



# Town of Ayer

## SPECIAL TOWN MEETING WARRANT

Ayer Shirley Regional High School Auditorium  
141 Washington Street  
Ayer, MA 01432  
April 24, 2023 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-fourth (24<sup>th</sup>) day of April 2023, 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 4<sup>th</sup> day of April AD 2023.

Jannice L. Livingston, Chair

Shaun C. Copeland, Vice Chair

Scott A. Houde, 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 ext. 100 before April 21, 2023. 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](http://www.ayer.ma.us/townmeeting)

**ARTICLE 1: SUPPLEMENTAL APPROPRIATION – WATER ENTERPRISE FUND**

To see if the Town will vote to amend the vote taken under Article 12 of the April 25, 2022 Annual Town Meeting by reducing the amount of indirect costs to come from Water Enterprise revenues and supplementing that amount with an amount to be transferred from Water Enterprise retained earnings as follows:

Indirect costs of \$311,705 of which \$165,705 is to come from water revenue and \$146,000 is to come from Water Enterprise retained earnings; or take any action thereon or in relation thereto.

Sponsor: Select Board

Finance Committee: Recommends

Simple Majority Vote

*Explanatory Note: This Article is to fund a supplemental appropriation in the amount of \$146,000 from retained earnings in the Water Enterprise Fund to fund the FY 2023 operations of the Water Department. The factors driving this supplemental appropriation have been recent increases in water treatment chemicals; unexpected well maintenance; and an update of the water use rate model.*

**ARTICLE 2: SUPPLEMENTAL APPROPRIATION – SEWER ENTERPRISE FUND**

To see if the Town will vote to amend the vote taken under Article 11 of the April 25, 2022 Annual Town Meeting by reducing the amount of indirect costs to come from Sewer Enterprise revenues and supplementing that amount with an amount to be transferred from Sewer Enterprise retained earnings as follows:

Indirect costs of \$431,717 of which \$272,717 is to come from sewer revenue and \$159,000 from Sewer Enterprise retained earnings; or take any action thereon or in relation thereto.

Sponsor: Select Board

Finance Committee: Recommends

Simple Majority Vote

*Explanatory Note: This Article is to fund a supplemental appropriation in the amount of \$159,000 from retained earnings in the Sewer Enterprise Fund to fund the FY 2023 operations of the Sewer Department. The factors driving this supplemental appropriation have been recent increases in sludge hauling costs; boiler system maintenance; unexpected failure of pump and UV systems; and an update of the sewer use rate model.*

**ARTICLE 3: SUPPLEMENTAL APPROPRIATION – AMBULANCE ENTERPRISE FUND**

To see if the Town will vote to amend the vote taken under Article 10 of the April 25, 2022 Annual Town Meeting by transferring \$20,000 from the Ambulance Retained Earnings in order to provide supplemental funding for the FY 2023 Ambulance Enterprise Fund; or take any action thereon or in relation thereto.

Sponsor: Select Board

Finance Committee: Recommends

Simple Majority Vote

For more information, please visit the Town's website: [www.ayer.ma.us/townmeeting](http://www.ayer.ma.us/townmeeting)

*Explanatory Note: This Article is to fund a supplemental appropriation in the amount of \$20,000 from Ambulance Enterprise retained earnings to fund the FY 2023 operations of the Ambulance Department. The factors driving this supplemental appropriation have been unforeseen cost increases and unforeseen call volume.*

A True Copy Attest:   
**Susan E. Copeland**  
**Town Clerk**

**Date: April 7, 2023**

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 7, 2023**



# Town of Ayer

## ANNUAL TOWN MEETING WARRANT

Ayer Shirley Regional High School Auditorium  
141 Washington Street  
Ayer, MA 01432  
April 24, 2023 at 7:05 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-fourth (24<sup>th</sup>) day of April 2023, at five after seven o'clock (7:05 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 4<sup>th</sup> day of April AD 2023.

Jannice L. Livingston, Chair

Shaun C. Copeland, Vice Chair

Scott A. Houde, 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 ext. 100 before April 21, 2023. We shall make every reasonable effort to assist you. Large print version of the text of this warrant is available upon request.

