

# Town of Ayer

## SPECIAL ANNUAL FALL TOWN MEETING WARRANT

Ayer Shirley Regional High School Auditorium  
141 Washington Street, Ayer, MA 01432  
October 26, 2020 @ 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 Auditorium in the Ayer Shirley Regional High School located at 141 Washington Street, Ayer, Massachusetts on Monday, the Twenty-sixth (26<sup>th</sup>) day of October, 2020, 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 6<sup>th</sup> day of October AD 2020.

Shaun C. Copeland, Chair

Scott A. Houde, Vice Chair

Jannice L. Livingston, Clerk

**AYER SELECT BOARD**

Any persons needing disability related assistance (such as signing, etc.) at the Town Meeting please contact the Select Board Office at 978-772-8220 before October 23, 2020. We shall make every reasonable effort to assist you. Large print version of the text of this warrant is available upon request.

## **ARTICLE 1: UDAG REPLENISHMENTS**

To see if the Town will vote to transfer \$230,000 from Free Cash to replenish the Urban Development Action Grant (UDAG) account for the following:

Worthen Dale Depot Square Eminent Domain Settlement: \$230,000

**Total: \$230,000**

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 amounts set forth in the article. These funds were used from the UDAG's unrestricted funds for purposes that did not have a repayment mechanism in place. The \$230,000 is the second of three UDAG replenishment payments for the Worthen Dale Depot Square Eminent Domain Settlement. This Article was originally Article 14 on the June 15, 2020 Annual Town Meeting Warrant and was deferred by the June 15, 2020 Annual Town Meeting.*

## **ARTICLE 2: 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. Additional payments of \$300,000 for two successive years (of which this is the first) will provide an estimated savings of \$1.3 million dollars through full funding in 2035. This Article was originally Article 25 on the June 15, 2020 Annual Town Meeting Warrant and was deferred by the June 15, 2020 Annual Town Meeting. Presentation to be made at Town Meeting.*

## **ARTICLE 3: STABILIZATION FUND**

To see if the Town will vote transfer \$949,139 from Free Cash or such other sum or sums of money, with \$9,139 to be credited to the Stabilization Fund under the provisions of Chapter 40, Section 5B of the General Laws, and \$940,000 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 \$9,139 from Free Cash into the Town's Stabilization Fund and transfers \$940,000 into the Town's Capital Stabilization Fund for a total transfer of \$949,139. This Article was originally Article 26 on the June 15, 2020 Annual Town Meeting Warrant and was deferred by the June 15, 2020 Annual Town Meeting.*

## **ARTICLE 4: ACQUISITION OF WEST MAIN STREET PROPERTY FOR A NEW SENIOR CENTER**

To see if the Town will vote to authorize the Select Board to acquire by gift, purchase or eminent domain, two adjacent properties, and any improvements thereon, located at (i) 211 West Main Street, Ayer, Tax Map 32, Lot 13, being those premises described in a deed recorded with the Middlesex South District Registry of Deeds in Book 68381, Page 394, and (ii) 0 West Main Street, Ayer, Tax Map 32, Lot 11, being those premises described in a deed recorded with the Middlesex South District Registry of Deeds in Book 37871, Page 11, for general municipal purposes, including, but not limited to, a Senior Center, and to accept a deed or deeds for said property; and, as funding for such acquisition and costs related thereto, to raise and appropriate, or transfer from available funds, or borrow, or any combination thereof, the sum of seven hundred and fifty thousand dollars (\$750,000) or other sum or sums of money; and further to authorize the Select Board to enter into all agreements and execute on behalf of the Town any and all instruments as may be necessary or convenient to effectuate the purpose of this article in the best interest of the Town; or take any action thereon or in relation thereto.

Sponsor: Select Board  
Finance Committee: To Report at Town Meeting

Two-Thirds Vote Required

*Explanatory Note: This Article would authorize the Select Board to acquire the property at 211 West Main Street for the purposes of constructing a new Senior Center. The property located at 211 West Main Street was the optimal site identified by the Senior Center Feasibility Study (authorized by the 2018 Annual Town Meeting). The Article would also authorize the Select Board to borrow up to the sum of \$750,000. The cost to purchase the property is \$670,000 with an additional borrow authorization in the amount of \$80,000 for any unforeseen contingencies and will only be borrowed if needed. The purchase of the property is contingent upon the completion of a satisfactory appraisal and Phase 1 21E (environmental assessment). The Town would not proceed with the purchase of the property if the environmental assessment and/or appraisal is not in the best interests of the Town. Presentation to be made at Town Meeting.*

## **ARTICLE 5: BORROW AUTHORIZATION FOR ADDITIONAL FUNDING FOR THE SPECTACLE POND WATER TREATMENT PLANT IMPROVEMENTS FOR REMOVAL OF PERFLUORINATED ALKYL SUBSTANCES (PFAS)**

To see if the Town will vote to authorize the Treasurer, with the approval of the Select Board, to borrow the sum of six hundred and ten thousand dollars (\$610,000) for the purposes of funding the design and construction of the Spectacle Pond Water Treatment Plant improvements for the removal of perfluorinated alkyl substances (PFAS), including demolition and site preparation costs and costs incidental or related thereto. Any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount, or take any action thereon or in relation thereto.

