

Town of Ayer

Board of Selectmen

**Town Hall, First Floor Meeting Room
Ayer Massachusetts, 01432**



Friday, May 22, 2009

Meeting date: 5-22-09

Present:

Cornelius F. Sullivan, Chairman (Mr. Sullivan)	X	Carolyn McCreary, Member (Ms. McCreary)	Absent	
Richard D. Gilles, Vice-Chairman (Mr. Gilles)	X	Gary J. Luca, Member (Mr. Luca)	Absent	
James M. Fay, Clerk (Mr. Fay)	X	Shaun Suhoski, Town Administrator (Mr. Suhoski)		X
Janet Lewis, Secretary (Mrs. Lewis)	X			

8:30a.m. Open Session

Chairman Sullivan opened the meeting. Selectman Fay advised the Board to JBoS/Sub-Committee meeting last night to finalize the Super Town Meeting Warrant at MADev. Super Town Meeting to be held on the same date and time, June 8, 2009 @7:00p.m. with the Town of Harvard and Town of Shirley to vote on the Vicksburg Square, Devens, revisions to the Devens Reuse Plan, Zoning By-laws and Zoning Map re the redevelopment of Vicksburg Square. Following the Super Town Meeting the Ayer Board of Selectmen will conduct a Special Town Meeting, re Finance Committee Bylaw Change-revising Article IV, Section 2 of the Town's General By-laws by adding the following language after the existing language of the by-law: "notwithstanding the foregoing, a member of the Board of Health may be appointed to the Finance Committee provided that such Board of Health member shall recuse him/herself from discussion, consideration, and vote on any matter related to the Board of Health".

Chairman Sullivan called for a motion to approve Article I as stated above. Motion to approve Article I as read by the Chairman made by Selectman Gilles, 2nd by Selectman Fay, VOTE: unanimous, so moved.

Town Administrator Shaun Suhoski advising to a petition received by the Town Clerk requesting to reinstate the SHAVE Program (\$10,200.00) eliminated in Fy-10 Budget due to Budget cuts being placed on the 6-8-09 Special Town Meeting Warrant and signed by twenty (20) registered voters not being enough signatures for a Special Town Meeting which requires one hundred (100) signatures. Mr. Suhoski suggesting the Board take up the Petition for consideration for the Fall Town Meeting in October 2009, whereas the Town presently has no funding source available and October will give the Board a better picture where the budget stands. Chairman Sullivan called for a motion to approve the June 8, 2009 Special Town meeting Warrant as presented consisting of one article that being the Finance Committee By-law revision, Motion to approve made by Selectman Fay, 2nd by Selectman Gilles, VOTE: Unanimous, so moved.

Chairman Sullivan called for a motion to approve the Super Town Meeting Warrant as presented by the Town Administrator re revisions to the Devens Re-Use Plan, Zoning By-laws and Zoning Map re the redevelopment of Vicksburg Square as presented. Selectman Fay moved the Board vote to approve the Super Town Meeting Warrant as read and presented by the Chairman, 2nd by Selectman Gilles, VOTE: unanimous, so moved. Town Administrator advising the Board to simple majority vote needed for passage.

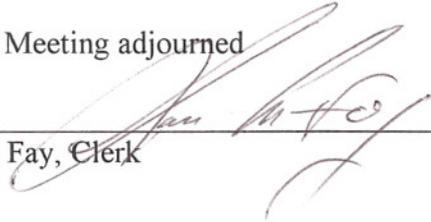
Chairman Sullivan addressed the memo from Pauline Hamel the Town's MART Representative re the Right-of-Way not resolved by Town Counsel and suggesting the Board have Town Counsel look into the old Bus Stop across from Town Hall advising to the Town owning property between the two structures (old bus station and Del Esprit-12 Main St.) up to the station. Selectman Sullivan advising to this proposal would give the Town another access should the Berry family's "Sunset Provision" location of right-of-way, which has not been

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defined is eliminated the Town would have 2nd Right-of-Way re commuter access. Selectman Fay moved the Board direct the Town Administrator to inquire of Town Counsel re this potential right-of-way between the Town's bus stop & Bel Esprit, 2nd by Selectman Gilles, VOTE: unanimous, so moved.

8:45a.m. Selectman Gilles moved the Board adjourn from this Open Session to enter into Executive Session pursuant to MGL Chapter 39 Section 23B, Exemption #3 strategy with respect to Collective Bargaining, 2nd by Selectman Fay, VOTE: Selectman Fay aye, Selectman Gilles aye, Chairman Sullivan aye, Unanimous, so moved.

8:45a.m. Meeting adjourned



Date: 5/22/09

James M. Fay, Clerk