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# Table of Contents

Art.	Description	FY '24 Financial Impact	Select Board	Finance Committee
1	Salaries of Elected Officials*	\$16,515	Recommends	Recommends
2	Contract Funding: Town Hall Clerical Union*	\$47,218	Recommends	Recommends
3	FY '24 Omnibus Budget	\$17,915,384	Recommends	Recommends
4	FY '24 ASRSD Assessment	\$13,555,068	Recommends	Recommends
5	FY '24 NVTHS Assessment	\$1,136,670	Recommends	No Position
6	Solid Waste Enterprise Fund	\$594,970	Recommends	Recommends
7	Ambulance Enterprise Fund	\$574,691	Recommends	Recommends
8	Sewer Enterprise Fund	\$3,568,072	Recommends	Recommends
9	Water Enterprise Fund	\$2,593,267	Recommends	Recommends
10	FY '24 Capital Budget Requests to Borrow	\$2,965,979	Recommends	Recommends
11	Debt Exclusion – Fire Ladder Truck	\$1,692,888	Recommends	Recommends
12	Debt Exclusion – West Main Street Bridge Replacement	\$3,000,000	Recommends	Recommends
13	FY '24 Capital Budget Requests	\$364,200	Recommends	Recommends
14	GASB-15/OPEB Fund	\$300,000	Recommends	Recommends
15	1 <sup>st</sup> Year's Interest-General Fund Borrowing	\$81,600	Recommends	Recommends
16	Funding for Aquatic Weed Control – Ponds	\$30,000	Recommends	Recommends
17	Funding of Compensated Balance Reserve Fund	\$10,000	Recommends	Recommends
18	Forward Funding of the Town's Pension Assessment	\$300,000	Recommends	Recommends
19	UDAG Replenishment	\$60,185	Recommends	Recommends
20	Pay Down of Balance of Maturing BAN	\$322,565	Recommends	Recommends
21	Stabilization Fund	\$1,098,073	Recommends	Recommends
22	Transfer of Unexpended Bond Proceeds – DPW Gate Replacement Project	\$10,348.72	Recommends	Recommends
23	Transfer of Unexpended Bond Proceeds – Main and Central Ave. Pumping Station	\$85,943.41	Recommends	Recommends
24	Transfer of Unexpended Bond Proceeds- New Well Source Approval Project	\$61,201.15	Recommends	Recommends
25	Transfer of Unexpended Appropriation - Capital Stabilization Fund	\$1,250	Recommends	Recommends
26	Rescind of Prior Borrow Authorizations	See Article Text	Recommends	Recommends
27	Community Preservation Act	See Article Text	Recommends	Recommends
28	CPC – Pirone Park Playground Project	\$750,000	Recommends	Recommends
29	Initiate a Municipal Aggregation Program	n/a	Recommends	No Financial Impact

\*Cost of these articles is included in Article 3 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-23 SALARY</u>	<u>FY-24 SALARY</u>	<u>% OF CHANGE</u>
Moderator	\$563	\$574	2%
Select Board: Chair	\$2,822	\$2,878	2%
Select Board: Members (2)	\$2,517	\$2,567	2%
Assessors: Chair	\$2,795	\$2,851	2%
Assessors: Members (2)	\$2,440	\$2,539	2%

Sponsor: Select Board  
Finance Committee: Recommends Simple Majority Vote Required

*Explanatory Note: This Article is required as Town Meeting sets the salaries of elected officials pursuant to Section 108, Chapter 41 of the General Laws. The two percent (2%) increase is the FY 2024 Cost of Living Adjustment approved by the Select Board on February 21, 2023, on recommendation of the Town Manager and Benefits & Payroll Manager in accordance with the Town’s Financial Policies.*

**ARTICLE 2: CONTRACT FUNDING: AYER TOWN HALL/CLERICAL UNION, AFSCME93**

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 Town Hall/Clerical Union, AFSCME93 for the period of July 1, 2023, through June 30, 2026; or take any action thereon or in relation thereto.

Sponsor: Select Board  
Finance Committee: Recommends Simple Majority Vote Required

*Explanatory Note: Per Chapter 150E of the General Laws, Union Contracts are subject to the appropriation of funds by Town Meeting. The FY 2024 estimated total cost of the Contract is \$47,218.68. Contract Memorandum of Agreement is available on the Town’s website ([www.ayer.ma.us](http://www.ayer.ma.us)). Presentation to be made at Town Meeting.*

**ARTICLE 3: FY 2024 OMNIBUS BUDGET**

To see if the Town will vote to raise and appropriate a sum of money for the FY 2024 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: Recommends Simple Majority Vote Required

*For more information, please visit the Town’s website: [www.ayer.ma.us/townmeeting](http://www.ayer.ma.us/townmeeting)*

