

File
3/2/93

FEBRUARY 26, 1993

TO: Board of Selectmen
FROM: NANCY TAVERNIER, Chairman
SUBJECT: SELECTMEN'S REPORT

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AGENDA

ROOM 204

7:30 P.M.

MARCH 2, 1993

I. CITIZEN'S CONCERNS

II. PUBLIC HEARINGS & APPOINTMENTS

- 1. 7:45 STREET ACCEPTANCE HEARINGS - Enclosed please find the notices and response from the Planning Board regarding the acceptance of Autumn Lane and Kinsely Road for Board action.
- 2. 7:55 STREET ACCEPTANCE HEARING - Enclosed please find the notices and response from the Planning Board regarding the acceptance of Charter Road for Board action
- 3. 8:00 AMENDMENT TO TRAFFIC RULES AND ORDERS - Enclosed please find the notices and staff comment regarding the proposed amendemnts at three locations for Board action.
- 4. 8:15 NURSING SERVICE DISCUSSION - Enclosed please find information prepared by staff for Board review and discussion.

III. CONSENT AGENDA

- 5. Selectmen's Minutes - Enclosed please find minutes from the February 2, 1993 Meeting for Board approval.
- 6. Betsy Ball Fund - Enclosed please find a confidential request from the Betsy Ball Fund.

IV. SELECTMEN'S CONCERNS

- 7. AMERICAN RED CROSS - Enclosed please find a request for Acton to Proclaim March American Red Cross Month for board action.

8. Preliminary Warrant Review - Enclosed is the lastest copy of the Warrant for Board discussion and action.
9. Override Vote and Position Statement- Enclosed please memorandum from the chairman for board discussion
10. Mill Corner - Discussion and Decision

V. TOWN MANAGER'S REPORT

11. Selectmen Spending Plan - Enclosed please find staff memo for Board review.

VI. EXECUTIVE SESSION

VII. MEETINGS

Congressman Meehan - Thursday, March 4 - PLEASE NOTE: THIS HAS BEEN CANCELLED AND WILL BE RESCHEDULED AT A LATER DATE

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 16, 1993

March 30, 1993 - Election - Mtg. begins at 8:00P.M.

April 5, 1993

April 20, 1993



3/2/93 ①
PLANNING BOARD • Town of Acton

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

February 22, 1993

Ms. Nancy Tavernier, Chairman
Acton Board of Selectmen
472 Main Street
Acton, MA 01720

re: Recommendations for Acceptance as Town Ways

Dear Chairman Tavernier:

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

Autumn Lane

Voted on February 8, 1993 to recommend acceptance.

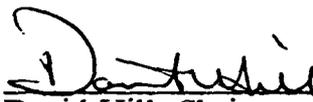
Kinsley Road

Voted on February 8, 1993 to recommend acceptance.

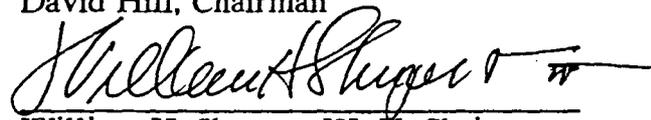
Charter Road

Voted on February 8, 1993 to recommend acceptance.

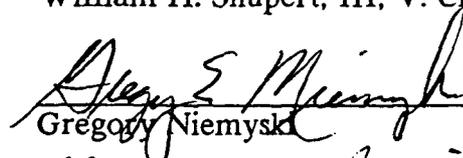
The Planning Board hereby submits this letter as its formal recommendation for acceptance of these roads as Town ways at the 1993 Annual Town Meeting in accordance with Ch. 41 of the General Laws.



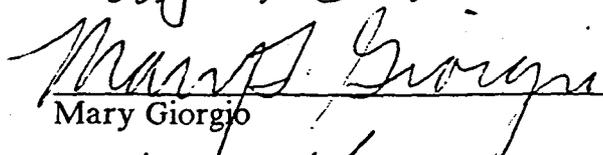
David Hill, Chairman



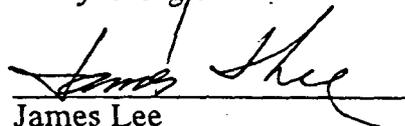
William H. Shupert, III, V. Chair



Gregory Niemyski



Mary Giorgio



James Lee



BOARD OF SELECTMEN

NOTICE OF PUBLIC HEARING

Middlesex, ss.

Town of Acton

In accordance with Section 22 of Chapter 82 of the General Laws, notice is hereby given by the Selectmen of the Town of Acton that they will meet at 7:45 PM in Room 204 of the Acton Town Hall, 472 Main Street, on Tuesday, March 2, 1993 for the purpose of laying out as Town ways, for acceptance by the Town at the Annual Town Meeting, the ways known as:

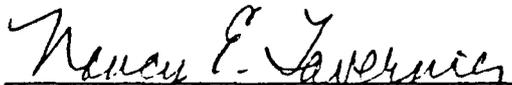
In the AUTUMN LANE SUBDIVISION

Autumn Lane - from the northerly sideline of Summer Street a distance of 373 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.

In the BUTLER ESTATES SUBDIVISION

Kinsley Road - from the southerly end of Kinsley Road as a Town way a distance of 200 feet, more or less, in a southerly direction to a dead end, this being the entire road in the Butler Estates subdivision.

Said ways are to be laid out in accordance with the requirements of the Town of Acton.


Nancy E. Tavernier, Chairman


F. Dore' Hunter, Vice Chairman


Anne B. Fanton, Clerk


Norman D. Lake


William C. Mullin

BOARD OF SELECTMEN
TOWN OF ACTON



3/2/93

(2)

BOARD OF SELECTMEN

NOTICE OF PUBLIC HEARING

Middlesex, ss.

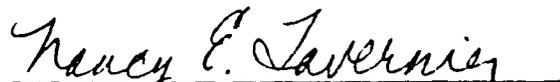
Town of Acton

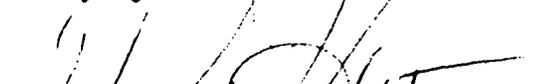
In accordance with Section 22 of Chapter 82 of the General Laws, notice is hereby given by the Selectmen of the Town of Acton that they will meet at 7:55 PM in Room 204 of the Acton Town Hall, 472 Main Street, on Tuesday, March 2, 1993 for the purpose of laying out as a Town way, for acceptance by the Town at the Annual Town Meeting, the way known as:

CHARTER ROAD

Charter Road - A portion of Charter Road from Hayward Road a distance of 643 feet, more or less, in a northerly direction; including the taking or acceptance of land for sidewalks, drainage or other purposes from the Haartz Corporation.

Said way is to be laid out in accordance with the requirements of the Town of Acton.


Nancy E. Tavernier, Chairman


F. Dore Hunter, Vice Chairman


Anne B. Fanton, Clerk


Norman D. Lake


William C. Mullin

BOARD OF SELECTMEN
TOWN OF ACTON

3/2/93
③

Town of Acton

Notice of Hearing

The Board of Selectmen will hold a public hearing on Tuesday, March 2, 1993 at 8:00 PM in the Acton Town Hall on several proposed amendments to the existing Traffic Rules and Orders.

- A. To install a stop sign at the intersection of School Street and Lawsbrook Road so as to face westbound drivers on School Street, and to remove the existing stop sign facing westbound drivers on Lawsbrook Road.
- B. To install stop signs at the intersection of Stow Street and Robbins Street so as to face northbound drivers on Robbins Street and southbound drivers on Robbins Street.
- C. To install a stop sign at the intersection of Esterbrook Road and Strawberry Hill Road so as to face northbound drivers on Esterbrook Road.

TOWN OF ACTON
INTER-DEPARTMENTAL COMMUNICATION

DEC 15 1992

DATE: 12/15/92

TO: Don P. Johnson, Town Manager
FROM: Engineering Department
SUBJECT: Changes to Traffic Rules and Orders

In addition to the proposed work at the intersection of School Street and Lawsbrook Road, we have two requests from the Police Department for stop sign installations, each of which will require changes to the Traffic Rules and Orders. Our comments regarding the three locations are included in this memo. Attached you will find all the necessary paperwork for advertising and voting the changes. Please have Christine fill in appropriate times and dates if you wish to proceed with the changes.

Lawsbrook Road/School Street Intersection

As you know, the design for this project has been completed and will probably be constructed in the Spring. The geometric changes to the intersection will make School Street eastbound to Lawsbrook Road the through-way and School Street westbound the controlled leg of the intersection. The changes to the Traffic Rules and Orders will require the removal of the stop sign from the Lawsbrook Road approach, and the installation of a stop sign at the School Street westbound (from Route 2) approach.

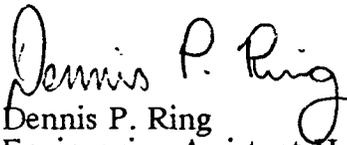
Stow Street/Robbins Street Intersection

I have attached a report from Officer Cowan regarding the placement of stop signs at this intersection. Increased traffic in this area may be primarily due to the new construction at the Meadowview subdivision. With the addition of 21 new homes, we have the potential for an equal or greater number of "unfamiliar" motorists travelling on Robbins Street. The intersection meets the warrants for a stop sign contained in Section 2B-5 of the Manual on Uniform Traffic Control Devices, and we concur with Officer Cowan's recommendation.

Strawberry Hill Road/Esterbrook Road Intersection

The attached memo from Chief Robinson indicates that during his annual citizens survey he received a request for a control at the subject intersection. Officer Cowan's recommendation for either a stop or yield sign and the low accident history indicate that a yield sign may be sufficient. However, based on the difference in volumes and the geometry of the intersection, we feel that a stop sign would be more appropriate.

If you have any questions or need additional information regarding these issues, please let me know. Also, it may be appropriate for us to present the School Street/Lawsbrook Road plan to the Selectmen prior to the hearing for the Traffic Rules and Orders. Please advise us of your intended schedule.