Sponsor: Select Board  
Finance Committee: To Report at Town Meeting

Two-Thirds Vote Required

*Explanatory Note: This Article would authorize the Town to borrow up to \$610,000 for the purposes of constructing the Spectacle Pond Water Treatment Plant for the removal of PFAS.*

## **ARTICLE 6: ESTABLISHMENT OF THE AYER AFFORDABLE HOUSING TRUST**

To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 44, Section 55C, and to establish a trust to be known as the Ayer Affordable Housing Trust, whose purpose shall be to provide for the creation and preservation of affordable housing in the Town of Ayer for the benefit of low and moderate income households, said Trust to be overseen by a Board of Trustees consisting of seven (7) members appointed and acting pursuant to and in accordance with the provisions of G.L. c. 44, sec. 55C; or take any action thereon or in relation thereto.

Sponsor: Select Board  
Ayer Affordable Housing Committee: Recommends

Simple Majority Vote Required

*Explanatory Note: This Article would authorize the Town to establish an Ayer Affordable Housing Trust for the purposes of providing for the creation and preservation of affordable housing in Ayer; for the benefit of low and moderate income households; and for the funding of community housing, as defined in and in accordance with the provisions of MGL Chapter 44, §55C. The specific bylaw(s) governing the Affordable Housing Trust are under development by the Ayer Affordable Housing Committee and will be presented for Town Meeting approval at the 2021 Annual Town Meeting.*

## **ARTICLE 7: AYER AFFORDABLE HOUSING TRUST INITIAL FUNDING REQUEST**

To see if the Town will vote to transfer from the Community Preservation Fund (FY 2021) Balance Reserve from Housing Category the sum of \$30,000 to the Ayer Affordable Housing Trust, whose purpose shall be to provide for the creation and preservation of affordable housing in the Town of Ayer for the benefit of low and moderate income households; or take any other action thereon or in relation thereto.

Sponsor: Select Board  
Affordable Housing Committee: Recommends  
Community Preservation Committee: Recommends

Simple Majority Vote Required

*Explanatory Note: This Article would transfer the sum of \$30,000 from the Community Preservation Fund (FY 2021) Balance Reserve from Housing Category to the Ayer Affordable Housing Trust.*

## **ARTICLE 8: SANDY POND SCHOOL ASSOCIATION PHASE II STRUCTURAL RESTORATION PROJECT**

To see if the Town will vote to transfer from the Community Preservation Fund (FY2021) Balance Reserve from Historic Resources Category the sum of \$187,340 to support the Sandy Pond School Association in its Phase II restoration of the National Historic building located at the corner of Sandy Pond, Willow, and Westford roads, pursuant to a grant agreement between the Board of Selectmen, upon such terms and conditions as the Board, in consultation with the Community Preservation Committee, shall determine, and the Sandy Pond School Association, limiting the purposes for which such funds may be expended; provided that such agreement shall contain a requirement that the grantee provide the Town with a historic restriction consistent with the requirements of G.L. c. 44B, the Community Preservation Act, in said property, and to authorize the Select Board to accept such restriction; or take any other action thereon or in relation thereto.

Sponsor: Select Board

Simple Majority Vote Required

Community Preservation Committee: Recommends

Historical Commission: Recommends

*Explanatory Note: This Article would transfer the sum of money not-to-exceed \$187,340 from the Community Preservation Fund Balance Reserve from the Historic Resources Category for the purposes Phase II of the restoration of the Sandy Pond School House which is a National Historic building.*

## **ARTICLE 9: EXTENSION OF WATER AND SEWER LINE ON HARVARD ROAD INTO THE TOWN OF HARVARD**

To see if the Town will vote to authorize the extension of the Town's water and sewer lines on Harvard Road from approximately the Town line on Harvard Road (for water) and from approximately the end of Markham Circle (for sewer) down Harvard Road into the Town of Harvard at approximately 320 Ayer Road in Harvard to provide water and sewer for a private residential development in Harvard, to include an assisted living component; or take any action thereon or in relation thereto.

Sponsor: Select Board

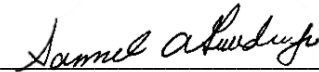
Simple Majority Vote Required

*Explanatory Note: This Article would authorize the Town to extend the Town's water and sewer services down Harvard Road into the Town of Harvard to 320 Ayer Road in Harvard for the purposes of a private residential development to include an assisted living component. At this time, the project is anticipated to consist of approximately 150 to 180 bedroom units. If approved, the developer would be required to pay for all infrastructure costs including engineering, extension of pipes, road repaving and restoration. Additionally, the developer would be required to pay water and sewer connection fees and rate fees (higher out of Town rates). Based on the proposed development, the developer would pay connection and inspection fees to the Town of Ayer totaling approximately \$622,250 based on FY 2021 fees. The developer would also be responsible for the maintenance of the water and sewer system within the development and any other requirements of the Town of Ayer. If this Article is approved, the Town of Ayer is required to execute an Inter-Municipal Agreement with the Town of Harvard which would contain all the requirements, responsibilities, specific water and sewer rates and connection fees. Presentation to be made at Town Meeting.*

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

Date: October 8, 2020

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.

  
**Constable**

Date: October 8, 2020