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*Susan E. Copeland*

Town of Ayer  
Board of Selectmen  
Ayer Town Hall – 1<sup>st</sup> Floor Meeting Room  
Ayer, MA 01432



**Tuesday January 3, 2017**  
**Open Session Meeting Agenda**

- 7:00 PM **Call To Order**  
Pledge of Allegiance; Review and Approve Agenda; Review of Warrant(s);  
Announcements
- 7:05 PM\* **Public Input**
- 7:10 PM **Consideration and Action on the Declaration of a State of Emergency**  
**Pursuant to G.L. c. 44, sec. 31 – McNiff Farm, 66 Westford Road**
- 7:20 PM **Town Administrator's Report**  
1. Administrative Update  
2. Update on 66 Westford Road Property Enforcement  
3. Appointment of the Police Lt. as Police Dept. Records Access Officer
- 7:35 PM **New Business/Selectmen's Questions**
- 7:40 PM **Approval of Meeting Minutes**  
December 8, 2016; December 20, 2016

**Adjournment**

*\*Agenda times are for planning purposes only and do not necessarily constitute exact times*

Office of the Ayer Board of Selectmen  
Office of the Ayer Town Administrator



Town of Ayer | Ayer Town Hall | 1 Main Street | Ayer, MA 01432 | 978-772-8220 | Fax 978-772-3017 | www.ayer.ma.us

**MEMORANDUM**

**DATE:** December 30, 2016

**TO:** Ayer Board of Selectmen

**Cc:** Lisa Gabree, Town Accountant/Finance Manager  
Scott Houde, Chair, Finance Committee

**FROM:** Robert A. Pontbriand  
Town Administrator

**SUBJECT: Consideration and Action on the Declaration of a State of Emergency Pursuant to G.L. c. 44, sec. 31 – McNiff Farm, 66 Westford Road**

Dear Honorable Selectmen,

With the unforeseen emergency situations which have occurred at 66 Westford Road that pose an immediate threat to the health and safety of persons, property, and the public; the Town of Ayer responded immediately and effectively to ensure the public's safety and health. As the Board is aware, none of these expenses were foreseen as part of the FY 2017 Budget nor does the funding currently exist in the FY 2017 Budget to cover these expenses. The costs to date are considerable and vendors and contractors need to be compensated for the work/services they have performed (and in some cases continue to perform) at 66 Westford Road.

After considerable research and in consultation with the Department of Revenue and Town Counsel; the Town Accountant/Finance Director and I are respectfully recommending that the Board of Selectmen consider enacting a declaration of a state of emergency pursuant to G.L. c. 44, sec. 31 (See Attached) to enable the Town to deficit spend as permitted to fund all costs related to the Town's abatement and remediation of the nuisances and dangerous conditions of 66 Westford Road as authorized by the Court.

G.L. c. 44, sec. 31 enables the Town to deficit spend as permitted *"in cases of major disaster, including, but not limited to, flood, drought, fire, hurricane, earthquake, storm or other catastrophe, whether natural or otherwise, which poses an immediate threat to the health or safety of persons or property."* The circumstances at 66 Westford Road have been deemed a catastrophe which poses/posed an immediate threat to health and safety of person, property, and the public. In addition to the emergency Orders approved by the Board of Selectmen and Board of Health on December 8, 2016; the Middlesex Superior Court authorized the Town to take emergency measures to abate and remediate the nuisances and

dangerous conditions (condemn, board and secure the property, etc.) on December 16, 2016 and the Middlesex Superior Court authorized the Town to abate and remediate the rat infestation with the extermination of the rats and the removal of all harborage for the rat infestation on December 27, 2016.

G.L. c. 44, sec. 31 requires that such a determination be made through a Declaration of a State of Emergency (See Attached) by a majority vote of all Selectmen (meaning an affirmative vote by two members of the Ayr Board of Selectmen). Upon a majority vote authorizing the Declaration of a State of Emergency, the Town will then need to obtain approval from the Director of Accounts of the Massachusetts Department of Revenue for the expenditures made in excess of appropriations in accordance with the requirement of G.L. c. 44, sec. 31. Payments of liabilities incurred under authority of this section shall be reported by the Town Accountant to the Board of Assessor who shall include the amounts so reported in the aggregate appropriates assessed in the determination of the next subsequent annual tax rate.

