\$588,230.00	\$102,707.00	21.15%	
Total Operating Budgets	\$14,477,920.00	\$16,293,201.00	\$16,962,924.00	\$669,723.00	4.11%	

**ARTICLE 7: FY 2023 AYER SHIRLEY REGIONAL SCHOOL DISTRICT
ASSESSMENT**

To see if the Town will vote to raise and appropriate the sum of \$12,244,196 as required to fund the Town's FY 2023 assessment for the Ayer Shirley Regional School District and to raise and appropriate the sum of \$889,150 for the Town's portion of the ASRSD high school building project; or take any action thereon or in relation thereto.

Sponsor: Ayer Shirley Regional School Committee

Select Board: Recommends

Finance Committee:

Simple Majority Vote Required

Explanatory Note: This Article will fund the FY 2023 Ayer Shirley Regional School District Assessment and the Town's portion of the ASRSD high school building project.

**ARTICLE 8: FY 2023 NASHOBA VALLEY TECHNICAL VOCATIONAL SCHOOL
ASSESSMENT**

To see if the Town will vote to raise and appropriate the sum of \$1,010,957 required to fund the Town's FY 2023 assessment for the Nashoba Valley Regional Technical High School; or take any action thereon or in relation thereto.

Sponsor: Nashoba Valley Technical Vocational School Committee

Select Board: Recommends

Finance Committee:

Simple Majority Vote Required

Explanatory Note: This Article will fund the FY 2023 Nashoba Valley Regional Technical High School Assessment.

ENTERPRISE FUND ARTICLES

**The Annual Budget Book will be provided at Town Meeting with further detail on
Articles No. 9 – 12**

ARTICLE 9: SOLID WASTE

To see if the Town will vote to raise and appropriate or transfer from available funds the following funds to operate the solid waste department:

Direct costs of \$445,264 of which \$336,180 is to come from solid waste revenue, \$37,360 is to come from solid waste retained earnings and \$71,724 is to come from the tax levy, and indirect costs of \$125,276 is to come from the tax levy; or take any action thereon or in relation thereto.

Sponsor: Select Board

Finance Committee:

Simple Majority Vote Required

ARTICLE 10: AMBULANCE

To see if the Town will vote to raise and appropriate or transfer from available funds the following funds to operate the ambulance department:

For more information, please visit the Town's website: www.ayer.ma.us/townmeeting

Direct costs of \$175,580 is to come from ambulance revenue, and indirect costs of \$367,523 of which \$262,420 is to come from ambulance revenue, \$42,000 is to come from ambulance retained earnings and \$63,103 is to come from the tax levy; or take any action thereon or in relation thereto.

Sponsor: Select Board
Finance Committee:

Simple Majority Vote Required

ARTICLE 11: SEWER

To see if the Town will vote to raise and appropriate or transfer from available funds the following funds to operate the sewer department:

Direct costs of \$3,016,889 to come from sewer revenue and indirect costs of \$431,717 is to come from sewer revenue; or take any action thereon or in relation thereto.

Sponsor: Select Board
Finance Committee:

Simple Majority Vote Required

ARTICLE 12: WATER

To see if the Town will vote to raise and appropriate or transfer from available funds the following funds to operate the water department:

Direct costs of \$2,116,081 to come from water revenue and indirect costs of \$311,705 to come from water revenue; or take any action thereon or in relation thereto.

Sponsor: Select Board
Finance Committee:

Simple Majority Vote Required

BORROW ARTICLE

ARTICLE 13: CAPITAL BUDGET REQUESTS

To see if the Town will vote to authorize the Treasurer, with the approval of the Select Board, to borrow the sums set out in the Warrant and hereby listed for the purposes of funding the following equipment, services, and public works projects, and all costs incidental or related thereto, as contained in the Capital Budget, each sum hereafter to be voted on separately; or take any action thereon or in relation thereto.

