

File
3/3/92

FEBRUARY 14, 1992

TO: Board of Selectmen
FROM: NORMAN LAKE, Chairman
SUBJECT: SELECTMEN'S REPORT

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AGENDA
ROOM 204
7:30 P.M.
MARCH 3, 1992

I. CITIZEN'S CONCERNS

II. PUBLIC HEARINGS & APPOINTMENTS

- 1. 7:45 CLASS II - RICHARD DOLAN - 125 HIGH STREET - Enclosed please find application and staff comment regarding this request for Board action.
- 2. 8:00 STREET ACCEPTANCES - Enclosed please find the Request for Board action for Stoneymeade, Ayer Road and MacLeod Lane.
- 3. 8:15 COMMON VICTUALER - SCUPPERJACK'S (Presently Rusty Scupper)- NONSET PATH - Enclosed please find application for Common Victualler and Entertainment Licenses with staff comment for Board Action.
- 4. 8:20 TRANSFER OF ALL ALCOHOLIC BEVERAGES LICENSE and Pledge of License to United States Trust Company - Rusty Scupper to SCUPPERJACK'S- Enclosed please find paperwork for Transfer and staff comment.
- 5. 8:30 WARRANT DISCUSSION - Enclosed please find the most recent edition of the Warrant. Please note that any changes have been noted on the front sheet.
- 6. 9:15 TAC

III. CONSENT AGENDA

- 7. ONE DAY LIQUOR LICENSE - Enclosed please find a request from Sisterhood Beth Elohim for permission to sell Passover wines along with Passover foods on April 5, 1992 for Board action.
- 8. APPOINTMENT - Enclosed please find a recommendation for Gail Erwin as a Member of the Arts Council for Board action.

IV. SELECTMEN'S CONCERNS

9. EAGLE SCOUT ASSIGNMENT - Enclosed please find an invitation to attend a Court of Honor for Philip Tavernier on April 11 for Board Assignment.
10. SECOND AIRPORT/FORT DEVENS TASK FORCE - Enclosed please find a memo from Selectman Fanton for Board discussion and action.
11. RED CROSS PROCLAMATION - Enclosed please find a request from Red Cross.

V. TOWN MANAGER'S REPORT

12. C&D GLASS BOND - The Town Manager will discuss this with the Board on Tuesday night.

VI. EXECUTIVE SESSION

VII. MEETINGS

VIII. ADDITIONAL INFORMATION

Enclosed please find additional correspondence which is strictly informational and requires no Board action.

IX. FUTURE AGENDAS

To facilitate scheduling for interested parties, the following items are scheduled for discussion on future agendas. This IS NOT a complete agenda.

March 17, 1992

Harold Gordinier - Alternate Board of Assessors
Arboretum Presentation
Street Accept- Station way
Von Bromston Riding Arena

March 31, 1992 (starts at 8:00 pm)

April 14, 1992

April 28, 1992

May 12, 1992

May 26, 1992

TOWN OF ACTON
NOTICE OF HEARING

3/3/92 - ①

Notice is hereby given that the Board of Selectmen will hold a public hearing in its office at the Town Hall on Tuesday, March 3, 1992 at 7:45 P.M. on the application of Richard E. Dolan, Jr. d/b/a Dolan Auto Sales, for a Class II Dealer's License at 125 High Street, Acton, MA.

NORMAN D. LAKE
NANCY E. TAVERNIER
F. DORE' HUNTER
ANNE B. FANTON
BOARD OF SELECTMEN

TOWN OF ACTON POLICE DEPARTMENT

INTER-DEPARTMENTAL COMMUNICATION

TO: Don Johnson, T.M. DATE: January 16, 1992
FROM: George W. Robinson, C.O.P. TIME: 10:23 AM **Town Manager**
SUBJ: Class II License Application, Dolan **Information**

Utilization of resources available to this Department indicate no reason to recommend against issuance of the subject license.

TOWN OF ACTON

INTERDEPARTMENTAL COMMUNICATION

DATE: January 16, 1992

TO: Don P. Johnson, Town Manager
FROM: Garry A. Rhodes, Building Commissioner *JAR*
SUBJECT: Class II License, 125 High St.

The property in question is located in a residential zone. It is my opinion that this would be allowed as a home occupation under Section 3.8.1.2 of the zoning bylaw. It is important that if the Board of Selectmen decide to grant this permit, the outdoor display or storage of vehicles be prohibited as this would be a zoning violation.

(741)

January 13, 1992

TO: Building Commissioner, Police Dept.

FROM: Don P. Johnson, Town Manager

SUBJECT: CLASS II LICENSE

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Enclosed please find a copies of a Class II License Application for Richard E. Dolan, Jr. at 125 High Street.

Please send your comments and recommendations. The hearing is set for March 3, 1992 at 7:45 P.M.



Christine Joyce
Town Manager's Office

Town _____ OF Acton _____

APPLICATION FOR A LICENSE TO BUY, SELL, EXCHANGE
OR ASSEMBLE SECOND HAND MOTOR VEHICLES
OR PARTS THEREOF

I, the undersigned, duly authorized by the concern herein mentioned, hereby apply for a Class 2 class license, to Buy, Sell, Exchange or Assemble second hand motor vehicles or parts thereof, in accordance with the provisions of Chapter 140 of the General Laws.

1. What is the name of the concern? Richard E. Dolan Jr. dba/ Dolan Auto Sales

Business address of concern. No. 125 High St. St.,
Acton City — Town.

2. Is the above concern an individual, co-partnership, an association or a corporation? Individual

3. If an individual, state full name and residential address.

Richard E. Dolan Jr.
125 High St.
Acton, Mass. 01720

4. If a co-partnership, state full names and residential addresses of the persons composing it.

N.A.

5. If an association or a corporation, state full names and residential addresses of the principal officers.

President

N.A.

Secretary

Treasurer

6. Are you engaged principally in the business of buying, selling or exchanging motor vehicles? Yes

If so, is your principal business the sale of new motor vehicles? No

Is your principal business the buying and selling of second hand motor vehicles? Yes

Is your principal business that of a motor vehicle junk dealer? No

7. Give a complete description of all the premises to be used for the purpose of carrying on the business.

This will be a wholesale operation only no cars on site for sale. The office will be maintained at 125 High St. Acton. Cleanup of the cars and repairs to the vehicles will be jobbed out to local shops. Transportation of the vehicles will be handled in like manner.

8. Are you a recognized agent of a motor vehicle manufacturer? No. (Yes or No)

If so, state name of manufacturer

9. Have you a signed contract as required by Section 58, Class 1? No (Yes or No)

10. Have you ever applied for a license to deal in second hand motor vehicles or parts thereof? No (Yes or No)

If so, in what city — town

Did you receive a license? For what year? (Yes or No)

11. Has any license issued to you in Massachusetts or any other state to deal in motor vehicles or parts thereof ever been suspended or revoked? No (Yes or No)

Sign your name in full. Richard G. Nolan (Duly authorized to represent the concern herein mentioned)

Residence. 125 High St. Acton, Mass. 01720

IMPORTANT

EVERY QUESTION MUST BE ANSWERED WITH FULL INFORMATION, AND FALSE STATEMENTS HEREIN MAY RESULT IN THE REJECTION OF YOUR APPLICATION OR THE SUBSEQUENT REVOCATION OF YOUR LICENSE IF ISSUED.

NOTE: If the applicant has not held a license in the year prior to this application, he must file a duplicate of the application with the registrar. (See Sec. 59)

3/3/92
②

TOWN OF ACTON

INTER-DEPARTMENTAL COMMUNICATION

DATE: 1/29/92

TO: Don P. Johnson, Town Manager

FROM: Donna Jacobs

SUBJECT: Planning Board's Recommendation - Street Acceptance

In response to the Selectmen's request for a report of the Planning Board's recommendation for acceptance of streets, the Board voted to issue the requested report at its meeting of January 27, 1991. Attached please find the formal report of the Board's actions which states that the Board has voted to recommend the acceptance of Ayer Road, MacLeod Lane and Stoneymeade Way.

cc: D. Abbt

BOS - STREET ACCEPTANCE FILE



PLANNING BOARD • Town of Acton

472 MAIN STREET ACTON, MASSACHUSETTS 01720 TELEPHONE (508) 264-9636

January 27, 1992

Norman D. Lake, Chairman
Acton Board of Selectmen
472 Main Street
Acton, MA 01720

re: Recommendations for Acceptance as Town Ways

Dear Chairman Lake:

We are in receipt of your request for a report of the Planning Board's recommendations for acceptance of Ayer Road, MacLeod Lane and Stoneymeade Way as Town ways. Please be advised that the Planning Board has taken the following actions with respect to these subdivision roads:

Ayer Road

Voted on November 18, 1991 to recommend acceptance.

MacLeod Lane

Voted on November 18, 1991 to recommend acceptance.

Stoneymeade Way

Voted on December 16, 1991 to recommend acceptance.

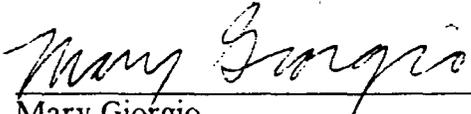
The Planning Board hereby submits this letter as its formal recommendation for acceptance of these subdivision roads as Town ways at the 1992 Annual Town Meeting in accordance with MGL Ch. 41.



Gregory Niemyski, Chairman



James Lee



Mary Giorgio



Douglas Carnahan

William Shupert

3/3/92
②

BOARD OF SELECTMEN

Middlesex, ss.

March 3, 1992

ORDER OF STREET LAYOUT

In the Board of Selectmen

WHEREAS the Board of Selectmen has referred the proposed layout to the Planning Board of the Town in accordance with Chapter 41, Section 81-I of the General Laws, and said Planning Board has approved the laying out as hereinafter described, and

WHEREAS the Board of Selectmen has determined and adjudged that common convenience and necessity require that a Town way be laid out in the location hereinafter described, and

WHEREAS notice of the intention of this Board to layout said way has been duly given in accordance with applicable provisions of the General Laws, and other provisions of the law have been complied with, and

WHEREAS the Board of Selectmen met at the time and place appointed for the hearing.

NOW THEREFORE, it is ordered and adjudged that a Town way for the use of the Town be and is hereby laid out as follows:

In the COOK ESTATES SUBDIVISION

Ayer Road - from the northerly sideline of Parker Street a distance of 490 feet, more or less, in a northerly direction to the northerly sideline of a 95 foot radius cul-de-sac (including the cul-de-sac), this being the entire road;

The description, bounds, and location of Ayer Road and all easements pertaining to Ayer Road, are as shown on a plan entitled "Cook Estates, Definitive Subdivision of Land in Acton, Mass. prepared for L & S Builder's Corp., by Charles A. Perkins Co., Inc., Civil Engineers & Surveyors, P.O. Box 234, Clinton, Mass. 01510" dated April 1985, (final revisions August 6, 1985), and recorded at the Middlesex South District Registry of Deeds in Book 16437, page 507, as plan number 1254 of 1985. Said road is more particularly described as follows:

Beginning at a drill hole in a stone bound set on the northwesterly sideline of Parker Street, said bound being located southwesterly along said sideline of Parker Street a distance of 369.71 feet from a stone bound found at a corner of land of John H. and Carol Swanson and land of William J. and Hannah R. Durkin, as shown on said plan; thence

- S 37-29-16W A distance of 19.99 feet by Parker Street to a point, thence,
- S 40-28-56W A distance of 63.19 feet by Parker Street to a point, thence,
- S 45-36-06W A distance of 31.26 feet again by said Parker Street to a drill hole in a stone bound set to monument said point, thence,
- Northerly By a curve to the left having a radius of 30.00 feet and arc distance of 48.36 feet, to a stone bound, thence,
- N 46-45-48W A distance of 96.14 feet to a stone bound, thence,
- Northerly By a curve to the right having a radius of 300.00 feet, an arc distance of 165.13 feet to a stone bound, thence,
- Northwesterly By a curve to the left having a radius of 65.00 feet, an arc distance of 52.16 feet to a stone bound, thence,
- Northerly,
Easterly and
Southerly By the sideline of a cul-de-sac having a radius to the right of 95.00 feet, an arc distance of 480.23 feet to a stone bound, thence,
- Southerly By a curve to the left having a radius of 65.00 feet, an arc distance of 82.22 feet to a stone bound, thence,
- Southerly By a curve to the left having a radius of 250.00 feet, an arc distance of 99.14 feet to a stone bound, thence,
- S 46-45-48E A distance of 92.52 feet to a stone bound, thence,
- Easterly By a curve to the left having a radius of 30 feet, an arc distance 50.13 feet to the stone bound at the point of beginning.

Being a portion of the premises conveyed to Lunn & Sweeney Corp. by a deed dated January 24, 1991 and recorded at the Middlesex South District Registry of Deeds in book 20987, page 566. Reference is also made to the "as-built" plan of Ayer Road by David E. Ross Associates, Inc. dated September 1991 and on file with the Town of Acton Engineering Department.

EASEMENTS

Also hereby laid out are two easements as shown and described on the Cook Estates Definitive Subdivision Plan referenced above and recorded in book 16437, page 507, as plan number 1254 of 1985. Said easements are more particularly described as follows:

EASEMENT #1

Lots 1 - 10 inclusive are subject to a 20 foot wide easement along their entire frontage on either Ayer Road or Parker Street as shown on said plan. Said easements are for the purpose of sloping and other activities incidental to the construction and maintenance of Ayer Road and Parker Street.

EASEMENT #2

On Lots 4, 5, and 6 a utility and drainage easement of irregular shape generally bounded by Ayer Road 50.41 feet; by Lot 4, 80 feet; by land of Perry and D & B Home Builders, Inc.; and by Lot 5 and 6, 337.86 feet. Said easement includes the perpetual right to enter upon said property to install, maintain, operate, repair, remove and replace pipes, culverts, manholes, catchbasins, slopes, ditches, and appurtenant structures for the provision of public and private utilities, including without limitation water, gas, electric, telephone, fire protection, cable television, sewer, storm drainage and the like.

All installation, maintenance, use, repair, replacement and removal hereby authorized shall be done in such a manner as not to interfere unreasonably with the surface or aerial uses of said easement areas. Whenever any surface is disturbed by authority of this instrument, it shall be restored with reasonable promptness to substantially its condition prior to such disturbance.

No betterments are to be assessed and no damages are to be awarded.

This order and plan shall be filed forthwith in the Office of the Town Clerk and reported to the Town for acceptance.

Witness our hands and seals this 3rd day of March 1992.

Norman D. Lake, Chairman

Nancy E. Tavernier, Vice Chairman

F. Dore' Hunter, Clerk

Anne B. Fanton

Board of Selectmen
Town of Acton

BOARD OF SELECTMEN

Middlesex, ss.

March 3, 1992

ORDER OF STREET LAYOUT

In the Board of Selectmen

WHEREAS the Board of Selectmen has referred the proposed layout to the Planning Board of the Town in accordance with Chapter 41, Section 81-I of the General Laws, and said Planning Board has approved the laying out as hereinafter described, and

WHEREAS the Board of Selectmen has determined and adjudged that common convenience and necessity require that a Town way be laid out in the location hereinafter described, and

WHEREAS notice of the intention of this Board to layout said way has been duly given in accordance with applicable provisions of the General Laws, and other provisions of the law have been complied with, and

WHEREAS the Board of Selectmen met at the time and place appointed for the hearing.

NOW THEREFORE, it is ordered and adjudged that a Town way for the use of the Town be and is hereby laid out as follows:

In the COLONIAL ACRES III SUBDIVISION

MacLeod Lane - from the northerly sideline of Willow Street a distance of 778 feet, more or less, in a northerly direction to the northerly sideline of a 64.50 foot radius cul-de-sac (including the cul-de-sac), this being the entire road;

The description, bounds, and location of MacLeod Lane and all easements pertaining to MacLeod Lane, are as shown on a plan entitled "Definitive Plan of Colonial Acres III Subdivision in Acton, Mass., for L & S Builder's Corporation, Hotel Place, Pepperell, Mass." prepared by Acton Survey & Engineering, Inc. dated November 1, 1984, modified March 13, 1985, and recorded at the Middlesex South District Registry of Deeds in Book 16278, page 265, as plan number 876 of 1985. Said road is more particularly described as follows:

Beginning at a drill hole in a granite bound on the approximate northwesterly sideline of Willow Street, said point being a distance of 52.93 feet from a drill hole in a stonewall on the division between Lot 1 and land now or formerly of William C. Harper thence running,

- S 37-52-02W Along the approximate northwesterly sideline of Willow Street, a distance of 79.61 feet to the start of a curve, thence,
- Southwesterly By a curve to the right of radius 226.45 feet a distance, as measured along the curve, of 107.91 feet, to the end of the curve, thence,
- S 65-10-16W Along the approximate northwesterly sideline of Willow Street a distance of 82.60 feet to an angle point, thence,
- S 63-22-12W Along the approximate northwesterly sideline of Willow Street, a distance of 95.98 feet to an angle point, thence,
- S 72-09-21W Along the approximate northwesterly sideline of Willow Street, a distance of 131.44 feet to an angle point, thence,
- S 80-47-20W Along the approximate northwesterly sideline of Willow Street, a distance of 36.51 feet to land now or formerly of Katherine F. and William H. Arnold, thence,
- N 11-30-21W By land now or formerly of said Arnold a distance of 5.00 feet to a drill hole in a granite bound at the lot corner of Lot 3, thence,
- N 69-46-55E By the sideline of Lot 3 a distance of 127.07 feet to a drill hole in a granite bound at the rounding of MacLeod Lane, thence
- Northerly By a curve to the left of radius 25.00 feet a distance of 37.96 feet, as measured along the curve to a drill hole in a granite bound, thence,
- N 17-13-05W Along the westerly sideline of MacLeod Lane, a distance of 195.31 feet to a drill hole in a granite bound, thence,
- Northerly By a curve to the right of radius of 305.00 feet, a distance of 135.74 feet as measured along the curve to a drill hole in a granite bound, thence,
- N 8-16-55E By the westerly sideline of MacLeod Lane, a distance of 262.10 feet to a drill hole in a granite bound, thence,
- Northerly By a curve to the left of radius 64.50 feet, a distance of 51.86 feet as measured along the curve to a drill hole in a granite bound, thence,

- Westerly,
Northerly and
Easterly By a curve to the right of radius 64.50 feet, a distance of 306.36 feet as measured along the curve to a drill hole in a granite bound, thence,
- Southerly By a curve to the left of radius 64.50 feet, a distance of 51.86 feet to a drill hole in a granite bound, thence,
- S 8-16-55W By the easterly sideline of MacLeod Lane, a distance of 262.10 feet to a drill hole in a granite bound, thence,
- Southerly By a curve to the left of radius 255.00 feet, a distance of 113.49 feet, as measured along the curve to a drill hole in a granite bound, thence,
- S 17-13-05E By the easterly sideline of MacLeod Lane, a distance of 190.07 feet, to a drill hole in a granite bound at the rounding to Willow Street, thence,
- Southeasterly By a curve to the left of radius 25.00 feet, a distance of 40.58 feet, as measured along the curve to a drill hole in a granite bound, thence,
- Northerly By the sideline of Lots 2 and 1, by a curve to the left of radius 500.00 feet, a distance of 278.51 feet, as measured along the curve to a drill hole in a granite bound at the point of beginning.

Being a portion of the premises conveyed to Lunn & Sweeney Corp. by a deed dated January 24, 1991 and recorded at the Middlesex South District Registry of Deeds in book 20987, page 560. Reference is also made to the "as-built" plan of MacLeod Lane by Acton Survey & Engineering, Inc. dated August 20, 1990 and revised November 14, 1991 and on file with the Town of Acton Engineering Department.

EASEMENTS

Also hereby laid out are six easements as shown and described on the Definitive Plan of the Colonial Acres III Subdivision referenced above and recorded in book 16278, page 265, as plan number 876 of 1985. Said easements are more particularly described as follows:

EASEMENT #1

On Lots 6,7,8,9 & 10 a utility easement of variable width generally located at the rear of said lots and running north to south from land of Richard L. Green to land of James E. Wagner and Fisher Hills, Jr.

EASEMENT #2

On Lots 1 and 2 a utility easement 20 feet wide and parallel to the new sideline of Willow Street as herein laid out, running from MacLeod Lane to land of William

C. Harper.

EASEMENT #3

On Lots 1, 2, 14 and 15 a utility easement 20 feet wide located at the rear of Lots 1, 2, and 14 and along the southerly side of Lot 15, running from MacLeod Lane to land of William C. Harper.

EASEMENT #4

On Lot 1 a utility easement 20 feet wide located along the northeasterly side of Lot 1, running from Lot 15 to Willow Street.

EASEMENT #5

On land of James C. Bray a utility easement 30 feet wide located along the northeasterly side of said property running from Willow Street to the utility easement of record (see plan recorded with said Registry, book 14229, page 510, as plan number 221 of 1981 and Order of Taking for Heather Hill Road recorded in book 16174, page 345) at the rear of said land. This easement is also shown on a plan by Colburn Engineering, Inc. recorded with the Middlesex South District Registry of Deeds in book 15081, page 356, as plan number 684 of 1983. See also a deed to Kevin B. Sweeney and Lewis L. Lunn, tenants in common, recorded with said Registry in book 15081, page 356.

Easements 1-5 inclusive include the perpetual right to enter upon said property to install, maintain, operate, repair, remove and replace pipes, culverts, manholes, catchbasins, slopes, ditches, and appurtenant structures for the provision of public and private utilities, including without limitation water, gas, electric, telephone, fire protection, cable television, sewer, storm drainage and the like.

EASEMENT #6

On Lots 2 and 3 construction easements 25 feet wide along each lot's frontage on MacLeod Lane. Said easements are for the purpose of sloping, drainage, utilities, sidewalks and other activities incidental to the construction and maintenance of MacLeod Lane.

For all of the above easements, all installation, maintenance, use, repair, replacement and removal hereby authorized shall be done in such a manner as not to interfere unreasonably with the surface or aerial uses of said easement areas. Whenever any surface is disturbed by authority of this instrument, it shall be restored with reasonable promptness to substantially its condition prior to such disturbance.

No betterments are to be assessed and no damages are to be awarded.

This order and plan shall be filed forthwith in the Office of the Town Clerk and reported to the Town for acceptance.

Witness our hands and seals this 3rd day of March 1992.

Norman D. Lake, Chairman

Nancy E. Tavernier, Vice Chairman

F. Dore' Hunter, Clerk

Anne B. Fanton

Board of Selectmen
Town of Acton

BOARD OF SELECTMEN

Middlesex, ss.

March 3, 1992

ORDER OF STREET LAYOUT

In the Board of Selectmen

WHEREAS the Board of Selectmen has referred the proposed layout to the Planning Board of the Town in accordance with Chapter 41, Section 81-I of the General Laws, and said Planning Board has approved the laying out as hereinafter described, and

WHEREAS the Board of Selectmen has determined and adjudged that common convenience and necessity require that a Town way be laid out in the location hereinafter described, and

WHEREAS notice of the intention of this Board to layout said way has been duly given in accordance with applicable provisions of the General Laws, and other provisions of the law have been complied with, and

WHEREAS the Board of Selectmen met at the time and place appointed for the hearing,

NOW THEREFORE, it is ordered and adjudged that a Town way for the use of the Town be and is hereby laid out as follows:

In the STONEYMEADE SUBDIVISION

Stoneymeade Way - from the easterly sideline of Pope Road a distance of 355 feet, more or less, in an easterly direction, and 3,368 feet, more or less, in a loop road, this being the entire road;

The description, bounds, and location of Stoneymeade Way, and all easements pertaining to Stoneymeade Way, are as shown on a plan entitled "Stoneymeade Definitive Subdivision of Land in Acton, Mass." prepared by Charles A. Perkins Co., Inc., dated June 1987, revised January 3, 1989, and recorded at the Middlesex South District Registry of Deeds in Deed Book 19719, Page 245, as plan number 308 of 1989. Said road is more particularly described as follows.

Stoneymeade Way consists of an eighty foot wide entrance road approximately 355 feet long and a 50 foot wide loop road approximately 3368 feet long. In the following description the "outer loop" consists of the entrance road, plus the outer circumference of the loop road. The "inner loop" is a description of the inner circumference of the loop road.

"OUTER LOOP"

BEGINNING at a stone bound on the easterly side of Pope Road and at Common Land "A-B-D-E", said point being the point of curvature for Stoneymeade Way, thence

- N 29-31-00E by the westerly side of Pope Road a distance of 130.00 feet to a stone bound, said point being the point of curvature for Stoneymeade Way, thence
- Southeasterly by Stoneymeade Way by a curve to the left of a radius of 25.00 feet, an arc length of 39.27 feet to a stone bound, thence
- S 60-29-00E a distance of 283.60 feet to stone bound, thence
- Northeasterly by a curve to the left having a radius of 25.00 feet, an arc length of 37.86 feet to a stone bound, thence
- N 32-45-30E a distance of 208.16 feet to a drill hole in boulder, thence
- Easterly by a curve to the right having a radius of 265.00 feet, an arc length of 709.84 feet to a stone bound, thence
- S 06-14-00W a distance of 712.39 feet to a stone bound, thence
- Southwesterly by a curve to the right having a radius of 385.00 feet, an arc length of 444.91 feet to a stone bound, thence
- S 72-26-40W a distance of 138.64 feet to a stone bound, thence
- Westerly by a curve to the right having a radius of 225.00 feet, an arc length of 458.92 feet to a stone bound, thence
- N 09-18-30E a distance of 200.00 feet to a stone bound, thence
- Northerly by a curve to the left having a radius of 695.00 feet, an arc length of 73.86 feet to a stone bound, thence
- N 03-13-10E a distance of 318.43 feet to a stone bound, thence
- Northerly by a curve to the right having a radius of 265.00 feet, an arc length of 130.95 feet to a stone bound, thence
- Northwesterly by a curve to the left having a radius of 25.00 feet, an arc length of 40.15 feet to a stone bound, thence
- N 60-29-00W a distance of 276.30 feet to a stone bound, thence
- Southwesterly by a curve to the left having a radius of 25.00 feet, an arc length of 39.27 feet to the point of beginning, being the outer loop of Stoneymeade Way;

"INNER LOOP"

BEGINNING at a stone bound at lots 30 and 37, said point being a point of tangency, thence

N 32-45-30E a distance of 332.16 feet to a stone bound, thence

Northeasterly by a curve to the right having a radius of 215.00 feet, an arc length of 575.91 feet to a stone bound, thence

S 06-14-00W a distance of 712.39 feet to a stone bound, thence

Southwesterly by a curve to the right having a radius of 335.00 feet, an arc length of 387.13 feet to a stone bound, thence

S 72-26-40W a distance of 138.64 feet to a stone bound, thence

Northwesterly by a curve to the right having a radius of 175.00 feet, an arc length of 356.94 feet to a stone bound, thence

N 09-18-30E a distance of 200.00 feet to a stone bound, thence

Northerly by a curve to the left having a radius of 745.00 feet, an arc length of 79.17 feet to a stone bound, thence

N 03-13-10E a distance of 318.43 feet to a stone bound, thence

Northerly by a curve to the right having a radius of 215.00 feet, an arc length of 110.84 feet to a stone bound at the point of beginning, being the inner loop of Stoneymeade Way.

Being a portion of the premises conveyed to Stoneymeade Development Corporation by a deed dated December 29, 1986 and recorded at the Middlesex South District Registry of Deeds in Book 17730, Page 013. See also a deed to the Cooperative Bank of Concord recorded with said Registry in deed book 20902, page 341. Furthermore, reference is also made to the "As-Built" plan of Stoneymeade Way by Lancewood Engineering, Inc. dated December 10, 1990, revised November 19, 1991, and on file with the Town of Acton, Engineering Department.

EASEMENTS

Also hereby laid out are six easements as shown and described on the Definitive Plan of the Stoneymeade Subdivision referenced above and recorded in Book 19719, page 245, as plan number 308 of 1989. Said easements are more particularly described as follows:

EASEMENT #1

All lots and parcels having frontage on Stoneymeade Way are subject to an easement along the entire frontage of each lot and parcel. Said easements are shown on plan number 308 of 1989 as "proposed utility easements" and said plan is herein

referenced for a more particular description of each easement. For the frontage easements on Lots 31A and 43A see plan recorded with said Registry in Book 20939, page 125 as plan number 1075 of 1990. Said easements are for the purpose of sloping, drainage, utilities, sidewalks and other activities incidental to the construction and maintenance of Stoneymeade Way. In addition the easements on Lots 41 and 42 include the additional right to remove vegetation in order to maintain adequate sight distance for vehicles using Stoneymeade Way.

EASEMENT #2

On Lot 11 and 12 a utility easement 25 feet wide bounded by Lot 11 a distance of 143.32 feet, by the "Common Land" a total distance of 25.14 feet, by Lot 12 a distance of 149.55 feet, and by Stoneymeade Way a total distance of 25.35 feet.

EASEMENT #3

On Lots 27, 28 and 29 a utility easement of variable width bounded by the "Common Land" a total distance of 336.79 feet, by Lot 29 a distance of 61.93 feet, by Lot 28 a distance of 141.93 feet and by Lot 27 by two distances totaling 157.21 feet.

EASEMENT #4

On Lot 24 a utility easement of variable width bounded by the "Common Land" a total distance of 132.98 feet and by the rear of Lot 24 a distance of 96.02 feet.

EASEMENT #5

On the Common Land "A-B-D-E" all utility easements as shown on the above referenced plan.

EASEMENT #6

On Lots 3, 8, 9, 12, 13, 17, 18, 23, 24, 27, 28 and 29 conservation restriction easements generally of irregular shape at the rear of said lots. These easements are shown as "proposed conservation restriction easements" on the above referenced plan. The purpose of said easement is to provide those protections generally provided by the Wetland Protection Act (MGL Ch. 131 S.40) and the Acton Wetland Protection Bylaw and to prevent land disturbing activities, including but not limited to, grading, filling, excavating or felling of live trees or substantial removal of natural vegetation. The Town of Acton reserves the right to enter upon said easement areas from time to time to inspect their condition.

EASEMENT #7

There is specifically and intentionally omitted from this layout the "proposed utility easement" located at the rear of Lot 41 and 43 and bounded by Lot 41 a distance of 86.94 feet, by Lot 42 a distance of 35.17 feet, by Lot 43 a distance of 111.46 feet and by Common Land "C" a distance of 27.51 feet. Said easement was eliminated by the signing and recording of said plan 1075 of 1990.

EASEMENTS #1-5 INCLUSIVE

Easements 1-5 inclusive include the perpetual right to enter upon said property to install, maintain, operate, repair, remove and replace pipes, culverts, manholes, catchbasins, slopes, ditches, and appurtenant structures for the provision of public and private utilities, including without limitation water, gas, electric, telephone, fire protection, cable television, sewer, storm drainage and the like.

All installation, maintenance, use, repair, replacement and removal hereby authorized shall be done in such a manner as not to interfere unreasonably with the surface or aerial uses of said easement areas. Whenever any surface is disturbed by authority of this instrument, it shall be restored with reasonable promptness to substantially its condition prior to such disturbance.

No betterments are to be assessed and no damages are to be awarded.

This order and plan shall be filed forthwith in the Office of the Town Clerk and reported to the Town for acceptance.

Witness our hands and seals this 3rd day of March 1992.

Norman D. Lake, Chairman

Nancy E. Tavernier, Vice Chairman

F. Dore' Hunter, Clerk

Anne B. Fanton

BOARD OF SELECTMEN
TOWN OF ACTON

3/3/92
③

**TOWN OF ACTON
NOTICE OF HEARING**

Notice is hereby given under Chapter 138 of the General Laws, that the Board of Selectmen will hold a hearing in Room 204 in the Acton Town Hall on March 3, 1992, at 8:20 P.M. on the application of John E. Mendosa, President, Manager, Nagog Restaurant Corporation, d/b/a ScupperJack's, 39 Warrensburg Circle, Hudson, OH, for the transfer of an All Alcoholic License as a Common Victualer from Stouffer Restaurant Company, d/b/a Rusty Scupper, Route 2A, Acton, MA , to John E. Mendosa, President, Manager, Nagog Restaurant Corp., d/b/a SupperJack's.

Transferee also requests approval for Pledge of Liquor License to United States Trust Company, 40 Court Street, Boston.

Norman D. Lake
Nancy E. Tavernier
Dore' F. Hunter
Anne B. Fanton
ACTON BOARD OF SELECTMEN

FEB 10 1992

TOWN OF ACTON

INTERDEPARTMENTAL COMMUNICATION

DATE: February 7, 1992

TO: Don P. Johnson, Town Manager
FROM: Garry A. Rhodes, Building Commissioner 
SUBJECT: Scupper Jacks

This is a transfer of ownership. There does not appear to be any physical changes proposed. Since the restaurant exists, there is not a requirement for a Special Use Permit.

INTERDEPARTMENTAL COMMUNICATION

RECEIVED

FEB 5 1992

ACTON BUILDING INSPECTOR

TO: BOARD OF HEALTH AND BUILDING COMMISSIONER

FROM: DON P. JOHNSON, TOWN MANAGER

SUBJECT: LIQUOR LICENSE TRANSFER - ScupperJack's
Route 2A

Enclosed please find a copy of the application for liquor license Transfer for John Mendosa, Route 2A at Nonset Path.

The public hearing is scheduled for March 3, 1992 at 8:20 P.M. Please send your comments and recommendations.

cc: Police Chief
Fire Chief

12. If applicant will be leasing the premises to be licensed, state
 a. \$ 100,000.00 per Year+Percentage b. Beginning date of lease Opening date of restaurant for a period of 10 years with Ending date of lease
5 year option to renew.

13. a. State the names, addresses, and telephone numbers of all persons or entities who will have any direct or indirect beneficial or financial interest in this license, as required by Massachusetts General Law c. 138, s. 15A.

NAME	ADDRESS	TELEPHONE NUMBER
<u>John E. Mendosa (Shareholder)*</u>	<u>* Arthur Hill, Esq. 311 Great Rd., Littleton, MA</u>	<u>Telephone (508) 486-0441</u>
<u>Sharon M. Mendosa (Shareholder)*</u>		
<u>Donald S. Cernak (Shareholder)*</u>		
<u>Nagog Development Company, 1 Nagog Sq., Acton, MA 01720</u>	<u>(508)263-1125 (Landlord)</u>	
<u>United States Trust Company, 40 Court St., Boston, MA 02108</u>	<u>(617)726-7152 (Lender)</u>	

b. Describe all types of financial and beneficial interest each person or entity will have in this license.

John E. Mendosa - 62% Shareholder; Sharon M. Mendosa - 18% Shareholder;
Donald S. Cernak - 20% Shareholder; Nagog Development Company - as Landlord, it has a
percentage interest as outlined in the Lease Agreement attached hereto;
United States Trust Company, 40 Court St., Boston, MA 02108 (617) 726-7152 (Lender)

14. a. Does any person or entity listed in question 13 have any direct or indirect beneficial or financial interest in any other type of license granted under Mass. General Law 138? Yes No b. If yes, state for each person or entity:

NAME	TYPE OF LICENSE	LICENSE ADDRESS	DESCRIPTION OF INTEREST
<u>Please note that I have no knowledge as to the interests which Lender and/or Landlord may have in any other liquor licenses.</u>			

15. a. Has any person or entity named in question 13 ever held a license under G.L. c. 138 which he/she/it does not presently hold? Yes No b. If yes, state for each:

NAME	TYPE OF LICENSE	LICENSE ADDRESS	DATE LICENSE GRANTED
<u>*John Mendosa was named on Acton, MA license held by Borel Restaurant Corporation in the capacity of General Manager of the Rusty Scupper in 1974. Also, John Mendosa, in his capacity as a Vice President of Stouffer Restaurant Company, was named as one of three licensees on the liquor license for Inner Harbor Restaurant Corporation's Rusty Scupper located in Baltimore, Maryland. He did not have a financial interest in that particular restaurant and was named as licensee only in his capacity as an officer of the company.</u>			

16. a. Has any person or entity named in question 13 ever had his/her/its license revoked or cancelled? Yes No b. If yes, state for each name the date and reasons why the license was revoked or cancelled:
 N/A

17. Has any person or entity named in question 13 ever been convicted of violating any state or federal law? (exclude minor traffic violations) Yes No If yes, attach a statement of details.

18. If applicant is an individual, answer the following questions: N/A
 a. Are you a United States Citizen? Yes No b. Are you at least twenty years old? Yes No
 (If yes provide a copy of birth, naturalization or registered voter certificate)

19. If applicant is a partnership, answer the following questions: N/A
 a. Are all the partners United States Citizens? Yes No b. Are all of the partners at least twenty years old? Yes No
 (Provide copies of birth, naturalization or registered voter certificates for each partner)

RESTAURANT

S - A

QUESTIONS TO BE ANSWERED ONLY BY APPLICANTS FOR A RESTAURANT ALCOHOLIC BEVERAGE LICENSE

21. Does the applicant have a duly issued and valid common victualler's license? Yes No Application Submitted
22. a. Does the applicant have an entertainment permit? Yes No Application Submitted
- b. If yes, date of issuance _____
- c. If no, does the applicant intend to obtain an entertainment permit? Yes No
23. What proportion of your business receipts is expected to be from alcoholic beverages? 27% From food? 73%
24. Does applicant plan to offer a full service or limited menu? Full Service
25. a. What is applicant's proposed maximum occupancy? Approx. 325
- b. What is applicant's proposed maximum seating capacity? 279
26. a. Is the kitchen a separate room or rooms? Yes No
- b. If yes, state how large the total floor space of the kitchen will be Approximately 2,500 sq. ft.
- c. If yes, what cooking equipment is or will be in the kitchen, Convection Ovens, Broiler, Fryer, microwave which is used for desserts.
- d. If no, describe the types of cooking equipment and where they are or will be located.
- N/A
27. a. How many function rooms or other rooms will be used for the sale, service or dispensing of alcoholic beverages? one (1) dining room and one (1) lounge - two levels
- b. State the name, if any, used to identify each room, and the floor on which each room is located
- One dining Room and Service Bar - 1st Level
- Bar, Lounge and Dining - 2nd Level. Liquor storage is located on 2nd level.
28. a. Are there sufficient toilets for men on the premises? Yes No.
- b. Are there sufficient toilets for women on the premises to be licensed? Yes No.

INTERDEPARTMENTAL COMMUNICATION

TO: BOARD OF HEALTH AND BUILDING COMMISSIONER

FROM: DON P. JOHNSON, TOWN MANAGER

SUBJECT: Common Victuller's and Entertainment License
SupperJack's at Nonset Path/Route 2A

Enclosed please find a copy of the application Transfer for Common Victuller and Entertainment License at Route 2A at Nonset Path.

The public hearing is scheduled for March 3, 1992 at 8:15 P.M.
Please send your comments and recommendations.

cc: Police Chief
Fire Chief

TOWN OF ACTON
NOTICE OF HEARING

3/3/92
④

The Board of Selectmen of the Town of Acton will hold a public hearing under Section 140 of the Mass General Laws on Tuesday, MARCH 3, 1992 at 8:15 P.M. on the application of NAGOG RESTAURANT CORP. D/B/A SCUPPERJACK'S, owned by John Mendosa, President, Manager, for a Common Victuallers License at Route 2A at Nonset Path, Acton, MA.

Plans are on file in the Selectmen's Office and may be viewed during normal working hours.

NORMAN D. LAKE
NANCY E. TAVERNIER
F. DORE' HUNTER
ANNE B. FANTON
BOARD OF SELECTMEN

(for 2/13/92 Legal)

INTERDEPARTMENTAL COMMUNICATION

TO: BOARD OF HEALTH AND BUILDING COMMISSIONER

FROM: DON P. JOHNSON, TOWN MANAGER

SUBJECT: Common Victuller's and Entertainment License
SupperJack's at Nonset Path/Route 2A

Enclosed please find a copy of the application Transfer for Common Victuller and Entertainment License at Route 2A at Nonset Path.

The public hearing is scheduled for March 3, 1992 at 8:15 P.M.
Please send your comments and recommendations.

cc: Police Chief
Fire Chief



TOWN OF ACTON

MASSACHUSETTS

License Application

.....February 3.....1992

To the Licensing Authorities of Acton:

The undersigned hereby makes application for the following described license, in accordance with the provisions of the General Laws, and amendments thereto:

<p>Description of Applicant</p> <p>Date of naturalization, if not born in U.S. N/A</p> <p>Male or Female <u>Male</u></p> <p>Date of birth <u>7/29/45</u></p> <p>Place of birth <u>Brockton, MA</u></p> <p>Father's name <u>Frank J. Mendosa</u></p> <p>Mother's maiden name <u>Gammons Shirley M. Mendosa</u></p> <p>Height <u>6</u> ft. <u>0</u> in.</p> <p>Weight <u>190</u></p> <p>Complexion <u>Medium</u></p> <p>Hair <u>Brown</u> Eyes <u>Blue</u></p> <p>Have you ever been arrested for any law violation? <u>No</u></p> <p>If so, when <u>N/A</u> where <u>N/A</u></p> <p>State briefly <u>N/A</u></p>	<p>Type of License applied for: <u>Common Victualer - 7 Day</u></p> <p>Location <u>ScupperJack's, Route 2A, Acton, MA 01720</u></p> <p>Zoning Class</p> <p>Description of premises <u>Restaurant and bar/cocktail lounge</u></p> <p>Name and address of owner <u>Premises leased through Nagog Development Company 1 Nagog Square, Acton, MA 01720</u></p> <p>References: (Names and addresses)</p> <ol style="list-style-type: none"> 1. Dr. Richard Foley, 7 Flagg Rd., Acton, MA 01720 2. Mrs. Majorie Brett, 358 Great Rd., Acton, MA 01720 3. Mrs. Barbara Lam, Nagog Woods, 422 Great Elm Way Acton, MA 01718 <p>Remarks:</p>
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NAGOG RESTAURANT CORPORATION

Signature BY: John E. Mendosa Print last name Mendosa
John E. Mendosa
 President and General Manager
 Occupation
 Residence c/o Arthur Hill, Esq. 311 Great Road, Littleton, MA 01460
 Business Address Route 2A, Acton, MA 01720

3/3/92
⑤

2/27/92

TO: Board of Selectmen, Town Manager

FROM: Nancy Tavernier

SUBJECT: Suggested Warrant order

The following are my suggestions for warrant order and "consent" items. I would also recommend that we put, in the plastic bag delivery, a notice of Town Meeting and information on how to obtain a copy of the warrant.

<u>Article</u>	<u>Title</u>	<u>Comments</u>
1	Choose officers	
2	Accept reports	
3*	COA	
4*	Nursing	
5*	Septage	
6*	NESWC	
7*	Merriam	
A	Local Deferral	Imperative that these go ahead of budget. If
B	Deferral amort.	defeated, then CC must recommend cuts.
8	Omnibus budget	
G	NESWC bonds	Educate voters
NEW	Repeal of Town bylaw that prohibits trash from outside town	Nancy - assignment
J	Retirees Health care	
H	Chapter 90	
I	Self-funding programs	
M	Zoning - applicability	

N	Zoning - parking
O*	Zoning - housekeeping
P*	Street acceptances
Q*	Charter Rd.
C*	Setting local fees
D*	Non-crim. Local Historic
E*	Non-crim. Fire Alarm
F*	Auto.sprinklers
R*	Unpaid bills
S*	Continuation
T	Budget transfer
U	Use of funds

Consent	14 articles
Non-Consent	14 articles

Note: I have removed K & L (street sweeper and truck) from the warrant, I believe they should just be in the budget.



TOWN OF ACTON
MASSACHUSETTS

FOR TOWN USE ONLY

License or Permit Application

3/3/92
⑦

2/13 1992

To the Licensing Authorities of Acton:

The undersigned hereby makes application for the following described license, in accordance with the provisions of the General Laws, and amendments thereto:

CHECK THE APPROPRIATE BOX INDICATING THE LICENSE OR PERMIT FOR WHICH APPLICATION IS BEING MADE:

- Auction
- Entertainment
- Flea Market
- One-Day Liquor
- One-Day Beer and Wine
- Other.....

(Please print or type)
 Name of Organization/Applicant: Sisterhood - Cong. Beth Elohim - Hadassah
 Location of Event: Cong. Beth Elohim, Hennessy Dr., Acton
 Name of Owner of Premises: same

DESCRIPTION OF EVENT (i.e; fee or donation to be charged?, name of operators of event?, purpose of event?, parking availability?, etc.):

1 DAY Passover Food and Wine Sale

Day and Date of Event: Sunday, Apr. 15 Hours of Event: 9-1

DESCRIPTION OF APPLICANT

Name of person making application: Tina Kaplan
 Occupation: Volunteer, Chairman
 Residential Address: 22 Jackson Dr.
 Business Address:
 Telephone: Home 263-4277 Business:
 Date of naturalization, if not born in U.S.:
 Have you ever been arrested for any law violation? ND
 Male or Female: Female
 Date of birth: 11/13/50
 Place of birth: Lynn, MA
 State briefly:
 Father's name: Robert Burtk
 Mother's maiden name: Burtmin
 Height: 5'5" ft.
 Weight: 166
 Complexion: FAIR
 Hair: BROWN
 Eyes: BROWN

- References: (Names and addresses)
1. Michael Chautin
 2. Louise Belenchi - Pres
 3. Rabbi Lewis Mintz

Remarks:

Signature of Applicant: Tina Kaplan

TOWN OF ACTON
INTER-GOVERNMENTAL COMMUNICATION

3/3/92
⑧

Date : 25 Feb 1992
To : Board of Selectmen
From : Volunteer Coordinating Committee
Subject : Recommendation for appointment

At its 2-24-92 meeting, the VCC voted to recommend Gail E. Erwin for full membership on the Acton/Boxborough Arts Council. Gail has an interesting background of being an artist as well as being a lawyer and active in community affairs and advising non-profit organizations.

She has attended several meetings of the Council and has the possibility of appointment on the Executive Committee of the State Council if she is appointed a member of the local Council.

TOWN OF ACTON VOLUNTEER APPLICATION

TOWN OF ACTON

Residents interested in serving on a Town Board, Committee, or Commission are requested to complete this form and forward it to the Office of the Town Manager at the Acton Town Hall.

(Please print or type)

Date: December 12, 1991

Mr / Mrs ERWIN Last Name
Ms / Dr GAIL First Name E Middle Initial

120 PARKER ST Street Address 263-9702 Home Phone Business Phone

Please refer to the other side of this sheet and indicate below, in order of preference, the Board, Committee, or Commission which is of interest to you:

- 1) Acton-Boxborough Arts Lottery Council
- 2)
- 3)

Have you been a member of a Board, Committee, or Commission previously (either in Acton or elsewhere)? If you have, please list name(s) and dates (approx):

I have been on private non-profit boards but not town boards. I have served on the Port of Oswego (N.Y.) Authority (an appointment made by the governor of N.Y.)

Do you have any time restrictions?

How long have you lived in Acton? 2 1/2 yrs in Massachusetts? 3 yrs

Are you a US citizen? yes

Present occupation and employer (optional - attach resume)

Do you or your employer have any current or potential business relationship with the Town of Acton that could create a conflict of interest? no

Education or special training see resume

GAIL E. ERWIN
120 Parker Street
Acton, MA 01720
508-263-9702

BACKGROUND

Diversified experience in management, government and community relations, law, advocacy, employee relations, sales and marketing and teaching. Strengths include effective communication and presentation skills and ability to successfully deal with people of diverse backgrounds. Team player who is also able to produce results independently.

EXPERIENCE

SELF-EMPLOYED, Acton, MA, 1989-Current

Sales and Marketing

Northwestern Mutual Life Insurance Company, 1989-90

Mary Kay Cosmetics, Inc., 1989-Current

- Design, implement and administer marketing plans.
- Research and target new markets.

Adviser to Non-Profit Organizations

- Write funding proposals and follow up with prospective funders. Efforts have gained increase in operating funds.
- Review and develop organizational structure, write and present By-Laws to Directors. Result: clear goals and objectives and more efficient operating procedures .
- Coordinate publication of newsletter; participate in phonathon and direct mail campaigns.
- Organizations served: Advocacy Center for Older Women Workers, Emerson Umbrella Center for the Arts, Arts/Lexington.

LEGISLATIVE REPRESENTATIVE, New York State School Boards Association, Albany, NY, 1986-1988

- Researched, drafted and reviewed legislation relating to education and labor relations issues. Advocated Association positions on bills pending in the legislature.
- Conducted training seminars and workshops on lobbying process and pending legislative issues.
- Acted as liaison to local school boards, attended meetings between school board members and legislators, and other government officials. Result: Increased state aid to education.

PRIVATE LAW PRACTICE, Oswego, NY, 1981-1986

- Managed the day to day operations of law offices. Recruited, hired, trained and evaluated staff.
- Managed complex litigation including interviewing witnesses, organizing documentation, presenting oral and written arguments and negotiating settlements.
- Managed case load including real estate, divorce, family law, wills, probate, administrative and criminal proceedings.
- Represented sexually abused children in all facets of court proceedings. Extensive practice in Family Court including custody, support, abuse, neglect and juvenile delinquency cases.

ASSISTANT TO THE PRESIDENT
State University of New York College at Oswego,
Oswego, NY, 1979-1983

- Member of the executive management team.
- Offered advice on issues such as student rights, liability and risk management; employee relations; labor contract compliance; affirmative action, and sexual harassment; compliance with laws and regulations.
- Acted as President's designee in all labor management matters, and as hearing officer for all union grievances on campus.
- Organized and coordinated retrenchment plan for 30 teaching positions with result that all tenured and permanent employees were offered positions elsewhere at the college. Ensured plan was in compliance with labor contract.
- Advised and counselled students as academic advisor and mentor. Revised student judicial procedures.
- Taught undergraduate and graduate law courses.

**COMMUNITY
ACTIVITIES**

Worcester Art Museum, Worcester, MA, 1990-Current
- Volunteer, Information desk and Member's Council Auction

You, Inc., Mediation Services, Worcester, MA, 1990
- Mediated family disputes

**Oswego County Historical Society,
Oswego, NY, 1980-1986**
- President of Board of Trustees, 1981-1986
- Presided over successful campaign to raise funds to replace carpets in period rooms of Richardson-Bates House Museum with authentic replica.
- Reviewed grant applications to state and federal funding agencies.

EDUCATION

J.D., Western New England College, Springfield, MA

M.S. in Education, State University of New York College at Oswego, Oswego, NY

B.A., William Smith College, Geneva, NY

3/3/92

⑨

BOY SCOUTS OF AMERICA

TROOP # 32
ACTON, MA

22 Putnam Road
Acton, MA 01720
February 19, 1992

Board of Selectman
Town of Acton
Town Hall
Acton, MA 01720

Attn: Secretary

Dear Sir/Madam:

It is with great pleasure that I invite a Town Selectman to a Court of Honor being given for Philip R. Tavernier on April 11, 1992 at 7:30 PM at St. Elizabeth of Hungary Church, 89 Arlington Street, Acton, MA. Philip will be receiving the highest honor Boy Scouting can give, the rank of Eagle Scout.

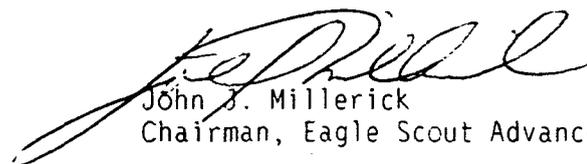
Philip is presently a Junior at Acton Boxborough High School and has been a member of Troop 32 for over four years. During his tenure he has earned the badges necessary for advancement, but more importantly has shown the qualities of leadership which are so important in today's society.

We are hoping you may join us in this tribute to a youth who has used the Scout Law and Oath in his everyday life. It is young people such as Philip who made this country great and who will be the leaders of tomorrow.

Please R.S.V.P. to:

Mr. John J. Millerick
22 Putnam Road
Acton, MA 01720

Sincerely,


John J. Millerick
Chairman, Eagle Scout Advancement

3/3/92

10

February 27, 1992

TO: Board of Selectmen
FROM: Anne Fanton
SUBJECT: Second Airport/Fort Devens Task Force

As I mentioned at our last meeting, I am proposing that we establish a task force to investigate plans for Fort Devens and to advise us on appropriate actions. I think we have a responsibility to act on this issue and I don't see any possibility that staff can find time to adequately address it. The task force would not be on-going, but would serve only until the task is complete. The latest information available indicates that, contrary to impressions given in the Boston Globe, plans for a second major airport and a full EIS are moving ahead as scheduled, with the Fort Devens Re-Use Study being an entirely separate project. There is room on the land for both.

I propose that there be up to five volunteers appointed to the task force, and that membership be balanced with individuals knowledgeable about aviation; experienced in reviewing environmental impact reports, including transportation, noise and air quality impacts; a local business owner or member of the Chamber of Commerce; and just interested citizens. Rather than making very stringent membership requirements, I would leave it up to VCC to find energetic, interested individuals and ensure a balance of viewpoints.

The responsibilities of the Task Force might be as follows:

- To investigate all state and regional planning activities relating to the development of a second airport at Fort Devens and the re-use of Fort Devens.
- To monitor these plans to determine their potential impact on Acton, including our roadways, the railroad, environment, quality of life, and finances (including both positive and negative impacts.)
- To summarize the information and advise the Board of Selectmen on appropriate actions in a timely fashion.
- To take appropriate action on behalf of the town whenever authorized to do so by the Board of Selectmen.

I could help them begin by giving them all of the background materials that I have collected to date and suggesting key individuals to contact. Dore may have some materials as well.

Finally, I think that this is a timely and urgent issue that will attract active volunteers, just as the elderly bus service and the sidewalk plan first attracted members to TAC. In fact, Charlie Kadlec said that a few citizens have inquired of VCC whether there is a town committee to address it.

cc. Don Johnson

Anne

SELECTMEN'S CONCERNS - 3/3/92



American Red Cross
of Massachusetts Bay

West Area
21 Foster Street
Newtonville, MA 02160-1599
(617) 527-6000



February 18, 1992

Dear Mr. Lake:

The American Red Cross has a strong history of helping others and a mission to "help people prevent, prepare for, and respond to emergencies". March is a time to revitalize relationships in our communities and to get others involved with the Red Cross mission. Nationwide, since 1943, March is Red Cross month and has traditionally been declared by the Red Cross honorary chairman, the President of the United States. We are sure you will want to help the people of the Red Cross achieve this worthwhile goal.

The Red Cross symbol is easily identifiable and stands proudly. We are asking your help in upholding this annual tradition. We would like to offer your town the opportunity to proclaim March as Red Cross month throughout your community by having your town officials declare March as Red Cross Month. I have enclosed a sample proclamation for your review. We will be happy to meet with your town officials to share additional Red Cross information and accept the signed proclamation through a publicity event.

The American Red Cross of Massachusetts Bay/West Area is steadily working to keep its communities involved and informed. Please help us with this task by celebrating Red Cross month in March.

If you have any questions please call me at 617/527-6000.

Thank you in advance for your consideration and support.

Sincerely,

Sandra J. Capriulo
West Area Coordinator

Norman Lake, Chairperson
Board of Selectmen
472 Main Street
Acton, MA 01720



COMMONWEALTH OF MASSACHUSETTS
TOWN OF
BOARD OF SELECTMEN

P R O C L A M A T I O N

- Whereas: In our community and around the world, the Red Cross is recognized as a symbol of compassion and humanitarian action, caring about and for others wherever there is need; and
- Whereas: The American Red Cross provides constant round-the clock services to American military personnel and their families both in this country and overseas; and
- Whereas: The American Red Cross, when disaster strikes stands ever ready to provide immediate aid to victims of floods, fire, storm and other catastrophes; and
- Whereas: The American Red Cross provides to hospitals, health agencies, and physicians, more whole blood and blood derivatives than any other United States organizations, thus greatly contributing to the health of the American people; and
- Whereas: The American Red Cross works daily in our community to ensure the health and safety of our families through training in CPR, first aid and water safety; and
- Whereas: The American Red Cross emphasizes self-reliance and concern for others to help keep our community and our country strong through the promotion of preventive health measures and health education courses; and
- Whereas: The American Red Cross receives no financial support from the federal or state governments, all of us can help support our American Red Cross by contributing our money, in addition to our blood and our time as volunteers:
- Therefore: We the Acton Board of Selectmen, do hereby proclaim the month of March, 1992

AS

AMERICAN RED CROSS MONTH

in the town of Acton and urge all citizens of this community to join us in supporting all of the Red Cross programs.

TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION

DATE: February 24, 1992

TO: Members of the Board of Appeals and the Planning Board
FROM: Garry A. Rhodes, Building Commissioner
SUBJECT: Meeting with Town Counsel Mike Callahan

There will be an informational meeting with our Town Counsel, Acheson (Mike) Callahan on Thursday, March 12, 1992 at 7:30 p.m. in Room 126 at the Town Hall. Mike will be discussing the mandatory findings for Special Permits and Variances.

See you then.

(764)

2/28/92

PLEASE NOTE !!

CC: BOS - THIS IS PART OF THE "TRAINING" AND EDUCATION THAT WE PROMISED FOR THE NEW BOARD OF APPEALS MEMBERS. AS I INDICATED EARLIER, SELECTMEN ARE INVITED AND ENCOURAGED TO ATTEND.

Ron

3/3/92 + 12

TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION
TOWN MANAGER'S OFFICE

DATE: Feb. 28, 1992

TO: Board of Selectmen
FROM: Don P. Johnson, Town Manager
SUBJECT: C&D Glass

Staff has been working with C&D Glass since last Fall regarding their request to have their \$5000 Site Plan Security Deposit refunded. At the time of their request the required sidewalk on Great Road had not been completed (partly because the State Permit was not issued until August/September) and they were so advised.

As you can see from the attached reports, there are two concerns at this time:

- (1) The landscaping could not be completed in the vicinity of the sidewalk after it was installed this winter.
- (2) There is a storage trailer that concerns Garry Rhodes.

I have spoken with Garry regarding his concerns. At this time I would recommend that the Board authorize reduction of the security to \$500 (return \$4500) and delegate authority for the ultimate release of those monies to the Building Commissioner. Said release to occur only when the landscaping has been restored to his satisfaction. Garry has indicated that he will pursue details on the storage trailer separately. If it proves to be in violation of our bylaws he will take the appropriate steps to address the matter, independent of this Site Plan.

cc: Garry Rhodes



**TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION**

DATE: January 23, 1992

TO: Don P. Johnson, Town Manager
FROM: Garry A. Rhodes, Building Commissioner *JAR*
SUBJECT: C & D Glass Security Release

C & D Glass has requested a release of their Bond. This IDC will supersede my previous memo, dated October 10, 1991. The sidewalk has been installed, however additional work still needs to be completed. The Engineering Dept. has supplied me with a report outlining what needs to be completed (see attached).

C & D Glass also has a storage trailer on site. This trailer does not appear on the approved site plan. If the trailer is registered it could be legally parked there, however, if it is used solely for storage it would be in violation of the approved site plan. This issue needs to be resolved.

The bond that was posted is required by the site plan decision. Site plan special permit #2/1/90-322, which required the bond, states that:

- 2.3 A cash bond in the sum of five thousand dollars (\$5000) shall be required. The bond shall be posted with the Town Treasurer with 45 days of filing this decision with the Town Clerk. The bond shall be placed in an interest bearing account. The work that is the subject of this decision shall be completed by October 1, 1991 or the bond will be forfeited to the Town. This bond shall be posted regardless of whether the Petitioner obtains Board of Health approval or Conservation approval. It shall also be returned if the paving is removed and replaced with loam and seed. If it is necessary for the Petitioner to remove the paving, the Petitioner shall submit an amended plan.

As I have indicated above, several issues need to be resolved. The Board of Selectmen needs to decide if they want to release the bond. Mr. O'Coin should also explain to the why the trailer is on site and, if it is not registered, when it will be removed. As indicated in the Engineering IDC, several areas need additional work. If the Board decides to release the bond it should retain \$500 to ensure that the landscaping work is completed.

RECEIVED

JAN 14 1992

ACTON BUILDING INSPECTOR

TOWN OF ACTON

INTER-DEPARTMENTAL COMMUNICATION

DATE: 1/14/92

TO: Garry Rhodes, Building Commissioner

FROM: Engineering Department

SUBJECT: C & D Glass Site Plan

We have inspected the site in question and find the following areas still require some work:

1. The grass strip between Great Road and the sidewalk must be loamed and seeded.
2. The slopes at the back of the sidewalk should be raked smooth, loamed and seeded.
3. The slopes at the headwall exceed 2:1 and are not rip-rapped with 6" - 12" trap rock as required by the plan.

If you have any questions or need additional information, please let us know.


Dennis Ring
Engineering Assistant

I.D.C.

DATE: February 25, 1992

TO: Don Johnson, Town Manager

FROM: Doug Halley, Health Director

SUBJECT: Septic Pumping Notifications

The final programming for septic tank pumping has been completed by Pamet. The Health Department has identified 125 properties which have no history of ever having their septic tank pumped. The owners of these properties will be the initial people notified regarding the necessity of having their septic tank pumped out every two years. Enclosed with this memo is a copy of a sample notification letter, as well as a pamphlet on maintaining septic systems, which will be sent with every letter. Please be aware that this process may be controversial with some home owners but the Health Department is prepared to assure and educate people on the value of this program.

February 18, 1992

Bettina A Norton
1 Boston Pl
Boston, MA 02106

Dear Bettina A;

The Acton Board of Health is in the process of contacting homeowners in Acton who have no record of having their septic system pumped in the last two years. Our records indicate that your property at 101 QUARRY (REAR) RD has not been pumped. Current Board of Health regulations require that each septic system be pumped at a minimum of once every two years. Immediate action should be taken to ensure the continued proper operation of your septic system.

Enclosed with this letter is a pamphlet on maintaining septic systems. The Board of Health requires periodic pumping in order to prevent the intrusion of solids into the leaching portion of the septic system. Solids within the system will cause it to fail prematurely by clogging the surrounding soils.

Should you have a record of having your septic system pumped in the last two years please contact the Board of Health immediately. If you are in need of more information regarding the frequency of pumping, licensed pumpers or any other information please contact Doug Halley at 264-9634.

Sincerely

Doug Halley
Health Director

SOME REASONS WHY YOUR SYSTEM CAN FAIL

POOR LOCATION for your leaching area. Soil is not pervious enough, the watertable is high or there is inadequate percolation of liquids through the soil.

EXCESSIVE SOLIDS in the cesspool, or if there is a septic tank, there could be an overflow of solids into leaching area.

POOR INSTALLATION: Drain pipes and distribution pipes not properly graded, or septic tank is not level.

DESIGNED too small for the present demand.

DRAIN PIPES may become clogged with solids, or roots may grow into the leaching area.

REASONABLE STEPS TO TAKE TO PREVENT SYSTEM FAILURES

DO NOT install garbage disposals, as they are a leading factor of clogged systems.

DO NOT put solids or sanitary napkins, paper towels, grease, hair, oil or coffee grounds down the drain.

INSPECT OR PUMP OUT on-site systems annually. Do not wait until you have a problem.

CONSERVE ON WATER: Excess water can create problems. Install water saving devices wherever possible.

DO NOT put additives into your system. Medicines, paint thinner, disinfectants, pesticides and acids will only kill the bacteria which is needed to decompose the organic matter.

DO NOT use enzymes or volatile organic degreasers for treating your septic tank or cesspool.

DO NOT plant shrubs or trees with deep roots near your leaching area.

DO NOT allow heavy equipment to drive over leaching area.

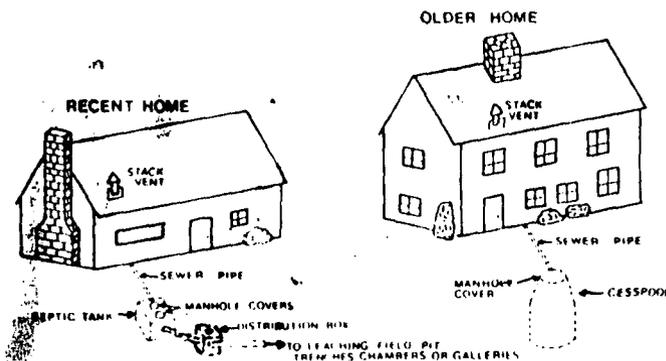
DO NOT build any permanent structure (shed, garage, above ground swimming pool, etc.) over the leaching area or the reserve area of your sewage disposal system.

DO NOT drain cooling water, roof drains, swimming pools, special purpose pools (i.e. hot tubs, whirlpools, float tanks) into your sewage disposal system.

MAINTENANCE INFORMATION

Annual **INSPECTION** and periodical **PUMPING** is your maintenance program. Immediately investigate signs of failure.

WHAT YOU SHOULD KNOW IN ORDER TO IDENTIFY AND MAINTAIN YOUR SEWAGE SYSTEM



This brochure was prepared for the Home Owners, Home Builders, Residents, Septage Pumpers, Realtors and Lending Institutions. Your On-Site Sewage DISPOSAL System can provide trouble free service for many years if maintained properly. This brochure addresses the following topics:

- ON SITE SEWAGE DISPOSAL SYSTEM INFORMATION.
- HOW TO LOCATE YOUR SEPTIC TANK OR CESSPOOL.
- INDICATIONS OF A FAILING SYSTEM.
- HOW YOU CAN INSPECT YOUR SEPTIC TANK OR CESSPOOL.
- SOME REASONS WHY YOUR SYSTEM CAN FAIL.
- REASONABLE STEPS TO TAKE TO PREVENT SYSTEM FAILURES.
- MAINTENANCE INFORMATION.

ON-SITE SEWAGE DISPOSAL SYSTEMS INFORMATION

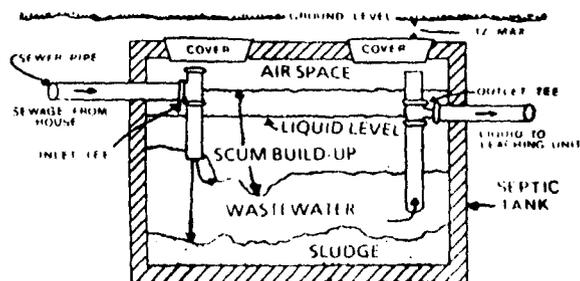
On-Site wastewater disposal systems (septic systems) or cesspools in older homes provide for the treatment and disposal of the wastewater. Cesspools and septic systems have been known, with proper MAINTENANCE, to perform effectively for many years.

Your on-site disposal system is just as important to you as your furnace. A new system of any type or repairs to the old one are very costly. Cost variation is due to the type of failure, soil conditions, water table and lot size. Proper maintenance is the least expensive method.

Cesspools are not allowed in new construction, but a large number of our older homes are still using them. From these homes the building sewer (pipe) goes directly to the cesspool. The cesspool is a large pit and the sidewalls could be either concrete block or fieldstone, with an earth bottom. The lighter solids and grease (scum) float at the top and the heavier solids (sludge) settle to the bottom. The liquid seeps through the perforated blocks or the irregular stones. Life span is limited, although with PROPER MAINTENANCE they could function effectively for many, many years. Should the cesspool overflow, it is usually because the pores in the sidewall and the surrounding soil have been clogged with solids. Normally this occurs from lack of periodical inspections and infrequent pumping out of the scum and sludge. It is recommended that there should be an annual inspection.

The approximate composition of household sewage is 40% toilet, 15% laundry, 30% bathing, 10% kitchen and 5% miscellaneous.

Cross Section View of a Septic Tank



HOW TO LOCATE YOUR SEPTIC TANK OR CESSPOOL

Locating and yearly inspection of your disposal system yourself can cut costs, providing you follow the correct inspection procedure. The recommended procedure to follow is:

- A. Contact your Board of Health to see if they have a plan on file.
- B. If your plan is not on file, follow as recommended:
 1. See if you can find a concrete or metal manhole cover usually located in an area of tall green grass; or where there is a depression on the premises where the grass does not grow; or where there is rapid melting of snow.
 2. If ground surface inspection is of no help: locate the building sewer (main house drain) in the cellar. Measure 10' from the foundation by following the direction of the pipe (it may be more). Probe the soil with a thin metal rod. The septic tank or cesspool cover should be 12" or less below the surface (older homes could be more than 12" below the ground surface).
 3. Record the location and give a copy to your local Board of Health.

INDICATIONS OF A FAILING SYSTEM

- Mushy soil above or near the septic tank, cesspool, leaching field, or liquid surfacing in these areas.
- Foul odor from sewage area, nearby streams, wetlands, etc.
- Any backup of sinks or toilets, not caused by blockage or internal pipes within the house.
- Tall green grass above or near the leaching area, septic tank or cesspool.

HOW YOU CAN INSPECT YOUR SEPTIC TANK OR CESSPOOL

1. Remove cover or covers.
2. With a rod or a stick, measure the scum and sludge layers. If they are more than 1/3 the volume of the septic tank or cesspool, it should be pumped out. Care should be taken to insure that sludge is removed from the bottom.
3. Be sure that both the inlet and outlet tees are in place and free of any solids.
4. For assistance on any cesspool or septic tank problem, call your local Board of Health. Your Health Agent is there to help you.

I.D.C.

TO: John Murray, Assistant Town Manager
FROM: Doug Halley, Health Director
SUBJECT: Status Of Eliot Mental Health Contract

The contract with Eliot Mental Health Clinic was signed by all parties by Dec 6, 1991. Dr. Stern was advised on January 6, 1992 as to the sections of the contract which must be addressed prior to the contract becoming effective. As of this date the town has received no response. Given the signing date of the contract, it is assumed that the first quarterly report we will receive will be on March 1, 1992. In addition, prior to any payment being made, Eliot Mental Health must submit a revised sliding fee scale.

SCOPE OF SERVICES

The Eliot Community Mental Health Center is an incorporated non-profit agency with license to function as full service mental health clinic. We meet standards to be eligible for third party reimbursement from Medicare, Medicaid, Blue Cross/Blue Shield, Champus, most Commercial insurers and selected HMO's (including HCHP, Acton Medical and Concord Hillside).

Services are provided by a multi-disciplinary staff of psychiatrists, psychologists, social workers, nurses and others, who provide service to adolescents, adults and elders with mental health and substance abuse problems. Eliot provides specialized service to the mentally retarded, the mentally ill and victims of sexual abuse. The Eliot Outpatient Service provides individual, couples, family and group therapy, psychological testing and psychopharmacological intervention. Eliot programs include outpatient clinic, a day program, residential services, and an emergency assessment and access to hospital admission at Emerson Hospital. The agency provides consultation to Acton community agencies and schools. Eliot has provided service similar to those outlined in the proposal to Acton and other municipalities in Massachusetts over the past twenty years. A more detailed description of each program follows.