Dennis P. Ring
Engineering Assistant II

TOWN OF ACTON POLICE DEPARTMENT

INTER-DEPARTMENTAL COMMUNICATION

TO: Town Engineer

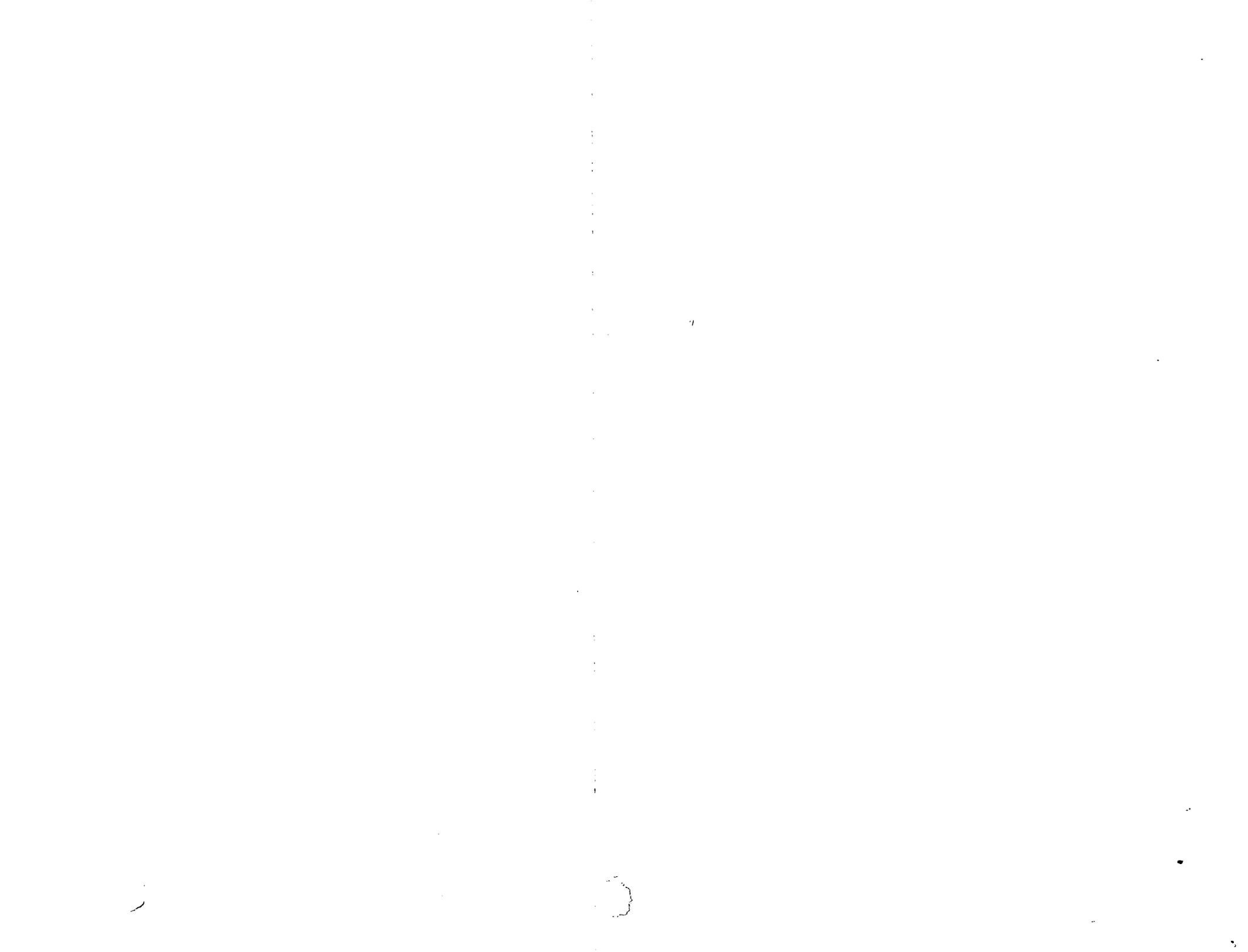
DATE: November 18, 1992

FROM: Police Chief *JWR*

TIME: 2:04 PM

SUBJ: Stop Sign Request

Please find attached Officer Cowan's recommendation for a stop sign at the intersection of Stow and Robbins Street in which I concur.



From: ACTPD::RLC
To: CHIEF
CC:
Subj: STOP SIGNS

15-NOV-1992 10:36:36.99

THIS LETTER IS IN REGARDS TO THE INTERSECTION OF STOW ST. AND ROBBINS ST. I HAVE RECEIVED MANY COMPLAINTS WITHIN THE LAST TWO MONTHS REGARDING MOTORIST SAFTY AT THIS INTERSECTION. THE MAIN CONCERN IS THAT TRAFFIC ON STOW ST. HAS INCREASED, AND THE TRAFFIC ON ROBBINS ST. IS NOT CONTROLLED BY A STOP SIGN. THE COMPLAINTS INDICATE THAT ON MANY OCCASSIONS VEHICLES WILL TRAVEL ACCROSS STOW ST. ON ROBBINS ST. WITHOUT STOPPING. I MONITORED THIS INTERSECTION FOR A TWO DAY PERIOD. I OBSERVED ONE OUT OF TOWN MOTORIST TRAVELING ACCROSS WITHOUT STOPPING. THERE IS PONTENTIAL FOR A SEVERE BROADSIDE ACCIDENT. I RECOMMEND TWO STOP SIGNS BE ERRECTED. ONE SIGN SHOULD BE PLACED ON ROBBINS ST. FOR THE WEST BOUND TRAFFIC. THE SECOND STOP SIGN SHOULD BE ERRECTED ACCROSS STOW ST. ON ROBBINS ST. FOR THE EAST BOUND TRAFFIC. IT APPEARS MOTORIST NOT FAMILIAR WITH THE INTERSECTION DO NOT REALIZE ROBBINS ST. IS SEPERATED BY STOW ST. THE STOP SIGNS WILL ALLERT THE MOTORIST, AND CREAT A CONTROLLED INTERSECTION.

ROBERT L. COWAN JR.

INTER-DEPARTMENTAL COMMUNICATION

3/2/93 (4)
FEB 25 1993

February 25, 1993

TO: Board of Selectmen
FROM: Doug Halley, Health Director
SUBJECT: Analysis of the Nursing Service

With the resignation of Lucy Saia it seems appropriate that the town once again take a look at the Nursing Service and determine if changes should be made in the services that are provided. An external analysis was completed in 1986 by the Wayland Group and internal recommendations, made in 1988, based on that analysis have been implemented. A follow up analysis completed by the League of Women Voters in 1991 found the Nursing Service thriving.

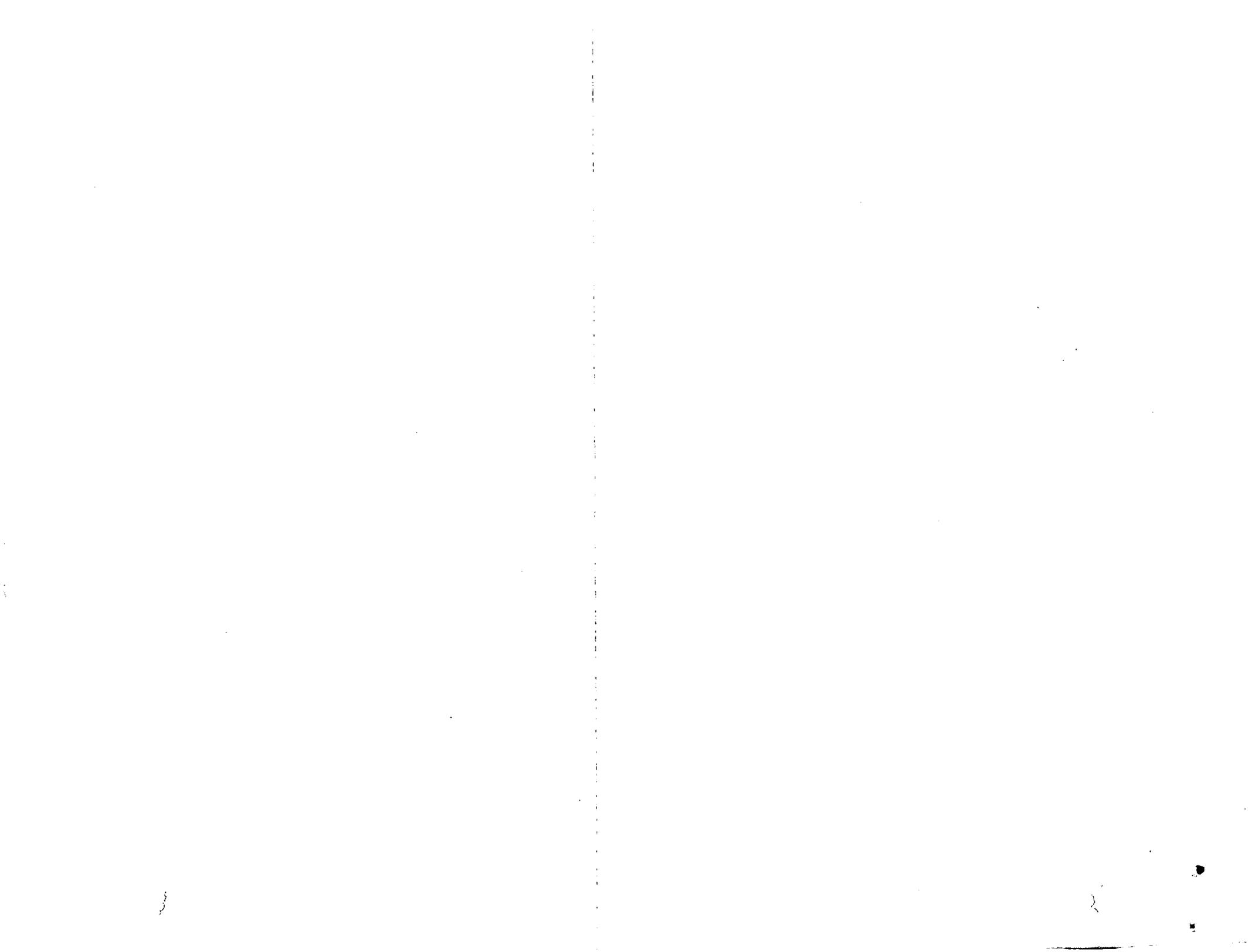
The focus of all this attention has primarily been the following issues:

1. Is this a service the Town should provide.
2. Can this service be provided at little or no cost to the taxpayers.
3. Could an independent agency provide the same service in a more efficient and cost effective manner.

The current success of the Nursing service is due in large part to the evolution of an employee reliant agency to a contractual reliant agency. This has allowed the Nursing Service to be more flexible and to ensure that all costs were directly attributed to patient care. However, recent interpretations by the I.R.S. has brought new concern regarding the differences between contractual and regular employees. It is clear that Home Health Aides should not be on a contractual basis, that the issue of Visiting Nurses is less clear and that Staff Therapists are permitted to be contractual.

With these issues in mind and after discussing this with the Board of Health and the Friends of the Acton Nursing Service it is recommended that an action group be formed drawing from the Selectmen, Board of Health, Finance Committee, F.A.N.S., the Professional Advisory Committee and the Town Manager or his representative. This action group would choose an independent consultant to analyze the Nursing Service in respect to the following issues:

1. Its viability within the town government structure.
2. The legal obligations incumbent in operating the Service.
(Federal, State and Local)
3. The current trends of Home Care.
4. Comparison with competing agencies.
5. Recommendations that address the above issues.
(Taking in to account Patient and Citizen concerns)



This analysis would be funded through the Nursing Service's Fund Balance (There is a current surplus). Given the current need to deal with town meeting issues it is recommended that this action group be formed by May 1, 1993, that a consultant be chosen by June 1, 1993 and that the analysis and recommendation be submitted to the Board of Selectmen by September 1, 1993. Until that time it is recommended that the Nursing Service be operated as usual with the expectation of its continued operation.