<u>Department</u>	<u>Item</u>	<u>Amount</u>
DPW-Highway	Road Paving	\$85,000
	Barnum Road Bridge Repairs	\$70,000
	1-Ton Pick-Up Truck w/Plow	\$60,000

For more information, please visit the Town's website: www.ayer.ma.us/townmeeting

Facilities	VOIP Phone Upgrades and Wiring for Buildings	\$65,000
Fire	Fire Department Vehicle	\$65,000
Parks	Pirone Park Playground Project	\$320,000
Police	Redesign Patrol Workspace	\$63,238
Sewer Enterprise	Portable Generator (50% of cost split with Water)	\$75,000
Water Enterprise	New Well Source Approval	\$120,000
	Portable Generator (50% of cost split with Sewer)	\$75,000

Total: \$998,238

Sponsor: Select Board
Finance Committee:

Two-Thirds Majority Vote Required

Explanatory Note: All of the above Capital Budget requests and amounts were reviewed by and recommended by the Town's Capital Planning Committee. All materials related to these Capital Budget requests are available on the Town's website at www.ayer.ma.us/budget or by contacting the Town Manager's Office at 978-772-8220 x 100 or by email at tm@ayer.ma.us

DEBT EXCLUSION ARTICLE

ARTICLE 14: AUTHORIZATION FOR DEBT EXCLUSION FOR THE FIRE DEPARTMENT – FIRE ENGINE (PUMPER)

To see if the Town will vote to appropriate the sum of \$805,000 to purchase and equip a fire engine (pumper), including any incidental and related costs and expenses; and to meet this appropriation, to authorize the Treasurer, with the approval of the Select Board, to borrow said sum pursuant to the provisions of MGL c. 44, Section 7 or any other enabling authority, and to issue bonds or notes of the Town therefor; provided that any borrowing or expenditure hereunder shall be contingent upon passage of a debt exclusion ballot question pursuant to the provisions of MGL c. 59, Section 21C; said funds to be expended under the direction of the Select Board; or take any action thereon or in relation thereto.

Sponsor: Select Board
Finance Committee:

Two-Thirds Majority Vote Required

Explanatory Note: The Fire Chief submitted an FY 2023 Capital Request for funding to replace the Fire Engine (Pumper). The Capital Planning Committee voted to recommend this capital project including the funding of \$805,000 subject to a debt exclusion per the Town's Financial Policies. A

For more information, please visit the Town's website: www.ayer.ma.us/townmeeting

debt exclusion requires the authorization of Town Meeting (this Article) and requires a majority vote by ballot at the Annual Town Election to be held on May 10, 2022. Presentation to be made at Town Meeting.

TRANSFER ARTICLES

ARTICLE 15: CAPITAL BUDGET REQUESTS

To see if the Town will vote to transfer from Capital Stabilization the following sums hereby listed for the purpose of funding the following equipment, services and public works projects, and all costs incidental or related thereto, as contained in the Capital Budget, each sum hereafter to be voted on separately, or take any action thereon or in relation thereto:

<u>Department</u>	<u>Item</u>	<u>Amount</u>
DPW – Admin.	Hybrid SUV	\$35,000
DPW-Highway	Sandy Pond Road Sidewalk Design	\$25,000
	Highway Garage Roof Repair	\$20,000
DPW-Stormwater	Stormwater Biofiltration/Outfall Improvements	\$50,000
Facilities	Town Hall Slate Roof & Gutter Repair – Phase 1	\$30,000
Fire	Office Furniture	\$25,000
	Training Room Audio/Visual Upgrade	\$16,500
Information Technology	Replace Town Hall Copier	\$13,000
Library	Reading Room Plaster Ceiling Repair	\$48,500
Police	Haz Mat Gear	\$29,546
Town Clerk	Vault Repairs	\$10,000
	Election Poll Pads	\$10,150
Total:		\$312,696

Sponsor: Select Board
Finance Committee:

Two-Thirds Majority Vote Required

Explanatory Note: All of the above Capital Budget requests and amounts were reviewed by and recommended by the Town's Capital Planning Committee. All materials related to these Capital Budget requests are available on the Town's website at www.ayer.ma.us/budget or by contacting the Town Manager's Office at 978-772-8220 x 100 or by email at tm@ayer.ma.us

For more information, please visit the Town's website: www.ayer.ma.us/townmeeting

ARTICLE 16: GASB-45/OPEB (Other Post-Employment Benefits) FUND

To see if the Town will vote to raise and appropriate \$119,000 and transfer \$181,000 from Free Cash, totaling the sum of \$300,000 to meet the Town’s obligations under the Government Accounting Standards Board (GASB) Statement 45 to fund the Town’s future obligation for the cost of other post-employment benefits (OPEB); or take any action thereon or in relation thereto.