If you have any questions prior to the BOS Meeting on January 3, 2017, please do not hesitate to contact me directly. Thank you for your time and consideration

Attachment(s): Declaration of a State of Emergency (proposed sample)  
G.L. c. 44, sec. 31(copy of chapter and section)

## DECLARATION OF STATE OF EMERGENCY

**Whereas**, the property located at 66 Westford Road (the “Property”) has been long operated as a farm primarily for the raising of animals, including cows, pigs, and fowl, for slaughter; and

**Whereas**, the Property is located in a neighborhood with adjacent residential properties; and

**Whereas**, the Property has fallen into significant decay and disrepair; and

**Whereas**, significant hazardous conditions exist at the Property, including, but not limited to, 100 sick and neglected animals, rodent infestation and rat burrows, dead pigs, calves with improper/inadequate shelter and no access to water that are suffering from communicable diseases, animal waste throughout the Property, non-functional heat and unsafe electrical wiring in the residential structure, large amounts of accumulated trash and debris and structural dangers, including collapsing floors and unsafe ceilings in the Property’s structures; and

**Whereas**, the failure of the owners of the Property to comply with the State Sanitary Code, the State Building Code and the Town’s Condemnation Orders present immediate and significant threats to the health and well being of the persons and animals at the Property, area residents and the surrounding environment; and

**Whereas**, on December 16, 2016 the Middlesex Superior Court, upon complaint of the Town, issued an order authorizing the Town to take certain actions, including the removal of animals, animal food, and animal waste, as the Town deems necessary to abate the threat to public health and safety at the Property; and

**Whereas**, the Court order authorized the Town to enter the Property and take such actions as may be deemed necessary to exterminate any and all infestations of rats and other vermin; and

**Whereas**, the Court order authorized the Town to secure the Property in the interest of protecting public health and safety.

**Now, therefore**, based upon the conditions at the Property and the obligations of the Town to protect public health and safety, the Board of Selectmen hereby declares:

1. that the conditions at the Property constitute a major disaster and catastrophe which pose an immediate threat to the health or safety of persons or property within the Town;
2. that the Town shall undertake such measures as are necessary in accordance with all lawful authority to address the catastrophic conditions at the Property in the interest of protecting the health and safety of persons and property within the Town; and

3. that pursuant to the provisions of G.L. c. 44, §31, payments of liabilities incurred by the Town as a result of this declaration shall be made, with the written approval of the Director of Accounts in the Department of Revenue, from any available funds in the Town treasury, and the amounts of such liabilities incurred shall be reported by the Town accountant to the assessors who shall include the amounts so reported in the aggregate appropriations assessed in the determination of the next subsequent annual tax rate.

Signed this \_\_\_ day of January, 2017.

TOWN OF AYER  
BOARD OF SELECTMEN

\_\_\_\_\_  
Gary J. Luca, Chair

\_\_\_\_\_  
Christopher R. Hillman, Vice Chair

\_\_\_\_\_  
Jannice L. Livingston, Clerk

SAMPLE

**Part I** ADMINISTRATION OF THE GOVERNMENT**Title VII** CITIES, TOWNS AND DISTRICTS**Chapter 44** MUNICIPAL FINANCE**Section 31** LIABILITIES IN EXCESS OF APPROPRIATIONS  
FORBIDDEN; EXCEPTIONS

*[ First paragraph effective until November 7, 2016. For text effective November 7, 2016, see below.]*

Section 31. No department financed by municipal revenue, or in whole or in part by taxation, of any city or town, except Boston, shall incur a liability in excess of the appropriation made for the use of such department, each item recommended by the mayor and voted by the council in cities, and each item voted by the town meeting in towns, being considered as a separate appropriation, except in cases of major disaster, including, but not limited to, flood, drought, fire, hurricane, earthquake, storm or other catastrophe, whether natural or otherwise, which poses an immediate threat to the health or safety of persons or property, and then only by a vote in a city of two-thirds of the members of the city council, and in a town by a majority vote of all the selectmen.