INTER-DEPARTMENTAL COMMUNICATION

February 4, 1993

TO: Board of Health, F.A.N.S., P.A.C., League of Women Voters

FROM: Doug Halley, Health Director

SUBJECT: Selectmen's Meeting regarding status of the Nursing Service

The Board of Selectmen will conduct a public meeting, regarding the present and future status of the Nursing Service, on March 2, 1993, at 7:45 P.M., in Room 201 of the Acton Town Hall. Your attendance at the meeting and involvement in the discussion is desired by the Selectmen. Past studies of the Nursing Service, by the Wayland Group and the League of Women Voters, will be discussed. Current visitation rates, revenue predictions and Federal, State and Town regulations will also be discussed.

Should you have any questions regarding this matter please contact me at 264-9634.

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- V. Advantages and Disadvantages of Existing Organizational Model
- VI. Comparison of Merger Options
- VII. Summary of Findings

APPENDICES

Appendix 1: Interview List

Appendix 2: Statistical Tables

- Table 1: APHNS Fiscal Year 1983-87
- Table 2: Cost Per Visit
- Table 3: Charge to Public
- Table 4: % Distribution Visits, By Visit Type
- Table 5: Visits Per Patient, By Visit Type
- Table 6: Costs Per Visit of Activity
- Table 7: Visits/FTE
- Table 8: % Distribution of Costs by Type of Cost
- Table 9: Title XVIII Activity as % Total Activity
- Table 10: Emerson Market Share & Patient Origin

Doug

8 p.m.

THE WAYLAND GROUP, INC.

Counsel to Non-Profit Organizations:
Resource Development, Marketing, and Strategic Planning

James G. Kitendaugh, President
Lynne M. Cavanaugh, Senior Vice President

**ACTON PUBLIC HEALTH NURSING SERVICE:
An Analysis of Organizational Options and Considerations**

May 1987

I. PURPOSE OF THE CONSULTATION

The Wayland Group, Inc. was commissioned by the Town of Acton, Massachusetts to assist the town, the Acton Public Health Nursing Service, and the Acton Board of Health in developing a comparative evaluation of the future organizational options of the Acton Nursing Service. This memorandum summarizes the findings of that consultation. The Scope of Work included assisting APHNS to:

- assess the nursing service's current strategic position;
- identify key factors influencing future planning; and
- review selected strategic options open for consideration as well as the relative advantages and disadvantages of each.

II. APPROACH

In conjunction with completion of the work cited above, The Wayland Group:

- conducted interviews with representatives of APHNS, the Town of Acton and its Board of Health;
- conducted interviews with representatives of Emerson Hospital and the Emerson Home Care Program as well as Nashoba Health Services and its Nursing Service Program;
- conducted interviews with a range of third-party representatives responsible for health care quality review, Medicare/Medicaid appropriateness, and allowable cost reporting for APHNS;
- reviewed the most recent Statement of Deficiencies & Correction Plan for APHNS, Emerson Hospital Home Care, and Nashoba Nursing Services;
- Reviewed and analyzed the FY1986 cost reports submitted by APHNS, Emerson, Nashoba, and two other smaller, community-based agencies to the regulatory authorities; and
- reviewed Town of Acton budget data relevant to APHNS for FY1983 through FY1986.

III. SUMMARY OF INTERVIEW FINDINGS

Interviews held as part of this study with key representatives of the Acton Community, as well as relevant regulatory, reimbursement and service agencies, revealed the following key strategic planning issues:

1. An almost universal perception by all interviewed that APHNS provides the highest quality of nursing and related home care services to the Acton community.
2. A generalized concern over APHNS's ability to survive in a fiscally healthy state, the clear industry-wide trends toward increased competition, regulation, and fiscal economies of the home care business.
3. A universal concern by town representatives that necessary nursing and related BOH and preventive health services be maintained for Acton residents.
4. A widespread concern as to whether Acton should be "in the business" of providing health care.
5. A general concern over both the costs to the town of "free-care" and the potential for loss of sliding fee scales for Acton residents under merger status.
6. A widespread awareness of rapid population growth in the Town of Acton, with new residents younger and less "community-invested" than the current population base, and with concurrent need with this population base and Prop 2 1/2 to re-evaluate community-based services.

IV. REVIEW OF APHNS STATISTICS AND COMPARATIVE STATISTICAL ANALYSIS

Critical to assessing the current organizational structure of APHNS, as well as alternative options available for consideration, is a careful review of available financial and statistical data. To this end, The Wayland Group reviewed budget data for the Town of Acton for FY1983-1986, the FY1986 cost reports submitted by APHNS, and costs reports for four additional home nursing services. The latter were selected either because they fit a similar organizational-model to APHNS (e.g. smaller, community-based nursing services) or because they were agencies that had potential for merger/affiliation relationships with APHNS (e.g. a hospital-based home care agency and a larger regional, municipally-affiliated agency).

Tables 1-10 display and summarize highlights of the data analyzed for this consultation. Pertinent details and findings are summarized below.

- On a cash basis, the direct out-of-pocket cost to the Town of Acton of supporting APHNS has fluctuated from approximately \$22,000 - \$32,000 over the past four years. It is anticipated that the projected deficit of program operations is rising. (Table 1)
- The APHNS component of the Town of Acton budget has increased by 49% over the four year period. (Table 1)
- Representatives of Acton involved in establishing the APHNS enterprise fund have indicated that the town could retain its current budget base for purposes of Proposition 2 1/2 limits even if the service was no longer provided by the municipality. If true, this would provide the Town of Acton with sizeable budget room for growth in other municipal service costs. (Table 1)
- As a single measure of the cost-effectiveness and operations management of the current APHNS program, the unit costs reported by APHNS are clearly reasonable relative to a sample of other programs. (Table 2)
- The unit costs of the hospital-based program are generally significantly higher than APHNS. (Table 2)
- The unit costs of the larger regional nursing service are generally significantly lower than APHNS. (Table 2)
- While reasonable overall, APHNS unit costs appear somewhat high for treatment services delivered on a contract basis (i.e. OT, PT) and significantly lower for home health aide services. (Table 2)
- It is reasonable to assume that the unit costs of services now accounted for by APHNS would, over time, tend to move in the direction of those reported by the organization with which it were to merge. (Table 2)
- APHNS charges to the public for services rendered are at or above those charged by the comparison group. (Table 3)
- The charges to the public reported by regional service are significantly and generally lower than those reported by APHNS. (Table 3)

- The charges to the public of the hospital-based service are higher, while its charges for services to other Boards of Health are comparable to those charged by APHNS. (Table 3)
- APHNS reports a comparable service mix to the comparison group, with a slightly higher ratio of skilled nursing visits to home health aide visits. (Table 4)
- A comparison of the intensity of service reported by APHNS to that of the regional service indicates a relatively comparable intensity mix (i.e. visits per patient). The regional service appears to have a greater dependence on home health aides in their treatment plans and APHNS appears to utilize a slightly higher proportion of specialized treatment services. (Table 5)
- A comparison of total costs per visit and unduplicated census count as well as cost category per visit and per census indicated APHNS is reasonably comparable to the comparison group and that the regional service is consistently lower. (Table 6)
- As a single measure of productivity, APHNS' reported levels of visits per FTE appear in line with those reported by the comparison group. While they are generally high, this may, in fact, reflect that the APHNS staff is, at times, "stretched" to complete its service loads. (Table 7)
- An overview of service expenditures by type of expenditure indicates that APHNS' costs are generally in line with those of the comparison group. (Table 8)
- The proportion of costs associated with contract services is somewhat lower in the regional service than for APHNS as might have been anticipated. (Table 8)
- APHNS is not currently reporting a higher proportion of non-reimbursables service costs than the regional services. (Table 8)
- APHNS and the regional service report a relatively consistent profile of Title Program Activity (Medicare and Medicaid) as a proportion of all activity. APHNS reports a higher proportion of its unduplicated census count that falls in this category. The hospital-based services reports a significantly higher proportion of visits across most modalities in this category. (Table 9)

- Approximately 72.3% of all Acton residents requiring inpatient hospitalization can be expected to seek such hospitalizations at the Emerson Hospital. Approximately 11% of all Emerson Hospital inpatients are residents of the Town of Acton. (Table 10)

V. ADVANTAGES AND DISADVANTAGES OF EXISTING ORGANIZATIONAL MODEL

While there has never been a question regarding the quality, responsiveness, and community orientation of the Acton Public Health Nursing Service, there emerged a strong consensus among those interviewed that its current model of organization and operation may no longer be the optimal mechanism for insuring access to Acton residents of the three types of services now provided: Board of Health mandated services, community/preventive services, home nursing and related treatment services.

Further, while a review of statistical data suggests that APHNS has done a good job on the cost side of operations, it is the revenue position of the service as well as its generalized market vulnerability and lack of volume to support a more extensive administrative function that suggests that the disadvantages of maintaining the status quo outweigh the advantages.

Other key advantages and disadvantages are outlined below:

Advantages of Status Quo

- Maintenance of a locally visible, high quality and responsive community-based home nursing treatment program;

Disadvantages of Status Quo

- The financials of home care are extremely complicated, need professional management and ongoing monitoring and manipulation. Such attention is cost effective in and available only to larger services.
- The Board of Health function will undoubtedly continue to be predominated by concerns outside the nursing function (i.e. environmental issues). Further, there exists no direct reporting link from APHNS to the Town Manager. This could serve to balance the non-nursing concerns that can dominate a Board of Health.
- APHNS reports not to the municipality but to the Board of Health, an independent state body, therefore, creating a complicated matrix for funding, management and reporting.

- Computer capability of APHNS is not adequate to manage all billing, financial reporting, and information management functions.
- Major sources to increasing annual visits and thereby reducing unit costs are expensive and difficult to realize. (Difficulty of capturing referrals, expense of implementing marketing and fundraising programs).
- Prospective reimbursement, Prop 2 1/2, and other changes in the external environment will decrease APHNS' competitive position and financial security over time.
- Unclear consensus by APHNS, Board, Town, as to cost of APHNS to town.
- Liability to Town of nursing service.
- Ongoing difficulties of realizing maximum reimbursement.
- Ongoing difficulty of adequately managing accounts receivable.
- Need to establish stronger link between APHNS and Town management.
- Difficulty of attracting and retaining high quality supervisory and nursing staff.
- General training and orientations of Boards of Health tend toward environmental and public health rather than individually-oriented health programs.
- Administrative tasks are excessive for the supervisory staff of a small service, and these tasks largely require professional management rather than volunteer support.
- Difficulty in maintaining adequate statistical information.
- Industry evolution will not foster status quo organization.
- Overall market vulnerability.

VI. COMPARISON OF MERGER OPTIONS

In order to facilitate a comparison of the two merger/affiliation options under consideration, this section first describes the pertinent facts/details about each

organization's program operation and orientation and then summarizes the relative advantages and disadvantages of taking that route.