OUTPATIENT CLINIC

Adult Services

Directed by Marian Strauss, LICSW, the adult services provide individual, couples, family and group therapy, psychological testing and psychiatric consultation on a sliding fee scale to residents of the greater Concord area. The adult service staff is comprised of ten clinical social workers, four psychologists, a clinical nurse specialist, and two psychiatrists. (Brief biographies are included at the end of the proposal). The adult service provides specialized treatment for those with substance abuse problems, mental retardation, persons with a history of traumatic abuse and neglect and the homebound elderly. We provide a group therapy program and provide both long term psychotherapy groups and short-term issue oriented groups (ACOA, early sobriety, etc.). All staff receive supervision and/or peer review of all cases.

In addition, the agency serves as a training site for local social work and psychology graduate schools, training about ten interns per year.

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(CONTINUED - Addiction Treatment Service Program (ATS))

The overall program philosophy is that a combination of self-help programs (AA, NA, OA, ACOA, and Al-Anon, etc.) and professional help provides the strongest basis from which individuals and families can be treated and recover. The Program also addresses the issues of co-dependency and the profound effects on significant others, such as child, spouse, employer or friend, who is in close relation to the substance abuser. The Eliot ATS is available to provide services to all affected parties in an alcohol/substance abuse situation.

The ATS Program also provides education, consultation, and supervision services to all staff at the ECMHC. A five-part training seminar on "the Substance Abusing Client" is offered each fall and a weekly addictions case-sharing/consultation group is available to all staff with an interest in addictions related cases.

Sexual Abuse Services

Sexual Abuse Services is a program funded by the Department of Social Services (DSS) which allows Eliot to offer a variety of mental health services to the local community regardless of the client's ability to pay. The specific services currently available are individual, family and group psychotherapy; psychological evaluations; case consultation, and training around the detection and treatment of sexual abuse.

Consultation, Education and Training Department

The Consultation, Education and Training Department is responsible for all consultation, community education and staff training and development, and intern coordination that takes place within the Eliot Community Mental Health Center. The function of the C,E and T Department can be seen as falling into several categories at this time.

I. Staff Training and Development and Coordination of Intern Training Program:

Staff development and intern training is administered and coordinated under the C,E, and T Department in cooperation with program and department directors and discipline conferences and many varied seminars are provided as part of intern and staff training. The development of expectations and standards for internships and supervisors, as well as our

(CONTINUED - Consultation, Education and Training Department of Intern Training Program)

annual orientation program are developed by our Training Committee.

II. Community Consultation and Education:

This includes ongoing consultation to some of the schools in our area, both public and private, as well as to other community agents and agencies. Such consultation is usually contracted and regularly scheduled. It may also include case oriented screening and referral services. Also included in this area are workshops and seminars and presentations aimed at the community in general as well as specific interest groups.

The Director of C,E & T is responsible for coordinating consultation and training program with other providers, including Emerson Hospital and Mental Health Association and for negotiating appropriate contacts in the community.

In Acton, we provide consultation to the Visiting Nurses, consult on a regular basis to Acton-Boxborough High School and provide assistance to the police department for screening candidates.

III. Corporate and Employee Services:

Over the past ten years we have developed an initiative to local industry and business which has resulted in a program called Corporate and Employee Services (CES). The CES includes Employee Assistance Programs, Stress Management Workshops, Supervisor Training, Alcohol and Drug Program, and Employee Mental Health Education. ECMHC has been a leader among mental health centers in New England in the development of programs for industry. Mark Sagor, MA, is the Director of Corporate and Employee Services.

MR Services

Eliot Community Mental Health Center offers a variety of services for mentally retarded adults and children, their families, and the community. Services may include individual, family or group therapy, psychiatric consultation, and psycho-educational groups, and special "skill building" groups. Specially trained staff work closely with other community agencies providing services for this population. Services are located both at Eliot and in the community.

Volunteer Services

The Volunteer Service Program enables the Outpatient Services and interested citizens in the community to come together for mutual assistance and benefit. Community volunteers assist in clinical, clerical, and administrative areas of the Outpatient Services while receiving supervision for their work.

The program provides for the extension of Outpatient Services offering outreach and other services through the use of clinical volunteers. Clerical volunteers enable the office staff to delegate certain duties, while freeing up time to perform other necessary tasks.

Elderly Services

The Elderly Resource (ERT) is a part-time multidiscipline team providing specialized geriatric evaluation, diagnostic, consultation, treatment, training, and referral services to elderly in the community as well as their caregivers and service providers. The team consists of a psychiatric clinical nurse specialist, (Mary Young, RN MS CS), a clinical social worker. (Gail Lovell, LICSW), and a consulting geriatric psychiatrist (Gopinath Mallya, M.D.). Services may be provided on site or on an outreach basis. The team frequently consults with other Eliot CMHC clinicians working with older adults and other community providers (Heritage House congregate residence, housing authorities, nursing homes, adult day health, visiting nurses, home care workers, etc.). The primary target population for specialized ERT services is older persons with complex psychiatric, medical and/or social service needs. These elders are often quite frail and may experience barriers to accessing mental health services.

Aftercare Clinical Team

The Aftercare Clinical Team, begun in July 1984 at the Eliot Community Mental Health Center, is one component of a comprehensive mental health service delivery system, which serves adults who suffer from a major, recurring mental illness. The focus of the work is to develop a treatment plan in coordinating with our clients, using their strengths to address their needs. The emphasis is on the person suffering from the illness not the illness itself, and how the illness affects family, friends and the individual's social network. Mutual trust and respect are the foundation for developing a working partnership with each of

(CONTINUED - Aftercare Clinical Team)

our clients. We work with a wide range of problems including negotiation of private and public sector support systems, family conflict, interpersonal difficulties, acute psychotic episodes, and individual passivity and dependency to name a few. We provide comprehensive psycho-social assessment and referral to appropriate clinical resources, as well as provide traditional psychotherapies, i.e., individual, family, and group; crisis intervention, and hospital diversion. We work with our patients in a variety of settings, including inpatient units, at the Center, at Stepping Forward Clubhouse, and in their homes.

DAY TREATMENT PROGRAM

Stepping Forward - Clubhouse †

Stepping Forward provides a supportive, normalized setting designed to help adults with major mental illness increase their quality of life. The program is transitioning to a clubhouse model based on Fountain House in New York.

Stepping Forward is organizing into two components:

1. Work Ordered Day

Mondays through Fridays are organized around pre-vocational work units. Coming to Stepping Forward is like coming to a job. The days involve participating in the real work generated by the units. Members contribute to the program's daily operations while acquiring skills needed for competitive employment.

2. Evening & Weekend Social Program

Stepping Forward is opened two evenings during the week and two Saturdays a month for social interaction and recreation. The social program is available on Wednesday and Thursday afternoon from 3:00 P.M. to 5:00 P.M.

Expectations for membership at Stepping Forward include members being responsible for themselves and their participation in the program.

Residential Programs +

Eliot House

Eliot Houses is a group home that provides a supportive structured family-like setting for clients with long histories of serious mental health problems. This rehabilitative program focuses on skill building for community living - cooking, shopping, socialization, use of community resources, etc. Clients gradually learn through the program.

Eliot House serves twelve clients. It serves males and females between 22 and 55 who have serious mental health problems that interfere with their ability to live independently.

Heritage House

Heritage House is a staffed congregate housing for mentally ill elders. Eight residents have their own bedrooms and share kitchen, living room and craft area. The house is staffed during traditionally service-poor times, evening and weekends.

Each resident attends a social day program 5 days per week, 9-4 P.M., that is run by Cooperative Elder Services. Here they participate in such programs as current events, exercise, leisure activities and resocialization.

The goal at Heritage House is to provide elders a supportive environment in which they may grow and develop to their fullest potential. Based on a milieu model, staff works with the residents toward their individual goals and integration into the community.

Terrace Place - Support Independent Living Environment

The Supportive Independent Living Environment provides adults who are in need of the support of a group to live together with minimal staff supervision. All residents are expected to be off grounds between 9:00 A.M. and 4:00 P.M., and involved in a useful activity. One meal is served at the house and there is overnight staff available.

CRISIS SERVICES

Eliot provides emergency service from 9 A.M. to 5 P.M. Monday through Friday. Clients are seen on site and evaluated. If hospitalization is necessary, they are taken to the Emerson Hospital emergency room. Dr. Robert Stern, Eliot Executive Director, is on staff at Emerson Hospital and is able to directly admit patients to Emerson Hospital.

On weekends and evenings all cases are referred to the Center for Mental Health in Waltham, which is the Department of Mental Health Crisis Service vendor for the Concord area. Eliot maintains an ongoing dialogue with The Center for Mental Health, and we are in regular communication about clients who utilize services at both agencies.

THERAPEUTIC PRIMARY PROGRAM

Eliot Child Family Life Center

Eliot Child and Family Life Center provides a range of therapeutic group experiences for children.

TPP (Therapeutic Primary Program) is a developmental, therapeutic milieu, serving children with emotional and social difficulties, ages 3 to 7 1/2, in small group settings. TPP offers developmental groups and a therapeutic kindergarten classroom.

TPP provides a therapeutic environment for these children to deal with a variety of developmental problems from emotional immaturity, impulsivity, neurotic fears and behavior that parents or school find problematic to disorders as severe as autism. Separation, uncontrolled aggression, poor self-esteem and acute sibling rivalry are some of the issues frequently dealt with. Appropriate skills development is an integral part of the program.

In addition to biweekly individual meetings with their child's therapist-teacher, parents are offered the opportunity to join the mothers' group. For all youngsters enrolled in public school, consultation services are offered with the aim of coordinating services, and facilitating transition from TPP to school.

The Child and Family Life Center also offers weekly 1 1/2 hour child socialization groups for children ages 3-10 with monthly parent support and feedback meetings.

AGENCY BUDGET REPORT
FISCAL YEAR 1990 STATISTICS

TOWN	POPULATION	%	OUTPATIENT DEPARTMENT			DAY TREATMENT		CRISIS CENTER CONTACTS	TPP
			CLIENTS	VISITS	NEW INTAKES	CLIENTS	VISITS		
Acton	17,350	21.4	188	3125	96	22	2222	1268	3
Bedford	12,500	15.5	106	1697	69	6	672	816	3
Boxborough	3,274	4.1	32	455	11	0	0	85	1
Carlisle	4,200	5.2	20	380	9	1	25	129	0
Concord	15,600	19.3	127	2080	70	1	270	582	4
Lincoln	5,000	6.2	14	257	2	1	142	123	5
Littleton	7,162	8.9	65	940	49	7	779	745	1
Maynard	10,152	12.6	108	1871	52	4	1329	693	1
Stow	5,500	6.8	25	465	6	0	244	174	0
Other	0	0	94	1491	19	19	1245	771	8
TOTAL	80,738	100%	779	12,761	383	61	6,928	5,386	26

COST PROPOSAL

The Eliot Community will bill the Town of Acton in accordance with provisions consistent with the expectations of the Betsy Ball Fund to a maximal amount of \$22,000.

The Eliot Community Mental Health Center will bill the Town for provision of service not covered by third party insurances. The provision of service will be allocated on a needs basis. We will estimate expected revenue from insurance carriers and will adjust this amount quarterly as actual income is received.

Charges for service:

one hour of evaluation, individual, family, or couples treatment	\$75
medication evaluation	\$22/10 min
one day of day treatment service (Stepping Forward)	\$75

In FY'90, Eliot provided 3125 visits in the Outpatient Department, and 2222 visits at Stepping Forward.

Anticipated breakdown by service type for FY'92 for Acton residents.

Elderly Resource Team	50 visits	10 patients	0
General Outpatient	2000 visits	150 patients	+
Addiction Services	150 visits	5 patients	+
Sexual Abuse Services	50 visits	5 patients	—
Aftercare Clinical Team	1000 visits	25 patients	
Mental Retardation Services	75 visits	3 patients	+
Stepping Forward	2200 visits	20 patients	

8/1/90 FEE SCHEDULE PER SESSION (for all treatments, max. group fee \$37.50)

TOTAL GROSS FAMILY INCOME

NUMBER OF DEPENDENTS INCLUDING CLIENTS

<u>WEEKLY</u>	<u>MONTHLY</u>	<u>ANNUALLY</u>	<u>1 & 2</u>	<u>3</u>	<u>4</u>	<u>5 or more</u>
Up to \$115	Up to \$499	Up to \$5,999	\$ 5.00	\$ 5.00	\$ 5.00	\$ 5.00
			0	0	0	0
115 - 153	500 - 666	6,000 - 7,999	10.00	8.00	6.00	5.00
			8	0	0	0
154 - 191	667 - 832	8,000 - 9,999	12.00	10.00	8.00	6.00
			8	0	0	0
192 - 268	833 - 1,166	10,000 - 13,999	16.00	14.00	12.00	10.00
			18	8	8	8
269 - 345	1,167 - 1,499	14,000 - 17,999	20.00	18.00	16.00	14.00
			28	18	12	8
346 - 424	1,500 - 1,832	18,000 - 21,999	24.00	22.00	20.00	18.00
			38	28	23	23
425 - 499	1,833 - 2,166	22,000 - 25,999	35.00	30.00	25.00	20.00
			48	38	33	33
500 - 576	2,167 - 2,499	26,000 - 29,999	40.00	35.00	30.00	25.00
			53	48	43	43
577 - 672	2,500 - 2,916	30,000 - 34,999	45.00	40.00	35.00	30.00
			73	73	73	73
673 - 769	2,917 - 3,333	35,000 - 39,999	50.00	45.00	40.00	35.00
770 - 962	3,334 - 4,166	40,000 - 44,999	55.00	55.00	50.00	50.00
963 - 1,058	4,167 - 4,583	45,000 - 54,999	60.00	60.00	55.00	55.00
1,059 - 1,250	4,584 - 5,417	55,000 - 64,999	65.00	65.00	60.00	60.00
1,251 - 1,442	5,418 - 6,250	65,000 - 74,999	70.00	70.00	65.00	65.00
Over 1,442	Over 6,250	Over 75,000	75.00	75.00	75.00	75.00

DRAFT

**SELECTMEN'S MEETING
FEBRUARY 4, 1992**

The Board of Selectmen held their regular meeting on Tuesday, February 4, 1992. Present were Norm Lake, Nancy Tavernier, Dore' Hunter, Anne Fanton and Town Manager Johnson

CITIZENS' CONCERNS

None expressed.

PUBLIC HEARINGS AND APPOINTMENTS

**BOSTON EDISON
CONDUIT LOCATION - STRAWBERRY HILL ROAD**

NANCY TAVERNIER - Moved to approve with staff comments -
DORE' HUNTER - Second. UNANIMOUS VOTE.

**THE DOCTOR, FOREIGN CAR SPECIALIST
CLASS II - 2 EASTERN ROAD**

The Board reviewed staff recommendations regarding this request for license. Mr. Murphy was not present for the hearing, but was in receipt of the staff comments recommending denial of this request. NANCY TAVERNIER - Moved to deny this request on the basis of staff recommendation. DORE' HUNTER - Second. UNANIMOUS VOTE.

CONSENT CALENDAR

The Board approved the Consent Calendar as submitted with the additional item from LeLyonnais requesting a One Day Liquor license for February 16, and with the elimination of Item 4 as it is a Town Manager's Appointment. NANCY TAVERNIER - Moved to accept with items noted. DORE' HUNTER - Second. UNANIMOUS VOTE.

SELECTMEN'S CONCERNS

Republican Town Committee - DORE' HUNTER moved to appoint a Registrar of Voters from the list submitted in the order suggested. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

MPCC - The Board discussed Anne's recommendation of Nicholas Miller as the Board's Citizen at Large candidate. NANCY TAVERNIER - MOVED to appoint Nicholas Miller to the Master Plan Coordinating Committee. DORE' HUNTER - Second. UNANIMOUS VOTE.

Coordinating Committee - Dore' updated the Board on the finalized Assumptions worked out by the coordinating Committee. The guidelines from Employees expenses was the greatest factor in delaying the assumptions. He felt the Assumptions as outlined in the January 27th Memo (attached to minutes) should be accepted by the board. DORE' HUNTER - Moved to accept the Assumptions For FY93 as outlined in the January 27 Memo from Staff. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

The Finance Committee wants to have a meeting prior to the finalization of the warrant. Don has spoken to Sandy Sanford about the timelines. February 27th has been reserved as the date for town and school budget presentation. The Public hearing has been set aside for March 25, 1992 in Room 204. Dore' asked staff to be sure that the Finance Committee receives the preliminary budget documents and articles at the same time as the Board.

MMA CONFERENCE - Anne and Nancy gave the Board a report on the seminars they attended at the recent meeting. Anne distributed notes from the two seminars she attended on the Disability Act and Privatization possibilities for board review. Nancy presented the Town Manger with the MIIA Award for safety that the Town was awarded for the second year in a row in the over 15,000 population.

TAC - Anne has asked TAC for an additional two weeks to review their most current memo before we respond. Nancy thought 9 members were excessive. Anne felt they were still not pro-active enough. Dore' was still not convinced that they were a committee without a mission.

PAPA GINO'S - The Board asked staff to send a letter to the Management regarding the on-going violations and health concerns.

TOWN MANAGER'S CONCERNS

BIOREMEDIATION - Don asked the Board to review a letter drafted by the Health Dept. regarding the costs associated with the Testing. The board asked that the letter be re-drafted to include the concerns of the board regarding GZA's costs and cost exceeding the project's budget. The Town agreed to fund the Anderson portion of the study but wanted GZA's costs factored before sending the letter. Staff will re-draft for Board signature.

EXECUTIVE SESSION

The Board voted to adjourn into Executive Session for the purpose of discussing Negotiations DORE' HUNTER took roll call all Ayes.

The Board adjourned into executive session at 8:30 P.M.

Clerk

Date

Christine Joyce
Recording Secty.
cmjW11-(194)

EXECUTIVE SESSION MINUTES

D2A6T

February 4, 1992

ACHC - Audubon Hill - The Board discussed the most recent staff negotiations with the bank and the numerous phone conversations with Roy Smith. Roy Smith has made veiled threats to the Town Manager about the Town's negotiations with the Bank. Don said he would check with the Board to get together and wrap it up with the bank and make a public statement. The Town is focused on retaining the Senior Center. The latest deal offered is one unit and the senior center. Staff recommends taking the deal, going to Town Meeting to get permission to sell the unit and use the proceeds to finish the Senior center and equip the kitchen and possibly by other units around town. Nancy asked if we could get a guarantee to building the Senior Center. Don suggested the senior center is all set unless FDIC moves in. Dore felt we should discuss this in public session and take votes when negotiations are completed. Staff was asked to proceed with negotiations and prepare documents to be brought back for public discussion and then have the Board vote. Norm wanted the Condo fees exempted on the Senior Center, Air conditioning, car port and gas conversion done. DORE' HUNTER - Moved to authorize the Town Manager to negotiate on behalf of the town. NANCY TAVERNIER - Second. UNANIMOUS VOTE. Dore's suggested specific statement that would state that these negotiations were not meant to embarrass or cause harm to Roy Smith.

NESWC - Dick Howe has met the tonnage problem but a 200,000 shortfall is anticipated he feels he will only be able to cover half. John and Dick will be at the next Executive Meeting to discuss the Stabilization Fund misuse and GAT.

The Board adjourned at 9:45 P.M.

Clerk

Date

Christine Joyce
Recording Secty.
cmjW11-(194)

DRAFT

SELECTMEN'S MEETING

FEBRUARY 18, 1992

The Board of Selectmen held their regular meeting on Tuesday, February 18, 1992. Present were Norm Lake, Dore' Hunter, Anne Fanton and Assistant Town Manager Murray

CITIZENS' CONCERNS

Joe Colentro expressed his displeasure with the continued power outages experienced in West Acton. He believes the problem could be solved if Boston Edison really wanted to and we tired of hearing we were at the end of the line and asked the Board to discuss the outages with Boston Edison. Dore' suggested a letter to the DPU would also be helpful. The Board assured Mr. Colentro that they would discuss this with Edison.

PUBLIC HEARINGS AND APPOINTMENTS

AUDUBON HILL

John Murray outlined the series of events leading up to the agreement worked out with the Bank to date that he is asking the Board to approve. The Bank has asked to amend the agreement. Don Johnson, Bill Grothrope and John met and felt that after careful analysis if the agreement was not modified, the north phase would probably not be built and the senior center, originally tied in the agreement to the north phase would also never be complete. Dore' asked about contingency with the north phase. He felt that if it was the only alternative we had, and if we stuck to the original agreement the project would collapse, we should consider the amendments. Anne felt that if it was the best deal we should agree, however she was concerned with the 130,000 being used for elders. She asked if the money could be used to fund the expenses of the senior center and asked for figures for operations. Roy Smith again stressed that the bank was committed to proceed with the project that under FDIC that the cap was at 4.5 million and not a penny more. Ed Richter urged us to move ahead to ensure completion of the project and senior center as he had purchased a unit and was very happy with the arrangement. Kevin McManus of the AHA felt that the money that has been offered in lieu of units should be used to create housing for low and moderate housing. Dore' asked about his idea on how they should be used. He felt a purchase of a unit for moderate income at the project or seed money for ACHC or AHA should be considered. Steve Graham ACHC urged the money be used for low and moderate housing. Bob Evan spoke in favor of the money being used for subsidized housing as that was then intent of the original agreement. Dr. Logan asked about the completion date of June 1992 in the original agreement as asked why that was not being modified as well. Bill Grothrope urged earmarking of the funds to be used for low and moderate income and felt the

amendments to the agreement were good in light of the economic situation. DORE' HUNTER - Moved to authorize the Town Manager or his designee after the advice of the Board of Selectmen, to continue negotiations with language about the 130,000 cash modified, a time specific for completion of the Senior Center and a start and completion date not tied to completion of the North Phase as well as a completion date of the entire project and to sign the agreement on behalf of the Board. ANNE FANTON - Second. UNANIMOUS VOTE.

CONSENT CALENDAR

The Board approved the Consent Calendar as submitted with a change in the minutes to reflect a no vote on the Minuteman School Deferral issue by Chairman Lake. DORE' HUNTER- Moved to accept with the minutes correction. ANNE FANTON - Second. UNANIMOUS VOTE.

SELECTMEN'S CONCERNS

Route 2 Corridor Advisory Committee - Anne spoke about the meetings and her draft letter to Concord and asked the Board for endorsement of the letter. Dore' thought the letter was very good and we should send it.

TAC - Dore' spoke about TAC and he still doesn't see it coming together right now. DORE' HUNTER - Moved to disband the TAC because of the inability to communicate our needs. ANNE FANTON - Second - Anne felt a Task force will be a recommendation she will be making in the future. Norm felt we should wait for a meeting when a full board was available before taking this action. Dore' withdrew his motion.

LANDFILL - Anne expressed her concern about the possible traffic problems at the landfill if all the candidates were campaigning without direction. Staff was asked to notify the Beacon about the procedure for obtaining permission to canvass the landfill in the News Brief section.

MAPC - Anne asked the Board for support concerning the upcoming 26th meeting regarding Capital Improvement. The Town needs to nominate growth centers in order to influence State funding. ANNE FANTON - Moved to authorize Don Gilberti to nominate the four village centers and Kelley's Corner for inclusion in the MAPC Capital Improvement Plan. DORE' HUNTER - Second. UNANIMOUS VOTE.

TOWN MANAGER'S CONCERNS

BUDGET - John Murray presented the Budget to the Board and outlined the Capital Projects in the Warrant. Anne was concerned with the Elliot Mental Health funding issue. The \$22,000 was

- taken from the Betsy Ball Fund last year. Dore' felt we should probably not just stop funding this year and that we should appropriate \$11,000 with the understanding that we cannot continue to contribute in future years. The Board discussed the capital projects that were included in the budget and the two items in the warrant. Dore' felt that a notation should be made in the warrant that this is the last year that capital items would appear in the Warrant as an article, that in future years they will be included in the Budget. The Board asked for more detailed summaries. The board future decided to order and assign recommendations at the March 3rd meeting. The chairman will assign articles to the individual selectmen for Friday's packet.

DORE' HUNTER - Moved to approve the Bottom Line Budget at \$9,979,000.00. - ANNE FANTON - Second. UNANIMOUS VOTE

NESWC - John updated the Board on the current negotiations with NESWC regarding tonnage. Dore' asked to have as much notice as we can get as it reflect on the budget.

The Board adjourned into executive session at 10:00 P.M.

Clerk

Date

Christine Joyce
Recording Secty.
cmjW11-(200)

February 26, 1992

The Board of Selectmen
Town of Acton
Town Hall
472 Main Street
Acton, MA 01720

Dear Sir/Madam:

The Board of the Acton Council on Aging is writing this letter urging that you consider favorably the new agreement presented to the Town by Boston Federal Savings Bank regarding Audubon Hill. The highlights of this agreement were presented at the Selectmen's meeting on Tuesday, February 18, 1992. Incorporated into this new plan are the COA Board's recommendations for the Senior Center as outlined in Roy Trafton's letter to Mr. Don Johnson dated December 13, 1991, a copy of which is attached.*

At issue is a sum of \$130,000.00 from Boston Federal to the Town which has been earmarked for elderly purposes. The COA Board is gravely concerned that there will be a conflict with other agencies regarding use of this money. In particular, Mr. Steven Graham of the ACHC suggested at the Selectmen's meeting on February 18, 1992, that the money be used to purchase one unit of affordable housing on Audubon Hill. The Senior Center will serve the 1,900 senior citizens in Acton presently and an indeterminable number in future years, whereas the ACHC's recommendation would serve one family. While the COA Board certainly is sensitive to the need for affordable housing in Acton, in balancing the different interests, and in view of the long history of Audubon Hill, it is clear to our Board, and hopefully to the Board of Selectmen, that Acton's senior citizens would be more fairly served by having this building as proposed. Therefore, before considering dispersion of these funds to other interests, the COA Board requests that sufficient consideration first be given to the needs of the Council on Aging and its Senior Center

*The COA Board directs your particular attention to paragraph 3 regarding storage space. In renegotiating the agreement the Board proposes that a basement area be recommended for such storage.

It might be helpful to review the present status of funds allocated to the COA for operational costs of its Senior Center. \$37,500.00 has been set aside by way of a warrant article unanimously approved at Town Meeting in April 1989. The warrant article covers operational costs for a one year period, and most of that money is earmarked for maintenance personnel, some furnishings, and extended hours for a program coordinator. The program coordinator currently works 8 hours per week for a 9-month period and is paid from an annual state grant. Should the state eliminate this funding, the position will be totally unfunded.

The Town also budgets \$3,600.00 to the COA for rents at the Acton Congregational Church where the COA office is located, and at the West Acton Baptist Church which presently serves as Acton's Senior Center. The space at the Baptist Church is shared with a nursery school making full use of activities quite limited. We remind you that this space is not handicapped accessible. While the COA Board is appreciative of the churches' generosity and shares with them an amicable relationship, the facilities are clearly inadequate to serve the present and future needs of Acton's senior citizens. This \$3,600.00 will be better spent serving Acton's senior citizens at the new Senior Center. While helpful, this \$3,600.00 amount will be inadequate to cover anticipated operational costs.

In addition, the new Senior Center includes a full service kitchen not previously included in the original agreement. As a result, there will be added expenditures in supplying that area. The added investment will reap long-range savings. For example, each Friday senior volunteers prepare soup and sandwiches for a donation of \$1.50 per person. Increased participation will generate greater donations, and the COA Board is confident there will be greater participation once there is a desirable and accessible facility. There is no reason to believe financial support by way of fundraisers and appeals will wane. If anything, the excitement of having this long sought after Senior Center will create a much more enthusiastic response by our senior constituents.

Furthermore, future usage might include employing the building as an emergency shelter for Acton residents or as a meeting place for the local chapter of the AARP. The AARP already has expressed an interest in using this building for its monthly meetings. If the building is properly equipped and furnished, as proposed by the COA Board, it will have the potential as a rental facility for appropriate groups.

Finally, the Council on Aging is a town agency that performs much more than the highly regarded and well attended bus trips, dinners, line dance and exercise classes, and bridge classes, to name a few. Through the tireless efforts of our Director, Carol Lake, the COA also takes care of our increasingly needed social programs. Mrs. Lake administrates the townwide emergency fuel assistance program (not limited to senior citizens), she assists an increasing number of people with their requests for information regarding home care, nursing homes, housing options, Medicaid and Medicare issues, etc. As you are well aware, the COA has a strong and credible record for community service and we would like to maintain that level of commitment.

We would therefore urge you to recognize that the needs of our senior citizens would more fully be met by allocating the \$130,000.00 as presented by the Bank in ways that would provide the broadest gain for the greatest number. We especially want you to share the gratitude we have for those Acton senior citizens who have contributed so greatly to our community and whose hard work and perserverance now deserve a more tangible reward.

Respectfully,



Marcia Epstein
Chair, Acton Council on Aging



Roy Trafton
Vice Chair, Acton Council on Aging

cc: Don Johnson,
Town Manager

John Murray,
Assistant Town Manager

December 13, 1991

Mr. Donald Johnson
Town Manager
Acton Town Hall
Acton, MA 01720

Dear Mr. Johnson:

The Council on Aging has reviewed the floor plan for the proposed Senior Center located on Audubon Hill and has the following comments.

A review of the office areas should be changed to provide a larger conference/library with two offices rather than the three offices and a library. This would facilitate an area for holding conferences, etc. In addition, a clarification of the available storage areas for the offices should be made.

The kitchen area has been expanded to approximately 12 feet wide by Roy Smith. This kitchen area will allow sufficient space for a future full functioning kitchen. The Board of the Council on Aging has a concern that there is no storage for kitchen supplies, such as cartons and paper products, etc. In order to resolve the kitchen layout, it is proposed that we consult with the architect to allow for a plan of the area that can meet our ultimate requirements.

In discussing this possible expansion, a consideration for a larger septic system has to be made. Mr. Smith stated that the presently proposed septic system will not be sufficient to handle a fully equipped kitchen. Therefore, it was thought that the town might consider covering the cost of enlarging the septic system at the time of construction or wait for possible connection to the "sewer" system that may be approved in the future.

Another possible consideration is the heating. The present fuel is a propane supply system, which is more expensive than natural gas. In order to connect to the natural gas line, the town would have to dig a trench to lay a gas line from High Street up the old driveway to the Senior Center. This would, in the long run, be more economical and reliable for the town.

The problem of the handicap access for the Van was discussed with Mr. Smith and he will give some thought to it. The proposal is to provide a covered access on the south side to accommodate the Van without the riders being exposed to the inclement weather.

Mr. Donald Johnson
Senior Center -COA

Parking could be a problem as the present plan allows approximately 30 spaces. As many functions for the COA and other potential users of the facility could have as many as 150 people, clarification of alternate parking such as on the access road and on adjacent unpaved areas is needed.

A question was raised as to the maximum number of people that may be allowed in the center at one time due to fire or other regulations.

A review of the public rest rooms which have two hoppers for each room, is thought to be marginal for the amount of participants we expect. It would be nice if we could add an additional hopper for each room by changing the entry area layout.

The above considerations are the main concerns, but there are several minor questions that should be raised.

We do not know about the outside lighting plans. This is a concern as the seniors using the facility after dark should have good lighting for the access walks and parking areas.

We are assuming that the Council on Aging will have administrative control over the facility. This should be formalized by a written directive by the town.

A question was raised as to the possibility of having a flag pole. Mr. Smith has no plans for this consideration.

Finally, a question was asked as to what extent people or organizations involving out of town members will have of use of the Senior Center.

The Council on Aging looks forward to having this very nice facility available for the Senior Center. It is our understanding that construction will start shortly after the first of the year and be completed by late spring. Therefore, it is imperative that any considerations be resolved in the near future. The Council has appointed myself as their liason with Mr. Smith and the town representative. I am available to meet with you or your representative at your convenience.

Very truly yours,



Roy J. Trafton
Vice Chairman
Council on Aging
263-2052

cc: Carol Lake, COA
Marcia Epstein, COA Chmn



ACTON COMMISSION ON DISABILITY

Town Hall
Acton, MA 01720

February 26, 1992

Acton Board of Selectmen
Town Hall
Acton, MA 01720

Regarding the money to the town of Acton from a signed proposal marked for "elderly purposes", I am writing to support the use of this money for the long overdue senior center.

We have a large population of elderly in Acton, and it is growing. The Council on Aging has been working out of a small, inadequate space for too long. It is most difficult to work and run a good program for the elderly under the present circumstances. The center would benefit the entire elderly population, many of whom are disabled. At present, many cannot use some of the sites where programs are run. One new, accessible center would be a big boon for the elderly, the entire community, and meet the guidelines of the new federal legislation, the ADA.

Acton is ahead of other communities in many ways, but the lack of a center for the elderly is out of character for Acton's otherwise exemplary services.

Thank you for your careful consideration of this matter.

Sincerely,

Walter K. ...

AUDUBON HILL

cc: 805

Acton, Massachusetts

26 February 1992



The Board of Selectmen
Acton Town Hall
Acton, MA 01720

Dear Selectmen:

We, the undersigned Brewster Lane residents of Audubon Hill, request that the Board of Selectmen strongly consider applying the \$130,000, received from R. Smith Associates in the renegotiation of the 1989 comprehensive agreement, to the Council on Aging for the maintenance and furnishing of the new Smith-Cloonan Adult Center.

We are interested in this becoming a useful service facility for the town.

Elwin Richter
Angelina A. Raposa
Frank L. Raposa (ass)
Susan G. Olson
Carl L. Olson (S60)
Eddick Cain
Marrell Law
Thra + Roy Vercollone
Arunta Tuzella
Margaret Richter
Elizabeth A. Powers
John Powers
Joanna P. Craig
Angelene L. Conn
Dorothy M. MacNeil

Blanche MacNeil
Barbara Brown
Laura Ziegler
Susan E. Brown
Margery Webster
Emma Frank
Priscilla B. Grindle
Carol H. Vandulippe
Margaret C. Beddoe
Kathleen Harrington
Walter Harrington

BOS - THIS WAS RECEIVED FOR YOUR MAIL PACKET 2/28
OF FEB. 28. A SUBSTANTIAL AMOUNT OF EXPLANATION,
DISCUSSION OF THE MEETING THAT STAFF HAD WITH AHA AND
ACHC REPS ON 2/24 AND REBUTTAL WOULD BE APPROPRIATE. WE
DID NOT HAVE TIME TO PREPARE THAT INFO. BUT WANTED YOU TO
FEB 28 1992
ACTON HOUSING AUTHORITY
P.O. BOX 681
ACTON, MA. 01720
(508) 263-5339
TDD #-1-800-5451833 EXT.120
HAVE BETY'S LETTER.
WILL DISCUSS WITH
YOU LATER.

February 26, 1992

Mr. Norman Lake
Chairman, Acton Board of Selectmen
Acton Town Hall
Acton, Ma. 01720

Dear Norm:

I am writing to clarify what appears to be a misinterpretation by others in attendance at the February 18th Public Hearing for Audubon Hill with regard to comments made by Members of the Acton Housing Authority or the Acton Community Housing Corporation.

To this end it is important to first review the chronological order of events that led up to that Open Meeting.

1). October 9, 1991

A.H.A.'s Executive Director asked for the Acton Community Housing Corporation's assistance in exploring possible ideas to exercise The Right of First Refusal Options for five (5) Audubon Hill units held by AHA without the purchase monies promised by the State.

(excerpts of ACHC's Board Minutes attached)

2). November 20, 1991

Bill Gothorpe and Kevin McManus reported back to ACHC's Board on three possible options for consideration.

(excerpts of ACHC's Board Minutes attached)

3). January 6, 1992

ACHC's Members made formal presentation to AHA's Board. AHA's Board voted to support the concept of Option #1.

(AHA's Board Minutes attached)

4). January 7, 1992

AHA & ACHC present option #1 to Selectmen(see ACHC's memo to Selectmen attached) At the time of the presentation I also informed the Selectmen that the Developer had offered two of the five units to the AHA for \$1.00 each in exchange for not exercising their rights to the remaining three. The ACHC stated should Option #1 be accepted by the Town the ACHC would reimburse the Town for the legal expenses incurred in altering the original Audubon Agreement.

After the ACHC's presentation we understood the Selectmen took the proposal under advisement and instructed Town Staff to review

and make recommendations at a later date. From that Selectmen's meeting to February 18th the Housing Boards assumed the "negotiations" being conducted would resemble the original option or at the very least the two units would be deeded outright to the AHA.

5). February 13, 1992

Town staff made its formal presentation at an Open Hearing. I am acutely aware now, that other than the members of the Housing Boards, none of the audience at that Hearing knew this history. Thus, without knowledge of what had gone on before, the "mild" surprise expressed by the ACHC and the AHA was left for misinterpretation. What would another Board's reaction have been when their valuable vested interest was not the final outcome? The AHA had asked for the cooperative efforts of all in protecting the Right of First Refusals for the Town and in the final outcome we have lost all!

Norm, this has been difficult for me personally. For the first time I have felt the concerted efforts of the Authority and the ACHC to work in partnership with the Town have failed. Failed in the fact that the history of our request did not become common knowledge. This is a travesty. It has strained an excellent working relationship between the Director of the Council on Aging, the COA's Board and the Authority's Board and Staff. The COA was "appalled" at the reaction of the Housing Boards at the Public Hearing. After a lengthy conversation with the Director of the COA I believe I have repaired that valuable relationship. I look to you and the other members of the Selectmen to assist in dispelling any other perceptions by those in attendance at that meeting that the Housing Boards would look only to their own self serving interests. I and other Members of the Housing Boards recently explained to Town staff that the housing committees would never become obstructionist in the construction and the financial operation of "our" much needed Senior Center. Our innocent request for assistance to protect those valuable Right of First Refusal Options almost escalated into an irreversible rift.

On March 2nd the Acton Housing Authority has invited the COA's Chairman, Vice-Chairman and its Director to our Regular Meeting for the purpose of clearing the air. It is hoped that a joint proposal on the dispersement of the \$130,000 ear marked for Elderly purposes as outlined in the Third Agreement of Audubon Hill can be developed and approved for the additional endorsement of the ACHC. We hope this proposal will prove valuable to the Selectmen in their final decision on the dispersement of the funds.

I have learned an important lesson. Thank you for the opportunity to explain in writing the positions of your Town's Housing Committees.

Sincerely,



cc. Council on Aging
Acton Community Housing Corporation

ACTON COMMUNITY HOUSING CORPORATION
MINUTES OF REGULAR MEETING
OF THE BOARD OF DIRECTORS
OCTOBER 9, 1991

Pursuant to a notice given, a meeting of the Board of Directors of the Acton Community Housing Corporation was held October 9, 1991 at 7:00 am at the Acton Town Hall, Room 126. Present and constituting a quorum for the purpose of transacting business were Bill Gothorpe, Kevin McManus, Naomi McManus, Nancy Tavernier, Bob Wiltse, Peter Berry and Roy Smith.

Absent: Steve Day, Charles Kostro, Jana Mullin

1). Bill Gothorpe, Chairman, called the Regular Meeting to order at 7:00 am.

2). Nancy Tavernier moved that the Minutes of the Regular Meeting of 9/4/91 be approved with the following correction noted. Item #7 last sentence: "He informed the members that Minuteman Technical High School has worked with the Lexington community to construct affordable housing." Kevin McManus seconded the motion and all the members voted to approve.

3). The Board reviewed Roland Bartl's request of the ACHC to support the Accessary Apartment Zoning Article at the Special Town Meeting on 10/28/91. Kevin McManus moved that the Chairman, Bill Gothorpe speak to the article at Town Meeting. Nancy Tavernier seconded the motion and all members voted in favor of the motion.

4). Naomi McManus discussed with the members the current financial problems of the AHA to secure funds to purchase five units at Audobon Hill. E OCD has notified all Authorities across the State that funding for purchase of housing or construction of housing has been frozen for fiscal year 1991. Ms. McManus asked the ACHC members to explore any possibilities which would enable the Authority to exercise their options of The Right of First Refusal. Kevin McManus, Bill Gothorpe and Roy Smith will meet to discuss options and will make a formal presentation on their recommendations to the ACHC's Board at the next Regular Meeting in November.

5). Naomi McManus reported that she had meet with the Marketing agent of Audobon Hill to discuss the Bank/Developer marketing of the moderate priced units. Ms. McManus stated that the moderate units have been advertized with adds for the market rate units. ie. Beacon, Globe, the Senior Citizen's Newsletter, the Elderly Housing Option Fair and a presentation was given by the Bank/Developer at Acton's Senior Center. June Thorton, the marketing agent for Audobon Hill, will contact Acton's Council on Aging, the Acton Visiting Nurses and the Clergy Council as well.

2/28
NOTE
BOSS -
ADD PHRASES OF THESE
MINUTES (10/9) NOT SENT
BY BERRY.
Don

ACTON COMMUNITY HOUSING CORPORATION
MINUTES OF REGULAR MEETING
OF THE BOARD OF DIRECTORS
November 20, 1991

Pursuant to a notice given, a meeting of the Board of Directors of the Acton Community Housing Corporation was held November 20, 1991 at 7:00 am at the Acton Town Hall, Room 126. Present and constituting a quorum for the purpose of transacting business were Peter Berry, Bill Gothorpe, Kevin McManus, Naomi McManus, Jana Mullin, Nancy Tavernier, Bob Wiltse and Roy Smith.

Absent: Steve Day, Charles Kostro

1). Bill Gothorpe, Chairman, called the Regular Meeting to order at 7:00 am.

2). Kevin McManus moved that the Minutes of the Regular Meeting of 10/9/91 be approved with the following correction of item #4 word present to read "presentation". Nancy Tavernier seconded the motion and all members voted to approve.

3). Old Business

The Chairman asked Roy Smith to leave the room due to the conflict of interest as the Members discussed the Audubon Hill project. Bill Gothorpe and Kevin McManus informed the Board of three possible options regarding the Acton Housing Authority's five (5) Right of First Refusal options with Roy Smith Developer/Bank.

Option I:

The ACHC would exercise the AHA's five (5) First Refusal Options for the Town. Kevin and Bill reminded the Board that the AHA is unable to exercise the options as the funding promised to the AHA is frozen as a result of the current budgetary problems at the State level. Bill pointed out that if the Options were not exercised the units would revert back to the Developer as market rate units. Bill and Kevin felt that a deal could be struck that might be a benefit to the Town/AHA/ACHC and the Developer. They explained Option I. The ACHC would purchase the five AHA units for \$1.00 and then contract with the AHA to manage/ lease the units to eligible applicants. In exchange the Town needs to agree that the Developer could reduce the number of Moderate Units (19) to reflect the value of selling the five units at \$325,000. Kevin and Bill felt that the Option might be appealing to all as the current set aside Moderate Units are not selling as anticipated. Kevin, Bill and Naomi McManus explained that there had been an active marketing of the moderate units but to date only three had actually been purchased. It was felt that the appeal of this option would be to eliminate the uncertainty of selling the moderate units in a reasonable time frame.

Option II

The Developer/Bank might be willing to sell two (2) units to AHA for \$1.00. In exchange the AHA would release the Developer/Bank from the remaining three Right of First Refusal options.

Option III

The Developer/Bank could possible play hard ball and let the AHA options just run out and then the Town would gain nothing

Bill Gothorpe asked the Board to authorize the Executive Committee to explore the Options and report back to the Board at a future date. The sense of the Members present was to support Option I and to authorize the Executive Committee's exploration with the Developer/Bank, AHA Board and the Town.

4). Great Road Condominiums

Naomi McManus informed the Board that foreclosed units are selling at \$50,000 for a two bedroom. An investor has contacted Ms. McManus asking if the ACHC would be interested in exploring the possibility of "our" First Time Buyers purchasing the units. She requested that the Investor send a letter outlining his proposal and the ACHC would take it under advisement.

5). The Chairman stated that the Annual meeting would be held following the adjournment of the Regular Meeting.

6). The Regular meeting Adjourned at 7:30am. Next Regular Meeting will be scheduled for the first Friday in January.

Respectfully submitted,

Naomi E. McManus
Clerk

ACTON HOUSING AUTHORITY

Minutes of the Regular Meeting of January 6, 1992, 7:30 pm , 63 Windsor Avenue, Acton, Ma.

Attendance: Peter Berry, Joseph Mercurio, Jean Schoch, Barbara Willson, Barbara Yates, Naomi McManus, Ann Hosmer, Gail Hembrough/Acton Housing Authority.

1). Barbara Yates, Chairman, called the Regular Meeting to order at 7:30pm. On behalf of the Board Ms. Yates thanked the staff for their dedication and commitment to housing in what proved to be a difficult year financially for all Public Housing agencies.

2). Board approval of Minutes of the Regular Meeting of 12/2/92 deferred.

3). Board approval of Voucher # 93 deferred.

4). Bill Gothorpe and Kevin McManus of the Acton Community Housing Corporation (ACHC) met with the Board to discuss the possible option of the ACHC's exercising the AHA's " Right of First Refusal " option to purchase the five (5) units at Audobon Hill. The ACHC developed this option as a result of the Authority's inability to access the funding to purchase from EOCD within the foreseeable future. A second option had been suggested by the Bank/Developer for the Authority to purchase two (2) of the five (5) units for \$1.00.

Discussion followed regarding the AHA's staff managing and maintaining the five units for the ACHC. Although the particulars on just how the units will be managed could not be formalized Barbara Willson moved that the Authority vote to support the concept as presented to the Board by the ACHC. The motion was seconded by Jean Schoch and all members voted to approve.

5). New Business

Jean Schoch moved that the Authority submit an application for 25 Section 8 Certificates under the Family Self-Sufficiency Program. Barbara Willson seconded the motion and all members voted to approve.

ACTON COMMUNITY HOUSING CORPORATION

BOX 581

ACTON, MASSACHUSETTS, 01720.

263-5339

TO: ACTON HOUSING AUTHORITY
ACTON BOARD OF SELECTMEN
ACTON COMMUNITY HOUSING CORPORATION

DATE: JANUARY 6, 1992
SUBJECT: AUDUBON HILL AGREEMENT
FROM: WILLIAM GOTHROPE
KEVIN MCMANUS

The agreement between the Town of Acton, the Developers of Audubon Hill and the Acton Housing Authority was intended to achieve the following objectives:

total complex	70 units
deed restrictions	55 and older
added consideration	clustered building site
	public access to conservation land
	19 units to be restricted for moderate income and sold @ 75% of market rate units
	5 units (2 handicapped) designated for the Acton Housing Authority at an agreed purchase price of \$65,000.00
	Developer agrees to construct and donate the Acton Senior Center

Due to the amount of time this project has been in the Development, a number of factors have changed and we request consideration of the following changes in the original agreement:

1). The State funds originally earmarked for the AHA to purchase the Audubon Hill units are not envisioned to be available within the development life of the project. Therefore, we propose the five units at \$65,000, designated for AHA be given to the Acton Community Housing Corporation at the price of \$1.00.

2. In consideration of the value of \$1,000,000 = 125,000, the required number of restricted units would decrease from 12 to 8. To the eligible buyer the estimated value of the restricted vs the unrestricted unit is \$30,000 and the removal of 11 restrictions has a total value of \$330,000.

Benefits of change

- 1). Continuation of the agreement in its present form will result in a forfeiture of 5 units by the AHA and therefore, a loss of 5 low income elderly units for Acton residents.
- 2). Allows the Town of Acton to receive the same financial benefit envisioned in the Audubon Hill Agreement.
- 3). Ownership by the ACHC vs AHA allows additional local preference in renting to Acton low income elderly.
- 4). Provides the ACHC with an asset and long term source of revenue that will enhance its mission of affordable and moderate housing for the Town of Acton.
- 5). Provides for a change in the agreement at no cost to the Town. ACHC will reimburse the Town for legal expenses incurred in the redrafting of the agreement.
- 6). Creates an innovative approach of preserving one of the major components of Audubon Hill Agreements.

Approach

In order to achieve the changes in the Audubon Hill Agreement we are reviewing this proposed approach with the following:

Developer-Roy Smith
Board of the Acton Community Housing Corporation
Bank- Boston Federal Savings
Board Of the Acton Housing Authority
Board Of the Acton Selectmen
Executive Office of Communities and Development

PALMER & DODGE

One Beacon Street
Boston, Massachusetts 02108

2/28

Telephone: (617) 573-0100

cc: BOS

D. HALLEY

WE HAVE BEEN ABLE TO KEEP
THIS ALIVE FOR 5-6 YRS. LONGER
THAN THE COURT
WANTED. LOOKS LIKE WE HAVE
NOW LOST THIS "STICK".

Facsimile: (617) 227-4420
Telex: 951104

February 19, 1992

don

Mr. Don Johnson
Town Manager
P.O. Box 236
Acton, MA 02170

Dear Don: (Maynard v. Board of Appeals,
No. 84-7256)

The court dismissed this old case for lack of prosecution. The case was an appeal by Maynard from the BZA's denial of a special permit to place sludge from the river on Acton land. I realize that the underlying issues are not resolved, largely because of lack of funds, but it probably is best to get rid of the litigation, which can only hamper any future discussion between the towns.

Very truly yours,

H. Callaghan

Acheson H. Callaghan

AHC/dcb

7.

NO. 84-7256

TOWN OF Maynard, ET ALS

Plaintiff(s)

VS.

H. W Flood ETALS
TOWN OF ACTON

Defendant(s)

JUDGMENT OF DISMISSAL
~~ORDER OF DEFAULT~~

This action came on to be heard at this sitting,

*And the Plaintiff(s) TOWN OF Maynard ET ALS
having failed to appear and prosecute, and the defendant
appearing, it is ORDERED AND ADJUDGED that this action be
and hereby is DISMISSED.

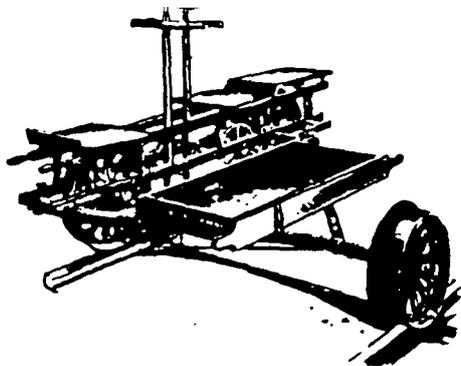
*And the Defendant(s) _____
having failed to appear and defend this action, and the
plaintiff appearing, it is ORDERED AND ADJUDGED that a
default be and hereby is ENTERED.

BY THE COURT Mc Hugh, J.

Henry M. Leonard
Assistant Clerk

ENTERED: FEB 11 1992

*Eliminate section not applicable



REID H. POTTER ASSOCIATES, INC.

103 SOUTH FREEPORT ROAD

FREEPORT, MAINE 04032

TEL. 207-865-4222

21 February 1992

Acton Conservation Commission
472 Main Street
Acton, MA 01720

Re: Bay Colony Railroad 1992 vegetation control program.

Dear Commission Members:

Enclosed is the Bay Colony Railroad's 1992 Yearly Operational Plan prepared in accordance with the Massachusetts Rights-of-Way Management Regulations (333 CMR 11.00). In the plan is a listing of private drinking water supply wells located within 100 feet of the right-of-way. Please notify Bay Colony Railroad and the Department of Food & Agriculture of any omissions from the list.

The herbicide application as proposed in the 1992 Yearly Operational Plan is scheduled to take place between 22 June and 22 July 1992. I will verify the location of the signs marking the limited and no-spray zones prior to the application. Thank you for your assistance and cooperation with this project.

Respectfully,

Wayne W. Duffett
Assistant Engineer
Bay Colony Railroad

cc: Board of Health
Board of Selectmen
Gwen Servies DF&A

D5L117

CC: DAC - FYI (COVER LTR. ONLY)

: BOS - FYI (" " ")

FULL REPORT IN RF

TOWN OF ACTON

PLANNING DEPARTMENT

*Don -
Flyl*

472 Main Street, Acton, MA 01720

(508) 264-9636

February 25, 1992

Representative Pamela Resor
State House
Room 33
Boston, MA 02133

Dear Pam,

As Town Planner in Acton, I am writing to invite you to attend the Sixth Annual Planning Legislative Alert Breakfast. This year the Breakfast will be held on Wednesday, March 11, 1992 at the Cabot Auditorium, 3 Joy Street, Boston from 8:30 to 10:00 a.m. Legislators or their aides are invited to attend free of charge. The event is sponsored by the American Planning Association - Massachusetts Section and the Massachusetts Association of Planning Directors.

I urge you to attend this important function so that you can hear planners representing communities across the state describe the problems and issues they contend with on a daily basis. Numerous pieces of legislation have been filed this year to address these issues. Key legislative priorities include grandfathering, impact fee, and the need for statewide comprehensive planning legislation. We are very interest in improving and updating planning legislation in Massachusetts and can only do so with your assistance and participation.

I look forward to seeing you at the Breakfast on March 11th.

Sincerely,

Roland Bartl

Roland Bartl
Town Planner

RB/dmj

cc: BOS

TOWN OF ACTON

PLANNING DEPARTMENT

*Don
FY*

472 Main Street, Acton, MA 01720

(508) 264-9636

February 25, 1992

Senator Robert Durand
State House
Room 413B
Boston, MA 02133

Dear Bob,

As Town Planner in Acton, I am writing to invite you to attend the Sixth Annual Planning Legislative Alert Breakfast. This year the Breakfast will be held on Wednesday, March 11, 1992 at the Cabot Auditorium, 3 Joy Street, Boston from 8:30 to 10:00 a.m. Legislators or their aides are invited to attend free of charge. The event is sponsored by the American Planning Association - Massachusetts Section and the Massachusetts Association of Planning Directors.

I urge you to attend this important function so that you can hear planners representing communities across the state describe the problems and issues they contend with on a daily basis. Numerous pieces of legislation have been filed this year to address these issues. Key legislative priorities include grandfathering, impact fee, and the need for statewide comprehensive planning legislation. We are very interest in improving and updating planning legislation in Massachusetts and can only do so with your assistance and participation.

I look forward to seeing you at the Breakfast on March 11th.

Sincerely,

Roland Bartl

Roland Bartl
Town Planner

RB/dmj

cc: BOS

INTERDEPARTMENTAL COMMUNICATION

TOWN MANAGER'S OFFICE

DATE: 2/27/92

TO: ANNE FANTON

FROM: JOHN MURRAY *JM*

SUBJECT: Article of Retiree's Health Care

Attached are copies of the "Town" plans for medical coverage (Master Health Plus and Harvard). Also attached are the Town's medicare extension plans (Medex 3 and Plan 65). The monthly premium for the programs are as follows:

HARVARD	7/1/91 - 7/1/92	199.46
HARVARD'S PLAN 65	(1/1/92-12/31/92)	97.00
MASTER HEALTH PLUS	(7/1/91-7/1/92)	299.00
MEDEX	(7/1/91 - 7/1/92)	106.92

Blue Cross - Blue Shield will prepare an analysis of Medex 3 vs Master Health Plus, by benefit for us. I will forward it to you as soon as possible.

cc: Board of Selectmen

Medicare-Medigap eligibility a vital asset of retirement

Inside Insurance

BENJAMIN LIPSON

P

ROBABLY NO SUBJECT IS AS CONFUSING TO READERS AS THEIR eligibility for Medicare insurance and its private-sector supplement, Medigap coverage. We've tried to explain it over the years, but because of changes in the rates and the age and work status of those involved, questions continue to come in.

To help readers, either those already on the plan or those just "coming of age" in the Medicare era, here is a brief discussion of how it works. We focus on Blue Cross-Blue Shield supplemental

coverage mainly because it's generally the company of choice. So here's the rundown:

- People who retire at age 65 who have contributed to Social Security (or whose spouse who is 65 or older and has contributed) are eligible for premium-free Medicare Part A. The government also offers optional Medicare Part B, with its broader benefits, at a current cost of \$31.80 per month. Retirees who enroll in both parts of Medicare at age 65 are eligible for Blue Cross-Blue Shield Medex coverage (that's the name of the Blue Cross Medigap plan) if they are Massachusetts residents and are not eligible for any employer's group coverage.

- People who are Blue Cross-Blue Shield members at age 65 (group or nongroup) are converted to Medex.

- People who are not Blue Cross-Blue Shield members at age 65 must apply for Medex within five months after the month of their 65th birthday.

- Retirees who do not enroll in Medicare Part B at age 65 must wait until a Medicare open enrollment to apply (held yearly during January, February and March).

Medicare Part B then becomes effective July 1 with a 10 percent premium surcharge for each year a person could have, but did not, previously enroll. These people have 90 days from the Medicare Part B effective date to apply for Medex.

- Retirees enrolled in both parts of Medicare who do not enroll in Me-

dex within five months of their 65th birthday, or retirees who are late Part B enrollees who do not enroll in Medex within 90 days of their Part B effective date, must wait until the next Medex open enrollment, held yearly during February and March. Effective date is June 1.

- The Medicare open enrollment period and effective date are mandated by the federal government; the Medex open enrollment period and effective date are mandated by the state.

OFFICE OF THE
BOARD OF SELECTMEN

P.O. BOX 220 • 13 AYER ROAD • HARVARD, MASSACHUSETTS 01451 • (508) 456-3995



February 23, 1992

Board of Selectmen
Town of Acton
472 Main Street
Acton, MA 01720

Dear Board Members;

We cordially invite you to attend a presentation entitled "High Speed Trains: An Alternative to an Airport". The session will be held at the Cronin Auditorium in the Bromfield School in Harvard on Sunday, March 15th at 3:00 PM. The session is being sponsored by several groups including the Harvard Board of Selectmen.

If you have any questions in regards to this invitation, please feel free to contact myself or the Board's Executive Secretary, John Petrin.

Very truly yours,

Dana A. Owens

Dana A. Owens, Chairman
Board of Selectmen

Enc: Notice

OFFICE OF THE
BOARD OF SELECTMEN

P.O. BOX 220 • 13 AYER ROAD • HARVARD, MASSACHUSETTS 01451 • (508) 456-3995



"HIGH SPEED TRAINS: AN ALTERNATIVE TO AN AIRPORT"

by
JOSEPH VRANICH
Director, High Speed Rail Association
author of the recently published book
Super Trains: Solutions to America's Transportation Gridlock

Introduction by:
MATTHEW A. COOGAN
Co-Chair - Task Force on High Speed Rail,
Coalition of Northeastern Governors
Member - Committee of Magnetic Levitation,
National Academy of Sciences

Sunday, March 15, 1992
3:00 PM
Cronin Auditorium
Bromfield School, Harvard, MA

Sponsored by
Harvard Board of Selectmen
Citizens to Protect Residential Harvard
Advocates for a Strong Economy with Responsible Transportation

INTERDEPARTMENTAL COMMUNICATION

TOWN MANAGER'S OFFICE

DATE: 2/27/92

TO: DON JOHNSON

FROM: JOHN MURRAY

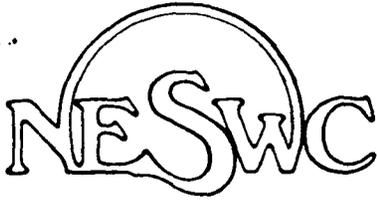
SUBJECT: NESWC

Attached is NESWC's Projected Budget for FY93 (without the expected withdrawal from CSF of \$3 million). The change in the Executive Directors compensation is listed below:

Salary	60,191	85,000	41.2%
Employee Benefits	6,183	6,495	5.50%
Retirement	3,260	4,604	41.2%
Travel	2,500	2,500	0%
Professional Activities	3,500	3,500	0%
Ex. Director Expenses	1,200	1,200	0%
Automobile	8,200	8,300	1.2%
Automobile Insurance	<u>1,500</u>	<u>1,500</u>	<u>6.7%</u>
Total	86,534	113,199	30.8%

cc: BOS

	6	7	8	9	10
1	NESWC PROJECTED BUDGET FOR FY93				
2	FEBRUARY 12, 1992				
3	CATEGORY	FY92 BUDGET	PROJECTED FY93	INCREASE %	DOLLAR
4					PERTON
5	PERSONNEL - WITHOUT SCALE OPERATOR & ASSISTANT				
6					
7	EXECUTIVE DIRECTOR	\$60191.00	\$85000.00		\$0.40
8	ASSISTANT DIRECTOR	\$0.00	\$0.00		\$0.00
9	OFFICE MANAGER	\$26461.00	\$35000.00		\$0.16
10	SCALEHOUSE OPERATOR	\$17139.00	\$0.00		\$0.00
11	EMPLOYEE BENEFITS	\$18550.00	\$12989.00		\$0.06
12	RETIREMENT PROGRAM	\$5190.00	\$6500.00		\$0.03
13					\$0.00
14	TOTAL	\$127531.00	\$139489.00	9%	\$0.65
15					
16	EXPENSES				
17					
18	RENT	\$12850.00	\$13300.00		\$0.06
19	OFFICE INSURANCE	\$1950.00	\$1950.00		\$0.01
20	OFFICE FURNITURE	\$300.00	\$350.00		\$0.00
21	OFFICE SUPPLIES	\$1950.00	\$2200.00		\$0.01
22	OFFICE EQUIPMENT	\$200.00	\$250.00		\$0.00
23	POSTAGE	\$2100.00	\$2600.00		\$0.01
24	PRINTING	\$500.00	\$600.00		\$0.00
25	MAINTENANCE CONTRACTS	\$1000.00	\$1400.00		\$0.01
26	COMPUTER	\$0.00	\$2200.00		\$0.01
27	TELEPHONE	\$1800.00	\$2200.00		\$0.01
28	TRAVEL	\$2500.00	\$2500.00		\$0.01
29	PROFESSIONAL ACTIVITIES	\$3500.00	\$3500.00		\$0.02
30	EX. DIRECTOR EXPENSES	\$1200.00	\$1200.00		\$0.01
31	EX. COMMITTEE EXPENSES	\$100.00	\$100.00		\$0.00
32	ADVISORY BOARD EXPENSES	\$100.00	\$100.00		\$0.00
33	AUTOMOBILE	\$8200.00	\$8300.00		\$0.04
34	AUTOMOBILE INSURANCE	\$1500.00	\$1600.00		\$0.01
35	UTILITIES	\$1100.00	\$1500.00		\$0.01
36	CONTINGENCIES	\$5000.00	\$5000.00		\$0.02
37					
38	TOTAL	\$45850.00	\$50850.00	11%	\$0.24
39					
40	CONSULTANTS				
41					
42	ENGINEERING	\$5000.00	\$5000.00		\$0.02
43	LEGAL	\$110000.00	\$60000.00		\$0.28
44	ACCOUNTING	\$7500.00	\$7500.00		\$0.03
45	FINANCIAL ADVISOR	\$40000.00	\$42000.00		\$0.20
46					
47					
48	TOTAL	\$162500.00	\$114500.00	(30%)	\$0.53
49					
50	TOTAL BUDGET	\$335881.00	\$304839.00	(9%)	\$1.42



NORTH EAST SOLID WASTE COMMITTEE

MEMORANDUM

To : John Murray
Teno West
Steve Daly

From : Francis J. Hopcroft
Executive Director

Subject : STAFFING AND COMPENSATION LEVEL RECOMMENDATIONS

Date : February 13, 1992

At the Financial Affairs Subcommittee meeting on February 11, 1992, the question of the FY93 NESWC Operating Budget was put before the members. It was noted that the Personnel Subcommittee had been expected to provide a recommendation to the Executive Committee regarding the need for an Assistant Director and the compensation to be paid to all NESWC staff.

It was also noted that the Personnel Subcommittee did report to the Executive Committee and that a recommendation to retain an Assistant Director was made, in conjunction with the implementation of a number of other recommendations. The Executive Committee did not accept the totality of the report and did not act on the list of recommendations made.

Not original change

The Financial Affairs Subcommittee would like a recommendation from the Personnel Subcommittee on the personnel section of the Director's proposed FY93 Operating Budget. Specifically, the FAS requested a recommendation regarding the Director's proposals to defer the retention of an Assistant Director to FY94, to delete the Scalehouse Operator position entirely, and to increase the compensation level for the remaining two employees significantly.

Enclosed for your review is a copy of my proposed FY93 budget as compared to the current, FY92 budget. Note that the proposed budget is 9% smaller than the current budget. Note, too, that the compensation section, while providing relatively large salary increases for current staff, is only 9% higher than the FY92 budget.

The reason for deferring the Assistant Director position for one more year is that the work load is going to shift within NESWC over the next twelve months and it is unclear at this time exactly what capabilities an Assistant Director could best bring to NESWC. The need for assistance with a refinancing is going to be missed with a budget which is not effective until July 1 because the bulk of the work on the refinancing will have been completed before then. Even if it is not, the refinancing will take place by December 1 and the need for assistance in that area will cease at about that time. In addition, the proposed settlement with the City of Peabody will eliminate the need for NESWC to continue to keep a Scalehouse Operator in Peabody and the need to have an Assistant Director follow the various landfill projects and operations currently followed. The only concern NESWC will have regarding the landfill is that the weights going into the landfill and the weights leaving North Andover are compatible. There are ways to keep tabs on those numbers which do not require the services of a full time employee. Consequently, the Scalehouse Operator position will be extraneous and it should be deleted.

The compensation levels for the Executive Director and the Office Manager have been in contention for several years. Discussion of the issue usually boils down to an argument which says that the compensation levels requested are fair and appropriate for the work load and the responsibility, but that "it is not the right time to increase salaries by that much in the current economic climate" Unfortunately, the economic climate is never right to spend money. With the opportunity at hand, however, to raise compensation to fair levels, while still reducing the overall budget by 9%, now is, in fact, a good time to properly adjust salaries. The time is now right and it is the right thing to do.

The compensation levels requested are fair for the work load and the responsibilities assumed by the current NESWC staff. The duties of the Executive Director require tracking the revenues and expenses of a \$32,000,000 per year operation. Every one of those dollars either belong to or come from the NESWC member communities. If that tracking is not done well, the community costs will skyrocket. That the CSF balances were seen to be in difficulty as early as they were, for example, and that an appropriate correction was developed in short order, were due only to the vigilance of the Executive Director. MRI certainly was not going to report that to the communities. That the Second Supplemental Trust Indenture is soon going to be implemented, for example, is due only to the persistence of the Executive Director, for which he has endured public undermining and abasement. That document will prove exceptionally important after the refinancing is in place and it is unlikely it could be done as effectively as part of the refinancing. That a waiver of contract provisions to allow GAT reductions in excess of the 5%/2% limitations is much closer to reality than ever, for example, is due only to the dogged persistence of the Executive Director, in the face of significant abasement from the Executive Committee for the slowness of the process, over which the Director has very little control.

In addition, it is noted that very few people within NESWC, if indeed there are any at all, understand the various contract documents, Trust Indentures, and other documents as well as the Director does. Town Counsels seek advice from the Director on the interpretation and meaning of the contracts. Community representatives routinely rely on the Director to interpret the documents and to advise on actions to be taken under them. A copy of a document recently prepared at

the request of Town Counsel for Arlington, but relating to an issue of concern for nearly every NESWC community, is attached for reference. Only the contractual understandings, the experience and the expertise of the Director created the ability to generate this document. Note, too, the annual report recently provided to you. That document outlines the broad range of issues and matters with which the Director is involved; from getting the land transfer bill through the legislature, to publication of the NESWC newsletter, to handling the bond refinancing, to dealing with MRI and to dealing with the concerns of all the member communities. Clearly, the scope and depth of the work load and responsibilities, coupled with the experience and expertise of the Director demonstrate the propriety of the requested compensation level.

It is noted that the Office Manager serves NESWC by doing the same jobs for NESWC that three to five staff people, within every member community, do for their community. She is responsible for personnel matters, payroll and taxes, accounts payable, accounts receivable, all the bookkeeping and recordkeeping, providing the normal secretarial services to the Executive Director, doing the filing, tracking the community and commercial tonnages, tracking project revenues and expenses, tracking NESWC revenues and expenses, preparing monthly tonnage and energy reports for each of the member communities, providing each member community with information of varied and esoteric natures whenever it is requested, providing information to citizens who call the office, coordinating the Executive Director's schedule, packaging and mailing the hundreds of information packets mailed to member communities each year, etc., etc., etc.

Clearly the level of effort required to keep up with that work load and the level of expertise required in a wide variety of areas would be very difficult to find in any other single individual. Combined with her experience at NESWC, her experience working with the Director, her expertise as an Office Manager and her work history and background, the effort demonstrated fully justifies the compensation level requested.

As demonstrated in past years, both compensation levels requested are fully comparable to the general compensation levels enjoyed by peers of both employees in the private sector and in the public sector, to the extent equivalent positions can be found.

Please review the enclosed operating budget proposal and provide the FAS with recommendations for their next meeting, which will be on March 12 at 8:00 am, in Lexington. You are encouraged to attend that meeting to present your recommendations in person. If that is not possible, please provide written recommendations, either to me or to Henry Rugo, Chairman of the FAS, prior to that meeting. If there are any questions about this memo, or if I can provide further insight into the budget recommendations, please let me know. I would be happy to meet with the Subcommittee at any mutually convenient time to review this matter.

cc: FAS members



cc: BOS

remaining in
reading file

NORTH EAST SOLID WASTE COMMITTEE

MEMORANDUM

To : Advisory Board Members
From : Francis J. Hopcroft
Executive Director
Subject : BUY RECYCLED CAMPAIGN
Date : February 20, 1992

NESWC is an active member of the Municipal Waste Management Association ("MWMA"). That group is affiliated with the U.S. Conference of Mayors, headquartered in Washington, D.C. The U.S. Conference of Mayors has initiated a "Buy Recycled Campaign" to encourage the municipal use of recycled products.

Given the need for NESWC member communities to implement recycling, it is clear that anything which encourages the development of markets for recycled products should be done. The Buy Recycled Campaign is designed to do just that.

Enclosed are a brochure published by the U.S. Conference of Mayors on their program and a copy of a press release issued by the Conference dealing with their "2nd Earth Day Challenge". Any community which wishes to participate in the challenge can do so by writing to Mr. J. Thomas Cochran, Executive Director, U.S. Conference of Mayors, 1620 Eye Street, NW, Washington, DC, 20006. The telephone number there is (202) 293-7330.

If further information on the Buy Recycled Campaign is desired, contact Mr. Richard S. Kochan, Project Director, at the address and telephone listed above.



BUY RECYCLED
CAMPAIGN

February 12, 1992

PRESIDENT:
RAYMOND L. FLYNN
Mayor of Boston

VICE PRESIDENT:
WILLIAM J. ALTHAUS
Mayor of York

ADVISORY BOARD CHAIR:
JERRY ABRAMSON
Mayor of Louisville

ENERGY AND ENVIRONMENT
COMMITTEE CHAIR:
GEORGE R. RENNER
Mayor of Glendale

SOLID WASTE TASK FORCE
CO-CHAIRS:
SHARPE JAMES
Mayor of Newark

JIMMY KEMP
Mayor of Meridian

EXECUTIVE DIRECTOR:
J. THOMAS COCHRAN

Mr. Francis Hopcroft
North East Solid Waste Committee
Executive Director
Messina's Shopping Centre
109-123 Main Street
No. Andover, MA 01845

Dear Mr. Hopcroft,

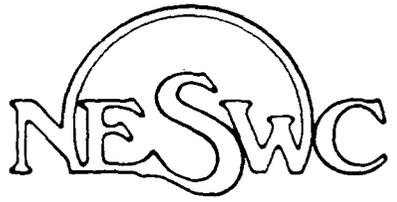
As requested, I'm enclosing 25 copies of our "Buy Recycled" Campaign packet for distribution to the 25 communities you work with.

