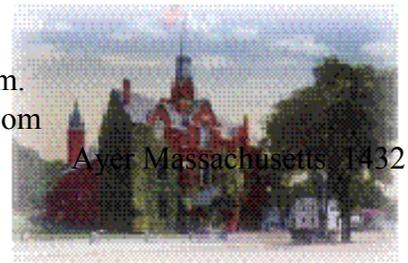


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Town of Ayer
 Board of Selectmen & Finance Com.
 Town Hall, First Floor Meeting Room



JOINT MEETING
Tuesday, October 7, 2011

Ayer Board of Selectmen
Ayer Finance Committee

10-24-11 Special Fall Town Meeting Warrant

Gary J. Luca, Chairman	X	Carolyn McCreary, Member	A
James M. Fay, Vice Chairman	X	Pauline Conley, Member	X
Frank F. Maxant, Clerk	X	Robert Pontbriand, Town Administrator	X
Janet S. Lewis, Secretary	X	Brian Muldoon, Chairman Fin-Com	X
Scott Houde, Fin-Com	X	John Kilcommins –Fin-Com	X
Michael Pattendon, Fin-Com	X		

7:30a.m. Open Session Chairman Luca opened the Meeting. Present for the discussion DPW Supt. Dan Nason and Town Accountant-Lisa Gabree.

Town Administrator presented the Board a One Day Beer & Wine License request submitted by St. Mary’s Church for October 15, 2011 for their Italian Night Dinner from 5pm to 9:00p.m. Selectman Conley moved the Board vote to approve the license, 2nd by Selectman Maxant VOTE: unanimous, so moved.

Mr. Pontbriand presented the Board the finalized 10-24-11 Special Fall Town Meeting Warrant for their review and approval to appear on the 10-24-11 warrant comprised of nine (9) Articles.

Article 1. School Department-Amendment to Section XV-Regional School Agreement.

Article 2. School Department-Amendment to Section VI Subsection C.1.c –Regional School Agreement.

Article 3. CPC-transfer funding from Fy-12 CPC Fund-\$69,430.00 for generator at Town Hall. Approved by CPC on 10-5-11.

Article 4. CPC-transfer from Fy-12 CPC Fund-\$35,000.00 for invasive vegetative control at Flanagan’s Pond (AKA Fletchers Pond) and \$10,000.00 for Study of dams & ponds to be administered by the Ayer Dam & Pond Management Committee. Approved by CPC on 10-5-11.

Article 5. Stabilization-amend vote of 5-9-10-Article 15 Annual Town Meeting from \$96,327.31 to \$61,327.31 (\$35K) if Article 4 passes –Article 5 may be passed over. The Board requesting this explanation is included with the article on the warrant.

Article 6. Media Filter Replacement-Spectacle Pond-(\$100,000.00)Supt. Nason addressed article advising to contract for Media replacement finding gravel laden with iron & manganese as well as the screens and hardware separating the media also found to be in poor condition. Supt. Nason advising to gravel, screens and hardware all original to plant construction in 1985. The Board requested this explanation be included with the article on the warrant.

Article 7. Street Acceptance-Loon Hill Road, Orchid Lane, Lilac Lane, Iris Avenue, Rose Lane. Supt Nason advising to Board of Selectman approving Layout of Roads in Pond View Estates on 10-4-11 prepared for Robert Hicks dated January 31, 2005 and revised through December 2005, recorded with the Middlesex South

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Registry of Deeds and Plan #49 of 2006 Definitive Subdivision The Planning Board voted and signed off their approval on 10-6-11 and filed with the Town Clerk.

Article 8. Fletcher Building Project- Handicap ramp and temporary construction easement- Present for discussion David Mayer, Planning & Development Director who explained ramp and easement to be located on sidewalk on the westerly side of Pleasant Street where it intersects with Main Street. Mr. Maher advised to brief presentation to be conducted at Town Meeting re photo & map of area of impact. The Board requested Mr. Maher be prepared to address article and explain in order for the Town to meet ADA guidelines re the sidewalk the curb line must be moved six inches (6”) to establish a clear path.

Article 9. Sex Offender Residency By-law-Mr. Pontbriand advised to Town Counsel incorporating language from Public Hearing conducted on 9-29-11 from Town of Shirley’s Sex Offender By-law with Town of Fitchburg’s Sex Offender By-law submitted from Chief Murray. Mr. Pontbriand advised to definitions listed in alphabetical order. Selectman McCreary expressed her concerns re #7. Recreational Facility of the definitions being a little wordy but to be left as is for now. Selectman Conley spoke to School Bus Stop encompassing language re camp buses i.e. Girl/Boy Scout camps. walking trails. Selectman Fay spoke to his concern re visitation re temporary residents . Brenda Gleason applauded the Board for their support of By-law and requesting language re Sponsoring Board appears on this article. Mr. Pontbriand advised to this being incorporated to state: Sponsor: Board of Selectmen and Police Chief and fin-com recommending. Mr. Pontbriand thanked all for their input and support.

Selectman Conley raised discussion re adding and additional article, Article 10, to the 10-24-11 Special Fall Town Meeting Warrant re authorizing the Board of Selectmen to sell the old Fire Station on Washington St. to the highest bidder, this placed in the form of a motion. Selectman Fay advising to Fire Station reuse Committee met this past Wednesday the 5th of October and RFP on track will have full report on potential uses and concern raised by Town Counsel re Title Search being conducted due to part of the building on private property. Chairman Luca called for a 2nd to the motion, no 2nd, motion lost.

Selectman Maxant took this opportunity to speak to his concerns re Article 9. Sex Offender Residency Bylaw Section 9 Safety Zones (2) including elderly housing facility, over 55 community or Senior Citizens Center restricts civil rights and vulnerable to legal challenge by expanding the category of people affected it gives more substance to challenge for a class action suit, Selectman Maxant placing this in the form of a motion to amend Section 9-Safety Zones by eliminating Elderly language, no 2nd motion fails.

The Board of Selectmen and Finance Committee voted their approval of the nine articles presented and reviewed by Mr. Pontbriand to appear on the October 24, 2011 Special Fall Town Meeting Warrant.

Selectman Fay moved to approve the 10-24-11 Special Fall Town Meeting as amended and approved by the Board of Selectmen and Fin-Com, 2nd by Selectman McCreary, VOTE: unanimous so moved.

8:35a.m. Meeting adjourned.

_____ Date _____

Frank F. Maxant, Clerk
AYER BOARD OF SELECTMEN