A. NASHOBA NURSING SERVICE

Description of the Nashoba Nursing Service

The Nashoba Nursing Service (NSS) constitutes a 14-town association organized for reasons of economies of scale and originally funded by a Commonwealth Fund grant. The Nursing Service now operates via a municipal assessment process and acts as the legal agent for towns served. In addition, NNS:

- is in compliance with the Conditions of Participation for Home Health Agencies;
- is a respected provider of nursing services;
- operates from a traditional, board of health/ community-based philosophy;
- has a philosophy and orientation consistent with APHNS;
- has a new CEO on staff;
- is extremely interested in and desirous of a merger/afiliation with APHNS;
- would be willing to utilize existing APHNS staff and facilities;
- would consider a non-voting spot for APHNS on their elected Board at the outset;
- would welcome the APHNS Professional Advisory Committee on theirs;
- has a lower rate structure than APHNS;
- does provide sliding fee scale care on a limited basis and has started a free care fund;
- has a strong emphasis on nurse training, continuing education, and specialization;
- has a strong commitment to continuity of patient care and includes patient assessment visits free of charge;
- will offer separate contracts to Acton for the Board of Health functions and the nursing service if desirable;

- has estimated the cost to the Town of Acton of a package of services combining Board of Health mandated services, preventive and community services and nursing/treatment services at \$11,000 annually;
- has a limited marketing program in operation that includes a NNS Newsletter;
- would provide the Town of Acton with consulting to school nurses but not direct service. Services provided to other towns have included hygiene programs for janitorial staff, assistance with immunization programs, special social service programs such as dealing with loss, AIDS);
- is desirous of a follow-on meeting of the principals of NNS and of APHNS.

Affiliation Advantages

- 1) NNS has an established record of working for municipalities by providing Board of Health and nursing services;
- 2) Affiliation would leave the quality, staff and location of the nursing service essentially intact.
- 3) Acton would retain some control/input with the nursing service function as provided to Acton residents.
- 4) Costs to the Town would be manageable and have less dramatic impact on the budgetary process.
- 5) Costs to the Town could fall below that estimated if improved billing/collection capabilities and economies of scale were realized, in part, through new computer capability.
- 6) Costs to Acton consumers would tend to decline towards those currently reported by NNS.
- 7) NNS program/service is philosophically consistent with APHNS.
- 8) Potentially more specialized services would be available to Acton residents in their homes as appropriate.

- 9) NNS is a growing service with growth in activity in large part due to the availability of full-time specialists on staff.

Disadvantages

- 1) Acton residents requiring hospitalizations predominantly use Emerson Hospital. A relationship with NNS would encourage a dual follow-up care system and could diminish continuity of care between levels of care.
- 2) In light of the above, the Emerson Hospital Home Care Program has the strongest competitive hold on the Acton Home Care market should they desire to exercise it. While this eventually could have some negative impact on Acton residents' utilization of NNS services, it should not adversely affect NNS provision of Board of Health services to Acton.

B. EMERSON HOSPITAL HOME CARE

Description of Emerson Hospital Home Care Program

Emerson Home Care (EHC) is the oldest hospital-based home care program in Massachusetts. It is organizationally linked to the primary provider of inpatient hospital care to Acton residents. In addition, EHC:

- is in compliance with the Conditions of Participation for Home Health agencies;
- does currently provide Board of Health functions to several nearby towns with costs to these municipalities arrived at through an annual proposal submission process based on the previous year's utilization;
- currently provides school nursing for several towns;
- is very interested in all merger/affiliation arrangements with APHNS;
- currently provides home nursing and related treatment services to some Acton residents;

- is motivated at least in large part by a concern for continuity of care for hospital patients at discharge by a concern for patient control under prospective reimbursement, and potential economies of scale;
- is desirous of retaining APHNS facilities and staff assuming availability for an adequate number of hours;
- operates using a case management approach for treatment services using geographic zone staffing for continuity of care;
- provides individual nurse assignments to all clinics to insure continuity of care;
- if it were to provide the Town of Acton with Board of Health services, it might be expected to charge in the area of \$8,000 annually exclusive of well-child care based on similar municipal contracts in existence adjusted for population size;
- is willing to have its attorney visit Acton to discuss corporate re-structuring of the nursing service.

Advantages

- 1) A merger or affiliation relationship with EHC would foster continuity of care between levels of care for Acton residents;
- 2) EHC is in the strongest competitive position in the home care market in the Acton area;
- 3) EHC has access to a wide range of medical technologies and specialty care expertise;
- 4) EHC could ultimately assist Acton in the provision of School nursing if appropriate;
- 5) EHC will be a surviving service, securing access to home care for Acton residents for the long-term;
- 6) Estimated costs to the Town of Acton of EHC providing Board of Health functions are manageable.

Disadvantages

- 1) Acton would lose a great deal of control of the nursing and related treatment services provided in the home in Acton;
- 2) EHC and APHNS are based in different medical services models and, therefore, have somewhat different organizational orientations and philosophies;
- 3) Acton would have less control over sliding fee scale options for home care for Acton residents unless an independent fund to support such fee subsidies were established.

C. ADVANTAGES OF THE GENERIC MERGER MODELS

There are significant potential gains to affiliation/merger with a larger home care program whether regional or hospital-based. These include:

- Additional supervisory staff;
- Less pressure on staff from requirements for 24-hour coverage and supervisory coverage;
- Less impact of "peak and valley" staffing requirements;
- Potential for improvement in collections, cash flow, and information management;
- Potential for greater specialization and continuing education for home care staff;
- Maintenance of local visibility;
- Potential for leverage of nursing budget dollars for purposes of Prop 2 1/2;
- Potential for improved management information;
- Reduction in overall financial risk to the town.

SUMMARY COMPARISON OF ADVANTAGES/DISADVANTAGES
OF CURRENT ORGANIZATIONAL STRUCTURE AND MERGER OPTIONS

	<u>STATUS</u> <u>QUO</u>	<u>NASHOBA</u> <u>AFFILIATION</u>	<u>EMERSON</u> <u>AFFILIATION</u>
Quality of Care	****	****	****
Mission	****	***	*
Continuity of Care	****	***	***
Cost to Town	*	***	**
Cost to Consumers	**	***	*
Access to HHC	****	****	***
Access to Community Services	****	****	**
Sliding Fee Scale	****	***	*
Administrative/Business Capacity /	**	****	****

KEY: / * least advantages
 / **** most advantages

VII. SUMMARY OF FINDINGS

Acton Public Health Nursing Service has served the Town of Acton and its residents for over 60 years. It has provided the Board of Health with staff to support its state mandated functions such as communicable disease follow-up and reporting. It has provided the community with preventive health measures including well-child care and a range of clinics. Further, it has served the nursing and related treatment needs of the short-term acutely ill and chronically ill patient in the home. APHNS has achieved its mission and the Town of Acton has realized these benefits through financial and organizational support.

In 1987, however, the fiscal constraints on both the Town of Acton and APHNS limit the nursing service's freedom to continue to operate under its traditional organizational model just as marketplace competition and industry regulation is intensifying.

Accordingly, we recommend that the Town of Acton and its Board of Health actively work with APHNS administration to engage in formal merger negotiations with a suggested target date for finalizing such arrangements of November 1, 1987.

APHNS is fortunate to have available at least two potential affiliation/merger options, either of which will allow APHNS to retain some visibility in the Acton community, allow municipal input into program operation and insure access to needed services by the residents of Acton. Further, this report identifies and clearly outlines the major strategic differences between a merger or other formal affiliation with Nashoba Nursing Service and the Emerson Hospital Home Care Program as required to pursue corporate re-structure of APHNS by the Town of Acton.

INTERVIEW LIST

- Mr. Gene Chavez, Policy Analyst, Long-Term Care
Division of Health Care Quality
Department of Public Health
 - Mr. Don Johnson, Town Manager
Town of Acton
 - Mr. Richard Stevens, Board of Health
Town of Acton
 - Ms. Marg Eramo, Office of Operations & Administration
Division of Health Care Quality
Department of Public Health
 - Mr. Walter Murphy, Director
Nashoba Nursing Service
 - Ms. Paula Brody, Operations Manager
Nashoba Nursing Service
 - Mr. Don Gilberti, (Chairman) Board of Selectmen
Town of Acton
 - Ms. Kathy Crowther, Bookkeeper
Acton Public Health Nursing Service
 - Ms. Eleanor Voorhies, Professional Advisory Committee
and Board of Health, Town of Acton
 - Mr. Neil Meltzer, Vice President, Emerson Hospital
 - Ms. Denise Sheeran, Home Health Services, Emerson Hospital
 - Ms. Sheila Buckley, Planning Department, Emerson Hospital
 - Ms. Priscilla Greene, Director of Nursing
Acton Public Health Nursing Services
 - Ms. Jean Emons, Medicare Medical Review
-

TABLE 1

ACTON PUBLIC HEALTH NURSING SERVICE
FISCAL YEAR 1983-87

	<u>TOTAL EXPENSES</u>	<u>TOTAL INCOME</u>	<u>EXCESS CASH (DEFICIT)</u>
FY'83	\$102,810.31	\$ 81,086.57	(\$21,723.74)
FY'84	\$129,502.97	\$101,636.64	(\$27,866.33)
FY'85	\$137,036.00	\$105,009.57	(\$32,026.43)
FY'86	\$153,384.00	\$127,167.61	(\$26,216.39)

FY'87 Appropriation: \$159,881.00

SOURCE: Town of Acton
Town Managers Office

TABLE 2

COST PER VISIT

	<u>Nursing Service Acton</u>	<u>Nursing Service A</u>	<u>Nursing Service B</u>	<u>Nursing Service C 1</u>	<u>Nursing Service D 2</u>
Skilled Nursing	41.22	48.53	40.65	28.82	<u>71.37</u>
PT	52.16	26.58	50.66	34.82	71.39
OT	54.78	27.72	51.12	37.43	48.98
SP	-	39.75	51.45	49.13	48.98
MSW	52.01	45.42	52.00	47.06	106.77
HHA	15.62/ (19.00)	38.46	21.43	25.70	32.43

1. Nashoba Nursing Service
2. Emerson Hospital Home Care Program

TABLE 3

CHARGE TO PUBLIC

	<u>Nursing Service Acton</u>	<u>Nursing Service A</u>	<u>Nursing Service B</u>	<u>Nursing Service C</u>	<u>Nursing Service D 1</u>
Nursing	50	45	30	35	65
PT	50	40	40	42	65
ST	-	35	40	45	65
OT	50	35	40	40	65
MSW	50	65	40	50	65
HHA	15	13	13	13	15

1. Emerson has separate fee scales for BOH services and for Medicare/Medicaid services. For the latter, Emerson charges \$50 for any professional visit, \$23/hr. for telephone or clinic services. For Medicare and Medicaid, Emerson charges \$65.00 for all professional visits and \$15/hr. for HHA services.