Payments of liabilities incurred under authority of this section may be made, with the written approval of the director, from any available funds in the treasury, and the amounts of such liabilities incurred shall be reported by the auditor or accountant or other officer having similar duties, or by the treasurer if there be no such officer, to the assessors who shall include the amounts so reported in the aggregate appropriations assessed in the determination of the next subsequent annual tax rate, unless the city or town has appropriated amounts specified to be for such liabilities; provided, that, if proceedings are brought in accordance with provisions of section fifty-three of chapter forty, no payments shall be made and no amounts shall be certified to the assessors until the termination of such proceedings. Payments of final judgments and awards or orders of payment approved by the industrial accident board rendered after the fixing of the tax rate for the current fiscal year may, with the approval of the director of accounts if the amount of the judgment or award is over ten thousand dollars, be made from any available funds in the treasury, and the payments so made shall be reported by the auditor or accountant or other officer having similar duties, or by the treasurer if there be no such officer, to the assessors, who shall include the amount so reported in the aggregate appropriations assessed in the determination of the next subsequent annual tax rate, unless the city or town has otherwise made provision therefor.

*[ First paragraph as amended by 2016, 218, Secs. 71 and 72 effective November 7, 2016. For text effective until November 7, 2016, see above.]*

No department financed by municipal revenue, or in whole or in part by taxation, of any city or town, except Boston, shall incur a liability in excess of the appropriation made for the use of such department, each item recommended by the mayor and voted by the council in cities, and each item voted by the town meeting in towns, being considered as a separate appropriation, except in cases of major disaster, including, but not limited to, flood, drought, fire, hurricane, earthquake, storm or other catastrophe, whether natural or otherwise, which poses an immediate threat to the health or safety of persons or property, and then only upon a declaration by the governor of a state of emergency with respect to the disaster or by a vote in a city of two-thirds of the members of the city council, and in a town by a majority vote of all the selectmen. Payments of liabilities incurred under authority of this section may be made, with the written approval of the director, from any available funds in the treasury, and the amounts of such liabilities incurred shall be reported by the auditor or accountant or other officer having similar duties, or by the treasurer if there be no such officer, to the assessors who shall include the amounts so reported in the aggregate appropriations assessed in the determination of the next subsequent annual tax rate, unless the city or town has appropriated amounts specified to be for such liabilities; provided, that, if proceedings are brought in accordance



with provisions of section fifty-three of chapter forty, no payments shall be made and no amounts shall be certified to the assessors until the termination of such proceedings. Payments of final judgments, awards or payments ordered or approved by a state or federal court or adjudicatory agency may, upon certification by the city solicitor or town council that no appeal can or will be taken and as required by municipal charter, ordinance or by-law, be made from any available funds in the treasury, and the payments so made shall be reported by the auditor or accountant or other officer having similar duties, or by the treasurer if there be no such officer, to the assessors, who shall include the amount so reported in the aggregate appropriations assessed in the determination of the next subsequent annual tax rate, unless the city or town has otherwise made provision therefor.

*[ Second paragraph effective until November 7, 2016. For text effective November 7, 2016, see below.]*

The provisions of this section, so far as apt, shall apply to districts, and the prudential committee, if any, otherwise the commissioners, shall act in place of the members of the city council or selectmen.

*[ Second paragraph as amended by 2016, 218, Sec. 73 effective November 7, 2016. For text effective until November 7, 2016, see above.]*

The provisions of this section, so far as apt, shall apply to districts, and the prudential committee, if any, otherwise the commissioners, shall act in place of the members of the city council or selectmen, and the district counsel in place of the city solicitor or town counsel.

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MEMORANDUM

DATE: December 30, 2016

TO: Ayer Board of Selectmen

FROM: Robert A. Pontbriand  
Town Administrator

SUBJECT: Town Administrator's Report for the January 3, 2017 BOS Meeting

Dear Honorable Selectmen,

I am pleased to offer the following Town Administrator's Report for the January 3, 2017 BOS Meeting. If you have any questions prior to the meeting, please do not hesitate to contact me directly. Thank you.

Administrative Update:

- I will offer a brief administrative update at the meeting on the various projects and initiatives of the Administration since the December 20, 2016 BOS Meeting.

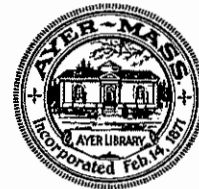
Update on 66 Westford Road Property Enforcement:

- I will offer a brief public update on the ongoing property enforcement by the Town at 66 Westford Road.

Appointment of the Police Lt. as Police Dept. Records Access Officer:

- In accordance with the new changes to the Public Records Law and in consultation with Chief Murray, it is respectfully recommended that the BOS appoint the Police Lt. as the Records Access Officer (RAO) for the Police Department and all Police records. As the BOS is aware, the Town Administrator will serve as the Records Access Officer (RAO) for all other Town public records requests.