## FY2024 Omnibus Budget

	FY2022 Actual	FY2023 Approved	FY2024 Proposed	Difference		Notes
<b>Department 100 - General Government</b>						
01 Select Board	\$275,117.31	\$342,002.00	\$364,226.00	\$22,224.00	6.50%	contractual increase
02 Town Counsel	\$59,669.83	\$80,000.00	\$75,000.00	(\$5,000.00)	-6.25%	decreased based on historical use
03 Town Clerk	\$140,797.00	\$138,264.00	\$155,827.00	\$17,563.00	12.70%	contractual increase
04 Moderator	\$0.00	\$663.00	\$674.00	\$11.00	1.66%	
05 Parking Tickets	\$607.55	\$1,250.00	\$1,250.00	\$0.00	0.00%	
06 Public Buildings & Property Maintenance	\$367,915.84	\$386,117.00	\$447,482.00	\$61,365.00	15.89%	energy and supply cost increases
07 Registrations & Elections	\$10,352.30	\$26,796.00	\$22,500.00	(\$4,296.00)	-16.03%	decrease due to fewer elections
08 Postage	\$20,997.31	\$23,100.00	\$30,000.00	\$6,900.00	29.87%	rate increase
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	\$15,000.00	\$15,000.00	100.00%	
12 Holiday Lights	\$15,000.00	\$15,000.00	\$15,000.00	\$0.00	0.00%	
<b>Department 100 Total</b>	<b>\$891,057.14</b>	<b>\$1,014,292.00</b>	<b>\$1,128,059.00</b>	<b>\$113,767.00</b>	<b>11.22%</b>	
<b>Department 200 - Finance</b>						
01 Town Accountant	\$218,174.44	\$218,953.00	\$198,448.00	(\$20,505.00)	-9.37%	due to budget reallocation
02 Benefits & Payroll	\$75,167.63	\$89,566.00	\$90,134.00	\$568.00	0.63%	
03 Computer Support - Financial Systems	\$52,720.46	\$51,942.00	\$52,950.00	\$1,008.00	1.94%	
04 Assessors	\$204,060.58	\$205,934.00	\$217,012.00	\$11,078.00	5.38%	contractual
05 Treasurer/Tax Collector	\$186,584.81	\$208,225.00	\$240,840.00	\$32,615.00	15.66%	due to budget reallocation; contractual
06 Health & Life Insurance	\$1,531,849.20	\$2,001,857.00	\$2,269,859.00	\$268,002.00	13.39%	rate increase
07 General Insurance	\$265,716.66	\$293,700.00	\$313,682.00	\$19,982.00	6.80%	rate increase
09 Unemployment Compensation	\$10,133.06	\$11,200.00	\$11,200.00	\$0.00	0.00%	
10 County Retirement Assessment	\$1,934,480.00	\$2,058,373.00	\$2,096,798.00	\$38,425.00	1.87%	
11 Notes & Bonds(Principal)	\$1,043,558.00	\$706,000.00	\$832,643.00	\$126,643.00	17.94%	new debt
12 Interest	\$232,441.69	\$181,820.00	\$242,417.00	\$60,597.00	33.33%	new debt
13 Tax Title	\$10,299.05	\$15,000.00	\$15,000.00	\$0.00	0.00%	
14 FICA Medicare	\$125,221.19	\$158,000.00	\$163,000.00	\$5,000.00	3.16%	
15 Finance Committee	\$180.00	\$500.00	\$500.00	\$0.00	0.00%	
16 Reserve Fund	\$81,201.00	\$300,000.00	\$175,000.00	(\$125,000.00)	-41.67%	decreased based on historical use
<b>Department 200 Total</b>	<b>\$5,971,787.77</b>	<b>\$6,501,070.00</b>	<b>\$6,919,483.00</b>	<b>\$418,413.00</b>	<b>6.44%</b>	
<b>Department 300 - Public Safety</b>						
01 Police Department	\$2,850,725.55	\$3,299,703.00	\$3,475,385.00	\$175,682.00	5.32%	contractual; new sgt position
02 Fire Department	\$1,972,492.49	\$2,192,432.00	\$2,289,484.00	\$97,052.00	4.43%	contractual
03 Building Department	\$109,255.00	\$147,292.00	\$190,757.00	\$43,465.00	29.51%	building inspector from PT to FT
04 Emergency Management	\$22,482.39	\$23,240.00	\$27,150.00	\$3,910.00	16.82%	contractual
05 Animal Control Officer (Dog Officer)	\$15,614.26	\$16,660.00	\$17,956.00	\$1,296.00	7.78%	contractual
06 Animal/Barn Inspector	\$2,600.00	\$2,652.00	\$2,705.00	\$53.00	2.00%	