Sponsor: Select Board
Finance Committee:

Simple Majority Vote Required

Explanatory Note: This Article funds the Town’s GASB-45/OPEB, Post-Employment Benefits in the total sum of \$300,000 with \$119,000 derived from the Town’s Local Meals Tax and \$181,000 from Free Cash as recommended by the Town’s OPEB Board of Trustees.

RAISE & APPROPRIATE ARTICLES

ARTICLE 17: FIRST YEAR’S INTEREST–GENERAL FUND BORROWING

To see if the Town will vote to raise and appropriate the sum of \$61,900 required to provide for the first year’s interest charges and associated administrative expenses on all General Fund borrowing/bonding authorized by this Town Meeting; or take any action thereon or in relation thereto.

Sponsor: Select Board
Finance Committee:

Simple Majority Vote Required

Explanatory Note: This Article will fund the first-year interest charges associated with the administrative expenses on all General Fund borrowing/bonding authorized by this Town Meeting.

ARTICLE 18: FUNDING FOR AQUATIC WEED CONTROL FOR TOWN PONDS

To see if the Town will vote to raise and appropriate the sum of \$30,000 for the purpose of funding the aquatic weed control program for the Town’s ponds, and any incidental and related costs and expenses; or take any action thereon or in relation thereto. Funds are to be spent by June 30, 2024; unexpended funds on June 30, 2024, to close and revert to general fund balance.

Sponsor: Select Board
Finance Committee:

Simple Majority Vote Required

Explanatory Note: Funding from this Article will be used by the Conservation Commission for the purposes of the aquatic weed control in the Town’s ponds.

ARTICLE 19: MATCHING FUNDING FOR FIREFIGHTERS GRANT

To see if the Town will vote to raise and appropriate the sum of \$2,376.19 as matching funds (5%) for a Federal Assistance to Firefighters Grant; or take any action thereon or in relation thereto.

For more information, please visit the Town’s website: www.ayer.ma.us/townmeeting

Sponsor: Select Board
Finance Committee:

Simple Majority Vote Required

Explanatory Note: This Article would fund the required \$2,376.19 in matching funds (5%) for a FY 2023 Federal Assistance to Firefighters Grant. These funds will only be required if the grant submission is successful.

TRANSFER ARTICLES

ARTICLE 20: FUNDING OF THE RESERVE FUND FOR FUTURE PAYMENTS OF ACCRUED LIABILITIES FOR COMPENSATED ABSENCES

To see if the Town will vote to transfer from free cash the sum of \$63,837 for funding the Town's reserve fund established in accordance with MGL Chapter 40, Section 13D for future payments of accrued liability for compensated absences due to employees of the Town of Ayer upon termination of their employment; or take any action thereon or in relation thereto.

Sponsor: Select Board
Finance Committee:

Simple Majority Vote Required

Explanatory Note: This Article would fund the reserve fund previously established by the 2020 Annual Town Meeting in the amount of \$63,837. Compensated absences include planned and unplanned retirements from the Town; as well as separation from the Town in which the employee is due certain accrued benefits such as unused vacation time.

ARTICLE 21: FORWARD FUNDING OF THE TOWN'S PENSION ASSESSMENT

To see if the Town will vote to transfer the sum of \$300,000 from Free Cash for the purposes of forward funding the Town's pension assessment from the Middlesex County Retirement System; or take any action thereon or in relation thereto.

Sponsor: Select Board
Finance Committee:

Simple Majority Vote Required

Explanatory Note: This Article would forward fund the Town's pension assessment from the Middlesex County Retirement System in the amount of \$300,000 for the purposes of realizing estimated future savings.