Thank you.



Town of Ayer  
Joint Meeting of the Ayer Board of Selectmen and Ayer Board of Health (BOH)  
Ayer Town Hall – 1<sup>st</sup> Floor Meeting Room  
Ayer, MA 01432

**Thursday December 8, 2016**  
**Meeting Minutes**

BOS Present: Gary J. Luca, Chair; Christopher R. Hillman, Vice-Chair; Jannice L. Livingston, Clerk

Robert A. Pontbriand, Town Administrator  
Carly M. Antonellis, Assistant to the Town Administrator  
Gregg Corbo, Town Counsel, KP Law

BOH Present: Mary E. Spinner, Chair; Pamela Papineau; Patricia A. Peters, Clerk

**BOS Call to Order:** G. Luca called the meeting to order at 7:30 PM.

**BOH Call to Order:** M. Spinner called the meeting to order at 7:30 PM.

**BOS Executive Session:** A motion was made by J. Livingston to enter into Executive Session pursuant to Massachusetts General Laws Chapter 30A, Section 21A, Exemption #3 (Litigation Strategy) *Town v. Velardi* and Exemption #3 (Litigation Strategy) 66 Westford Road and to reconvene in Open Session at the conclusion of the Executive Session. J. Livingston stated to discuss these items in Open Session would be detrimental to the Town's litigation strategy. **By Roll Call:** G. Luca, aye; C. Hillman, aye; J. Livingston, aye. **Motion passed by Roll Call 3-0.**

**BOH Executive Session:** A motion was made by P. Peters to enter into Executive Session pursuant to Massachusetts General Laws Chapter 30A, Section 21A, Exemption #3 (Litigation Strategy) 66 Westford Road and to reconvene in Open Session at the conclusion of the Executive Session. P. Peters stated to discuss these items in Open Session would be detrimental to the Town's litigation strategy. **By Roll Call:** M. Spinner, aye; P. Papineau, aye; P. Peters, aye. **Motion passed by Roll Call 3-0.**

**Joint Public Hearing with the Board of Health Relative to 66 Westford Road:** Both Boards reconvened in Open Session at 8:08 PM.

G. Corbo from KP Law stated that both Boards were holding a Joint hearing to decide whether the conditions of the property at 66 Westford Road constitute a public nuisance. Mr. Ralph McNiff, owner of the property, was notified in advance, in writing, of the Joint Public Hearing. G. Corbo said that the Public Hearing would be broken up into 3 general phases: 1) the Health Agent and Building Inspector would give reports from their respective inspections on Monday November 28, 2016 and Monday December 5, 2016; 2) Mr. McNiff would be able to speak and offer rebuttal; 3) both Boards would deliberate and vote to issue orders regarding the conditions of the property.

Bridgette Braley, Town of Ayer Health Inspector, detailed her report from both inspections and made the following observations:

1. Most of the windows appear not to be weathertight (broken, cracked and rotting)
2. Front doors are not weather tight

3. Storm doors are in disrepair
4. Floors in the main living quarters are stripped down to the subfloors and are in poor condition
5. Heat is not adequate
6. Electrical outlets in disrepair
7. Possible electrical issues within the home (burnt out electrical outlet) see photo
8. Ceiling in disrepair throughout the house – evidence of leaks
9. Unoccupied section of the house is in complete disrepair. Large accumulation of trash blocking egress.
10. No heat in unoccupied section of the house
11. Room attached to the back of the house in disrepair (see photos).
12. The house itself is in complete disrepair ( holes, rotting wood, missing siding) see photos

Violations in reference to the land surrounding the property

1. Trash accumulating in cars/trucks
2. Evidence of rats (burrows). Representative from Mass Department of Agriculture noted visually seeing rats in the main pig barn during one of her inspections.
3. There is a large amount of trash/debris/tires/ metal/ rotting wood/plastic barrels- unregistered vehicles of all sizes and uses that have been discarded on the property. The property has not been approved by the Board of Health as a disposal site (would require site assignment by local BOH and DEP) see photos

Violations in reference to the keeping of animals as reported by MDAR

1. Rat burrows around the swine barn located at the back of the property
2. Dead pigs in the lean to outside of the swine barn
3. Mud around the outside of the swine barn
4. Calves with improper/inadequate shelter
5. Calves with no access to water
6. Calves with watery diarrhea
7. Calves with excessive green discharge from their nostrils