07 Tree Warden	\$46,593.90	\$69,424.00	\$82,040.00	\$12,616.00	18.17%	tree management plan
<b>Department 300 Total</b>	<b>\$5,019,763.59</b>	<b>\$5,751,403.00</b>	<b>\$6,085,477.00</b>	<b>\$334,074.00</b>	<b>5.81%</b>	
<b>Department 400 - Public Works</b>						
01 Public Works	\$1,224,717.73	\$1,364,165.00	\$1,386,216.00	\$22,051.00	1.62%	
02 Snow & Ice Removal	\$273,685.65	\$321,000.00	\$358,660.00	\$37,660.00	11.73%	energy and supply cost increase
03 Public Works - Street Lighting	\$18,205.40	\$42,000.00	\$45,000.00	\$3,000.00	7.14%	
04 Care of Graves	\$1,440.00	\$1,200.00	\$1,200.00	\$0.00	0.00%	
05 Woodlawn Cemetery	\$27,942.84	\$41,000.00	\$43,700.00	\$2,700.00	6.59%	
<b>Department 400 Total</b>	<b>\$1,545,991.62</b>	<b>\$1,769,365.00</b>	<b>\$1,834,776.00</b>	<b>\$65,411.00</b>	<b>3.70%</b>	
<b>Department 500 - Human Services</b>						
01 Council on Aging	\$123,100.67	\$216,611.00	\$221,474.00	\$4,863.00	2.25%	
02 Board of Health	\$2,375.00	\$7,300.00	\$7,300.00	\$0.00	0.00%	
03 Nashoba Assoc.. Board of Health	\$32,467.48	\$38,579.00	\$41,665.00	\$3,086.00	8.00%	per assessment
04 Social Worker	\$0.00	\$67,500.00	\$67,500.00	\$0.00	0.00%	
05 Parks Department	\$169,136.80	\$194,203.00	\$201,883.00	\$7,680.00	3.95%	contractual
06 Ayer/Shirley Youth Football & Cheerleading	\$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	\$20,683.00	\$20,991.00	\$21,407.00	\$416.00	1.98%	
09 Veterans Benefits	\$110,387.10	\$125,000.00	\$100,000.00	(\$25,000.00)	-20.00%	decreased based on historical use; per Veteran's Agent
10 Library	\$616,395.64	\$657,380.00	\$709,024.00	\$51,644.00	7.86%	contractual; energy and supply cost increases
11 Disabilities Comm.	\$0.00	\$3,000.00	\$3,000.00	\$0.00	0.00%	
<b>Department 500 Total</b>	<b>\$1,082,545.69</b>	<b>\$1,338,564.00</b>	<b>\$1,381,253.00</b>	<b>\$42,689.00</b>	<b>3.19%</b>	
<b>Department 600 - Management Support</b>						
01 Conservation Commission	\$58,054.25	\$76,570.00	\$82,648.00	\$6,078.00	7.94%	contractual
02 Economic & Community Development	\$42,495.90	\$81,879.00	\$86,695.00	\$4,816.00	5.88%	contractual
03 Town Planner	\$91,580.04	\$97,420.00	\$92,388.00	(\$5,032.00)	-5.17%	
04 Historical Commission	\$0.00	\$750.00	\$750.00	\$0.00	0.00%	
05 Montachusett Reg. Plan. Comm.	\$2,637.62	\$2,889.00	\$2,961.00	\$72.00	2.49%	
06 Management Support (printing & reporting)	\$84,367.04	\$140,820.00	\$117,820.00	(\$23,000.00)	-16.33%	reduction in staff needs
07 Information Technology	\$185,315.92	\$187,902.00	\$183,074.00	(\$4,828.00)	-2.57%	
<b>Department 600 Total</b>	<b>\$464,450.77</b>	<b>\$588,230.00</b>	<b>\$566,336.00</b>	<b>(\$21,894.00)</b>	<b>-3.72%</b>	
<b>Total Summary by Department</b>						
Dept 100 - General Government	\$891,057.14	\$1,014,292.00	\$1,128,059.00	\$113,767.00	11.22%	
Dept 200 - Finance	\$5,971,787.77	\$6,501,070.00	\$6,919,483.00	\$418,413.00	6.44%	
Dept 300 - Public Safety	\$5,019,763.59	\$5,751,403.00	\$6,085,477.00	\$334,074.00	5.81%	
Dept 400 - Public Works	\$1,545,991.62	\$1,769,365.00	\$1,834,776.00	\$65,411.00	3.70%	
Dept 500 - Human Services	\$1,082,545.69	\$1,338,564.00	\$1,381,253.00	\$42,689.00	3.19%	
Dept 600 - Management Support	\$464,450.77	\$588,230.00	\$566,336.00	(\$21,894.00)	-3.72%	
<b>Total Operating Budgets</b>	<b>\$14,975,596.58</b>	<b>\$16,962,924.00</b>	<b>\$17,915,384.00</b>	<b>\$952,460.00</b>	<b>5.61%</b>	