I would appreciate your sending me a list of the communities. Further, I'm enclosing 25 copies of a press release dealing with our "2nd Earth Day Challenge". Any, and all of the 25 communities can become part of the "Challenge" merely by writing to our Executive Director, J. Thomas Cochran, indicating their interest in doing so. We would then list them with other cities who have answered the "Challenge" and publicize their participation in "U.S. Mayor".

If we can be of any further assistance, please let me know.

Sincerely,

Richard S. Kochan
Project Director



NORTH EAST SOLID WASTE COMMITTEE February 26, 1992

Dear Member:

A meeting of the NESWC Executive Committee is scheduled for Thursday, March 5, 1992 at 1:30 pm in the Selectmen's Room, Lexington, MA.

The agenda is as follows:

- 1. Minutes of the meeting of February 11, 1992
- 2. Status of Dearborn Parcel Work
- 3. Final Settlement on Roadway Swale Liner Contract
- 4. Landfill Agreement Ratification Vote
- 5. CSF Report Format Review and Approval
- 6. Goals & Actions Report
- 7. FAS Report
- 8. Refinancing Project Status Report
- 9. FY 93 Procurement Proposals
 - a. Legal Services
 - b. Communication Consultant
 - c. Auditors
- 10. State mandates re: recycling and how to get relief from costs
- 11. Other business

Sincerely yours,
NESWC

A handwritten signature in black ink that reads 'Francis J. Hopcroft'. The signature is written in a cursive style with a large, sweeping 'F' and 'H'.

Francis J. Hopcroft
Executive Director

Nancy will attend

cc: BOS



TOWN OF BURLINGTON

BURLINGTON, MASSACHUSETTS 01803
TOWN HALL 270-1600 FAX 270-1608

February 21, 1992

RE: INVITATION TO ALL NESWC COMMUNITIES

PUBLIC FORUM ON REGIONAL RECYCLING INITIATIVES

Dear Recycling Official:

The Burlington Recycling Committee invites municipal officials responsible for recycling and its counterpart Recycling Committee members from other NESWC communities to attend a regional forum on possible regional recycling initiatives. This forum is scheduled for 7:00 PM on March 10th at the Human Services Center (formerly Center School), 61 Center Street, Burlington. Directions are attached for your information.

Mr. James McIver, Plant Manager of the North Andover incinerator facility, will be present to discuss his firm's plans to construct a recycling facility in the Lawrence area which will be available to NESWC communities. This forum will provide an opportunity to learn about this proposed recycling facility, and how it may benefit NESWC communities. Mr. McIver has also indicated a willingness to discuss the implementation of the Commonwealth's waste bans, Guaranteed Annual Tonnage (G.A.T.) reduction requests, and other subjects of interest and importance to NESWC communities.

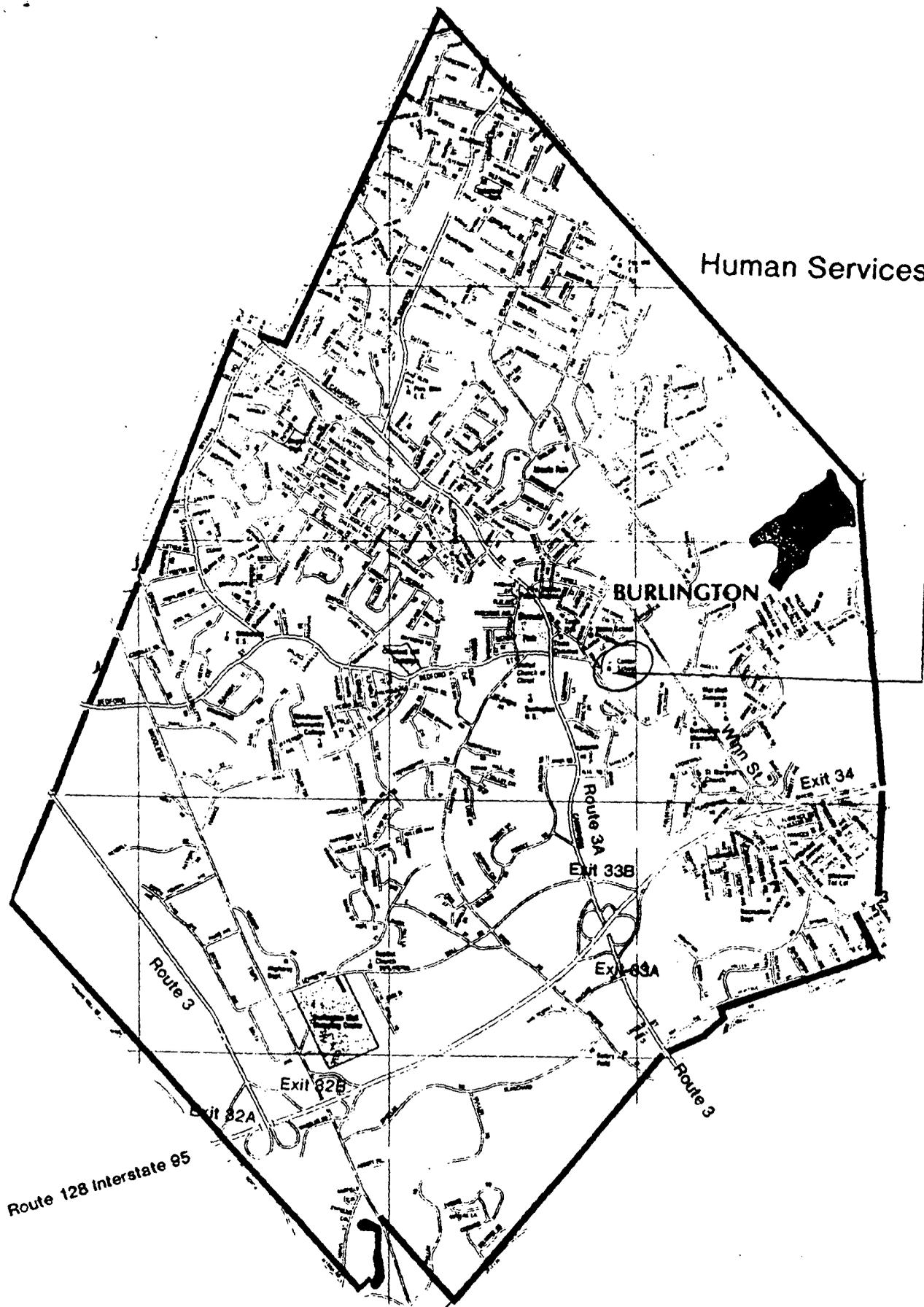
If your community has a Recycling or Solid Waste Committee, please convey this invitation to them and encourage their participation at this meeting. This forum is also intended to assist the Recycling Committees of NESWC communities to network with each other and to discuss any other regional recycling initiatives or ideas that anyone has to offer. Please plan to arrange representation from your community. Thank you.

Sincerely,

Christine Monaco

Christine Monaco, Chairman
Burlington Recycling Committee

enc.



Human Services Building

BURLINGTON

Route 128 Interstate 95

Route 3

Route 3A

Route 3

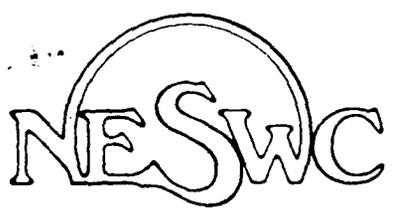
Exit 32A

Exit 32B

Exit 33B

Exit 33A

Exit 34



NORTH EAST SOLID WASTE COMMITTEE

MEMORANDUM

To : Chief Executive Officers
 Advisory Board Members
 Overseers of Solid Waste

From : Francis J. Hopcroft
 Executive Director

Subject : EFFECTS OF GAT WAIVERS ON SOLID WASTE BUDGETS

Date : February 25, 1992

The NESWC Service Agreement contains provisions which allow for the annual reduction of Guaranteed Annual Tonnage (GAT). Those reductions are limited to 5% for each community or 2% for all the communities combined. In recent years, the requests by each of the individual members have been so large as to cause the 2% limitation to be exceeded, resulting in less than 5% reductions being allowed. NESWC has been working to find a way to waive the 2%/5% limitations in the Service Agreements in order to allow GAT reductions to whatever value is necessary to accommodate the mandated recycling programs being foisted upon the members by the Commonwealth of Massachusetts.

It has long been recognized, but can be said again, that a reduction in GAT, without a concurrent increase in the tonnage delivered to the facility from other sources, will cause an increase in the tipping fee per ton. This memorandum looks at how that increase will affect individual member solid waste budgets.

First, it is useful to examine how the tipping fee is calculated under the Service Agreement. Functionally, there are three revenue streams which belong to the communities. Those are: revenues from the sale of electrical energy, revenues from private hauler tipping fees, and revenues from the sale of recovered ferrous metals.

Offsetting those revenues are a series of expenses; also belonging to the communities. The expenses include a fixed operating and maintenance fee paid to MRI, 10.5% of the electrical energy revenues paid to MRI, a marketing fee of \$2,000 per week paid to MRI, and a series of "pass-through" costs paid to various entities. The pass-through costs include hauling ash to Peabody, burying the ash in Peabody, buying cooling water from the Greater Lawrence Sanitary District, casualty

insurance on the building and equipment, environmental testing required by a change in law subsequent to contract signing, a few other miscellaneous expenses, and the debt service on the project bonds.

To the extent that the expenses exceed revenues, the NESWC communities pay a tipping fee equal to whatever is necessary to break even on a monthly basis. The highly variable nature of that calculation prompted NESWC to institute a flat-rate tipping fee. The flat rate fee is set each year by NESWC and is used by MRI for billing purposes. The bill received each month shows the amount due per the Service Agreement calculation and the amount due per the flat rate system. The amount due per the flat rate system is the amount which is actually paid by the member community.

The flat rate tipping fee number is set by NESWC about 9 months before the start of the fiscal year based on an MRI projection of what the total costs are going to be in the following fiscal year and what the expected GAT is going to be. The GAT for FY 92 (the current fiscal year) is 220,381 tons. NESWC assumed a decrease for next fiscal year of 2% (on the assumption that a waiver could not be attained). That yields an expected GAT for FY 93 of 215,973 tons. Based on projections made in August and September of 1991, a flat rate fee of \$70.00 per ton was projected for FY 93.

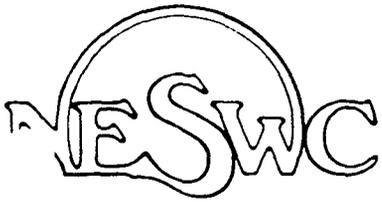
A recent poll of NESWC members revealed that if a waiver of the 2%/5% limitations is successfully negotiated, members would reduce their GAT by an aggregate amount of about 15% for FY 93 to an aggregate GAT of about 187,000 tons. At that GAT, and the same number of dollars to be paid, the flat rate tipping fee would rise from \$70.00 per ton to \$82.35 per ton.

The following chart shows the impact of this change on member community solid waste budgets. For purposes of this example, a community with an FY 92 GAT of 10,000 tons is used and it is assumed that deliveries exactly equal GAT. The results for a community using any other GAT tonnage number will be directly proportional to those shown on the chart.

<u>Reduction in GAT</u>	<u>GAT</u>	<u>Tipping Fee</u>	<u>Dollars paid</u>
0%	10,000	70.00	\$700,000
2%	9,800	70.00	686,000
5%	9,500	82.35	782,325
10%	9,000	82.35	741,150
15%	8,500	82.35	699,975
20%	8,000	82.35	658,800

What this chart shows is that the community which reduces its GAT by exactly the same amount as the aggregate GAT reduction will pay exactly the same number of dollars by the end of the fiscal year as it would pay without the GAT reduction. On the other hand, a community which reduces its GAT by less than the aggregate amount will end up paying more by the end of the fiscal year than it would have paid without the GAT reduction. Similarly, a community which reduces its GAT by more than the aggregate amount will actually save money as a result of the tipping fee adjustment. The greater the decrease in GAT below the aggregate decrease, the greater the savings. In other words, the more a community recycles, the greater its savings potential.

An obvious concern which arises is that some communities have already instituted recycling programs and that they are, therefore, not able to reduce GAT by as much as others which have not yet started. On first blush, the above chart appears to suggest that those communities which are already doing aggressive recycling will be hurt by the GAT reductions possible under a waiver. It should be noted, however, that those communities already took advantage of the ability to reduce their GAT in previous years and that the reductions they made then caused the per ton fees to increase for every other community at that time. They, therefore, already received the benefit of the reduced GAT at the time they took it and have been enjoying that benefit ever since. What the reductions under the waiver provisions would allow is for everyone to catch up and enjoy the same benefits as they begin to do the recycling.



NORTH EAST SOLID WASTE COMMITTEE

MINUTES OF THE EXECUTIVE COMMITTEE MEETING OF

February 11, 1992

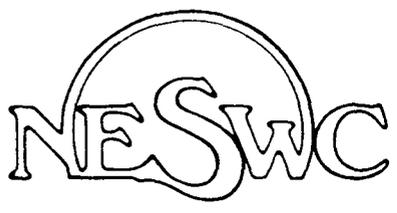
This meeting of the Executive Committee was called to order at 1:30 pm by Chairman Robert Moroney. Those present were:

- | | |
|-----------------------------|---------------------------------|
| Robert Moroney (Manchester) | Henry Rugo (Lincoln) |
| Richard Spiers (Lexington) | Robert McQuade (Andover) |
| John Murray (Acton) | Richard Howe (Acton) |
| John Graham (N. Andover) | John Seites (Peabody) |
| Donald Marquis (Arlington) | Richard Bowler (Arlington) |
| John McMahan (Watertown) | Edward Barker (Winchester) |
| Mel Kleckner (Belmont) | Francis Hopcroft (Ex. Director) |

The minutes of the January 9, 1992 meeting were offered for consideration. There being no objection, it was MOVED (Murray), SECONDED (Spiers) and VOTED (Unanimous) to: approve the minutes as presented.

Mr. Hopcroft then summarized the status of negotiations between NESWC and the City of Peabody regarding long term ash disposal at the ash landfill in the City. The details of the proposed arrangement had been previously provided to the members in the form of a draft Memorandum of Understanding between the parties. A discussion of the details of the transactions involved and the value of the services to be provided versus the costs to be incurred ensued. Certain members were uncomfortable with the proposed fees relative to the expected costs to NESWC without the arrangement. It was agreed that the Executive Director would prepare more detailed analyses of the economics of the proposal. It was agreed that another meeting of the Executive Committee would be held on March 5, 1992 to further discuss and decide the issue. It was further agreed that Mr. Richard White, who negotiated the proposal for NESWC, and Mayor Torigian should be invited to the March 5 meeting to address concerns of the members. Mr. Spiers was asked to invite Mr. White and Mr. Seites was asked to invite Mayor Torigian.

Mr. Hopcroft then updated the members on the status of refinancing of the project bonds. He reported that certain contractual impediments will prevent NESWC from gaining any effective interest savings through any kind of forward commitment or advance funding. Notably, certain indemnification obligations would have to be assumed by all member communities in order for a forward commitment to



NORTH EAST SOLID WASTE COMMITTEE

MINUTES OF THE FINANCIAL AFFAIRS SUBCOMMITTEE MEETING of February 11, 1992

This meeting of the Financial Affairs Subcommittee was called to order by Chairman Henry Rugo at 12:35 pm. Those present were:

- | | |
|----------------------------------|---------------------------------|
| Henry Rugo (Lincoln) | Richard Spiers (Lexington) |
| Robert Moroney (Manchester) | Francis Hopcroft (Ex. Director) |
| Peter Buhler (Financial Advisor) | |

The minutes of the January 9, 1992, meeting were offered for consideration. There being no objection, it was MOVED (Moroney), SECONDED (Spiers), and VOTED (Unanimous) to: approve the minutes as presented.

Mr. Buhler was asked to provide his monthly report to the members on the status of the NESWC portfolio. He did so. He then discussed the amount to be withdrawn from the interest earnings on March 1 in order to keep the portfolio balances within the required ranges. After a brief discussion it was MOVED (Moroney), SECONDED (Spiers), and VOTED (Unanimously) to recommend a withdrawal of \$2,000,000, (\$1,500,000 from the Bond Reserve Fund and \$500,000 from the Debt Service Restricted Fund), subject to change at the last minute, as required, to maintain balances within required limits.

Mr. Hopcroft presented his preliminary budget proposals for FY 93 to the members. Members were interested in hearing from the Personnel Subcommittee regarding the Executive Director's staffing and salary proposals before acting on the budget proposals. Mr. Hopcroft will seek comment from that subcommittee prior to the next FAS meeting, set for March 12, 1992 at 8:00 am in Lexington. The matter was tabled to that time.

A discussion ensued regarding controls on the transfer of funds done electronically by the Executive Director. Those transfers are done in accordance with the terms of the Trust Indenture and existing procedures, but the auditors raised the issue of further controls for discussion in their Management Letter. After a brief discussion of the issues, Mr. Hopcroft was asked to prepare a proposal for the members to discuss at their next meeting.

There being no further business to come before the members, the meeting was adjourned at 1:30 pm.



cc: BCS

PLANNING BOARD • Town of Acton

472 MAIN STREET ACTON, MASSACHUSETTS 01720 TELEPHONE (508) 264-9636

RECEIVED & FILED
DATE Feb. 25 1992
Conrad N. Huber
TOWN CLERK, ACTON

ACTON PLANNING BOARD

Minutes of Meeting

January 13, 1992

Planning Board members in attendance were Chairman Gregory Niemyski, Vice Chairman David Hill, James Lee, William Shupert, Douglas Carnahan and Associate Member John Pavan. Mary Giorgio was absent. Town Planner Roland Bartl and Asst. Planner Donna Jacobs were also in attendance.

I. Consent Agenda

Item A - Minutes of the 12/16/91 Board meeting.

Item B - Amendments to the P.C.R.C. Rules & Regulations

David Hill moved that the Board vote to approve the consent agenda as rendered. His motion was seconded by Doug Carnahan and passed by unanimous vote of the Board.

II. South Acton Village Planning Committee

Board members heard Greg Niemyski's report of the January 2, 1992 meeting held by Selectman Anne Fanton to discuss the development of a South Acton Village master plan. Greg reported that Sandra Whaley, Sam Manka, Betsy Eldridge, Anne Forbes, Jim Lee and Roland Bartl also participated in the meeting. At the meeting SARC agreed to join the Planning Board's South Acton Village Planning Committee to develop a detailed master plan for South Acton Village, building on and updating the 1982 technical report so that it is consistent with the Town's master plan. David Hill of the Planning Board will chair the planning committee.

Roland Bartl suggested that the Board ask SARC for the names of those members that will serve on the village planning committee after the Board has determined how many members are needed from SARC to complete the committee. The Board decided to appoint three members from SARC plus the two people who interviewed with the Board on December 16th. In addition, the Board asked Roland Bartl to re-contact the Chamber of Commerce seeking a member to represent the non-resident business owners' interests on the committee.

Jim Lee moved that the Board vote to appoint Robert Pion and Sushama Gokhale to the South Acton Village Planning Committee and invite SARC to nominate three of their members to join the committee. His motion was seconded and passed by unanimous vote. David Hill will contact Sandra Whaley. The Planning Department will notify SARC, Robert Pion and Sushama Gokhale of their appointment to the committee and the date of the first meeting.

III. Zoning Bylaw Amendments- Final Draft

Roland Bartl reviewed the changes made in the drafted bylaw amendments for the Board. Greg Niemyski questioned the use of the herringbone pattern for parking layout in light of David Abbt's memo. Roland explained that the herringbone pattern is just an option and that it can work well depending on the geometry of the site. John Pavan agreed that the pattern can work in certain site configurations. David Hill pointed out that the parking lot at Donelan's is striped in a herringbone pattern.

David Hill said that the changes made in parking requirements for educational uses will now address all three types of public schools, elementary, junior high and high school.

Roland Bartl reminded the Board that the public hearing has been scheduled for the next Board meeting, January 27, 1992.

IV. Executive Session

David Hill moved that the Board vote to enter into executive session for the purpose of discussing pending litigation on the Farm Hill subdivision approval with Town Counsel, Acheson Callaghan, and reconvene in open session at the conclusion of the executive session.

David's motion was seconded by James Lee and passed by unanimous roll call vote of the members present.

V. Discussion - Draft of the Development Guideline and Introductory Notes from the Planning Board to the Zoning Bylaw and Subdivision Rules

Board members reviewed the draft copies of the proposed Development Guideline and the draft copies of the Introductory Notes from the Planning Board for the Zoning Bylaw and the Subdivision Rules and Regulations. Roland reported that the creation of these documents had been recommended by the Master Plan Implementation Coordination Committee and that the drafts would be presented at the committee meeting on January 14. It was agreed that the Board would submit comments on these drafts at the next Planning Board meeting.

Other Business

Annual Report - Trey Shupert reported an error in the Annual Report.

Carlson Real Estate - Roland informed the Board that Carlson Real Estate has submitted a Sign Special Permit application and a Variance Request for their new location on Great Road (former Siesta Sleep Shop location).

Respectfully submitted,



James J. Lee, Clerk



PLANNING BOARD • Town of Acton

472 MAIN STREET ACTON, MASSACHUSETTS 01720 TELEPHONE (508) 264-9636

RECEIVED & FILED

DATE Feb. 25, 1992

Camelia O. Huber

TOWN CLERK, ACTON

ACTON PLANNING BOARD

Minutes of Meeting

January 27, 1992

Planning Board members in attendance were Chairman Gregory Niemyski, James Lee, Mary Giorgio, Douglas Carnahan and Associate Member John Pavan. William Shupert and David Hill were absent. Town Planner Roland Bartl was also in attendance.

I. Consent Agenda

Jim Lee moved that the Board vote to approve the Consent Agenda as rendered. His motion was seconded by Mary Giorgio and carried by unanimous vote.

II. Audubon Hill Unit Releases

Doug Carnahan commented on the conservation area contained within Audubon Hill that is noted in the draft Open Space plan and suggested that signage is needed at the bottom of Audubon Hill to indicate that the area is a conservation area.

Doug Carnahan moved that the Board vote as follows:

1. Release the units in Phase S-1;
2. Authorize Roland to execute the Release form for the Board; and
3. Stipulate that no further releases will be granted until the landscaping required for phase S-1 is completed.

His motion was seconded by Jim Lee and carried by unanimous vote of the Board.

III. Village Planning Report

Roland reported that SARC has nominated three members to serve on the South Acton Village Planning Committee: Sandra Whaley, Sam Manka and Betsy Eldridge.

IV. Public Hearing - Zoning Amendments

Greg Niemyski opened the public hearing and explained the hearing procedure to the attendees.

Article 1 - Applicability Greg explained that the intent of the proposed amendment is to clearly establish that all land within the Town of Acton is subject to the provisions of the Zoning Bylaw except for streets and railroads. Currently all land including streets and railroads is subject to the Zoning Bylaw which is designed to regulate land, buildings and improvements on the land.

Dorothy Campbell questioned whether the proposed amendment would exempt the Town from the requirements of the bylaw when the Town performs maintenance or installation of catchbasins and reconstruction of roadways and sidewalks. Roland explained that if a roadway were to be considered a parcel or lot, the roadway would not be able to comply with the typical dimensional regulations of the Zoning Bylaw that are applied to standard lots. The very nature of the roadway doesn't provide enough room in the right-of-way or layout for roadways, detention ponds, etc. to meet the setback requirements or maximum lot coverage limitations.

Roland advised that the proposed Bylaw amendment would provide the most relief in the areas of the Groundwater Protection District and the Floodplain District. The exemption is already in place in the Floodplain District so this would re-word the existing exemption. Roland also pointed out that the Conservation Commission retains jurisdiction over projects within close proximity to the wetlands and floodplain.

Roland also explained that the Selectmen hold public meetings to receive public input on all major proposed road construction / reconstruction projects such as intersection improvements before authorizing the project.

Doug Carnahan stated that he believed that the practice of exempting streets and roadways from zoning regulation is fairly common. Roland reported that the nine surrounding towns all exempt streets from zoning in one manner or another. Some of these towns including Harvard and Stow, have a broad municipal exemption; Carlisle and Concord exempt streets and roads from wetlands/floodplains districts, and other towns such as Boxboro state that the zoning bylaw applies to buildings or structures and thus exempting streets by definition.

Nancy Tavernier, Vice Chairman of the Board of Selectmen, spoke to encourage the Board to keep the article on the warrant for the Annual Town Meeting.

Article 2 - Parking Requirements The purpose of this article is to provide more flexibility in design of parking lots and reduce the parking requirements for certain specific uses to reflect current needs. The article also contains a provision to encourage the use of car and van pools and makes specific

reference to required provisions for parking for handicapped persons. The amendment would also eliminate the current "small car parking" provision and introduce a mechanism to allow further reduction of standard dimensions when controlled access is used.

There were no comments from the Board or the public on the proposed amendment.

Article 3 - Housekeeping Amendment This article will clarify the intent of the Bylaw to allow multi-family dwellings in the East Acton and North Acton Village Districts as a result of the transfer of development rights.

There were no comments from the Board or the public on the proposed amendment.

Greg Niemyski closed the public hearing on the proposed Zoning Bylaw amendments.

V. Discussion of Development Guideline and Introductory Notes for the Zoning Bylaw and Subdivision Rules

Board members reviewed the draft copies of the Development Guideline and the Introductory Notes for the Zoning Bylaw and the Subdivision Rules and Regulations.

Greg explained that the concept evolved from the Master Plan Coordinating Committee meetings and is an attempt to make the process more easily understood by the layman. Board members expressed strong support of the issuance of such documents because it ties development into the Master Plan. Members agreed to provide Planning Staff with notated comments on the drafts for the next Board meeting.

Doug Carnahan recommended that the "Preferred Options" sections be amended to include a statement or two about the advantages to the developer for utilizing each of these options similar to the statements already included in the Open Space Development option.

Other Business

Sign Special Permit Public Hearing - The Public Hearing for Carlson Real Estate's application for a Sign Special Permit is scheduled for 2/24/92. All members present indicated they would be in attendance on the 24th.

Master Plan Action Items - Greg distributed a copy of the Master Plan action items and a listing of Boards, Departments and Committees responsible for implementation. Greg asked members to review the list and draft a prioritized list of the action items for which the Board is responsible. The

prioritized lists will be reviewed by the Board at the 2/10/92 meeting.

Mary Giorgio stated that she thinks that the list is a good idea & asked if the other Boards and committees will complete a similar exercise. Greg advised that the Master Plan Coordinating Committee will oversee the implementation process. Doug Carnahan asked whether all Boards/committees will attempt to prioritize their efforts, or will that be the responsibility to the coordinating committee. Roland said that the goal of the Master Plan C.C. is to see every action item assigned to a group who will be responsible for its implementation. Mary suggested that each board/committee could then assign certain members to be responsible for particular items to facilitate implementation.

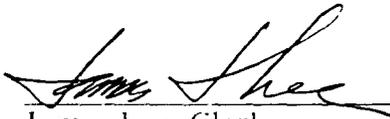
Open Space Plan - Overall concerns about a lack of map with the draft plan were expressed by several members. Board members agreed to bring their comments to the next meeting and would specifically comment on how the Open Space Plan dovetails with the Master Plan.

Pending Litigation - Roland informed Board members of recent developments in outstanding litigation. Resolution of a couple of cases is expected in the near future.

Board members discussed the development of the Acton Master Plan and the process of planning and development in Acton with a member of the Westford Planning Board.

MAGIC - John Pavan answered Board members questions concerning the formation of a Corridor Advisory Committee for Route 2.

Respectfully submitted.


James Lee, Clerk

BOS. WE RECEIVED A COPY
OF CONCORD'S WARRANT FROM
BEA PERKINS (FYL) - IT'S IN RF

WARRANT for TOWN MEETING

MONDAY, APRIL 6, 1992

Town of Concord
Town House
Concord, MA 01742

Bulk Rate
U.S. Postage Paid
Permit No. 51

RESIDENTIAL CUSTOMER

LOCAL 01742

PUBLIC HEARINGS

All at 7:30 P.M., Alcott School Auditorium

FINANCE COMMITTEE

Tuesday, February 11

SCHOOL COMMITTEE
BOARD OF SELECTMEN
PLANNING BOARD

and Wednesday, February 12
Thursday, February 13
Monday, February 24
Tuesday, February 25

Snow Date following evening
Call 371-6200 in case of snow

VOLUNTEER COORDINATING COMMITTEE MEETING 2-10-92

Present: Kadlec, Snook, Husbands, Comstock, Lane, Whitcomb
and George

Called to order at 7:30 PM at Town Hall. Minutes of last meeting read and approved.

INTERVIEWS:

KATHRYN GARCIA for Recreation Committee, A/B Arts Council or Historical Commission.

Lives on 7 Conant St. In Acton 5 months and MA 5 mos. Very interested in recreation and leisure activities. Has been involved in CO. Did work with Community Arts Councils and for a while with a Convention Visitors Bureau. Has children in our elementary, middle and high school. Background seems appropriate for all 3 committees listed.

KEVIN CLASBY for Planning Board, Conservation or Planning Lives on 10 Oneida Rd. Acton 24 yrs. MA 24 yrs. Graduated college last year. Has not found job in his field. Works part time. Environmental Science his major. We encouraged him to attend some of the open meetings of the boards.

THOMAS PETERMAN for Historic District Commission.

Lives on 16 Hosmer St. Acton 8 mos. MA 11 1/2 yrs.

Is an architect. Has had experience with historic districts in Boston. Has attended some meetings of AHDC. Would fill a need for them if appointed.

Historic District Commission wants two alternate members. They meet 2nd and 4th Mondays at 7:30 PM.

Recommended and Voted:

Thomas Peterman as Alt. 3 yrs. A.H. District Commission.

John M. Pavan as full mem. 5 yrs. Planning Board

Sworn in- Katherine Reiner 1/31/92 Fair Housing to 6/30/95

Appointed- Edward Kelley, Comm. On Disability to 6/30/94

David Thrope, Fair Housing to 6/30/93

Lois Stern, Fair Housing to 6/30/93

Kadlec gave us some pages to look over before our next mtg. They are on term designations.

George reported that towns must have a Fair Housing Plan by Executive Order. A committee is not a part of the order.

Meeting adjourned at 10 PM. Next meeting 2/24/92 at 7:30PM.

Respectfully submitted,

Nancy A. Whitcomb, Secretary VCC

cc Town Clerk and Selectmen

MINUTES FORM

Please send a copy after each meeting to Town Hall

MINUTES OF HISTORIC DISTRICT COMMISSION

Meeting posted: x yes, no

Date: 1/30/92 Time: 7:30 p.m. Place: H.R. 121

Members present: Forbes, Gates, Moran, Mowry, Schmidt, Tom Peterman observed.

MINUTES of 1/13/92 were approved as amended.

ANNOUNCEMENTS: Forbes announced that the property at 5 School St. did get sold back to the former owner, Armando Forazze for \$10 K. Mowry noted that the Progressive Savings Bank in Malden had foreclosed and the town had been dickering with the bank for it. ~~The town had offered a sum, the bank wanted more.~~ but Forazze bought it back at auction for \$10K.

It was reported that in February there may be a foreclosure on a property on Mass. Ave. in the West Acton Historic District.

Forbes reported on an opportunity for the town to have a preservation planning project done by MIT graduate students.

Nominations for Historic Preservation Award: the commission suggest NOW AND THEN for this year.

LETTER TO BEACON: Forbes circulated a draft of a letter to the Beacon. After suggested changes, it was approved.

OLD BUSINESS: The Commission has been offered filing space in the Planning Office and also in the old Selectmen's Office where we could have access at night.

Forbes reported on comments on our draft Rules and Regulations from Don Johnson, Gary Rhodes and Roland Bartl: the major suggestion was that the document be split into two-- operating procedure for the commission, and rules and regulation for the applicants. She also reported Rhodes was concerned over our designating him as "enforcing officer unless he also had "deciding authority". Forbes reported that at Town Meeting there will be an article asking to allow the Selectmen to set and collect fees, which might get the commission around the 1/3- 2/3 split.

RULES AND REGULATIONS: These were reviewed, incorporating reviewers' comments. Forbes agreed to have new drafts of these and applications

TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION
TOWN MANAGER'S OFFICE

DATE: Feb. 24, 1992

TO: Garry Rhodes, Building Commissioner
FROM: Don P. Johnson, Town Manager
SUBJECT: Train Whistles

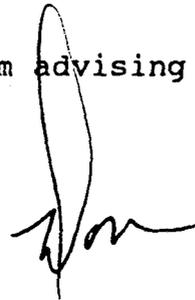
Elizabeth Jones, from Pam Resor's office, called this morning to let me know that the Committee on Public Safety will be hearing our bill on train whistles next Monday, March 2, at 11:00AM.

The bill is House No. 3428 and the hearing will be in room 136 at the State House. The House Chairman is Rep. Paul E. Caron and the Senate Chairman is Sen. James P. Jajuga. The staff person assigned to the bill is Don Kevany.

Please contact Palmer and Dodge and make whatever arrangements you feel are necessary to provide the Committee with a proper and convincing presentation.

By copy of this memo to the Selectmen, I am advising them of the hearing and inviting their attendance.

cc: Board of Selectmen ✓
Norm Cohen, Town Counsel



South Acton Village Planning Committee

Minutes for Meeting of:

February 12, 1992

Members in attendance: David Hill (Chair), Betsy Eldridge, Robert Pion, Sandra Whaley, Sam Manka.

Also present: Roland Bartl (Town Planner), John Hitz (South Acton Congregational Church).

It was the first meeting of this committee. David Hill opened the meeting. He recapped the purpose and task of the committee to develop a comprehensive plan for future development and revitalization of South Acton. He stated, that he hopes for a 1 to 1 1/2 year time line until completion of the plan, at which time a final report with recommendations should be completed. David and all others present introduced themselves, shared their backgrounds and offered their hopes for the accomplishments of the committee and for South Acton. General issues and questions surrounding South Acton were discussed, including the Rt.27 bridge replacement, Porrado properties, commuter parking facility, MBTA plans for station and tracks, lack of sewers, general appearance of village, Great Hill Village development, Exchange Hall, the MBTA rail spur towards Maynard, and some "inappropriate" zoning constraints. The following agenda items were agreed upon for the discussion at the next meeting (February 26, 1992):

- * Elections of vice chair and clerk/secretary,
- * future meeting schedule,
- * time lines,
- * project scope (geographically and issues)
- * existing inventory and analysis,
- * community involvement,
- * budget matters.

Minutes approved 2/26/92

cc: Town Clerk
Planning Board
Board of Selectmen . /

[rhb347*2/92]

RECEIVED & FILED
ON Feb 27, 1992
Barbara Brown
for TOWN CLERK, ACTON

Transportation Advisory Committee

21 January 1992

To: Board of Selectmen
From: Martin Graetz
Subject: New Committee Charge

2 1007

In November 1991, the Board of Selectmen asked the Transportation Advisory Committee to develop the materials for a new committee charge, making its responsibilities and makeup clearer and more explicit than they are at present. The Committee discussed the probable contents of such a charge at its December meeting. An outline was prepared and discussed at the January 1992 meeting. This memo is a first pass at setting down the elements of a new charge. It consists of a general description of the Committee and its duties, followed by some suggested additions.

*** **

The Transportation Advisory Committee provides information and advice to the Board of Selectmen and various Town boards and departments, to help them make decisions affecting the town's transportation needs. It is composed of volunteers who meet regularly to review planning and development proposals, attend transportation-related hearings, and monitor regional activities that may affect the town.

Composition

The Committee consists of at most nine regular members, including a Chairman and a Clerk. Associate members may also be appointed to the Committee. The Town's representative to the Lowell Regional Transportation Authority (LRTA) is automatically a member of TAC¹.

The Chairman presides at meetings and prepares each meeting's agenda. The Clerk takes the meeting minutes and maintains the Committee records.

Meetings

The Committee meets once a month except in July and August. Additional meetings may be scheduled as needed by the work load.

The Committee's Responsibilities

1 Site-Plan Reviews

Copies of all site plans and site-plan modifications are sent to TAC for evaluation. Those with traffic and other transportation impacts are reviewed, and reports are sent to the Board of Selectmen and other interested departments, such as the Planning Board and the Town Engineer.

2 Reviews of other transportation projects

TAC also reviews projects that are initiated by or presented to the Town, such as bike paths, parking facilities, bus and van services, road and intersection redesign, and traffic controls. Reports are prepared and submitted to the relevant Town departments.

3 Sidewalks

In 19[??], TAC helped prepare a Master Plan for building sidewalks throughout the Town to improve pedestrian safety and access in an atmosphere of increasing motor traffic and speed. Priorities were assigned to help provide for sidewalk construction in each year's budget. The result has been a gradual expansion of the sidewalk network. When sidewalk-building articles are to be included in the Town Meeting Warrant, TAC meets with the Town Engineer to determine that year's program. TAC also solicits opinions and considers requests from Town residents.

4 Transportation Policy

TAC assists in developing new transportation policies, procedures, and goals, such as the Master Plan (a representative of TAC sits on the Master Plan Coordinating Committee created in 1991). Members provide informal advice and information on specific projects (such as the redevelopment of the commuter-rail parking lot), and keep tabs on regional developments (such as the second-airport siting study and the expansion of commuter-rail service).

5 LRTA liaison

The Town's representative to the Lowell Regional Transportation Authority, in whose district the Town lies, is an associate member of TAC. LRTA supports the Town's two special van services, Roadrunner and the Council on Aging van. The agency also governs commuter-rail service to and through Acton².

Proposed Functions

Make TAC a formal part of the planning and review process for town projects that affect transportation.

Provide for Town representation through TAC at meetings of local and regional bodies dealing with transportation issues.

Formalize TAC's role in developing the transportation objectives of the Master Plan. (Beyond TAC's representation on the MPCC, the committee should be an integral part of the review process for implementing objectives.)

Provide for regular meetings with the Selectmen, either by scheduling a TAC topic at a BoS meeting, or by having a Selectman attend TAC meetings.

Establish closer links with highway dept similar to those with the Town Engineer. At present, these links are informal and personal, which is not bad, but it might help to build the links a little more explicitly into the structure.

Other Suggestions

The Committee is preparing a "job description" for use by the Volunteer Coordinating Committee in advertising for new members.

We've discussed putting together a Member's Kit that would help a new member learn the jargon and the basics of reviewing a site plan. Such a kit would include a glossary of terms, a set of review guidelines (we have a short description excerpted from *Zoning News*), an explanation of the "Level of Service" concept, and a town map, plus whatever else we might find useful.

NOTES

- (1) Currently, the LRTA representative (Don Herskovitz) is an Associate Member.
- (2) The Committee suggests that a member of the Committee be a liaison with the MBTA similar to that with LRTA (if perhaps less formal), so as to keep current with the T's commuter-rail plans.

To Board of Selectmen.

At the suggestion of Ann Fanton, I am enclosing a copy of the minutes of the last (Feb. 20, 1992) LETA meeting for your information. As an associate member of the TAC, I regularly attend these meetings. I will continue to supply these minutes to the Selectmen, if desired. Let's try it this way for a few months.

Don Henskovitz
TAC

LOWELL REGIONAL TRANSIT AUTHORITY

ADVISORY BOARD MEETING

MINUTES OF MEETING

February 20, 1992

The meeting was called to order by Chairman Charles A. Gallagher at 7:10 p.m. at the Lowell Regional Transit Authority Offices, 145 Thorndike Street, Lowell, MA. Mr. Charles Coppola of Tewksbury, Mr. Kevin Coughlin of Tyngsborough, Mr. Joseph Czarnionka of Pepperell, Mr. Donald Herskovitz of Acton and Ms. Ann Mulcahy of Billerica were present.

MINUTES:

The minutes of January 16, 1992 Advisory Board Meeting were presented by Chairman Gallagher. Mr. Coughlin moved that the minutes be accepted as presented, seconded by Ms. Mulcahy, voted unanimously.

ADMINISTRATOR'S REPORT:

The Deputy Administrator's monthly financial status report was presented. Mr. Maguire then gave a verbal report on the overall financial picture as it relates to the forthcoming FY'93 budget. He said that the ongoing 5.5 Million Dollar "Gallagher Terminal Addition" project will be completed in early spring of this year. He added that twenty-two (22) new fixed route buses, costing 4.4 Million Dollars will be delivered here in early March of this year. Mr. Maguire stated that although our ridership is down significantly, approximately 30%, we have been able to maintain financial stability without service cutbacks or fare increases in recent years. Within the next 30-60 days we will know definitely if our total revenue income will be sufficient to balance our current budget. At the present time it appears that we are financially solvent and within the next 30-60 days we will report to you whether we are still able to forestall service cutbacks and fare increases. He added that the LRTA has also been able to maintain the lowest fares in Massachusetts.

Mr. Coppola said that in this time of a down economy he is pleased to hear the positive comments as stated.

Mr. Coughlin then asked about the status of federal funding and federal cutbacks in recent years. He queried as to the possibility of the LRTA receiving sufficient federal funds to maintain our level of operations.

Minutes

February 20, 1991

Page 2

Mr. Maguire responded saying that we are hoping for additional funds from either the State or Federal government and we will report the results of our efforts within the next 30-60 days. Mr. Coughlin asked what are the fare ratios of the LRTA relative to the cost of operation. Mr. Maguire said that it is approximately 30%. He said that most Authorities have higher subsidies than the LRTA as reflected in Massachusetts Executive Office of Transportation and Construction (EOTC) financial reports. Mr. Motter interjected that the reports of the last five (5) years do show that the LRTA has held the line extremely well regarding State Contract Assistance.

Mr. Coughlin added that in these bad economic times it is difficult to consider raising fares, and although we have avoided this for three (3) years in a row, we must be very careful that we accurately estimate our potential revenue income and be prepared to take the necessary steps to avoid financial deficits. Mr. Coughlin then asked if we should expect any major increase in net operating cost. Mr. Maguire said that he hopes not, but again he will be able to give precise answers to these questions in a minimum of thirty (30) days and a maximum of sixty (60) days.

Mr. Coppola then commented as to how the LRTA has the lowest fares and also the lowest subsidies. Mr. Maguire said that the records show that we do a very rigid financial job. We constantly monitor all our borrowing—our budgets—our cash flow—our investments, as well as all operating and capital costs with constant monitoring of revenue income. Mr. Maguire complimented Andy Motter, Northern Middlesex Council of Governments (NMOOG) on his ability to write excellent grant applications which have resulted in the LRTA being extremely financially successful in our Administrative Grant Process. Mr. Maguire said that we have an excellent staff and that we are fortunate to be able to report that the records continue to show sound fiscal management.

REPORTS OF SUBCOMMITTEES: None

COMMUNICATIONS:

Mr. Gallagher presented two communications: 1) From: R. Flynn, NMOOG, dated January 21, 1992 and 2) To: R. Juknavorian dated January 28, 1992. Mr. Maguire said that the letter to Mr. Juknavorian is self explanatory. He then referenced the letter from Mr. Flynn stating that we have taken a hard look at LRTA health insurance benefits as it affects the welfare of our employees as well as the financial status of the LRTA. We started approximately one (1) year ago checking all aspects of health insurance when we were informed that our current Blue Cross/Blue Shield premiums would be "skyrocketing". We received information and directives from the State regarding this issue. I appointed a three (3) member committee comprised of staff members T. Henderson, D. Cremin and U. Tucker. They met on many occasions and analyzed numerous plans. Then, at further meetings, tentative decisions were made by us collectively. The State again issued further directives counteracting the previous directives. As time progressed, we had more meetings with BC/BS Representatives and with the NMOOG staff. NMOOG administrates our Health Plan. We were informed that we were facing a

deadline of February 1, 1992 to make decisions in this regard. With many delays and many meetings, LRTA employees including myself were impressed with the recommendations of Mr. Flynn of NMOOG. Details of his recommendations are explained in the communication. I suggest to the Board at this time that you consider implementing those recommendations which will greatly benefit your employees and will also save the LRTA an additional eighteen thousand five hundred forty three dollars (\$18,543) per year.

Mr. Coppola asked about all the other employees of the LRTA vs the LRTA staff employees. Mr. Maguire said that all other employees are in various type Health Plans under their direct employers who are all under contract to the LRTA.

Mr. Coughlin said it is admirable for the Administrative staff to have such a responsible attitude. He asked who would make the decision whether someone in the future requested enrollment in another type plan? Is there a possibility in the future an employee could have his discretionary ability questioned? Could his future benefits be top heavy? Would we be better off now to lock in something regarding percentages and/or dollars? Mr. Coppola added that we should probably consider that variations in future Health Plan requests be tied into dollar amounts. Mr. Maguire said that the beginning problem is getting our employees into a group. As we only have four (4) employees, our options are very limited. NMOOG administrates the plan and we have on-going restrictions as to what we may or may not be able to do. Mr. Coughlin added that even though an employee may prefer an HMO plan, in many cases it is not less expensive than Blue Cross/Blue Shield.

Ms. Mulcahy said that NMOOG pays 80% and how does that relate to the LRTA payment. Mr. Cremin added that as an LRTA employee he pays 25% because he is still within the first five (5) years of employment. The 10% payment by LRTA employees only kicks in after five (5) years. Ms. Mulcahy asked if this change would include past employees. Mr. Maguire said that it would not, that the plan would be effective February 1, 1992.

A motion was made by Ms. Mulcahy, seconded by Mr. Coppola to accept the communication and place on file and amend the personnel policy in accordance with the suggestions offered by Mr. Maguire which would include changing Paragraph 3 to incorporate the sentiments of the Board as just referenced. On the motion, Chairman Gallagher said that he is very pleased with the staff and also commends their responsible attitude in addressing this issue.

Ms. Mulcahy further referenced the letter to Mr. Juknovarian and asked about project delays. Mr. Maguire said that there was a ten (10) day delay due to questions by the Historical Commission regarding the Ackerley land area. We immediately went to the Historical Commission, made a presentation and discussed the entire matter going back seven (7) years when the project was originated. We also, by mutual agreement, responded to their request, and as a result, received another Certificate of Non-Applicability. We made a detailed, thorough presentation of the history of the project and, with their cooperation, we notified Ackerley Communications Co. that we now have total and final approval to continue the project.

A motion was made by Mr. Coughlin, seconded by Mr. Herskovitz to place the communication on file. Voted unanimously.

CURRENT BUSINESS:

Chairman Gallagher then referenced the "Gallagher Terminal Addition" Project report dated January 21, 1992. Ms. Mulcahy asked Mr. Maguire when the NMOOG office will be ready for occupancy. Mr. Maguire answered that they will be able to move in prior to the completion of the entire project and this probably would be early April of 1992.

Continuing under Current Business: Mr. Gallagher referenced the "Official Policy on Drug-Free Workplace" saying that this matter was postponed from the last Board meeting of January 16, 1992. Mr. Coughlin addressed the issue saying that he had talked to various agencies and companies questioning what other businesses were doing in regard to a drug-free policy. He said that many of his previous concerns have been substantiated. He said that he has contacted a company that is actively engaged in working with companies that have problems regarding employee substance abuse. He had a meeting scheduled for today, but the person with whom he was to meet has been hospitalized. As that meeting was cancelled, he would like the time to pursue this issue further and report back to the Board at our next scheduled meeting. Therefore, I move that this matter be postponed and be considered for vote at the next meeting on March 19, 1992, seconded by Ms. Mulcahy, voted unanimously.

NEW BUSINESS:

Mr. Gallagher recognized Mr. Maguire who said that a Section 3 Grant Application Resolution is now ready for consideration. This Resolution pertains to a request of two million eight hundred sixty thousand dollars (\$2,860,000) to replace the remaining thirteen (13) buses in our fixed route fleet. Mr. Maguire said that he had talked to National Federal Transit Administrator Brian Clymer recently. He thanked Mr. Clymer for the recent \$4.4 million dollar award to replace twenty-two (22) buses and informed him that another application would be forthcoming to replace the remaining thirteen (13). The buses should cost about two hundred twenty thousand dollars (\$220,000) each and they will all be wheelchair lift equipped. Mr. Motter said that these buses, like the others, are in bad condition and need to be replaced as soon as possible. Upon the Board voting this Resolution, he will then commence putting together the other necessary components to submit an effective presentation to Washington with the hopes that we will receive funding as soon as possible. Ms. Mulcahy moved, seconded by Mr. Herskovitz that the Resolution be so adopted. Voted unanimously.

MOTIONS:

At this point Ms. Mulcahy referenced a communication she had received regarding a request for consideration for additional service in Billerica and gave the communication to Administrator Maguire. He said that he would review the request and give a reply as soon as possible.

WARRANT: A warrant was presented in the amount of \$505,827.67 with a supplement amount of \$10,972.66 for a total of \$516,800.33. Mr. Coughlin moved approval of the warrant, seconded by Mr. Coppola, voted unanimously.

ADJOURNMENT: On a motion made by Ms. Mulcahy, seconded by Mr. Coughlin and so voted unanimously, the meeting was adjourned at 8:25 p.m.

I, Ann M. Mulcahy, duly elected and acting as Clerk of the Lowell Regional Transit Authority, do hereby certify that the foregoing minutes are a true and accurate record of the meeting of the Lowell Regional Transit Authority Advisory Board held on February 20, 1992.

Date

Ann M. Mulcahy, Clerk

CC: BOS - RE ARTICLE ON ATM WARRANT
- STREET EXEMPTION FROM ZONING -

Extra info 3/4

TOWN OF ACTON

INTER-DEPARTMENTAL COMMUNICATION

DATE: 2/27/92

TO: Don P. Johnson, Town Manager
FROM: David F. Abbt, Engineering Administrator
SUBJECT: Applicability of Zoning Bylaw to Streets

J. Abbt

The essential purpose of the Zoning Bylaw is to regulate the use and development of land. The application of zoning requirements to streets generally makes little sense. When the Zoning Bylaw was drafted this was not the purpose in mind.

Streets are regulated by other means, namely:

- 1) The Town's Traffic Rules and Orders regulate the use of public ways by motor vehicles.
- 2) The Town's Subdivision Rules and Regulations regulate and provide guidance for the design and construction of new streets and the major repair or reconstruction of existing streets.
- 3) Title XIV of the Mass. General Laws controls public ways as follows:
Chapter 82 - Laying out, etc.
Chapter 83 - Drains and Sidewalks
Chapter 84 - Repairs and Liability
Chapter 85 - Regulations and Bylaws
Chapter 86 - Boundaries and Encroachments
Chapter 89 - Law of the Road
Chapter 90 - Motor Vehicles.
I am sure there are more, such as Ch. 40, Powers & Duties of Cities and Towns.
- 4) The Town's General Bylaws regulate construction activity in public ways by private contractors and public utilities; the disposal of trash (litter) on public ways; and the discharge from sump pumps onto public ways.
- 5) The Town also has a street numbering bylaw separate from zoning.
- 6) The Scenic Road Bylaw limits the cutting of streets and the destruction of stone walls on certain designated streets in Town.
- 7) The State Wetlands Protection Act and the Town's Wetlands Bylaw both apply to the repair, construction, and reconstruction of streets in the Town

of Acton.

- 8) The Town Meeting has control of appropriations for maintenance of Town ways, and the Board of Selectmen acting through the Town Manager and Highway Superintendent have day to day administrative control of the process. Furthermore, the Selectmen routinely schedule hearings on projects funded by gifts to obtain public input.

All this adds up to considerable regulation of streets apart from zoning.

Looking at the Zoning Bylaw specifically, I find little that actually applies in any way to streets. However, the following sections do concern streets in some way:

- 1) Section 4.1 - Flood Plain District
Subsections 4.1.5.2 and 4.1.7.5 (Floodways and Floodfringe) exempt repair, maintenance and replacement of structures in a street or private way from further regulation (its a permitted use). Structures include banks, walls, culverts, bridges, etc.

No specific exemption for re-paving of streets (public or private) is contained in Section 4.1; the proposed amendment would remedy this oversight.

- 2) Section 4.3 - Groundwater Protection District
The subsections that cause problems for streets are 4.3.6.2, 4.3.6.3 and 4.3.6.4 relative to recharge, treatment of runoff and pollution safeguards. All worthy goals, but often not possible to comply with when making minor improvements and adding sidewalks to existing streets. Although a very rare project for the Town to undertake, the construction of a new street is a different matter. All new streets, whether built by the Town or private developers (the usual case), must comply with the Town's Subdivision Rules and Regulations which mirror the Zoning Bylaw on issues concerning groundwater protection and flood plains. The fact of the matter is that sidewalks don't generate any pollution worth worrying about. In fact, Town Counsel has ruled that when making minor upgrades (including sidewalks and widenings) we need only comply with the Zoning Bylaw to the extent reasonably possible. However, the proposed amendment would make this issue more clear cut.

The extent to which storm runoff from existing pavement can be collected and treated economically or recharged is debatable. In my opinion, lacking space in the right of way for retention and detention basins and in most cases recharge facilities, the only Zoning Bylaw requirement that can be incorporated in the plans are gas/oil hoods in catchbasins. These devices may be of some help in containing a spill or accident, but can do little or nothing to separate small amounts of oil from large amounts of storm runoff. However, in most cases I would recommend gas/oil hoods in all new or reconstructed drainage facilities.

- 3) Section 6 & 7 relate to parking and signs and don't seem to have any significant impact on Town streets. However, if we wanted to construct a new municipal off-street parking lot, the zoning requirements would be very

restrictive, but that is a separate matter.

In my opinion, the current amendment should be passed and the Selectmen should independently establish policies and guidelines for dealing with issues concerning flood plains and groundwater protection on Town streets, or re-write sections of the Zoning Bylaw to specifically deal with public ways as a matter separate from the development of vacant land and the use of private property.

[168]

TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION
TOWN MANAGER'S OFFICE

DATE: March 2, 1992

TO: Anne Fanton, Selectman

FROM: Don P. Johnson, Town Manager

SUBJECT: Retirees' Health Insurance Warrant Article

I have reviewed your questions regarding the subject article and offer the following as a partial response:

- 1) Attached is a copy of the only version of the law that we have been able to find. You will note that it requires acceptance at Town Meeting (or via a ballot question) for Town employees and acceptance by the Regional School Committee for Regional employees. We are informed that the Schools are currently requiring their eligible retirees to move to the Medicare program. Presumably, this requirement applies to the Region only, since the legislation has not been accepted for the Local School employees.

- 2) Section 18 requires that "... benefits under said plan and medicare part A and B together shall be of comparable actuarial value to those under the retiree's existing coverage." We are cautioned that the "actuarial" aspect should be read carefully. This may not mean that the benefits must be the same. In any event, we are charged with providing a degree of equity in such a transition.

- 3) The governmental unit is also charged with paying any medicare part B premium penalty assessed by the federal government. (These might be significant initially but they would taper off to zero over time. My guess is that they would average about \$30/mo. per applicable retiree, initially.) There is no indication regarding the responsibility for the medicare part B premiums themselves. (Again, these are in the vicinity of \$30/mo.)

- 4) We are seeking a comparative analysis from Blue Cross for their Medex Supplement (combined with parts A and B) vs. Master Health Plus. I hope to receive it in time to provide an evaluation during the Selectmen's meeting on March 3.

- 5) This article should provide comparable benefits for the eligible retiree's at cost savings to both the retiree and the Town. Using the attached memo from John Murray, you will note that the full monthly premium for a single retiree's B/C, B/S Master Health Plus plan is currently \$299. The Town pays 50%, or \$150 and the retiree pays the other 50%. Comparing this to the Medex program, I would expect something like the following:

TOWN'S COST

Medex/2 = \$106/2 = \$53 per mo.	53
Plan B premium penalty per mo.	<u>30</u>
	83/mo

(Responsibility for cost for Plan B premium not defined.)

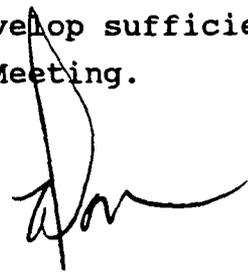
RETIREE' COST

Medex/2 = \$106/2 = \$53 per mo.	53
Plan B premium cost per mo.	<u>30</u>
	83/mo

- 6) As you can see from the above, I would expect the cost savings to both the Retiree and the Town to be in the vicinity of \$67 each, per month, and the retiree would presumably have comparable insurance coverage. For the sake of argument, this cost savings to the retiree would be comparable to increasing the Town's contribution to the Master Health Plus premium from the current 50% to 72%.
- 7) I am unable to predict the total value to the Town because we have no record of Medicare eligibility for any of our employees or the retirees.

Hopefully, the above information will provide some further insight into the proposed article. We are researching this matter further through Town Counsel and will provide any information we develop there.

I realize that you may be somewhat uncomfortable with this article at the moment. If you and the Board are sufficiently uncomfortable you might wish to pull it at this time. My recommendation, at a minimum, would be to retain it without a printed Board position to see if we can develop sufficient information to ease your concerns by Town Meeting.



cc: Board of Selectmen

INTERDEPARTMENTAL COMMUNICATION

TOWN MANAGER'S OFFICE

DATE: 2/27/92

TO: ANNE FANTON

FROM: JOHN MURRAY *JM*

SUBJECT: Article of Retiree's Health Care

Attached are copies of the "Town" plans for medical coverage (Master Health Plus and Harvard). Also attached are the Town's medicare extension plans (Medex 3 and Plan 65). The monthly premium for the programs are as follows:

HARVARD	7/1/91 - 7/1/92	199.46
HARVARD'S PLAN 65	(1/1/92-12/31/92)	97.00
MASTER HEALTH PLUS	(7/1/91-7/1/92)	299.00
MEDEX	(7/1/91 - 7/1/92)	106.92

Blue Cross - Blue Shield will prepare an analysis of Medex 3 vs Master Health Plus, by benefit for us. I will forward it to you as soon as possible.

cc: Board of Selectmen

Medicare-Medigap eligibility a vital asset of retirement

Inside Insurance

BENJAMIN LIPSON

P

ROBABLY NO SUBJECT IS AS CONFUSING TO READERS AS THEIR eligibility for Medicare insurance and its private-sector supplement, Medigap coverage. We've tried to explain it over the years, but because of changes in the rates and the age and work status of those involved, questions continue to come in.

To help readers, either those already on the plan or those just "coming of age" in the Medicare era, here is a brief discussion of how it works. We focus on Blue Cross-Blue Shield supplemental coverage mainly because it's generally the company of choice. So here's the rundown:

■ People who retire at age 65 who have contributed to Social Security (or whose spouse who is 65 or older and has contributed) are eligible for premium-free Medicare Part A. The government also offers optional Medicare Part B, with its broader benefits, at a current cost of \$31.80 per month. Retirees who enroll in both parts of Medicare at age 65 are eligible for Blue Cross-Blue Shield Medex coverage (that's the name of the Blue Cross Medigap plan) if they are Massachusetts residents and are not eligible for any employer's group coverage.

■ People who are Blue Cross-Blue Shield members at age 65 (group or nongroup) are converted to Medex.

■ People who are not Blue Cross-Blue Shield members at age 65 must apply for Medex within five months after the month of their 65th birthday.

■ Retirees who do not enroll in Medicare Part B at age 65 must wait until a Medicare open enrollment to apply (held yearly during January, February and March).

Medicare Part B then becomes effective July 1 with a 10 percent premium surcharge for each year a person could have, but did not, previously enroll. These people have 90 days from the Medicare Part B effective date to apply for Medex.

■ Retirees enrolled in both parts of Medicare who do not enroll in Me-

dex within five months of their 65th birthday, or retirees who are late Part B enrollees who do not enroll in Medex within 90 days of their Part B effective date, must wait until the next Medex open enrollment, held yearly during February and March. Effective date is June 1.

■ The Medicare open enrollment period and effective date are mandated by the federal government; the Medex open enrollment period and effective date are mandated by the state.

SECTION ~~120~~ Section 3A of chapter 32B, as appearing in the 1990 Official Edition, is hereby amended by striking the first sentence and inserting in place thereof the following two sentences: — A city, town, county, except Worcester County, or other subdivision of the commonwealth, when providing hospital, surgical, medical, dental and other health care coverage as authorized by this chapter, and subject to the adequacy of a claims trust fund as hereinafter described, may, in lieu of or in addition to entering into the insurance policies, agreements, or contracts described in this chapter, enter into an administrative services or other contract with one or more insurance companies, nonprofit hospital, medical or dental service corporations organized under chapter one hundred and seventy-six A, chapter one hundred and seventy-six B, or chapter one hundred and seventy-six E, or with one or more health care organizations, or with one or more third-party administrators or other entities to organize, arrange, or provide for the delivery or payment of health care coverage or services, whereby the funds for the payment of claims of eligible persons, including appropriate service charges of the insurance carrier, third party administrator or other intermediary, shall be furnished by the respective subdivision from the claims trust fund for the payment by such intermediary to the health care vendors or persons entitled to such payment in accordance with the terms and provisions of said contract. Subject to the adequacy of a claims trust fund, as hereinafter described, a city, town, county, except Worcester county, or other sudivision of the commonwealth may itself provide all or a portion of the administrative services authorized by this section without contracting with an insurance company, ~~health care organization,~~ third party administrator or other intermediary for such services.

SECTION ~~121~~ Section 11C of said chapter 32B, as so appearing, is hereby amended by inserting at the end thereof the following clause: —

(e) The medicare extension coverage permitted by this section shall be ~~available on a~~ mandatory, rather than optional, ~~basis~~ for any governmental unit that accepts section eighteen.

SECTION 22 Said chapter 32B, as so appearing, is hereby further amended by adding the following section:

Section 18. In a governmental unit which has accepted the provisions of section ten and which accepts the provisions of this section, all retirees, their spouses and dependents insured or eligible to be insured under this chapter, if enrolled in medicare part A at no cost to the retiree, spouse or dependents or eligible for coverage thereunder at no cost to the retiree, spouse or dependents, shall be required to transfer to a medicare extension plan offered by the governmental unit under section eleven C or section sixteen; provided, that benefits under said plan and medicare part A and part B together shall be of comparable actuarial value to those under the retiree's existing coverage. Each retiree shall provide the governmental unit, in such form as the governmental unit shall prescribe, such information as is necessary to transfer to a medicare extension plan. If a retiree does not submit the information required, he shall no longer be eligible for his existing health coverage. The governmental unit may from time to time request from any retiree, a retiree's spouse and their dependents, proof certified by the federal government of their eligibility or ineligibility for medicare part A and part B coverage. The governmental unit shall pay any medicare part B premium penalty assessed by the federal government on said retirees, spouses and dependents as a result of enrollment in medicare part B at the time of transfer into the medicare health benefits supplement plan.

This section shall take effect in a county, except Worcester county, city, town or district upon its acceptance in the following manner: — In a county by vote of the county commissioners; in a city having a Plan D or Plan E charter by a majority vote of its city council; in any other city by vote of its city council, approved by the mayor; in a district, except as hereinafter provided, by vote of the registered voters of the district at a district meeting; in a regional school district by vote of the regional district school committee; and in a town either by vote of the town at a town meeting or, by a majority of affirmative votes cast in answer to the following question which shall be printed upon the official ballot to be used at an election of said town: — "Shall the town require that all retirees, their spouses and dependents who are enrolled in Medicare Part A at no cost to a retiree, their spouse or dependents, or eligible for coverage thereunder at no cost to a retiree, their spouse or dependents, be required to enroll in a medicare health benefits supplement plan offered by the town?"

Benefit Comparison

	MEDICARE A & B	CIGNA MAJOR MEDICAL	MAJOR MEDICAL
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INPATIENT

Deductible	Medicare Part A - \$652 Medicare Part B - \$100	\$50 per member per calendar year.	None
Lifetime Maximum	None/190 days lifetime max.		None
General Hospital— Inpatient (semi-private room and board and special services)	Full semi-private charges for 60 days AFTER the Medicare inpatient deductible per benefit period; then full semi-private charges LESS the Medicare daily co-insurance amount from the 61st-90th day then 60 lifetime reserve days	Full coverage up to 365 days per benefit period.	FULL COVERAGE
Inpatient Physician Services	80% of Medicare allowed charges AFTER subtracting the Medicare calendar year deductible.	Full coverage for surgery, medical care, anesthesia and necessary consultations based on usual & customary charges for covered services provided by Massachusetts participating physicians, but limited to 365 days per benefit period.	FULL COVERAGE (based on a usual and customary charge)

Benefit Comparison

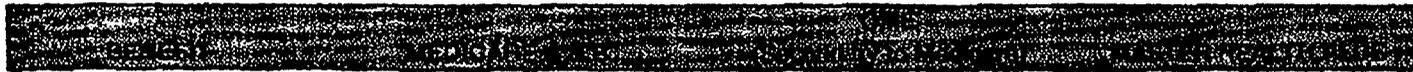


OUTPATIENT

Facility Charges

Initial Emergency Care	80% of Medicare allowed charges AFTER subtracting the Medicare calendar year deductible.	FULL COVERAGE	FULL COVERAGE
Surgery	80% of Medicare allowed charges AFTER subtracting the Medicare calendar year deductible.	FULL COVERAGE	FULL COVERAGE
Radiation and Chemotherapy	80% of Medicare allowed charges AFTER subtracting the Medicare calendar year deductible.	FULL COVERAGE	FULL COVERAGE
Diagnostic X-ray	80% of Medicare allowed charges AFTER subtracting the Medicare calendar year deductible.	FULL COVERAGE	FULL COVERAGE

Benefit Comparison



Clinical Laboratory Services	Full cost of service		FULL COVERAGE
Hemodialysis	80% of Medicare allowed charges AFTER subtracting the Medicare calendar year deductible.	FULL COVERAGE	FULL COVERAGE
Physical Therapy	80% of Medicare allowed charges AFTER subtracting the Medicare calendar year deductible.	No benefits unless follow-up care within 100 days of a hospital stay of 3 or more days (except for mental disorders)	FULL COVERAGE
Medical Care	80% of Medicare allowed charges AFTER subtracting the Medicare calendar year deductible.	No benefits unless follow-up care within 100 days of a hospital stay of 3 or more days (except for mental disorders)	After a \$25 co-pay FULL COVERAGE

Benefit Comparison



PHYSICIAN'S OFFICE

Surgery	80% of Medicare allowed charges AFTER subtracting the Medicare calendar year deductible.	FULL COVERAGE	FULL COVERAGE for covered surgeries
Medical Care	80% of Medicare allowed charges AFTER subtracting the Medicare calendar year deductible.	No benefits unless follow-up care within 100 days of a hospital stay of 3 or more days (excluding mental disorders)	After a \$5 co-pay FULL COVERAGE
Chiropractor— Medical Care	80% of Medicare allowed charges ON APPROVED TREATMENT ONLY, after Medicare calendar year deductible	FULL COVERAGE for Medicare approved by a BC/BS participating provider	After a \$5 co-pay FULL COVERAGE
Well child care	N/A	N/A	After a \$5 co-pay FULL COVERAGE Schedule: -7 visits 1st year -3 visits 2nd year -1 visit a year ages 2-11
Adult Routine Physicals	NOT A COVERED SERVICE	NOT A COVERED SERVICE	NOT A COVERED SERVICE

Benefit Comparison.

Visiting Nur. Assoc. Co-ord. Home Health	Medicare pays the full approved cost of all covered home health visits	NOT A COVERED SERVICE	FULL COVERAGE
Durable Medical Equipment	80% of Medicare allowed charges AFTER subtracting the Medicare calendar year deductible.	NOT A COVERED SERVICE	80% of reasonable charge
Ambulance	80% of Medicare allowed charges AFTER subtracting the Medicare calendar year deductible.	Up to \$15 of the amount applied toward the \$100 Medicare Part B calendar year deductible and/or 20% coinsurance.	80% COVERAGE up to 100 miles
Skilled Nursing Facility	*with participating facilities only* Full semi-private charges for the first 20 days then semi-private charges less the Medicare co-insurance from the 21st through 100th day.	Medicare co-insurance covered from 21st through 100th day. Then \$10 per day	FULL COVERAGE
Prescription Drugs	NOT A COVERED SERVICE	\$50 calendar year deductible 100% generic 80% brand name	\$5 co-pay for generic \$10 co-pay for brand name (excludes birth control pills). Mail service prescriptions \$5 up to 90-day supply.

11/15/01 10:11:00 AM 11/15/01 10:11:00 AM

Benefit Comparison



Psychiatric Benefits

<p>Inpatient-General Hospital (semi-private room and board and services)</p>	<p>Full semi-private charges for 60 days AFTER the Medicare Inpatient deductible per benefit period; then full semi-private charges LESS the Medicare daily co-insurance amount from the 61st through 90th day. 190 days lifetime maximum.</p>	<p>FULL COVERAGE</p>	<p>FULL COVERAGE</p>
<p>Co-operating mental hospital for treatment of mental conditions</p>	<p>190 Days lifetime maximum in a participating mental hospital. *call social security for special rules</p>	<p>Limited to 120 days per benefit period less any days covered by Medicare.</p>	<p>FULL COVERAGE 60 days per calendar year in a participating co-operating mental hospital</p>
<p>Outpatient Psychiatric Benefits</p>	<p>80% of Medicare allowed charges AFTER subtracting the Medicare calendar year deductible.</p>	<p>\$100 Medicare Deductible and balance of Medicare allowed charge up to \$500 per calendar year.</p>	<p>FULL COVERAGE up to \$500 per person per calendar year after co-payments for treatment of mental conditions</p>

NOTE: THIS INFORMATION SUMMARIZES CERTAIN FEATURES OF THE PLANS OFFERED. IN ALL CASES, CERTAIN DOCUMENTS GOVERN THE PLAN'S OPERATIONS.

Come celebrate our 30th Anniversary!