TABLE 4

% DISTRIBUTION VISITS, BY VISIT TYPE

	<u>Nursing Service Acton</u>	<u>Nursing Service A</u>	<u>Nursing Service B</u>	<u>Nursing Service C</u>	<u>Nursing Service D</u>
Skilled Nursing	42.3%	36.5%	48.4%	37.4%	39.6%
Physical Therapy	10.2%	12.8%	5.7%	8.4%	17.2%
Speech Pathology	0	0.1%	0.4%	0.5%	3.4%
Occupational Therapy	1.4%	0.4%	0.7%	0.4%	1.0%
Medical Social Services	3.1%	1.6%	0.2%	0.3%	2.7%
Home Health Aide	38.4%	35.2%	44.6%	46.7%	36.1%
All Other Services	<u>4.6%</u>	<u>13.3%</u>	<u>--</u>	<u>6.5%</u>	<u>0</u>
TOTAL VISITS	100.0%	100.0%	100.0%	100.0%	100.0%

TABLE 5

VISITS PER PATIENT, BY VISIT TYPE

	<u>Nursing Service Acton</u>	<u>Nursing Service A</u>	<u>Nursing Service B</u>	<u>Nursing Service C</u>	<u>Nursing Service D</u>
Skilled Nursing	9.1	12.1	9.1	10.4	NA
Physical Therapy	14.2	11.2	5.7	9.5	NA
Speech Pathology	0	4.0	8.2	8.5	NA
Occupational Therapy	6.2	2.6	10.2	4.2	NA
Medical Social Service	4.1	2.9	10.0	3.5	NA
Home Health Aide	15.9	22.8	18.0	28.8	NA
All Other Services	<u>1.69</u>	<u>4.2</u>	<u>-</u>	<u>-</u>	<u>-</u>
TOTAL VISITS/ CENSUS COUNT	51.19	59.8	61.2	64.9	NA

TABLE 6

COSTS PER VISIT OF ACTIVITY

	<u>Nursing Service Acton</u>	<u>Nursing Service A</u>	<u>Nursing Service B</u>	<u>Nursing Service C</u>	<u>Nursing Service D</u>
Total Costs/Visit	\$34.99	\$21.27	\$33.87	\$30.10	\$37.57
Total Costs/ Census Count	\$1345.69	\$1665.29	\$470.78	\$607.31	NA
Salary Cost/ Visit	\$22.89	\$40.48	\$17.24	\$20.49	\$30.56
Salary Cost/ Census Count	\$880.25	\$1091.65	\$239.74	\$413.33	NA
Non-Salary Cost/ Visit	\$12.11	\$21.27	\$16.62	\$9.61	\$7.01
Non-Salary Cost/ Census Count	\$465.43	\$573.64	\$231.04	\$193.97	NA

TABLE 7

VISITS/FTE

	<u>Nursing Service Acton</u>	<u>Nursing Service A</u>	<u>Nursing Service B</u>	<u>Nursing Service C</u>
Skilled Nursing Visits/Nurse	1012.59	385.11	1145.16	920.33
Home Health Aides Visits/HHA	1293.35	728.10	NA	909.78

TABLE 8

% DISTRIBUTION OF COSTS BY TYPE OF COST

	<u>Nursing Service Acton</u>	<u>Nursing Service A</u>	<u>Nursing Service B</u>	<u>Nursing Service C</u>	<u>Nursing Service D</u>
<u>CATEGORY I</u>					
Salaries	65.4	65.6	50.9	68.0	81.3
Benefits	4.8	7.8	5.2	2.5	15.8
Transportation	2.2	1.5	1.4	7.1	0
Contract Services	16.8	14.0	36.5	10.4	28.9
Other-Insurance	<u>10.8</u>	<u>11.1</u>	<u>6.0</u>	<u>12.0</u>	<u>0</u>
TOTAL	100.0%	100.0%	100.0%	100.0%	100.0%
<u>CATEGORY II</u>					
General Services	35.3	39.0	37.0	34.0	NA
HHA Reimb. Services	59.9	34.7	56.6	56.5	NA
HHA Non-Reimb. Serv.	2.2	10.1	2.0	3.3	NA
Special Purpose Serv.	0.0	0.0	0.0	2.9	NA
Other Non-Reimb. Serv.	1.6	15.5	0.0	2.2	NA
Other Costs	<u>1.0</u>	<u>0.7</u>	<u>4.4</u>	<u>1.1</u>	<u>NA</u>
TOTAL	100.0%	100.0%	100.0%	100.0%	NA

TABLE 9

TITLE XVIII ACTIVITY AS % TOTAL ACTIVITY

		<u>Nursing Service Acton</u>	<u>Nursing Service A</u>	<u>Nursing Service B</u>	<u>Nursing Service C</u>	<u>Nursing Service D</u>
Skilled Nursing	Visits	46.3	50.9	37.8	44.4	69.7
	Pts	54.6	52.9	47.9	46.5	NA
PT	Visits	41.0	56.0	43.3	57.7	74.0
	Pts	77.0	63.4	34.7	62.6	NA
ST	Visits	NA	100.0	84.8	74.5	86.7
	Pts	NA	100.0	75.0	54.5	NA
OT	Visits	48.5	100.0	88.2	50.0	29.1
	Pts	45.5	100.0	80.0	58.8	NA
MSS	Visits	35.9	47.2	100.0	62.1	49.2
	Pts	54.2	60.0	100.0	63.2	NA
HHA	Visits	30.0	37.1	18.8	31.6	49.6
	Pts	<u>54.2</u>	<u>48.6</u>	<u>36.8</u>	<u>48.9</u>	<u>NA</u>
Total Visits		24.2	40.1	30.3	37.0	62.4
Unduplicated Census		58.3	48.2	40.2	38.1	NA
HHA Hours		28.3	30.4	19.1	30.7	NA

TABLE 10

EMERSON MARKET SHARE & PATIENT ORIGIN

<u>HOSPITAL MARKET SHARE*</u>	<u>HOSPITAL DISCHARGES FROM EMERSON</u>	<u>TOTAL DISCHARGES FROM TOWN</u>	<u>% MARKET SHARE</u>
Town of Acton	1096	1516	72.3%

<u>HOSPITAL PATIENT ORIGIN**</u>	<u>DISCHARGES FROM ACTON</u>	<u>TOTAL DISCHARGES</u>	<u>% PATIENTS</u>
Emerson	1129	10,722	11%

*Source: FY1985 Discharge Summary
Massachusetts Hospital Association
Emerson Hospital

**FY1986 Emerson Hospital

REPORT TO THE BOARD OF SELECTMEN ON THE PRESENT STATUS AND
FUTURE OF THE ACTON PUBLIC HEALTH NURSING SERVICE

JANUARY 4, 1988
ACTON, MASSACHUSETTS

BY: Douglas Halley, Director
Acton Board of Health

And

Julia D. Stevens, R.N.C. M.S.
Interim Administrator-Supervisor
Acton Public Health Nursing Service

I. Introduction and Purpose of Report.

This report is in response to the Board of Selectmen's request for more information and data relative to the future existence of Acton Public Health Nursing Service (APHNS). It was occasioned by the results of the 1987 Wayland Group Study, which recommended merger of APHNS with a larger regional nursing home care agency. The primary purpose of this report is to assess the existing structure of the nursing service so that the conclusions of the Wayland Group study can be put into proper perspective. The intention was not to investigate the cost alternatives that the Town has in regards to possible mergers. It is our belief that no matter what the Town determines to do at this time that a full analysis of the costs of each program run by the Nursing Service should be assessed both for an in-house operation or for a contracted service.

A. Historical Background

APHNS has been providing community health services to the Town of Acton for more than sixty years. APHNS' mission is to provide access to health care for all residents of Acton, regardless of ability to pay. As a Board of Health Agency, the primary role of APHNS has been that of health promotion and disease prevention for various population groups within the Town. Programs include well-senior and well-child clinics, maternal-child health, tuberculin testing, blood lead level screening, immunizations and communicable disease follow-up. In recent years, the inspection and licensing of 15 children's nursery schools and day care centers has been added to the APHNS' role of preventive health responsibilities.

Another component of the APHNS mission is health maintenance for frail elders and chronically handicapped persons. To assist these persons to remain independently at home, APHNS provides regular health assessments, home health aides, who work under nursing supervision, and respite care for over-burdened families.

A third public health nursing role, that of primary nurse, has developed over the past twenty years in response to the enactment of Medicare and Medicaid insurance, enabling many acutely ill patients to be cared for in their homes, rather than in hospitals. The primary nurse role encompasses many "hi-tech skills" with which the nurse practices restorative and rehabilitative home nursing care as well as the traditional case management activities.

Historically, the Town of Acton has funded the Town nurses under the Board of Health. However, in the 1960 s, APHNS became a certified agency, enabling it to receive third party reimbursement for home health care. Thus, reimbursable insurances, particularly Medicare, have become the major source of funding for APHNS' staff salaries, overhead expenses and for its community health programs. The APHNS budget, now the Enterprise Fund, has required little, if any, Town financial subsidy in recent years.

However, participation in the Medicare certified program has had an adverse impact on APHNS as well. The administrator's responsibilities have grown enormously, due to the complexity of Medicare regulations and requirements for continued certification. In addition, Medicare documentation of care requires that staff nurses spend as much as three hours time at their desks for each home visit made. Lastly, Medicare has frequently refused payment for nursing care already given, stating that visits were unjustified, or that documentation was not technically correct. Thus, Medicare has been largely responsible for APHNS' vastly increased administrative work-load, over-head costs, and staff members' loss of morale.

B. The Wayland Group Study

The Wayland Group study was prompted nearly two years ago when the Board of Health (BOH), concerned about the management burden and costs of APHNS, asked the Professional Advisory Committee (PAC) of APHNS to develop a five year plan to meet the future health needs of Acton residents. The PAC evaluated APHNS' strengths and weaknesses and discussed ways of maintaining the Agency's mission. The PAC examined many different models of service and solicited proposals from Emerson Home Care, Nashoba Nursing Service and Sudbury VNA. Early last Spring the PAC recommended that the BOH take a closer look at Nashoba's model. The BOH felt there should be a comparison of costs for provision of services between Emerson Home Care, Nashoba and APHNS and engaged The Wayland Group, a strategic planning organization, to conduct this evaluation.

C. Major Points of the Wayland Study

The Wayland Group study recommends that the Town of Acton engage in formal merger negotiations with other home-care programs so that home-care can continue to be provided to Town residents but without the Town directly providing those services. This recommendation was given after the Wayland Group interviewed representatives of APHNS, the Board of Health, Emerson Home Care Program, Nashoba Health Services and third-party health care representatives. In addition, the financial and organizational make-up of APHNS, Emerson Home Care Program and the Nashoba Health Services was studied.

The Wayland Group study found that several major problems contributed to their merger recommendation. Among these were the increased competition for hospital referrals, the inability to negotiate contracts with H.M.O.s, the increased administrative burden, the increased overhead costs, the decreased ability to attract and retain staff, the 24 hour on-call responsibility shared among five nurses and the increasing deficit of the nursing service. All of these points led the Wayland Group to recommend merger as the best possibility for the Town.