*Explanatory Note: Please see insert for the FY 2024 Omnibus Budget. Presentation on the budget to be made at Town Meeting. The FY 2024 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 21, 2023. All materials related to the FY 2024 Budget are available on the Town's website at [www.ayer.ma.us/budget](http://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](mailto:tm@ayer.ma.us)*

**ARTICLE 4: FY 2024 AYER SHIRLEY REGIONAL SCHOOL DISTRICT ASSESSMENT**

To see if the Town will vote to raise and appropriate the sum of \$12,567,854 as required to fund the Town's FY 2024 assessment for the Ayer Shirley Regional School District and to raise and appropriate the sum of \$987,214 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: Recommends

Simple Majority Vote Required

*Explanatory Note: This Article will fund the FY 2024 Ayer Shirley Regional School District Assessment and the Town's portion of the ASRSD high school building project.*

**ARTICLE 5: FY 2024 NASHOBA VALLEY REGIONAL TECHNICAL VOCATIONAL SCHOOL ASSESSMENT**

To see if the Town will vote to raise and appropriate the sum of \$1,136,670 required to fund the Town's FY 2024 assessment for the Nashoba Valley Regional Technical High School; or take any action thereon or in relation thereto.

Sponsor: Nashoba Valley Regional Technical Vocational School Committee

Select Board: Recommends

Finance Committee: No Position

Simple Majority Vote Required

*Explanatory Note: This Article will fund the FY 2024 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. 6 – 9**

**ARTICLE 6: 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 \$468,320 of which \$351,180 is to come from solid waste revenue, \$45,000 is to come from solid waste retained earnings and \$72,140 is to come from the tax levy, and indirect costs of \$126,650 is to come from the tax levy; or take any action thereon or in relation thereto.

Sponsor: Select Board

Finance Committee: Recommends

Simple Majority Vote Required

*For more information, please visit the Town's website: [www.ayer.ma.us/townmeeting](http://www.ayer.ma.us/townmeeting)*

**ARTICLE 7:            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:

Direct costs of \$192,200 is to come from ambulance revenue, and indirect costs of \$382,491 of which \$277,800 is to come from ambulance revenue, \$60,000 is to come from ambulance retained earnings and \$44,691 is to come from the tax levy; or take any action thereon or in relation thereto.

Sponsor: Select Board

Finance Committee: Recommends

Simple Majority Vote Required

**ARTICLE 8:            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 \$3,110,672 to come from sewer revenue and indirect costs of \$457,400 is to come from sewer revenue; or take any action thereon or in relation thereto.

Sponsor: Select Board

Finance Committee: Recommends

Simple Majority Vote Required

**ARTICLE 9:            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 \$2,258,667 to come from water revenue and indirect costs of \$334,600 to come from water revenue; or take any action thereon or in relation thereto.

Sponsor: Select Board

Finance Committee: Recommends

Simple Majority Vote Required

**BORROW ARTICLE**

**ARTICLE 10:           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
Facilities	HVAC Repairs	\$88,100

*For more information, please visit the Town’s website: [www.ayer.ma.us/townmeeting](http://www.ayer.ma.us/townmeeting)*

<u>Department</u>	<u>Item</u>	<u>Amount</u>
Fire	Fire Department Vehicle	\$77,760
Parks	Kiddie Junction Playground	\$220,000
Police	Upgrade Locker Rooms	\$115,119
DPW – Stormwater	Storm Drain Upgrades	\$100,000
DPW – Stormwater	Storm Culvert Improvements	\$130,000
Water Enterprise	Annual Water Main Rehabilitation	\$300,000
Water Enterprise	Washington St. Water Tank Painting	\$450,000
Water Enterprise	Grove Pond Greensand Valve Replacement	\$50,000
Sewer Enterprise	Inflow/Infiltration Repairs	\$1,250,000
Sewer Enterprise	Replace WWTP Boilers	\$100,000

**Total: \$2,965,979**

Sponsor: Select Board

Finance Committee: Recommends

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](http://www.ayer.ma.us/budget) or by contacting the Town Manager's Office at 978-772-8220 or by email at [tm@ayer.ma.us](mailto:tm@ayer.ma.us)*

### **DEBT EXCLUSION ARTICLES**

#### **ARTICLE 11: AUTHORIZATION FOR DEBT EXCLUSION FOR THE FIRE DEPARTMENT – FIRE LADDER TRUCK**

To see if the Town will vote to appropriate the sum of \$1,692,888 to purchase and equip a fire ladder truck, 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 subject to and 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: Recommends

Two-Thirds Majority Vote Required

*For more information, please visit the Town's website: [www.ayer.ma.us/townmeeting](http://www.ayer.ma.us/townmeeting)*

*Explanatory Note: The Fire Chief submitted an FY 2024 Capital Request for funding to replace the Fire Ladder Truck. The Capital Planning Committee voted to recommend this capital project including the funding of \$1,692,888 subject to a debt exclusion per the Town's Financial Policies. A 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 9, 2023. The estimated annual cost impact for the average residential tax bill for the Fire Ladder Debt Exclusion would be \$40.50 per year for a total of \$607.50 over the 15 years of the borrow. Presentation to be made at Town Meeting.*

**ARTICLE 12: AUTHORIZATION FOR DEBT EXCLUSION FOR THE DEPARTMENT OF PUBLIC WORKS – WEST MAIN STREET BRIDGE REPLACEMENT**

To see if the Town will vote to appropriate the sum of \$3,000,000 for the West Main Street Bridge replacement, 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 subject to and 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: Recommends

Two-Thirds Majority Vote Required

*Explanatory Note: The DPW Director submitted an FY 2024 Capital Request for funding to replace the West Main Street Bridge. The Capital Planning Committee voted to recommend this capital project including the funding of \$3,000,000 subject to a debt exclusion per the Town's Financial Policies. A 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 9, 2023. The estimated annual cost impact for the average residential tax bill for the West Main Street Bridge Replacement Debt Exclusion would be \$63.00 per year for a total of \$1,260 over the 20 years of the borrow. Presentation to be made at Town Meeting.*