B. Braley reported further that on December 1, 2016, she issued an Order to Correct with respect to the violations of the State Sanitary Code existing at the dwelling. Since the issuance of the Order to Correct, nothing has been done to abate any nuisances at the property and that in her opinion the overall conditions of the property are a nuisance, source or filth and cause of sickness in the Town and the conditions observed pose a serious threat to public health and safety, as well as to the occupants and any other persons who may come into contact with the property, including public safety officials, such that there can be no further delay in the issuance of an order to abate these conditions. B. Braley recommends that the owner be ordered to immediately vacate and secure the dwelling, to immediately remove all animals and animal feed from the property, to hire a professional exterminator to eradicate all rats from the property and to submit a plan for the removal of all animal waste and junk, refuse and debris from the property.

Charles Shultz, Town of Ayer Building Inspector, detailed his report from both inspections and made the following observations:

Main Barn

1. Multiple floor joists have deteriorated to the point where they can no longer support any loads.
2. The main support beam in the front portion of the barn is stressed to the point of deflection.
3. A section of the rock foundation is missing.
4. A section of the floor has collapsed into the basement.
5. Severe structural instability of the foundation and building components

Cement Block Structure

1. Windows are missing, the roofing has deteriorated to the point that the interior is exposed to the elements, there is an electrical cable that has not been installed to code and is dangerous.

Pole Barn

1. The sheet metal roof has numerous nail holes and is letting in the elements, the rafters are being stressed by the additional weight from the interior, support poles and beams have shifted.

Main Home

1. Exterior needs repair to keep the elements out; structural inspection is incomplete at this time.

Both B. Braley and C. Shultz presented both presented photographic evidence during their respective reports.

G. Corbo stated that the presentation of the Town evidence has concluded and that Town could now hear from Mr. McNiff.

Mr. McNiff was in attendance but declined to comment.

P. Papineau stated that this was the first time that the BOH has heard that the animals were in horrible conditions.

Both Boards agreed that the removal of the residents, animals and rats were the top priority.

Mr. James Jones, 5 Lilac Lane stated that his Town let him down and he doesn't know how it got to this point. C. Hillman stated that this has been an ongoing issue and that the Town has let down the residents.

Mr. Vipul Patel, 3 Lilac Lane stated that he has health related problems and wonders if the conditions at the property have contributed to his illness.

Ms. Erica Tamlyn, 15 Loon Hill Road stated that the odor from the farm is severe and she often cannot enjoy time outdoors.

Mr. Paul Magno, 5 Rose Lane said that the current condition of house is because the Town didn't act. J. Livingston stated that the Town can't just go onto someone's property and that until this point the Town's hands were tied.

**BOS Motion:** A motion was made by C. Hillman and seconded by J. Livingston that based on the facts adduced at this hearing, that the Board find that the property located at 66 Westford Road, Ayer, Massachusetts, is a nuisance, source of filth and cause of sickness within the Town and that the buildings located thereon are dilapidated and dangerous so as to constitute a nuisance, and, in accordance with the Board's authority as set forth in Massachusetts General Laws, Chapter 139, sections 1 and 3, that the Board issue the following orders to abate the nuisance and dangerous conditions:

1. Within twenty-four hours, the dwelling shall be vacated and secured to the specifications of the Health Agent and Building Commissioner and the dwelling shall not be re-occupied until such time as occupancy is approved by the Board of Selectmen and Board of Health;
2. Work shall immediately begin to remove and/or dispose of all animals, animal feed and animal waste from the property. Said work shall be done in cooperation with the Massachusetts Society for the Prevention of Cruelty to Animals and all animals, animal feed and animal waste shall be removed within seven days of issuance of this order;
3. No additional animals may be brought onto the property until such time as the Board of Selectmen and Board of Health have certified that all nuisance and dangerous conditions have been abated and the property owner

has developed a plan for keeping animals at the property in a safe and sanitary manner, said plan to be approved by the Board of Selectmen and Board of Health prior to any animals being brought to the property;