II. Present Situation

A. Referrals for Service

Referrals to APHNS have been decreasing and the outlook to future referrals is not good. Currently there are more home health care agencies offering services than there are patients in need of care. The two major merger possibilities (Emerson Home Care and Nashoba Nursing Services) have built-in referrals with Emerson Hospital or Nashoba Hospital but even they are experiencing difficulties with obtaining referrals because of decreased hospitalizations. APHNS does receive occasional referrals from the major metropolitan hospitals, but Emerson Hospital no longer refers new patients to APHNS, unless the patient specifically requests APHNS, is on Medicaid, or has no insurance. A trend has developed for other agencies to refer uninsured patients to APHNS. These are generally people who are in great need of nursing services but are not always able to pay the fees required for the nursing service to break even. Other persons simply take advantage of the Town's policy of accessing care for all, and although they could well afford to pay for services, they either delay payment for long periods of time, or ignore bills entirely, stating "I pay my taxes, therefore

I'm entitled to free care

A prime source for referrals is through health maintenance organizations (H.M.O.'s), but the contracts they are currently offering would reimburse the Town at rates lower than the costs of services provided. APHNS does have a contract with Harvard Community Health Plan (HCHP) through its association with Acton Medical Associates. However, HCHP uses Medicare guidelines for home health care, and thus does not reimburse APHNS for long-term care of chronically disabled patients, except under certain stringent conditions.

Although referrals for care are decreasing, the volume of visits and the number of patients on caseload are both increasing. The following chart indicates the changes taking place as well as the increased revenue received. The increased revenue is due to: more aggressive billing under the new Interim Administrator, increased fee structure for reimbursable insurances, more prompt reimbursement and fewer denials from the new Medicare fiscal intermediary, increased number of home health aide hours, and initiation of fees for Board of Health programs.

APHNS COMPARISONS -1986-1987

	Sept.-Nov. 1986	Sept.-Nov. 1987
Referrals	35	27
Caseload	60	68
Visit Volume	845	1011
Revenue (July-Dec.)	\$59,015.09	\$73,497.10

C. Telephones

A part-time secretary who works only three days a week, requires that the Administrator-Supervisor be responsible for the phones during much of her work-week. This situation detracts from the Administrator's efficiency and keeps her in the office when time could be more effectively spent generating referrals and new health promotion programs in the field.

D. Administrative Workload

The Administrator-Supervisor's roles and responsibilities have broadened significantly as Medicare and Department of Public Health regulations have increased and changed over recent years. The Administrator's role includes:

1. Hiring, orienting, evaluating, counseling and supporting a 17 member town employee and contractual employee staff.
2. Developing and managing an annual budget, preparing the annual Town Report, the Department of Public Health Report, and the Medicare Cost Report.
3. Maintaining the standards for participation in Medicare and Medicaid, including arranging for monthly meetings of the Professional Advisory Committee; monthly staff meetings and in-service education meetings.
4. Attending monthly area health care provider meetings, public health meetings, Office for Children meetings, and other professional meetings.
5. Preparing articles for local news media to increase visibility and the public's access to care.
6. Attending monthly Friends of Acton Nursing Service (FANS) meetings as liaison; assisting with plans for fund-raising programs.
7. Coordinating and teaching annual home health aide certification course.
8. Evaluating need for new community health programs and arranging for implementation, with BOH approval.
9. Regular communication with BOH and Board of Selectmen, as needed.
10. Preparing numerous contractual agreements with area providers, therapists and on-call nurses.
11. Coordinating Fitchburg State College student nurse clinical placement program.
12. Coordinating implementation of computer program for statistical and billing purposes.
13. Interviewing day care center applicants and assessing their qualifications for administration of nursery schools and day care programs.

The Supervisor's roles includes:

1. Direct supervision and teaching of staff and coordination of patient care to ensure continued high quality and continuity of care.
2. Assigning on-call nurses to maintain 13 hour, 7 day a week availability; 24 hour availability in certain instances.
3. Reviewing all documentation and patients' records to ensure compatibility with Medicare requirements and certification standards.
4. Reading professional journals and attending meetings to keep abreast of clinical nursing skills and techniques.
5. Visiting patients to assess quality of care and home environments.
6. Teaching staff how to inspect day care centers; assessing qualifications of staff and ensuring compliance with immunization, safety and sanitation requirements.
7. Administering Mantoux tests, flu vaccine and other office procedures when staff nurses are out in the field. Telephone advisement in health care matters and referrals to appropriate resources.
8. On-call supervisory requirement of 24 hours a day, 7 days a week.
9. Maintaining adequate supply of biological vaccines; coordinating with State Dept. of Public Health and local physicians.
10. Scheduling clinics and monitoring public's participation.

E. Other Factors with Adverse Impact

1. The acuity of the patients; that is, their severity of illness, is now requiring regular week-end visits by on-call nurses. This increases overhead expense and stress on our part-time nursing staff and on the Supervisor, who must be within "beeper" range 24 hours a day. None of the staff receives compensatory time off for their on-call hours. The Supervisor's responsibility is not even recognized in the Personal Administration Plan, and she receives no compensation.

2. There are now 15 children's day care centers to be inspected several times a year and re-licensed on a bi-annual basis. This state mandated program requires the Administrator and staff nurses to entirely shift their focus of concern from one of patient-centered activities to those of overall concern and responsibility for safe, effective and optimal administration of group day care centers. A multitude of rules, regulations, and standards must be mastered in order to correctly advise the owners, staffs, parents and children of these Centers.

3. In the past 10 years, the Administrator's position has been enlarged from a two hour a week contractual position to the present 32 hour a week

town employee position, with an implicit 24 hour 7 day a week supervisory requirement. She is responsible for the supervision of 17 people: one full-time and two part-time nurses, one part-time secretary, two part-time home health aides, four on-call nurses and seven contractual support. Essential communication and interaction between the Supervisor and her staff is difficult because of the part-time employee status, necessitating conferences when staff is present, rather than at the supervisor's convenience. The Administrator-supervisor must also be present at numerous evening meetings and is unable to take compensatory time off during the day, due to the job responsibilities. Lastly, not being present on the fifth work day of the week compromises the Administrator's ability to optimally supervise and also increases stress on staff members. In addition, the Administrator-supervisor has additional work-load when the one full-time nurse is on vacation. This nurse has accumulated four weeks' vacation time a year, plus additional time-off benefits. The supervisor should be present when the full-time nurse is absent in order to ensure continuity of patient care.

4. The computer has not met the needs of the nursing service at any time since its first use. The problem lies in both the hardware and the software. There is apparently a malfunction in the hard disk within the computer which causes the computer to lose information from time to time. In addition, the staff has worked hard to utilize the software provided but has yet to do so with any consistent success. At this point the computer has only added to the work-load without providing the nursing service with consistently usable data. This problem has not been resolved partly because of the still formulating plans for computerization of all Town services and the current analysis of the benefits of merger of the nursing service.

5. The Personnel Administration Plan does not address one of the primary requirements of the nursing service. As required by law all home health agency services must be provided from 8:00 AM to 9 PM seven days a week. In addition all home health agencies must provide homemaker-home health aide services outside regular agency hours up to 24 hours a day in order to maintain a patient at home during an episode of acute illness or short-term family crisis. State law requires that supervision of a home health agency be done by a baccalaureate prepared registered nurse or a licensed physician who is available on the premises or by telephone at all times during operating hours and when back-up homemaker-home health aide services are provided. These conditions require that the supervisor be on call; the present personnel plan does not fully address this condition. In the past, the Administrator-supervisor has accepted this requirement, but this is a very burdensome requirement on a Town employee especially when there is no way to compensate for on-call hours. The Town will have

increasing difficulty filling the Administrator-supervisor position if on-call hours receive no compensation. An argument can be made that as a part of management the Administrator-supervisor is "as required" and on-call hours are addressed through that. This argument loses validity because the Administrator's position is only a thirty-two hour position - not a full-time position - while the nursing service requires supervision 136 hours beyond the Administrator-supervisor's regular 32 hour working week.

6. Within the past year the nursing service has had to replace 11 of its 17 employees. This is consistent with the employee replacement patterns for the rest of the Town. Currently there has been a strong trend for people to leave the public sector for the private sector. This trend has been experienced in the past and no doubt will occur again but in the meantime stress is heightened among employees because of a temporary drop in department experience. Currently the nursing service has been maintaining its own in hiring professional, experienced personnel who prefer less than full-time employment. However, each time a new employee is hired, the Administrator must spend many hours orienting, teaching and closely supervising the new employee to ensure quality and continuity of care. The national nursing shortage may begin to impact the Service's ability to hire qualified nurses, for baccalaureate prepared nurses (a requirement for public health nursing) are in scant supply. There will also be fewer nurses willing to take on the enormous number of required on-call hours in this Service, particularly as the compensation compares so poorly with the private sector.

G. Income-Budget-Deficit

For the past 20 years or so, APHNS' chief income source has been Medicare, followed by other reimbursable insurance sources. Because APHNS' income is received many months after services are billed to third party insurers, an Enterprise Fund has been established into which all income is placed and expenditures for salaries and supplies are withdrawn. The Town of Acton makes up any deficit present at the close of the fiscal year. This purported "deficit" is actually "accounts receivable"; that is, the previous two months' billing has not yet been received by June 30th. There has never been more than 20-30,000 dollars in actual deficit, which can be defined as "bad debt". However, there has been an increasing number of persons cared for this past year who have no insurance, and although most of them do pay small amounts eventually, this does not come close to the actual cost of providing the nursing care.

Each October, a new budget is drawn up for the following fiscal year which forecasts salaries and expenses based on a fee structure determined

by the Board of Health, Medicare and the Rate Setting Commission. The following chart reflects APHNS' recent budget expenditures and forecasts. Higher reimbursement rates established in October 1987 should bring in a net income of at least \$197,168 in 1988-89 if present referrals and visit volume do not decrease, and Medicare does not deny payment. This would bring the deficit levels below \$20,000. Below the budget are the Income figures for the past two years, which indicate that the annual deficit is between \$20-30,000.

APHNS BUDGET

Expended 1986	Expended 1987	Appropriated 1988	Request 1989
\$153,384	\$163,273	\$165,732	\$174,238

APHNS INCOME

7/1/85-6/30/86:	\$139,242.00
Accounts Receivable:	+ <u>55,672.00</u>
	194,914.00

7/1/86-6/30/87:	\$ 133,090.00
Accounts Receivable:	+ <u>55,165.00</u>
	188,255.00

III. Comparison of Public Health with other Models for Community Health

In Massachusetts there are at least three non-profit models for delivery of community health or home health nursing care. Hospital-based home care agencies care for the acutely ill post-hospital patient who has reimbursable insurance. The monies received from third party insurers help to defray hospital administration expenses. Visiting nurse voluntary associations (VNA's) care for acutely ill post-hospital patient with insurance and also care for the chronically ill homebound when funding is available from charity organizations. Both hospital-based agencies and VNA's may contract with local boards of health to provide clinics, school health services and care of the chronically ill within their service districts, but their primary mission is the care of insurance reimbursable patients at home.

Public health nursing agencies work under local boards of health; their

mission is the health promotion and disease prevention of aggregate populations within specific communities; as such, they are focused on the prevention of illness and/or further complications and the maintenance of optimal health of individuals, families and groups. Certified agencies also care for acutely ill, post-hospital patients with or without reimbursable insurance. Local governments subsidize public health nursing agencies.

The following chart summarizes present APHNS health promotion programs and clients served for fiscal year 1986-87.