**TRANSFER ARTICLES**

**ARTICLE 13: 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, including 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:

<b><u>Department</u></b>	<b><u>Item</u></b>	<b><u>Amount</u></b>
Assessor	Assesspro AP5 Client Server Base and Software; Database Support	\$17,500

For more information, please visit the Town's website: [www.ayer.ma.us/townmeeting](http://www.ayer.ma.us/townmeeting)

<b><u>Department</u></b>	<b><u>Item</u></b>	<b><u>Amount</u></b>
Library	HVAC Repairs	\$25,000
Library	Roof Repairs	\$15,000
Cemetery	Resurface Access Road/Driveways	\$25,000
DPW Solid Waste	Paving Lower Access Driveway	\$25,000
DPW Stormwater	Upper Flannagan Pond Dam Repairs	\$50,000
DPW Administration	DPW Security Gate Upgrade	\$65,000
Parks	Sandy Pond Beach House Rehab Study	\$30,000
Facilities	Police Station Fence and Trim Repairs	\$43,000
Facilities	Town Hall Acoustics/Renovations/Repairs	\$68,700
<b>Total:</b>		<b>\$364,200</b>

Sponsor: Select Board

Finance Committee: Recommends

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](http://www.ayer.ma.us/budget) or by contacting the Town Manager's Office at 978-772-8220 or by email at [tm@ayer.ma.us](mailto:tm@ayer.ma.us)*

**ARTICLE 14: GASB-45/OPEB (Other Post-Employment Benefits) FUND**

To see if the Town will vote to raise and appropriate \$154,364 and transfer \$145,636 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: Recommends

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 \$154,364 derived from the Town's Local Meals Tax and \$145,636 from Free Cash as recommended by the Town's Financial Policies.*

For more information, please visit the Town's website: [www.ayer.ma.us/townmeeting](http://www.ayer.ma.us/townmeeting)

## **RAISE & APPROPRIATE ARTICLES**

### **ARTICLE 15: FIRST YEAR'S INTEREST-GENERAL FUND BORROWING**

To see if the Town will vote to raise and appropriate the sum of \$81,600 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: Recommends

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 16: 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, 2025; unexpended funds on June 30, 2025, to close and revert to general fund balance.

Sponsor: Select Board

Finance Committee: Recommends

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.*

## **TRANSFER ARTICLES**

### **ARTICLE 17: 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 \$10,000 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: Recommends

Simple Majority Vote Required

*Explanatory Note: This Article would fund \$10,000 from free cash into the Reserve Fund for Future Payments of Accrued Liabilities for Compensated Absences as established by the 2020 Annual Town Meeting. 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.*

*For more information, please visit the Town's website: [www.ayer.ma.us/townmeeting](http://www.ayer.ma.us/townmeeting)*

**ARTICLE 18: 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: Recommends

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 19: UDAG FUND REPLENISHMENTS**

To see if the Town will vote to transfer the sum of \$60,185 from Free Cash for the purpose of replenishing the Urban Development Action Grant (UDAG) account for the following:

Senior Center Feasibility Study:	\$31,000
Park Street Infrastructure/Design Study:	\$14,185
Fire Foam PFAS Removal:	\$15,000
Total:	<u>\$60,185</u>

Or take any action thereon or in relation thereto.

Sponsor: Select Board

Finance Committee: Recommends

Simple Majority Vote Required

*Explanatory Note: This Article will replenish the Town's UDAG Fund in the amount of \$60,185. These funds were used from the UDAG's unrestricted funds for purposes set forth in the Article that did not have a repayment mechanism in place.*

**ARTICLE 20: PAY DOWN OF BALANCE OF MATURING BOND ANTICIPATION NOTE (BAN)**

To see if the Town will vote to transfer the sum of \$322,565 from Free Cash for the purpose of paying down the balance of a maturing Bond Anticipation Note (BAN); or take any action thereon or in relation thereto.

Sponsor: Select Board

Finance Committee: Recommends

Simple Majority Vote Required

*Explanatory Note: This Article would transfer \$322,565 from Free Cash to pay down the balance of a maturing Bond Anticipation Note (BAN) renewing in the Fall of 2023 from \$4,292,565 to \$3,970,00. By doing this the Town would realize estimated total future savings of \$89,128 by the year 2036.*

For more information, please visit the Town's website: [www.ayer.ma.us/townmeeting](http://www.ayer.ma.us/townmeeting)

**ARTICLE 21: STABILIZATION FUND**

To see if the Town will vote to transfer \$1,098,073 from Free Cash or such other sum or sums of money, with \$348,073 to be credited to the Stabilization Fund under the provisions of Chapter 40, Section 5B of the General Laws, and \$750,000 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: Recommends

Simple Majority Vote Required

*Explanatory Note: This Article transfers \$348,073 from Free Cash into the Town’s Stabilization Fund and transfers \$750,000 into the Town’s Capital Stabilization Fund for a total transfer of \$1,098,073. Stabilization and Capital Stabilization funds can be used for any lawful purposes subject to Town Meeting approval.*