Acton Conservation Trust Annual Meeting

Friday, March 13, 1992
Acton Town Hall Hearing Room

7:30 pm – Refreshments (on 2nd floor)

8:00 pm – Annual Business Meeting

Agenda: Review of the Past Year
 Treasurer's Report
 Voting for Board of Trustees
 Plans for the Year Ahead

Members will be asked to vote for Treasurer and Clerk, as follows,
and nominations for three Trustees are requested from the floor:

Richmond Miller for Treasurer
Carol Holley for Clerk
Three Trustee positions open

8:30 pm – Enjoying Acton's Natural Lands, a presentation by Tom Tidman

As Conservation Administrator for the Town of Acton, Tom Tidman's enthusiasm for his job is contagious. Let him "fill in the blanks" about what you know concerning local conservation programs. Tom will give a brief account of Acton's conservation history, and familiarize you with the numerous conservation lands throughout the Town. He will clarify the role of the Conservation Commission, and describe how its members serve to protect local wetlands. You will learn about special wildlife projects, the Acton Arboretum Action Plan, and what the efforts of countless volunteers has accomplished to protect Acton's natural lands for everyone's enjoyment.

----- Clip & Include with Payment -----

1992 Annual Membership Drive

All payments are tax-deductible

Individual \$5.00 Family \$10.00 Donation \$ _____

Name: _____

Phone: (____) _____

Address: _____

What local conservation projects mean most to you? land bank education
 land stewardship historical sites open lands woodlands wetlands wildlife

Please send to:

Acton Conservation Trust
P. O. Box 658
Acton, MA 01720

1991 Annual Report

The Acton Conservation Trust, Inc.

BOARD OF TRUSTEES, THREE-YEAR TERM

Richmond Miller (1990),
PRESIDENT & TREASURER
Carol Holley (1990), CLERK

Brewster Conant (1990)
Jean Schoch (1990)
Frank Flowers (1990)

Carol Place (1991)
Sandy Bayne (1991)
Maya Spies (1991)

The year 1991 was momentous for the Acton Conservation Trust, because it marked the end of our responsibility for local recycling.

Managing a recycling program at the landfill and the transfer station since 1972 has provided the Trust with a sizeable income over the years, from the sale of newspapers and glass. More recently, markets for recyclables shrank to nothing and haulers were shy of taking loads they could not sell. They began to charge for hauling newspapers, then glass, and finally no reliable haulers could be found.

An adjunct Recycling Committee formed to address this increasingly urgent problem, and member's efforts were encouraged by the Board of Selectmen. It gradually became obvious that the era for earning an income from recyclables was coming to an end, not only locally but throughout the U.S. In August 1991, prospects for recycling in Acton looked very bleak indeed.

But the Board of Trustees and Town officials believed that town-wide recycling must be sustained. Since the Trust could no longer afford to do so, the Town agreed to assume the cost of paying haulers, and the Trust officially relinquished its recycling responsibilities to the Town.

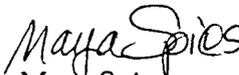
Meanwhile, the Recycling Committee devised a plan so citizens could still have direct input regarding recycling. As a result, in late August, the Board of Selectmen appointed a Recycling Task Force and, for the first time, citizens and Town staff had a forum on recycling.

The result has been the advent of a new and improved recycling program, including glass, newspapers, cans and plastics. This was possible because the Town had full control of both recycling and all other solid waste, so they were able to negotiate a five-year recycling contract with Browning-Ferris Industries. BFI shall provide bins and process our recyclables at their Materials Recovery Facility (MRF) in Hookset, New Hampshire, in exchange for being permitted to deliver solid waste to Acton's transfer station. This is a no-cost/no-income arrangement which eases the Town's solid waste tonnage deficit (*ref.* NESWC) and shifts responsibility for marketing recyclables onto BFI, which is in a much better position to do so because they process large quantities of recyclables from many towns.

So, with recycling well in hand by mid October, the question facing the Trust was how to sustain granting activities without any source of revenue. The Board determined that the Trust could continue to award modest grants to support local environmental projects, by using yearly interest earned on two existing CD accounts, and by substantially increasing Trust membership as the primary source of new funds.

The Board also decided that the Trust should continue to support the concept of a local "land bank," a proposition defeated at Town Meeting several years ago. The Trust believes it is in Acton's best interest to put aside a small percentage of each sale of local real estate to support the conservation of natural lands for the years to come.

At the close of this year, members of the Board of Trustees want to gratefully acknowledge Richmond Miller for his generous contribution of much time served as President. Although Rich recently resigned as President, he has offered to continue on as Treasurer. Thank you, Rich, for your continued commitment to the Trust. We also want to thank Frank Flowers and Sandy Bayne, who are leaving the Board this year. We will miss their valuable input.


Maya Spies
Acting President

**METROPOLITAN AREA PLANNING COUNCIL
FY93 LOCAL ASSESSMENTS**

Population amounts are provided by the Mass Department of Revenue and are required for calculating the assessment

+ 4.25%

COMMUNITY	FY92 POP	FY92 \$/CAP	FY92 ASSESS\$	FY93 POP	FY93 \$/CAP	FY93 ASSESS\$	CHG POP	CHG \$/CAP	CHG ASSESS\$
ACTON	17,410	0.2042	\$3,555	17,872	\$0.2074	\$3,706	462	\$0.0032	\$151
ARLINGTON	43,810	0.2042	\$8,946	44,630	\$0.2074	\$9,255	820	\$0.0032	\$309
ASHLAND	11,460	0.2042	\$2,340	12,066	\$0.2074	\$2,502	606	\$0.0032	\$162
BEDFORD	12,660	0.2042	\$2,585	12,996	\$0.2074	\$2,695	336	\$0.0032	\$110
BELLINGHAM	14,840	0.2042	\$3,030	14,877	\$0.2074	\$3,085	37	\$0.0032	\$55
BELMONT	24,780	0.2042	\$5,060	24,720	\$0.2074	\$5,126	(60)	\$0.0032	\$66
BEVERLY	36,650	0.2042	\$7,484	38,195	\$0.2074	\$7,920	1,545	\$0.0032	\$436
BOLTON	3,020	0.2042	\$617	3,134	\$0.2074	\$650	114	\$0.0032	\$33
BOSTON	577,830	0.2042	\$117,993	574,283	\$0.2074	\$119,085	(3,547)	\$0.0032	\$1,092
BOXBOROUGH	3,240	0.2042	\$662	3,343	\$0.2074	\$693	103	\$0.0032	\$32
BRAINTREE	34,370	0.2042	\$7,018	33,836	\$0.2074	\$7,016	(534)	\$0.0032	(\$2)
BROOKLINE	51,680	0.2042	\$10,553	54,718	\$0.2074	\$11,347	3,038	\$0.0032	\$793
BURLINGTON	22,680	0.2042	\$4,631	23,302	\$0.2074	\$4,832	622	\$0.0032	\$201
CAMBRIDGE	90,290	0.2042	\$18,437	95,802	\$0.2074	\$19,866	5,512	\$0.0032	\$1,429
CANTON	18,520	0.2042	\$3,782	18,530	\$0.2074	\$3,842	10	\$0.0032	\$61
CARLISLE	4,200	0.2042	\$858	4,333	\$0.2074	\$899	133	\$0.0032	\$41
CHELSEA	26,040	0.2042	\$5,317	28,710	\$0.2074	\$5,953	2,670	\$0.0032	\$636
COHASSET	7,300	0.2042	\$1,491	7,075	\$0.2074	\$1,467	(225)	\$0.0032	(\$24)
CONCORD	16,780	0.2042	\$3,426	17,076	\$0.2074	\$3,541	296	\$0.0032	\$114
DANVERS	24,290	0.2042	\$4,960	24,174	\$0.2074	\$5,013	(116)	\$0.0032	\$53
DEDHAM	23,730	0.2042	\$4,846	23,782	\$0.2074	\$4,932	52	\$0.0032	\$86
DOVER	4,880	0.2042	\$996	4,915	\$0.2074	\$1,019	35	\$0.0032	\$23
DUXBURY	14,080	0.2042	\$2,875	13,895	\$0.2074	\$2,881	(185)	\$0.0032	\$6
ESSEX	2,950	0.2042	\$602	3,260	\$0.2074	\$676	310	\$0.0032	\$74
EVERETT	35,870	0.2042	\$7,325	35,701	\$0.2074	\$7,403	(169)	\$0.0032	\$78
FOXBOROUGH	14,870	0.2042	\$3,036	14,637	\$0.2074	\$3,035	(233)	\$0.0032	(\$1)
FRAMINGHAM	63,140	0.2042	\$12,893	64,989	\$0.2074	\$13,476	1,849	\$0.0032	\$583
FRANKLIN	21,400	0.2042	\$4,370	22,095	\$0.2074	\$4,582	695	\$0.0032	\$212
GLOUCESTER	28,490	0.2042	\$5,818	28,716	\$0.2074	\$5,955	226	\$0.0032	\$137
HAMILTON	7,190	0.2042	\$1,468	7,280	\$0.2074	\$1,510	90	\$0.0032	\$41
HANOVER	11,790	0.2042	\$2,408	11,912	\$0.2074	\$2,470	122	\$0.0032	\$63
HINGHAM	19,740	0.2042	\$4,031	19,821	\$0.2074	\$4,110	81	\$0.0032	\$79
HOLBROOK	11,290	0.2042	\$2,305	11,041	\$0.2074	\$2,290	(249)	\$0.0032	(\$16)
HOLLISTON	13,270	0.2042	\$2,710	12,926	\$0.2074	\$2,680	(344)	\$0.0032	(\$29)
HOPKINTON	9,150	0.2042	\$1,868	9,191	\$0.2074	\$1,906	41	\$0.0032	\$37
HUDSON	17,840	0.2042	\$3,643	17,233	\$0.2074	\$3,573	(607)	\$0.0032	(\$69)
HULL	9,700	0.2042	\$1,981	10,466	\$0.2074	\$2,170	766	\$0.0032	\$190
IPSWICH	11,780	0.2042	\$2,405	11,873	\$0.2074	\$2,462	93	\$0.0032	\$57
LEXINGTON	28,640	0.2042	\$5,848	28,974	\$0.2074	\$6,008	334	\$0.0032	\$160
LINCOLN	7,730	0.2042	\$1,578	7,666	\$0.2074	\$1,590	(64)	\$0.0032	\$11
LITTLETON	7,190	0.2042	\$1,468	7,051	\$0.2074	\$1,462	(139)	\$0.0032	(\$6)
LYNN	77,890	0.2042	\$15,905	81,245	\$0.2074	\$16,847	3,355	\$0.0032	\$942
LYNNFIELD	11,310	0.2042	\$2,310	11,274	\$0.2074	\$2,338	(36)	\$0.0032	\$28
MALDEN	53,490	0.2042	\$10,923	53,884	\$0.2074	\$11,174	394	\$0.0032	\$251
MANCHESTER	5,290	0.2042	\$1,080	5,286	\$0.2074	\$1,096	(4)	\$0.0032	\$16
MARBLEHEAD	19,390	0.2042	\$3,959	19,971	\$0.2074	\$4,141	581	\$0.0032	\$182
MARLBOROUGH	31,580	0.2042	\$6,449	31,813	\$0.2074	\$6,597	233	\$0.0032	\$148
MARSHFIELD	22,230	0.2042	\$4,539	21,531	\$0.2074	\$4,465	(699)	\$0.0032	(\$75)
MAYNARD	10,230	0.2042	\$2,089	10,325	\$0.2074	\$2,141	95	\$0.0032	\$52
MEDFIELD	10,690	0.2042	\$2,183	10,531	\$0.2074	\$2,184	(159)	\$0.0032	\$1
MEDFORD	56,580	0.2042	\$11,554	57,407	\$0.2074	\$11,904	827	\$0.0032	\$350

**METROPOLITAN AREA PLANNING COUNCIL
FY93 LOCAL ASSESSMENTS**

Population amounts are provided by the Mass. Department of Revenue and are required for calculating the assessment

COMMUNITY	FY92 POP	FY92 \$/CAP	FY92 ASSESS\$	FY93 POP	FY93 \$/CAP	FY93 ASSESS\$	CHG POP	CHG \$/CAP	CHG ASSESS\$
MEDWAY	9,750	0.2042	\$1,991	9,931	\$0.2074	\$2,059	181	\$0.0032	\$68
MELROSE	28,570	0.2042	\$5,834	28,150	\$0.2074	\$5,837	(420)	\$0.0032	-\$3
MIDDLETON	5,160	0.2042	\$1,054	4,921	\$0.2074	\$1,020	(239)	\$0.0032	(\$33)
MILFORD	24,620	0.2042	\$5,027	25,355	\$0.2074	\$5,258	735	\$0.0032	\$230
MILLIS	7,450	0.2042	\$1,521	7,613	\$0.2074	\$1,579	163	\$0.0032	\$57
MILTON	25,600	0.2042	\$5,228	25,725	\$0.2074	\$5,334	125	\$0.0032	\$107
NAHANT	3,950	0.2042	\$807	3,828	\$0.2074	\$794	(122)	\$0.0032	(\$13)
NATICK	29,820	0.2042	\$6,089	30,510	\$0.2074	\$6,327	690	\$0.0032	\$237
NEEDHAM	27,570	0.2042	\$5,630	27,557	\$0.2074	\$5,714	(13)	\$0.0032	\$85
NEWTON	82,230	0.2042	\$16,791	82,585	\$0.2074	\$17,125	355	\$0.0032	\$334
NORFOLK	8,600	0.2042	\$1,756	9,270	\$0.2074	\$1,922	670	\$0.0032	\$166
NO. READING	12,190	0.2042	\$2,489	12,002	\$0.2074	\$2,489	(188)	\$0.0032	(\$0)
NORWELL	9,140	0.2042	\$1,866	9,279	\$0.2074	\$1,924	139	\$0.0032	\$58
NORWOOD	28,020	0.2042	\$5,722	28,700	\$0.2074	\$5,951	680	\$0.0032	\$230
PEABODY	46,850	0.2042	\$9,567	47,039	\$0.2074	\$9,754	189	\$0.0032	\$187
PEMBROKE	15,110	0.2042	\$3,085	14,544	\$0.2074	\$3,016	(566)	\$0.0032	(\$70)
QUINCY	82,640	0.2042	\$16,875	84,985	\$0.2074	\$17,623	2,345	\$0.0032	\$748
RANDOLPH	29,350	0.2042	\$5,993	30,093	\$0.2074	\$6,240	743	\$0.0032	\$247
READING	22,590	0.2042	\$4,613	22,539	\$0.2074	\$4,674	(51)	\$0.0032	\$61
REVERE	44,100	0.2042	\$9,005	42,786	\$0.2074	\$8,872	(1,314)	\$0.0032	(\$133)
ROCKLAND	15,560	0.2042	\$3,177	16,123	\$0.2074	\$3,343	563	\$0.0032	\$166
ROCKPORT	6,790	0.2042	\$1,387	7,482	\$0.2074	\$1,551	692	\$0.0032	\$165
SALEM	38,420	0.2042	\$7,845	38,091	\$0.2074	\$7,899	(329)	\$0.0032	\$53
SAUGUS	25,940	0.2042	\$5,297	25,549	\$0.2074	\$5,298	(391)	\$0.0032	\$1
SCITUATE	16,630	0.2042	\$3,396	16,786	\$0.2074	\$3,481	156	\$0.0032	\$85
SHARON	15,370	0.2042	\$3,139	15,517	\$0.2074	\$3,218	147	\$0.0032	\$79
SHERBORN	4,150	0.2042	\$847	3,989	\$0.2074	\$827	(161)	\$0.0032	(\$20)
SOMERVILLE	70,070	0.2042	\$14,308	76,210	\$0.2074	\$15,803	6,140	\$0.0032	\$1,495
SOUTHBOROUGH	6,440	0.2042	\$1,315	6,628	\$0.2074	\$1,374	188	\$0.0032	\$59
STONEHAM	22,760	0.2042	\$4,648	22,203	\$0.2074	\$4,604	(557)	\$0.0032	(\$43)
STOUGHTON	27,690	0.2042	\$5,654	26,777	\$0.2074	\$5,553	(913)	\$0.0032	(\$102)
STOW	5,540	0.2042	\$1,131	5,328	\$0.2074	\$1,105	(212)	\$0.0032	(\$26)
SUDBURY	14,480	0.2042	\$2,957	14,358	\$0.2074	\$2,977	(122)	\$0.0032	\$21
SWAMPSCOTT	13,260	0.2042	\$2,708	13,650	\$0.2074	\$2,831	390	\$0.0032	\$123
TOPSFIELD	5,550	0.2042	\$1,133	5,754	\$0.2074	\$1,193	204	\$0.0032	\$60
WAKEFIELD	25,220	0.2042	\$5,150	24,825	\$0.2074	\$5,148	(395)	\$0.0032	(\$2)
WALPOLE	20,440	0.2042	\$4,174	20,212	\$0.2074	\$4,191	(228)	\$0.0032	\$17
WALTHAM	56,440	0.2042	\$11,525	57,878	\$0.2074	\$12,002	1,438	\$0.0032	\$477
WATERTOWN	32,300	0.2042	\$6,596	33,284	\$0.2074	\$6,902	984	\$0.0032	\$306
WAYLAND	12,220	0.2042	\$2,495	11,874	\$0.2074	\$2,462	(346)	\$0.0032	(\$33)
WELLESLEY	26,590	0.2042	\$5,430	26,615	\$0.2074	\$5,519	25	\$0.0032	\$89
WENHAM	4,020	0.2042	\$821	4,212	\$0.2074	\$873	192	\$0.0032	\$53
WESTON	10,600	0.2042	\$2,165	10,200	\$0.2074	\$2,115	(400)	\$0.0032	(\$49)
WESTWOOD	12,600	0.2042	\$2,573	12,557	\$0.2074	\$2,604	(43)	\$0.0032	\$31
WEYMOUTH	54,900	0.2042	\$11,211	54,063	\$0.2074	\$11,211	(837)	\$0.0032	\$0
WILMINGTON	18,070	0.2042	\$3,690	17,651	\$0.2074	\$3,660	(419)	\$0.0032	(\$30)
WINCHESTER	20,020	0.2042	\$4,088	20,267	\$0.2074	\$4,203	247	\$0.0032	\$115
WINTHROP	18,770	0.2042	\$3,833	18,127	\$0.2074	\$3,759	(643)	\$0.0032	(\$74)
WOBURN	37,480	0.2042	\$7,653	35,943	\$0.2074	\$7,453	(1,537)	\$0.0032	(\$200)
WRENTHAM	8,940	0.2042	\$1,826	9,006	\$0.2074	\$1,868	66	\$0.0032	\$42
TOTAL	2,895,820	0.2042	591,326	2,922,934	\$0.2074	\$606,110	27,114	\$0.0032	\$14,784

+ 2.5%

Additional
Extract

3/3/92

3

To: Don P. Johnson, Town Manager

From: Rose Erdozaincy, Health Agent *RE*

Subject: Common Victualer's License and Liquor License Transfer
Scupperjack's at Nonset Path/Route 2A

During the most recent inspection (January 28, 1992) conducted at this facility, several violations were chronic problems which had been observed previously.

I have addressed my concerns to the applicant, Mr. John Mendoza, and we have spoken at length regarding the various structural problems inherent in the design of the Rusty Scupper. Mr. Mendoza has requested an extension of the compliance schedule in which to improve the facility.

I have spoken with the contractor involved in this project and am aware that work is in progress. Although I will not be able to confirm that all the corrections have been completed until April 6, 1992, I have no reason to believe that Mr. Mendoza is not acting in a good faith manner on behalf of the Rusty Scupper. The Health Department has no objections to the granting of these licenses at this time.

**TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION**

DATE: March 3, 1992

TO: Don P. Johnson, Town Manager
FROM: Building Commissioner and Fire Chief
SUBJECT: Automatic Sprinklers in Boarding Houses

You have asked whether or not there are any boarding houses within Acton. I have checked with the Board of Health, Assessors as well as our own records and have found that there are no "Boarding Houses" as defined by MGL Ch 148, Sections 26H and 26I. Under our current zoning a special permit would have been required since 1953 when zoning was first enacted. We do not have any records of boarding houses existing prior to that date. If such an establishment was found to exist after 1953, this bylaw would then apply.

If an applicant were to request a special permit the Board of Appeals could require the installation of sprinklers under this bylaw. It is important to note that this bylaw would only apply for Lodging Houses and Boarding Houses as defined by the law which says, "a house where lodgings are let to six or more persons not within the second degree of kindred to the person conducting it but shall not include fraternity houses or dormitories, rest homes, or group residences..."

The above would not apply to apartments.

(769)

TOWN OF ACTON
INTEROFFICE COMMUNICATIONS

DATE: MARCH 5, 1992

TO: ALL DEPARTMENTS
FROM: ROY WETHERBY
SUBJECT:

ATTACHED IS A COPY OF ALL PROPERTIES WHICH HAVE OUTSTANDING TAXES THAT ARE MORE THAN 12 MONTHS OVERDUE AND HAVE HAD A LIEN PLACED ON THEM. THERE IS ONE LISTING SORTED BY LOCATION AND ONE LISTING SORTED BY MAP AND PARCEL. THESE PEOPLE HAVE NEITHER A PENDING APPLICATION FOR AN ABATEMENT OF THIS TAX NOR A PENDING PETITION BEFORE THE APPELLATE TAX BOARD. LICENSES AND PERMITS, INCLUDING RENEWALS AND TRANSFERS, SHOULD NOT BE ISSUED.

ALSO ATTACHED IS A COPY OF THE BY-LAW ENTITLED "REVOCATION OR SUSPENSION OF LOCAL LICENSES".

RESPECTFULLY SUBMITTED

W. ROY WETHERBY

(a) The Tax Collector or other municipal official responsible for records of all municipal taxes, assessments, betterments and other municipal charges, hereinafter referred to as the Tax Collector, shall annually furnish each department, board, commission or division, hereinafter referred to as the Licensing Authority, that issues licenses or permits including renewals and transfers, a list of any person, corporation, or business enterprise, hereinafter referred to as the Party, that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges for not less than a twelve month period, and that such Party has not filed in good faith a pending application for an abatement of such tax or has a pending petition before the appellate tax board.

(b) The Licensing Authority shall deny, revoke or suspend any license or permit, including renewals and transfers of any party whose name appears on said list furnished to the licensing authority from the Tax Collector; provided, however, that written notice is given to the Party and the Tax Collector, as required by applicable provisions of law, and the Party is given a hearing, to be held not earlier than fourteen days after said notice. Said list shall be prima facie evidence for denial, revocation or suspension of said license or permit to any Party. The Tax Collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension. Any findings made by the Licensing Authority with respect to such license denial, revocation or suspension shall be made only for the purposes of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation or suspension. Any license or permit denied, suspended or revoked under this section shall not be issued or renewed until the Licensing Authority receives a certificate issued by the Tax Collector that the Party is in good standing with respect to any and all local taxes, fees, assessments, betterments or other municipal charges payable to the municipality as of the date of issuance of said certificate.

(c) Any Party shall be given an opportunity to enter into a payment agreement with the Tax Collector, thereby allowing the Licensing Authority to issue a certificate indicating said limitations to the license or permit and the validity of said license shall be conditioned upon the satisfactory compliance with said agreement. Failure to comply with said agreement shall be grounds for the suspension or revocation of said license or permit; provided, however, that the holder be given notice and a hearing as required by applicable provisions of law.

(d) The Board of Selectmen may waive such denial, suspension or revocation if it finds there is no direct or indirect business interest by the property owner, its officers or stockholders, if any, or members of his immediate family, as defined in section one of chapter two hundred and sixty-eight A in the business or activity conducted in or on said property.

This section shall not apply to the following licenses and permits granted under the General Laws of the Commonwealth of Massachusetts: Open burning; section thirteen of chapter forty-eight; bicycle permits; section eleven A of Chapter eighty-five; sales of articles for charitable purposes; section thirty-three of chapter one hundred and one; children work permits; section sixty-nine of chapter one hundred and forty-nine; clubs, associations dispensing food or beverage license; section twenty-one E of chapter one hundred and forty; dog licenses; section one hundred and thirty-seven of chapter one hundred and forty; fishing, hunting, trapping licenses; section twelve of chapter one hundred and thirty-one; marriage licenses; section twenty-eight of chapter two hundred and seven; and theatrical events, public exhibition permits; section one hundred and

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ACCT. NO.	PROPERTY LOCATION	PROPERTY OWNER	STATUS	PARCEL IDENTIFIER	BALANCE
000718-36	39 ADAMS ST	J3-022-000 HOWLETT, ERIC	05-00	J3/22//NA	353.64
000032-22	8 ALCOTT ST	64-038-000 CUMMINGS, RUSSELL J. & LUCIA A.	05-00	64/38//UN	1,222.85
000760-32	43 ARLINGTON ST	D3-022-006 MCINNIS, BRUCE H.	05-00	D3/22/6/NA	1,260.31
000309-33	251 ARLINGTON ST	F2A-051000 FAGUIN INC. GARY R.	05-00	F2A/51//UN	846.28
000349-17	251 ARLINGTON ST	F2A-051000 251 ARLINGTON STREET DEV CORP	05-00	F2A/51//UN	3,223.93
000318-31	325 ARLINGTON ST REAR	F1-032000 RAE, LEONARD E.	05-02	F1/32//UN	2,038.09
000289-09	363 ARLINGTON ST	F1-038001 MCCARTHY, EUGENE W. & PAULA V.	05-00	F1/98/1/UN	6,222.55
000177-25	10 BLACKHORSE DR	F1-209-000 SPIES, PETER J. & HEIDRYN M.	05-00	F1/209//UN	1,240.82
000132-14	9 BROOKSIDE CIR	H3-250-000 NORDIC CONSTRUCTION CORP.	05-00	H3/250//UN	6,242.27
000458-28	18 BRUCEWOOD RD	63-098-000 CROWLEY, THEODORE R.	05-00	63/98//NA	830.89
000125-12	21 CARLISLE RD REAR	C6-010-000 NEAL, GREGORY & STEPHANIE B.	05-00	C6/10//UN	453.92
000250-02	15 CARRIAGE DR REAR	H3-215012 DEBIASE, ELIO	05-00	H3/215/12/UN	529.68
000230-36	21 CENTRAL ST	G2.A 051-000 WOLF, NANCY A.	05-00	G2.A/51//NA	1,874.73
000767-18	65 CENTRAL ST	G2.A-029-000 MOYER, PHYLLIS L.	05-00	G2.A/29//NA	106.01
000298-11	84 CENTRAL ST REAR	G2-185000 MCCAULE, RICHARD S. & POTI M.	05-00	G2/185//UN	7,676.21
000160-06	157 CENTRAL ST	G2-060-000 RICKER, GLENN W.	05-00	G2/60/NA/NA	657.42
000130-19	214 CENTRAL ST	F2B-065-000 NICHOLS, LAWRENCE S. & BEVERLY A.	05-00	F2B/65//UN	5,197.31
000164-35	267 CENTRAL ST	F2A-120-000 ROGERS, LAUREL S. TR THREE PINES	05-00	F2A/120/NA/NA	11,934.30
000732-03	294 CENTRAL ST	F2.A-056-000 KELLY, JOHN MICHAEL	05-00	F2.A/56//NA	1,766.79
000298-07	295 CENTRAL ST UNIT 10	F2A-065001 MURPHY, DAVID & CHRISTINE	05-00	F2A/65/1/UN	2,629.18
000328-27	344 CENTRAL ST	E2-239000 STASSON, RICHARD	05-00	E2/239//UN	3,018.73
000275-21	355 CENTRAL ST	E2-252000 I G N TRUST	05-00	E2/252//UN	704.69
000127-08	24 CHEROKEE RD	D2-116-000 NICHOLS, LAWRENCE S. & BEVERLY A.	05-00	D2/116//UN	3,082.92
000333-33	4 CHERRY RIDGE RD	F1-036000 TOBIN, FRANK & HELEN	05-02	F1/36//UN	2,061.53
000055-08	25 CONANT STREET	I2-022-000 ELMSIDE HOMES, INC.	05-00	I2/22/NA/NA	6,388.86

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000105-20	54 CONANT ST	I2-073-000 LASELL REALTY CORP.	05-00	I2/73//UN	1,658.27
000106-18	53 CONANT ST	I3-127-000 LASELL REALTY CORP.	05-00	I3/127//UN	791.60
000008-22	8 COUGHLIN ST	F3-050-000 BARRY, HELEN A.	05-00	F3/50//UN	962.32
000682-28	17 CRAIG RD	H4-011-000 ERICKSON, KENNETH	05-00	H4/11//NA	5,227.19
000739-26	3 DAVIS RD	E5-001-003 KEYSTONE ASSOCIATES	05-00	E5/1/3/NA	141.30
000523-21	9 DAVIS RD #A9	E5-02A0A9 RENBEL ALBERT ACTON TRUST	05-00	E5/2A/A9/UN	804.75
000613-17	9 DAVIS RD #C11	E5-02A-C11 BRIARBROOK NOMINEE TRUST	05-00	E5/2A/C11/NA	1,602.62
000525-17	15 DAVIS RD #A8	E5-02C-0A8 RENBEL ALBERT ACTON TRUST	05-00	E5/2C/A8/UN	806.56
000660-03	15 DAVIS RD #R4	E5-02C-0B4 CSJ REALTY TRUST	05-00	E5/2C/B4/NA	462.27
000662-36	15 DAVIS RD #C4	E5-02C-0C4 CSJ REALTY TRUST	05-00	E5/2C/C4/NA	471.81
000664-32	15 DAVIS RD #B16	E5-02C-B16 CSJ REALTY TRUST	05-00	E5/2C/B16/NA	510.58
000665-30	15 DAVIS RD #C16	E5-02C-C16 CSJ REALTY TRUST	05-00	E5/2C/C16/NA	522.75
000789-06	15 DAVIS RD #A14	E5-02C-A14 RENBEL/ALBERT ACTON TRUST	05-00	E5/2C/A14/NA	1,156.38
000602-23	17 DAVIS RD #B14	E5-02D-B14 BARRETT, JOHN C.	05-00	E2/2D/B14/NA	462.27
000614-15	17 DAVIS RD #B1	E5-02D-0B1 BRIARBROOK NOMINEE TRUST	05-00	E5/2D/B1/NA	1,863.38
000615-13	17 DAVIS RD #C8	E5-02D-0C8 BRIARBROOK NOMINEE TRUST	05-00	E5/2D/C8/NA	1,530.73
000622-15	17 DAVIS RD #A3	E2-02D-0A3 CALASCIBETTA, FRANK V.	05-00	E2/2D/A3/NA	1,290.34
000790-20	17 DAVIS RD #A13	E5-02D-A13 RENBEL/ALBERT ACTON TRUST	05-00	E5/2D/A13/NA	1,155.43
000796-08	17 DAVIS RD #B3	E5-02D-0B3 ROTHMAN, MARK E.	05-00	E5/2D/B3/NA	1,535.66
000802-07	17 DAVIS RD #A10	E5-02D-A10 SMITH, JACK	05-00	E5/2D/A10/NA	1,150.71
000808-32	17 DAVIS RD #C11	E5-02D-C11 SOLANA, ALAN M.	05-00	E5/2D/C11/NA	475.76
000603-21	19 DAVIS RD #A8	E2-02E-0A8 BARRETT, JOHN C.	05-00	E2/2E/A8/NA	445.35
000803-05	19 DAVIS RD #C8	E5-02E-0C8 SMITH, JACK	05-00	E5/2E/C8/NA	1,187.17
000785-14	23 DAVIS RD #B7	E5-02F-0B7 PETERS, SUSAN E.	05-00	E5/2F/B7/NA	1,967.28
000797-06	23 DAVIS RD #A6	E5-02F-0A6 ROTHMAN, MARK E.	05-00	E5/2F/A6/NA	1,554.12

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000804-03	23 DAVIS RD #B4	E5-02F-0B4 SMITH, JACK	05-00	E5/2F/B4/NA	1,185.27
000279-13	26 DAVIS RD	D5-022003 KEYSTONE ASSOCIATES	05-00	D5/22/3/UN	5,306.10
000277-17	28 DAVIS RD-32	F5-022001 KEYSTONE ASSOCIATES	05-00	F5/22/1/UN	16,617.88
000736-32	28 DAVIS RD	D5-022-001 KEYSTONE ASSOCIATES	05-00	D5/22/1/NA	8,766.19
000278-15	34 DAVIS RD	D5-022002 KEYSTONE ASSOCIATES	05-00	D5/22/2/UN	5,692.55
000781-22	40 DAVIS RD	E5-026-002 PETERS, RAYMOND ETAL	05-00	E5/26/2/NA	366.78
000782-20	40 DAVIS RD	E5-026-003 PETERS, RAYMOND ETAL	05-00	E5/26/3/NA	372.37
000783-18	40 DAVIS RD	E5-026-004 PETERS, RAYMOND N. ETAL	05-00	E5/26/4/NA	370.07
000784-16	40 DAVIS RD	E5-026-001 PETERS, RAYMOND W. ETAL	05-00	E5/26/1/NA	460.95
000722-07	23 DAVIS ROAD #C13	EF-02F-C13 JACOBY, THOMAS M.	05-00	EF/2F/C13/NA	1,187.17
000756-24	10 DRIFTWOOD RD	G3-186-000 MARSHALL, JOHN J.	05-00	G3/186//NA	159.07
000757-22	10 DRIFTWOOD RD	G3-187-000 MARSHALL, JOHN J.	05-00	G3/187//NA	1,067.55
000792-16	15 DUGGAN RD	G1-185-000 RENDISH, MICHAEL J.	05-00	G1/185//NA	3,179.73
000198-15	4 DUSTIN LANE	E5-031-000 VENTURE BUILDERS CORP.	05-00	E5/31//NA	11,761.95
000596-24	22 ELM ST	E2-192-000 ANDREA STARR, TRUSTEE	05-00	E2/192//NA	4,686.24
000086-31	16 ELM ST BESIDE	E2-242-000 HICKEY, MARGARET A. & HENRY	05-00	E2/242//UN	802.68
000040-22	22 ELM ST REAR	E2-192-002 DEMAND RESOURCES CORP.	05-00	E2/192/2/UN	5,313.36
000180-35	22 ELM ST (REAR)	E2-192-002 STARR, ANDREA TR. PINE ROW R/E TR.	05-00	E2/192/2/NA	11,683.39
000179-21	22 ELM STREET	E2-192-000 STARR, ANDREA TR. PINE ROW R/E TR.	05-00	E2/192/UN/NA	13,806.90
000200-22	30 ETHAN ALLAN DR	F1-206-000 WAGNER, WILLIAM R. & D.E. AMARAL	05-00	F1/206//UN	3,757.23
000276-19	33 ETHAN ALLEN DR	G1-048000 IGN TRUST	05-00	G1/48//UN	7,108.69
000073-04	4 EVERGREEN RD	E3-064-000 GRAHAM BUILDERS, INC.	05-00	E3/64//UN	5,552.52
000069-33	20 EVERGREEN RD	D3-032-000 GRAHAM BUILDERS, INC.	05-00	D3/32//UN	3,819.30
000070-10	22 EVERGREEN RD	D3-027-000 GRAHAM BUILDERS, INC.	05-00	D3/27//UN	10,202.94
000290-23	6 FAULKNER HILL RD	H3B-033000 MCGLOIN, JOHN J. & ANNE T.	05-00	H3B/33//UN	5,712.20

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000292-19	9 FAULKNER HILL RD R	H3A-060000 MCGULIN, JOHN J. & ANNE T.	05-00	H3A/607/UN	583.99
000280-27	11 FREEDOM FARM RD	E2-031001 L S N CONSTR. INC.	05-00	E2/31/1/UN	11,334.34
000696-16	6 GRANITE RD	C5-046-004 GRANITE REALTY TR	05-00	C5/46/4/NA	4,811.91
000694-20	9 GRANITE RD	C5-046-001 GRANITE REALTY TR	05-00	C5/46/1/NA	2,494.85
000695-18	10 GRANITE RD	C5-046-003 GRANITE REALTY TR	05-00	C5/46/3/NA	12,559.86
000700-19	10 GRANITE RD BEHIND	C5-090-003 GRANITE REALTY TRUST	05-00	C5/90/3/NA	955.02
000698-12	14 GRANITE RD	C5-046-000 GRANITE REALTY TRUST	05-00	C5/46/7/NA	3,903.59
000699-10	14 GRANITE RD	C4-046-005 GRANITE REALTY TRUST	05-00	C4/46/5/NA	5,048.52
000108-14	103 GREAT RD	64-050-000 LSN CONSTRUCTION, INC.	05-00	64/50/NA/NA	17,226.28
000599-18	209 GREAT RD #C4	F4-209-C04 B & D REALTY TRUST	05-00	F4/209/C04/NA	770.43
000690-28	209 GREAT RD #A10	F4-209-A10 GIACCHETTI, ANTHONY P.	05-00	F4/209/A10/NA	1,125.64
000737-30	301 GREAT RD-BESIDE	E5-001-001 KEYSTONE ASSOCIATES	05-00	E5/1/1/NA	174.82
000738-28	301 GREAT RD-BESIDE	E5-001-002 KEYSTONE ASSOCIATES	05-00	E5/1/2/NA	173.32
000329-25	304 GREAT RD	E4-005001 SOUTHALL, KATHERINE T. EST	05-02	E4/5/1/UN	115.09
000735-34	310 GREAT RD	D4-035-000 KEYSTONE ASSOCIATES	05-00	D4/35//NA	209.08
000427-21	380 GREAT RD B104	D4-380 B-104 GREAT ROAD TRUST	05-00	D4/380/B-104/UN	2,042.72
000428-19	380 GREAT RD B202	D4-380 B-202 GREAT ROAD TRUST	05-00	D4/380/B-202/UN	2,064.26
000623-13	380 GREAT RD A102	D4-380.A-102 CAMBRINGTON TDD TRUST	05-00	D4/380.A/102/NA	813.81
000624-11	380 GREAT RD A104	D4-380.A-104 CAMBRINGTON TDD TRUST	05-00	D4/380.A/104/NA	672.18
000702-15	380 GREAT RD A201	D4-380.A-201 GREAT ROAD TRUST	05-00	D4/380.A/201/NA	1,667.87
000703-13	380 GREAT RD A202	D4-380.A-202 GREAT ROAD TRUST	05-00	D4/380.A/202/NA	1,474.45
000704-11	380 GREAT RD A204	D4-380.A-204 GREAT ROAD TRUST	05-00	D4/380.A/204/NA	1,474.45
000825-30	380 GREAT RD B302	D4-380.B-302 WATSON, CONRAD W. TR.	05-00	D4/380.B/302/NA	1,284.67
000833-30	380 GREAT RD A203	D4-380.A-203 ZAMAN, WASIM A.	05-00	D4/380.A/203/NA	508.39
000835-26	380 GREAT RD B102	D4-380.B-102 ZAMAN, WASIM A.	05-00	D4/380.B/102/NA	161.00

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000429-17	382 GREAT RD A304	D4-382 A-304 GREAT ROAD TRUST	05-00	D4/382/A-304/UN	1,805.66
000625-09	2 2 GREAT RD A102	D4-382.A-102 CAMBINGTON TOW TRUST	05-00	D4/382.A/102/NA	813.81
000626-07	382 GREAT RD A104	D4-382.A-104 CAMBINGTON TOW TRUST	05-00	D4/382.A/104/NA	672.18
000627-05	382 GREAT RD A202	D4-382.A-202 CAMBINGTON TOW TRUST	05-00	D4/382.A/202/NA	813.81
000628-03	382 GREAT RD A204	D4-382.A-204 CAMBINGTON TOW TRUST	05-00	D4/382.A/204/NA	813.81
000629-01	382 GREAT RD B103	D4-382.B-103 CAMBINGTON TOW TRUST	05-00	D4/382.B/103/NA	672.18
000630-15	382 GREAT RD B201	D4-382.B-201 CAMBINGTON TOW TRUST	05-00	D4/382.B/201/NA	813.81
000631-13	382 GREAT RD B203	D4-382.B-203 CAMBINGTON TOW TRUST	05-00	D4/382.B/203/NA	813.81
000632-11	382 GREAT RD B301	D4-382.B-301 CAMBINGTON TOW TRUST	05-00	D4/382.B/301/NA	813.81
000633-09	382 GREAT RD B303	D4-382.B-303 CAMBINGTON TOW TRUST	05-00	D4/382.B/303/NA	813.81
000650-07	382 GREAT RD B304	D4-382.B-304 CHONDRY, FAZAL	05-00	D4/382.B/304/NA	495.31
000706-07	382 GREAT RD A301	D4-382.A-301 GREAT ROAD TRUST	05-00	D4/382.A/301/NA	1,667.87
000707-05	382 GREAT RD A302	D4-382.A-302 GREAT ROAD TRUST	05-00	D4/382.A/302/NA	1,474.45
000431-29	384 GREAT RD A203	D4-384 A-203 GREAT ROAD TRUST	05-00	D4/384/A-203/UN	2,042.72
000432-27	384 GREAT RD B202	D4-384 B-202 GREAT ROAD TRUST	05-00	D4/384/B-202/UN	2,042.72
000433-25	384 GREAT RD B204	D4-384 B-204 GREAT ROAD TRUST	05-00	D4/384/B-204/UN	2,481.70
000434-23	384 GREAT RD B303	D4-384 B-303 GREAT ROAD TRUST	05-00	D4/384/B-303/UN	2,074.13
000435-21	384 GREAT RD B304	D4-384 B304 GREAT ROAD TRUST	05-00	D4/384/B-304/UN	2,484.21
000634-07	384 GREAT RD A102	D4-384.A-102 CAMBINGTON TOW TRUST	05-00	D4/384.A/102/NA	813.80
000635-05	384 GREAT RD A104	D4-384.A-104 CAMBINGTON TOW TRUST	05-00	D4/384.A/104/NA	672.18
000636-03	384 GREAT RD A202	D4-384.A-202 CAMBINGTON TOW TRUST	05-00	D4/384.A/202/NA	803.13
000637-01	384 GREAT RD A204	D4-384.A-204 CAMBINGTON TOW TRUST	05-00	D4/384.A/204/NA	813.81
000638-36	384 GREAT RD A302	D4-384.A-302 CAMBINGTON TOW TRUST	05-00	D4/384.A/302/NA	813.81
000639-34	384 GREAT RD A304	D4-384.A-304 CAMBINGTON TOW TRUST	05-00	D4/384.A/304/NA	813.81
000640-11	384 GREAT RD B101	D4-384.B-101 CAMBINGTON TOW TRUST	05-00	D4/384.B/101/NA	813.81

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ACCT. NO.	PROPERTY LOCATION	PROPERTY OWNER	STATUS	PARCEL IDENTIFIER	BALANCE
000641-09	384 GREAT RD B103	D4-384.B-103 CAMBINGTON TOW TRUST	05-00	D4/384.B/103/NA	672.18
000642-07	384 GREAT RD B201	D4-384.B-201 CAMBINGTON TOW TRUST	05-00	D4/384.B/201/NA	813.81
000643-05	384 GREAT RD B203	D4-384.B-203 CAMBINGTON TOW TRUST	05-00	D4/384.B/203/NA	813.81
000644-03	384 GREAT RD B301	D4-384.B-301 CAMBINGTON TOW TRUST	05-00	D4/384.B/301/NA	813.81
000836-24	384 GREAT RDE B302	D4-384.B-302 ZAMAN, WASIM A.	05-00	D4/384.B/302/NA	495.31
000437-17	386 GREAT RD A3	D4-386 A-003 GREAT ROAD TRUST	05-00	D4/386/A-3/UN	1,553.66
000438-15	386 GREAT RD A8	D4-386 A-008 GREAT ROAD TRUST	05-00	D4/386/A-8/UN	1,805.66
000439-13	386 GREAT RD B13	D4-386 B-013 GREAT ROAD TRUST	05-00	D4/386/B-13/UN	2,052.22
000441-25	386 GREAT RD B19	D4-386 B-019 GREAT ROAD TRUST	05-00	D4/386/B-19/UN	1,288.45
000442-23	386 GREAT RD B23	D4-386 B-023 GREAT ROAD TRUST	05-00	D4/386/B-23/UN	1,926.82
000645-01	386 GREAT RD A2	D4-386.A-002 CAMBINGTON TOW TRUST	05-00	D4/386.A/2/NA	813.81
000646-36	386 GREAT RD A4	D4-386.A-004 CAMBINGTON TOW TRUST	05-00	D4/386.A/4/NA	672.18
000832-32	386 GREAT RD A9	D4-386.A-009 ZAMAN, WASIM	05-00	D4/386.A/9/NA	495.31
000837-22	386 GREAT RD A5	D4-386.A-005 ZAMAN, WASIM A.	05-00	D4/386.A/5/NA	495.31
000838-20	386 GREAT RD A7	D4-386.A-007 ZAMAN, WASIM A.	05-00	D4/386.A/7/NA	495.31
000445-17	388 GREAT RD A5	D4-388 A-005 GREAT ROAD TRUST	05-00	D4/388/A-5/UN	2,042.73
000446-15	388 GREAT RD A7	D4-388 A-007 GREAT ROAD TRUST	05-00	D4/388/A-7/UN	2,042.73
000447-13	388 GREAT RD A10	D4-388 A-010 GREAT ROAD TRUST	05-00	D4/388/A-10/UN	1,292.16
000448-11	388 GREAT RD B17	D4-388 B-017 GREAT ROAD TRUST	05-00	D4/388/B-17/UN	1,805.66
000449-09	388 GREAT RD B19	D4-388 B-019 GREAT ROAD TRUST	05-00	D4/388/B-19/UN	1,805.66
000450-23	388 GREAT RD B23	D4-388 B-023 GREAT ROAD TRUST	05-00	D4/388/B-23/UN	1,825.47
000839-18	388 GREAT RD A11	D4-388.A-011 ZAMAN WASIM A.	05-00	D4/388.A/11/NA	495.31
000840-32	388 GREAT RD B24	D4-388.B-024 ZAMAN, WASIM A.	05-00	D4/388.B/24/NA	495.31
000451-21	390 GREAT RD A12	D4-390 A-012 GREAT ROAD TRUST	05-00	D4/390/A12/UN	1,805.66
000841-30	390 GREAT RD A8	D4-390.A-008 ZEBAL, WILLIAM J.	05-00	D4/390.A/8/NA	810.18

STANDARD REPORT OF DELINQUENT REAL ESTATE TAX SYSTEM
* * * DELINQUENT ACCOUNTS SORTED BY PROPERTY LOCATION * * *
01/31/92

ACCT. NO.	PROPERTY LOCATION	PROPERTY OWNER	STATUS	PARCEL IDENTIFIER	BALANCE
000842-28	390 GREAT RD A9	D4-390.A-009 ZERAL, WILLIAM J.	05-00	D4/390.A/9/NA	910.00
000777-14	424 GREAT RD #7	C4-424-007 PAPPAPOTIS, JAMES S.	05-00	C4/424/7/NA	741.44
000357-17	531 GREAT RD	B4-011000 ANNESSI, RALPH L.	05-00	B4/11//UN	4,326.80
000611-21	851 GREAT RD REAR	B5-004-000 BOHUNICKY, PHILIP W.	05-00	B5/4//NA	133.40
000612-19	557 GREAT RD REAR	B5-006-000 BOHUNICKY, PHILIP W.	05-00	B5/6//NA	726.98
000834-28	380 GREAT RED A302	D4-380.A-302 ZAMAN, WASIM A.	05-00	D4/380.A/302/NA	445.03
000116-14	399 GREAT ROAD	C5-399-006 MCGLYNN, LAWRENCE L. & PATRICIA I.	05-00	C5/399/6/NA	1,318.97
000364-19	44 HAMMOND ST	D3-023014 BICK REALTY TRUST	05-00	D3/230/14/UN	4,151.95
000416-27	56 HAMMOND ST	D3-023016 FIFTY TWO REALTY TRUST	05-00	D3/23/16/UN	4,123.87
000336-27	65 HAMMOND ST	E3-003001 VECCHIONE, MICHAEL J. & ANNETTE	05-00	E3/3/1/UN	2,410.26
000697-14	30 HARRIS ST BEHIND	C5-045-000 GRANITE REALTY TRUST	05-00	C5/45//NA	2,547.28
000726-36	17 HAYWARD ROAD	F3-011-037 JENKS REALTY CORP.	05-00	F3/11/37/NA	1,438.75
000493-01	4 HENNESSY DR	G2-068000 MORRIS, RONALD N. & LINDA A.	05-00	G2/68//UN	3,378.45
000542-15	27 HERITAGE RD	H4-105023 SMITH, JOHN M. & LOIS A.	05-00	H4/105/23/UN	3,552.32
000477-01	247 HIGH ST	J3-006000 MACDONALD, PHYLLIS	05-00	J3/6//UN	5,684.25
000044-14	304 HIGH ST	J3-034-001 DERBY, ELIANDR F.	05-00	J3/34/1/UN	1,587.80
000687-18	149 HIGH STREET	I3-094-001 FIVE WALTHAM STREET INC	05-00	I3/94/1/NA	2,541.51
000688-16	157 HIGH STREET RESIDE	I3-094-002 FIVE WALTHAM STREET INC.	05-00	I3/94/2/NA	107.93
000560-11	HILLCREST DR	H3-130000 WINDING BROOK REALTY TRUST	05-00	H3/100//UN	288.37
000238-31	1 HILLCREST DR	H3-100000 DIBIASE ELIO	05-00	H3/100//UN	484.75
000228-35	3 HILLCREST DR	H3-105000 D & B HOME BUILDERS	05-00	H3/105//UN	2,957.09
000239-29	5 HILLCREST DR	H3-101000 DIBIASE ELIO	05-00	H3/101//UN	311.18
000561-09	5 HILLCREST DR	H3-101000 WINDING BROOK REALTY TRUST	05-00	H3/101//UN	493.03
000248-27	21 HILLCREST DR	H3-152000 DIBIASE, ELIO	05-00	H3/152//UN	903.29
000229-33	22 HILLCREST DR	H3-130000 D & B HOME BUILDERS	05-00	H3/130//UN	478.52

STANDARD REPORT OF DELINQUENT REAL ESTATE TAX SYSTEM
* * * DELINQUENT ACCOUNTS SORTED BY PROPERTY LOCATION * * *
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ACCT. NO.	PROPERTY LOCATION	PROPERTY OWNER	STATUS	PARCEL IDENTIFIER	BALANCE
000240-06	24 HILLCREST DR	H3-131000 DIBIASE ELIO	05-00	H3/131//UN	483.28
000241-04	26 HILLCREST DR	H3-132000 DIBIASE ELIO	05-00	H3/132//UN	483.28
000242-02	28 HILLCREST DR	H3-133000 DIBIASE ELIO	05-00	H3/133//UN	480.90
000243-00	30 HILLCREST DR	H3-134000 DIBIASE, ELIO	05-00	H3/134//UN	478.52
000244-35	32 HILLCREST DR	H3-135000 DIBIASE, ELIO	05-00	H3/135//UN	507.57
000485-01	25 INDEPENDENCE RD BEHIND	I3-145001 MASS BROKEN STONE	05-00	I3/145/1/UN	106.78
000041-20	26 JACKSON DR	E3-087-000 DEMAND RESOURCES CORP.	05-00	E3/87//UN	16,864.85
000758-20	16 JEFFERSON DR	F3-011-008 MARTIN, JOHN L.	05-00	F3/11/8/NA	714.75
000237-33	10 JOHN SWIRT RD	F3-024012 DIBIASE ELIO	05-00	F3/24/12/UN	2,922.90
000089-25	34A KINSLY RD	F2B-090-001 HURLEY, EMMA J. & M.L. SCRIBNER	05-00	F2B/90/1/UN	490.71
000155-00	43 KINSLEY RD	F2B-100-000 PORRAZZO, ARMANDO J. & LORRAINE A.	05-00	F2B/100//UN	8,960.03
000314-02	43 KINSLEY RD BS	F2B-110000 PORRAZZO, ARMANDO J. & LORRAINE	05-00	F2B/110//UN	536.90
000500-35	36 KNOX TR	J4-005001 ORCHARD HOUSE REALTY CORP	05-00	J4/5/1/UN	590.91
000075-00	9 LARCH RD	E3-070-000 GRAHAM BUILDERS, INC.	05-00	E3/70//UN	599.70
000258-23	7 LILLIAN RD (BEHIND)	C2-006001 ELLIS C. DEVELOPMENT TRUST	05-00	C2/6/1/UN	6,863.30
000528-11	LUTHROP RD	G2-076000 REVOLUTIONARY RIDGE CO	05-00	G2/76//UN	356.59
000529-09	LUTHROP RD	G2-087000 REVOLUTIONARY RIDGE CO	05-00	G2/87//UN	367.03
000526-15	13 LUTHROP RD	G2-054000 REVOLUTIONARY RIDGE	05-00	G2/54//UN	337.05
000527-13	15 LUTHROP RD	G2-062000 REVOLUTIONARY RIDGE	05-00	G2/62//UN	342.96
000003-32	34 MAIN ST	I2-021-000 ALLEN, DAVID J. ET AL	05-00	I2/21//UN	1,648.10
000335-29	35 MAIN ST	I2-022001 VAILLANCOURT, ROLAND H. JR. &	05-00	I2/22/1/UN	2,246.58
000291-21	61 MAIN ST	H3B-072000 MCGLOIN, JOHN J.	05-00	H3B/72//UN	4,539.16
000327-29	187 MAIN ST	G2A-013000 SILVERA, ROSE M.	05-00	G2A/13//UN	5,765.17
000486-20	282 MAIN ST	F3-087-000 FIRST, TIMOTHY W.	05-00	F3/87//NA	854.65
000219-00	508 MAIN ST	F3A-007000 BENSON STEVEN R & LYNDIA J	05-00	F3A/7//UN	6,838.96

TOWN OF ACTON

STANDARD REPORT OF DELINQUENT REAL ESTATE TAX SYSTEM

* * * DELINQUENT ACCOUNTS SORTED BY PROPERTY LOCATION * * *

01/31/92

ACCT. NO.	PROPERTY LOCATION	PROPERTY OWNER	STATUS	PARCEL IDENTIFIER	BALANCE
000649-30	664 MAIN ST	D5-040-000 CHASE, WILLIAM J.	05-00	05/40//NA	113.28
000619-05	734 MAIN ST	C5-077-000 BROWN, TODD H.	05-00	C5/77//NA	1,826.70
000583-34	816 MAIN ST	C5-059-000 ACTON BLOCK COMPANY, INC.	05-00	C5/59//NA	6,011.31
000584-32	962 MAIN ST	B6-002-003 ACTON INDUSTRIAL DEV CO INC	05-00	B6/2/3/NA	110.25
000344-27	1009 MAIN ST	B6-005000 MARTIN, GORDON	05-00	B6/5//UN	547.67
000483-05	1009 MAIN ST	B6-005000 MARTIN, GORDON	05-00	B6/5//UN	385.70
000343-29	1019 MAIN ST	B6-004001 GDM REALTY TRUST	05-00	B6/4/1/UN	2,875.08
000423-29	1019 MAIN ST	B6-004000 GDM REALTY TRUST	05-00	B6/4//UN	1,610.53
000844-24	431 MAIN STREET	F3.A-066-000 GETTNER, EDGAR E.	05-00	F3.A/66//NA	1,760.76
000199-13	780 MAIN ST	C5-092-000 WAGNER, DANIEL J. & REGINA M.	05-00	C5/92//UN	106.12
000829-22	18 MAPLE ST	H2.A-053-000 WHITAKER, GARY L.	05-00	H2.A/53//NA	822.93
000006-26	12 MARTIN ST	H2A-003000 ASSABET VALLEY ESTS	05-00	H2A/8/ /NA	11,355.79
000028-14	57 MARTIN STREET	H2-034-000 CODOO, MARGUERITE N.	05-00	H2/34/NA/NA	636.60
000181-33	344 MASS. AVE	G3-011-001 STARR, MARK	05-00	G3/11/1/UN	11,678.66
000011-32	486 MASS. AVE REAR	F2-145-000 BIRCH, WARREN F. & BARBARA A.	05-00	F2/145//UN	698.21
000023-24	492 MASS. AVE (BEHIND)	F2-122-000 CASTELLINE, ANTHONY	05-00	F2/122//UN	752.95
000024-22	494 MASS. AVE	F2-150-000 CASTELLINE, ANTHONY	05-00	F2/150//UN	381.23
000315-00	536 MASS. AVE	F2A-139000 PORRAZZO N REALTY TR	05-00	F2A/139//UN	1,923.12
000159-29	615 MASS. AVE	F2A-054-000 REID, EMMETT H. & MARIE G.	05-00	F2A/54//UN	4,528.81
000211-16	666 MASS AVE	F1-014000 ALBERT JR WALTER H	05-00	F1/14//UN	4,020.52
000047-08	701 MASS. AVE	E1-005-000 DEXSON, INC.	05-00	E1/5//UN	877.78
000323-00	11 MEETINGHOUSE RD	I3-4J0001 RITTER, LESLIE S.	05-00	I3/4J0/1/UN	183.25
000567-34	21 MILLDAM ROAD	D5-011-01 NORTHBRIAR REALTY	05-00	05/11/18/	3,224.34
000566-36	23 MILLDAM ROAD	C5-103-16 NORTHBRIAR REALTY TRUST	05-00	C5/103/16/	5,210.58
000565-01	25 MILLDAM ROAD	C5-103-012 NORTHBRIAR REALTY TRUST	05-00	C5/103/12/	5,192.48

TOWN OF ACTON

STANDARD REPORT OF DELINQUENT REAL ESTATE TAX SYSTEM

* * * DELINQUENT ACCOUNTS SORTED BY PROPERTY LOCATION * * *

01/31/92

ACCT. NO.	PROPERTY LOCATION	PROPERTY OWNER	STATUS	PARCEL IDENTIFIER	BALANCE
000564-03	27 MILLDAM RD	C5-103-107 NORTHBRIAR REALTY TRUST	05-00	C5/103/7/NA	5,288.79
000563-05	29 MILLDAM ROAD	C5-103-004 NORTHBRIAR REALTY TRUST	05-00	C5/103/4/NA	5,116.30
000128-06	37 MOHEGAN RD	D2-133-000 NICHOLS, LAWRENCE S. & BEVERLY A.	05-00	D2/133//UN	35,089.08
000274-23	179 NAGOG HILL RD REAR	D4-032003 HORNE, JOHN	05-00	D4/32/3/UN	193.89
000013-28	236 NAGOG HILL RD	D4-013-001 BROWN & GALLAGHER CORP.	05-00	D4/13/1/UN	6,939.08
000192-27	49 NEWTON RD	E3-102-006 TOLLEY, ROBERT E.	05-00	E3/102/6/UN	10,367.35
000234-02	58 NEWTOWN RD	E3-095001 DIBIASE ELIO	05-00	E3/95/1/UN	654.25
000786-12	31 NEWTOWN RD	E3-055-000 PITT CONSTRUCTION CO	05-00	E3/55//NA	1,041.84
000002-34	24 OLD VILLAGE RD	F4-001-005 ALLARD, LIONEL C. & THELMA O.	05-00	F4/1/5/UN	90.93
000310-10	35 ONEIDA RD	D2-086000 PATUTO, CARMEN P. & SUSAN J.	05-00	D2/86//UN	4,452.49
000462-15	27 PARKER ST	H3-165000 HORROCKS, CAROLINE E.	05-00	H3/165//UN	1,869.57
000653-01	40 PARKER ST	H3-223-000 COLBURN, FRANK B.	05-00	H3/223//NA	1,924.44
000042-18	119 PARKER ST REAR	I3-064-003 DEMAND RESOURCES CORP.	05-00	I3/64/3/UN	2,228.23
000714-07	126 PARKER ST #A13	I3-025-A13 GUALTIERI, MARGERY M.	05-00	I3/25/A13/NA	1,042.47
000533-17	130 PARKER ST #J3	I3-0480J3 ROWSE, STEVEN R.	05-00	I3/48/J3/UN	175.25
000253-33	201 PARKER ST	I3-132004 DORNER, THOMAS JR. & JEAN	05-00	I3/132/4/UN	8,687.27
000717-01	242 PARKER ST	J3-016-000 HOWLETT, ERIC	05-00	J3/16//NA	1,950.24
000762-28	605 PHEASANT HILL	B4-112-074 MIKES, THOMAS L.	04-00	B4/112/74/NA	540.93
000109-12	4 PIPER LANE	H3A-003-002 MAGDON, BRIAN J. & DENISE M.	05-00	H3A/3/2/UN	365.83
000659-26	36 PIPER ROAD BESIDE	H3-011-005 CRYSTAL REALTY TRUST	05-00	H3/11/5/NA	148.78
000245-33	4 POND VIEW DR	H3-151000 DIBIASE, ELIO	05-00	H3/151//UN	686.72
000246-31	6 POND VIEW DR	H3-151001 DIBIASE, ELIO	05-00	H3/151/1/UN	703.93
000247-29	8 POND VIEW DR	H3-151002 DIBIASE, ELIO	05-00	H3/151/2/UN	673.93
000812-03	93 POPE RD	F5-012-011 STONEYMEADE DEVELOPMENT	05-00	F5/12/11/NA	929.91
000189-17	340 POPE ROAD	E6-006-007 TAYLOR, JAMES P.	05-00	E6/6/7/NA	18,849.64

STANDARD REPORT OF DELINQUENT REAL ESTATE TAX SYSTEM
* * * DELINQUENT ACCOUNTS SORTED BY PROPERTY LOCATION * * *
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ACCT. NO.	PROPERTY LOCATION	PROPERTY OWNER	STATUS	PARCEL IDENTIFIER	BALANCE
000193-25	2 POWDER MILL RD	J3-042-000 TROISI, EDWARD J. TR. JEM R/L TR.	05-00	J3/42//UN	20,222.89
000334-31	60 POWDER MILL RD	J3-049001 TROISI, EDWARD J.	05-00	J3/49/1/UN	5,922.99
000595-26	76 POWDER MILL RD	J3-034-004 ANDERSON FORD REALTY TRUST	05-00	J3/34/4/NA	14,696.59
000499-26	104 POWDER MILL RD REAR	I3-136000 ORCHARD HOUSE REALTY CORP	05-00	I3/136//UN	4,332.86
000821-17	QUARRY RD REAR	B5-010-000 CABRAL, MARTHA	05-00	B5/10//NA	271.26
000617-09	21 QUARRY RD	C5-075-000 BROWN, TODD H.	05-00	C5/75//NA	240.86
000618-07	27 QUARRY RD	C5-076-000 BROWN, TODD H.	05-00	C5/76//NA	244.07
000009-20	13 RAILROAD ST	H2A-020-000 BARTON, MICHAEL E. & JOHN MCNEAR	05-00	H2A/20//UN	2,080.29
000249-25	114 RIVER ST	H3-209000 DIBIASE, ELIO	05-00	H3/209//UN	452.26
000562-07	114 RIVER ST	H3-209000 WINDING BROOK REALTY TRUST	05-00	H3/209//UN	272.36
000301-12	17 SAWMILL RD BEHIND	D5-011033 NORTHERIAR REALTY TRUST	05-02	D5/11/33/UN	485.33
000156-35	13 SCHOOL ST	H2A-049-000 PORRAZZO, MADELINE PORRAZZO R/E TR.	05-00	H2A/49/NA/NA	6,219.00
000168-27	136 SCHOOL ST	H3-066-000 SCHIFFIELD, HARRIS ESTATE OF	05-00	H3/66//UN	13,414.68
000788-08	180 SCHOOL ST	H3-259-001 REILLY, EDMUND J. & YOKO	05-00	H3/259/1/NA	214.14
000104-22	181 SCHOOL ST	H3-072-000 LANTERN CORP.	05-00	H3/72//UN	5,136.82
000085-33	292 SCHOOL ST	H4-079-000 HICKEY, MARGARET A.	05-00	H4/79//UN	7,493.56
000084-35	298 SCHOOL ST	H4-063-000 HICKEY, MARGARET A.	05-00	H4/63//UN	7,989.83
000794-12	2 SILVER HILL RD	I3-064-026 ROBICHAUD, RONALD J.	05-00	I3/64/26/NA	4,545.41
000793-14	10 SILVER HILL RD	I3-064-022 ROBICHAUD, RONALD J.	05-00	I3/64/22/NA	4,814.78
000235-00	32 SIMON WILLARD RD	E3-095006 DIBIASE ELIO	05-00	E3/95/6/UN	703.93
000236-35	34 SIMON WILLARD RD	E3-095007 DIBIASE ELIO	05-00	E3/95/7/UN	676.31
000647-34	6 SOUTH STREET	B6-034-000 CARROLL, KENNETH A.	05-00	B6/34//NA	2,086.38
000759-18	4 SPENCER RD	G2-007-000 MCCLURE, WILLIAM N.	05-00	G2/7//NA	809.52
000139-00	170 SPLIT ROCK DR	B4-107-026 O'CONNELL, JOHN & BARBARA J.	05-00	B4/107/26/UN	8,232.18
000346-23	15 SPRUCE ST	F2A-082000 15 SPRUCE ST TRUST &	05-00	F2A/82//UN	5,628.30

TOWN OF ACTON

STANDARD REPORT OF DELINQUENT REAL ESTATE TAX SYSTEM

* * * DELINQUENT ACCOUNTS SORTED BY PROPERTY LOCATION * * *

01/31/92

ACCT. NO.	PROPERTY LOCATION	PROPERTY OWNER	STATUS	PARCEL IDENTIFIER	BALANCE
000787-10	53 STOW ST	H2-041-000 PRESOTT PAINT CO	05-00	H2/41//NA	202.45
000214-10	4 STRAWBERRY HILL ROAD	E5-020-001 B & D REALTY TRUST	05-00	E5/20/1/UN	5,735.45
000270-31	49 STRA BERRY HILL RD	E5-035000 HAYES DEV CORP.	05-00	E5/35//UN	9,041.69
000220-03	8 TECHNOLOGY DR	E4-059-002 THREE CONDOTECH TRUST	05-00	E4/59/2/NA	22,902.59
000332-35	523 TUMBLING HAWK	B4-120134 TANG, NINA S.	05-00	B4/120/134/UN	4,863.62
000600-27	14 TUTTLE DR	G2-079-000 BAKER, MARION B.	05-00	G2/79//NA	2,704.35
000059-00	11 WAMPUS AVE #A12	D5-039-A12 FOSTER, JEAN ET AL	05-00	D5/39/A12/NA	2,709.56
000652-03	64 WASHINGTON DRIVE	E3-041-002 COHEN, JERALD J.	05-00	E3/41/2/NA	5,438.60
000100-30	121 WATERSIDE CLEARING	B4-102-045 KRAMER, EDWARD A. & DEBORAH	05-00	B4/102/45/UN	759.93
000828-24	13 WETHERBEE ST	G4-143-000 WETHERBEE ACTON RLTY	05-00	G4/143//NA	1,410.41
000129-04	28 WILLOW ST	F2B-064-000 NICHOLS, LAWRENCE S. & BEVERLY A.	05-00	F2B/64//UN	9,035.20
000121-20	93 WILLOW ST	G1-023-000 MOLLER, BORGE & JENS	05-00	G1/23//UN	6,345.05
000361-25	153 WILLOW ST	G1-278000 BATES WILLIAM E TR	05-00	G1/278//UN	5,063.72
000082-02	158 WILLOW ST	G1-308-000 HEATHER ON THE HILL REALTY TRUST	05-00	G1/308//UN	8,162.90
000304-06	182 WILLOW ST REAR	H1-001000 OMAN, THEODORE	05-00	H1/1//UN	517.48
000305-04	182 WILLOW ST REAR	H1-005000 OMAN, THEODORE	05-00	H1/5//UN	921.27
000093-33	188 WILLOW ST REAR	G1-317-000 JOHNSON, CARL G. & RUTH W.	05-00	G1/317//UN	1,097.45
000363-21	4 WOODCHESTER DR	G1-271000 BENZ, CHARLES R & SUSAN B.	05-00	G1/271//UN	6,522.66
000657-30	10 WRIGHT TE	F2.A-040-000 GRAM, LOIS M.	05-00	F2.A/40//NA	227.40
GRAND TOTALS FOR PROPERTY LOCATIONS					861,028.90

STANDARD REPORT OF DELINQUENT REAL ESTATE TAX SYSTEM
*** DELINQUENT ACCOUNTS SORTED BY PROPERTY LOCATION ***
01/31/92

EXPLANATION OF ACCOUNT STATUS CODES

EXPLANATION OF HOLD STATUS CODES

CODE	DESCRIPTION
00	CURRENT / PAID
01	DELINQUENT
02	DEMAND
03	ADVERTISEMENT
04	TAX TITLE
05	RECORDED TAX LIEN
06	PETITION FILED
07	FORECLOSED
08	SOLD
09	NOT USED

CODE	DESCRIPTION
00	NOT ON HOLD
02	MANAGEMENT DECISION
03	BANKRUPTCY ACTION
04	INSTALLMENT AGREEMENT
05	APPELLATE TAX BOARD
06	PAYMENT PLAN
07	INSUFFICIENT ADDRESS
08	FEDERAL TAX LIEN
09	PENDING ABATEMENT
10	TAXPAYER DISPUTES AMOUNT
11	PENDING CREDIT TRANSFER
12	DUPLICATE ASSESSMENT
13	CIVIL LITIGATION
14	SMALL BALANCE DUE
15	PENDING DISCLAIMER
16	TO BE DONATED TO TOWN
17	PROBATE COURT
18	OWNER(S) UNKNOWN
19	LAND OF LOW VALUE
20	LIEN CERTIFICATE ERROR

CC: BOS - FYI

BIGELOW & PUGLISI
ATTORNEYS AT LAW
44 SCHOOL STREET - SUITE 300
BOSTON, MASSACHUSETTS 02108

Tel. (617) 227-1965
Fax (617) 523-2838

TOWN OF ACTON
92 FEB 34 AM 11:43

M. BLAIR BIGELOW*
PHILIP J. PUGLISI

March 4, 1992

*Admitted to New Hampshire Bar

Acton Town Hall
Clerk's Office
472 Main Street
Acton, Ma. 01720

Re: Claimant: Estela Santiago
Date of injury: February 20, 1992
Location: Front of approximately Woodlawn Cemetary
at the curve on Concord Road, Acton, Ma.

Dear Sir/Madam:

Pursuant to Chapter 84, sections 15, 18 and 19 of Mass. General Laws notice is hereby given to you of a claim for property damage caused by a defect and/or negligence on behalf of the Town of Acton, its employees or agents, in the maintenance, construction and care of property located approximately in front of Woodlawn Cemetery at the curve on Concord Road, Acton, Ma. 01720.

NAME OF CLAIMANT: Estela Santiago
52 Swanson Court
Boxborough, Ma. 01719

DATE AND TIME OF INJURY: February 20, 1992
Approximately 7:30-8:00 A.M.

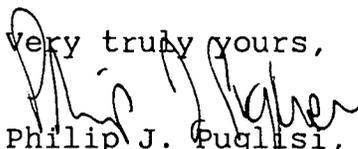
PLACE OF INJURY: Concord Road, Acton, Ma. near
Woodlawn Cemetery at curve

CAUSE OF INJURY: Defect in way, ice present on
surface, failure to sand and
the presence of potholes.