ARTICLE 22: UDAG FUND REPLENISHMENT – DEPOT SQUARE

To see if the Town will vote to transfer the sum of \$65,000 from Free Cash for the purposes of replenishing the Urban Development Action Grant (UDAG) account for the following:

Final Phase of Depot Square Improvement Project: \$65,000

Or take any action thereon or in relation thereto.

Sponsor: Select Board
Finance Committee:

Simple Majority Vote Required

For more information, please visit the Town's website: www.ayer.ma.us/townmeeting

Explanatory Note: This Article will replenish the Town's UDAG Fund in the amount of \$65,000. These funds were used from the UDAG's unrestricted funds for purposes that did not have a repayment mechanism in place. The \$65,000 is for the completion of the final phase of the Depot Square Project.

ARTICLE 23: STABILIZATION FUND

To see if the Town will vote to transfer \$1,919,090 from Free Cash or such other sum or sums of money, with \$400,000 to be credited to the Stabilization Fund under the provisions of Chapter 40, Section 5B of the General Laws, and \$1,519,090 to be credited to the Capital Stabilization Fund per the Town's Financial Policies; or take any action thereon or in relation thereto.

Sponsor: Select Board
Finance Committee:

Simple Majority Vote Required

Explanatory Note: This Article transfers \$400,000 from Free Cash into the Town's Stabilization Fund for the purposes of covering the future Year-4 costs of the SAFER Grant for the four firefighter positions; and transfers \$1,519,090 into the Town's Capital Stabilization Fund for a total transfer of \$1,919,090.

COMMUNITY PRESERVATION ACT ARTICLES

ARTICLE 24: COMMUNITY PRESERVATION ACT

To see if the Town will hear and act on the report of the Community Preservation Committee on the Fiscal Year 2023 Community Preservation Act budget, and appropriate from the estimated FY 2023 Community Preservation Fund revenues:

- A sum of money equal to five percent, and not to exceed \$10,000 to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2023.

And further, to reserve for future appropriation from the estimated FY 2023 Community Preservation Fund revenues the following sums of money, as recommended by the Community Preservation Committee, for each of the following purposes:

- A sum of money equal to \$110,370, more or less, for acquisition, creation, and preservation of open space excluding land for recreational use, and
- A sum of money equal to \$110,370, more or less, for acquisition, preservation, restoration, and rehabilitation of historic resources, and
- A sum of money equal to \$110,370, more or less, for acquisition, creation and preservation and support of community housing.

And the remainder sum of \$742,588 for the Undesignated Fund Balance.

Or take any action thereon or in relation thereto.

Sponsor: Community Preservation Committee
Select Board: Recommends
Finance Committee:

Simple Majority Vote Required

For more information, please visit the Town's website: www.ayer.ma.us/townmeeting

Explanatory Note: Disbursement required by the Commonwealth of Massachusetts under M.G.L. Chapter 44B for the estimated FY 2023 Community Preservation Fund revenues.

ARTICLE 25: COMMUNITY PRESERVATION FUND FY 2023 TRANSFER OF FUNDS

To see if the Town will vote to transfer from Community Preservation Fund FY 2023 estimated annual revenues, the sum of \$20,000 to be added to the amount appropriated for the Community Preservation Committee FY 2023 administrative expenses under Article 24 of this Annual Town Meeting, such sum to be used for due diligence, including title searches and related administrative tasks, for potential open space acquisitions; or take any action thereon or in relation thereto.

Sponsor: Community Preservation Committee

Select Board: Recommends

Finance Committee:

Simple Majority Vote Required

Explanatory Note: This is Article is for the due diligence for future appropriations by the Community Preservation Committee for general open space purposes.

ARTICLE 26: PIRONE PARK PLAYGROUND PROJECT

To see if the Town will vote to transfer from the Community Preservation Fund (FY 2023) Balance Reserve from the Open Space Category the sum of \$400,000 to support the Pirone Park Playground Project to include demolition, site remediation and construction of a new playground; or take any action thereon or in relation thereto.