**ARTICLE 22: TRANSFER OF UNEXPENDED BOND PROCEEDS FOR DPW GATE REPLACEMENT PROJECT**

To see if the Town will vote to transfer the following amounts that were previously appropriated and raised by borrowing under the following votes of the Town as such amounts are no longer needed to complete the projects for which they were initially borrowed, to pay the additional costs of the replacement gate for the DPW yard at the end of Brook Street:

<b><u>Amount to be Transferred</u></b>	<b><u>Warrant Article</u></b>	<b><u>Meeting Date</u></b>	<b><u>Original Purpose</u></b>
\$10,348.72	Article 20	May 9, 2016	DPW Operations Center

Or take any action thereon or in relation thereto.

Sponsor: Select Board

Finance Committee: Recommends

Simple Majority Vote Required

*Explanatory Note: This Article would authorize the transfer of the unexpended bond proceeds in the amount of \$10,348.72 from the completed project of the DPW Operations Center to pay the additional costs of the replacement gate for the DPW yard at the end of Brook Street.*

**ARTICLE 23: TRANSFER OF UNEXPENDED BOND PROCEEDS FOR MAIN AND CENTRAL AVENUE PUMPING STATION VALVES AND PIPING PROJECT**

To see if the Town will vote to transfer the following amounts that were previously appropriated and raised by borrowing under the following votes of the Town as such amounts are no longer needed to complete the projects for which they were initially borrowed, to pay the additional costs of the Central Ave Pumping Station valves and piping project:

<b><u>Amount to be Transferred</u></b>	<b><u>Warrant Article</u></b>	<b><u>Meeting Date</u></b>	<b><u>Original Purpose</u></b>
\$85,943.41	Article 11	June 15, 2020	Groton Shirley Rd.

For more information, please visit the Town’s website: [www.ayer.ma.us/townmeeting](http://www.ayer.ma.us/townmeeting)

Or take any action thereon or in relation thereto.

Sponsor: Select Board

Finance Committee: Recommends

Simple Majority Vote Required

*Explanatory Note: This Article would authorize the transfer of unexpended bond proceeds in the amount of \$85,943.41 from the completed Groton Shirley Road sewer project to pay for the additional costs of the Main and Central Avenue Pumping Station valves and piping project.*

**ARTICLE 24:           TRANSFER OF UNEXPENDED BOND PROCEEDS FOR NEW WELL SOURCE APPROVAL PROJECT**

To see if the Town will vote to transfer the following amounts that were previously appropriated and raised by borrowing under the following votes of the Town as such amounts are no longer needed to complete the projects for which they were initially borrowed, to pay the additional costs of the new well source approval project

<b><u>Amount to be Transferred</u></b>	<b><u>Warrant Article</u></b>	<b><u>Meeting Date</u></b>	<b><u>Original Purpose</u></b>
\$61,201.15	Article 11	June 15, 2020	Groton Shirley Rd. Water Main Loop

Or take any action thereon or in relation thereto.

Sponsor: Select Board

Finance Committee: Recommends

Simple Majority Vote Required

*Explanatory Note: This Article would authorize the transfer of unexpended bond proceeds in the amount of \$61,201.15 for the completed Groton Shirley Road Water Main Loop Project to pay for the additional costs of the New Well Source Approval project.*

**ARTICLE 25:           TRANSFER OF UNEXPENDED APPROPRIATION FOR STORMWATER ASSET/MASTER PLAN GRANT MATCH TO CAPITAL STABILIZATION FUND**

To see if the Town will vote to transfer the following amounts that were previously appropriated and raised from the Capital Stabilization Fund back into the Capital Stabilization Fund under the following vote of the Town as such amounts are no longer needed to complete the project for which there were initially borrowed:

<b><u>Amount to be Transferred</u></b>	<b><u>Warrant Article</u></b>	<b><u>Meeting Date</u></b>	<b><u>Original Purpose</u></b>
\$1,250.00	Article 12	April 26, 2021	Stormwater Asset Plan – Grant Match

Or take any action thereon or in relation thereto.

Sponsor: Select Board

Finance Committee: Recommends

Simple Majority Vote Required

*Explanatory Note: This Article would authorize the transfer of the unexpended appropriation of \$1,250 from the completed Stormwater Asset Plan – Grant Match, into the Capital Stabilization Fund.*

**ARTICLE 26: RESCIND OF PRIOR BORROW AUTHORIZATIONS**

To see if the Town will vote to rescind the following amounts that have been authorized to be borrowed by votes at previous Town Meetings as listed herein, which are no longer needed for the purposes for which they were initially approved:

<u>Unissued Amount</u>	<u>Date of Approval</u>	<u>Warrant Article</u>	<u>Original Purpose</u>
\$2,229	5/14/12	19	DPW Dump Truck w/ Plow & Spreader
\$5,266	5/14/12	19	Fire Department Service Truck
\$4,905	5/14/12	19	Police Station Security Entrance System Replacement
\$4,425	5/14/12	19	Water - 1-Ton Cab & Chassis Utility Vehicle
\$35,656	5/14/12	19	Sewer - #3 RAS Pump & Controls Replacement
\$2,958	5/14/12	19	Sewer - Hydro-Jetter
\$1,642	5/14/12	19	Solid Waste - 1-Ton Dump Truck w/ Plow
\$11,462	5/14/12	20	Street Signs
\$1,186	5/13/13	18	Fire Chief Vehicle
\$4,072	5/13/13	18	Police Administration Vehicle
\$150	5/13/13	18	DPW Asphalt/Recycling Mixer
\$1,950	5/13/13	18	Parks Departmental Equipment (Tractor)
\$5,100	5/12/14	20	Fire/Ambulance Cardiac Monitor
\$115,000	5/9/16	20	Police Station Roof

Or take any action thereon or in relation thereto.

Sponsor: Select Board

Finance Committee: Recommends

Simple Majority Vote Required

*Explanatory Note: This Article would authorize the Town to rescind prior borrow authorizations from prior Town Meetings which are no longer needed for the purposes for which they were initially approved by Town Meeting as contained in the Article.*

**COMMUNITY PRESERVATION ACT ARTICLES**

**ARTICLE 27: COMMUNITY PRESERVATION ACT**

To see if the Town will hear and act on the report of the Community Preservation Committee on the Fiscal Year 2024 Community Preservation Act budget, and appropriate from the estimated FY 2024 Community Preservation Fund revenues:

*For more information, please visit the Town's website: [www.ayer.ma.us/townmeeting](http://www.ayer.ma.us/townmeeting)*

- A sum of money equal to five percent (5%), and not to exceed \$55,150 to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2024.

And further, to reserve for future appropriation from the estimated FY 2024 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 \$110,300 (10%), more or less, for acquisition, creation, and preservation of open space excluding land for recreational use, and
- A sum of money equal to \$110,300 (10%), more or less, for acquisition, preservation, restoration, and rehabilitation of historic resources, and
- A sum of money equal to \$110,300 (10%), more or less, for acquisition, creation and preservation and support of community housing.

And the remainder sum of \$716,950 (70% less administrative expenses) for the Undesignated Fund Balance; or take any action thereon or in relation thereto.

Sponsor: Community Preservation Committee

Select Board: Recommends

Finance Committee: Recommends

Simple Majority Vote Required

*Explanatory Note: Disbursement required by the Commonwealth of Massachusetts under M.G.L. Chapter 44B for the estimated FY 2024 Community Preservation Fund revenues.*

**ARTICLE 28: PIRONE PARK PLAYGROUND PROJECT**

To see if the Town will vote to transfer from the Community Preservation Fund (FY 2024) Balance Reserve from the Open Space Category the sum of \$750,000 for the Pirone Park Playground Project, to include design and engineering, demolition, site remediation and construction of a new playground and any incidental and related costs and expenses; or take any action thereon or in relation thereto.

Sponsor: Community Preservation Committee

Select Board: Recommends

Finance Committee: Recommends

Simple Majority Vote Required

*Explanatory Note: This Article would fund \$750,000 for the Pirone Park Playground Project which includes the construction of the new "Kiddie Junction Playground" area.*

**ARTICLE 29: AUTHORIZATION TO INITIATE A MUNICIPAL AGGREGATION PROGRAM**

To see if the Town will vote to initiate a municipal aggregation program to aggregate the electrical load of interested consumers within the boundaries of the Town pursuant to M.G.L. c. 164, § 134, or any other enabling legislation; and authorize the Select Board to (i) enter into one or more agreements with one or more consultants to assist the Town with the development, implementation and administration of such aggregation program for a term of up to or more than 20 years, (ii) enter into one or more agreements with one or more electricity suppliers for terms of

*For more information, please visit the Town's website: [www.ayer.ma.us/townmeeting](http://www.ayer.ma.us/townmeeting)*

up to or more than 20 years for the purchase of electricity for the aggregation program, and (iii) take any actions and execute any other documents and ancillary agreements necessary, convenient, or appropriate to accomplish the foregoing and to implement and administer the aggregation program and consultant/electricity supply agreements, which agreements and documents shall be on such terms and conditions and for such consideration as the Select Board deems in the best interests of the Town; or take any action thereon or in relation thereto.

Sponsor: Select Board

Simple Majority Vote Required

*Explanatory Note: This Article would authorize the Town to initiate a municipal aggregation program for Ayer residents and businesses. This is an opt-out (at any time) program to purchase electricity from an aggregation program at an anticipated savings. Approval of this Article by Town Meeting is the first step in the process, more public information to be forthcoming as the process commences. Brief presentation at Town Meeting.*

A True Copy Attest:

  
\_\_\_\_\_  
**Susan E. Copeland**  
**Town Clerk**

**Date: April 7, 2023**

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 7, 2023**