For the injuries sustained, damages are hereby claimed.

Kindly forward this letter to your insurance carrier or legal representative.

Very truly yours,


Philip J. Puglisi, Esquire

PJP:j
Certified Mail P 628 195 215

TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION
TOWN MANAGER'S OFFICE

DATE: March 5, 1992

TO: Charles Kadlec, Chairman, VCC
FROM: Don P. Johnson, Town Manager
SUBJECT: Transportation Advisory Committee

During the Selectmen's meeting on March 3, the Board determined that the traditional functions of the Transportation Advisory Committee (TAC) were no longer appropriate to that body and voted to disband the committee. Over the years, many of their former functions have been incorporated into assignments of standing committees and staff. Those responsibilities that remain will be handled on a voluntary basis by former members of the committee.

The Selectmen have asked me to inform you of their decision and advise you that there will be no further need for recruitment of volunteers for the TAC.

cc: Board of Selectmen



Water Supply District of Acton

P.O. BOX 953

MASSACHUSETTS AVENUE

ACTON, MASSACHUSETTS 01720

MAR - 3 1992

BOARD OF WATER COMMISSIONERS
HARLAN TUTTLE BUILDING
693 MASSACHUSETTS AVENUE
ACTON, MA. 01720

MARCH 9, 1992

AGENDA:

7:30 P.M. CALL TO ORDER

7:31 P.M. ACCEPT MINUTES OF MEETING FEBRUARY 3, 1992 AND FEBRUARY
24, 1992

OPEN DISCUSSION & COMMENTS FROM CITIZENS

NEW BUSINESS

WARRANTS & COMMUNICATION

OPEN BIDS FOR NEW VEHICLE - 8:00 P.M.

WARRANT ARTICLE DISCUSSION

ANNUAL REPORTS

OLD BUSINESS

CONSERVATION HEARING - MEADOWVIEW SUBDIVISION

SMNH



SUBURBAN MANOR NURSING HOME

1 Great Road, Acton, Mass. 01720
(508) 263-9101

MAR - 3 1992

March 2, 1992

Board of Selectmen
Town Hall
472 Main Street
Acton, MA 01720

We are very pleased that the town of Acton will be proceeding with a new Senior Center at Audobon Hill. Suburban Manor has an ongoing interest in this project as there are several long time Acton residents here who would be very happy to be involved with their friends from the community again and a wheelchair access Senior Citizen facility would make that an exciting possibility.

As future beneficiaries of the Senior Center we would like to see the \$130,000 which is under the control of the Board of Selectmen from the negotiated agreement, allocated for furnishings and future operating expenses.

Sincerely,

Carl H. Anderson
Executive Director

Suzan Huntwork
Admission Coordinator

CHA/SH:bw



MASSACHUSETTS
BOARD OF APPEALS

MAR - 3 1992

NOTICE OF PUBLIC HEARING

The Board of Appeals will hold a Public Hearing on Monday

March 30, 1992, at 7:30 P.M. in the TOWN HALL, Room 126

on the following petition:

from Daniel J. Wagner, 54 Great Road, for a Petition for Review
from the requirements of Section 7.11.3 of the Zoning Bylaw to
allow a sign to remain at 790 Main Street which was ordered removed
by the Building Commissioner.

Petitioner must be present, or send authorized representative

BOARD OF APPEALS

By

Malcolm Burdine Clerk



MASSACHUSETTS
BOARD OF APPEALS

NOTICE OF PUBLIC HEARING

The Board of Appeals will hold a Public Hearing on Monday

March 30, 1992, at 8:00 P.M. in the TOWN HALL, Room 126

on the following petition:

from Christos Pappadopoulos, 1290 Main Street, Waltham, MA, for a Variance from the Zoning Bylaw, Section 7.4.3, to allow internal lighting of the existing sign at 36 Great Road (Pasta Villagio);

and a Variance from the Zoning Bylaw, Section 7.8.2, to allow the existing sign to remain in its location for the period ending August 31, 1992. At that time the sign will be replaced to conform to the new Bylaw.

Petitioner must be present, or send authorized representative

BOARD OF APPEALS

By Malcolm Burdine

Clerk



MASSACHUSETTS
BOARD OF APPEALS

NOTICE OF PUBLIC HEARING

The Board of Appeals will hold a Public Hearing on Monday

March 30, 19 92, at 8:15 P.M. in the TOWN HALL, Room 126

on the following petition:

from Acton Medical Investors, c/o Charles Kadison, Jr., 179 Great Road, Suite 210, for a Variance from the Zoning Bylaw, Section 5.3.8, to allow for construction of a building, driveway and parking area at Suburban Manor Nursing Home, 1 Great Road, closer to the lot line than allowed;

and for a Special Permit from the Zoning Bylaw, Section 8.3.3, to allow for expansion of a non-conforming building at Suburban Manor Nursing Home, 1 Great Road.

Petitioner must be present, or send authorized representative

BOARD OF APPEALS

By

Malcolm Burdine

Clerk



MAPC News

March 1992

Metropolitan Area Planning Council 60 Temple Place Boston, MA 02111 (617) 451-2770

Local Zoning Changes

House #6195 (Chapter 515) that was passed in December 1991 affects the filing of zoning ordinances. Towns are no longer required to file their ordinances with EOCD, but must continue to file them with the Attorney General.

Cities, which previously had not been required to submit their zoning ordinances to the Attorney General, are now required to do so. However, the Attorney General does not review the city zoning ordinances but rather maintains a centralized file of zoning amendments statewide. The effective date of approval for city and town zoning ordinances shall remain the same as under previous law.

Contact: Kent Stasiowski

Legislation

MAPC will be establishing its legislative priorities for the 1992 session within the next month. Some bills which were high priorities for MAPC, the River Protection bill and the Watershed Protection bill have been refiled and have the backing of Governor Weld. Both bills have already had their hearings and approvals of both bills is expected. The recycling bill also has gubernatorial support and may become law this year. Once the full MAPC legislative agenda is adopted all members will be notified.

Contact: Kent Stasiowski

North Suburban Water Study

MAPC will hold two public meetings to discuss the findings and recommendations of the North Suburban Water Supply Protection Study. The study recommends additional measures to protect local water supplies in eight communities based on an analysis of zoning, land use, potential sources of contamination and current protection measures. The study was conducted with a grant from the Massachusetts Department of Environmental Protection and the assistance and guidance of the North Suburban Water Supply Protection Committee. The meeting dates are:

Wednesday March 4	Wednesday March 11
Reading Town Hall	Woburn City Hall
16 Lowell Street	10 Common Street
7:20 a.m.	7:30 p.m.

Contact: Martin Pillsbury or Mary Ellen Schloss

New MAPC Mission

By all accounts the Executive Committee overnight retreat was a resounding success! The Executive Committee identified a blueprint for the agency's future. The group began at 3:00 on Friday, January 24th and went until noon on Saturday the 25th. Stuart Langton, Executive Director of the Challenge to Leadership, facilitated the discussions as the group considered where the agency has been and where it's going.

There was agreement around four mission statements (in summary):

1. guide regional development and coordination via aggressive promotion of MetroPlan....
2. promote regional cooperation especially via facilitation of subregional cooperation....
3. strategically direct assistance to local communities. Local assistance should be relevant, realistic, cost-effective, and focused particularly in ways that support MetroPlan....
4. provide increased public leadership in addressing critical issues through providing information, research, public education, convening appropriate leaders and fostering consensus, and advocacy...

The next step will be to focus on specific activities to accomplish this effort.

Contact: David Soule

Disabilities Act Impacts Local Zoning

On January 26, 1992 the federal Americans with Disabilities Act went into effect. This act has far-reaching impacts on transportation services and public/private facilities. In essence the law requires accessibility to buildings, services and jobs for persons with disabilities. The law sets standards for parking space set-asides for persons with disabilities, building access requirements and accesses to public and private transportation services.

MAPC has copies of "A Survival Guide for Parking Professionals: Parking and the ADA" available upon request.

Contact: Dan Fortier

Land Bank Picks up Steam

MAPC and the MAGIC subregion have been actively promoting the Land Bank bill, H.4975, recently filed by Rep. Pam Resor. If passed, the bill would authorize municipalities to raise funds for open space and affordable housing by adopting a real estate transfer fee of up to 1%. At least 25% of the money would be for open space and 25% for affordable housing, with the remainder going for either purpose at local discretion. The bill is a local option provision, giving communities the opportunity to participate if they choose.

MAPC and MAGIC have been working with other subregions, local communities, and advocacy groups to garner support for the legislation. Interested communities can help by obtaining a resolution from their local governing body and forwarding it to their legislators, to the chairs of relevant legislative committees, and to Governor Weld.

Contact: Judith Alland

Program for Mass Transportation

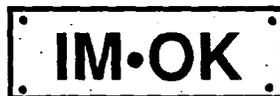
The past month has seen a great deal of work by the PMT Working Committee on Phase II. This phase consists of evaluating projects listed in Phase I to determine consistency with state, local and regional transportation goals, policies and objectives. Draft policy framework and criteria have been developed as well as draft document consolidating public comments from Phase I.

Contact: Rachel Kuropatwa

Joint Services

Interest in joint services continues to grow. MAPC has been meeting with administrators in several of the subregions over the past nine months to discuss a variety of local activities that might lend themselves to regional cooperation. Over the next month, staff will meet with administrators from three more subregions: MAGIC, North Shore and SWAP. The concept of regionalization of services is also being actively supported on the state level. MAPC will continue to work with state legislators to explore ways to remove legislative barriers that frequently make it cumbersome for local governments to enter into joint agreements with each other.

Contact: Jean Christensen



Massachusetts License Plate

Law Lecture Series

MAPC's first annual municipal law lecture series will premier on March 18 in the Stoneham Town Hall. Gregor McGregor, a noted environmental lawyer, will be the featured speaker that evening. He will repeat his presentation on April 23rd at the Walpole Town Hall and April 30th in the Braintree Town Hall. Two other attorneys well known for their land use and municipal law expertise, Joel Bard and Edith Netter, will also give three lectures each. Ms. Netter will present her lectures on March 19th in Lynnfield Town Hall, March 26th in Dedham Town Hall and April 8th in Newton City Hall. Mr. Bard will make his presentations on March 25th in Wayland Town Hall, April 2nd in Lynnfield Town Hall and April 15th in Norwell Town Hall. Flyers providing additional details have been mailed to municipal boards throughout the region.
Contact: Jean Christensen

Pavement Management

During the past month staff has completed an analysis of the pavement conditions for the southern portion of Marshfield; staff has entered the inspection for 10 sections of the Wenham road network at the request of the town; and the towns of Holliston, Topsfield, Duxbury, Essex, Scituate and Wrentham have all expressed new interest in participating in the pavement management project.

If your community is not one of the many communities participating, give us a call!
Contact: Barbara Clark

MBTA Fare Increase Citizen's Advisory Committee

Development of a new fare policy for the MBTA has been at the top of the committee's agenda over the past month. The General Manager of the T, John Haley Jr., attended a recent meeting to advise the committee on the progress of the T Fare Policy Subcommittee, and to hear comments of committee members. The Board of Directors voted to adopt a draft general fare policy statement.
Contact: Rachel Kuropatwa

Survey on Solid Waste and Recycling

The Department of Environmental Protection is mailing to all communities a survey requesting information on solid waste disposal and recycling. DEP will use the survey data to update the state Solid Waste Master Plan and has offered MAPC access to the data for regional solid waste planning purposes. MAPC encourages communities to participate in the survey.
Contact: Mary Ellen Schloss



Data Center Soars Into Action

- Is There a Job in Your Future? is an upcoming Center report on the employment outlook. A forecast for the metropolitan area to the year 2020 is complete. Employment forecasts for each community are now being developed, with local review and comment to be sought during March.
- Educational Plateau? High school and college completion among young adults is no longer rising according to new findings from the Current Population Survey. The 1990 Summary Tape File 3 census data out shortly will tell us whether this dramatic leveling off has also occurred in Boston area.
- Comparisons of 1980 and 1990 age and household composition in each community are available from your MAPC subregional coordinator. Other decade-to-decade comparisons will be available soon.
- Major Employers in Communities of Metropolitan Boston is now available from the MAPC publications coordinator. For each employer it lists the number of employees, the nature of its business and the community.
- A Boston Area Census Users Conference, co-sponsored by the Data Center, will be held on Thursday, May 14th at the University of Massachusetts Boston Harbor campus. Afternoon sessions will feature planning and business applications using the new census data. Save the date!

Contact: Data Center

Workshop On Clean Water Act

MAPC is organizing a workshop on the reauthorization of the Clean Water Act to be offered at the New England Environmental Conference at Tufts University on Sunday, March 22, 1992. Panelists will include new MWRA Director Douglas MacDonald, congressional staff member Will Stelle from Rep. Gerry Studds' office, and Peter Shelly of the Conservation Law Foundation, among others. The workshop will focus on strategies to restore federal funding for clean water projects. The need for federal funding is dramatically illustrated in this region by the MWRA wastewater project. Only about four percent of the \$6 billion cost of this project will be covered by state and federal assistance, leaving ratepayers with projected annual water and sewer rates of about \$1,500 per family by the end of the decade.

Contact: Martin Pillsbury

MAPC And Cape Cod Cooperate On Mass Bays

Since the establishment of the Mass. Bays Program and start of construction of the new MWRA outfall tunnel, there has been increased public interest and controversy about the management and protection of the Massachusetts/Cape Cod Bay system. MAPC and the Cape Cod Commission have been working to develop an agreement on common policies for long-term, bays-wide management and protection. These policies are summarized in a draft ten-point "Statement of Principles" which was reviewed by the governing bodies of both agencies.

Contact: Martin Pillsbury

March Calendar

- | | | |
|----|------------|-----------------------------------|
| 3 | 9:15 a.m. | Land Resources Policy Committee |
| 4 | 9:15 a.m. | CDC Review Committee |
| | 4:00 p.m. | Three Rivers |
| 5 | 12:00 p.m. | Economic Development Policy Comm. |
| 6 | 9:30 a.m. | Finance Committee |
| | 12:00 p.m. | Officers |
| | 1:00 p.m. | Legislative Committee |
| 9 | 9:30 a.m. | Subregional Coordinators |
| | 9:30 a.m. | Water Resources Committee |
| 10 | 10:00 a.m. | Transportation Policy Comm. |
| 11 | 8:00 a.m. | North Suburban |
| | 7:30 p.m. | MetroWest |
| 12 | 8:30 a.m. | North Shore Task Force |
| 17 | | Holiday |
| 18 | 9:00 a.m. | Executive Committee |
| 19 | 3:00 p.m. | SWAP |
| | 7:30 p.m. | MAGIC |
| | 7:30 p.m. | South Shore Coalition |

Please call ahead to confirm time and place.

Environmental Reviews

MAPC recently reviewed and distributed the following ENFs and EIRs:

Tennessee Gas Pipeline, Pipeline Replacement in Bolton;

Josiah Quincy Building, Quincy;

CITGO Dredging Project, Braintree;

Runway End Safety Improvement, Log Sanitary Landfill, Wrentham;

Altesco Lynn Cogeneration Facility, Lynn;

GTE Glass Landfill Closure, Salem

Contact: Kent Stasiowski

TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION
TOWN MANAGER'S OFFICE

DATE: March 5, 1992

TO: Charles Kadlec, Chairman, VCC
FROM: Don P. Johnson, Town Manager
SUBJECT: Fort Devens Reuse/2nd Airport

During the Selectmen's meeting on March 3, the Board voted to establish an ad hoc committee to serve in an advisory capacity to the Board of Selectmen on issues related to the reuse of Fort Devens and/or a second major airport. The Selectmen emphasized both the advisory nature and the ad hoc aspect of the committee. The draft minutes reflect the motion as " move to create an advisory ad hoc committee on second airport/Fort Devens potential reuse to keep the Board of Selectmen current, advise and bring back options to the Board."

I have attached a copy of Anne Fanton's memo recommending establishment of this committee. The Selectmen have asked me to contact you and see whether the VCC would be interested in recruiting 3-5 volunteers, using the memo as a guide/charge.

Please advise me of your interest and feel free to call if you have any questions.

cc: Board of Selectmen ✓



February 27, 1992

3/3/92

10

TO: Board of Selectmen
FROM: Anne Fanton
SUBJECT: Second Airport/Fort Devens Task Force

As I mentioned at our last meeting, I am proposing that we establish a task force to investigate plans for Fort Devens and to advise us on appropriate actions. I think we have a responsibility to act on this issue and I don't see any possibility that staff can find time to adequately address it. The task force would not be on-going, but would serve only until the task is complete. The latest information available indicates that, contrary to impressions given in the Boston Globe, plans for a second major airport and a full EIS are moving ahead as scheduled, with the Fort Devens Re-Use Study being an entirely separate project. There is room on the land for both.

I propose that there be up to five volunteers appointed to the task force, and that membership be balanced with individuals knowledgeable about aviation; experienced in reviewing environmental impact reports, including transportation, noise and air quality impacts; a local business owner or member of the Chamber of Commerce; and just interested citizens. Rather than making very stringent membership requirements, I would leave it up to VCC to find energetic, interested individuals and ensure a balance of viewpoints.

The responsibilities of the Task Force might be as follows:

- To investigate all state and regional planning activities relating to the development of a second airport at Fort Devens and the re-use of Fort Devens.
- To monitor these plans to determine their potential impact on Acton, including our roadways, the railroad, environment, quality of life, and finances (including both positive and negative impacts.)
- To summarize the information and advise the Board of Selectmen on appropriate actions in a timely fashion.
- To take appropriate action on behalf of the town whenever authorized to do so by the Board of Selectmen.

I could help them begin by giving them all of the background materials that I have collected to date and suggesting key individuals to contact. Dore may have some materials as well.

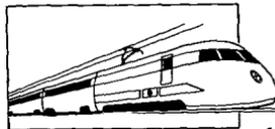
Finally, I think that this is a timely and urgent issue that will attract active volunteers, just as the elderly bus service and the sidewalk plan first attracted members to TAC. In fact, Charlie Kadlec said that a few citizens have inquired of VCC whether there is a town committee to address it.

cc. Don Johnson

Anne

You are cordially invited to a presentation

High Speed Trains:



An Alternative to an Airport

by **JOSEPH VRANICH** Director, High Speed Rail Association
author of the recently published book

SUPER TRAINS: Solutions to America's Transportation Gridlock

Introduction by **Matthew A. Coogan** Founder and Co-Chair of the Task Force
on High Speed Rail of the Coalition of Northeastern Governors,
Member of the Committee on Magnetic Levitation of the National
Academy of Sciences

SUNDAY, MARCH 15 3:00 P.M. Bromfield School Auditorium
Route 111, center of Harvard, Mass.

Sponsored by Board of Selectmen, Town of Harvard
Citizens to Protect Residential Harvard, Inc.
Advocates for a Strong Economy with Responsible Transportation

For details (508) 456-3217

COPY

TOWN OF ACTON
BUILDING DEPARTMENT

GARRY A. RHODES
BUILDING COMMISSIONER

472 Main Street Acton, Massachusetts 01720

(508)264-9632

March 5, 1992

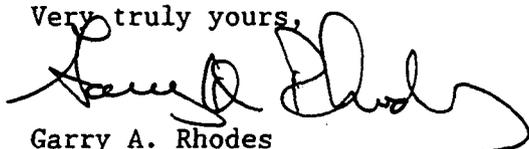
F. von Broembsen, Ph.D., Psy.D.
22 Witherell Drive
Sudbury, MA 01776

Dear Dr. F. von Broembsen,

The Board of Selectmen will be holding a meeting on March 17, 1992 at 8:00 p.m. in the Town Hall Meeting Room. Your presence is requested so that you may explain your proposed horse shows. The Board will be soliciting public comments at that time.

If you have any questions please contact me at 264-9632, Monday thru Friday from 8:00 to 5:00.

Very truly yours,



Garry A. Rhodes
Building Commissioner

GAR/vjs

(770)

CC: BOS - ATTENTION, ANNE FANTON!

DR. VON BROEMBSEN WILL BE IN ATTENDANCE & GARRY RHODES WILL PRESENT A RECOMMENDATION FROM STAFF (HE HAS HER INFO. @ THIS TIME).

SEE ABUTTER'S NOTICE ATTACHED... WE ARE SENDING TO ABUTTERS WITHIN 300' OF THE PROPERTY (PER ZONING STANDARDS).

TOWN OF ACTON
472 Main Street
Acton, Massachusetts 01720
Telephone (508) 264-9612
Fax (508) 264-9630

Don P. Johnson
Town Manager

March 2, 1992

To Whom it May Concern:

The Board of Selectmen will be holding a Public Meeting on March 17, 1992 at 8:00 P.M. in room 204 in the Acton Town Hall upon the request of Stoneymeade Farm to allow horse shows at 135 Strawberry Hill Road.

Master Plan Coordinating Committee

Minutes for Meeting on:

January 14, 1992

Attendance: Anne Fanton, Board of Selectmen
Matt Mleziva, Board of Appeals
Greg Niemyski, Planning Board
Martin Graetz, Transportation Advisory Committee
Bill Lawrence, Chamber of Commerce
Roland Bartl, Town Planner
David Abbt, Town Engineer

November 26 Minutes

The minutes were approved with one correction on page 2 under Timing of Review...Process: delete "more time for preliminary review" and add "more thought for some projects as a follow-up to preliminary review."

Board of Selectmen's Action on Committee Charge

Anne Fanton reported that the Selectmen had approved the charge by consent (without further discussion) on 12/3/91. A copy was included with the meeting's agenda.

Announcements

Bill Lawrence announced that he will be able to do six special mailings to Chamber members and business owners during the year, and he can communicate important information generated by MPCC discussions in this manner. The committee agreed that this would be very helpful.

Staff Reports

A. Development Process: Roland Bartl reported that he had started writing a development process handbook but it was becoming too complex. There were too many scenarios to do it as bullet points, therefore he had put together an eight (8) page draft comprehensive **Development Guide** for the committee to review. After review, the committee might decide that we need some separate guides, such as one for the sign bylaw, or some case descriptions that use examples to explain the process. Anne asked about the target audience, and the committee agreed it was for the small businessperson planning to undertake a "small" project, not for the layperson or the large developer. Bill Lawrence suggested that Roland add a checklist at the end. Matt suggested that it be printed as a folder or handout. Roland asked committee members to review the draft for content, clarity and comprehensiveness, and give him comments within ten (10) days.

Anne asked whether this addressed the separate concern about the clarity of the Zoning Bylaw. Roland distributed copies of two (2) **Introductory Notes to the Zoning Bylaw** that he had written for the Planning Board. He said he would also be working on internal summaries for sections of the bylaw, some in table form. There was some discussion as to whether the summaries should contain just explanatory notes, or descriptions of intent as well. It was agreed that both would be useful, if it can be done. Roland will work with it and bring the first few sets to the committee for review.

David Abbt commented that the materials Roland was preparing will help to provide a link between the Master Plan and our regulatory plan, as discussed in "Linking Plans and Regulations, Local Responses to Consistency Laws in CA and FL."

B. Collective Review Process: Roland distributed copies of two (2) memos, one of the **Collective Review Process of Development Plans** that he had written, and one an **Overview of Commercial Development** prepared by Garry Rhodes. The committee decided to review the two memos, for the next MPCC meeting, to see whether they should recommend any changes in the process to eliminate past problems.

C. Consistency Issues: Roland distributed copies of his memo on **Master Plan Consistency**, picking up on Anne Fanton's 11/21/91 memo on the same subject, in an effort to stimulate continued discussion of the issue to try to find some areas of agreement.

Matrix for Master Plan Responsibilities

Greg had completed a draft matrix for review. It will be included with the February MPCC agenda for discussion at the next meeting.

Sign Bylaw

Anne suggested that the committee use the remaining time to list issues of concern with the new sign bylaw, for future discussion. The following were listed:

1. Matt asked for the rationale for the village light on dark color requirement; the next BOA hearing will address this issue. (Roland provided some rationale to Matt following the meeting.)
2. Malcolm Burdine had questioned the size limitation in East Acton Village (10/29/91 MPCC meeting.)
3. The need for written clarification had already been raised as an issue by the Chamber. Anne asked whether it was clear when a variance or special permit is needed.
4. Anne suggested that requirements for special permits and variances be discussed in relationship to filing costs.
5. Anne said that the Selectmen would like the MPCC's input on signs in the public way and meeting the needs of community organizations for "special event" signs.
6. Bill would like to discuss whether the section on "governmental signs" provides a level playing field.
7. Section 7.4.1.6 (Bill) prohibiting plastic in village districts.
8. Section 7.12.1.5 (Bill) clarify intent of this section on signs with pictures.

Martin Graetz asked if the number of issues didn't indicate a need to throw out the bylaw and start over. He suggested that the problem is in the length and detail of the bylaw, which should be a maximum of two pages. Matt suggested, and it was agreed, that we need to try harder to repair what exists by looking at issues. It was too soon to make that kind of leap.

Greg expressed concern that the committee not rush through issues. Anne expressed concern that the committee come to closure on some issues so it could move forward.

Agenda for Next Meeting: Development Guide; Development review process; "Consistency" memo; Matrix for Master Plan responsibilities; three (3) items on the list of sign issues.

Next Meeting: Tuesday, February 25

cc. Cons. Comm.

Fin. Comm.

Rec. Comm.

Comm. on Disabilities

His. District Comm.

Bd. of Health

Municipal Prop.

Housing Authority

Council on Aging

Bd. of Selectmen ✓

Minutes prepared by: Anne Fanton

cc: BOS

Town of Acton

Planning Department

472 Main Street Acton, Massachusetts 01720

(508) 264-9636

INTERDEPARTMENTAL COMMUNICATION

TO: Board of Appeals DATE: March 2, 1992
FROM: Roland Bartl, Town Planner R.B.
SUBJECT: Acton Medical Investors, Hearing 92-5,
Suburban Manor Nursing Home

The petition is for a variance from the setback requirements of Section 5.3.8 which pertains specifically to nursing homes in residential zoning districts, and for a special permit under Section 8.3.3. The latter is a fairly recent addition to the bylaw. It allows the Board of Appeals to evaluate the potential detriment of a building addition within the limits of an existing nonconforming setback against the impractical and often unsightly jogs in the building footprint which would result if the addition had to conform with the setback requirements.

Both aspects of the petition deal with setback issues. Nursing homes are generally appropriate and acceptable in residential neighborhoods since they too are a residential use, but their building size by necessity greatly exceeds that of a single family home. The stringent setback requirements for nursing homes help to offset the bulk of a larger building, protecting the immediate neighbors as well as the atmosphere of a residential neighborhood. Aside from the question of hardship for which a case must be made under the variance part of the petition, I would therefore regard the entire petition as primarily relating to residents of the affected neighborhood.

In the larger, town wide planning context the question would be more whether the project is keeping the minimum required open space and remains within the maximum FAR. Neither of these numbers is furnished in the application. It appears as though the proponents intend to comply with the requirements, but this should be substantiated. Also, the Master Plan clearly shows a significant aging trend in Acton's population which is likely to continue. The proposed addition to the Suburban Manor nursing home will provide additional capacity for the care of the elderly and is therefore addressing a future need identified in the Master Plan.

The layout of the site seems very sensible. For instance, the plan ensures substantial green space around the building and some of the parking is to be located under the new building addition which preserves open space and avoids further parking encroachment into the setback. However, I have some questions and suggestions regarding some of the proposed pavement areas within the setbacks:

1. I do not quite understand the need for all the pavement proposed as access for the treatment plant. It seems as though the stub facing south opposite the plant

building is somewhat excessive or even superfluous.

2. Second, if Town Meeting this spring adopts the proposed changes in parking requirements, the project could benefit from substantial reduction in the number of parking spaces required, as well as from a reduction in the sizing of individual spaces. With the proposed changes, the project would require no more than a total of 55 paces, the plan shows 87. This would completely eliminate the need for the new lot in the southwesterly corner. Also, the existing parking lot in the northwesterly corner could probably be utilized more efficiently after adoption of the changes in parking requirements and still absorb some landscaping elements as they would be required for new parking lots; or the parking lot could be reduced in size resulting in removal of nonconforming pavement within the setback. If the Board of Appeals should decide to grant the requested variance and special permit, they should be conditioned on the removal of existing or proposed pavement within the required setback areas to the largest degree reasonably possible under the proposed zoning changes if and when these changes are adopted by Town Meeting.

xc: Don P. Johnson ✓
Planning Board

[rhb353*3/92]



Commonwealth of Massachusetts
Executive Office of Environmental Affairs

FEB 21 1992

Department of Environmental Protection

William F. Weld
Governor

Daniel S. Greenbaum
Commissioner

February 24, 1992

Dear Local Official:

Contamination from oil and hazardous materials can endanger people, property, and the environment. The longer a disposal site remains unattended, the greater the chances that contamination will spread, dangers will increase, and the costs of cleanup will escalate.

The State Superfund Law (M.G.L. c. 21E, enacted in 1983) provided the Department of Environmental Protection (DEP) with authority and some resources to attack the problems caused by uncontrolled releases of oil and hazardous materials. The 1992 List of Confirmed Disposal Sites and Locations to be Investigated documents DEP's progress on investigating, assessing, and cleaning up disposal sites, as of December 27, 1991. This report shows that, nearly nine years after c. 21E was enacted, there are more than 5200 sites and potential sites in the system -- a four-fold increase since 1987, when DEP first started publishing lists of confirmed and suspected sites.

Cleanup work has been completed at 266 sites, and is underway (with DEP oversight or with a waiver of DEP's approvals) at 27% of the locations with confirmed and suspected problems state-wide. In addition, there are an unknown number of additional sites to be identified.

Most of the sites at which progress is being made are being cleaned up by the potentially responsible parties. However, no work is being done at more than 70% of identified sites and locations, because the potentially responsible parties have failed to act and DEP does not have enough staff to work on more than a few sites at one time. This situation demonstrates the critical need to streamline the 21E program.

Since July 1990 the Department has been working with parties affected by this program to develop recommendations for improvements. The Legislature is now considering amendments to M.G.L. c. 21E which would:

- o encourage private sector cleanup by establishing clear responsibility and incentives for timely cleanups (by reducing the number of DEP approvals required in most cases and by relying on opinions provided by professionals licensed by the Commonwealth to manage response actions), and
- o focus DEP's resources on activities best conducted by government or that will not be conducted by the private sector without government involvement, including site discovery, overseeing private sector cleanups, cleaning up sites where the private sector is unable or unwilling to act, and developing clear and practical standards and guidelines for responding to releases of oil and hazardous materials.

These program improvements would allow assessment and cleanup to proceed at three times as many sites as in the current system, and should resolve many of the roadblocks that are now preventing prompt responses to contamination.

Enclosed please find your community's listings from the 1992 report. Full copies of this document will be available from the State Bookstore on February 24, 1992. For more information about the individual sites and locations listed in this report, or about our on-going efforts to improve this program, please contact the DEP Bureau of Waste Site Cleanup, Public Participation Branch, One Winter Street, 5th Floor, Boston, MA 02108 (telephone: 617/292-5820).

Thank you for your interest in the Waste Site Cleanup Program.

Very Truly Yours



James C. Colman
Assistant Commissioner for Waste
Site Cleanup



Commonwealth of Massachusetts
Executive Office of Environmental Affairs

FEB 21 1992

Department of Environmental Protection

William F. Weld
Governor

Daniel S. Greenbaum
Commissioner

February 24, 1992

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Since July 1990 the Department has been working with parties affected by this program to develop recommendations for improvements. The Legislature is now considering amendments to M.G.L. c. 21E which would:

S I T E S A N D L O C A T I O N S I N T H E T O W N O F
 *** A C T O N ***
 January 15, 1992

===== [C O N F I R M E D S I T E S] =====							
List	Site Number	Site Name	Address	Current Status	First Listed L.T.B.I.	First Listed	New to Confirmed List
CONFIRMED	2-0003	AGWAY/KRESS PROPERTY	KNOX TRAIL	PHASE 2	/ /	01/15/87	
		** Hazardous Material Release Site ** Response action by: RP AND DEP ** PRIORITY Site ** Organics and pesticides released at a commercial site resulting in a release to the soil and a groundwater release.					
CONFIRMED	2-0816	AIRCO INDUSTRIAL	LAWSBROOK RD.	PHASE 2	07/15/91	07/15/91	Yes
		** Hazardous Material Release Site ** Response action by: RP ONLY ** PRIORITY Site ** VOCs and chlorinated solvents released at an industrial site from a leaking underground storage tank and a lagoon or pit resulting in a release to the soil, a groundwater release and a surface water release.					
CONFIRMED	2-0006	DARAMIC PLANT, WR GRACE	51 INDEPENDENCE RD.	PHASE 2	/ /	01/15/87	
		** Petroleum and Hazardous Material Release Site ** Response action by: RP ONLY ** PRIORITY Site ** Virgin oil and hexane released at a tank farm from a leaking underground storage tank resulting in a release to the soil and a groundwater release.					
CONFIRMED	2-0253	EAST ACTON MOBIL	44 GREAT RD.	PHASE 2	07/15/87	04/15/89	
		** Petroleum and Hazardous Material Release Site ** Response action by: RP ONLY ** PRIORITY Site ** Gasoline released at a gas station from a leaking underground storage tank and a hose or pipe resulting in a release to the soil and a groundwater release.					
CONFIRMED	2-0754	MOBIL SERVICE STATION	553 MASSACHUSETTS AVE.	PHASE 2	07/15/90	07/15/90	
		** Petroleum Release Site ** Response action by: RP ONLY ** PRIORITY Site ** Gasoline released at a gas station from a leaking underground storage tank resulting in a release to the soil and a groundwater release.					
CONFIRMED	2-0836	SHELL STATION	408 MASS. AVE.	PHASE 1	07/15/91	07/15/91	Yes
		** Petroleum Release Site ** Response action by: RP ONLY ** Unclassified Site ** Petroleum and VOCs released at a gas station resulting in a release to the soil and a groundwater release.					
CONFIRMED	2-0745	SUNRISE SUNOCO	421 MASS AVE.	PHASE 1	07/15/90	07/15/90	
		** Petroleum Release Site ** Response action by: RP ONLY ** Unclassified Site ** Waiver Application being processed ** Gasoline released at a gas station from a leaking underground storage tank resulting in a release to the soil and a groundwater release.					

SITES AND LOCATIONS IN THE TOWN OF
 *** ACTON ***
 January 15, 1992

===== [CONTINUED] =====

CONFIRMED 2-0010 W.R. GRACE & CO. 50 INDEPENDENCE RD. PHASE 3 / / 01/15/87

 ** Federal Superfund Site

 ** Response action by: RP, DEP AND EPA

 ** PRIORITY Site

 ** Public Involvement Plan Site

 ** Organics released at an industrial manufacturer and a landfill from a lagoon or pit resulting in a release to the soil, a groundwater release and threat to public wells.

===== [WAIVERED SITES] =====

List	Site Number	Name	Address	First Listed L.T.B.I.	First Listed Confirmed	Waiver Approved Date	Completion Statement Received
WAIVER	2-0678	ACTON PLAZA	MASSACHUSETTS AVE.&MAIN ST.	01/15/90	10/15/90	06/20/90	01/31/91
WAIVER	2-0005	CONCORD AUTO AUCTION	RTE 2	01/15/87	04/15/89	08/03/90	/ /
WAIVER	2-0601	HAARTZ CORPORATION	87 HAYWARD RD.	04/15/89	07/15/90	11/29/90	/ /
WAIVER	2-0792	PROPERTY - GREAT RD.	135-137 GREAT RD.	04/15/91	07/15/91	05/23/91	/ /

===== [DELETED SITES] =====

List	Site Number	Name	Address	Reason for Deletion	First Listed L.T.B.I.	First Listed Deleted	New to List
DELETED	2-0001	ACTON LANDFILL	RTE 2	NOT A SITE	01/15/87	07/15/87	

===== [LOCATIONS TO BE INVESTIGATED] =====

List	Site Number	Name	Address	Current Status	Source	First Listed L.T.B.I.	New to List
L.T.B.I.	2-0008	GORDON MARTIN PROPERTY	1009-1019-1023 MAIN ST.	P.A.	SAB	01/15/87	
L.T.B.I.	2-0340	LAWSBROOK PLACE	LAWSBROOK RD.	P.A.	SAB	10/15/88	
L.T.B.I.	2-0747	MOBIL STATION	204 MAIN ST.	P.A.	ERB	07/15/90	
L.T.B.I.	2-0533	NORTON CHEMPLAST	77 POWDERMILL RD.	P.A.	SAB	04/15/89	
L.T.B.I.	2-0493	POWDERMILL MANUFACTURING	2 POWDERMILL RD.	P.A.	SAB	04/15/89	

=====

TOTAL SITES.: 18 CONFIRMED.: 8 WAIVERED.: 4 DELETED.: 1 L.T.B.I.: 5 REMEDIAL.: 0

DESCRIPTION OF THE CONFIRMED LIST

This list identifies confirmed disposal sites where oil or hazardous materials (as defined by the Massachusetts Contingency Plan, 310 CMR 40.020) have been released and for which remedial response actions have not been completed as of December 27, 1991. Confirmed non-priority disposal sites which have an approved DEP Waiver of Approvals are contained in the WAIVER LIST and are not included here.

This list is arranged alphabetically by community, and within each community by site name. For each site listed, the following information is provided:

- TOWN - The municipality in which the site is located.
- SITE NUMBER - A unique number assigned to each site.
- NAME - The name commonly used by DEP staff. The site name does not necessarily reflect the identity of any responsible parties.
- ADDRESS - The address that most accurately describes the location of a site.
- CURRENT STATUS OF REMEDIAL ACTIVITIES

PHASE	ACTIVITIES
I	Limited Site Investigation, including Site Classification
II	Comprehensive Site Assessment
III	Development of Remedial Response Alternatives and the Final Remedial Response Plan
IV	Implementation of the Approved Remedial Response Alternatives
V	Operation and Maintenance Activities

- FIRST LISTED L.T.B.I. - The date on which a disposal site first appeared on the Locations To Be Investigated List. If no date appears, the site was known to DEP prior to January 15, 1987.
- FIRST LISTED CONFIRMED - The date on which a disposal site first appeared on the Confirmed Disposal Site List.
- NEW TO LIST - Indicates if this disposal site is appearing on the Confirmed List for the first time.

Where appropriate, the following information is also included for each disposal site listed:

- FEDERAL SUPERFUND SITES - Disposal sites placed on or nominated to the National Priority List (NPL) by the U.S. Environmental Protection Agency (EPA).
- FEDERAL FACILITY SITES - Disposal sites owned and operated by the Federal government which are on the Federal Facilities Docket. Federal Facilities may be placed on the NPL after evaluation by EPA.
- FEDERAL FACILITY SUPERFUND SITES - Disposal sites owned and operated by the Federal government which are on the Federal Facilities Docket and have been placed on, or nominated to the NPL by EPA.
- PETROLEUM RELEASE SITES - Disposal sites where a petroleum product not contaminated by hazardous materials has been released, including gasoline, fuel oil, and industrial oils.
- HAZARDOUS MATERIAL RELEASE SITES - These include sites of releases of any hazardous material.
- PETROLEUM AND HAZARDOUS MATERIALS RELEASE SITES - Disposal sites where both oil and hazardous materials have been released, including oil that has been contaminated by a hazardous material.
- RESPONSE ACTION BY - Identifies the source(s) of funds used for remedial action planning and implementation.

"RP" indicates that those liable are paying for all or part of the investigation, assessment and cleanup costs.

"DEP" refers to funds drawn from the State Superfund.

"EPA" refers to funds drawn from the Federal Superfund.

- PRIORITY, NON-PRIORITY or UNCLASSIFIED SITE - A disposal site is classified based on information provided on the Preliminary Assessment Form and in the Phase I Report, and other information which may be available to the Department.

PRIORITY SITE - A disposal site that meets any one of the priority criteria listed in the Massachusetts Contingency Plan (310 CMR 20.544). Such a site poses a substantial hazard to health, safety, public welfare, or the environment.

NON-PRIORITY SITE - If, after review, none of the priority criteria are met, the disposal site is classified as a non-priority site.

DESCRIPTION OF THE CONFIRMED LIST

This list identifies confirmed disposal sites where oil or hazardous materials (as defined by the Massachusetts Contingency Plan, 310 CMR 40.020) have been released and for which remedial response actions have not been completed as of December 27, 1991. Confirmed non-priority disposal sites which have an approved DEP Waiver of Approvals are contained in the WAIVER LIST and are not included here.

This list is arranged alphabetically by community, and within each community by site name. For each site listed, the following information is provided:

- TOWN - The municipality in which the site is located.
- SITE NUMBER - A unique number assigned to each site.
- NAME - The name commonly used by DEP staff. The site name does not necessarily reflect the identity of any responsible parties.
- ADDRESS - The address that most accurately describes the location of a site.
- CURRENT STATUS OF REMEDIAL ACTIVITIES

PHASE	ACTIVITIES
I	Limited Site Investigation, including Site Classification
II	Comprehensive Site Assessment
III	Development of Remedial Response Alternatives and the Final Remedial Response Plan
IV	Implementation of the Approved Remedial Response Alternatives
V	Operation and Maintenance Activities

- FIRST LISTED L.T.B.I. - The date on which a disposal site first appeared on the Locations To Be Investigated List. If no date appears, the site was known to DEP prior to January 15, 1987.
- FIRST LISTED CONFIRMED - The date on which a disposal site first appeared on the Confirmed Disposal Site List.
- NEW TO LIST - Indicates if this disposal site is appearing on the Confirmed List for the first time.

- PUBLIC INVOLVEMENT PLAN SITE (PIP SITE) - Any disposal site for which additional public involvement activities will be conducted beyond those required for all disposal sites, and which has been designated as a PIP site pursuant to 310 CMR 40.203. A PIP site is designated when the Department receives a petition requesting this action from ten or more residents, or when DEP determines that such designation is appropriate.
- SHORT-TERM MEASURE TAKEN - A measure or combination of measures that are taken pursuant to 310 CMR 40.542 to prevent or stop an imminent threat to public health or the environment. They can include removal of "hot spots" of contamination, capping, fencing, or the installation of temporary water supplies.
- WAIVER APPLICATION BEING PROCESSED - A non-priority disposal site for which the Department is processing an application for a waiver of its approvals of five documents that must be submitted to DEP as part of a response action, in accordance with the Massachusetts Contingency Plan (310 CMR 40.537).
- SITE DESCRIPTION - Information about the substance(s) released, the site's use, the type of container or source of the release, and the environmental media (air, water, or soil) affected by the release.

WAV-1

DESCRIPTION OF THE WAIVER LIST

This list identifies confirmed disposal sites where oil or hazardous materials (as defined by the Massachusetts Contingency Plan, 310 CMR 40.020) have been released, and where parties conducting cleanup actions have been granted a waiver of Departmental approvals (310 CMR 40.537) as of December 27, 1991. A waiver allows those conducting cleanup actions at non-priority sites to proceed at an accelerated pace with no Departmental oversight.

This list is arranged alphabetically by community, and within each community by site name. For each site listed, the following information is provided:

- TOWN - The municipality in which the sites is located.
- SITE NUMBER - A unique number assigned to each site. *
- NAME - The name commonly used by DEP staff. The site name does not necessarily reflect the identify of any responsible parties.
- ADDRESS - The address that most accurately describes the location of a site.
- FIRST LISTED L.T.B.I. - The date on which a disposal site first appeared on the Locations To Be Investigated List. If no date appears, the site was known to DEP prior to January 15, 1987.
- FIRST LISTED CONFIRMED - The date on which the disposal site first appeared on the Confirmed Disposal Site List.
- WAIVER APPROVED DATE - The date on which the Department approved an application for a waiver of DEP approvals. The waiver becomes effective on this date, and the applicant may begin assessment and cleanup activities.
- COMPLETION STATEMENT RECEIVED - The date on which DEP has received a written statement of opinion from the waiver applicant indicating that cleanup actions have been completed in accordance with the Massachusetts Contingency Plan, and that no further action is necessary at the site. Note: Departmental receipt of a completion statement does not constitute DEP endorsement of the cleanup action. The Department will conduct a selective review of these sites to determine compliance with the Massachusetts Contingency Plan.
- * Note: An asterisk (*) preceding the site number indicates a Public Involvement Plan Site (PIP Site). A PIP site is any disposal site for which additional public involvement activities will be conducted beyond those required for all disposal sites, and which has been designated as a PIP site pursuant to 310 CMR 40.203. A PIP site is designated when the Department receives a petition from ten or more residents requesting this action or when DEP determines that such designation is appropriate.

DESCRIPTION OF THE DELETED LIST

Deleted locations are those for which Preliminary Assessments, Phase I - Limited Site Investigations, or Phase II - Comprehensive Site Assessments have been completed with a finding that no further investigations or remedial response actions are required by the Massachusetts Superfund program to protect health, safety, public welfare or the environment. These locations have been identified based on information available as of December 27, 1991.

For some locations on this list, the Preliminary Assessments or the Phase I - Limited Site Investigations have found that the locations are not disposal sites. In other cases the locations are disposal sites for which no further remedial response actions are necessary.

For each location on the Deleted List, the following information is provided:

- TOWN - The name of the community that was originally published on a previous list.
- SITE NUMBER - A unique number assigned to each location.
- NAME - The name that was originally published on the Locations To Be Investigated List.
- ADDRESS - The address that was originally published on the Locations To Be Investigated List.
- REASON FOR DELETION - Identified here is the reason for including a location on the Deleted List. Categories for deleting a site from the list are:

NFA: These are disposal sites where no further remedial response action is necessary.

NOT A SITE: These locations are not disposal sites.

- FIRST LISTED L.T.B.I. - The date on which a location was first included on the Locations To Be Investigated List. If the date is not listed, then this location was known to the Department prior to January 15, 1987.
- NEW TO LIST - Indicates if this location is appearing on the Deleted List for the first time.

ERR-1

DESCRIPTION OF THE ERRATA SHEET

The Errata Sheet contains locations originally listed in the previous publication (January 31, 1991) which have been found to be errors (e.g., the wrong town, the wrong site name, and/or an incorrect address resulting from a data entry error) or duplicate listings. These locations have been identified based on information available as of December 27, 1991.

For each location on the Errata Sheet, the following information is provided:

- TOWN - The name of the community that was originally published on the previous list.
- SITE NUMBER - A unique number assigned to each location.
- NAME - The address that was originally published on the Locations To Be Investigated List.
- ADDRESS - The address that was originally published on the Locations To Be Investigated List.
- FIRST LISTED L.T.B.I. - The date on which a location was first included on the Locations To Be Investigated List. If the date is not listed, then this location was known to the Department prior to January 15, 1987.

DESCRIPTION OF THE LOCATIONS TO BE INVESTIGATED LIST

This list contains those locations which the Department has determined are reasonably likely to be disposal sites where oil or hazardous materials may have been released to the environment. Reasons for listing include past or present uses of the property, the conditions reported, and any other information available to the Department. Inclusion of a location on this list does not imply that a release of oil or hazardous materials has been confirmed. It does mean that DEP has received sufficient information to warrant an initial investigation. MGL c. 21E and the Massachusetts Contingency Plan (310 CMR 40.00) require that a preliminary assessment must be performed for each location on this list within one year of the list's publication. This assessment will attempt to determine if the location is a disposal site, and whether further investigation is needed. Future updates of this publication will describe the outcome of investigations of locations listed here. Locations are listed here based on information available to the Department as of December 27, 1991.

The publication of a list of "Locations To Be Investigated," is required by MGL c. 21E. Complete information concerning the correct and current owner, other potentially responsible parties, the address, and the nature of problems (if any) may not be known at the time of listing. Any errors which therefore result will be corrected during the investigation. Some locations will be found not to be oil or hazardous materials disposal sites.

This list is organized alphabetically by community and, within each community, by location name. For each location to be investigated, this list provides the following information:

- TOWN - The municipality where a location has been identified.
- SITE NUMBER - The unique number assigned to each location.
- NAME - The name commonly used by DEP staff. The site name does not necessarily reflect the identify of any responsible parties.
- ADDRESS - The address that most accurately describes the location of a site.
- CURRENT STATUS - Current status of remedial activities is described by the following codes:

PA - Preliminary Assessment

PHASE 1 - Limited Site Investigation, which includes Site Classification.

LTB-2

- SOURCE - Source of the information for listing is described by the following codes:

SAB - Information that has been discovered by the Site Assessment Branch of the Bureau of Waste Site Cleanup of the Massachusetts Department of Environmental Protection (DEP).

EPA - Locations from the Comprehensive Environmental Response Compensation and Liability Inventory System (CERCLIS), a data base assembled by the U.S. Environmental Protection Agency (EPA).

RE - Reports submitted to the Site Assessment Branch summarizing site assessments undertaken as part of real estate transfers.

ERB - Notifications and reports on spills referred from the Emergency Response Branch (ERB) of the Bureau of Waste Site Cleanup Incident Response Office.

RCRA/21C - Referrals from the Compliance Office of DEP's Division of Hazardous Waste discovered through enforcement of the United States Resource Conservation and Recovery Act (RCRA) and the Massachusetts Hazardous Waste Management Act (M.G.L. c. 21C).

WPC - Referral from the DEP's Division of Water Pollution Control.

WS - Referral from the DEP's Division of Water Supply.

WAIV - Information obtained by the submittal of a Waiver Application.

OTH - Other sources of information, including complaints from citizens and referrals from other agencies.

- FIRST LISTED L.T.B.I. - The date on which a location was first included in the Locations To Be Investigated List. If the date is not listed, then this location was known to the Department prior to January 15, 1987.
- NEW TO LIST - Indicates if this location is appearing on the Locations To Be Investigated List for the first time.

DESCRIPTION OF THE LOCATIONS TO BE INVESTIGATED LIST

This list contains those locations which the Department has determined are reasonably likely to be disposal sites where oil or hazardous materials may have been released to the environment. Reasons for listing include past or present uses of the property, the conditions reported, and any other information available to the Department. Inclusion of a location on this list does not imply that a release of oil or hazardous materials has been confirmed. It does mean that DEP has received sufficient information to warrant an initial investigation. MGL c. 21E and the Massachusetts Contingency Plan (310 CMR 40.00) require that a preliminary assessment must be performed for each location on this list within one year of the list's publication. This assessment will attempt to determine if the location is a disposal site, and whether further investigation is needed. Future updates of this publication will describe the outcome of investigations of locations listed here. Locations are listed here based on information available to the Department as of December 27, 1991.

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- CURRENT STATUS - Current status of remedial activities is described by the following codes:

PA - Preliminary Assessment

PHASE 1 - Limited Site Investigation, which includes Site Classification.

REM-1

DESCRIPTION OF THE REMEDIAL LIST

This list identifies disposal sites where uncontrolled oil or hazardous materials (as defined by the Massachusetts Contingency Plan, 310 CMR 40.020) have been released and an appropriate remedial action has been completed as of December 27, 1991. These actions were determined to adequately protect public health, safety and the environment at the time they were taken. Changes in cleanup technology or in our ability to identify and assess the nature and extent of contamination may require an examination of these sites in the future. At this time, no further action is planned for the sites on this list.

This list is arranged alphabetically by community and within each community by the name of the site. For each site at which a remedial action has been completed, this list provides the following information:

- TOWN - The municipality in which the site is located.
- SITE NUMBER - A unique number assigned to each site.
- NAME - The name commonly used by DEP staff. The name does not necessarily reflect the identity of any responsible parties.
- ADDRESS - The address that most accurately describes the location of the site.
- RESPONSE CODES - Type of response action taken.

Code	Action Taken
A	Removal of the contamination source (such as drums, tanks or contaminated soil) to a licensed facility.
B	Capping and/or fencing of contaminated area.
C	Groundwater and/or soil treatment, including soil venting, groundwater recirculation, filtration, or aeration.
D	Monitoring (i.e., via groundwater wells).
E	Other (e.g., replacement of a water line, disconnecting improper sewer connections, drainage improvements, and flood protection).
F	Institutional Controls have been placed on the property which limit future development and therefore future exposures to oil or hazardous materials. At this time, all sites for which this action has been taken are listed on the National Priorities List, and are being responded to under the requirements of the Federal Superfund program.

REM-2

- RESPONSE ACTION BY - Identifies the source(s) of funds used for remedial action planning and implementation:

"RP" indicates that the Responsible Party is paying for all or part of the investigation and assessment costs.

"DEP" refers to funds drawn from the State Superfund.

"EPA" refers to funds drawn from the Federal Superfund.

- FIRST LISTED D.T.B.I. - The date on which a disposal site first appeared on the Location To Be Investigated List. If no date is listed, the site was known to DEP prior to January 15, 1987.
- NEW TO LIST - Indicates if this disposal site is appearing on the Remedial List for the first time.

DESCRIPTION OF THE REMEDIAL LIST

This list identifies disposal sites where uncontrolled oil or hazardous materials (as defined by the Massachusetts Contingency Plan, 310 CMR 40.020) have been released and an appropriate remedial action has been completed as of December 27, 1991. These actions were determined to adequately protect public health, safety and the environment at the time they were taken. Changes in cleanup technology or in our ability to identify and assess the nature and extent of contamination may require an examination of these sites in the future. At this time, no further action is planned for the sites on this list.

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- ADDRESS - The address that most accurately describes the location of the site.
- RESPONSE CODES - Type of response action taken.

Code	Action Taken
A	Removal of the contamination source (such as drums, tanks or contaminated soil) to a licensed facility.
B	Capping and/or fencing of contaminated area.
C	Groundwater and/or soil treatment, including soil venting, groundwater recirculation, filtration, or aeration.
D	Monitoring (i.e., via groundwater wells).
E	Other (e.g., replacement of a water line, disconnecting improper sewer connections, drainage improvements, and flood protection).
F	Institutional Controls have been placed on the property which limit future development and therefore future exposures to oil or hazardous materials. At this time, all sites for which this action has been taken are listed on the National Priorities List, and are being responded to under the requirements of the Federal Superfund program.

ACTON-BOXBOROUGH REGIONAL SCHOOL COMMITTEE

Conference Room
Junior High School

February 6, 1992
MAR - 3 1992

Members Present: Sally Campbell (7:45 p.m.), Stephen Aronson, Pam Harting-Barrat, Jean Butler, Patrick Cataldo, Harry Hersh, Lees Stuntz, Mary Anne Vogel, Donald Wheeler

Also Present: Robert Kessler, Mac Reid, Bill Ryan, Steve Desy, Fran Leiboff, student representatives: Elaine Fingerman, Emily Hersh, Lisa Napoli, and Colin Brannen, citizens and press.

The meeting was called to order at 7:30 p.m. by Don Wheeler, Vice-Chairperson.

Minutes of January 2, 1992 were approved as written.

Warrant 92-028 in the amount of \$259,240.11, warrant #92-029 in the amount of \$124,189.86, warrant #92-030 in the amount of \$17,893.29, warrant #92-031 in the amount of \$404,192.95, warrant #91-107 in the amount of \$1,963.00, and payroll warrants totaling \$741,866.86 were signed by the chairperson and circulated to other members of the Committee.

PUBLIC PARTICIPATION: None

EDUCATION REPORT: *AMERICA 2000: An Education Strategy*

Arthur Goodall, chairperson of Acton/Acton-Boxborough *AMERICA 2000*, presented an update on the project. He has been struck by the degree of commitment of all the participants. Seventeen to eighteen different entities/organizations (e.g., D.C. Heath, Polaroid, MCET, Erving Public Schools, Tufts, MIT and CASE, school committee members, parents) are involved. The *America 2000* committee has met 15-20 times over the last five weeks. The focus is to involve every aspect of the community in the plan and to explore kinds of integration which will enrich the entire community. Art introduced Kate Camara, chairperson of the Department of Education at Tufts University, who is the Track II Leader of *America 2000*. She said that a Design Team will be created to develop a plan to meet standards set forth by President Bush. It involves a commitment to excellence, lifelong learning and the commitment of industry to help achieve and sustain these goals. If the Design Team is funded, there will be more meetings to develop an action plan. If approved, the final step will be implementation. Kate commented that she is an Acton resident and is excited to see the extent of involvement in this community. Gene Green, Special Assistant to the Secretary of the Department of Education, and Peter Kyle, U.S. Department of Labor, gave brief overviews of their roles in the *America 2000* project. Art Goodall thanked Lees Stuntz for coordinating the local effort. Lees said that Art has been a powerhouse of information and work. Because of the Externship project, he has already established strong working relationships with several local companies, giving us a head start. Even if we don't receive funding for the next step, it has been an worthwhile effort. Art concluded by saying that the proposal must be mailed by February 14, 1992.

SUPERINTENDENT'S RECOMMENDATIONS FOR FEBRUARY

Following the *America 2000* report, it was moved, seconded and unanimously

VOTED: To approve the rationale and strategy for achieving designation as an *America 2000* community.

Bill Higgins commented that he hoped this project was not just fluff, that he felt the lack of discipline and family involvement in today's culture was an important factor to address. Kate Camara replied that a part of the plan deals exclusively with these family issues.

It was moved, seconded and unanimously

VOTED: To award the contract for the Energy Management System Upgrade for the Acton-Boxborough Regional School District to the low bidder, American Energy Management Corporation, 221 Boston Post Rd., Marlboro, MA, at their bid price of \$27,880.00.

Discussion: Jay Silverston, President of Silverston Engineering Company, was present to answer questions. Harry Hersh asked why there was such discrepancy in the bids. Mr. Silverston answered that it was not an unusual spread. American Energy Management can come in low because they have had an earlier system in the building, therefore they know it better, and their overhead will be significantly less than the other bidders. There are no penalty or incentive provisions in the specification packet - motivation will be to get paid, get the system running. The credit worthiness of the company is excellent. This price is guaranteed unless the school system makes any changes in demands. Bill Ryan reviewed the energy project components: Phase 1 = conversion to gas is near completion; Phase 2 = the item just discussed; and Phase 3 = co-generation. Jay Silverston discussed how Phase 3 might be accomplished, proposals on how to bid it, and a summary of the Boston Edison proposal. The advantage to co-generation is that it provides more electricity for the money than Boston Edison. Jay suggested that we select bids from third parties to build a co-generation plant on site and the school will contract to buy its power at a minimum rate. This reduces schools' risk - don't have to buy facility, just the power. Boston Edison has suggested we consider their alternative., i.e. similar to an ENCORE program. They would look at all buildings to assess efficiency and would come in with a proposal to make all proposed changes free of charge in return for buying power from them. Bill recommended that, at this time, we proceed down these two paths (Co-Gen and Edison) to see which would be most beneficial for the school system. There was discussion on the possibility of guaranteeing the rate for the lowest possible amount. Referring to the payback period, Jay said that the original analysis was incorrect (3-4 years) and the correct estimate is 5-6.5 years (co-generation). Steve Aronson asked if we can own the co-generation plant. Jay said we could, but would recommend just buying the power. Bill Weeks asked if the pay-back analysis could be made available to the public and Jay said yes. Bill Ryan said that the purpose of tonight's discussion is to alert the committee to the process, not actual choice. A question was asked about environmental effect of the plant. Jay answered that there are some disadvantages, but that the best technology produces less air pollution than the same number of furnaces. It was the consensus of the committee to proceed with the plan as presented.

[Sally Campbell chaired the meeting from this point on.]

It was moved, seconded and unanimously

ACTON-BOXBOROUGH REGIONAL SCHOOL COMMITTEE

Conference Room
Junior High School

February 6, 1992
MAR - 3 1992

Members Present: Sally Campbell (7:45 p.m.), Stephen Aronson, Pam Harting-Barrat, Jean Butler, Patrick Cataldo, Harry Hersh, Lees Stuntz, Mary Anne Vogel, Donald Wheeler

Also Present: Robert Kessler, Mac Reid, Bill Ryan, Steve Desy, Fran Leiboff, student representatives: Elaine Fingerman, Emily Hersh, Lisa Napoli, and Colin Brannen, citizens and press.

The meeting was called to order at 7:30 p.m. by Don Wheeler, Vice-Chairperson.

Minutes of January 2, 1992 were approved as written.

Warrant 92-028 in the amount of \$259,240.11, warrant #92-029 in the amount of \$124,189.86, warrant #92-030 in the amount of \$17,893.29, warrant #92-031 in the amount of \$404,192.95, warrant #91-107 in the amount of \$1,963.00, and payroll warrants totaling \$741,866.86 were signed by the chairperson and circulated to other members of the Committee.

PUBLIC PARTICIPATION: None

EDUCATION REPORT: *AMERICA 2000: An Education Strategy*

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SUPERINTENDENT'S RECOMMENDATIONS FOR FEBRUARY

Following the *America 2000* report, it was moved, seconded and unanimously

VOTED: To approve the following extra-curricular appointments:
Peggy Hitner - Boys' Gymnastics Coach (volunteer position)
Eileen Flannery - Girls' Track Coach
Mike Senatore - Ass't Girls' Track Coach
Steve Colby - Varsity Boys' Lacrosse Coach
Melinda McClure - Varsity Girls' Lacrosse Coach
Debbie Nyberg - JV Girls' Lacrosse Coach
Emma Catalini - Varsity Girls' Tennis Coach
Debbie Bogdan - JV Girls' Tennis Coach (paid by Boosters)
Roger Meyer - Boys' Tennis Coach
Steve Desy - Varsity Girls' Softball Coach
Dan Dion - JV Girls' Softball Coach
Mike Dow - Boys' Track Coach
Mark Martin - Ass't Boys' Track Coach
Steve F. Donovan - Varsity Boys' Baseball Coach
Dick Bartolomeo - JH Jazz Band Director
Joe Marashio - Peer Leadership/S.A.D.D. Director

It was moved, seconded and unanimously

VOTED: To accept the following donations of computer hardware:
DEC VT102 Terminal and DECWriter III Printer donated by Albert Lowe, valued at \$500 and installed in the JH nurse's office; IBM PC donated by William Baker, valued at \$500 and installed in JH Library; DEC Rainbow PC100A1, DEC Monitor VR201A, DECKeyboard LK201AA donated by Edward Geraci, valued at \$600.

Harry Hersh asked if this equipment would be useful - might maintenance costs outweigh advantages? Dr. Kessler answered that no funds would be put into maintenance. Mac Reid added that Jim Chace was in the process of establishing criteria for evaluation of computer-related gifts. It was suggested that we be cautious in accepting gifts which might introduce a computer virus into the system.

It was moved, seconded and unanimously

VOTED: To accept the gift of two electronic balances and printer from Setra Systems, Inc. of Acton.

It was moved, seconded and unanimously

VOTED: To accept the gift of \$200.00 from the Girls' Volleyball Team to be used to purchase a new set of standards and net.

It was moved, seconded and unanimously

VOTED: To approve Jim Guter's (Director of Music) request to take the Marching Band and Color Guard to New York City on March 17-18 to perform in the St. Patrick's Day Parade and tour the city.

Jim Guter said that we have 60 students participating in our two jazz bands! Both participated in the Boston College Jazz Band Festival. The "A" Band was awarded "Best in the State" and Graham Tower (drummer) was named most outstanding jazz musician. On Monday, March 2, 14 bands will be here for a Jazz Festival. Pat Cataldo complimented Jim on the increased number of participants in the music program since his arrival at A-B.

It was moved, seconded and unanimously

VOTED: To approve the appointment of Beverly Huston to a 16 hour/week position as Apprentice ESL Teacher beginning on January 6, 1992.

It was moved, seconded and unanimously

VOTED: To approve the Community Education Budget of \$690,098.00 (not including Driver Ed.) for 1991-92.

It was moved and seconded and unanimously

VOTED To adopt a four (4) year amortization schedule for the total amount of teachers' salaries (\$715,024) deferred in FY'92 and FY'93, beginning in FY'94 and continuing in 1/4 installments through FY'97

Discussion: Bill Ryan stated that he, the School District and both Acton and Boxborough's Finance Committees had not been in favor of deferral (basically don't approve of deficit spending, unsound fiscally), but that after much discussion, a compromise had been reached by the Coordinating Committee. Bill Weeks asked to comment on the deferral proposal and the amortization schedule. He spoke at length about his recent analysis of its financial impact. Mary Donald, member of the Acton Fin. Comm, recommended the shortest payback time possible (1 yr.). After more debate, Art Harrigan, member of the Acton Fin. Comm., commented that the since the deferral had already been decided, (by the Selectmen), the Committee should vote on the compromise.

It was moved, seconded and unanimously

VOTED: To adopt the modified policy and procedures, "AIDS/Acquired Immune Deficiency Syndrome" as a School Committee policy.

FOR YOUR INFORMATION

Dr. Kessler referred to the recent achievements of the High School Math Team. Steve Desy reported on the status of gas conversion: the Junior High went on line last week; Senior High will be the last to go on line (by March 1, 1992). Bill Ryan said that the Coordinating Committee had agreed to the budget numbers in the School Committee packet. There will be two budget meetings: 1) Informal budget hearing, February 27, and 2) Formal budget hearing, March 25. The Regional Committee will need to vote the assessment budget figures on February 20. Another date will be chosen if the needed quorum cannot be met.

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WARRANT DISCUSSION: None

CONCERNS OF THE BOARD:

Sally invited everyone to the annual Chair Ceremony on April 1 at Nagog Woods. There will be no School Committee meetings on March 26; both Committees will meet on April 2, 1992. Dr. Kessler discussed the High School Principal Recruitment process. The position will be advertised locally and nationally, a screening committee will be set up, and after interviews, a candidate will be recommended to the School Committee at its April 2, 1992 meeting. Steve Donovan, Administrator in charge of the High School, will be an automatic semi-finalist if he decides to apply for the position. The Committee made several recommendations as to qualities/criteria for the position. Steve suggested that curricular strengths be added to the list, and Harry mentioned self esteem. Pam suggested that a philosophy statement be included. Don Wheeler and Sally Campbell will represent the School Committee on the screening committee. Sally will appoint the student representative. Dr. Kessler anticipates that the new principal will take charge by July 1, 1992. He commented that it is good to begin the hiring process now to get the best candidate in place and to enable other positions to be filled. The High School student reps asked when the Committee would vote on Senior Privileges. They will be recommended at the March meeting on a trial basis. Steve Aronson expressed his real concern about the energy pay-back period change (discussed earlier).

NEXT MEETING: Tentative Budget Meeting, February 20, 1992, Room 114, 7:30 p.m. Next regularly scheduled meeting, March 5, 1992, Room 114, Junior High School at 7:30 p.m.

At 10:15 p.m., it was moved, seconded, and unanimously

VOTED: To go into executive session to discuss strategies relative to negotiation issues under Chapter 39, Section 23B, paragraph 3. Each member was polled individually and each voted in the affirmative to go into executive session for the stated purpose.

Mrs. Campbell said the Committee would return to open session only to adjourn.

The meeting was adjourned at 11:45 p.m.

Respectfully submitted,

Sarah T. Lawton, Secretary

ACTON-BOXBOROUGH REGIONAL SCHOOL COMMITTEE

MAR - 3 1992

Conference Room
Junior High School

February 20, 1992

Members Present: Stephen Aronson, Pam Harting-Barrat, Jean Butler, Lees Stuntz, Mary Anne Vogel, Donald Wheeler

Also Present: Bill Ryan, Mac Reid, Fran Leiboff, Steve Desy, Peter Beanland, and citizens.

The meeting was called to order at 7:30 p.m. by Don Wheeler, Vice-Chairperson.

The purpose of the meeting was to vote the Regional School Assessment for FY '93.

Bill Ryan presented the FY'93 budget. He began by making some general comments regarding both school budgets. Currently the total budgets are \$103,875 over the Acton Coordinating Committee guidelines. The proposed budgets will have to be reduced to meet these guidelines. It is likely that the Superintendent's recommendation regarding School Choice for FY'93 will include a sufficient number of new choice students (K-12) to continue to fund those costs which are presently being charged to School Choice revenue and a reallocation of proposed FY '93 expenditures (\$103,875) so that further staff reductions will not be necessary. These budgets will not require a general override in the town of Acton; we do not know if the town of Boxborough will request an override. Both budgets assume level funding of state aid for FY'93. The personnel budgets are based on a 5% increase on the base for all employees, although negotiated settlements have not yet been concluded. If the settlements differ from the above stated assumption, reduction in staff may be necessary to accommodate salary increases. Bill asked the Committee to keep in mind that FY'92 and '93 deferral of teachers' salaries (\$1,361,765) will provide budgeting relief next year but will have to be repaid according to the agreed payment schedule. He added that, more than ever, there is a need for flexibility and tolerance for ambiguity in this budget process, due to additional variables.

The FY'93 Regional School Budget operating budget is up by 6.2%, largely due to increased salaries, health insurance costs, SPED tuition and transportation, and legal services. Bill said that we have received half of our FY'92 payment (total = approximately \$442,416) of School Choice monies and expect the rest in June. Dr. Kessler will make a recommendation regarding Choice at the March School Committee meeting.

Don Wheeler raised some concerns about the increased amount (up 20%) that Boxborough will be asked to pay; they probably will have to ask for an override. Bill said that the reason for the increase was that Boxborough has had a larger increase in student population.

Regarding the expense assumptions, several members of the community expressed concern at the increasingly lower percentage of the budget being spent for textbooks (instructional materials), which they consider to be basic to education. Bill said that the schools have not raised lack of textbooks as a priority and that we have had to go with a bare-bones budget - this is the result. Don Wheeler added that, with a budget in which 77% is salaries, the schools are forced to choose between a teacher or new textbooks. Bill mentioned that we are fortunate to have such a high level school of PTO's funding repairs, new equipment, etc. Lees and Steve Aronson commented that we are really paying to support our class size policy.

Concerning transportation costs, Don questioned the increase in rate/mile. Bill said that we are looking at ways to run our transportation system more efficiently.

Bill mentioned that the Committee needs to look at the Athletic Revolving account; try to reduce it.

Mary Anne Vogel asked Bill to assure her that the Committee would revoke the assessment as soon as possible at a lower number; timing is tight, and Boxborough will have to make override decision. Bill said that after the vote on School Choice at the March 5 meeting, he could be prepared to have new figures for the Committee to consider.

It was moved, seconded and unanimously

VOTED: To approve the administration's recommendation that the total appropriation for the Acton-Boxborough Regional School District for the fiscal year July 1, 1992 through June 30, 1993, be set at \$11,857,374 and that member towns be assessed in accordance with the terms of the Agreement and amendments, thereto as follows: Acton \$7,818,952; Boxborough \$1,610,634; remainder to be accounted for by the Anticipated Regional School Aid, Chapter 71, Section 16D in the amount of \$814,347; Anticipated Aid, Chapter 70, in the amount of \$733,675; Transportation Aid, Chapter 71, Sec. 16C in the amount of \$376,378; Special Education Transportation Aid in the amount of \$46,790; Anticipated Aid, Construction of School Projects in the amount of \$293,598; School Choice Revenue in the amount of \$150,000; Federal Aid, P.L. 81-874 in the amount of \$1,000; and the Revenue from Local Sources in the amount of \$12,000.