Sponsor: Community Preservation Committee

Select Board: Recommends

Finance Committee:

Simple Majority Vote Required

Explanatory Note: This Article would fund \$400,000 for the Pirone Park Playground Project which includes the demolition and site remediation of the existing "Kidde Junction Playground" and the construction of a new playground structure.

ARTICLE 27: AYER AFFORDABLE HOUSING TRUST

To see if the Town will vote to transfer from the Community Preservation Fund (FY 2023) Balance from the Community Housing Category, the sum of \$60,000 to support the Ayer Affordable Housing Trust; or take any action thereon or in relation thereto.

Sponsor: Community Preservation Committee

Select Board: Recommends

Finance Committee:

Simple Majority Vote Required

Explanatory Note: This Article would fund up to \$60,000 for the Ayer Affordable Housing Trust for use with the continuation of rental assistance for Town of Ayer residents.

For more information, please visit the Town's website: www.ayer.ma.us/townmeeting

ARTICLE 28: AYER LIBRARY DIGITIZATION OF RECORDS

To see if the Town will vote to transfer from the Community Preservation Fund (FY 2023) Balance from the Historical Preservation Category the sum of \$25,000 to support the Ayer Library’s digitization of the original hard copies or the microfilm of “The Nashoba Valley Voice” (formerly “Turner’s Public Sprit”, then “The Public Spirit”), dating from 1869 to the present; or take any action thereon or in relation thereto.

Sponsor: Community Preservation Committee
Select Board: Recommends
Finance Committee:

Simple Majority Vote Required

Explanatory Note: This Article would fund up to \$25,000 for the Ayer Library to digitize “The Nashoba Valley Voice (formerly “Turner’s Public Spirit,” then “The Public Spirit”) dating from 1869 to the present, from the original hardcopies or microfilm, to ensure their historical preservation as well as to create a searchable database that will be accessible to the public.

ARTICLE 29: COMMUNITY PRESERVATION FUND – FLANNAGAN POND PUBLIC ACCESS FEASIBILITY STUDY

To see if the Town will vote to transfer from the Community Preservation Fund (FY 2023) Balance from the Open Space Category the sum of \$25,000 to support the Flannagan Pond Public Access Feasibility Study; or take any action thereon or in relation thereto.

Sponsor: Community Preservation Committee
Select Board: Recommends
Finance Committee:

Simple Majority Vote Required

Explanatory Note: This Article would fund \$25,000 to study/research several possible locations for the creation of public access to Flannagan Pond and prepare, for future funding consideration, a conceptual design of a selected site that would provide canoe and kayak access, be ADA compliant, and offer parking.

BYLAW ARTICLES

ARTICLE 30: ZONING BYLAW AMENDMENT – MINIMUM LOT SIZE IN LIGHT INDUSTRY ZONING DISTRICT (SECTION 6.2 – SCHEDULE OF DIMENSIONAL REQUIREMENTS)

To see if the Town will vote to amend the Ayer Zoning Bylaw, Section 6.0, Density & Dimensional Regulations, Sub- Section 6.2, Schedule of Dimensional Requirements, by deleting from the first column titled “District & Minimum Lot Area” in the category “Light Industry” thereunder the figure 120,000 as it appears therein and inserting in place thereof the figure 20,000, so as to correct the minimum lot size in the Light Industry (LI) zoning district; or take any action thereon or in relation thereto.

Planning Board: To report at Town Meeting
Select Board: Recommends

Two-Thirds Majority Vote Required

Explanatory Note: In the course of reviewing a Site Plan recently submitted in the Light Industrial (LI) District, the Ayer Planning Board discovered that the 2018 revised Ayer Zoning Bylaw inadvertently carried over an

For more information, please visit the Town’s website: www.ayer.ma.us/townmeeting

incorrect reference in its Table of Dimensional Requirements referring to the minimum lot size in said district. Rather than 120,000 square feet, the correct minimum lot size in the LI District is 20,000 square feet, as written in the textual part of the pre-2018 Ayer Zoning Bylaw and as confirmed by researching actual Site Plan approved in that period. This warrant article would correct that error by restoring the minimum lot size in the LI District to 20,000 square feet. The Planning Board held a Public Hearing on March 22, 2022 and issued a positive recommendation. Planning Board to report at Town Meeting.