4. The property owner shall immediately retain the services of a duly licensed and insured exterminator to eradicate all rats and vermin from the property;
5. All junk, refuse and debris shall be removed from the property within fourteen days of issuance of this order, and all materials removed shall be disposed of at a duly permitted disposal site in accordance with applicable laws;
6. Within thirty days of issuance of this order, the property owner shall submit a plan, developed by a duly qualified contractor, to remediate all nuisance and dangerous conditions, said plan to include, but not be limited to: demolition or making the out-buildings safe and for making the dwelling habitable, said plan to be submitted for approval by the Board of Selectmen and Board of Health;
7. Within ninety days of issuance of this order, all nuisance and dangerous conditions shall be abated in accordance with the approved plan;
8. Within twenty-four hours of issuance of this order, and at reasonable intervals thereafter, the owner shall permit the Town's Health Agent, Building Inspector, Animal Inspector and Fire Chief to enter the property, including the dwelling, to inspect and document existing conditions and the owner shall comply with any such additional orders issued by said officials; and
9. This order to remain in effect until the Board of Selectmen and Board of Health certify in writing, after further hearing, that all nuisance and dangerous conditions have been abated. **Motion passed 3-0.**

**BOH Motion:** A motion was made by P. Peters and seconded by P. Papineau that based on the facts adduced at this hearing, that the Board find that the property located at 66 Westford Road, Ayer, Massachusetts, is a nuisance, source of filth and cause of sickness within the Town and that the buildings located thereon are dilapidated and dangerous so as to constitute a nuisance, and, in accordance with the Board's authority as set forth in Massachusetts General Laws, Chapter 111, sections 122 to 125A, that the Board issue the following orders to abate the nuisance and dangerous conditions:

1. In accordance with Massachusetts General Laws, Chapter 111, sections 127A and 127B, the Board hereby finds that the dwelling units located on the property are unfit for human habitations, that said dwellings units shall be vacated and secured to the specifications of the Health Agent and Building Commissioner within twenty-four hours of issuance of this order, and the dwelling units shall not be re-occupied until such time as occupancy is approved by the Board of Health and Board of Selectmen;
2. Work shall immediately begin to remove and/or dispose of all animals, animal feed and animal waste from the property. Said work shall be done in cooperation with the Massachusetts Society for the Prevention of Cruelty to Animals and all animals, animal feed and animal waste shall be removed within seven days of issuance of this order;
3. No additional animals may be brought onto the property until such time as the Board of Selectmen and Board of Health have certified that all nuisance and dangerous conditions have been abated and the property owner has developed a plan for keeping animals at the property in a safe and sanitary manner, said plan to be approved by the Board of Selectmen and Board of Health prior to any animals being brought to the property;
4. The property owner shall immediately retain the services of a duly licensed and insured exterminator to eradicate all rats and vermin from the property;
5. All junk, refuse and debris shall be removed from the property within fourteen days of issuance of this order, and all materials removed shall be disposed of at a duly permitted disposal site in accordance with applicable laws;

6. Within thirty days of issuance of this order, the property owner shall submit a plan, developed by a duly qualified contractor, to remediate all nuisance and dangerous conditions, said plan to include, but not be limited to: demolition or making the out-buildings safe and for making the dwelling habitable, said plan to be submitted for approval by the Board of Selectmen and Board of Health;
7. Within ninety days of issuance of this order, all nuisance and dangerous conditions shall be abated in accordance with the approved plan;
8. Within twenty-four hours of issuance of this order, and at reasonable intervals thereafter, the owner shall permit the Town's Health Agent, Building Inspector, Animal Inspector and Fire Chief to enter the property, including the dwelling, to inspect and document existing conditions and the owner shall comply with any such additional orders issued by said officials; and
9. This order to remain in effect until the Board of Selectmen and Board of Health certify in writing, after further hearing, that all nuisance and dangerous conditions have been abated. **Motion passed 3-0.**

C. Hillman stated the he doesn't believe the property owner will perform the necessary work and that the Town will be left coming up with a reasonable solution.

**BOS Motion:** A motion was made by J. Livingston and seconded by C. Hillman to adjourn at 9:10 PM.  
**Motion passed 3-0.**

**BOH Motion:** A motion was made by P. Peters to adjourn at 9:12 PM.

Mr. McNiff then spoke stating that he hopes to be out of the house next year and done with farming. He also said that it was his son's fault the animals were in the condition they were in.

There was back and forth between both Boards and Mr. McNiff about the conditions of the farm.

**BOH Motion Passed 3-0 at 9:21 PM.**

**Minutes Recorded and Submitted by Carly M. Antonellis**

**Date Minutes Approved by BOS:** \_\_\_\_\_

**Signature Indicating Approval:** \_\_\_\_\_