Next Meeting: March 5, 1992, 7:30 p.m., Junior High Conference Room

The meeting was adjourned at 8:55 p.m.

Respectfully submitted,

Sarah T. Lawton, Secretary

ACTON-BOXBOROUGH REGIONAL SCHOOL COMMITTEE

Conference Room
Junior High School

February 6, 1992
MAR - 3 1992

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WARRANT DISCUSSION: None

CONCERNS OF THE BOARD:

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Mrs. Campbell said the Committee would return to open session only to adjourn.

The meeting was adjourned at 11:45 p.m.

Respectfully submitted,

Sarah T. Lawton, Secretary

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MAR - 3 1992

February 20, 1992

Conference Room
Junior High School

Members Present: Stephen Aronson, Pam Harting-Barrat, Jean Butler, Lees Stuntz, Mary Anne Vogel, Donald Wheeler

Also Present: Bill Ryan, Mac Reid, Fran Leiboff, Steve Desy, Peter Beanland, and citizens.

The meeting was called to order at 7:30 p.m. by Don Wheeler, Vice-Chairperson.

The purpose of the meeting was to vote the Regional School Assessment for FY '93.

Bill Ryan presented the FY'93 budget. He began by making some general comments regarding both school budgets. Currently the total budgets are \$103,875 over the Acton Coordinating Committee guidelines. The proposed budgets will have to be reduced to meet these guidelines. It is likely that the Superintendent's recommendation regarding School Choice for FY'93 will include a sufficient number of new choice students (K-12) to continue to fund those costs which are presently being charged to School Choice revenue and a reallocation of proposed FY '93 expenditures (\$103,875) so that further staff reductions will not be necessary. These budgets will not require a general override in the town of Acton; we do not know if the town of Boxborough will request an override. Both budgets assume level funding of state aid for FY'93. The personnel budgets are based on a 5% increase on the base for all employees, although negotiated settlements have not yet been concluded. If the settlements differ from the above stated assumption, reduction in staff may be necessary to accommodate salary increases. Bill asked the Committee to keep in mind that FY'92 and '93 deferral of teachers' salaries (\$1,361,765) will provide budgeting relief next year but will have to be repaid according to the agreed payment schedule. He added that, more than ever, there is a need for flexibility and tolerance for ambiguity in this budget process, due to additional variables.

The FY'93 Regional School Budget operating budget is up by 6.2%, largely due to increased salaries, health insurance costs, SPED tuition and transportation, and legal services. Bill said that we have received half of our FY'92 payment (total = approximately \$442,416) of School Choice monies and expect the rest in June. Dr. Kessler will make a recommendation regarding Choice at the March School Committee meeting.

Don Wheeler raised some concerns about the increased amount (up 20%) that Boxborough will be asked to pay; they probably will have to ask for an override. Bill said that the reason for the increase was that Boxborough has had a larger increase in student population.

Regarding the expense assumptions, several members of the community expressed concern at the increasingly lower percentage of the budget being spent for textbooks (instructional materials), which they consider to be basic to education. Bill said that the schools have not raised lack of textbooks as a priority and that we have had to go with a bare-bones budget - this is the result. Don Wheeler added that, with a budget in which 77% is salaries, the schools are forced to choose between a teacher or new textbooks. Bill mentioned that we are fortunate to have such a high level school of PTO's funding repairs, new equipment, etc. Lees and Steve Aronson commented that we are really paying to support our class size policy.

TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION
TOWN MANAGER'S OFFICE

DATE: March 5, 1992

TO: Bill Sparks
FROM: Don P. Johnson, Town Manager
SUBJECT: Medicare Health Coverage

By the time you receive this information you will probably have spoken with Don Nylander and know about its content. I have asked Don to contact representatives of the retirees and extend the Selectmen's invitation to discuss this warrant article proposal with the Board at 8:30PM on March 17. Don took three copies to distribute and asked that I mail your copy.

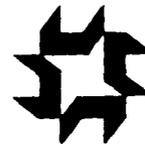
I believe this program goes a long way toward responding to the premium cost concerns that you have expressed to the Selectmen. Unfortunately, the elements of this program were not available until the legislation was enacted. Even now it appears that few people are aware of its existence.

We look forward to talking with you on March 17. Please feel free to call if you have any questions that you wish to pursue prior to the meeting.

cc: Board of Selectmen ✓



Massachusetts Association of School Committees



179 South Street, Boston MA 02111

Telephone: (617)542-3225 Toll Free: 1-800-392-6023

February 21, 1992

Don Johnson, Town Manager
Acton Town Hall
Acton MA 01720

Dear Mr. Johnson,

Enclosed is a copy of the MASC Journal that highlights the MASC/MASS 27th Annual Joint Conference.

Thank you for your participation in the conference. Your contribution is greatly appreciated.

If you would like additional copies of the Journal, please let me know.

Sincerely Yours,

Jenifer Penfield Handy
Publications director

Enc.

CC: BOS -

THE ATTACHED ARTICLE REFERS TO
MY PARTICIPATION IN THE MASC/MASS
1991 JOINT CONFERENCE LAST FALL - FYI

Regional School District Issues

Last year, the committee on regional schools asked their members across the state to prioritize the difficult issues currently facing regional school districts. Robert Hill, Southern Worcester County Regional School Committee member and member of the Committee on Regional Schools, reported that "the number one issue facing our districts, according to the survey, is their relationship to the communities they serve."

Deborah Niswonger, chair of the Hampshire Regional School Committee maintains that "the structure of regional schools just pre-disposes difficulties—we don't fit into our communities very well in terms of

budget and policy decisions—and it's frustrating." Recognizing the fact that the unique structure of a regional school does not lend itself easily to cooperation with town officials, it would be wise, asserted Niswonger, to start building trust, which requires some kind of forum—a communicative process. "It is the process that demands that we communicate amongst ourselves, amongst diverse towns, amongst town officials, and amongst the towns themselves," said Susan Regan of the Mohawk Trail Regional School Committee.

In Regan's district, one such forum of school and town officials is the

Mohawk Municipal Advisory Council. "Basically, it is a place where town and gown from our nine district communities—finance committee members, selectmen, and school committee representatives—get together to talk about their needs. It is a place to air priorities."

One major achievement to emerge from these meetings was the unprecedented passing of an amendment that altered the manner in which school assessments were computed for that year. Through the advisory council's cooperative efforts, the school budget was passed "at a time when nobody really had enough money... and it kept our schools afloat."

Following Mohawk's initiative, Hampshire Regional organized a group of town officials and school committee members. The result? "Budgets passed, as well as three overrides in our five towns," Niswonger explained, "and they did not ask us to cut teacher pay. They're recognizing that the regional school is a valuable portion of everybody's budget—they're paying attention in a surprisingly generous way."

Regan's district tried to find a balance between school budget requests and the town's fiscal capacity. "If we don't find a way to work together, we won't be able to do any work. It's that simple."

continued on page 27

MUNICIPAL COLLABORATION IN PROPOSITION 2½ OVERRIDES

As we all know too well, getting a Proposition 2½ override passed in Massachusetts is no small feat—but it has become a reality in the school districts represented by panelists Bruce Willard, superintendent of the Mohawk Trail Regional Schools; Sylvia Smith of the Mohawk Trail Regional School Committee; Acton Town Manager Don Johnson, and William Ryan, director of Business and Community Education in Acton. Their secrets? Read on...

The Mohawk Trail Regional School District has weathered these tough times with their system still intact—in fact, they have managed to add a few staff positions. Serving nine towns in southern Worcester County, the 43-member school committee has been treated to about ten overrides in the past five years, according to Willard, who explained the three different types of overrides communities could try to pass: School-specific overrides specifically state that funds will go

to a particular school or schools; menu overrides provide voters with a list of possible options so they can choose where the new monies will go, such as a new school building, a cleaner lake, or weekly garbage pick-up; and the combined "all or nothing" override.

"I believe very strongly in the three C's: communications, cooperation, and compromise," announced Willard. The town has developed the Mohawk Municipal Advisory Committee, consisting of representatives who discuss budgetary issues—focusing on getting the budgets passed. Outside this group, school committee members meet periodically with town officials. "It is important to establish meaningful relationships and dialogue with one another before the problems begin."

Concerning communication, Willard stressed that a good relationship with the press is crucial. "Respect their deadlines, return their phone calls, give them the information they need, and they will usually be fair—good press is one of your most valuable assets in any override effort."

"Passing an override involves not only balancing child advocacy, education, and community, but also working at a

continued on page 27

REGIONAL SCHOOLS

Continued from page 19

The spirit of cooperation was also demonstrated through a spirited exercise led by Clarence Snyder, chair of the Committee on Regional Schools. Audience members assumed the roles of school committee member, school administrator, parent, policeman, etc. These people were asked to form a circle, standing shoulder to shoulder. Their task was to move as a unit to a finish line. That being done successfully, they were given a challenge (in the form of a balloon) that they had to keep afloat en route to the finish line. They then re-faced the challenge with half of the group's hands behind their backs. Finally, they had to keep a number of little "challenges" (kids) afloat. Needless to say, the group's progress was increasingly delayed.

Snyder admitted that, though audience members may not choose to use this particular model at their town meeting sessions, it does serve as an example of some of the things that a committee encounters when working with town or city officials. But his point was clear: "Whatever your position in an organization, your efforts to perform a job and to improve that performance directly affect the influence you will have in your organization and affects the organization's overall ability to meet its mission." □

OVERRIDES

continued from page 19

variety of levels among your constituents," observed Smith. In her community, information meetings are conducted for concerned citi-

zenry. Since community support is as important as getting the override referendum on the ballot, these sessions are useful in two ways: the school committee gets feedback from the community, and participants glean knowledge of what it is that stands to be gained—or lost.

Speaking from the vantage point of a suburban school district, was Don Johnson, Acton town manager, who explained what he thought was the crux of the override problem: "There's a national recession. When you add that to loss of confidence on the part of the taxpayers, you get taxpayer revolt—and that's what we are seeing nationwide." While stressing that the state has got its own problems and can't be expected to alleviate all local woes, he advised that local officials "should solve the problems [themselves]—use these times as opportunities to address some of the institutional problems that are inherent in the law and in our local structures."

Three years ago, Acton saw budgetary trouble approaching and immediately embarked upon a communication network with the community. They realized that clear communication was the only way to get necessary overrides passed. "We learned to see the voter as a customer; we needed to give our customers value and we had to educate our customer as to the value being received. After all, the objective is an override and the final control of the override lies in the hands of our voters—our customers.

To facilitate communications in Acton, a coordinating committee was set up that met weekly and



"Municipal Collaboration in Proposition 2½ Overrides" panelists Marion Taylor, Sylvia Smith, Bruce Willard, and David Hawkins

consisted of at least ten assorted school, town, and community representatives. Through consensus of this committee, important and final budgetary assumptions and recommendations were developed. "Reaching a consensus involved detailed discussion, give and take, and friendly debate," noted William Ryan, director of Business and Community Education for the Acton Public Schools. The committee spent much time gathering and comparing relevant data before framing a three-year financial plan—a significant part of which depended on a general override each year. A dynamic plan, it can be readjusted from year to year.

In Acton, two budgets are proposed to the town—one with override funds, one without—the voters are left to decide. Also before election day, Acton negotiated with their teachers an unprecedented no-increase in pay settlement. "That sent a powerful message to the community that the leaders were willing to make sacrifices and not just expect the voters to pick up the slack."

Ryan explained that Acton also has a Community Communications Committee that prepares press releases for the local papers, and runs informational meetings. "So far we have been successful in Acton largely because we are unified." □

Education advocacy
starts with you.

DAY ON THE HILL

Join us at the State House on
Wednesday, May 6.

Share with your legislators your
concerns on the education issues
important to your community.

File
Copy
3/17/92

MARCH 13, 1992

TO: Board of Selectmen
FROM: NORMAN LAKE, Chairman
SUBJECT: SELECTMEN'S REPORT

#####

AGENDA
ROOM 204
7:30 P.M.
MARCH 17, 1992

I. CITIZEN'S CONCERNS

II. PUBLIC HEARINGS & APPOINTMENTS

- 1. 7:35 COMMITTEE INTERVIEW - ALTERNATE BOARD OF ASSESSORS - HAROLD GORDINIER - Enclosed please find Mr. Gordinier's Citizen Resource Sheet and memo from VCC.
- 2. 7:45 ACTON ARBORETUM COMMITTEE
- 3. 7:55 STREET ACCEPTANCE- STATION WAY - Enclosed please find a copy of the Street Acceptance paper work which requires board signature. Please note that a vote changing the name of the Way published as Commuter Drive to Station Way must also occur.
- 4. 8:00 DR. VON BROMBSEN - Riding Arena Discussions - Strawberry Hill Road - Enclosed please find staff comment as well as letters from abutters for Board review.
- 5. 8:30 RETIREES' - The Retirees will be in to discuss the Medicare Health Care Article.

III. CONSENT AGENDA

- 6. MINUTES - Enclosed please find Regular Minutes as well as Executive Session Minutes of February 4 and 18 for Board Action.
- 7. MOHAWK BUS LINES - COMMON CARRIER OPERATING RIGHTS - Enclosed please find a copy of the request to pass through Acton as well as required draft required by the DPU for Board signature.
- 8. AMERICAN LIMO - COMMON CARRIER OPERATING RIGHTS - Enclosed is the prepared permission to allow American to pass through Acton in the operation of carrying fares to Logan Airport as required by DPU, for Board action.

9. SETRA SYSTEMS - Gift of electronic scales - Enclosed please find a gift of electronic scales for use by the Police Department.

IV. SELECTMEN'S CONCERNS

10. Jenks Fund - Enclosed please find a copy of the requests for 1992 for Board assignment. A decision is scheduled for the March 31st. meeting.
11. ACES Letter - Enclosed is the revised letter to Aces for Board review and Chairman's signature.
12. Town Counsel Selection - Enclosed please find two memo's from Selectman Hunter regarding the Legal RFP's for Board review.
13. LEGAL RFP - Enclosed please find the last submission from Kopelman and Page for Board review.

V. TOWN MANAGER'S REPORT

VI. EXECUTIVE SESSION

VII. MEETINGS

VIII. ADDITIONAL INFORMATION

Enclosed please find additional correspondence which is strictly informational and requires no Board action.

IX. FUTURE AGENDAS

To facilitate scheduling for interested parties, the following items are scheduled for discussion on future agendas. This IS NOT a complete agenda.

March 31, 1992 (starts at 8:00 pm)

April 14, 1992

April 28, 1992

May 12, 1992

May 26, 1992

TOWN OF ACTON

INTER-DEPARTMENTAL COMMUNICATION

3/17/92 ①
@ 7.35

Date : Dec 11 91
To : Board of Selectmen
From : Volunteer Coordinating Committee
Subject : Recommendation for Appointment

At its 12-09-91 meeting, the VCC voted to recommend Harold R. Gordinier as an Alternate Member of the Board of Assessors. It should be noted that this was Mr. Gordinier's first choice when he originally filed in March 1990. He was subsequently appointed to the Planning Council and is currently on the Prison Advisory Committee.

We carefully explored with him the time commitment in light of the fact that he is usually out of town for two weeks every two months and will be away from Jan 4-22, 1992. He indicated that he was flexible if he knew in advance and would adjust his schedule. Being retired, he would contribute more time than working people could. He is aware of the mandatory training involved.

TOWN OF ACTON VOLUNTEER APPLICATION

Residents interested in serving on a Town Board, Committee, or Commission are requested to complete this form and forward it to the office of the Town Manager at the Acton Town Hall.

(Please print or type)

Date: 10/17/91

Mr / Mrs Gordinier Harold R.
Ms / Dr Last Name First Name Middle Initial

4 P Hale n ST. 263-2368
Street Address Home Phone Business Phone

Please refer to the other side of this sheet and indicate below, in order of preference, the Board, Committee, or Commission which is of interest to you:

- 1) ~~Assoc.~~ ^{Act.} Bd. of Assessors
- 2) _____
- 3) _____

Have you been a member of a Board, Committee, or Commission previously (either in Acton or elsewhere)? If you have, please list name(s) and dates (approx):

yes - Planning Council, presently
member of Prison Advisory

Do you have any time restrictions? out of town ~ 2 weeks every

How long have you lived in Acton? 23 yrs in Massachusetts? 23 yrs ^{2 MONTHS}

Are you a US citizen? yes

Present occupation and employer (optional - attach resume) Retired from
MIT - Lincoln Lab

Do you or your employer have any current or potential business relationship with the Town of Acton that could create a conflict of interest? NOT EMPLOYED

Education or special training BS, Retired Naval Commander,
Member of Technical Staff at Lincoln Lab.

3/17/92

③

TOWN OF ACTON

INTER-DEPARTMENTAL COMMUNICATION

TO: Don P. Johnson, Town Manager
FROM: Donna Jacobs
SUBJECT: Planning Board's Recommendation
Street Acceptance - Station Way

DATE: 3/11/92

In response to the Selectmen's request for a report of the Planning Board's recommendation for acceptance of a street, the Board voted to issue the requested report at its meeting of March 9, 1992. Attached please find the formal report of the Board's actions which states that the Board has voted to recommend the acceptance of Station Way at the 1992 Annual Town Meeting.

cc: D. Abbt

[195]



PLANNING BOARD • Town of Acton

472 MAIN STREET ACTON, MASSACHUSETTS 01720 TELEPHONE (508) 264-9636

March 9, 1992

Norman D. Lake, Chairman
Acton Board of Selectmen
472 Main Street
Acton, MA 01720

re: Recommendation for Acceptance as a Town Way

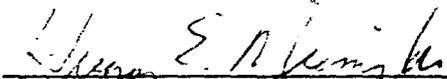
Dear Chairman Lake:

We are in receipt of your request for a report of the Planning Board's recommendation for acceptance of Station Way as a Town way. Please be advised that the Planning Board has taken the following action with respect to this road:

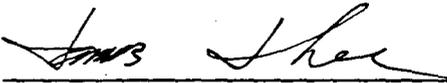
Station Way

Voted on February 24, 1992 to recommend acceptance.

The Planning Board hereby submits this letter as its formal recommendation for acceptance of this road as a Town way at the 1992 Annual Town Meeting in accordance with MGL Ch. 41.



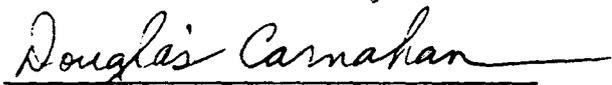
Gregory Njemyski, Chairman



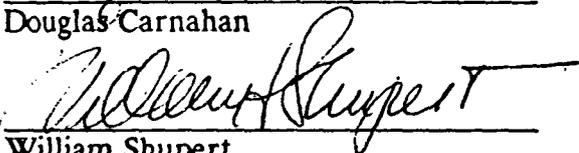
James Lee



Mary Giorgio



Douglas Carnahan



William Shupert

3/17/92
⑨

ACTON TOWN HALL
INTERDEPARTMENTAL COMMUNICATION

DATE: March 13, 1992

TO: Don P. Johnson, Town Manager
FROM: Garry A. Rhodes, Building Commissioner
SUBJECT: Horse Shows at Stoneymeade Farm

The Board of Selectmen, while considering whether or not to sign the modified "Agreement" presented to them by you on Nov. 14, 1991 (see copy attached), wished to clarify issues that pertained to the horse shows at Stoneymeade Farm.

Dore' Hunter requested that staff and neighbors be consulted for their comments. He also questioned if there was a need for "No-Parking" signs on Strawberry Hill Road, and if so, a public hearing be held.

Dr. von Brombsen, the present owner of Stoneymeade Farm, as requested, has supplied me with a parking plan for her horse shows. She indicates on her plan that all parking can be handled on site. At the present time there are two shows scheduled; one on April 11 and the second May 23-24.

I have been made aware of several concerns by neighbors, i.e. noise, traffic, frequency of events, and parking on town roads.

I believe that traffic and parking on town roads can be controlled by a police detail and with event signs. A police detail could assure that all vehicles are parked on site and traffic could be directed at the intersections of Pope and Strawberry Hill Roads if it became necessary. The Board of Selectmen can allow event signs within a public way. With proper signs placed along Pope and Strawberry Hill Roads, vehicles will know where to park.

Noise level, while it is possible to monitor to a degree, is more difficult to determine its acceptable level. DEQE, in 1990, issued a policy that states, "if the source increases the broadband sound level by more than 10 dB(A) above ambient...", it is violating the noise regulations (see enclosed). While this does not apply directly in this case, it is possible to use this as a standard. I should point out that I am not an expert in noise control. Only by monitoring the show and dB(A) levels can an acceptable level be established, but this is a start.

The Board will have to determine what is an acceptable frequency of events. It should be noted that if the noise and traffic are controlled, the frequency may not be such a big issue.

I should add that access to the show is across abutting property. I have assumed that Dr. von Brombsen has all necessary approvals. Dr. von Brombsen should show the Board that she has acquired permission from the abutting property owners.

I have discussed with Acheson Callaghan (Town Counsel) what type of agreement would be possible between the Town and Dr. von Brombsen. We have discussed whether an entertainment license is appropriate or an agreement recorded with the property. I have not received an answer at this time, but will follow-up before the meeting.



The Commonwealth of Massachusetts
Executive Office of Environmental Affairs
Department of Environmental Quality Engineering
Division of Air Quality Control
One Winter Street, Boston 02108

February 1, 1990

DAQC Policy 90-001

DIVISION OF AIR QUALITY CONTROL POLICY

This policy is adopted by the Division of Air Quality Control. The Department's existing guideline for enforcing its noise regulation (310 CMR 7.10) is being reaffirmed.

P O L I C Y

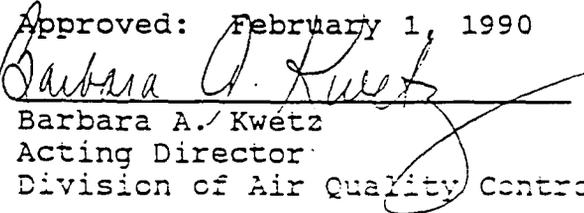
A source of sound will be considered to be violating the Department's noise regulation (310 CMR 7.10) if the source:

1. Increases the broadband sound level by more than 10 dB(A) above ambient, or
2. Produces a "pure tone" condition - when any octave band center frequency sound pressure level exceeds the two adjacent center frequency sound pressure levels by 3 decibels or more.

These criteria are measured both at the property line and at the nearest inhabited residence. Ambient is defined as the background A-weighted sound level that is exceeded 90% of the time measured during equipment operating hours. The ambient may also be established by other means with the consent of the Department.

Approved: February 1, 1990

Effective: Immediately


Barbara A. Kwetz
Acting Director
Division of Air Quality Control

7.09: U Dust, Odor, Construction, and Demolition

(1) No person having control of any dust or odor generating operations such as, but not limited to asphalt batching plants, asphalt roofing materials manufacturing plants, asphalt blowing plants, foundries, chemical products manufacturing plants, incinerators, fuel utilization facilities, petroleum products manufacturing plants, aggregate manufacturing plants, food preparation or processing facilities, wood products plants, dry cleaning establishments, paint and varnish manufacturing plants, paper manufacturing plants, leather manufacturing plants, concrete batching plants, metal coating and treating plants, land clearing operations, construction work, dump operations, agricultural operations and street sweeping shall permit emissions therefrom which cause or contribute to a condition of air pollution.

(2) No person responsible for any construction or demolition of an industrial, commercial, or institutional building or residential building with twenty or more dwelling units, shall cause, suffer, allow, or permit emissions therefrom which cause or contribute to a condition of air pollution. Said person shall notify the Department in writing twenty days prior to the initiation of said construction or demolition operation. The twenty day advance notice period will be waived in the event of emergency demolition necessary to prevent a public health or safety hazard.

(3) No person responsible for an area where construction or demolition has taken place shall cause, suffer, allow, or permit particulate emissions therefrom to cause or contribute to a condition of air pollution by failure to seed, pave, cover, wet, or otherwise treat said area to prevent excessive emissions of particulate matter.

(4) No person shall cause, suffer, allow, or permit the handling, transportation, or storage of any material in a manner that results or may result in emissions therefrom which cause or contribute to a condition of air pollution.

(5) No persons responsible for any construction or demolition of a structure that contains friable asbestos material shall fail to comply with 310 CMR 7.09(2) and 310 CMR 7.02. (National Emission Standards for Hazardous Pollutants);

(6) No person shall cause, suffer, allow, or permit the operation of mechanized street sweeping equipment that is not equipped with a suitable dust collection or dust suppression system which is maintained in good operating condition and is operated continuously while the street sweeping equipment is in use to prevent conditions of air pollution.

(7) 310 CMR 7.09(1) through 7.09(4) and 7.09(6) are subject to the enforcement provisions specified in 310 CMR 7.52.

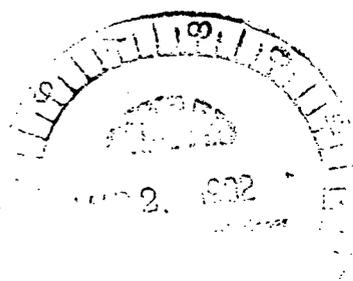
7.10: U Noise

(1) No person owning, leasing, or controlling a source of sound shall willfully, negligently, or through failure to provide necessary equipment, service, or maintenance or to take necessary precautions cause, suffer, allow, or permit unnecessary emissions from said source of sound that may cause noise.

(2) 310 CMR 7.10(1) shall pertain to, but shall not be limited to, prolonged unattended sounding of burglar alarms, construction and demolition equipment which characteristically emit sound but which may be fitted and accommodated with equipment such as enclosures to suppress sound or may be operated in a manner so as to suppress sound, suppressable and preventable industrial and commercial sources of sound, and other man-made sounds that cause noise.

(3) 310 CMR 7.10(1) shall not apply to sounds emitted during and associated with:

(a) parades, public gatherings, or sporting events, for which permits have been issued provided that said parades, public gatherings, or sporting events in one city or town do not cause noise in another city or town;



F. VON BROEMSEN, Ph.D., Psy.D.
CLINICAL AND CONSULTING PSYCHOLOGIST

51 BRATTLE STREET, SUITE 22
CAMBRIDGE, MASSACHUSETTS 02138
(617) 868-7249

22 WITHERELL DRIVE
SUDBURY, MASSACHUSETTS 01776
(617) 443-2348

2/19/92

Mr Gary Rhodes, Commissioner
Building Department
Town Hall
Acton, MA 01720

RECEIVED
FEB 21 1992
ACTON BUILDING INSPECTOR

Dear Mr Rhodes:

Here attached is my proposed traffic/parking management plan for the Spring Events at Stonymead. The wide orange bands on the plot plan show the parking areas, while the $\frac{1}{4}$ " bands along Strawberry Hill Rd, and across the fields but parallel to the road show the two bridle paths to be used by horses + people from the parking areas to the arenas. The $\frac{1}{4}$ " orange band going down towards the bottom follows a disused paved driveway + can be used for cars, parallel parked. Plot Plan scale 1" = 100'

As you can see, the trailers can be parked at 90° to the driveway. There is room for 35 trailers - (2 horse) + truck-units in the upper band + another 15 in the lower. In both cases the land is level + well drained and right off the driveway. In the lower band, there is a driveway on both side of the parking flat so access is easy + safe + the driveways can stay clear for moving traffic. We have a tractor + a 1-ton truck on hand, in case anyone gets stuck.

Please note that we are limiting all our Spring Events to 50 participants, so the amount of traffic is limited + the parking ample. The May 23-24 Clinic should not draw more than 20 people.

For your information (and to show off, since I am very pleased

ORIGINAL

11/19/91-10

~~TOWN OF ACTON~~

INTERDEPARTMENTAL COMMUNICATION

TOWN MANAGER'S OFFICE

DATE: Nov. 14, 1991

TO: Board of Selectmen

FROM: Don P. Johnson, Town Manager

SUBJECT: Stoneymeade Clarifying Agreement

Attached is the agreement that we negotiated almost a year ago, clarifying some of the "gray" areas of the Selectmen's original agreement with Mark Gallagher. You may recall that this derives from Garry Rhodes presentation to the Board last winter.

There have apparently been some holdouts that have delayed delivery of this document for final approval by the Selectmen. As a consequence, it comes to you for signature after we detected the definitional question related to "agriculture". In reviewing this document before presenting it for your approval, I note that we have incorporated the statutory definition of "agricultural use" into the agreement. This seemed prudent at the time; however, the horse arena question that has subsequently arisen causes me some concern.

I see several questions and issues at this time and will be seeking your thoughts/direction at your meeting on November 19.

My thoughts include:

1. If the Board is concerned about issues of parking, etc. that have previously been discussed, signing this document may take those issues off the table and allow these functions by right ... without control or input from the Board.
2. If the Board does not sign this agreement then we will need to spend a great deal of time trying to work out other terminology. Such negotiations could well result in a reversion to the original agreement. This would leave us with an ambiguous document that would probably require court action to enforce if the Town ever needed to exercise its rights.
3. The Board might negotiate with Dr. von Broembsen and, in return for approval of this document, obtain a limiting agreement related to any concerns you may have.

cc: Garry Rhodes

A handwritten signature in black ink, appearing to be 'Garry Rhodes', written in a cursive style.

DPJ:174

AGREEMENT (currently being sign)

Reference is made to a certain agreement by and between Stoneymeade Development Corporation and the Town of Acton by its Board of Selectmen undated and recorded in the Middlesex South Registry of Deeds in Book 18573, Page 60 ("Agreement").

The undersigned, the owners of the affected lots for themselves and their successors in interest, for the purpose of amending the Agreement and resolving various ambiguities therein, hereby agree as follows:

1. The plan entitled, "Plan of Land in Acton, Mass. Prepared for Applicant Stoneymeade Development Corporation," dated February 19, 1991, ("Plan") delineates the perimeter of land subject to the agricultural restriction. The areas which were and are excepted from the agricultural restriction, are as follows:

- a. Lot 4B, Parcel 1
- b. Lot 5A
- c. Lot 6A
- d. Lot 7A
- e. Lot A, Parcel 2
- f. The Building envelope on Lot 8C
- g. The Building envelope on Lot 10A
- h. Lot 11
- i. Lot 12

Lots 5A, 6A, 7A shown on the Plan are subject to the "200' No-Build Restriction" as set forth in the Agreement and delineated on the Plan.

2. Lot 9, shown on said Plan, was exempted from the Agreement by a Certificate of Exemption executed by the Acton Board of Selectmen dated July 11, 1989, and recorded in said Deeds in Book 19942, Page 152.

3. The Cooperative Bank of Concord, the present owner of Lot 9, agrees that the portion of Lot 9 shown on the Plan as "200' No-build Restriction" shall be subject to Restriction No. 1 of the Agreement.

4. Eugene T. Carver, III, as he is Trustee of Icicle Realty Trust No. 3 u/d/t dated August 10, 1990 recorded in the Middlesex South Registry of Deeds in Book 20711, Page 540, Owner of Lot 4B agrees that Lot 4B, Parcel 1 shall be subject to the Agricultural Restriction; and the Town of Acton agrees that the Building Envelope on Lot 4B, Parcel 2 shall be exempt from the Agricultural Restriction.

5. "Agricultural Restriction" as used herein shall mean, and the parties agree, that such land subject to the Agricultural Restriction may only be used as described in General Laws c. 61A, Section 1 and Section 2 and together with the following: drive-ways, underground utilities, subsurface sewerage disposal systems, and buildings associated with and accessory to the agricultural and particular uses described in said Sections 1 and 2 of General Laws c. 61A.

6. In all other respects the Agreement shall remain in full force and effect.

WITNESS our hands and seals this day of February 1991.

Town of Acton
Board of Selectmen

by: _____
hereunto duly authorized

Stoneymeade Development
Corporation

by: Mark M. Gallagher
Mark M. Gallagher,
President & Treasurer
hereunto duly authorized
Owner of Lot 11

Eugene T. Carver III Trustee
Eugene T. Carver III, Trustee
of Icicle Realty Trust No. 2
u/d/t dated August 10, 1990
recorded in the Middlesex South
Registry of Deeds in Book
20711, Page 535
Owner of a part of Lot 8C

Eugene T. Carver III Trustee
Eugene T. Carver III, Trustee
of Icicle Realty Trust No. 3
u/d/t dated August 10, 1990
recorded in the Middlesex
South Registry of Deeds in
Book 20711, Page 540
Owner of Lot 4B and a part of
Lot 8C

The Cooperative Bank of Concord
by: David E. Bradbury
David E. Bradbury
Chief Executive Officer
Owner of Lot 9

F. von Broembsen
F. von Broembsen
Owner of Lot 10A

The undersigned, being Mortgagees of record, hereby assent:

The Cooperative Bank of Concord
by: David E. Bradbury
David E. Bradbury
Chief Executive Officer

Seymour A. DiMare
Seymour A. DiMare
Paula Hatfield DiMare
Paula Hatfield DiMare

George W. ...

George W. ...

Owner of Lot A

Owner of Lot 12

Deborah G. Watt

Deborah G. Watt

Owner of Lot 5A

COMMONWEALTH OF MASSACHUSETTS

Middlesex ss.

February , 1991

Then personally appeared the above named
representing the Town of Acton and acknowledged the foregoing
instrument to be the free act and deed of The Town of Acton,
before me

Notary Public

My commission expires:

COMMONWEALTH OF MASSACHUSETTS

Middlesex ss.

February 21 , 1991

Then personally appeared the above named Mark M. Gallagher
and acknowledged the foregoing instrument to be the free act and
deed of Stoneymeade Development Corporation, before me

Charles A. ...

Notary Public

My commission expires: 7/19/96

COMMONWEALTH OF MASSACHUSETTS

Middlesex ss.

February 21, 1991

Then personally appeared the above named David E. Bradbury, Chief Executive Officer and acknowledged the foregoing instrument to be the free act and deed of The Cooperative Bank of Concord, before me

Lisa Bergman
Notary Public
My commission expires 5/22/92

My commission expires:

COMMONWEALTH OF MASSACHUSETTS

Middlesex ss.

February 21, 1991

Then personally appeared the above named Eugene T. Carver III, Trustee as aforesaid of Icicle Realty Trust No. 2 and acknowledged the foregoing instrument to be his free act and deed, before me

Henry D. Stevens
Notary Public

My commission expires: 3/22/97

COMMONWEALTH OF MASSACHUSETTS

Middlesex ss.

February 21, 1991

Then personally appeared the above named Eugene T. Carver III, Trustee as aforesaid of Icicle Realty Trust No. 3 and acknowledged the foregoing instrument to be his free act and deed, before me

Henry D. Stevens
Notary Public

My commission expires: 3/22/97

COMMONWEALTH OF MASSACHUSETTS

Middlesex ss.

February 21, 1991

Then personally appeared the above named F. von Broembsen and acknowledged the foregoing instrument to be her free act and deed, before me

Henry P. Stevens
Notary Public

My commission expires: 3/28/97

COMMONWEALTH OF MASSACHUSETTS

Middlesex ss.

February , 1991

Then personally appeared the above named and acknowledged the foregoing instrument to be his free act and deed, before me

Notary Public

My commission expires:

COMMONWEALTH OF MASSACHUSETTS

Middlesex ss.

February 20, 1991

Then personally appeared the above named ^{George Lewis Hawkins} ~~Arthur D. Hawkins~~ and acknowledged the foregoing instrument to be his free act and deed, before me

Henry P. Stevens
Notary Public

My commission expires: 3/22/97

COMMONWEALTH OF MASSACHUSETTS

Middlesex ss.

February 23, 1991

Then personally appeared the above named Richard J. White and acknowledged the foregoing instrument to be his free act and deed, before me

James P. Stevens
Notary Public

My commission expires: 5/22/97

COMMONWEALTH OF MASSACHUSETTS

Middlesex ss.

February 27, 1991

Then personally appeared the above named Seymour A. DiMare and Paula Hatfield DiMare and acknowledged the foregoing instrument to be their free act and deed, before me

James P. Stevens
Notary Public

My commission expires: 5/22/97

CC: BOS

attach with Gary's
Comments.

EL
3-11-92

3/17/92 (4)

4 Simon Haggood Lane

Acton, Ma. 01720

March 10, 1992

Dear Mr. Johnson:

I wanted to express my concern regarding horse shows at the Stoneymeade Farm at 135 Strawberry Hill Road.

Last summer when these events were held, the traffic on Strawberry Hill Road was very heavy. Cars were parked on Strawberry Hill Road itself, making it difficult if an emergency vehicle would have had to get by. The music from the loud speakers carried up to our street and disrupted quiet weekend afternoons.

I feel these issues can be successfully addressed with adequate off street parking, policemen to direct traffic, and a limit on noise from the loud speakers. I urge you and the selectmen to address these concerns and appreciate the attention you are giving the matter.

Sincerely,

Grace H. Wyss

Grace H. Wyss

4 Simon Haggood Lane

Acton, Ma.

March 11, 1992

To: The Selectmen, Town of Acton

Re: Stoneymeade Horse Shows

From: Barbara Sims, 2 Simon Hapgood Lane

3/17/92

(4)

Last summer there were two Sunday horse shows at Stoneymeade and, as an immediate neighbor, I can only say that they were very unpleasant experiences.

It seems to me there are two serious issues to be addressed.

First, traffic and safety: As you know, Strawberry Hill Road is very narrow and winding with poor sight lines in several areas. On both of the previous occasions, traffic was backed up for half a mile or more in either direction. Once the entrance to Simon Hapgood was totally blocked for about half an hour. Larger vehicles, such as horse trailers, often have difficulty making the turn into the field where parking is proposed. Cars coming from the Concord end of Strawberry Hill are suddenly confronted with a road block. The intersection at Pope and Strawberry Hill is dangerous at any time. The sight lines there in both directions are very limited.

The second issue is noise, again based on prior experience. Music began at 8:00 Sunday morning. The music plus announcer continued until noon. It was so loud that even with doors and windows closed (and this was summer!) I could not make a phone call. When it all began again about 1:00, I went to the police station. They knew nothing about the event. Apparently no permit had been requested. The loudspeakers continued to blare until late afternoon.

I hasten to say that I am very fond of farms and horses. However, this type of event is more like having a carnival or the car auction with music in the front yard. The thought that this would happen once a month appalls me.

If this is to be a reality, I do suggest that several things be done to control the situation.

There must be one policeman directing traffic at Strawberry Hill and Pope and another on Strawberry Hill and the turn-in to the field.

There has to be some kind of noise control. The level must be low enough so that neighbors can talk, read, or entertain friends. This was impossible during last year's events, and I consider that a real invasion of privacy.

Thank you for your attention.

Barbara Sims

3/17/92
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TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION
TOWN MANAGER'S OFFICE

DATE: March 2, 1992

TO: Anne Fanton, Selectman
FROM: Don P. Johnson, Town Manager
SUBJECT: Retirees' Health Insurance Warrant Article

I have reviewed your questions regarding the subject article and offer the following as a partial response:

- 1) Attached is a copy of the only version of the law that we have been able to find. You will note that it requires acceptance at Town Meeting (or via a ballot question) for Town employees and acceptance by the Regional School Committee for Regional employees. We are informed that the Schools are currently requiring their eligible retirees to move to the Medicare program. Presumably, this requirement applies to the Region only, since the legislation has not been accepted for the Local School employees.

- 2) Section 18 requires that "... benefits under said plan and medicare part A and B together shall be of comparable actuarial value to those under the retiree's existing coverage." We are cautioned that the "actuarial" aspect should be read carefully. This may not mean that the benefits must be the same. In any event, we are charged with providing a degree of equity in such a transition.

- 3) The governmental unit is also charged with paying any medicare part B premium penalty assessed by the federal government. (These might be significant initially but they would taper off to zero over time. My guess is that they would average about \$30/mo. per applicable retiree, initially.) There is no indication regarding the responsibility for the medicare part B premiums themselves. (Again, these are in the vicinity of \$30/mo.)

- 4) We are seeking a comparative analysis from Blue Cross for their Medex Supplement (combined with parts A and B) vs. Master Health Plus. I hope to receive it in time to provide an evaluation during the Selectmen's meeting on March 3.

- 5) This article should provide comparable benefits for the eligible retiree's at cost savings to both the retiree and the Town. Using the attached memo from John Murray, you will note that the full monthly premium for a single retiree's B/C, B/S Master Health Plus plan is currently \$299. The Town pays 50%, or \$150 and the retiree pays the other 50%. Comparing this to the Medex program, I would expect something like the following:

TOWN'S COST

Medex/2 = \$106/2 = \$53 per mo.	53
Plan B premium penalty per mo.	<u>30</u>
	83/mo

(Responsibility for cost for Plan B premium not defined.)

RETIREE' COST

Medex/2 = \$106/2 = \$53 per mo.	53
Plan B premium cost per mo.	<u>30</u>
	83/mo

- 6) As you can see from the above, I would expect the cost savings to both the Retiree and the Town to be in the vicinity of \$67 each, per month, and the retiree would presumably have comparable insurance coverage. For the sake of argument, this cost savings to the retiree would be comparable to increasing the Town's contribution to the Master Health Plus premium from the current 50% to 72%.
- 7) I am unable to predict the total value to the Town because we have no record of Medicare eligibility for any of our employees or the retirees.

Hopefully, the above information will provide some further insight into the proposed article. We are researching this matter further through Town Counsel and will provide any information we develop there.

I realize that you may be somewhat uncomfortable with this article at the moment. If you and the Board are sufficiently uncomfortable you might wish to pull it at this time. My recommendation, at a minimum, would be to retain it without a printed Board position to see if we can develop sufficient information to ease your concerns by Town Meeting.

cc: Board of Selectmen

DPJ:258

INTERDEPARTMENTAL COMMUNICATION

TOWN MANAGER'S OFFICE

DATE: 2/27/92

TO: ANNE FANTON

FROM: JOHN MURRAY 

SUBJECT: Article of Retiree's Health Care

Attached are copies of the "Town" plans for medical coverage (Master Health Plus and Harvard). Also attached are the Town's medicare extension plans (Medex 3 and Plan 65). The monthly premium for the programs are as follows:

HARVARD	7/1/91 - 7/1/92	199.46
HARVARD'S PLAN 65	(1/1/92-12/31/92)	97.00
MASTER HEALTH PLUS	(7/1/91-7/1/92)	299.00
MEDEX	(7/1/91 - 7/1/92)	106.92

Blue Cross - Blue Shield will prepare an analysis of Medex 3 vs Master Health Plus, by benefit for us. I will forward it to you as soon as possible.

cc: Board of Selectmen

Medicare-Medigap eligibility a vital asset of retirement

Inside Insurance

BENJAMIN LIPSON

P

ROBABLY NO SUBJECT IS AS CONFUSING TO READERS AS THEIR eligibility for Medicare insurance and its private-sector supplement, Medigap coverage. We've tried to explain it over the years, but because of changes in the rates and the age and work status of those involved, questions continue to come in.

To help readers, either those already on the plan or those just "coming of age" in the Medicare era, here is a brief discussion of how it works. We focus on Blue Cross-Blue Shield supplemental

coverage mainly because it's generally the company of choice. So here's the rundown:

- People who retire at age 65 who have contributed to Social Security (or whose spouse who is 65 or older and has contributed) are eligible for premium-free Medicare Part A. The government also offers optional Medicare Part B, with its broader benefits, at a current cost of \$31.80 per month. Retirees who enroll in both parts of Medicare at age 65 are eligible for Blue Cross-Blue Shield Medex coverage (that's the name of the Blue Cross Medigap plan) if they are Massachusetts residents and are not eligible for any employer's group coverage.

- People who are Blue Cross-Blue Shield members at age 65 (group or nongroup) are converted to Medex.

- People who are not Blue Cross-Blue Shield members at age 65 must apply for Medex within five months after the month of their 65th birthday.

- Retirees who do not enroll in Medicare Part B at age 65 must wait until a Medicare open enrollment to apply (held yearly during January, February and March).

Medicare Part B then becomes effective July 1 with a 10 percent premium surcharge for each year a person could have, but did not, previously enroll. These people have 90 days from the Medicare Part B effective date to apply for Medex.

- Retirees enrolled in both parts of Medicare who do not enroll in Me-

dex within five months of their 65th birthday, or retirees who are late Part B enrollees who do not enroll in Medex within 90 days of their Part B effective date, must wait until the next Medex open enrollment, held yearly during February and March. Effective date is June 1.

- The Medicare open enrollment period and effective date are mandated by the federal government; the Medex open enrollment period and effective date are mandated by the state.

SECTION 120 Section 3A of chapter 32B, as appearing in the 1990 Official Edition, is hereby amended by striking the first sentence and inserting in place thereof the following two sentences: — A city, town, county, except Worcester County, or other subdivision of the commonwealth, when providing hospital, surgical, medical, dental and other health care coverage as authorized by this chapter, and subject to the adequacy of a claims trust fund as hereinafter described, may, in lieu of or in addition to entering into the insurance policies, agreements, or contracts described in this chapter, enter into an administrative services or other contract with one or more insurance companies, nonprofit hospital, medical or dental service corporations organized under chapter one hundred and seventy-six A, chapter one hundred and seventy-six B, or chapter one hundred and seventy-six E, or with one or more health care organizations, or with one or more third-party administrators or other entities to organize, arrange, or provide for the delivery or payment of health care coverage or services, whereby the funds for the payment of claims of eligible persons, including appropriate service charges of the insurance carrier, third party administrator or other intermediary, shall be furnished by the respective subdivision from the claims trust fund for the payment by such intermediary to the health care vendors or persons entitled to such payment in accordance with the terms and provisions of said contract. Subject to the adequacy of a claims trust fund, as hereinafter described, a city, town, county, except Worcester county, or other sudivision of the commonwealth may itself provide all or a portion of the administrative services authorized by this section without contracting with an insurance company, ~~health care organization,~~ third party administrator or other intermediary for such services.

SECTION 121 Section 11C of said chapter 32B, as so appearing, is hereby amended by inserting at the end thereof the following clause: —

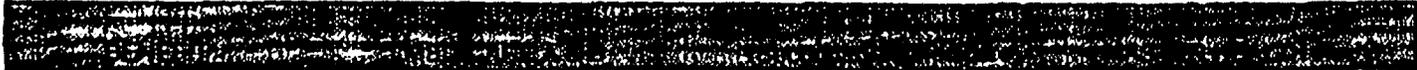
(e) The medicare extension coverage permitted by this section shall be ~~available on a~~ mandatory, rather than optional, ~~basis~~ for any governmental unit that accepts section eighteen.

SECTION 22Z Said chapter 32B, as so appearing, is hereby further amended by adding the following section:

Section 18 In a governmental unit which has accepted the provisions of section ten and which accepts the provisions of this section, all retirees, their spouses and dependents insured or eligible to be insured under this chapter, if enrolled in medicare part A at no cost to the retiree, spouse or dependents or eligible for coverage thereunder at no cost to the retiree, spouse or dependents, shall be required to transfer to a medicare extension plan offered by the governmental unit under section eleven C or section sixteen; provided, that benefits under said plan and medicare part A and part B together shall be of comparable actuarial value to those under the retiree's existing coverage. Each retiree shall provide the governmental unit, in such form as the governmental unit shall prescribe, such information as is necessary to transfer to a medicare extension plan. If a retiree does not submit the information required, he shall no longer be eligible for his existing health coverage. The governmental unit may from time to time request from any retiree, a retiree's spouse and their dependents, proof certified by the federal government of their eligibility or ineligibility for medicare part A and part B coverage. The governmental unit shall pay any medicare part B premium penalty assessed by the federal government on said retirees, spouses and dependents as a result of enrollment in medicare part B at the time of transfer into the medicare health benefits supplement plan.

This section shall take effect in a county, except Worcester county, city, town or district upon its acceptance in the following manner: — In a county by vote of the county commissioners; in a city having a Plan D or Plan E charter by a majority vote of its city council; in any other city by vote of its city council, approved by the mayor; in a district, except as hereinafter provided, by vote of the registered voters of the district at a district meeting; in a regional school district by vote of the regional district school committee; and in a town either by vote of the town at a town meeting or, by a majority of affirmative votes cast in answer to the following question which shall be printed upon the official ballot to be used at an election of said town: — "Shall the town require that all retirees, their spouses and dependents who are enrolled in Medicare Part A at no cost to a retiree, their spouse or dependents, or eligible for coverage thereunder at no cost to a retiree, their spouse or dependents, be required to enroll in a medicare health benefits supplement plan offered by the town?"

Benefit Comparison



INPATIENT

Deductible	Medicare Part A - \$652 Medicare Part B - \$100	\$50 per member per calendar year.	None
Lifetime Maximum	None/190 days lifetime max.		None
General Hospital— Inpatient (semi-private room and board and special services)	Full semi-private charges for 60 days AFTER the Medicare Inpatient deductible per benefit period; then full semi-private charges LESS the Medicare daily co-insurance amount from the 61st-90th day then 60 lifetime reserve days	Full coverage up to 365 days per benefit period.	FULL COVERAGE
Inpatient Physician Services	80% of Medicare allowed charges AFTER subtracting the Medicare calendar year deductible.	Full coverage for surgery, medical care, anesthesia and necessary consultations based on usual & customary charges for covered services provided by Massachusetts participating physicians, but limited to 365 days per benefit period.	FULL COVERAGE (based on a usual and customary charge)

Benefit Comparison

OUTPATIENT

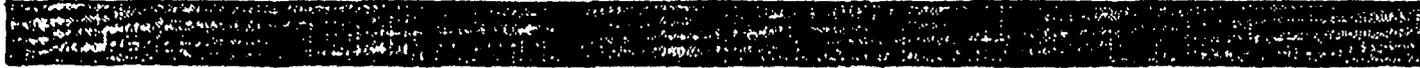
Facility Charges

Initial Emergency Care	80% of Medicare allowed charges AFTER subtracting the Medicare calendar year deductible.	FULL COVERAGE	FULL COVERAGE
Surgery	80% of Medicare allowed charges AFTER subtracting the Medicare calendar year deductible.	FULL COVERAGE	FULL COVERAGE
Radiation and Chemotherapy	80% of Medicare allowed charges AFTER subtracting the Medicare calendar year deductible.	FULL COVERAGE	FULL COVERAGE
Diagnostic X-ray	80% of Medicare allowed charges AFTER subtracting the Medicare calendar year deductible.	FULL COVERAGE	FULL COVERAGE

Benefit Comparison

Clinical Laboratory Services	Full cost of service		FULL COVERAGE
Hemodialysis	80% of Medicare allowed charges AFTER subtracting the Medicare calendar year deductible.	FULL COVERAGE	FULL COVERAGE
Physical Therapy	80% of Medicare allowed charges AFTER subtracting the Medicare calendar year deductible.	No benefits unless follow-up care within 100 days of a hospital stay of 3 or more days (except for mental disorders)	FULL COVERAGE
Medical Care	80% of Medicare allowed charges AFTER subtracting the Medicare calendar year deductible.	No benefits unless follow-up care within 100 days of a hospital stay of 3 or more days (except for mental disorders)	After a \$25 co-pay FULL COVERAGE

Benefit Comparison



PHYSICIAN CARE

Surgery	80% of Medicare allowed charges AFTER subtracting the Medicare calendar year deductible.	FULL COVERAGE	FULL COVERAGE for covered surgeries
Medical Care	80% of Medicare allowed charges AFTER subtracting the Medicare calendar year deductible.	No benefits unless follow-up care within 100 days of a hospital stay of 3 or more days (excluding mental disorders)	After a \$5 co-pay FULL COVERAGE
Chiropractor— Medical Care	80% of Medicare allowed charges ON APPROVED TREATMENT ONLY, after Medicare calendar year deductible	FULL COVERAGE for Medicare approved by a BC/BS participating provider	After a \$5 co-pay FULL COVERAGE
Well child care	N/A	N/A	After a \$5 co-pay FULL COVERAGE Schedule: -7 visits 1st year -3 visits 2nd year -1 visit a year ages 2-11
Adult Routine Physicals	NOT A COVERED SERVICE	NOT A COVERED SERVICE	NOT A COVERED SERVICE

Benefit Comparison

Visiting Nur. Assoc. Co-ord. Home Health	Medicare pays the full approved cost of all covered home health visits	NOT A COVERED SERVICE	FULL COVERAGE
Durable Medical Equipment	80% of Medicare allowed charges AFTER subtracting the Medicare calendar year deductible.	NOT A COVERED SERVICE	80% of reasonable charge
Ambulance	80% of Medicare allowed charges AFTER subtracting the Medicare calendar year deductible.	Up to \$15 of the amount applied toward the \$100 Medicare Part B calendar year deductible and/or 20% coinsurance.	80% COVERAGE up to 100 miles
Skilled Nursing Facility	*with participating facilities only* Full semi-private charges for the first 20 days then semi-private charges less the Medicare co-insurance from the 21st through 100th day.	Medicare co-insurance covered from 21st through 100th day. Then \$10 per day	FULL COVERAGE
Prescription Drugs	NOT A COVERED SERVICE	\$50 calendar year deductible 100% generic 80% brand name	\$5 co-pay for generic \$10 co-pay for brand name (excludes birth control pills). Mail service prescriptions \$5 up to 90-day supply.

Benefit Comparison

Psychiatric Benefits

Inpatient-General Hospital (semi-private room and board and services)	Full semi-private charges for 80 days AFTER the Medicare inpatient deductible per benefit period; then full semi-private charges LESS the Medicare daily co-insurance amount from the 61st through 90th day. 190 days lifetime maximum.	FULL COVERAGE	FULL COVERAGE
Co-operating mental hospital for treatment of mental conditions	190 Days lifetime maximum in a participating mental hospital. * call social security for special rules	Limited to 120 days per benefit period less any days covered by Medicare.	FULL COVERAGE 60 days per calendar year in a participating co-operating mental hospital
Outpatient Psychiatric Benefits	80% of Medicare allowed charges AFTER subtracting the Medicare calendar year deductible.	\$100 Medicare Deductible and balance of Medicare allowed charge up to \$500 per calendar year.	FULL COVERAGE up to \$500 per person per calendar year after co-payments for treatment of mental conditions

***NOTE: THIS INFORMATION SUMMARIZES CERTAIN FEATURES OF THE PLANS OFFERED.
IN ALL CASES, CERTAIN DOCUMENTS GOVERN THE PLAN'S OPERATIONS.***

3/17/92

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TOWN OF ACTON
FINANCE OFFICE

March 13, 1992

TO: JOHN MURRAY, ASST. TOWN MANAGER

FROM: W. ROY WETHERBY

RE; RETIREES INFORMATIONAL REQUESTS

I am attaching copy of a letter sent to The Town of Acton's Retirees requesting information as to their Medicare eligibility and the current listing of those retirees. In as much as Mary Larson is on vacation this week, I am not sure if all retirees are listed. The insurance codes were defined by Mary and I will be able to clarify them on Monday, March 16, 1992. I believe they are as follows:

Blue Cross & Blue Shield:

Base Plan	MHP
Base Plan (Pre Age 65)	PMHP
Carve out	CARVE-OUT
Medex	MEDEX
Tefra	TEFRA

Harvard Community Health

Base Plan	HCHP
Senior Care Plan	PLAN 65

If you or any member of the Board of Selectmen have any questions, please call on Monday when Mary has returned.



TOWN OF ACTON
FINANCE OFFICE
472 MAIN STREET
ACTON, MA. 01720

W. ROY WETHERBY
508-264-9617

MARY LARSON
508-264-9621

<FNAME> <LNAME>
<STREET>
<CITY>, <STATE> <ZIP>

MARCH 12, 1992

DEAR RETIREE:

THE ACTON RETIREES COMMITTEE (DON NYLANDER, BILL SOAR AND BILL SPARKS) HAS BEEN EXPLORING WITH THE SELECTMEN FOR OVER FOUR YEARS A MEANS OF PROVIDING RETIREES WITH HEALTH INSURANCE AT A COST BENEFICIAL TO THE RETIREES.

THE LEGISLATURE PASSED A LAW IN 1991 (SECTION 122 OF CHAPTER 138) WHICH IS TIED IN WITH MEDICARE. BASICALLY, IT REQUIRES RETIREES, THEIR SPOUSES AND DEPENDENTS WHO ARE CURRENTLY ENROLLED OR ELIGIBLE TO BE ENROLLED FOR MEDICARE PART A, TO TRANSFER TO AN OPTIONAL MEDICARE EXTENSION PLAN (INCLUDING HMO PLANS) AVAILABLE TO SENIORS.

IN ORDER TO DETERMINE FACTUAL COSTS FOR THE RETIREES AND THE TOWN FOR PRESENTATION AT THE ANNUAL TOWN MEETING, IT IS NECESSARY TO HAVE AN ANSWER TO THE FOLLOWING QUESTIONS:

(PLEASE TEAR OFF THE BOTTOM SECTION AND RETURN TO US, WITH A YES OR NO ANSWER TO ALL OF THE QUESTIONS LISTED BELOW, BEFORE MARCH 27. THIS INFORMATION IS ONLY FOR A SURVEY AND WILL BE CONFIDENTIAL. IF YOU HAVE ANY QUESTIONS CALL MARY OR ROY.

TOWN MEETING APPROVAL WOULD BE BENEFICIAL TO THE RETIREES WHO NOW HAVE MEDICARE OR WILL BE ELIGIBLE IN THE FUTURE.

<FNAME> <LNAME>

*CURRENT PLAN: <HEALTH>

1. DO YOU OR YOUR SPOUSE HAVE MEDICARE NOW OR ARE ELIGIBLE FOR IT?

HUSBAND	<u>YES</u>	<u>NO</u>
WIFE	<u>YES</u>	<u>NO</u>

2. WILL YOU OR YOUR SPOUSE BE ELIGIBLE FOR MEDICARE AT AGE 62 PLUS?
(THIS REQUIRES AN ACCUMULATION OF 40 QUARTERS OF SOCIAL SECURITY COVERED EMPLOYMENT.)

HUSBAND	<u>YES</u>	<u>NO</u>
WIFE	<u>YES</u>	<u>NO</u>

3. IF YOU OR YOUR SPOUSE DO NOT HAVE THE REQUIRED 40 QUARTERS NOW, DO YOU ANTICIPATE THAT YOU WILL HAVE THEM BY AGE 62 PLUS?

HUSBAND	<u>YES</u>	<u>NO</u>
WIFE	<u>YES</u>	<u>NO</u>

TOWN OF ACTON
 RETIREE'S LIST

MARCH 13, 1992

<u>STATUS</u>	<u>NAME AND ADDRESS</u>	<u>DATE OF BIRTH</u>	<u>INSURANCE PLAN</u>
	LYDIA ALLRED 782 MISTIC DRIVE PO BOX 306 MARSTONS MILLS, MA 02648	30/01/10	PMHP
	HELEN APPLEBY 2521 WRENCREST CIRCLE VALRICO, FL 33594		MEDX
	JEAN ASHLINE 16 SENECA ROAD ACTON, MA 01720	21/12/09	TEFRA
	GLADYS ATAMIAN 47 CORTLAND LANE BOXBOROUGH, MA 01719	27/09/03	PMHP
	EDWARD BAILEY 365 CENTRAL STREET ACTON, MA 01720	15/11/07	
	RUTH P. BAILEY 365 CENTRAL STREET ACTON, MA 01720	15/04/06	PLAN65
	HOWARD BASSETT 53 SOUTH STREET EASTON, MA 02334		
	MARION BEACH 100 MOBILE AVE CHELMSFORD, MA 01824		
	EDWARD BELMONT CANE BRANCH RD RTE 2 BOX 43 BURNSVILLE, NC 28714	24/07/10	CARVE OUT
	EVELYN BELMONT CRANE BRANCH RD RTE 2 BOX 43 BURNSVILLE, NC 28714		MHP
	HELEN T. BERGER 29 BLUEBERRY LANE HARWICH, MA 02645		
	MARGARET BOORNAZIAN 120 TYLER STREET METHUEN, MA 01844	06/01/01	MEDX
	DONALD BRESNICK 736 STRAWBERRY HILL ROAD	39/10/19	PMHP

TOWN OF ACTON
RETIREE'S LIST

MARCH 13, 1992

<u>STATUS</u>	<u>NAME AND ADDRESS</u>	<u>DATE OF BIRTH</u>	<u>INSURANCE PLAN</u>
	CONCORD, MA 01742		
	CARL D. BROOKS 25 KENYON STREET W. NEWTON, MS 02165	20/06/01	PLAN 65
	MAXINE BUCKMAN 27 SUDBURY ROAD STOW, MA 01775	34/01/27	MHP
	DOROTHY M. BUNKER BOX 508 SAGAMORE BEACH, MA 02562		
	BEATRICE C. BYE 91 PINE HILL ROAD BOXDBOROUGH, MA 01719		
	EILEEN F. BYRON 239 AYER ROAD LITTLETON, MA 01460	18/11/23	MDEX
	CORNELIUS CASEY 124 BENNINGTON STREET LAWRENCE, MA 01841		
	LOUISE CHANI 123 INDIAN ROCK ROAD MERRIMACK, NH 03054	40/03/14	PMHP
	ELIZABETH CHARTER 121 HAYWARD ROAD ACTON, MA 01720	22/04/06	MEDX
	FRANKLIN H. CHARTER 121 HAYWARD ROAD ACTON, MA 01720	18/01/18	MEDX
	NORINE CHRISTIAN 10 SHERWOOD DRIVE NASHUA, NH 03063	31/10/16	MHP
	FRANCES L. COLLINS 496 GREAT ROAD #2L ACTON, MA 01720	15/10/06	
	EDWARD J. COLLINS, JR. P.O. BOX 1701 ROCHESTER, NH 03867	20/03/03	MEDX
	ARTHUR J. CONQUEST	13/06/01	

TOWN OF ACTON
 RETIREE'S LIST

MARCH 13, 1992

<u>STATUS</u>	<u>NAME AND ADDRESS</u>	<u>DATE OF BIRTH</u>	<u>INSURANCE PLAN</u>
	23 KINSLEY ROAD ACTON, MA 01720		
	HELEN CONROY 2118 LEXINGTON CIRCLE LITTLE RIVER, SC 29566	23/11/08	CARVE OUT
	ROBERT CONROY 2118 LEXINGTON CIRCLE LITTLE RIVER, SC 29566	24/11/23	CARVE OUT
	VIRGINIA CORRIGAN 83 SEMINOLE ROAD ACTON, MA 01720	30/02/25	PMHP
	MARGARET F. COX 74 MAIN STREET ACTON, MA 01720	15/07/06	MEDX
	MARGARET F. COX 76 HIGH PINE CIRCLE CONCORD, MA 01742		HCHP
	MARY B. CRANNA 36 BETTY'S LANE BREWSTER, MA 02631	23/03/18	MEDX
	N. GREIG CRANNA 36 BETTY'S LANE BREWSTER, MA 02631	16/06/11	MEDX
	EDNA A. CUSTANCE 136 BARLEY NECK ROAD ORLEANS, MA 02653		
	ESTHER A. DAVIS 239 LUDLOW STREET PORTLAND, ME 04101		
	MARY DINDIO 149 FOREST HILLS DR BOX 1056 ACTON, MA 01720	28/05/15	PMHP
	THERESA DODGE RRI BOX 2174A CHICK ROAD SANFORD, ME 04073	30/03/02	PMHP
	WILLIAM J. DURKIN, JR. 11 PARKER STREET ACTON, MA 01720	28/07/24	PMHP

TOWN OF ACTON
RETIREE'S LIST

MARCH 13, 1992

<u>STATUS</u>	<u>NAME AND ADDRESS</u>	<u>DATE OF BIRTH</u>	<u>INSURANCE PLAN</u>
	ALEXANDRA DWYER 619 N. CALLE MARCUS PALM SPRINGS, CA 92262	22/12/27	CARVE OUT
	CHAUNCEY FENTON 102 ROBBIN RUN PO BOX 152 E. DENNIS, MA 02641	28/01/12	PMHP
	EILEEN FULLERTON 2992 IVANHOE COURT HABOUR HEIGHTS, FL 33983		MHP
	GORDON FULLERTON 2992 IVANHOE COURT HABOUR HEIGHTS, FL 33983	25/08/04	OME
	DONALD J. FYFE P.O. BOX 68 CHURCH POINT, NOVA SCOTIA, BOW 1MO 00000		
	NORMA GANUNG 8 ELIZABETH STREET LITTLETON, MA 01460	28/12/01	MHP
	EVELYN M. GARTHE PINWOOD APT #28 GROVE ST. NORTH CONWAY, NH 03860		
	LENORE GOLDSTEIN 12 MEADOWBROOK ROAD SUDBURY, MA 01776	33/06/21	PMHP
	MARIANNE D. GONZALES 10 BIRCH RIDGE ROAD ACTON, MA 01720	32/11/30	HCHP
	JANE W. GOODALL 3 OLD COLONY DR WESTFORD, MA 01886		N
	ROBERT L. GRAHAM 169 TAHATTAWAN ROAD LITTLETON, MA 01460	03/01/01	MEDX
	ANTOINETTE E. HARRISON 17 ABBOTT ROAD MAYNARD, MA 01754		
	JANICE HART 41 PIPER ROAD ACTON, MA 01720	37/02/08	PMHP

TOWN OF ACTON
RETIREE'S LIST

MARCH 13, 1992

<u>STATUS</u>	<u>NAME AND ADDRESS</u>	<u>DATE OF BIRTH</u>	<u>INSURANCE PLAN</u>
	ALICE HAYES 6012 KENNETH ROAD FORT MYERS, FL 33919		
	ELEANOR HELAWELL 45 SUMMER HILL GLEN MAYNARD, MA 01754	13/09/19	MEDX
	WILLIAM A. HELAWELL 45 SUMMER HILL HLEN MAYNARD, MA 01754	09/04/09	MEDX
	THELMA C. HERMES 292 CENTRAL STREET ACTON, MA 01720	16/01/16	PLAN 65
	GLADYS HERRICK 22 RANDALL ROAD MAYNARD, MA 01754	26/07/23	MHP
	RALPH HERRICK 22 RANDALL ROAD MAYNARD, MA 01754	24/12/23	MEDX
	EVELYN R. HILL 239 AYER ROAD LITTLETON, MA 01460	19/01/15	MHP
	ANNIE HINDS 50 MC KINLEY STREET MAYNARD, MA 01754	17/02/02	MEDX
	EDWARD F. HINDS 50 MCKINLEY STREET MAYNARD, MA 01754	17/02/01	MEDX
	E. GWENDOLYN HODGSON P.O. BOX 393, RTE 2 HILLSBOROUGH, NH 03244		
	NANCY HOLLEY 274 MAIN STREET APT 3A ACTON, MA 01720	24/04/09	MEDX
	NANCY HUNTLEY 576 MAIN STREET WINCHESTER, MA 01890		N
	DOROTHY A. JAMES 255 NORTH ROAD #45 CHELMSFORD, MA 01824		

TOWN OF ACTON
 RETIREE'S LIST

MARCH 13, 1992

<u>STATUS</u>	<u>NAME AND ADDRESS</u>	<u>DATE OF BIRTH</u>	<u>INSURANCE PLAN</u>
	MOLLY J. JOHNSTON 210 SOUTH LEE STREET BEVERLY HILLS, FL 32665		
	MARJORIE KENNEDY 174 ARLINGTON STREET ACTON, MA 01720	09/02/08	MEDX
	BARBARA E. KING 1119 PERIWINKLE WAY #120 SANIBEL, FL 33957		
	HELEN KING 46 WILLOW STREET ACTON, MA 01720	26/01/06	PMHP
	MADELINE KINGSTON BOX 205 CONCORD, MA 01742	12/12/21	MEDX
	WYNELL L. KNIGHT 340 BRIDGE STREET DEDHAM, MA 02026		
	DORIS KOCH 6B OLD COLONY DRIVE WESTFORD, MA 01886	24/10/21	MEDX
	MARGARET LARSEN 54 MAIN STREET ACTON, MA 01720	16/08/11	MEDX
	MILTON H. LEHTO 117 CONCORD STREET MAYNARD, MA 01754	26/07/22	HCHP
	MARION A. LIEBFRIED ROUTE 1, PO BOX 753 INGLESIDE, TX 78362	12/05/23	MEDX
	JOAN LINDQUIST 11 WAMPANOAG DRIVE ACTON, MA 01720	23/01/31	
	MALCOLM MACGREGOR 72 ROBBINS STREET ACTON, MA 01720	28/10/31	
	RUTH MACGREGOR 97 WINDSOR AVE ACTON, MA 01720	10/01/17	MEDX

TOWN OF ACTON
 RETIREE'S LIST

MARCH 13, 1992

<u>STATUS</u>	<u>NAME AND ADDRESS</u>	<u>DATE OF BIRTH</u>	<u>INSURANCE PLAN</u>
	ROBERT MACLEOD 75 TAYLOR ROAD ACTON, MA 01720	41/01/25	PMHP
	CHARLES M. MACRAE P.O. BOX 973 ACTON, MA 01720	12/06/25	
	FRANCIS MALSON 117 ARLINGTON STREET ACTON, MA 01720	31/01/15	PMHP
	VIRGINIA MILBERY 220 ARLINGTON ST PO BOX 523 ACTON, MA 01720	16/08/19	MEDX
	DOROTHEA MILLER RR 2 BOX 263 RANDOLPH, VT 05060	18/03/24	MEDX
	ROBERTA MOORE 714 W. STRAFORD CHANDLER, AZ 85224		PMHP
	FRANCES MORETTI 62 ALCOTT STREET ACTON, MA 01720	25/07/20	
	ALLEN NELSON 32 PARKER STREET ACTON, MA 01720	29/02/14	PMHP
	BARBARA NYLANDER 144 GREAT ROAD ACTON, MA 01720	12/07/24	MEDX
	DONALD O NYLANDER 144 GREAT ROAD ACTON, MA 01720	13/01/12	PLAN 65
	ALICE O'HEARN 581 PINE STREET LOWELL, MA 01851	07/01/01	MEDX
	THELMA L. PATTEE 37 MATAWANAKEE TRAIL LITTLETON, MA 01460	20/01/01	MEDX
	EDGAR A. PERKINS 146 NEWTOWN ROAD ACTON, MA 01720	13/11/11	MEDX

TOWN OF ACTON
RETIREE'S LIST

MARCH 13, 1992

<u>STATUS</u>	<u>NAME AND ADDRESS</u>	<u>DATE OF BIRTH</u>	<u>INSURANCE PLAN</u>
	MALCOLM PERKINS 48 OLD SCOTLAND ROAD WINCHESTER, NH 03470	40/12/14	PMHP
	KATHRYN L. PETERSON 219 ARLINGTON STREET ACTON, MA 01720	20/10/15	HCHP
	ROBERT PETERSON 219 ARLINGTON STREET ACTON, MA 01720	16/08/12	HCHP
	DOROTHY POST 223 CHESTNUT WEST 21H RANDOLPH, MA 02368		
	TENETTE L. RICHARDSON 68 WINDSOR AVE #12B ACTON, MA 01720	07/01/01	MEDX
	GAIL ROCHE 94 ARLINGTON STREET ACTON, MA 01720	35/11/18	PMHP
	FLORENCE ROSS 430 CENTRAL STREET ACTON, MA 01720	27/11/21	MHP
	PETER RYAN BOX 25 MAIN STREET COVENTRY, VT 05825	42/10/22	PMHP
	SHIRLEY SCRIBNER 318 HARVARD ROAD STOW, MA 01775		
	STEPHEN SCRIBNER 2275 SIESTA COURT KISSIMEE, FL 34746		
	LILLIAN E. SHEEHAN P.O. BOX 802 ACTON, MA 01720	28/06/13	
	ANN SIMEONE 22 INDEPENDENCE ROAD ACTON, MA 01720	31/12/02	MHP
	JEAN SMITH P.O. BOX 519 ACTON, MA 01720	32/04/16	PMHP

TOWN OF ACTON
RETIREE'S LIST

MARCH 13, 1992

<u>STATUS</u>	<u>NAME AND ADDRESS</u>	<u>DATE OF BIRTH</u>	<u>INSURANCE PLAN</u>
	LENA C. SMITH 31 CLARK ROAD SHIRLEY, MA 01464		
	WILLIAM H. SOAR, JR. 78 MAIN STREET ACTON, MA 01720	37/11/20	PMHP
	WILLIAM SPARKS 45 SLEIGH ROAD CHELMSFORD, MA 01824	26/01/25	PMHP
	CATHERINE SWEET 33 ROBBINS STREET ACTON, MA 01720	30/03/24	PMHP
	CHARLES R. SWEET 33 ROBBINS ST PO BOX 323 ACTON, MA 01720	25/02/25	MEDX
	FLORENCE TRAFTON 720 SUNNY SOUTH AVE BOYNTON BEACH, FL 33436	19/06/26	MEDX
	ROBERT L. TRAFTON 720 SUNNY SOUTH AVE BOYNTON BEACH, FL 33436	16/02/23	MEDX
	GEORGE F. TUTTLE 395 ARLINGTON STREET ACTON, MA 01720	16/10/16	PLAN 65
	MARY E. TUTTLE 395 ARLINGTON STREET ACTON, MA 01720	16/10/16	PLAN 65
	BARBARA J. USHER 18 HARRISON STREET MAYNARD, MA 01754		
	FLORENCE M. WARD 7 MARIAN ROAD ACTON, MA 01720	28/09/01	
	GEORGE H. WHEELER 211 MASSACHUSETTS AVE BOXBOROUGH, MA 01719	11/11/07	MEDX
	DEWEY WHITE 3 REVOLUNIONARY ROAD ACTON, MA 01720	33/04/08	MHP

TOWN OF ACTON
RETIREE'S LIST

MARCH 13, 1992

<u>STATUS</u>	<u>NAME AND ADDRESS</u>	<u>DATE OF BIRTH</u>	<u>INSURANCE PLAN</u>
	ARNOLD WOODWARD 9 MARTIN STREET ACTON, MA 01720	23/05/25	PLAN65
	BARBARA WOODWARD 9 MARTIN STREET ACTON, MA 01720	25/04/11	PLAN65
	LAVONNE C. WRIGHT P.O. BOX 419 GLEN, NH 03858		
	ROBERT J. YOUNG 453X TOWNSEND ROAD SHIRLEY, MA 01464		
	VIRGINIA H. YOUNG 453X TOWNSEND ROAD SHIRLEY, MA 01464		

3/17/92
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**SELECTMEN'S MEETING
FEBRUARY 4, 1992**

The Board of Selectmen held their regular meeting on Tuesday, February 4, 1992. Present were Norm Lake, Nancy Tavernier, Dore' Hunter, Anne Fanton and Town Manager Johnson

CITIZENS' CONCERNS

None expressed.