ARTICLE 31: ZONING BYLAW AMENDMENT – SECTION 2.0: DEFINITIONS

To see if the Town will vote to amend the Ayer Zoning Bylaw, Section 2.0, Definitions, by (a) listing the Definitions in correct alphabetical order, (b) indenting the sub-definitions for “Adult Bookstore”; “Adult Entertainment Establishment”; “Adult Live Entertainment Establishment”; “Adult Motion Picture Theater”; “Adult Mini Motion Pictures Theater”; and “Substantial or Significant Portion” as they appear under the defined term “Adult Use”, (c) deleting from the definition of “Dwelling Unit” the strikethrough bold text and inserting the **underlined bold text** as follows:

DWELLING UNIT: A building designed and occupied as the living quarters of one (1) or more families. that contains one or more dwelling units used, intended or designed to be used, rented, leased, let or hired out to be occupied for living purposes.

DWELLING UNIT: a single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

ACCESSORY APARTMENT: a dwelling unit subordinate in size and accessory to a detached single-family dwelling, which may be located within an owner-occupied single-family dwelling or in a structure accessory thereto, such as in an attached or detached garage or barn, upon the issuance of a Special Permit from the Zoning Board of Appeals (ZBA).

DETACHED SINGLE-FAMILY DWELLING: A detached residential dwelling unit designed or intended or used exclusively as a single housekeeping unit for one family, with common cooking and living facilities. As used in this Bylaw, single-family dwelling shall not include a mobile home or trailer.

TWO-FAMILY DWELLING: A detached residential building **with two dwelling units**, designed or intended or used exclusively as the home or residence of two families, **with two separate entrances and egresses.**

MULTI-FAMILY DWELLING: A building designed or intended or used as the home or residence of three (3) or more families, each occupying a separate dwelling unit, living independently of each other and which may have a common right in halls and stairways; with the number of families in residence not exceeding the number of dwelling units provided.

TOWNHOUSE: A dwelling unit in a multi-unit building with units separated by party walls, with each unit not more than three rooms deep front to back and with separate entrances and stairways serving each unit exclusively.

Or take any action thereon or in relation thereto.

For more information, please visit the Town’s website: www.ayer.ma.us/townmeeting

Planning Board: To report at Town Meeting
Select Board: Recommends

Two-Thirds Majority Vote Required

Explanatory Note: This Article would correct the listed order of all definitions in Section 2.0 of the Ayer Zoning Bylaw by putting them in correct alphabetic order; the Article would also indent the sub-definitions under the defined term 'Adult Use' to make it clear that they fall under 'Adult Use.' The Article would also amend the definitions for 'Dwelling,' 'Dwelling Unit,' 'Accessory Apartment' and 'Two-Family Dwelling' as indicated in the Article. The Planning Board held a Public Hearing on March 22, 2022 and issued a positive recommendation. Planning Board to report at Town Meeting.

CITIZENS PETITIONS

TO REZONE 27 HARVARD ROAD (LOT 35-21) FROM GENERAL RESIDENCE TO GENERAL BUSINESS:

To see if the Town will vote to rezone 27 Harvard Road (LOT 35-21) from GR to GB.

Explanatory Note: This Citizens Petition was submitted by Theodore Maxant on January 19, 2022, signed by 14 Ayer Voters with all signatures certified by the Town Clerk on January 26, 2022. To view a copy of the Citizens Petition and supporting documents, please visit the Town's website at www.ayer.ma.us or contact the Office of the Ayer Town Clerk.

Sponsor: By Petition

Planning Board: To report at Town Meeting

Two-Thirds Majority Vote Required

A True Copy Attest:



Susan E. Copeland
Town Clerk

Date: April 8, 2022

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 seven (7) days before said meeting, all as herein directed.



Constable

Date: April 8, 2022



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Town Hall - One Main Street
Ayer, MA 01432**

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