<u>Program</u>	<u>#Of Clinics/Visits</u>	<u>#Of Clients/Patients</u>
Well-child clinic	10	61
Well-senior clinics	36	420
Occ Health clinic	14	408
Flu Clinic	1	228
Mantoux tests	90	90
Lead level tests	12	12
Communicable		
Disease follow-up	15	15
Nursery School Insp.	39	15
Office visits	95	95
Health Promotion		
Home visits	106	106
Reimbursable Home		
Visits (all disciplines)	3,892	120

TOTAL NUMBER OF CLIENT/PATIENTS SERVED: 1,570

IV. FEDERAL TRENDS

The concept of health care as a citizen right is generally accepted in this country. The reality, however, is that costs of health care continue to rise, whereas access to, quality of, and distribution of services have fallen under the Reagan administration, making high-quality care less and less available to the majority of Americans. Many changes in the financing and delivery of health care have taken place over recent years as the federal government attempts to contain health care costs to lower the federal deficit.

Possibly the most profound change has taken place in the Medicare benefit. Approximately four years, the Health Care and Finance Administration (HCFA) which administers Medicare funding, began to change over to a prospective payment plan, reimbursing hospitals on the basis of patients' diagnoses, rather than retrospectively, for the length of hospital

stay. At the same time, HCFA began to restrict home care benefits and to increase documentation of care requirements. The overall effect of these changes is not being felt by APHNS, as well as all other home health care agencies. The number of referrals for care is decreasing, the acuity of the patient and therefore the volume of visits is increasing, while the overhead administrative workload and expense continue to escalate, as Medicare and other insurances continually change their rules and requirements for payment.

Many nursing agencies have either closed their doors or merged as a result of Medicare constraints and administrative overhead burdens. The present trend in Massachusetts is toward large regional nursing agencies who can contract with health maintenance organizations for home health care. Their large numbers of patients help to contain their administrative costs. However, the current nursing shortage is beginning to adversely impact the ability of these large agencies to deliver nursing care. Baccalaureate prepared nurses are no longer as willing to work in the field of community health due to the stresses of acutely ill patients, the Medicare documentation burden, the on-call requirements of weekend and night work, and salaries which are much lower than hospitals.

In addition to the problem of a supply of qualified nurses, there are several significant population and societal trends which must be considered in deciding about the future of APHNS. These include an increasing number of elderly persons over age 80 who require nursing services to maintain their independence at home, increasing numbers of uninsured families and individuals who are discharged too quickly from hospitals, or not admitted at all, and the high cost of preventive health care which prevents many persons from obtaining necessary immunizations and screening to identify potential life-threatening conditions. In addition, there are increasing numbers of homeless persons and the very poor, who are at high risk of tuberculosis, AIDs, and other communicable diseases. Historically, it has been public health nurses, funded by local or state governments, who have cared for these population groups.

V. LOCAL TRENDS

Although Acton's total population has not increased significantly in the past few years, the demographic characteristics have changed. In 1980, there were only 175 persons over age 75; now there are 406. The total number of persons over age 65 has grown from 1038 to 1,684 in just seven years. Acton now has at least 600 single parent families and at least 700 persons live below the poverty line. The Acton Housing Authority now has 275 subsidized housing units containing 118 children and expects to construct many more housing units to fulfill the housing mandate. Acton

also has a growing number of mentally retarded persons and emotionally handicapped persons; most of these at risk persons need continuing health surveillance and assistance to maintain them in the community. Thus the community of Acton is no longer just a bedroom suburb of middle to upper income professionals; it is now a diverse community of persons of all ages, many of whom have chronic physical and/or functional limitations requiring nursing care which is not reimbursable from third party sources.

VI. FACTORS TO CONSIDER REGARDING FUTURE OF APHNS

A. Relocation to Town Hall

The consolidation of all Town personnel within the Town Hall will be beneficial to the Nursing Service. The relocation will provide the staff with optimal office space, permitting them to see clients in a private and professional environment. Communication between the Health Director and the Nursing Administrator-supervisor will be improved. In addition, the nurses will have increased visibility with the townspeople, hopefully more referrals for care will result. It is possible that the lack of sufficient secretarial help will be resolved, as the Board of Health secretaries can be utilized to assist the nursing service. Relocation to the Town Hall will also bring xeroxing and computer accessibility to the nursing service, thereby expediting Medicare documentation, accounts billing, and statistical analysis while eliminating the present overhead travel and time expenses involved in traveling from the Merriam building to the D.P.W. building and thence to the temporary Town Hall at Nagog Park and return. In addition, the cost of renting space at the Merriam Building will be eliminated.

B. Reimbursements and Fees

The Board of Health in the Fall of 1987 approved new reimbursement rates and fees. These have been established to decrease the deficit and to compensate the Town adequately for the services it is providing. In addition, the Administrator-supervisor is developing new income-generating health promotion programs which will further broaden the scope of the public health mission, diversify the nurses' workload, and possibly decrease the deficit.

C. Support Groups

Not enough can be said about the support the Nursing Service has received from FANs and the PAC. These organizations provide leadership, funding and critical advice for the nursing service when it is most needed.

The Town should encourage FANs and PAC to continue their efforts and to publicly thank them for their contributions thus far.

D. Alternative Options

At this time there are three courses the Town can undertake in regard to the nursing service. They are to maintain the service as presently constituted, merge with an alternate organization, or surrender certification. Recognizing that the nursing service virtually is self-supporting, is able to provide all requests for service, and is able to employ qualified personnel, it is our opinion that the best alternative is to keep the service within the Town. This recommendation is given; however, with the recognition that a reorganization of staff and an expansion of the nursing service is essential in order to be able to employ qualified staff and to meet the health needs of the Acton community.

E. The Wayland Group Report

The Wayland Group report raised several issues which should be addressed in regard to a recommendation to keep the nursing service. There is no doubt that the lack of referrals has a negative financial impact on the nursing service but the problems that APHNS is experiencing are not different from those of all nursing agencies. Lack of referrals will not change with a merger except that by reducing the number of agencies competing for referrals in this region, an increase in referrals will be available for the remaining agencies. It must be kept in mind that new referrals are just one element of the patient care process. Despite the fact that referrals have decreased, the number of visits per patient has increased, and thus reimbursement has also increased. The Wayland Group report states that the APHNS component of the Town of Acton budget has increased by 49% over a four year period but it fails to point out that the actual deficit has increased only by 21% and the deficit for 1986 is the lowest the Nursing Service has experienced since 1983. The argument that the Town would have sizable growth opportunities for other departments with the elimination of the nursing service is questionable. The nursing service requires only \$20,000 to \$30,000 a year to be maintained and the elimination of the nursing service would require the Town to contract a similar or greater amount to another agency to provide state and locally mandated BOH services. The Wayland Group report failed to separate their listed disadvantages for keeping the nursing service between easily corrected disadvantages and difficult or impossible disadvantages for the Town to address. On the whole the report is misleading and doesn't utilize

logic in its conclusions. In particular the report states:

1. The BOH does not have a focus on nursing issues. It suggests that the nursing service be placed directly under the Town Manager to improve the administrative focus without explaining why the Town Manager would have a better focus than the BOH.

2. That APHNS does not report to the municipality. This statement does not make sense. The BOH is not an independent state agency. Its members are Town residents appointed by the Board of Selectmen to oversee the health and environmental issues of the Town of Acton.

3. No verification was done as to the estimated cost to the Town of Acton for contracting mandated services, preventive and community services and nursing/treatment services. A complete analysis of the services that the Town provides should be done and estimated costs for each service should be researched.

VII. RECOMMENDATIONS

A. Contracts with H.M.O.'s

Contractual HMO agreements would be of great value to the Nursing Service as most consistent caseloads would result from strong referral bases. At this time the Administrator-supervisor has not been able to convince HMO's to reimburse the Town at rates which would compensate the Town adequately. The Town has two options concerning this issue. One would be to sign a contract and accept the deficit inherent with it or to forego any contracts and wait to see how the health market eventually settles down, keeping in mind that the regional nursing shortage may force HMO's to contract with the Town. The Town should only sign a contract if it feels that referrals are of utmost importance to the nursing service.

B. Separate the Roles

Most of the other problems that the nursing service now faces can be addressed through a reorganization. We recommend that the Administrator-supervisor position be separated into two positions: the Administrator position becoming a 40 hour per week position and the Supervisor remaining a 32 hour a week position. The Administrator would be responsible for programs, reimbursements and the total operation of the nursing service. The Supervisor would be responsible for the supervision of nursing staff and would maintain a caseload. The Administrator and the Supervisor would share the 24 hour, 7 day a week on-call responsibility on an alternating basis, so that each would have every other weekend off duty.

These two employees would also work within a six day work week Monday through Saturday. The work week needs to be expanded because there are now weekend referrals for admission and weekend visits for nursing care and becoming routine. In addition, many health promotion programs and clinics could be run on Saturdays when the Town Hall and its parking lot will be empty. On-call weekend expenses would be decreased with this staffing reorganization.

C. Change Staffing Patterns

The nursing staff currently has one full-time nurse, one 24 hour nurse and one 16 hour nurse as well as a contractual support group. We recommend that the full time nurse be eliminated and that the two part time nurses be changed to two 24 hour nurses. These two 24 hour nurses combined with the Supervisor and contractual support group would provide for all patient care, clinics and other programs. It would mean a slight decrease in allocated hours of direct care services because the Supervisor would not be totally dedicated to patient care, but the caseload can be adjusted to compensate for this reduction. Of more importance is how the Town would implement this recommendation. The nursing staff has a long time dedicated employee in the full-time nursing position. We do not recommend elimination of this position while this person occupies it. The Town has several options available, such as to wait until the current employee retires, ask the employee if a decrease in work hours to 24 hours a week would be acceptable or temporarily eliminate one of the part-time nurses until the current status changes. We recommend implementation of the 40 hour administrator now with the creation of a 32 hour supervisor when the current full time nurse retires.

E. Summary

The recommendation given will be an increase in total hours of staff time from 132 hours to 140 hours for weekly employees. There will be an increase in salaries that can be defined further once the Administrator and Supervisor jobs receive job descriptions and are assigned pay rates. Any increase would be compensated by the savings from reduced on-call nurses during the weekend and the creation of new income-generating programs. The rest of the nursing staff should be maintained as is but the secretarial support should be monitored closely to see if additional hours are warranted after the nursing service is relocated at the Town Hall. **THE TOWN SHOULD ONLY KEEP THE NURSING SERVICE IF IT IS WILLING TO IMPLEMENT ALL ELEMENTS OF THE RECOMMENDATION.** The Town should also recognize that there will be incurred from the nursing service. It should be the goal of the

Town to limit the deficit as much as possible while supplying the best quality care to the most needy residents.

Other options for provision of nursing services include.

1. Surrender certification and keep BOH health promotion, disease preventive programs, long-term care and nursery school inspections within the Town, contracting for a public health nurse and supervisor to conduct and oversee these programs.