PUBLIC HEARINGS AND APPOINTMENTS

**BOSTON EDISON
CONDUIT LOCATION - STRAWBERRY HILL ROAD**

NANCY TAVERNIER - Moved to approve with staff comments -
DORE' HUNTER - Second. UNANIMOUS VOTE.

**THE DOCTOR, FOREIGN CAR SPECIALIST
CLASS II - 2 EASTERN ROAD**

The Board reviewed staff recommendations regarding this request for license. Mr. Murphy was not present for the hearing, but was in receipt of the staff comments recommending denial of this request. NANCY TAVERNIER - Moved to deny this request on the basis of staff recommendation. DORE' HUNTER - Second. UNANIMOUS VOTE.

CONSENT CALENDAR

The Board approved the Consent Calendar as submitted with the additional item from LeLyonnais requesting a One Day Liquor license for February 16, and with the elimination of Item 4 as it is a Town Manager's Appointment. NANCY TAVERNIER - Moved to accept with items noted. DORE' HUNTER - Second. UNANIMOUS VOTE.

SELECTMEN'S CONCERNS

Republican Town Committee - DORE' HUNTER moved to appoint a Registrar of Voters from the list submitted in the order suggested. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

MPCC - The Board discussed Anne's recommendation of Nicholas Miller as the Board's Citizen at Large candidate. NANCY TAVERNIER - MOVED to appoint Nicholas Miller to the Master Plan Coordinating Committee. DORE' HUNTER - Second. UNANIMOUS VOTE.

Coordinating Committee - Dore' updated the Board on the finalized Assumptions worked out by the Coordinating Committee. The guidelines concerning employees wages was the greatest factor in delaying the assumptions. He felt the Assumptions as outlined in the January 27th Memo (attached to minutes) should be accepted by the board. DORE' HUNTER - Moved to accept the Assumptions For FY93 as outlined in the January 27 Memo from Staff. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

The Finance Committee wants to have a meeting prior to the finalization of the warrant. Don has spoken to Sandy Sanford about the timelines. February 27th has been reserved as the date for town and school budget presentation. The Public hearing has been set aside for March 25, 1992 in Room 204. Dore' asked staff to be sure that the Finance Committee receives the preliminary budget documents and articles at the same time as the Board.

MMA CONFERENCE - Anne and Nancy gave the Board a report on the seminars they attended at the recent meeting. Anne distributed notes from the two seminars she attended on the Disability Act and Privatization possibilities for board review. Nancy presented the Town Manger with the MIIA Award for safety that the Town was awarded for the second year in a row in the over 15,000 population.

TAC - Anne has asked TAC for an additional two weeks to review their most current memo before we respond. Nancy thought 9 members were excessive. Anne felt they were still not pro-active enough. Dore' was still not convinced that they were a committee with a mission.

PAPA GINO'S - The Board asked staff to send a letter to the Management regarding the on-going violations and health concerns.

TOWN MANAGER'S CONCERNS

BIOREMEDIATION - Don asked the Board to review a letter drafted by the Health Dept. regarding the costs associated with the Testing. The board asked that the letter be re-drafted to include the concerns of the board regarding GZA's costs and cost exceeding the project's budget. The Town agreed to fund the Anderson portion of the study but wanted GZA's costs factored before sending the letter. Staff will re-draft for Board signature.

EXECUTIVE SESSION

The Board voted to adjourn into Executive Session for the purpose of discussing Negotiations DORE' HUNTER took roll call all Ayes.

The Board adjourned into executive session at 8:30 P.M.

Clerk

Date

Christine Joyce
Recording Secty.
cmjW11-(194)

EXECUTIVE SESSION MINUTES

February 4, 1992

ACHC - Audubon Hill - The Board discussed the most recent staff negotiations with the bank and the numerous phone conversations with Roy Smith. Roy Smith has made veiled threats to the Town Manager about the Town's negotiations with the Bank. Don said he would check with the Board to get together and wrap it up with the bank and make a public statement. The Town is focused on retaining the Senior Center. The latest deal offered is one unit and the senior center. Staff recommends taking the deal, going to Town Meeting to get permission to sell the unit and use the proceeds to finish the Senior center and equip the kitchen and possibly buy other units around town. Nancy asked if we could get a guarantee to building the Senior Center. Don suggested the senior center is all set unless FDIC moves in. Dore felt we should discuss this in public session and take votes when negotiations are completed. Staff was asked to proceed with negotiations and prepare documents to be brought back for public discussion and then have the Board vote. Norm wanted the Condo fees exempted on the Senior Center, Air conditioning, car port and gas conversion done. DORE' HUNTER - Moved to authorize the Town Manager to negotiate on behalf of the town. NANCY TAVERNIER - Second. UNANIMOUS VOTE. Dore's suggested specific statement that would state that these negotiations were not meant to embarrass or cause harm to Roy Smith.

NESWC - Dick Howe has met the tonnage problem but a \$200,000 shortfall is anticipated he feels he will only be able to cover half. John and Dick will be at the next Executive Meeting to discuss the Stabilization Fund misuse and GAT.

The Board adjourned at 9:45 P.M.

Clerk

Date

Christine Joyce
Recording Secty.
cmjW11-(194)

JANUARY 31, 1992

TO: Board of Selectmen
FROM: NORMAN LAKE, Chairman
SUBJECT: SELECTMEN'S REPORT

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AGENDA

ROOM 204

7:30 P.M.

FEBRUARY 4, 1992

I. CITIZEN'S CONCERNS

II. PUBLIC HEARINGS & APPOINTMENTS

1. 7:31 BOSTON EDISON - STRAWBERRY HILL ROAD - Enclosed please find request for installation of conduit and staff comment.
2. 7:45 THE DOCTOR - CLASS II DEALER'S LICENSE 2 EASTERN ROAD - Enclosed please find a request for a Class II license and staff comment for Board action.

III. CONSENT AGENDA

3. SELECTMEN'S MINUTES - Enclosed please find minutes of the Regular and Executive Session held on January 7, 1992 for Board approval.
4. APPOINTMENT - Edward G. Kelly - Enclosed please find memo from VCC regarding Mr. Kelly as a regular Member for a term to expire 6/30/94 to the Commission of Disability.
5. APPOINTMENT - David P. Thorpe - Enclosed please find a memo from VCC regarding Mr. Thorpe's appointment as a regular member for a term to expire 6/30/93 to the Fair Housing Committee for Board action.
6. APPOINTMENT - Louis A. Stern - Enclosed please find a memo from VCC regarding Ms. Stern's appointment as a regular member for a terms to expire 6/30/93 to the Fair Housing Committee for Board action.

IV. SELECTMEN'S CONCERNS

7. ACTON REPUBLICAN TOWN COMMITTEE RECOMMENDATION- Registrar of Voters
8. Citizen and Large - MPCC
9. Town Manager will discuss the status of the W.R. Grace Bioremediation Project.

V. TOWN MANAGER'S REPORT

VI. EXECUTIVE SESSION

10. The Town Manager will be requesting an Executive Session for the purpose of discussing Audubon Hill

VII. MEETINGS

VIII. ADDITIONAL INFORMATION

Enclosed please find additional correspondence which is strictly informational and requires no Board action.

IX. FUTURE AGENDAS

To facilitate scheduling for interested parties, the following items are scheduled for discussion on future agendas. This IS NOT a complete agenda.

Feb 18, 1992 - No Public Hearings Scheduled

March 3, 1992- Stoneymead, Ayer Rd., Street Acceptances, Class II
125 High St.

March 17, 1992

To: The Coordinating Committee
From: Staff
Re: FY93 Draft Plan
Date: January 27, 1992

This plan, like all plans, was constructed from the bottom up. The first step was setting the foundation, which means to determine the assumptions on which the plan is to be constructed. As you are aware, if one were to change all or any of the following assumptions, then the numbers in the financial plan would also have to be modified.

ASSUMPTIONS FOR FY93

1. Staff was to create a plan which optimized service to the community and minimized the cost to the taxpayer.
2. Both the Schools and the Town would operate with a bottom line budget.
3. Special Ed. Tuition and SPED Transportation will be increased by 15%. (Budgeted amounts for these line items will be based on actual costs.)
4. The NESWC enterprise fund would increase by 15%. (Budgeted amount for this line item will be based on actual cost.)
5. The Regional Schools' legal costs will be budgeted at \$150,000. This increased appropriation (i.e., \$105,000) will be a one-time increase and not become part of the base for FY94.
6. The FY93 Minuteman assessment will assume a one-year repayment of their FY92 teacher deferral amount.
7. Expense categories will be increased by the following amounts:

Utilities	5% (Town) 0% (Schools)
Health Insurance	12.5%
Worker's Comp. Ins.	10%
Pension Expense	5%
Unemployment Ins.	0%
Life Insurance	0%
Contingency Funds	0%
Salaries	5%
Debt and Interest	at actual level of 6/30/92
All Other Expenses	5%
Snow Removal	15%
8. Any excess monies above 1.0% in the Regional School's E & D account (as of 6/30/91 minus transfers for FY92 legal bills) will be used to offset

- the assessments for Acton and Boxborough.
9. Any excess monies above 1% in the Free Cash account (as of 6/30/91 minus any extraordinary costs or emergencies in FY'92) will be used to offset the property tax rate.
 10. The remaining balances in the E & D account and Free Cash will be used only for **Emergencies** such as but not limited to, damage due to fire, burglary, and acts of God which are not covered by insurance, failures of major pieces of equipment, major fluctuations in energy prices, unplanned decreases in State Aid, etc. It will not be used for minor fluctuations in the operating budgets.
 11. A portion of School Choice Funds will continue to be allocated for educational costs and viewed as a self-funding program consistent with #6 under Format Changes. The remaining balance of school choice funds will be pooled revenues. Please note that some FY'92 Regional School Choice Funds may be necessary to pay extraordinary legal costs related to the McNulty dismissal proceedings.
 12. All Educational State Aid (i.e., Chapter 70, Regional School Aid, Transportation, Construction of School Projects, etc.) and the Town's General Revenue Sharing State Aid will be funded at the FY'92 Cherry Sheet level. (Town and Regional School Revenue Assumptions are attached.)

FORMAT CHANGES

1. All revenues will be pooled as of this date with the exception of:
 1. Revolving Accounts
 2. Enterprise Funds
 3. New Self-sufficient Programs as of this date
2. The allocation split for the Town and the Schools will remain at 67% for Schools and 33% for the Town for FY'92. In FY'93 the allocation split for the respective groups will be calculated by expenditures authorized by the FY'93 Financial Plan. If these calculated percentages are different from the one third - two third split, then the Schools and the Town will move halfway to the calculated allocation. In FY'94 the split between the Town and the Schools will be based upon the actual calculation of the percentages.
3. The Cherry Sheet number will be adjusted from a gross number to a net number (revenues - State and County Assessments).
4. The Total Levy and Transfer line will be adjusted from a gross number to a net number (levy-overlay), and the expenditure line Assessments/Overlay will be eliminated.

5. Regional debt will be re-classed from the Schools expenditure line to the Debt and Interest line.
6. A new expenditure and a new revenue line called Self-Funding Projects will be added. These lines will reflect new programs as of 6/30/91, which are totally self-sufficient. The Self-Funding line will not be used in calculating the allocation split.
7. Deferral Compromise
 - 1) The Local and Regional Schools will accept Deferral for both years (FY92 & FY93).
 - 2) An accelerated amortization will be adopted by written agreement between the three (3) parties. This will consist of a four (4) year pay-back period with the first year of amortization beginning in FY94 and continuing in 1/4 installments for the following three (3) years.
 - 3) No formal amortization votes ... other than one that is supportive of the written agreement ... will be taken by the Selectmen (via placement of an Article before Town Meeting) or the Regional School Committee.
 - 4) Deferral amortization will be built into the budgets for the years FY94-FY97.
 - 5) The Selectmen, Regional School Committee, Fincom and Staff shall adopt and support this compromise.

SELECTMEN'S MEETING
FEBRUARY 18, 1992

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3/17/92
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The Board of Selectmen held their regular meeting on Tuesday, February 18, 1992. Present were Norm Lake, Dore' Hunter, Anne Fanton and Assistant Town Manager Murray

CITIZENS' CONCERNS

Joe Colentro expressed his displeasure with the continued power outages experienced in West Acton. He believes the problem could be solved if Boston Edison really wanted to and we tired of hearing we were at the end of the line and asked the Board to discuss the outages with Boston Edison. Dore' suggested a letter to the DPU would also be helpful. The Board assured Mr. Colentro that they would discuss this with Edison.

PUBLIC HEARINGS AND APPOINTMENTS

AUDUBON HILL

John Murray outlined the series of events leading up to the agreement worked out with the Bank to date that he is asking the Board to approve. The Bank has asked to amend the agreement. Don Johnson, Bill Grothrope and John met and felt that after careful analysis if the agreement was not modified, the north phase would probably not be built and the senior center, originally tied in the agreement to the north phase would also never be complete. Dore' asked about contingency with the north phase. He felt that if it was the only alternative we had, and if we stuck to the original agreement the project would collapse, we should consider the amendments. Anne felt we should agree to the amendments. She asked if the money could be used to fund the expenses of the senior center and asked for figures for operations. Roy Smith again stressed that the bank was committed to proceed with the project that under FDIC that the cap was at 4.5 million and not a penny more. Ed Richter urged us to move ahead to ensure completion of the project and senior center as he had purchased a unit and was very happy with the arrangement. Kevin McManus of the AHA felt that the money that has been offered in lieu of units should be used to create housing for low and moderate housing. Dore' asked about his idea on how they should be used. He felt a purchase of a unit for moderate income at the project or seed money for ACHC or AHA should be considered. Steve Graham ACHC urged the money be used for low and moderate housing. Bob Evans spoke in favor of the money being used for subsidized housing as that was the intent of the original agreement. Dr. Logan asked about the completion date of June 1992 in the original agreement and asked why that was not being modified as well. Bill Grothrope urged earmarking of the funds to be used for low and moderate income housing and felt the

amendments to the agreement were good in light of the economic situation. DORE' HUNTER - Moved to authorize the Town Manager or his designee after the advice of the Board of Selectmen, to continue negotiations with language about the \$130,000 cash as presented to the Board, a time specific for completion of the Senior Center and a start and completion date not tied to completion of the North Phase as well as a completion date of the entire project and to sign the agreement on behalf of the Board. ANNE FANTON - Second. UNANIMOUS VOTE.

CONSENT CALENDAR

The Board approved the Consent Calendar as submitted with a change in the minutes to reflect a no vote on the Minuteman School Deferral issue by Chairman Lake. DORE' HUNTER- Moved to accept with the minutes correction. ANNE FANTON - Second. UNANIMOUS VOTE.

SELECTMEN'S CONCERNS

Route 2 Corridor Advisory Committee - Anne spoke about the meetings and her draft letter to Concord and asked the Board for endorsement of the letter. Dore' thought the letter was very good and we should send it.

TAC - Dore' spoke about TAC and he still doesn't see it coming together right now. DORE' HUNTER - Moved to disband the TAC because of the inability to communicate our needs. ANNE FANTON - Second - Anne felt a Task force will be a recommendation she will be making in the future. Norm felt we should wait for a meeting when a full board was available before taking this action. Dore' withdrew his motion.

LANDFILL - Anne expressed her concern about the possible traffic problems at the landfill if all the candidates were campaigning without direction. Staff was asked to notify the Beacon about the procedure for obtaining permission to canvass the landfill in the News Brief section.

MAPC - Anne asked the Board for support concerning the upcoming 26th meeting regarding Capital Improvement. The Town needs to nominate growth centers in order to influence State funding. ANNE FANTON - Moved to authorize Don Gilberti to nominate the four village centers and Kelley's Corner for inclusion in the MAPC Capital Improvement Plan. DORE' HUNTER - Second. UNANIMOUS VOTE.

TOWN MANAGER'S CONCERNS

BUDGET - John Murray presented the Budget to the Board and outlined the Capital Projects in the Warrant. Anne was concerned with the Elliot Mental Health funding issue. The \$22,000 was

taken from the Betsy Ball Fund last year. Dore' felt we should probably not just stop funding this year and that we should appropriate \$11,000 with the understanding that we cannot continue to contribute in future years. The Board discussed the capital projects that were included in the budget and the two items in the warrant. Dore' felt that a notation should be made in the warrant that this is the last year that capital items would appear in the Warrant as an article, that in future years they will be included in the Budget. The Board asked for more detailed summaries. The Board decided to order and assign recommendations at the March 3rd meeting. The chairman will assign articles to the individual selectmen for Friday's packet.

DORE' HUNTER - Moved to approve the Bottom Line Budget at \$9,979,000.00. - ANNE FANTON - Second. UNANIMOUS VOTE

NESWC - John updated the Board on the current negotiations with NESWC regarding tonnage. Dore' asked to have as much notice as we can get as it reflects on the budget.

The Board adjourned session at 10:00 P.M.

Clerk

Date

Christine Joyce
Recording Secty.
cmjW11-(200)

FEBRUARY 14, 1992

TO: Board of Selectmen
FROM: NORMAN LAKE, Chairman
SUBJECT: SELECTMEN'S REPORT

#####

AGENDA
ROOM 204
7:30 P.M.
FEBRUARY 18, 1992

I. CITIZEN'S CONCERNS

II. PUBLIC HEARINGS & APPOINTMENTS

1. 7:45 AUDUBON HILL - Discussion of possible amendments to the Comprehensive agreement.

III. CONSENT AGENDA

2. SELECTMEN'S MINUTES - Enclosed please find minutes of the Regular and Executive Session held on January 21, 1992 for Board approval.
3. SPECIAL USE PERMIT - BEAN'S INC. - Enclosed please find the Special Permit decision for board action.
4. SITE PLAN SPECIAL PERMIT - MIDAS REALTY - Enclosed please find letters of agreement for Board action.
5. BETSY BALL FUND - Enclosed please find three requests for disbursement along with staff comment for board action.

IV. SELECTMEN'S CONCERNS

6. BUDGET PRESENTATION & WARRANT DISCUSSION - Enclosed is the detailed FY93 Budget as recommended by the Town Manager. Please bring your Draft warrant (distributed last week) for discussion. If you need another copy, please call the office.

V. TOWN MANAGER'S REPORT

VI. EXECUTIVE SESSION

VII. MEETINGS

VIII. ADDITIONAL INFORMATION

Enclosed please find additional correspondence which is strictly informational and requires no Board action.

IX. FUTURE AGENDAS

To facilitate scheduling for interested parties, the following items are scheduled for discussion on future agendas. This IS NOT a complete agenda.

March 3, 1992- Arboretum Presentation, Stoneymead, Ayer Rd., Street Acceptances, Class II 125 High St., ScupperJack's Transfer of Licenses - All Alcoholic and Common Vict.

March 17, 1992

Harold Gordinier - Alternate Board of Assessors

March 31, 1992

April 14, 1992

April 28, 1992

May 12, 1992

May 26, 1992

3/17/92
TOWN OF ACTON
472 Main Street
Acton, Massachusetts 01720
Telephone (508) 264-9612
Fax (508) 264-9630

17

Don P. Johnson
Town Manager

March 18, 1992

Mr Philip L. Pettijohn, Esq.
74 North Street Suite 501
Pittsfield, MA 01201

Dear Mr. Pettijohn:

The Town of Acton Board of Selectmen is in receipt of your request for common carrier operating rights for Mohawk Coach Lines. The Board voted on March 17, 1992 to grant operating rights to Mohawk Coach Line to pass through the Town of Acton over Route 2.

If you need additional information please feel free to contact my office.

Very truly yours,

Don P. Johnson
Town Manager

Philip L. Pettijohn, Esq.
74 North Street ★ Suite 501
Pittsfield, MA 01201
(413) 442-6375 (413) 443-6631

February 25, 1992

Dear Executives:

My client, Mohawk Coach Lines, Incorporated is in the process of filing for common carrier operating rights, in order to operate motor coaches on a regular route, (bringing Route 2,) 129 & 95 from Williamstown, Mass. to Boston, Mass. This route being the former route of Englander Coach Lines, Incorporated left abandoned by their closing February 1, 1992.

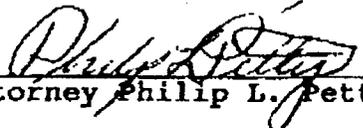
According to the Massachusetts Department of Public Utilities and the Massachusetts law #159 A Section 1. We need to obtain street permits and or permission for passage through your city on the streets listed below.

Jct. Rte. 2

Please send your license in letter to my address listed above or Fax to # 1-413-442-9095.

Thank you for your immediate attention to this matter it is greatly appreciated. Enclosed is copy of relevant statute MGL chapter 159 Section 1.

Respectfully Submitted,
Mohawk Coachlines

By 
Attorney Philip L. Pettijohn, Esq.

PP/ce



OFFICE OF THE
BOARD OF SELECTMEN

20 FOSTER STREET, P.O. BOX 1305
LITTLETON, MASSACHUSETTS 01460
(508) 952-2311

March 10, 1992

Philip L. Pettijohn, Esq.
74 North Street Suite 501
Pittsfield, MA 01201

Dear Mr. Pettijohn,

The Town of Littleton Board of Selectmen is in receipt of your request for common carrier operating rights for Mohawk Coach Lines. The Board has voted at its regularly scheduled meeting held on Monday, March 9, 1992 to grant operating rights to Mohawk Coach Lines to pass through the Town of Littleton over Route 2.

If you need additional information or if we can be of any further assistance, do not hesitate to contact my office at (508) 952-2311.

Very truly yours,

A handwritten signature in cursive script that reads "Mark W. Haddad".

MARK W. HADDAD,
Executive Secretary

MWH:lk

Sample

3/17/92

TOWN OF ACTON
472 Main Street
Acton, Massachusetts 01720
Telephone (508) 264-9612
Fax (508) 264-9630

8

Don P. Johnson
Town Manager

March 18, 1992

To Whom It May Concern:

The Town of Acton does not have any private livery license requirements and has no objections to American Limo operating within and through its boundaries while performing Limo service to clients being transported to and from Logan Airport.

Norman D. Lake
Chairman
Acton Board of Selectmen

Consent

TOWN OF ACTON POLICE DEPARTMENT

INTER-DEPARTMENTAL COMMUNICATION **Town Manager
Information**

TO: Don Johnson, T.M. DATE: February 28, 1992
FROM: George W. Robinson, C.O.P. TIME: 9:04 AM
SUBJ: Setra Systems Gift

3/17/92 (9)

Please find attached Detective Grey's memo regarding a donation of electronic scales by Setra Systems. The scales would be very helpful to the Department as an accurate measuring device for weighing narcotics. It is very important to have an accurate measure from initial officer contact to final destruction of the material, both, for internal, as well as evidentiary integrity.

I request authorization to accept the scales and that Setra be recognized for same. The scales are valued at approximately \$2.500.

INTERDEPARTMENTAL COMMUNICATION
TOWN MANAGER'S OFFICE

3/17/92

(10)

DATE: 3/11/92

TO: Don Johnson
FROM: Christine Joyce
SUBJECT: Jenks Fund Requests

Below please find a summary of funding requests received in our office for 1992 Jenks Fund allocations for Board action.

The current balance available for expenditure is: \$2,608.00.

ACTON MEMORIAL LIBRARY To fund 1992 Summer Reading Program	\$400.00
CONCORD FAMILY SERVICE To provide adolescent and family counseling at the Jr. High School	\$1,000.00
DISCOVERY MUSEUMS Partially underwriting Discovery Museums' Science program for elementary schools	\$500.00
ACTON CHILDREN'S PLAYGROUND Purchase a Playground equipment	\$1,000.00
ACTON HOUSING AUTHORITY Mothers/children to attend Community Education classes during the summer	\$300.00

NAGOG CHILDREN'S CENTER

Provide the staffing and support
a performance at the Arboretum

\$550.00

Total requested:

\$3,750.00

JENKS FUND REQUESTS

The Acton Board of Selectmen is accepting requests for funding through the JENKS FUND for programs to benefit the youth of the Town of Acton.

The filing deadline is March 11, 1992 at 5:00 P.M. The Selectmen will act on these requests at their meeting of March 31, 1992.

Proposals may be sent to:

Christine M. Joyce
Town Manager's Office
472 Main Street
Acton, MA 01720

Revised

TOWN OF ACTON
472 Main Street
Acton, Massachusetts 01720
Telephone (508) 264-9612
Fax (508) 264-9630

Norman D. Lake
Chairman, Board of Selectmen

3/17/92 (11)

March 10, 1992

Mr. Robert Eisengrien
A.C.E.S. Project Manager
5 Valley Road
Acton, MA 01720

Dear Bob:

The Board of Selectmen have received your letter of January 23, 1992 and share the concerns that you expressed. Without doubt it is urgent that the bioremediation bench test proceed with as little delay as possible. Equally important is the necessity that the test be done in the most appropriate manner and within the bidding restrictions that constrain the town.

In order to address the parameters of a bench test the town had its consultant, G.Z.A., review and amend the generic R.F.P. you supplied. The revised R.F.P. was then sent to Pine and Swallow for their comment. This process took more time than anticipated as G.Z.A. identified additional parameters that needed to be reviewed in detail by Pine and Swallow. This process has been completed and the R.F.P. is now acceptable to all parties.

The Town, in addition, had to address the state procurement law, Chapter 30B. In order to be consistent with that law the town had to establish the manner in which bids would be requested and the process by which selection would be done. This required Town Counsel to develop a legal representation by which G.Z.A. could act as the town's procurement liaison. This process has also been completed.

At this time G.Z.A. is in the process of contacting bioremediation firms and familiarizing them with the project. It is anticipated that the bidding and selection process will be completed shortly. The bench test would be conducted immediately after the selection of a firm. The Board of Selectmen intend to take every action possible to keep this project on track and on time.

In regards to your memo of October 16, 1991 the Board believes point 2 has been addressed with the newly revised R.F.P. With regard to Point 3, the Selectmen are concerned, however, regarding the unanticipated costs that have been incurred by the Town in preparing a proper RFP. Prior to awarding the contract, when all costs are known, the Selectmen will review the full financial impact of this project and determine whether further participation by A.C.E.S. is warranted.

In closing the Board appreciates and shares the concerns that A.C.E.S. have raised. The Board believes that this project will answer many questions regarding the W.R. Grace site and is anxious for its completion.

Sincerely,

Norman D. Lake
Chairman
BOARD OF SELECTMEN

3/17/92

(12)

MEMORANDUM

March 11, 1992

To: Board of Selectmen

From: Doré Hunter

Subject: Town Counsel Selection

1. As we all know, we received proposals for legal services from three firms: Palmer & Dodge, our long term general counsel; Anderson & Kreiger, our special counsel for the W. R. Grace litigation; and the large downtown Boston firm of Nutter, McClennen & Fish.

2. After reviewing the three responses I believe we can readily eliminate Nutter, McClennen & Fish. I am quite familiar with their work, they are an excellent law firm, but this submission reinforces my previous impression that they would be more expensive than Palmer & Dodge, and of course they would lack that firm's long experience with Acton matters.

3. Anderson & Kreiger is largely a "split off" from Palmer & Dodge, Steve Anderson was doing our Grace work in that firm and we left it with him when he left Palmer & Dodge a few years ago. Anderson & Kreiger is a substantially smaller firm and the name partners have 14 and 9 years legal experience respectively, as opposed to the 27 and 32 years experience of the two Palmer & Dodge partners most identified with our business. Anderson & Kreiger offers a lower hourly rate but less depth. I have been satisfied with the legal work done by both firms.

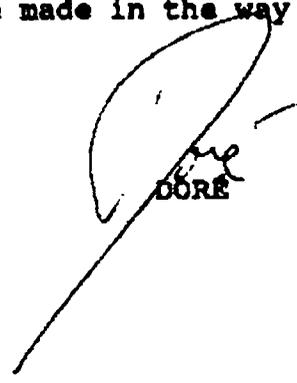
4. My suggestion is that we vote to continue Palmer & Dodge as our general Town Counsel, and as such I would expect them to be the firm providing general government advice. I would suggest that we continue to employ Anderson & Kreiger as Special Counsel, and assign them additional discrete cases as may be appropriate.

5. I would only withdraw an ongoing litigation matter from a firm if I was concerned about lack of competence, otherwise you pay too dearly both in money and effectiveness in bringing substituted counsel "up to speed", so Anderson & Kreiger should obviously continue the Grace work. That case currently is, I believe, our single most potentially expensive matter. I would further suggest that we have the Town Manager look at our current inventory of cases to determine if he feels there are any other discrete matters which he, and we, might feel comfortable in shifting to special

MEMO to Board of Selectmen
March 11, 1992
Page 2

counsel, and which could be shifted without incurring extra "coming up to speed" expenses. Beyond that I believe that new case matters should each be evaluated by the Town Manager for assignment to either general or special counsel, with periodic reports to us as to status and assignments.

6. I suggest that no change be made in the way tax title work is currently handled.



J.
DORE

3/17/92
12**MEMORANDUM**

March 11, 1992

To: Board of Selectmen

From: Doré Hunter

Subject: Town Counsel Selection, Kopelman & Paige addendum

1. After writing and transmitting my first Memorandum on the subject dated March 11, 1992 John Murray provided me a copy of Leonard Kopelman's letters of March 10, 1992. I had not expected Kopelman & Paige to respond to the RFP, some time ago one of the partners in that firm, John Giorgio, while complaining to me concerning a comment I made during a Selectmen's meeting about his firm, told me that it was their practice not to seek to be Town Counsel in communities where the partners reside. Mr. Giorgio, of course, lives in Acton.

2. Kopelman & Paige is probably unique in that they have crafted a high volume, low overhead firm specializing in municipal law, they represent far more communities across the state than any other firm, particularly smaller towns. They are not, however, the only firm that advertises municipal law services in The Beacon. They are, as stated, listed in Martindale Hubbell, so is Palmer & Dodge and Nutter, McClennen & Fish, but not Anderson & Kreiger. I am familiar with their work, indeed I am currently opposing them in one litigation matter involving a suit against the Town of Lunenburg.

3. Kopelman & Paige has not completed our questionnaire.

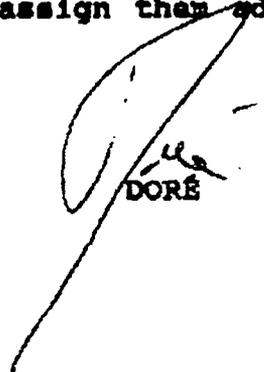
4. Kopelman & Paige lists 18 attorneys in the current Martindale Hubbell. The seven partners average 17 years legal experience, the associates average 6 years experience. I have no information concerning paralegals.

5. Kopelman & Paige offer a "blended rate" of \$105.00 per hour. A blended rate can be a good deal or a bad deal, depending who does the greater part of the work on your cases. It is a way to at the same time quote a low rate for your senior people and a high rate for your junior attorneys or paralegals. If the law firm assigns most of the work to the junior people and/or paralegals it can effectively result in a high unit cost to the client. In my opinion, it gives a firm an incentive to have most of the work done by the most inexperienced personnel, in order to maximize their profit. There is nothing wrong per se in having work done as low

MEMO to Board of Selectmen
March 11, 1992
Page 2

on the "totem pole" as possible, provided it is quality work. If we assume that a blended rate for Anderson & Kreiger would be an average of the partners billing rates it quoted to us, their fee would be slightly less than Kopelman & Paige's quotation. I see no reason, on fee quotations alone, to change my prior recommendations.

6. My suggestion remains that we vote to continue Palmer & Dodge as our general Town Counsel, and continue to employ Anderson & Kreiger as Special Counsel, and assign them additional discrete cases as may be appropriate.



DORÉ

3/17/92 (13)

KOPELMAN AND PAIGE, P.C.
ATTORNEYS AT LAW
101 ARCH STREET
BOSTON, MASSACHUSETTS 02110-1137

JOSEPH I. MULLIGAN
OF COUNSEL

LEONARD KOPELMAN
DONALD G. PAIGE
ELIZABETH A. LANE
JOYCE FRANK
JOHN W. GIORGIO
BARBARA J. SAINT ANDRE
JOEL B. BARD

RICHARD J. FALLON
WILLIAM HEWIG III
EVERETT J. MARDER
JANE M. O'MALLEY
PATRICK J. COSTELLO
KAREN V. KELLY
DEBORAH A. ELIASON
JUDITH C. CUTLER
ANNE-MARIE M. HYLAND
RICHARD BOWEN
CHERYL ANN BANKS
BRIAN W. RILEY
RAYMOND C. PORFIRI

(617) 951-0007
FAX (617) 951-2735
NORTHAMPTON OFFICE
(413) 585-8632

March 10, 1992

EXPRESS MAIL

Hon. Norman Lake and the
Members of the Board of Selectmen
Acton Town Hall
472 Main Street
Acton, MA 01720

Dear Members of the Board of Selectmen:

I had heard that there was some dissatisfaction of the pricing of your Town Counsel, and when I called I learned that there was an RFP that was due in three days ago. When looking effectively for a Town Counsel, most towns advertise in the Massachusetts Lawyers Weekly and The Mass. Municipal Beacon, but there was no ad there. Since you are not bound by the Uniform Procurement Act for counsel, I am herewith submitting my application.

Basically, what the application says is that we represent 62 towns throughout the Commonwealth as Town Counsel and approximately 70 others as Special Counsel, that being 95 percent of our entire practice. Our rate is a blended rate of \$105 per hour. Please note that we have been reappointed every year unanimously by our boards. I would appreciate your looking at our application because I think that a firm that does nothing but municipal law deserves your attention.

We do the cutting edge of environmental law and land use with the former Chief Counsel of the Metropolitan Area Planning Counsel in our office as a principal. Also, we are listed in Martindale Hubbell's List of Preeminent Lawyers for both environmental and trial law with an AV rating, which is the highest rating.

The key to our firm is the economies of scale by which we are able to give speedy, accurate and cost-effective advice. I

KOPELMAN AND PAIGE, P.C.

Hon. Norman Lake and the
Members of the Board of Selectmen
March 10, 1992
Page 2

hope that you will grant us an interview to discuss our type of
practice which is the only type like it in the state.

Very truly yours,


Leonard Kopelman

LK/sb

Enc.

LEONARD KOPELMAN
DONALD G. PAIGE
ELIZABETH A. LANE
JOYCE FRANK
JOHN W. GIORGIO
BARBARA J. SAINT ANDRE
JOEL B. BARD

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KOPELMAN AND PAIGE, P.C.
ATTORNEYS AT LAW
101 ARCH STREET
BOSTON, MASSACHUSETTS 02110-1137

JOSEPH I. MULLIGAN
OF COUNSEL

(617) 951-0007
FAX (617) 951-2735
NORTHAMPTON OFFICE
(413) 585-8632

March 10, 1992

Hon. Norman Lake and the
Members of the Board of Selectmen
Acton Town Hall
472 Main Street
Acton, MA 01720

RE: TOWN COUNSEL - TOWN OF ACTON

Dear Members of the Board of Selectmen:

We hereby apply for the position of Town Counsel. I have graduated with honors from Harvard College and Harvard Law School and am a member of the American Bar Association and Massachusetts Bar Association. I have been in active practice since graduating law school in 1965 and have been specializing in municipal law since 1967.

The firm represents a number of communities that, like Acton, have concerns about growth management and preservation of natural resources.

We are Town Counsel to Amesbury, Burlington, Stoughton, Carlisle, Walpole, Millville, Provincetown, Belchertown, Northbridge, Manchester-by-the-Sea, Wareham, Lancaster, Norton, Georgetown, Scituate, Grafton, Hadley, Millbury, Dedham, Groveland, Sandwich, Hanson, Plymouth, West Brookfield, Rockland, Southhampton, Boxborough, Douglas, Uxbridge, Templeton, Blandford, Oxford, North Andover, Brimfield, Westhampton, Hardwick, East Bridgewater, Northfield, Florida, North Reading, Kingston, Goshen, Millis, Colrain, Northborough, Huntington, Bernardston, Hubbardston, Buckland, Pembroke, Granville, Montgomery, Chesterfield, Seekonk, Salisbury, Williamstown, Billerica, Leyden, Dalton, Weston, Acushnet and Lunenburg and are special counsel to numerous other communities such as environmental counsel to Dennis and trial counsel for Wayland. I have been

Hon. Norman Lake and the
Members of the Board of Selectmen
March 10, 1992
Page 2

State Chairman of the National Institute of Municipal Law
Officers and Chairman of the Municipal Law Section of the
Massachusetts Bar Association.

I am fully familiar with the statutes, rules and regulations affecting municipalities and municipal officials, officers, boards, committees, commissions and employees. I am fully familiar with the duties and responsibilities of all officials of the Town. I am able to provide motions, warrants and by-laws for the Town and to minimize legal costs and services to the Town without compromising the legal rights and obligations of the Town. I have written several articles in "The Municipal Forum" and have lectured extensively on the art of being Town Counsel and the role that Town Counsel plays in assisting the Selectmen to govern.

We are qualified to represent the Town, its officers and employees before every regulatory body and each court in the Commonwealth including all the Federal Courts and the U.S. Supreme Court all of which I am admitted to and am in good standing. I have had several years of negotiating complex municipal matters in order to avoid the costs, risks and time of litigation.

I have been the keynote speaker on the municipal update section of the Massachusetts Municipal Association's annual meeting for the past four years. I have been the guest speaker at several County Selectmen's Association meetings on municipal law.

If we are unable to be reached on the first telephone call, we always return the call within the day. On an emergency basis we can always be reached immediately since each lawyer's secretary and the receptionist knows how to contact any lawyer in the office at all times. We consider ourselves on duty 24 hours a day and as such are on call to our Towns whenever needed.

Our written opinions are rendered in a speedy (either same day or within a week at the latest) turn around time and in clear, easy to understand language. If it is our opinion that something that the Town wants to do cannot be done in the method suggested, we will come back with suggestions on how it can be done.

We bill our Towns on a monthly basis after the close of each month. Our billing is based solely on the number of hours worked. Our proposed fee schedule is \$105.00 an hour. Our

Hon. Norman Lake and the
Members of the Board of Selectmen
March 10, 1992
Page 3

office handles all municipal matters. Therefore, there is never a need for special counsel. Since we know the answers to most questions, our actual cost per opinion is minimal since we do not need to perform the research task. We also have a complete and comprehensive municipal law library of our own so that we can have immediate access to all municipal materials.

To reduce and control litigation we work closely with department heads and suggest the enclosed request for legal services format that is successful in other towns. I also enclose four unsolicited statements sent by the chief operating officers of two towns who voluntarily left to seek employment elsewhere, a current Manager, and a Chairman. Each budget that I have worked with has been cut.

We do run in-house seminars at Town Hall, in particular as it relates to the duties of the Zoning Board of Appeals and Planning Board. We have also thought it best that members of the Board of Health be present for the seminar. Also enclosed is a copy of a recent article on land use regulation I have prepared for The Municipal Forum. Our office plays a leadership role in environmental law. We have given the EOCD 13 week, three hours per week course on land use, copy of agenda enclosed.

We would keep the Town of Acton informed of all statutory and case law coming out of the legislature, federal courts, and trial courts that would relate to the Town. We would do so by sending a letter to the Board of Selectmen with a carbon copy to any department head that should have knowledge of the issue. We do not charge for these services.

Almost all of our work is municipal law, and we are able to adapt to fluctuations in work load to meet any pressing needs of your Town. We do not have a high turn over rate in employees, and our firm is sought after by lawyers who wish to practice in the area of municipal law.

For each of the communities we have serviced we have been reappointed unanimously each year. If you were to check our references, you would find from each Chairman of the Board and Town Administrator, Town Manager or Executive Secretary that he or she is very pleased with our work. You will find that we have sent out numerous letters updating Town officials on new laws and cases and that our advice is speedy and sound. You would also find our availability is excellent and that we have found numerous ways to reduce legal costs.

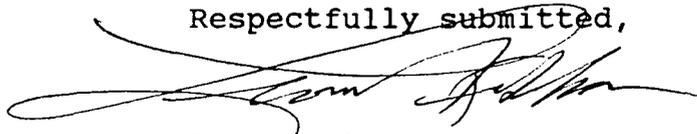
KOPELMAN AND PAIGE, P.C.

Hon. Norman Lake and the
Members of the Board of Selectmen
March 10, 1992
Page 4

I would be the principal attorney in the firm handling the legal affairs of Acton, and all the municipal specialists would also be available to the Town whenever needed.

Our firm would welcome the opportunity of being interviewed by you. We do extensive work in Middlesex County, and would be grateful for the opportunity of representing the Town of Acton.

Respectfully submitted,



Leonard Kopelman

Enclosures

- Article: "The Art and Science of Managing Legal Services"
- Article: "For Municipal Chief Executives, Managing the Local Planning Process"
- List of Some Speaking Engagements
- Form: Town of Acton Request for Legal Services
- Letters of Recommendation
- Some Seminar Descriptions
- Firm Brochure, which includes Resumes

March 9, 1992

File
Extra
✓ WNH 3/17

Board of selectmen
Town of Acton
Town Hall
Acton, Mass. 01720

In regard to the \$130,000.00 (One Hundred Thirty Thousand Dollars) that the town is going to get from the signed proposal earmarked "ELDERLY PURPOSES:", I am writing to say that I feel that the above money should be used solely for the purpose of furnishing, and for ongoing expenses of the new SENIOR CENTER so that the TOWN of ACTON will be assured of a viable senior center long into the future.

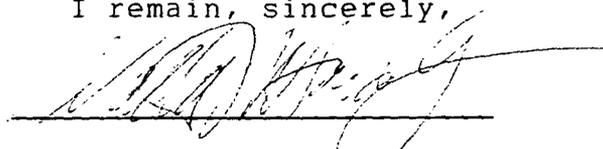
The elderly population in our town is quite large right now, and it doesn't appear that it is going to be any smaller in the near future. The present space that the COUNCIL ON AGING is working out of is quite inadequate. There is a dire need for the COUNCIL to have more working space.

The new center, which will be handicapped accessible, will allow some of our seniors who are now unable to use some of the sights where the programs are run, to take advantage of them.

The town does an awful lot to assist a lot of people, and this would be a way in which the TOWN could further it's good record of helping people.

Thanking you for taking this matter under consideration,

I remain, sincerely,



Walter N. Hardy
274 Main Street #1-A
Acton, Mass. 01720-3712

~~EXECUTIVE~~
OFFICE OF
COMMUNITIES &
DEVELOPMENT

3/11
Planning
Historic Com.
Historic District Com.
cc: C. Lake



William F. Weld, Governor
A. Paul Cellucci, Lt. Governor
Mary L. Padula, Secretary

March 2, 1992

Mr. Don Johnson
Town Manager
Town Hall
472 Main Street
Acton, MA 01720

Dear Mr. Johnson:

We are pleased to share the enclosed information on the Housing Preservation Grant program which is available through the Farmers Home Administration. As an eligible community, this program could offer an opportunity to improve and rehabilitate single family housing for very low and low income homeowners.

The closing date for acceptance by the Farmer's Home Administration of pre-applications is **March 16th, 1992**. You are to submit the pre-applications to FmHa field offices.

Please consider this letter as an offer from EOCD to assist in securing any available funds. If you would like further assistance from us, please do not hesitate to contact Mary Waldron in our Bureau of Local Liasion at 727-3197.

Sincerely,



Mary L. Padula
Secretary



TOWN OF ACTON
DEPARTMENT OF MUNICIPAL PROPERTIES
472 MAIN STREET
ACTON, MASS. 01720

DEAN A. CHARTER, M.C.A.
DIRECTOR
508-264-9629

March 9, 1992

TOM TIDMAN
CONSERVATION ADMINISTRATOR
508-264-9631

Mr. Richard Buck
3 Milldam Rd.
Acton, Ma., 01720

Dear Mr. Buck:

I am writing to remind you of the promise you made on February 13, 1992 in the course of a conference call involving yourself, myself, and Norman Cohen, our Town Counsel. During that conversation you made several verbal assurances to us regarding the conservation land that abuts your property, and you promised to send me a letter by the following Monday (February 17, 1992), making the following assurances:

1. That you would refrain from further cutting of any brush, trees or other vegetation growing on Conservation Land.
2. That, by May 1, 1992 you would remove the shed that you illegally erected on Conservation Land, and move it outside the ten foot zoning setback.

As of this date, I have not received your letter.

Last Friday I investigated an incident of vandalism on the land abutting your property: two conservation area signs showing the trail behind your property, and the location of the Potato Cave, had been destroyed. A police report has been filed regarding this incident, which occurred in very close proximity to the sign that you admitted vandalizing in December, 1990. In the 1990 incident the Town chose not to pursue the matter initially in the hope that some sort of amiable settlement could be reached.

I really need to get the letter from you that was promised last month by the end of the week; if not, I will have no other recourse other than to authorize Town Counsel to begin civil proceedings against you, in order to protect the Town's rights, and to attempt to recover financial damages.

Sincerely,

Dean A. Charter
Director, Municipal Properties

cc: Town Manager
Town Counsel



**Massachusetts
Housing Partnership**

88 Broad Street
Boston, Massachusetts
02110

(617) 338-7868
FAX (617) 338-8274

March 2, 1992

Ms. Naomi McManus
15 Deacon Hunt Drive
Acton, MA 01720

Dear Ms. McManus:

The purpose of this letter is to solicit information on the current activities of the local housing partnership and to encourage you to continue your affiliation with the Massachusetts Housing Partnership (MHP). A brief response form is enclosed and we ask that you return it by March 31, 1992.

As you know, MHP was established seven years ago with the purpose of helping local housing partnerships address local needs for affordable housing. As a result, more than 200 local housing partnerships have formed across the Commonwealth and have contributed to the development or preservation of thousands of units of affordable housing. MHP is able to support this network of local partnerships at no cost to the taxpayers with funding from the state's banking industry. We continue to work very closely with the Executive Office of Communities and Development to coordinate our efforts and programs.

Your response will help us develop programs and services that are responsive to your local needs. It will ensure that your community and the members of your partnership keep in touch with affordable housing opportunities through MHP's regular newsletter, workshops, and conferences. And it will ensure that your community remains eligible for direct assistance from MHP ranging from technical assistance and pre-development loans to permanent financing.

These are challenging times for affordable housing and we look forward to renewing our commitment to work with you and your community. Please feel free to call Robert Jenkins Jr. in Boston at (617) 338-7868 or me in Amherst at (413) 253-7379 if you have any questions. We look forward to hearing from you.

Sincerely,

Rita Farrell
Director of Partnership Development

cc: Chief Elected Officials

DON
cc: BOS



ENGINEERING DEPARTMENT
472 MAIN STREET
ACTON, MA 01720

February 28, 1992

Keystone Associates
c/o Raymond Peters
485 Great Road #3
Acton, MA 01720

Dear Ray:

I am writing concerning the four small parcels of land on Davis Road earmarked for the future layout of the road. These parcels are shown as parcels D-5/22-3 and E-5/1-1, 1-2, 1-3 on the Town Atlas (parcels A, B, C, & E on the enclosed plan). They have been a problem for you since the Town continues to send you a tax bill although they are essentially dedicated to roadway use by the public.

I have spoken to both the Finance Director and the Town Manager about this and I believe I have convinced them that the simplest and easiest way to resolve this problem at this time would be for you to deed these parcels to the Town. Then the Town can proceed with a formal layout of Davis Road sometime in the future, meanwhile the tax bills will stop!

If this is satisfactory, let me know and we can arrange the details of having a deed executed and recorded. My phone number is 508-264-9628.

Very truly yours,

David F. Abbt
David F. Abbt
Engineering Administrator

DFA/dmj
cc: Don P. Johnson, Town Manager ✓
Roy Wetherby, Finance Director
Lela Sorenson, Assistant Assessor



U.S. Department of Housing
and Urban Development

Boston Regional Office, Region I
Thomas P. O'Neill Jr. Federal Building
10 Causeway Street
Boston, MA 02222-1092

FEB 26 1992

CC: BOS

MEMORANDUM FOR: Chief Executive Officer

FROM: *Doris M. Desautel* Regional Director,
Office of Public Housing, IPH

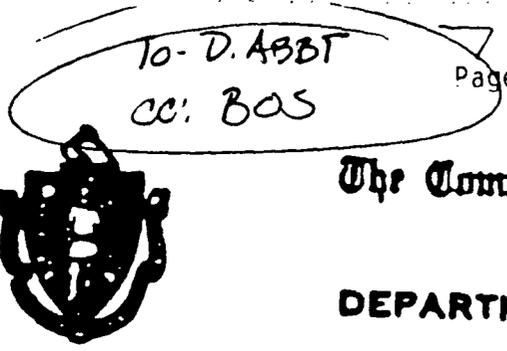
SUBJECT: Section 213(c) Comments

This is to inform you that the Executive Office of Communities and Development has applied to administer units of housing under HUD's Family Self-Sufficiency Program.

Pursuant to Section 213(c) of the Housing and Community Development Act of 1974, we must determine whether or not there is a need for such housing assistance, taking into consideration generally available data with respect to population, poverty, housing overcrowding, housing vacancies and substandard housing. An application may be approved only if our determination is in the affirmative.

We will consider only comments or information from you received by our office no later than thirty (30) days after the date of this letter. If your community does not intend to submit any comments or information, please notify us as soon as possible, so that we may expedite our determination in this matter. Please make reference in your letter that your comments are final ones. Please send your comments to this office, to the attention of Doris M. Desautel, Director, Office of Public Housing.

If you have any questions regarding this matter, please contact Robert B. Yablonskie at (617) 565-6988.



To - D. ABBT
cc: BOS

The Commonwealth of Massachusetts
Dig. Safe/92072983

DEPARTMENT OF PUBLIC WORKS

PERMIT ACTON

Subject to all of the terms, conditions and restrictions printed or written below, and on the reverse side hereof, permission is hereby granted to TOWN OF ACTON, to enter upon the State Highway known as Route 2A, or Great Road, for the purpose of constructing a five (5) foot bituminous concrete sidewalk on the easterly side of the highway between stations 33+67 and 36+55.

A COPY OF THIS PERMIT MUST BE ON THE JOB SITE AT ALL TIMES FOR INSPECTION. FAILURE TO HAVE A COPY OF THIS PERMIT AVAILABLE AT SUCH SITE WILL RESULT IN SUSPENSION OF THE RIGHTS GRANTED BY THE PERMIT.

The Grantee shall notify the State Foreman at the District Maintenance Depot in Littleton, at Tel. No. 486-4247, two days prior to the start of work.

All of said work shall be done as directed by the Engineer.

The Town will:

1. Provide funds for and place the sidewalk surface.
2. Be responsible for maintenance and snow removal on completed sidewalk.
3. Be responsible for all slope easements and all grade damage claims by the abutters.
4. Make no assessments on abutters for work done by the Town under a permit issued by the State.

Necessary signs, lights and barriers shall be installed by the Grantee in accordance with the 1988 Edition of the Manual on Uniform Traffic Control Devices. No metal drums are allowed within the State Highway Layout.

Uniformed Police shall be in attendance to direct traffic if necessary.

No equipment, trucks, etc. shall occupy any part of the travelled way except between the hours of 9:00 A.M. and 3:30 P.M. from Monday through Friday. Saturday and Sunday work is not permitted under the terms of this permit. Also, no work shall be allowed on holidays or the day before or the day after a long week-end which involves a holiday

(SEE OTHER SIDE FOR ADDITIONAL CONDITIONS)

No work shall be done under this permit until the Grantee shall have communicated with and received instructions from the District Highway Engineer of the Department of Public Works, at

This permit shall be void unless the work herein contemplated shall have been completed before

Dated at this day of Department of Public Works, By

TOWN OF ACTON
472 Main Street
Acton, Massachusetts 01720
Telephone (508) 264-9612
Fax (508) 264-9630

Don P. Johnson
Town Manager

March 10, 1992

Mr. Charles C. Moore, III
105 Main Street
PO Box 1032
Groton, MA 01450

Dear Mr. Moore

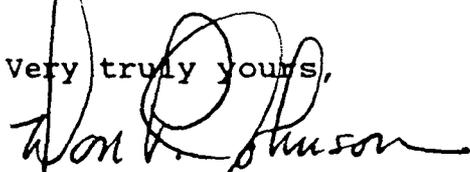
I am in receipt of your letter to the Board of Selectmen dated February 24, 1992. Your letter has been forwarded to the Board for information purposes; however, I am taking the liberty of responding in the Board's behalf.

I am truly sorry that you experienced such an inconvenience while in Acton. Your pictures clearly indicate that the defect you describe is on Route 2A and in Acton. Unfortunately, Route 2A is a State owned and maintained roadway. The Town has no responsibility or authority for its maintenance or repair. For this reason, the Selectmen are unable to honor claims for damages occurring on Route 2A.

I am returning your photographs and respectfully suggest that you forward your request to Ms. Laurinda T. Bedingfield, District Highway Engineer, Commonwealth of Massachusetts, Department of Public Works, District 4, 519 Appleton Street, Arlington, MA 02174. Ms. Bedingfield's office may not be the correct location for your request but I believe she will be able to direct you properly.

If you have further questions, please feel free to call.

Very truly yours,


Don P. Johnson
Town Manager

cc: Board of Selectmen
David Abbt, Engineering Administrator

Charles C. Moore, III
105 Main Street, Box 1032
Groton, MA 01450
448-3673/448-2399

Town of Acton
Board of Selectmen
Acton, MA 01720

February 24, 1992

Dear Selectmen,

On the evening of February 10th, I hit a pot hole located .8 mile on route 2A from the Acton/Littleton border in your town that caused severe damage to my car and I am writing to you asking for reimbursement for those damages. The circumstances occurred as follows:

- I was travelling eastbound at approximately 6:30 PM at 35 MPH. The road was dry and it was dark outside.
- A pick up truck travelling ahead of me, without signalling, slammed on their brakes to make a sudden left turn.
- To avoid a collision, I quickly steered my car to the right portion of the road where I fell into a pot hole approximately 30" long by 18" wide by 8" deep.
- The impact with the pot hole caused both of the right tires to deflate and after further inspection by two trained auto service people, I learned that both of the right side rims were damaged beyond repair.
- The car was left overnight at the Ostini Men's Wear parking lot while I found replacement rims and had the tires mounted and balanced on those rims.
- I notified the Acton Police of the incident and told them that the car was not driveable and that it would be parked at the Ostini location until I could get it fixed.

I missed an important meeting that night, had to wait for a ride home and spent the next day, which I had to take off from work, dealing with these repairs which, at this point, has cost me almost \$500.00. This road erosion goes way beyond acceptable when it causes this kind of damage. If nothing else, you will alert your highway crew to this dangerous hazard. There are marks on the road showing where many cars have bottomed out there. I am truly hoping that you will honor my request for some degree of compensation due to the fact that this pot hole, which is part of your road, was not marked and caused extensive damage to my car. I have enclosed photos of the scene and a copy of my repair record. I appreciate any attention you can give to this matter and if you need more information, please call me at 448-3673 or 448-2399.

Sincerely,


Charles Moore

**SELECTMEN'S MEETING
MARCH 3, 1992**

Dore

The Board of Selectmen held their regular meeting on Tuesday, March 3, 1992. Present were Norm Lake, Dore' Hunter, Nancy Tavernier, Anne Fanton and Town Manager Johnson.

CITIZENS' CONCERNS

None Expressed

PUBLIC HEARINGS AND APPOINTMENTS

**RICHARD DOLAN CLASS II LICENSE
125 HIGH STREET**

Charles Kadison representing Mr. Dolan explained the purpose of the request for a Class II license at this location. Mr. Dolan has an antique car hobby which he is plans to formalize and finds that he requires a Class II license for tax purposes when exchanging vehicles. He plans to operate much like a broker. No vehicles will be brought to the site and no repairs done on site. The Board agreed that it was zoned for a home business and that it was a permissible use if no cars were stored on site. The board cautioned Mr. Kadison that no cars could be stored on site and that no signs or repair of vehicles would be allowed. They also instructed staff to prepare a letter for Mr. Dolan to take to the registry for purpose of exempting him from the requirement of holding the cars on site for three days. DORE' HUNTER - Moved to approve, no signs or vehicles on site at any time for sale or repair. NANCY TAVERNIER - Second UNANIMOUS VOTE.

STREET ACCEPTANCES

AYER ROAD, STONEYMEADE WAY, MACLEOD LANE

DORE' HUNTER - MOVED to accept the presented streets and to recommend them for acceptance at Town Meeting. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

SCUPPERJACK'S

COMMON VICTUALERS LICENSE/ENTERTAINMENT LICENSE

Mr. Jack Mendosa the new owner/manager of ScupperJacks' outlined his proposed operation and experience with the Stouffer Restaurant Corp. He plans to make no substantial changes in operation from the current Rusty Scupper.

NANCY TAVERNIER - Moved to approve a Common Victualler and Entertainment License for ScupperJack's. DORE' HUNTER- Second. UNANIMOUS VOTE.

**SCUPPERJACK'S RESTAURANT
TRANSFER FOR ALL ALCOHOLIC BEVERAGES LICENSE**

Jack Mendosa discussed his experience and gave the Board his liquor handling policy for review. He plans to operate the restaurant in its current fashion. He was the Manager in 1974 when the restaurant was new and has followed the restaurant progress through his position at the Corporate offices of the Stouffers Corp. DORE' HUNTER - MOVED to approve the transfer from Stouffers Corp. d/b/a Rusty Scupper and Pledge of Stock to United States Trust CO. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

WARRANT DISCUSSION

The Board reviewed Nancy's memo with proposed ordering and consent items and agreed it was acceptable. Nancy felt it was important to put the deferral articles before the budget since if it fails, we would need to recommend we move over the budget and money articles and call another Town Meeting or possible override as a solution. It was felt that as much explanation as possible should be given on Deferral so that everyone understood its importance. Nancy asked that the notice of where to obtain Warrants be put in the "mail bag" for public notice. It was agreed to do this as well as all the other means of notification used last year to notify voters.

Anne was assigned the Self Funding article and Dore' was assigned Local Deferral Amortization as it went with the Local Deferral Article and would be best addressed in a joint presentation.

The Board further voted their recommendations on the articles as follows:

Article 3 - Nancy Tavernier moved to recommend - Dore' Hunter- Second. UNANIMOUS VOTE.

Article 4. - Nancy Tavernier moved to recommend - Dore' Hunter- Second. UNANIMOUS VOTE.

Article 5 - Anne Fanton moved to recommend - Nancy Tavernier - Second. UNANIMOUS VOTE.

Article 6 - Norm Lake moved to recommend - Nancy Tavernier Second. UNANIMOUS VOTE.

Article 7 - Dore' Hunter Moved to recommend - Nancy Tavernier - Second. UNANIMOUS VOTE.

Article 8 - Dore' Hunter Moved to recommend (if numbers on the school side level out)- Nancy Tavernier - Second. UNANIMOUS VOTE.

Article A - Local Deferral - Dore' Hunter Moved to recommend - Nancy Tavernier - Second. UNANIMOUS VOTE.

Article B - Local Deferral Amortization (reassigned to Dore') - Dore' Hunter Moved to recommend - Nancy Tavernier - Second. UNANIMOUS VOTE.

Article C - Acceptance of Local Option Setting Local Fees - Norm Lake Moved to recommend. Nancy Tavernier - Second. UNANIMOUS VOTE .

Article D - Amendment of Non-Criminal Bylaw - Local Historic Dist. - Nancy Tavernier - Moved to recommend. - Dore' Hunter Second. UNANIMOUS VOTE.

Article E - Amendment to Non-Criminal Bylaw - Fire Alarm Regulations - Dore ' Hunter - Moved to recommend - Nancy Tavernier - Second. UNANIMOUS VOTE

Article F - Acceptance of MG. 148, Section 26H and 26I Anne Fanton - moved to recommend - Dore' Hunter - UNANIMOUS VOTE.

Article G - NESWC BOND REFINANCING - Removed from Consent - Norm Lake - moved to recommend - Nancy Tavernier- Second. UNANIMOUS VOTE.

Article H - Removed from Consent - Nancy Tavernier moved to recommend - Anne Fanton - Second. UNANIMOUS VOTE

Article I - Self Funding Programs - (article re-assigned to Anne Fanton) Dore' Hunter - Moved to recommend -Nancy Tavernier - Second. UNANIMOUS VOTE.

Article J - Retirees Health Care - Nancy Tavernier - Moved to defer recommendation until the 17th meeting -

Article K - Mobile Sweeper - Nancy Tavernier Moved to remove - Norm Lake Second. 3-1 Vote Hunter abstain.

Article L - Catch Basin Cleaner - Nancy Tavernier Moved to remove - Norm Lake Second. 3-1 Vote Hunter abstain.

Article M - Applicability of Zoning Bylaw - Dore' Hunter - Moved to recommend - Nancy Tavernier - Second. UNANIMOUS VOTE .

Article N - Parking Requirements - Dore' Hunter - Moved to Defer Recommendation - Norm Lake Second. UNANIMOUS VOTE - (wording to be reworked to reflect the changes proposed and agreed on by staff)

Article O - Housekeeping Amendments Zoning - Norm Lake Moved to Recommend and moved to consent - Nancy Tavernier - Second - UNANIMOUS VOTE.

Article P - Street Acceptances - Dore' Hunter - Moved to Recommend - Nancy Tavernier - Second. UNANIMOUS VOTE.

Article Q - Charter Road Sidewalk - Dore Hunter - Moved to consent and recommended - Nancy Tavernier - Second. UNANIMOUS VOTE.

Article R - Unpaid Bills - Anne Fanton - Moved to Recommend - Dore' Hunter - Second - UNANIMOUS VOTE.

Article S - Continuation of Previous Appropriations - Norm Lake - Moved to Defer Recommendation - Dore' Hunter - Second. UNANIMOUS VOTE.

Article T - Budget Transfer - Nancy Tavernier - Moved to defer recommendation - Dore' Hunter - Second. UNANIMOUS VOTE

Article U - Use of Funds to Reduce the Tax Rate - Dore' Hunter - Moved to Recommend - Nancy Tavernier - Second. UNANIMOUS VOTE.

Article V - Amendment to the Town Bylaw - Nancy Tavernier assigned and Nancy Tavernier moved to recommend - Dore' Hunter - Second. UNANIMOUS VOTE.

TRANSPORTATION ADVISORY COMMITTEE

The Board discussed the possible disbanding of the Committee with Martin Gratz, the remaining volunteer. Martin felt that the divisions of the labor and chores should be addressed when and if they are disbanded to insure that the tasks they perform are done. Dore' didn't see any structural need to continue with the present TAC and felt that the duties could be absorbed by town staff much like how the Personnel Board was handled. Nancy felt that since the site plans had decreased the need for review by them has lessened. Gratz felt that it could be re-cast to require 1 or 2 person committee. ANNE FANTON - Moved to continue with 1-2 Members renaming TAC to Transportation Volunteers, to advise the Board of Selectmen and appropriate staff on bicycle issues, regional planning issues, commuter rail (specifically the Littleton Issue), pedestrian issues and site plans. DORE HUNTER - Second. UNANIMOUS VOTE. Staff to notify VCC we no longer need to recruit for TAC volunteers.

CONSENT CALENDAR

The Board approved the Consent Calendar as submitted with a addition of a cash gift to Civil Defense. DORE' HUNTER- Moved to accept. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

SELECTMEN'S CONCERNS

Eagle Scout - Norm volunteered for Tavernier Court of Honor for April 11.

Second Airport/Fort Devens Task Force - Anne spoke about the siting evaluation process and that its moving ahead. VCC has had some interest expressed in serving on the task force. Nancy thought perhaps TAC could be steered into this direction. DORE' felt that TAC could be abolished and have another organized group handle this new issue. He felt we should wind up TAC and more or less create another group to include any interested members of TAC. The consensus was that the proposed task force should have between 3-5 members and we could ask VCC to recruit depending upon their workload. DORE' HUNTER - Moved to create an Advisory Ad Hoc Committee on Second Airport/Fort Devens potential reuse/Second Airport to keep the Board of Selectmen current, advise and bring back opinions to the board. ANNE FANTON - Second. UNANIMOUS VOTE - Vcc to be asked if they want to recruit and to use Anne's Memo as a Charge to the committee.

Red Cross Proclamation - NANCY TAVERNIER - Moved to approve. DORE' HUNTER- Second. UNANIMOUS VOTE.

NESWC - DORE' HUNTER - Moved to transmit in writing to the Executive Board our no vote in the matter of the proposed salary increase for the Director. ANNE FANTON - Second. UNANIMOUS VOTE.

TOWN MANAGER'S CONCERNS

C&D GLASS - Don felt that they have complied and that the Bond of 5,000 be released with 500.00 retained by the building Commission to pertain to the trailer issue that is outstanding. NANCY TAVERNIER - MOVED to recommend release of the bond in the amount of 4,500.00 DORE' HUNTER - Second. UNANIMOUS VOTE.

AUDUBON HILL - John updated the Board on the status of the revised agreement. All parties have signed the agreement and we are receiving letters from numerous boards and committees regarding the use of the \$130,000.00

HURRICANE BOB - Don advised the Board that the Town had received a reimbursement from the federal government in excess of \$64,000 for reimbursement of expenses. Don wanted it noted that John Murray should be recognized for his effort in obtaining these funds. John wanted John Hawks and staff also mentioned for their efforts.

DORE' HUNTER - moved to go into executive session for the purpose of discussing Collective Bargaining.
Roll was taken - all Ayes.

The Board adjourned into executive session at 10:00 P.M.

Clerk

Date

Christine Joyce
Recording Secty.
cmjW11-(212)

EXECUTIVE SESSION

MARCH 3, 1992

Budget

FIRE COLLECTIVE BARGAINING

Don and John updated the Board of the most recent collective bargaining meeting with Fire. They want 5% next year plus steps and 0% this year, vacation 3 off on on-prime. They had accepted the 5% and requested everything else. John and Don felt that they were at impasse and after 15 months the negotiations were dead and we are heading toward mediation, fact funding and mediation. John feels they just don't understand the process and he feels they have a lack of understanding concerning the financial plight of the town.

arbitration

The Board wanted to make sure any funding shortfalls to come from the Fire's Budget.

The Board adjourned out of Executive Session at 10:40 P.M.

Clerk

Date

Christine Joyce
Recording Secty.
cmjW11-(212)



Cornelia O. Huber
Town Clerk

TOWN OF ACTON
TOWN CLERK

472 Main Street
Acton, Massachusetts 01720
(508) 264-9615

Catherine Belbin
Asst. Town Clerk

March 11, 1992

Palmer & Dodge
One Beacon Street
Boston, Massachusetts 02108

Attention: Acheson Callaghan, Esquire

Re: Estela Santiago vs Town of Acton

Dear Mr. Callaghan:

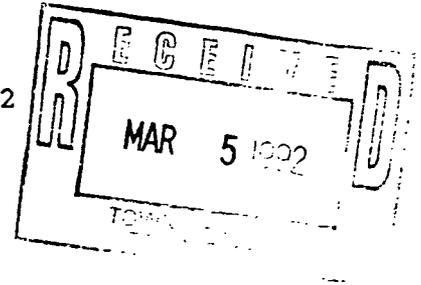
Enclosed please find a copy of the property damage claim filed against the Town of Acton by Ms Estela Santiago. The claim was received by certified mail on March 5, 1992.

Very truly yours,

Cornelia O. Huber
Town Clerk

BIGELOW & PUGLISI
ATTORNEYS AT LAW
44 SCHOOL STREET - SUITE 300
BOSTON, MASSACHUSETTS 02108
Tel. (617) 227-1965
Fax (617) 523-2838

TOWN OF ACTON
92 FEB 34 AM 11:43



M. BLAIR BIGELOW*
PHILIP J. PUGLISI

March 4, 1992

*Admitted to New Hampshire Bar
Acton Town Hall
Clerk's Office
472 Main Street
Acton, Ma. 01720

Re: Claimant: Estela Santiago
Date of injury: February 20, 1992
Location: Front of approximately Woodlawn Cemetery
at the curve on Concord Road, Acton, Ma.

Dear Sir/Madam:

Pursuant to Chapter 84, sections 15, 18 and 19 of Mass. General Laws notice is hereby given to you of a claim for property damage caused by a defect and/or negligence on behalf of the Town of Acton, its employees or agents, in the maintenance, construction and care of property located approximately in front of Woodlawn Cemetery at the curve on Concord Road, Acton, Ma. 01720.

NAME OF CLAIMANT: Estela Santiago
52 Swanson Court
Boxborough, Ma. 01719

DATE AND TIME OF INJURY: February 20, 1992
Approximately 7:30-8:00 A.M.

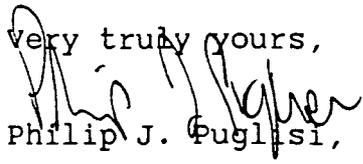
PLACE OF INJURY: Concord Road, Acton, Ma. near
Woodlawn Cemetery at curve

CAUSE OF INJURY: Defect in way, ice present on
surface, failure to sand and
the presence of potholes.

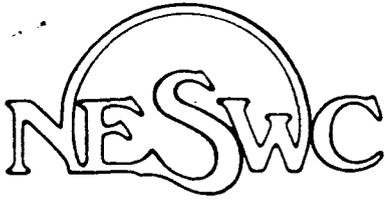
For the injuries sustained, damages are hereby claimed.

Kindly forward this letter to your insurance carrier or legal representative.

Very truly yours,


Philip J. Puglisi, Esquire

PJP:j
Certified Mail P 628 195 215



cc 803
DICK H.

NORTH EAST SOLID WASTE COMMITTEE
MEMORANDUM

To : Chief Executive Officers
Advisory Board Members

From : Francis J. Hopcroft
Executive Director

Subject : 3% SET-ASIDE PROVISIONS OF 1987 SOLID WASTE ACT

DATE : March 11, 1992

The 1987 Solid Waste Act required, among other things, that the Owner/Operator of a Resource Recovery Facility must set-aside 3% of all tipping fees received. The money is required to be placed in an escrow account for use in retrofitting the facility for environmental improvement as determined to be necessary and appropriate by the DEP.

A surprise!

The implementation of that provision was delayed until July 1, 1992. If implemented on schedule, this provision will require an increase of \$4 to \$6 per ton in NESWC tipping fees - above the \$70 per ton already budgeted. The higher percentage for NESWC is due to the fact that calculated tipping fees are expected to be higher than flat rate fees and because the NESWC contract would require the communities to pay the 3% withholding associated with existing commercial contracts.

A Supplemental Appropriation Bill, designated H.5317 is being voted on in the House today. Language is in that bill to delete the 3% set-aside provisions of the 1987 Solid Waste Act. H.5317 is expected to pass the House and move to the Senate Ways and Means Committee with the deletion language intact.

All NESWC communities now need to contact their state Senators and have them talk to Sen. Patricia McGovern, Chairwoman of the Senate Ways and Means Committee, and any other member of the Senate Ways and Means Committee, to ensure that the language is not altered or deleted in the Senate.

The language currently is carried as Section 4 of H.5317 and reads as follows:

"Section 4. Section 6 of Chapter 21H of the General Laws, as amended, is hereby amended by striking out sections b and c. thereof."

The wording may be slightly altered from the above during the House action, but the meaning needs to be the same.

Please telephone your State Senator today. Advise him/her of this language in the Supplemental Appropriation Bill and the need to retain it in the Senate bill. Urge your Senator to support the language and to talk to Senator McGovern and other members of the Senate Ways and Means Committee to ensure that the language remains in the bill approved by the Senate Ways and Means Committee and, ultimately, by the whole Senate.

If there are any further questions on this matter please don't hesitate to call. Quick action is needed, however, and a strong response from all NESWC communities is essential.

cc: BOS

D. Chanter Please
answer

JH
2-17

7518 Merritt Road
Rowlett, Texas 75088
23 Feb 91

Town Managers Office
Town Hall
Acton, Mass. 01720

Gentlemen:

Please send information about whether permission is required to use the Town's fields or open areas on Wetherbee and School Streets.

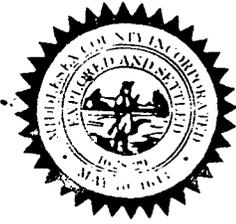
Please include who one should contact, requirements about fees, police attendance if needed, environmental impact statements that may have to be submitted, and any other requirements, posting bonds, etc.

Sincerely,


Clement Moritz

e.

cc: BOS



Commonwealth of Massachusetts
COUNTY OF MIDDLESEX
BOARD OF THE COUNTY COMMISSIONERS

494-4100

40 THORNDIKE STREET
EAST CAMBRIDGE, MASSACHUSETTS 02141

FRANCIS X. FLAHERTY, ESQ., Chairman
Arlington
THOMAS J. LARKIN, Bedford
EDWARD J. KENNEDY, Lowell

March 3, 1992

Chairman Norman D. Lake
Board of Selectmen
Town Hall, 472 Main Street
Acton, MA 01720

Dear Chairman Lake:

The Middlesex County Commissioners Office is pleased to announce the inception of our Regional Purchasing System. This System will be a valuable resource for your community and will be available to any city or town in Middlesex County that would like to participate. Our plan is to reach out to your community through collective purchasing contracts which will save time and money for the cities and towns of Middlesex County.

In the coming weeks, our Chief Procurement Officer, Bill Duffy, will be in contact with you to set up a time to visit your municipality and explain the power of volume purchasing. Even if you currently procure items from the state purchasing contracts, you will find it advantageous to participate in our System. We believe by acting as a virtual service bureau to the cities and towns of Middlesex, we can provide enormous discounts and relieve your municipality of the considerable costs incurred through procurement and the competitive bid process. In turn, the cost savings generated by this program can be redirected toward other funding needs of your community.

We hope you will participate in this System and allow the resources available to you at the County Commissioners' Office to work for you. Should you have any questions relative to this proposal, or if you wish to contact Mr. Duffy directly with any inquiries, please call (617) 494-4107.

A brief summary of the County's new Purchasing System is enclosed for your review. Thank you for your consideration.

Sincerely,

Commissioner Francis X. Flaherty, Esq., Chairman

Commissioner Thomas J. Larkin

Commissioner Edward J. Kennedy

MIDDLESEX COUNTY
REGIONAL PURCHASING SYSTEM

Five Economical Factors:

1. Participation in the Middlesex County Regional Purchasing System offers your municipality all the benefits of volume purchasing. With the County's Regional Purchasing Staff working for you, we do the research necessary to find your community the best possible prices on the goods and services you need.
2. This program offers your municipality the opportunity to take advantage of any vendor or service contract you believe will bring the greatest savings to your city or town.
3. Our program will assist your administrative staff in researching procurement opportunities. As part of our new Regional Purchasing System, we will be available to you for consultation on the procurement of any item or service.
4. By negotiating our agreements and contracts using the collective buying power of the cities and towns of Middlesex County, we gain a greater bargaining position, one which will benefit each of the municipalities active in the system.
5. Volume purchasing has tremendous potential for the fifty-four cities and towns in Middlesex County. It offers the potential to save your municipality money and resources; savings which then can be put to work in those areas most important to your community.

One Collective Solution:

In order to find the best possible prices available to your city and town, please provide our representative with a printout of what you presently procure, your volume, plus your unit prices.

Indicate to our agent if you currently utilize the state contracts, or some form of consortium.

Contact the MIDDLESEX COUNTY COMMISSIONERS OFFICE REGIONAL PURCHASING OFFICE at (617) 494-4107 for further information on how our system can work for you.

C.L. BGS
concerns a property @ 65 Street
R.

PALMER & DODGE

One Beacon Street
Boston, Massachusetts 02108

Telephone: (617) 573-0100

Facsimile: (617) 227-4420
Telex: 951104

February 28, 1992

Mr. Garry Rhodes
Building Commissioner
472 Main Street
Acton, MA 01720

Dear Garry: (Site Plan: Expansion in Floor Area)

You have asked whether a site plan special permit is required when part of an existing building is being demolished and replaced by a new addition. The floor area of the "new" part is more than 1,200 square feet, but neither the floor area nor the ground area is increased by more than 1,200 square feet because the addition is partly located within the footprint of the old building and replaces some of the existing floor area. Although your question is close and the answer debatable, I think the better reading of §10.4.1 of the by-law is that a permit is not required.

The general purpose of §10.4.1 is to require a site plan review for new buildings or uses and for "significant" expansion of existing buildings or uses. What is significant is defined in terms of either a 1,200 square foot "increase" in floor area or a 1,200 square foot "expansion" of ground area. Because there is not an "increase" or an "expansion" of area of more than 1,200 square feet I conclude the by-law does not apply. Although this

Mr. Garry Rhodes
February 28, 1992
Page 2

may seem a "literal" reading of the by-law, any provision that tries to draw a precise line will produce close cases on either side of the line, and I think a landowner is entitled to a literal reading of the by-law in these circumstances.

Very truly yours,

Nike

Acheson H. Callaghan

AHC:jag

A black rectangular redaction box covering several lines of text.

TOWN OF ACTON

INTER-DEPARTMENTAL COMMUNICATION

DATE: 3/5/92

TO: Don P. Johnson, Town Manager
FROM: David F. Abbt, Engineering Administrator
SUBJECT: CONCORD ROAD BRIDGE
(A-2-18)

This memo is intended to briefly outline the steps necessary to design a replacement for the Concord Road Bridge. This bridge is currently inspected on a regular basis by the Massachusetts Highway Department and has a weight restriction of 20, 25, 36 tons (2 axle, 3 axle and 5 axle respectively). Therefore, State approval of the plans for the new bridge will be necessary under MGL Ch.85, S.35.

In order to obtain this approval, the following design steps will be required:

1) Prepare Base Plan of Area

This work has actually been started as part of the proposed Ice House Pond renovations. We also did the survey for the purchase of the Ice House Pond land and the purchase of the two "railroad" parcels in the early 1980's. This data is being entered into AutoCadd and will be augmented with additional field survey as needed. The base plan should be completed in March or early April.

2) Prepare Hydraulic Study

The next step is a "hydraulic study" along the lines of the one done by VHB for the Wetherbee Street Bridge. This study gathers and generates data for the sizing of the new culverts.

3) Prepare Design Plans

Then comes the design plans, including road and brook profiles and construction details. These plans would be generated by this department on the AutoCadd system. The design would include modest widening of the roadway and the addition of a sidewalk on the upstream (north) side of the road.

4) Environmental Filings

Besides the Chapter 85 approval, we will need to file a Notice of Intent with the Conservation Commission pursuant to the State Wetlands Protection Act (MGL Ch.131, S.40) and the local bylaw.

We may also need to file with the State Division of Water Pollution Control for a Water Quality Certificate and with the Army Corps of Engineers if required by Federal regulations.

5) Professional Certification

We will need a review and certification by a professional engineer of the hydraulic study and design plans. I would anticipate hiring, on a hourly basis, Eric K. Durling, P.E. for this work. I estimate up to 10 hours at \$50/hour for a total of \$500.

6) Public Bid

The precast concrete box culvert sections required for the new bridge will be bid according to MGL Chapter 30B. The specifications will include a requirement that these culvert sections be certified for HS20-44 highway loads by a Massachusetts registered professional structural engineer.

7) Construction

Removal of the old stone box culvert and installation of the new culvert sections will be done by the Highway Department using, when necessary, hired equipment. Stones from the old culvert will be used to build headwalls and rip-rapped slopes for the new culvert. Construction will need to be scheduled during a dry time of year which is usually August or September. Concord Road would be closed during construction. I estimate 3-4 weeks to substantially complete the project.

cc: Dick Howe, Highway Superintendent
Dean Charter, Municipal Properties
Tom Tidman, Conservation Administrator
Garry Rhodes, Building Commissioner
Roland Bartl, Town Planner



We will need to
replace this Tank
soon
Eck 2-13-92

RECEIVED
FEB 26 1992

BUREAU OF WASTE PREVENTION
DEPARTMENT OF ENVIRONMENTAL PROTECTION

FACT SHEET FOR
UNDERGROUND TANKS STORING WASTE OIL
[310 CMR 30.253(1)(h) and 527 CMR 9.29]

FEB 1 1992

Tanks are considered to be underground when any portion is below ground or if the bottom is resting on the ground.

All waste oil underground tanks that are not double walled must be upgraded or taken out of service by **December 22, 1998**.

Leak Detection All tanks must have one of the following methods of continuous leak detection by the schedule below:

- Double walls with interstitial monitoring; or
- In-tank monitoring device; or
- Testing for vapors in the soil gas of the excavation zone.

Tank Installation Date	Leak Detection Required by
Before 1969 or unknown	12/22/90
1970 - 1974	12/22/91
1975 - 1979	12/22/92
1980 - 12/88	12/22/93

Cathodic Protection If the tank is made of unprotected steel or has steel piping, it must be retrofitted with cathodic protection by December 22, 1998.

Tightness Testing Through 12/22/98, annual tightness testing is required until the continuous leak detection, cathodic protection, spill and overfill prevention measures have been taken. Tightness testing is required during the 5th, 10th and 15th year after installation once cathodic protection, spill and overfill prevention measures have been taken, and if the tank has not been upgraded with continuous leak detection.

Weekly Dipstick Requirement Waste oil underground tanks require weekly dipstick testing. Three measurements must be taken at the beginning and end of at least a 24 hour period when no waste is added to or taken from the tank or when the tank is not in use. A leak is suspected if the variation in the beginning and end measurements exceeds the standards in the regulations. The dip stick results must be kept in a log in compliance with 527 CMR 9.22.

Spill and Overfill Prevention The underground tanks must have a spill prevention device such as a removable funnel with at least a 12 inch diameter and the tank must be managed to prevent overfilling. A tight-fitting cap must be in place when the tank is not in use.

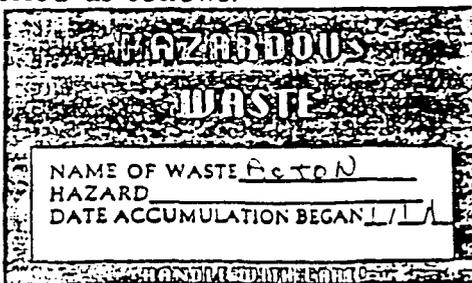
Notification Requirement Before any of the above devices are installed, the tank owner or operator must send a written notice to the fire department.

New Tanks [527 CMR 9.08]

- As of January 1, 1989, all new underground waste oil tanks must be double walled with interstitial monitoring.
- They must be designed, constructed and monitored in compliance with 310 CMR 30.690.
- New tanks require a permit according to 527 CMR 9.26.

Labeling Waste Oil Tanks [310 CMR 30.340(1)(b)]

Each waste oil tank must be clearly marked and labelled throughout the accumulation period as follows:



"HAZARDOUS WASTE"
OIL
TOXIC
DATE ACCUMULATION BEGAN

Leaking Tanks [310 CMR 30.697]

Immediately report any leaks by telephoning both the local fire chief and the nearest Massachusetts DEP regional office:

Springfield (413) 784-1100	Lakeville (508) 946-2850
Worcester (508) 792-7653	Woburn (617) 935-2160
Nights, weekends and holidays, call the State Police	(617) 566-4500

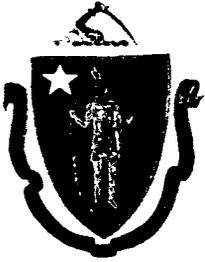
Removing Tanks [527 CMR 9.22]

- Remove underground waste oil tanks according to the procedures in 527 CMR 9.22 502 CMR 3.00.
- EPA requires an assessment for contamination upon removal. The assessment must be retained for 3 years.
- Waste oil remaining in the tank must be handled as a hazardous waste.

For copies of the regulations, contact the Statehouse Bookstore at (617) 727-2834 or (413) 784-1376. For additional information on these regulations, contact the DEP, Division of Hazardous Waste, between 9 - 1 daily at (617) 292-5898 or the Department of Public Safety at (508) 851-9813.

Prepared by the DEP, Division of Hazardous Waste (2/91).

cc: Bas



COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE
STATE HOUSE, BOSTON 02133

SEN. ROBERT A. DURAND
MIDDLESEX AND WORCESTER
DISTRICT
ROOM 413B
TEL. (617) 722-1120

CHAIRMAN
COMMITTEE ON NATURAL RESOURCES
AND AGRICULTURE
CHAIRMAN
COMMITTEE ON ENERGY
COMMITTEE ON WAYS AND MEANS
COMMITTEE ON HEALTH CARE
COMMITTEE ON TRANSPORTATION

March 1, 1992

Acton Board of Selectmen
Town Hall, 472 Main St
Acton, MA. 01720

Dear Chairman Lake & Board Members,

Enclosed please find a copy of a recent resolution I signed in regards to urging the Governor to file a local aid resolution that would offer significant advantages to cities and towns planning their local budgets.

Consider this letter as further evidence of my commitment to see that cities and towns receive the revenue sharing they deserve. Also, please know, that I will continue to fight against any effort to reduce aid to the well managed, smaller suburban/rural cities and towns in my position as a member of the Senate Committee on Ways and Means.

I thank the members for this opportunity to present this letter and will continue to update you as the budget for this fiscal year moves forward.

Very truly yours,

ROBERT A. DURAND
STATE SENATOR



The Commonwealth of Massachusetts

Senate

State House · Boston

January 21, 1992

Governor William Weld
State House, Room 360
Boston, MA 02133

Dear Governor Weld,

We are writing to urge you to file a local aid resolution detailing your proposed distribution and amount of local aid by community for fiscal year 1993. Agreement on local aid figures in advance of budget debate would offer significant advantages to cities and towns planning their local budgets. Such a process was used successfully in the mid-1980s and we would like to see it renewed.

It is already quite challenging for municipalities to plan their budgets. The lack of definitive state aid numbers in advance of local budgeting only compounds their difficulty.

We believe that providing this information as early as possible will greatly assist communities throughout the state and therefore urge your favorable action.

Thank you in advance for your consideration.

Sincerely,

Daniel E. Bosley

Stan Rosenberg

Jane M. Swift

Ray Healy

Frank F. Hyman

Michael J. Bennett

Bob Duran

Nancy reported that BFI will no longer accept brown paper bags with newspapers, effective immediately. Acton will be charged \$30 per ton for any contaminated loads. Members talked about how difficult it is to control newspaper dropoff procedures, and agreed that it was imperative to put up a sign at the Newspaper bin saying, in effect, "No Bags (Or Cost to Taxpayers \$30 per Ton).

Nancy also reported that Acton must now pay \$48,000 to MCI's North Andover Incinerator, due to a decrease in solid waste tonnage being delivered (as a result of recycling, which the State requires). Acton had requested a 5% decrease allowance but was granted only a 2% decrease, because many other towns made a similar request. Total solid waste tonnage from all NESWC towns is added together to yield the amount that MCI seeks to maintain a profit.

E.V. Tear said that she would like feedback on her brochure idea. The group decided that, because such a great deal of information concerning recycling was in E.V.'s brochure, it would be better to approach the Beacon to find out if E.V. can begin to write a series on recycling, written in a Question&Answer format, not Acton-specific, and directed toward the person who resists recycling. E.V. agreed to contact Doris Hillberg, Managing Editor.

Members were still in a quandary about how best to go about a public education campaign on recycling, undecided if a direct mailing, a poster, or information brochure sent to all residents would be effective. This will be addressed at the next meeting.

The meeting adjourned at 10:30 am.

The group agreed to meet again on Tuesday, March 3, at 9:00 am.

Respectfully submitted,



Maya Spies, Clerk

cc Town Clerk
Board of Selectmen

ACTON SCHOOL COMMITTEE

Library
Douglas School

February 13, 1992

Members Present: Steve Aronson, Jean Butler, Sally Campbell, Pam Harting-Barrat, Lees Stuntz

Also Present: Robert Kessler, William Ryan, Steve Desy, Fran Leiboff, Mac Reid, Jim Palavras, Joan Little, Parker Damon, Lisette Kaplowitz, faculty members from Douglas, citizens and press.

The meeting was called to order at 7:30 p.m. by Jean Butler, Secretary.

The minutes of January 9, 1992, were approved as written.

Warrant #92-017 in the amount of \$79,779.87 and warrant #91-114 in the amount of \$351.10 were signed by the secretary and circulated to the other members of the Committee.

PUBLIC PARTICIPATION: Carol Mackey had several questions regarding School Choice. As Choice is on the agenda later in the meeting, it was decided to discuss these concerns at that time. Mrs. Shahmehri asked why there was no disciplinary action policy for the school district as a whole. Dr. Kessler responded that the schools are governed by specific laws of the commonwealth and as long as the individual schools act within those laws, the School Committee takes no action. There is a statement in each school handbook regarding disciplinary process and action.

EDUCATION REPORT: Lisette introduced Kelly Langan, a sixth grader at Douglas, who told about the process and effort it took to be published in the Boston Globe's January 19 "Fun Pages". Lynn Schade, outreach coordinator at Tufts University, then spoke about the developmental education workshops they have sponsored at Tufts and at Douglas. She spoke about the process and content of developmental education, and how teachers are supported in their efforts in the classroom. Teachers at Douglas have participated in guided observations in the Elliot-Pearson school at Tufts. A series of nine presentations have been offered in Acton and have been attended by 80-90 teachers. Workshops for parents have also been held, which involve a hands-on introduction to developmental education methods. The Committee enjoyed participating in one such project. Tufts also offers a summer institute in graduate education (for developmental ed.) and 12 Acton teachers have participated over the last two summers. Tufts offers on-site consultation, so that teachers may successfully implement what they have learned. Lynn conducted a brief tour of several developmental ed. oriented classrooms. She has appreciated the support of the Acton schools in terms of time, enthusiasm and funding.

SUPERINTENDENT'S RECOMMENDATIONS FOR FEBRUARY

It was moved, seconded and unanimously

VOTED: To approve action taken by the Regional School Committee to support the *America 2000* project.

It was moved, seconded and unanimously

VOTED: To approve action taken by the Regional School Committee to endorse the AIDS policy.

It was moved, seconded and unanimously

VOTED: To approve action taken by the Regional School Committee regarding the Energy Management System Upgrade.

It was moved, seconded and unanimously

VOTED: To accept the gift payment of \$46,424.00 from MIT/Lincoln Laboratories on behalf of the Faculty Externship Program (for Anne Smith).

FOR YOUR INFORMATION:

Dr. Kessler referred to Jean McGrath's nomination for inclusion in "Who's Who Among America's Teachers". He reviewed the February 1, 1992 enrollment sheet in its new format. October 1, 1991 enrollment figures = 1836, and February 1 figures are 1851. This is an unusual increase and indicates in-migration. Dr. Kessler mentioned the new elementary teacher recruitment process, which will be used this year, due to the large numbers of applicants for teaching positions. We would like to hire some minority candidates and hope by starting the process early we may be able to do so. There may be 2-6 elementary teaching openings this fall.

WARRANT: There were no questions. Bill Ryan said that there is about \$12,000 budgeted for teachers' inservice training and course reimbursement (answering a question from Dr. Donald).

CONCERNS OF THE BOARD:

Dr. Kessler said that the state wants to establish a legislative liaison with each School Committee. He suggested that Jean Butler be nominated; Jean said she would be willing to serve. There was discussion on School Choice. A packet, "Enrollment Worksheet - Student Projections for Choice Decisions, 1991-97", was distributed, developed by Parker Damon, chair of the Space Committee, and Jim Chace. Dr. Kessler said, in response to Carol Mackey's question, that Choice is a yearly commitment that the school committee makes. The charts in the packet indicate how complex an issue it raises in our schools, regarding space and enrollment. It seems clear that the state will continue to support choice, but how it will be funded and at what level is still to be determined. Dr. Kessler will make a recommendation about Choice at the March School Committee meeting. The number of applicants (over 200) exceeds the number of

available spaces. Lees suggested designating a specific number of spaces for in-migration vs. half the number of available seats. Half the number may lead to overcrowding in already overcrowded classes. A lottery will be held, if needed, at a future date. Lees asked if the committee could have a list of policies that are reasonable to discuss at the next meeting. Bill Weeks commented that there has been a high number of single family dwelling permits issued this year. Dr. Kessler said that this is an extremely complex issue and this is why we aren't making snap decisions. Transportation is still an issue - choice parents at this point must provide it. It was the sense of the committee to institute a process necessary to assure sibling priority in the choice system, assuming there is space.

Jean commented on the Conant student handbook and how she appreciated the student input.

EXECUTIVE SESSION: No need for one.

NEXT MEETING: Thursday, February 20, 1992 in #114 (budget meeting), following the regional meeting.

The meeting was adjourned at 10:00 p.m.

Respectfully submitted,

Sarah T. Lawton,
Secretary, Pro Tempore

STEERING COMMITTEE MEETING

- Minutes -

Wednesday, 3:30 P.M.
February 12, 1992

Wayland Town Building
School Committee Room

Members Present: Frank LeBart, Chairman; Leo Crowe (Westwood); Sherry Dillon (Concord); Dan Kehoe (Millis); Linda Greyser (Wayland); Herb Kupchik (Natick); Bob Hilliard (Wayland); Jack Wilson (Wayland); Sandy Dutkevitch (Marshfield); Bill Zimmerman (Wayland).

1. Approval of Minutes.--Upon a motion, duly made and seconded, the Minutes of the meeting of January 8, 1992 were approved.
2. Treasurer's Report.--Jack Wilson reported a balance in the Treasury of \$4,404.15. It was moved, seconded and voted unanimously to approve the Treasurer's Report.
3. Position Paper.--It was moved, seconded and unanimously voted to approve the Position Paper, as modified, and to authorize the Chairman and Executive Director to make editorial corrections and to distribute the final copy to member towns, the Governor, the Legislature, the press, and other interested parties.
4. Analysis of State Aid Losses and Aid/Levy Per Capita.--Bob Hilliard distributed two studies of F.Y. 1991 Department of Revenue data. What is clear is that many towns are making a "strong effort" to tax themselves to support town and school services while other towns are not making much of an effort at all but seem to be waiting for the State to give them more local aid.
5. Legislators.--Executive Director Jack Wilson outlined a plan to have a contact person or liaison in each community charged with the responsibility for keeping the pressure on Legislators to press hard for local aid and other beneficial programs for these types of suburban communities.
6. Reactions to Governor Weld's Budget.--Analyses of the Governor's budget by Leon Churchill (Barnstable) and Bill Zimmerman (Wayland), as well as the 1/29/92 Globe report on local aid (decreases) were followed by consensus that we need to lobby the Governor and the Legislature on these matters:
 - Local Aid for ALL communities (Revenue Sharing)
 - Recognition of efficient, well-managed town and school government
 - Recognition that high-effort towns should be rewarded (not punished)
 - Raise all communities to the Foundation Level and then give some additional aid to all other communities.

Bill Zimmerman was asked to draft a letter to this effect to be sent to the Governor and Legislative leaders.

It was moved, seconded and voted unanimously that we focus on Revenue Sharing (local aid).

(other side)

SUBURBAN COALITION
Minutes - 2/12/92 (continued)

7. School Busing.--It was moved, seconded and voted unanimously, to authorize the Chairman to send the position favoring the restoration of Grade 7-12 transportation reimbursement to the Governor and Legislative leaders.
8. Next Meeting.--The next of the Suburban Coalition will be held on Wednesday, March 18 at 3:30 P.M. in the School Committee Meeting Room of the Wayland Town Building.
9. Adjournment.--Upon a motion duly made and seconded, the meeting was adjourned at 5:30 P.M.

Respectfully submitted,


William G. Zimmerman, Jr.
Clerk

February 18, 1992

Honorable William Weld
Governor
State House
Boston, MA 02133

Dear Governor Weld:

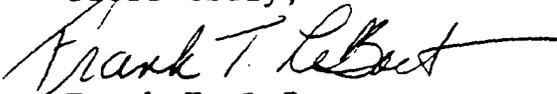
As an organization representing the interests of the State's smaller communities, the Suburban Coalition supports continuing state reimbursement for school transportation costs for both elementary and secondary school students. Thus, we oppose legislation being considered that would terminate state reimbursement for the cost of busing older (secondary) students.

Our rationale is explained below:

- (a) A safer, more secure, school environment is assured when public school buses are the primary means of transportation to and from school. In smaller communities, the lack of sidewalks and street lights creates a hazardous situation for all children walking to or from school.
- (b) The State's smaller more rural communities have no public transportation that could substitute for current school bus transportation.
- (c) Local communities cannot afford to absorb the full cost of transporting students to and from school.
- (d) With so many working parents and single parent families, many families are unable to provide alternative forms of transportation to and from school.
- (e) Environmentally, it makes more sense to consolidate transportation in school buses rather than to use many private vehicles to transport children.

We appreciate your careful review of this matter and hope that school transportation costs for all students will continue to be reimbursed by the Commonwealth.

Yours truly,



Frank T. LeBart,
Chairman



John B. Wilson,
Executive Director

FTL/JBW/al

POSITION PAPER - 1992

Towns and cities throughout the Commonwealth are facing an immediate crisis in government. Local aid has been reduced for the past three fiscal years and still further reductions may eventually occur. The formula for the distribution of local aid works to the disadvantage of many communities. Proposition 2½, due to the reductions in new growth and decreased local aid, has imposed limits on the tax levy that are unrealistic.

The role of town meeting has been reduced to either "rubber stamping" budgets that are underfunded or transferring funds from one under-funded department to another.

Some towns have had successful Proposition 2½ overrides. Many others have tried and have failed. It is not easy to persuade 50+ percent of the voters to increase their taxes --- and it is certainly not possible to do it year after year as the present forecasts would seem to require. Thousands of hours of human time and energy go into override efforts, and they tend to be divisive to a sense of community. Government by override is not a responsible way to run town government. Citizen and town leaders should be free to volunteer their time for other community priorities.

Budgets have been cut to the point where public safety and the education of our children are at risk. Maintenance of municipal and school buildings have been neglected. Local roads and other parts of the infrastructure have been allowed to deteriorate.

Towns have explored and utilized a variety of creative solutions. Foundations have been established to help fund public schools. Fees for town and school services, which are even more regressive than the property tax, have been raised to their legal and political limit. Regional purchasing arrangements have been implemented. Formal volunteerism programs have been created to help save our schools and senior citizens. These activities, although worthy, are not a permanent solution to the problem.

We believe the only real solution, both short term and long term, is to alter the system in time to have a favorable impact on local budgets for fiscal year 1993. We urge the Governor and the legislature to recognize this crisis in local government and to change the system now. We urge their immediate support for the following:

- (1) To guarantee 40% of personal and corporate income and sales tax and all of the lottery revenues be dedicated to revenue sharing (local aid) as required by referendum question #5 passed by 57% of the voters in the November 1990 general election.
- (2) Full funding of state mandated programs and administrative directives.
- (3) To revise the revenue sharing formula to insure that it meets the needs of all cities and towns or to find alternative methods of funding municipal services. Consider additional local revenue options such as local sales tax, local income tax, gross receipts/franchise taxes or fees, and/or other taxes such as excise, business, and occupation taxes, as a source of revenue to local communities in order to lessen the burden on the property tax.

(over)

- (4) To revise the Proposition 2½ annual increase in levy limit from 2½% to equal the U.S. Department of Commerce index that measures local and state government costs,* (4.7% projected for fiscal year 1993) or other reasonable index that keeps pace with inflation.
- (5) To provide stable, adequate, timely distribution of revenue sharing to cities and towns. Cherry Sheets shall be distributed by March 1 as required by question #5 (1990 general election).
- (6) To support adequate, stable, equitable, and increased funding for all school systems in the Commonwealth. Education has been underfunded for far too long.
- (7) To insure that the School Facilities and Management Services (formerly School Building Assistance Bureau) is fully funded and meets its obligations. Projects once approved and placed on a "priority list" should continue to move toward funding and any subsequently approved projects should be placed on the list behind those previously approved.
- (8) To consider recommendations to relieve costs of special education to cities and towns.*
- (9) To enact a "circuit breaker" to ease the burden of the property tax for property owners of limited means.
- (10) To exclude the overlay (a fund set aside for tax rebates) from the Proposition 2½ levy limit.

*Proposed by Hamill Taxk Force on Local Finances.

* * * * *

Contacts

Frank T. LeBart
Chairman
(617) 934-7411

John B. Wilson
Executive Director
(508) 358-2489

Robert Hilliard
Wayland Finance Director
(508) 358-7701

March 16, 1992

RE: REVENUE SHARING

Dear Governor Weld and Selected Members of the House and Senate:

The Suburban Coalition, an organization targeting Selectmen, School Committees and Finance Committees of those cities and towns in the lower 50 percentile of state support from revenue sharing insist that state government serve the entire state and all of its cities and towns. Specifically, while we strongly support efforts to bring up the underfunding for education in many of the urban and poorer communities, we are deeply concerned at the continuing trend by the state of taking money away from the suburban towns.

The Robin Hood approach, taking from the suburbs to give to the urban areas is divisive and is a clear announcement from you that you advocate mediocrity in education and all other aspects of local government. What is needed are substantial amounts of money to provide sufficient funding for the lower spending communities and additional (not less!) funding for the suburban and rural communities that have been hit so hard by revenue sharing cuts these past few years.

In an attempt to cure one "inequity" you have created others. For example, the urban areas tend to have large commercial/industrial property tax bases; the suburban/rural communities tend to have only single residence houses as their tax base. Thus, the property tax (a regressive tax) falls much more heavily on the suburban resident, especially the elderly and needy families.

Specifically, there are four elements of this administration's policy regarding revenue sharing that we find onerous:

- (1) There is no apparent effort to even acknowledge that the voters of Massachusetts overwhelmingly approved increased revenue sharing in the November, 1990 elections, through the passage of Question #5.
- (2) Ever since the final two years of the King Administration's budget caps on local communities and all through the past decade of Prop. 2½ restraints, suburban communities have become more and more efficient in their operations, (although much of this 'efficiency' is really deterioration of plant and equipment and the loss of some services). This Administration seems to believe that the process of belt tightening is endless and that cities and towns can do without revenue sharing at all and at the same time pay for more and more poorly conceived mandated programs handed down from Beacon Hill.
- (4) Suburban communities are being penalized for demonstrating that they are willing to make a substantial effort to preserve their standards of municipal services. Most suburban cities and towns have taxed themselves to the limits of Prop. 2½ and, when necessary, have voted in favor of overrides. Instead of recognizing these efforts, this administration plans to eliminate or further reduce revenue sharing for those communities that have demonstrated a willingness to help themselves while rewarding those that do nothing in the way of override proposals and wait for the Commonwealth to bail them out.

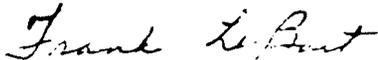
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RE: REVENUE SHARING (continued)

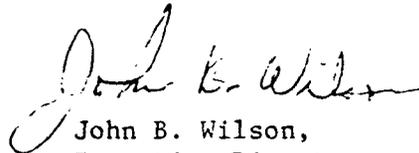
- (4) Demographics and other data show that support for all cities and towns in the state, particularly in the field of education where Massachusetts ranks 49th in local aid, must increase, not decrease over the next few years. During the past decade, it has been impossible for local governments to plan ahead adequately because of the uncertainty of local aid receipts from year to year. A solid, long range revenue sharing plan that we can count on for years ahead is necessary in order to avoid haphazard, on and off 'planning' that will only serve to blunt whatever educational reforms are finally worked out by the state.

As a first step to reassuring suburban communities that they are at least not being entirely abandoned fiscally by the state would be for this administration to unequivocally set aside 12½% (\$25,000,000) of the proposed \$200,000,000 of new school aid or \$25.00 per capita as a minimum increase in revenue sharing for this year for all communities. In other words, a guarantee of hold harmless from last year plus a \$25.00 per capita minimum increase for all cities and towns would be a reasonable first step in the restoration of confidence in the state's efforts to provide a firm fiscal basis for local fiscal health.

Very truly yours,



Frant T. LeBart,
Chairman
(617) 934-7411



John B. Wilson,
Executive Director
(508) 358-2489

FTL/JBW/al

Nancy reported that BFI will no longer accept brown paper bags with newspapers, effective immediately. Acton will be charged \$30 per ton for any contaminated loads. Members talked about how difficult it is to control newspaper dropoff procedures, and agreed that it was imperative to put up a sign at the Newspaper bin saying, in effect, "No Bags (Or Cost to Taxpayers \$30 per Ton).

Nancy also reported that Acton must now pay \$48,000 to MCI's North Andover Incinerator, due to a decrease in solid waste tonnage being delivered (as a result of recycling, which the State requires). Acton had requested a 5% decrease allowance but was granted only a 2% decrease, because many other towns made a similar request. Total solid waste tonnage from all NESWC towns is added together to yield the amount that MCI seeks to maintain a profit.

E.V. Tear said that she would like feedback on her brochure idea. The group decided that, because such a great deal of information concerning recycling was in E.V.'s brochure, it would be better to approach the Beacon to find out if E.V. can begin to write a series on recycling, written in a Question&Answer format, not Acton-specific, and directed toward the person who resists recycling. E.V. agreed to contact Doris Hillberg, Managing Editor.

Members were still in a quandary about how best to go about a public education campaign on recycling, undecided if a direct mailing, a poster, or information brochure sent to all residents would be effective. This will be addressed at the next meeting.

The meeting adjourned at 10:30 am.

The group agreed to meet again on Tuesday, March 3, at 9:00 am.

Respectfully submitted,



Maya Spies, Clerk

cc Town Clerk
Board of Selectmen

ACTON SCHOOL COMMITTEE

Library
Douglas School

February 13, 1992

Members Present: Steve Aronson, Jean Butler, Sally Campbell, Pam Harting-Barrat, Lees Stuntz

Also Present: Robert Kessler, William Ryan, Steve Desy, Fran Leiboff, Mac Reid, Jim Palavras, Joan Little, Parker Damon, Lisette Kaplowitz, faculty members from Douglas, citizens and press.

The meeting was called to order at 7:30 p.m. by Jean Butler, Secretary.

The minutes of January 9, 1992, were approved as written.

Warrant #92-017 in the amount of \$79,779.87 and warrant #91-114 in the amount of \$351.10 were signed by the secretary and circulated to the other members of the Committee.

PUBLIC PARTICIPATION: Carol Mackey had several questions regarding School Choice. As Choice is on the agenda later in the meeting, it was decided to discuss these concerns at that time. Mrs. Shahmehri asked why there was no disciplinary action policy for the school district as a whole. Dr. Kessler responded that the schools are governed by specific laws of the commonwealth and as long as the individual schools act within those laws, the School Committee takes no action. There is a statement in each school handbook regarding disciplinary process and action.

EDUCATION REPORT: Lisette introduced Kelly Langan, a sixth grader at Douglas, who told about the process and effort it took to be published in the Boston Globe's January 19 "Fun Pages". Lynn Schade, outreach coordinator at Tufts University, then spoke about the developmental education workshops they have sponsored at Tufts and at Douglas. She spoke about the process and content of developmental education, and how teachers are supported in their efforts in the classroom. Teachers at Douglas have participated in guided observations in the Elliot-Pearson school at Tufts. A series of nine presentations have been offered in Acton and have been attended by 80-90 teachers. Workshops for parents have also been held, which involve a hands-on introduction to developmental education methods. The Committee enjoyed participating in one such project. Tufts also offers a summer institute in graduate education (for developmental ed.) and 12 Acton teachers have participated over the last two summers. Tufts offers on-site consultation, so that teachers may successfully implement what they have learned. Lynn conducted a brief tour of several developmental ed. oriented classrooms. She has appreciated the support of the Acton schools in terms of time, enthusiasm and funding.

SUPERINTENDENT'S RECOMMENDATIONS FOR FEBRUARY

It was moved, seconded and unanimously

VOTED: To approve action taken by the Regional School Committee to support the *America 2000* project.

It was moved, seconded and unanimously

VOTED: To approve action taken by the Regional School Committee to endorse the AIDS policy.

It was moved, seconded and unanimously

VOTED: To approve action taken by the Regional School Committee regarding the Energy Management System Upgrade.

It was moved, seconded and unanimously

VOTED: To accept the gift payment of \$46,424.00 from MIT/Lincoln Laboratories on behalf of the Faculty Externship Program (for Anne Smith).

FOR YOUR INFORMATION:

Dr. Kessler referred to Jean McGrath's nomination for inclusion in "Who's Who Among America's Teachers". He reviewed the February 1, 1992 enrollment sheet in its new format. October 1, 1991 enrollment figures = 1836, and February 1 figures are 1851. This is an unusual increase and indicates in-migration. Dr. Kessler mentioned the new elementary teacher recruitment process, which will be used this year, due to the large numbers of applicants for teaching positions. We would like to hire some minority candidates and hope by starting the process early we may be able to do so. There may be 2-6 elementary teaching openings this fall.

WARRANT: There were no questions. Bill Ryan said that there is about \$12,000 budgeted for teachers' inservice training and course reimbursement (answering a question from Dr. Donald).

CONCERNS OF THE BOARD:

Dr. Kessler said that the state wants to establish a legislative liaison with each School Committee. He suggested that Jean Butler be nominated; Jean said she would be willing to serve. There was discussion on School Choice. A packet, "Enrollment Worksheet - Student Projections for Choice Decisions, 1991-97", was distributed, developed by Parker Damon, chair of the Space Committee, and Jim Chace. Dr. Kessler said, in response to Carol Mackey's question, that Choice is a yearly commitment that the school committee makes. The charts in the packet indicate how complex an issue it raises in our schools, regarding space and enrollment. It seems clear that the state will continue to support choice, but how it will be funded and at what level is still to be determined. Dr. Kessler will make a recommendation about Choice at the March School Committee meeting. The number of applicants (over 200) exceeds the number of

available spaces. Lees suggested designating a specific number of spaces for in-migration vs. half the number of available seats. Half the number may lead to overcrowding in already overcrowded classes. A lottery will be held, if needed, at a future date. Lees asked if the committee could have a list of policies that are reasonable to discuss at the next meeting. Bill Weeks commented that there has been a high number of single family dwelling permits issued this year. Dr. Kessler said that this is an extremely complex issue and this is why we aren't making snap decisions. Transportation is still an issue - choice parents at this point must provide it. It was the sense of the committee to institute a process necessary to assure sibling priority in the choice system, assuming there is space.

Jean commented on the Conant student handbook and how she appreciated the student input.

EXECUTIVE SESSION: No need for one.

NEXT MEETING: Thursday, February 20, 1992 in #114 (budget meeting), following the regional meeting.

The meeting was adjourned at 10:00 p.m.

Respectfully submitted,

Sarah T. Lawton,
Secretary, Pro Tempore

STEERING COMMITTEE MEETING- Minutes -Wednesday, 3:30 P.M.
February 12, 1992Wayland Town Building
School Committee Room

Members Present: Frank LeBart, Chairman; Leo Crowe (Westwood); Sherry Dillon (Concord); Dan Kehoe (Millis); Linda Greyser (Wayland); Herb Kupchik (Natick); Bob Hilliard (Wayland); Jack Wilson (Wayland); Sandy Dutkevitch (Marshfield); Bill Zimmerman (Wayland).

1. Approval of Minutes.--Upon a motion, duly made and seconded, the Minutes of the meeting of January 8, 1992 were approved.
2. Treasurer's Report.--Jack Wilson reported a balance in the Treasury of \$4,404.15. It was moved, seconded and voted unanimously to approve the Treasurer's Report.
3. Position Paper.--It was moved, seconded and unanimously voted to approve the Position Paper, as modified, and to authorize the Chairman and Executive Director to make editorial corrections and to distribute the final copy to member towns, the Governor, the Legislature, the press, and other interested parties.
4. Analysis of State Aid Losses and Aid/Levy Per Capita.--Bob Hilliard distributed two studies of F.Y. 1991 Department of Revenue data. What is clear is that many towns are making a "strong effort" to tax themselves to support town and school services while other towns are not making much of an effort at all but seem to be waiting for the State to give them more local aid.
5. Legislators.--Executive Director Jack Wilson outlined a plan to have a contact person or liaison in each community charged with the responsibility for keeping the pressure on Legislators to press hard for local aid and other beneficial programs for these types of suburban communities.
6. Reactions to Governor Weld's Budget.--Analyses of the Governor's budget by Leon Churchill (Barnstable) and Bill Zimmerman (Wayland), as well as the 1/29/92 Globe report on local aid (decreases) were followed by consensus that we need to lobby the Governor and the Legislature on these matters:
 - Local Aid for ALL communities (Revenue Sharing)
 - Recognition of efficient, well-managed town and school government
 - Recognition that high-effort towns should be rewarded (not punished)
 - Raise all communities to the Foundation Level and then give some additional aid to all other communities.

Bill Zimmerman was asked to draft a letter to this effect to be sent to the Governor and Legislative leaders.

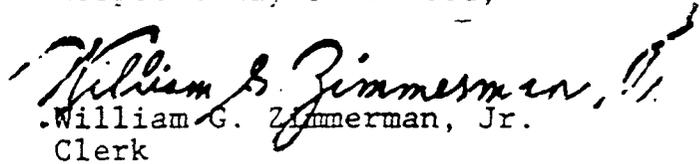
It was moved, seconded and voted unanimously that we focus on Revenue Sharing (local aid).

(other side)

SUBURBAN COALITION
Minutes - 2/12/92 (continued)

7. School Busing.--It was moved, seconded and voted unanimously, to authorize the Chairman to send the position favoring the restoration of Grade 7-12 transportation reimbursement to the Governor and Legislative leaders.
8. Next Meeting.--The next of the Suburban Coalition will be held on Wednesday, March 18 at 3:30 P.M. in the School Committee Meeting Room of the Wayland Town Building.
9. Adjournment.--Upon a motion duly made and seconded, the meeting was adjourned at 5:30 P.M.

Respectfully submitted,


William G. Zimmerman, Jr.
Clerk

February 18, 1992

Honorable William Weld
Governor
State House
Boston, MA 02133

Dear Governor Weld:

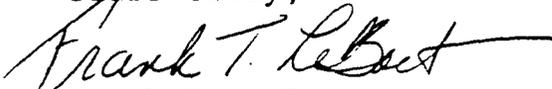
As an organization representing the interests of the State's smaller communities, the Suburban Coalition supports continuing state reimbursement for school transportation costs for both elementary and secondary school students. Thus, we oppose legislation being considered that would terminate state reimbursement for the cost of busing older (secondary) students.

Our rationale is explained below:

- (a) A safer, more secure, school environment is assured when public school buses are the primary means of transportation to and from school. In smaller communities, the lack of sidewalks and street lights creates a hazardous situation for all children walking to or from school.
- (b) The State's smaller more rural communities have no public transportation that could substitute for current school bus transportation.
- (c) Local communities cannot afford to absorb the full cost of transporting students to and from school.
- (d) With so many working parents and single parent families, many families are unable to provide alternative forms of transportation to and from school.
- (e) Environmentally, it makes more sense to consolidate transportation in school buses rather than to use many private vehicles to transport children.

We appreciate your careful review of this matter and hope that school transportation costs for all students will continue to be reimbursed by the Commonwealth.

Yours truly,



Frank T. LeBart,
Chairman



John B. Wilson,
Executive Director

FTL/JBW/al

POSITION PAPER - 1992

Towns and cities throughout the Commonwealth are facing an immediate crisis in government. Local aid has been reduced for the past three fiscal years and still further reductions may eventually occur. The formula for the distribution of local aid works to the disadvantage of many communities. Proposition 2½, due to the reductions in new growth and decreased local aid, has imposed limits on the tax levy that are unrealistic.

The role of town meeting has been reduced to either "rubber stamping" budgets that are underfunded or transferring funds from one under-funded department to another.

Some towns have had successful Proposition 2½ overrides. Many others have tried and have failed. It is not easy to persuade 50+ percent of the voters to increase their taxes --- and it is certainly not possible to do it year after year as the present forecasts would seem to require. Thousands of hours of human time and energy go into override efforts, and they tend to be divisive to a sense of community. Government by override is not a responsible way to run town government. Citizen and town leaders should be free to volunteer their time for other community priorities.

Budgets have been cut to the point where public safety and the education of our children are at risk. Maintenance of municipal and school buildings have been neglected. Local roads and other parts of the infrastructure have been allowed to deteriorate.

Towns have explored and utilized a variety of creative solutions. Foundations have been established to help fund public schools. Fees for town and school services, which are even more regressive than the property tax, have been raised to their legal and political limit. Regional purchasing arrangements have been implemented. Formal volunteerism programs have been created to help save our schools and senior citizens. These activities, although worthy, are not a permanent solution to the problem.

We believe the only real solution, both short term and long term, is to alter the system in time to have a favorable impact on local budgets for fiscal year 1993. We urge the Governor and the legislature to recognize this crisis in local government and to change the system now. We urge their immediate support for the following:

- (1) To guarantee 40% of personal and corporate income and sales tax and all of the lottery revenues be dedicated to revenue sharing (local aid) as required by referendum question #5 passed by 57% of the voters in the November 1990 general election.
- (2) Full funding of state mandated programs and administrative directives.
- (3) To revise the revenue sharing formula to insure that it meets the needs of all cities and towns or to find alternative methods of funding municipal services. Consider additional local revenue options such as local sales tax, local income tax, gross receipts/franchise taxes or fees, and/or other taxes such as excise, business, and occupation taxes, as a source of revenue to local communities in order to lessen the burden on the property tax.

(over)

- (4) To revise the Proposition 2½ annual increase in levy limit from 2½% to equal the U.S. Department of Commerce index that measures local and state government costs,* (4.7% projected for fiscal year 1993) or other reasonable index that keeps pace with inflation.
- (5) To provide stable, adequate, timely distribution of revenue sharing to cities and towns. Cherry Sheets shall be distributed by March 1 as required by question #5 (1990 general election).
- (6) To support adequate, stable, equitable, and increased funding for all school systems in the Commonwealth. Education has been underfunded for far too long.
- (7) To insure that the School Facilities and Management Services (formerly School Building Assistance Bureau) is fully funded and meets its obligations. Projects once approved and placed on a "priority list" should continue to move toward funding and any subsequently approved projects should be placed on the list behind those previously approved.
- (8) To consider recommendations to relieve costs of special education to cities and towns.*
- (9) To enact a "circuit breaker" to ease the burden of the property tax for property owners of limited means.
- (10) To exclude the overlay (a fund set aside for tax rebates) from the Proposition 2½ levy limit.

*Proposed by Hamill Tax Force on Local Finances.

* * * * *

Contacts

Frank T. LeBart
Chairman
(617) 934-7411

John B. Wilson
Executive Director
(508) 358-2489

Robert Hilliard
Wayland Finance Director
(508) 358-7701

SUBURBAN COALITION

WAYLAND TOWN BUILDING
WAYLAND, MASSACHUSETTS 01778

March 16, 1992

RE: REVENUE SHARING

Dear Governor Weld and Selected Members of the House and Senate:

The Suburban Coalition, an organization targeting Selectmen, School Committees and Finance Committees of those cities and towns in the lower 50 percentile of state support from revenue sharing insist that state government serve the entire state and all of its cities and towns. Specifically, while we strongly support efforts to bring up the underfunding for education in many of the urban and poorer communities, we are deeply concerned at the continuing trend by the state of taking money away from the suburban towns.

The Robin Hood approach, taking from the suburbs to give to the urban areas is divisive and is a clear announcement from you that you advocate mediocrity in education and all other aspects of local government. What is needed are substantial amounts of money to provide sufficient funding for the lower spending communities and additional (not less!) funding for the suburban and rural communities that have been hit so hard by revenue sharing cuts these past few years.

In an attempt to cure one "inequity" you have created others. For example, the urban areas tend to have large commercial/industrial property tax bases; the suburban/rural communities tend to have only single residence houses as their tax base. Thus, the property tax (a regressive tax) falls much more heavily on the suburban resident, especially the elderly and needy families.

Specifically, there are four elements of this administration's policy regarding revenue sharing that we find onerous:

- (1) There is no apparent effort to even acknowledge that the voters of Massachusetts overwhelmingly approved increased revenue sharing in the November, 1990 elections, through the passage of Question #5.
- (2) Ever since the final two years of the King Administration's budget caps on local communities and all through the past decade of Prop. 2½ restraints, suburban communities have become more and more efficient in their operations, (although much of this 'efficiency' is really deterioration of plant and equipment and the loss of some services). This Administration seems to believe that the process of belt tightening is endless and that cities and towns can do without revenue sharing at all and at the same time pay for more and more poorly conceived mandated programs handed down from Beacon Hill.
- (4) Suburban communities are being penalized for demonstrating that they are willing to make a substantial effort to preserve their standards of municipal services. Most suburban cities and towns have taxed themselves to the limits of Prop. 2½ and, when necessary, have voted in favor of overrides. Instead of recognizing these efforts, this administration plans to eliminate or further reduce revenue sharing for those communities that have demonstrated a willingness to help themselves while rewarding those that do nothing in the way of override proposals and wait for the Commonwealth to bail them out.

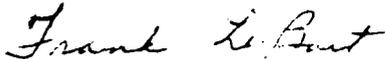
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RE: REVENUE SHARING (continued)

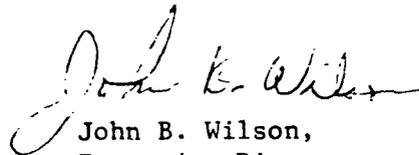
- (4) Demographics and other data show that support for all cities and towns in the state, particularly in the field of education where Massachusetts ranks 49th in local aid, must increase, not decrease over the next few years. During the past decade, it has been impossible for local governments to plan ahead adequately because of the uncertainty of local aid receipts from year to year. A solid, long range revenue sharing plan that we can count on for years ahead is necessary in order to avoid haphazard, on and off 'planning' that will only serve to blunt whatever educational reforms are finally worked out by the state.

As a first step to reassuring suburban communities that they are at least not being entirely abandoned fiscally by the state would be for this administration to unequivocally set aside 12½% (\$25,000,000) of the proposed \$200,000,000 of new school aid or \$25.00 per capita as a minimum increase in revenue sharing for this year for all communities. In other words, a guarantee of hold harmless from last year plus a \$25.00 per capita minimum increase for all cities and towns would be a reasonable first step in the restoration of confidence in the state's efforts to provide a firm fiscal basis for local fiscal health.

Very truly yours,



Frant T. LeBart,
Chairman
(617) 934-7411



John B. Wilson,
Executive Director
(508) 358-2489

FTL/JBW/al

Town of Acton
472 Main Street
Acton, MA 01720

Town of Concord
P.O. Box 535
Concord, MA 01742

Town of Lincoln
P.O. Box 353
Lincoln, MA 01773

March 15, 1992

Mr. James J. Kerasiotes, Commissioner
Massachusetts Department of Public Works
10 Park Place
Boston, MA 02218

Dear Commissioner Kerasiotes,

As you may know, representatives from our three communities have met with members of your staff to discuss how we might more effectively address issues regarding the Route 2 corridor through Acton, Concord and Lincoln. It has been suggested that formation of a Corridor Advisory Committee(CAC) might be the appropriate vehicle to facilitate this process and we would be interested in pursuing this concept.

We believe that our communities share, with your department, common goals for the Route 2 corridor of improving safety, increasing efficiency of traffic movement and maintaining appropriate local circulation with priority given ~~for~~ improvements at Crosby's Corner and the Concord Rotary. ^{to}

We ^{request} ~~suggest that~~ a follow-up meeting to discuss organizational issues be held with members of your staff from the Central and District #4 office, MAPC, and representatives from our towns. We are particularly grateful for the assistance that we have received from Mr. Thomas McLoughlin and Ms. Laurinda Bedingfield and are hopeful that we might continue to work with them in this process. We look forward to your reply.

Sincerely,

Norman Lake, Chair
Acton Board of Selectmen

John H. Clymer, Chair
Concord Board of Selectmen

Harriet Todd, Chair
Lincoln Board of Selectmen

cc: Mr. Thomas McLoughlin, MDPW, Director, Division of Capital and
Highway Planning
Laurinda Bedingfield, MDPW, District Highway Engineer
Harold Sauer, Chairman, MAGIC
David Soule, MAPC

**Notes from the Meeting of March 4, 1992 on
Forming a Corridor Advisory Committee for Route 2**

Attendees: Acton Selectmen Anne Fanton and Doré Hunter and Planning Board Member John Pavan; Concord Selectmen Bill Sullivan and Judy Walpole and Planning Board Member Gail Jewell; Lincoln Selectman Warren Flint

Discussion ensued on the benefits that might be derived from a Corridor Advisory Committee (CAC):

- Focus on long term solutions
- Joint efforts might result in more timely attention to issues of importance to our three communities
- Greater ability to influence state decision-making
- More pressure on the state to deal with difficult issues, such as the Rotary
- Greater communication and awareness of state policies and priorities
- Increased ability to receive priority for traffic counts, planning and engineering funds, and construction monies, etc.

Disadvantages would result if the process were allowed to slow down short and long term improvements or if local prerogatives were not retained.

It was agreed that the CAC could be valuable if the expectations were clearly understood by all parties, the focus was on achieving significant roadway and safety improvements and not on just study, and if the organizational issues were resolved appropriately.

It was the consensus of those attending that our three communities share the joint goal of increasing safety on Route 2, improving the efficiency of traffic flow, maintaining adequate local circulation and local prerogatives and that we are in agreement on the top priority areas of Crosby's Corner and the Rotary.

Judy Walpole agreed to draft a letter to Commissioner Kerasiotes expressing our interest in exploring the formation of a CAC and asking for a follow-up meeting with Laurinda Bedingfield and Tom McLoughlin to discuss organizational issues. This letter will be submitted to all attending for any revision before approval by the three Boards of Selectmen.

TOWN OF ACTON

**Executive Offices
472 Main St.
Acton, MA 01720
508-264-9612**

Senator Robert Durand
Room 413B
The State House
Boston, MA 02133

March 17, 1992

Dear Bob,

Thank you for the opportunity to discuss issues, concerning local government, with Senator McGovern and yourself. I was impressed with the openness and candor of the discussion, and believe that this meeting was the first step in repairing the relationship between local and State government.

Unfortunately, every step forward seems to be followed by a larger step backwards. I am referencing the Governor's Budget amendment, as represented by MMA, in which Acton will receive \$200,000 less in Local Aid next year. Once again, it appears that the State will penalize a well managed suburban community in order to fund the mismanagement of other communities. The frustration level is difficult to fully describe (please see attached article for a general description). It is imperative for the State to provide the communities with the management tools or monetary resources to provide local services.

While it is tempting to say "to hell with it" and concentrate on family relationships, I believe (probably foolishly) that if we can work together, we can construct a solution. Therefore, it is now time for us to meet again and get down to work. Please contact me concerning possible times and places. I look forward to continuing the journey we began on March 4th.

Thank you once again for your openness and forthrightness.

Very Truly Yours,



John Murray
Assistant Town Manager

cc: Board of Selectmen

In Westford, tensions rise with deficits

By JOHN COLLINGE
Sun staff

WESTFORD — Town Manager Robert Halpin normally maintains a stoic demeanor in public, but one night two weeks ago Selectman Hal Schreiber struck a nerve in Halpin already rubbed raw by weeks of struggle with a deficit-marred municipal budget.

When Schreiber challenged the town manager's estimate of garbage collection costs, Halpin slammed his hand on the table and stormed out of the crowded meeting room. Three minutes later, a calmer Halpin returned and the selectmen's meeting proceeded without further incident.

Halpin readily acknowledges that tackling a \$985,000 budget shortfall with little more than smoke and mirrors is taking a personal toll on him and the Town Hall staff.

"Things are pretty tense," he said, referring to the unenviable task of presiding over a town's municipal decline. "You know, I do my best to contain it, but there are levels where it's just got to come out sometimes.

"And I drive my family crazy, because I contain it at home and they know something is up," Halpin said. "I think that I find myself, especially during the week, worrying about it at night and losing some sleep."

What worries Halpin, along with pleasing his occasionally fickle bosses on the Board of Selectmen, is keeping staff morale from crumbling under the weight of budget cuts past, present and future.

Come budget season — roughly every six months — the town goes through a crisis, he said.

"There's an awful lot happening that's not being paraded out before selectmen's meetings: sessions with unions to negotiate budget cut impacts, working down the hall from people you might be letting go, the uncertainty that enshrouds this whole process," Halpin said. "It's a difficult environment in which to foster productivity and morale."

Concluding that town services can withstand no more cuts, selectmen approved a Proposition 2½ override request for the May 5 ballot. Voters will decide between an average property tax increase of \$170 and continued town financing for services such as the Roubenbush Community Center and Recreation Department.

The selectmen note frustrations of their own. They are the policy makers with final say on whose jobs survive and whose will be lost, and whether taxpayers will share in the burden created by three consecutive years of state cuts to local aid.

They also must weather
Please see TENSIONS/16



SUN RICHARD HUNT

emetry's admirers

... been washed
acid rain.

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foil, spray paint and a tongue depressor.

"We're talking about the earliest American art. It's important to preserve it. If a stone is scarred, the scar is there forever. Even paintings that are slashed, there are methods for making repairs. But with a stone, that's it," said Matisse.

Kathy Barnes, another commission member, said: "Unless someone really knows how to rub correctly, you can damage the stone. We just want to have it supervised."

Although those who appreciate cemeteries concede that the attraction is odd, by no means are they alone.

Last spring commission members attended the annual



oted

			
Pamela P. or ction	Carol C. Clevon R-Chelmsford	John F. Cox D-Lowell	Edward A. LeLacheur D-Lowell
No	Yes	Yes	Yes
Yes	Yes	Yes	Yes

		
Marianne W. Brenton R-Burlington	Brian M. Canglamilia R-Billerica	Robert D. Hawke R-Gardner
No	No	No
Yes	No	Not voting

		
Robert A. Havern D-Arlington	Lucille P. 'Cilla' Hicks R-Wayland	Robert A. Durand D-Marlboro
Yes	Present	No

state mental hospitals
ools for the retarded,
reased emergency as-
efits for the needy.
ssed the bill by a
vote, with 19 not
t now goes to the Sen-

SENATE VOTES:

Redistricting: (H. 1993:) See above. The Senate voted 28-8 in favor of the 11-district plan, with 1 voting present and one absent.

Tensions, deficits rise

TENSIONS/From Page 15

protests from the various town departments trying to do more with less, and from special interest groups.

"Is the quality of life slipping in Westford? Unfortunately, it is," said Selectmen Chairman Jerry Berkowitz. "But in recognition of the fact that the economy is down and things have to change, I hope people can realize that a lot of it is out of our hands. I just hope people understand what we're doing when we lower that quality."

Berkowitz, too, has suffered sleepless nights this budget season, mostly over his concern that residents don't clearly understand what selectmen are trying to accomplish.

Their recent deliberations were clouded by an often-paralyzing philosophical rift between Berkowitz and Bob Herrmann in one camp, and Schreiber and Will Connell Jr. in the other.

"We tend to polarize on certain issues, not only on the board but within the town. That kind of thing always bothers me," Berkowitz said. "Staying focused on the key issues is sometimes where we fall down as a board. That's where we need to work harder."

In retrospect, Berkowitz said he still would not have endorsed bringing in a fifth but temporary selectman after Selectman James Healy Jr. died in October. That would have required a special election costing the town \$7,000.

"It's always easier with an odd-numbered board - it precludes getting split on some key issues," Berkowitz said. "But I couldn't have justified spending the money. If we didn't come to grips with the override issue and had done nothing, clearly the town would have been marred by not doing that."

Herrmann, Schreiber and Connell said they, too, have been affected by the agonizing budget struggle.

Schreiber said he is trou-

bled by the political gamesmanship evident in recent meetings. Herrmann said he must guard against taking public criticism personally.

"I won't go as far as to say I have any sleepless nights over the budget, but needless to say it does bother me," Herrmann said. "I understand everyone's feelings - they hate to see taxes go up. We can't cut \$1 million year after year without the town suffering."

"Sometimes, (the criticism) gets to be too much. I have people telling me not to take it personally, even those who come and rant and rave before the board," he said. "I have to remember it's directed to the board as an entity, not any single individual."

Schreiber said that "heavy-duty, big-city politics" are increasingly evident at board meetings. He accused Berkowitz, for instance, of devising an alternative override plan with the Finance Committee behind the selectmen's backs.

That alternative plan - backed by Berkowitz and Herrmann - pitted the two against Schreiber and Connell in a heated debate, after which the selectmen renewed their earlier agreement to pursue a "menu" override giving voters a choice of prospective cuts.

"I'm really bothered when politics reaches a level not necessarily in the best interests of the town," Schreiber said. "When things start becoming unethical, when deceit comes into play and open discussion is stifled or distorted, that's when it really gets to me."

For Connell, the budget process is most wearing from the standpoint of demands on his time. On top of working full time and going to school full time, Connell said he puts in 25 hours weekly on town business during peak budget season.

"It really drains you," said Connell, who will not seek reelection. "When this is all over, I'll be glad to get my social life back."

Conf. Dent. ch

March 16, 1992

PROJECT: Community Center
Audubon Hill
Brewster Lane
Acton, MA

Break-down and evaluation of completed project costs; not specific figures but how figured.

- * Architect:
 - How chosen
 - Fee included in overall costs?
 - Fee; how determined.
 - Job responsibilities.
 - * General Contractor (&/or project coordinator):
 - Fee included in overall costs?
 - Fee; how determined.
 - Job responsibilities.
 - * Sub-contractors:
 - How chosen
 - Quality of work vs. cost
 - Pricing; how determined
 - * Material, Equipment and Appliances:
 - How chosen
 - Warranty, Quality
 - Pricing; how determined
 - * Overall cost; list of what is included in total package:
 - Plans, details, and specifications?
 - Material and Labor
 - Equipment and Appliances
 - Site work?
 - Landscaping?
 - Other _____ ?
 - * Project Items; what can be changed to save on cost:
 - Details
 - Material
 - Appliances
 - Services; by Architect, General Contractor, Job Supervisor, or other
- BUT** not to lessen the value of the building.

Executive Summary
3/17/92

**TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION**

DATE: March 17, 1992

TO: John Murray, Asst. Town Manager
FROM: Garry Rhodes, Building Commissioner *GR*
SUBJECT: Traffic Light, Main Street/Post Office Square

I have reviewed the lack of a traffic light at the above intersection. This light was required as part of the Site Plan Special Permit #89-04-17-313. It was required to be installed within one year after the completion of the Post Office. The Occupancy Permit was granted on April 18, 1990, therefore, the light should have been in place by April 18, 1991.

Condo Tech Trust did have the plans drawn for the traffic light and they have been reviewed by VHB. I would say that the plan is 99% complete. A construction agreement was drawn up and reviewed by Town Counsel. It was sent to Roy Smith late last summer but it has not been returned. It has been an extremely slow process.

(776)

TO: ALL DEPARTMENTS/BOARDS
FROM: JOHN MURRAY, ASSISTANT TOWN MANAGER
DATE: March 17, 1992
SUBJ: TOWN COUNSEL



The Board of Selectmen have asked me to conduct a survey of your opinion concerning the quality and level of legal service provided by Palmer and Dodge. They seek your valued input on this serious matter. To that end, please complete the following questionnaire and return it to the Manager's Office by 4 P.M. on March 26, 1992. Thank you for your time and consideration.

Name of department/board _____

1. What types of legal questions does your department currently and regularly need advice upon? (As to each such legal question please state the general area(s) of law practice involved).

2. Please list a specific legal matter in which you were pleased with representation. Please list the dates over which representation was extended, what areas of law practice were/are involved, the name(s) of the lead counsel on this matter, and the specific reasons that you were pleased.

3. Please list a specific legal matter in which you were displeased with representation. Please list the dates over which representation was extended, what areas of law practice were/are involved, the name(s) of lead counsel, and the specific reason you were displeased.

4. What does your department/board see as your and the Town of Acton's principal needs for legal counsel over the next three years? Explain your reasoning.

5. Of principal needs for legal counsel you have listed for your department/board in response to the prior question, which (pick one need only) do you feel Palmer and Dodge is **best** qualified to fulfill? Explain the basis for your opinion.

6. Of principal needs for legal counsel you have listed for your department/board in response to the next prior question, which need would be the most **difficult** for Palmer and Dodge to fulfill completely? Explain the basis for your answer.

7. Please specifically describe the legal needs that you feel are not being fulfilled by Palmer and Dodge.

8. What, if anything, distinguishes the quality of the legal services offered by Palmer and Dodge?

9. Please estimate the hours and the dollar amount of legal services consumed by your department over this fiscal year.

10. Without revealing any privileged information, give an example of a case, in which Palmer and Dodge's advice to your department/board has had a particularly beneficial effect.

11. Without revealing any privileged information, give examples of litigated cases (court, arbitration, ADR, etc.) in which Palmer and Dodge has obtained a particularly beneficial outcome for your department/board.

12. Without revealing any privileged information, give examples of litigated cases (court, arbitration, ADR, etc.) in which Palmer and Dodge has not obtained a favorable outcome for your department/board and explain why you feel they were not successful.

13. Please place a fair compensation rate (hourly) for the legal services you have received from Palmer and Dodge. The rate you choose should be based on the value of the service not on the billing rate of Palmer and Dodge, but it should relate to the rates charge within the legal profession.

14. Who was responsible for staffing decisions and staff selection at Palmer and Dodge for services provided to your department/board?

15. Please rate your total experience with Palmer and Dodge on a scale of 1 - 5; with 1 being very unhappy and 5 being very pleased. Rate in whole numbers only.

16. Why should the Town of Acton maintain or dismiss Palmer and Dodge as Town Counsel?