2. Merge with Nashoba Nursing Service (a regional BOH agency). They have offered to take over and merge entire APHNS program, maintaining all personnel and a local office. As NNS is enrolled in county pension system and conducts many health promotion programs, APHNS' staff and programs would fit in well with NNS.

3. Merge with Emerson Home Care Agency. Expect the emphasis to be on reimbursable insurance cases. APHNS employees probably would not be hired by this agency. The cost of purchase of contractual agreements to maintain BOH services, day care center licensing and long-term care might be prohibitively expensive.

F. Conclusion

The analysis of the information available and the recommendations that we have made from that analysis have been constantly changing because of the volatility of the health care industry at the present time. Since writing this report we have received a letter from Emerson Hospital clarifying the relationships they would be willing to enter into with the Town. In addition we have met with Nashoba and they have outlined in more detail the relationship they are willing to have with the nursing service, including lesser arrangements other than total merger. Both Emerson and Nashoba freely admit that they are also investigating merger with each other as well as other agencies to the east and west of them. It is in the best interests for the Town to continue to investigate sharing services with outside agencies, including possible merger, but until the current situation clears and the solutions become more apparent we cannot recommend merger at this time. Strengthening the nursing service so that it is run with efficiency will only put the Town into a better bargaining position should merger be determined to be the best course at some future date.

DH/JS

March 18, 1991

TO: Don Johnson, Town Manager

FROM: Doug Halley, Health Director



SUBJECT: League of Women Voters - Analysis of APHNS

Enclosed with this memo are copies of documents that were distributed at the last meeting of the League of Women Voters. Several concerns are raised by these documents and bring questions to my mind as to the value of the information they provide. These concerns are as follows:

1. In section 2 the chart lists APHNS as not having administrator autonomy, in comparison to every other agency granting that autonomy. An explanation of autonomy is not given and there is no information given to support these statements. Each agency listed directly answers to either a Board of Directors or a non-agency Administrator and it is difficult to believe that any have full autonomy. In this same section the subsets of administrator autonomy, "does contracts," "hiring of personnel," and "program development", are equally undefined and unverified.
2. In section 3, "Administrative Efficiency", the chart indicates that the APHNS does not have fax, computer or xerox capabilities. Each of these assumptions are incorrect. The only area that APHNS may be behind in is computer capabilities for billings. It should also be noted that the three day a week secretary is being upgraded to a full time secretary in the next fiscal year.
3. The LWV review group continually assigns values to the different types of services that APHNS delivers. It is clear in APHNS' Statement of Purpose that public health programs and home visits are of equal value. If the primary focus of APHNS was on public health programs it would have a detrimental impact on the income generating home visits. Without the income from home visits APHNS would have to reduce its public health program. Conversely prioritizing home visits to the extent of eliminating public health programs would not meet the basic charge of the Board of Health. These programs must be continually balanced with emphasis shifted in accordance with the prevalent needs.

This information is submitted for your review. A final report has not been submitted by LWV. I don't believe any action is necessary at this time but the Town should be prepared to point out any deficiencies that the final report may have.

**Consensus Meeting
Local Study Acton Public Health Nursing Service
March 14, 1991**

1. APHNS has three missions: Primary; preventive health care, Secondary; Screening to detect disease. Tertiary; care of the acutely and chronically ill at home. How should the APHNS prioritize these missions?

Contracts with Boards of Health.

APHNS	Sudbury VNA	Emerson Home Care	Nashoba Regional VNA
1	1	4	9

The number of third party reimbursement towns.

APHNS	Sudbury VNA	Emerson Home Care	Nashoba Regional VNA
Acton only	Regional (VNAMI)	18	15
55% Medicare	48% Medicare	75% Medicare	80% Medicare

2. Should the Administrative duties/responsibilities be separate from the duties/responsibilities of the Supervisor?

	APHNS	Sudbury VNA	Emerson Home Care	Nashoba Regional VNA
Administrator	yes	yes	yes	yes
Supervisor	no	yes	yes	yes
Administrator Autonomy	no	yes	yes	yes
a. Does contracts	no	yes	yes	yes
b. Hiring of personnel	no	yes	yes	yes
c. Program Development	with difficulty	yes	No, done by hospital	yes

4. Which type of funding would best serve the APHNS; a revolving fund or Enterprise Fund with FANS funds?

The Enterprise Funds were established by the state in the early 1980's. They allow towns to set aside a certain amount of money which is not part of the town budget. These funds may be used by health care, recreational and transportation facility or utility.

In the past the amount for the next years funds were based on monies already collected. The state now allows agencies to look at the last six months and make projections on anticipated revenues.

The budget is sent to the Department of Revenue who determines, based on the agencies report, whether or not they can increase their budget for the following year. The final budget is voted at town meeting.

A Revolving Fund by state law can only be used for recreational purposes. Schools are allowed to use a Revolving Fund under certain conditions established by the laws. Monies are not set aside by the town and the budgets are not governed by town meeting.

The differences between the two are as follows:

In a Revolving Fund when revenues are up money can be spent immediately to start new programs. In an Enterprise Fund, because it is a fixed budget, money can not be spent immediately but must wait until the next fiscal year before new programs or capital expenditures can be made. For example, if there is a sudden need for home health aides and that part of the budget money is used up the town does not have the flexibility to spend more money on that item. They must wait until the next budget to increase funds for that purpose. In a Revolving Fund aides could be hired immediately to fill the gap. Having a Revolving Fund is a definite advantage in that respect because the response time is quicker where as in an Enterprise Fund the response time can take up to a year depending on appropriations which were made within the budget.

There are disadvantages to Revolving Funds. The Revolving Fund is not protected by public funds. If monies should run out the town would not necessarily have to fund the program. Money would not run out of the Enterprise Fund because it is a fixed budget and spending is limited to the amounts that were established by town meeting. If funds exceeded the established appropriations the previous year they are held in a reserve fund and can be used during the year to offset expenses that may suddenly occur. Revolving Funds do not have to be voted on by town meeting therefore they are not subject to public scrutiny. The Enterprise Fund on the other hand is subject to town approval and is open to public inspection at any time.

In summary the Enterprise Fund is restricted by both its proposed budget and its revenues. The Revolving Fund is only restricted by its revenues. The Enterprise Fund is protected by Town Meeting Acton. The Revolving Fund must earn every year the money it will expend.

I.W.V. CONSENSUS MEETING ON LOCAL STUDY OF ACTON'S PUBLIC HEALTH NURSING SERVICE. MARCH 14, 1991.

1. DEFINITIONS

A. PUBLIC HEALTH NURSING UTILIZES THE PUBLIC HEALTH SCIENCES AND PROFESSIONAL NURSING THEORIES FOR THE PURPOSE OF IMPROVING THE HEALTH OF THE ENTIRE COMMUNITY.

P.H. NURSES WORK WITH GROUPS, FAMILIES AND INDIVIDUALS AS WELL AS IN MULTIDISCIPLINARY TEAMS AND PROGRAMS. THEY IDENTIFY THE SUBGROUPS WITHIN THE POPULATION WHICH ARE AT HIGH RISK OF ILLNESS, DISABILITY, OR PREMATURE DEATH AND DIRECT RESOURCES TOWARD THESE GROUPS. SUCCESS IN IMPROVING THE HEALTH OF THE COMMUNITY DEPENDS ON INVOLVEMENT OF CONSUMERS, OTHER HEALTH CARE PROVIDERS, AND IN SELF-HELP ACTIVITIES. IN SOME COMMUNITIES, SCHOOL HEALTH NURSING IS INCLUDED IN THE PROVENCE OF P.H. NURSING.

OFFICIAL P.H. AGENCIES, SUCH AS ACTON AND NASHOBA, DERIVE THEIR AUTHORITY FROM BOARDS OF HEALTH WHO ARE UNDER THE JURISDICTION OF THE MASS. DEPT. OF PUBLIC HEALTH. THESE AGENCIES HAVE OFFICIAL MANDATES, POLICIES AND GUIDELINES WHICH ENABLE THEM TO PROTECT THE HEALTH OF THEIR COMMUNITIES. THEY ARE ABLE TO MAKE UNANNOUNCED HOME, OFFICE OR BUSINESS INSPECTIONS TO IDENTIFY ACTUAL OR POTENTIAL THREATS TO THE PUBLIC OR INDIVIDUALS' HEALTH AND TO QUARANTINE. THEY CAN DISTRIBUTE AND ADMINISTER VACCINES, REPORT AND FOLLOW-UP ON COMMUNICABLE DISEASE AND ON ABUSE AND NEGLECT OF CHILDREN AND ELDERS. THEY ARE MANDATED TO CARE FOR ALL PERSONS, REGARDLESS OF ABILITY TO PAY. P.H. NURSES FOCUS ON PRIMARY, SECONDARY AND TERTIARY PREVENTION, PROVIDING BASIC PREVENTIVE HEALTH CARE TO ALL RESIDENTS OF THEIR COMMUNITIES.

B. PRIMARY PREVENTION

THE FOCUS IS ON THE ACTUAL PREVENTION OF DISEASE AND INVOLVES IMMUNIZATIONS AND HEALTH EDUCATION. WELL-CHILD CLINICS, ANTICIPATORY GUIDANCE FOR MOTHERS AND CHILDREN, ENVIRONMENTAL SAFEGUARDS, INSPECTION AND LICENSING OF CHILDREN'S DAY CARE CENTERS, CASE-FINDING, AND PROGRAMS WHICH EMPHASIZE LIFE-STYLE CHANGES TO PREVENT FUTURE PROBLEMS ARE INCLUDED.

Local Health Study

Local Study Acton Public Health Nursing Service

On January 31, 1991 the Local Study Committee presented an informational meeting to members and guests.

The meeting began with a definition of terms. First we defined Home Health Care (HHA), "as a multi-discipline agency offering nursing care, physical therapy and medical social worker service in the home." There are three basic types of home care agencies. The first is a VNA (Visiting Nurses Association). A VNA is a private non-profit organization that is run by a voluntary Board of Directors. They are not required to care for all persons in their communities. They do not do public health type nursing such as clinics, screenings, and communicable disease follow-up unless contracted by the towns Board of Health to do so. The second type of agency is a PHS (Public Health Service). They "are government-based and have official mandates, policies and working guidelines to enable them to protect the health of the entire communities under their care." They can identify and report environmental hazards, quarantine, make unannounced home visits, school visits and office visits in order to identify health problems that could effect individuals or whole communities. They run clinics, give vaccines without a physicians orders, distribute vaccines to physicians, send reports to the Department of Public Health and follow-up on communicable diseases. The third type of agency is a HHC (Hospital Based Home Care Agency). "Their mission is to take care of acutely ill clients who have been discharged from the hospital. They do not do health promotion or disease prevention programs in their communities. One of their main objectives is to bolster revenues for the parent hospital. They are often reimbursed from insurance agencies at a higher rate because of their higher overhead costs.

All agencies who are Medicare/Medicaid certified must have a PAC (Professional Advisory Committee). The PAC is made up of physicians, Nurses, Physical Therapist, Social Worker, Occupational Therapist and Speech Therapist. Their responsibilities include client record review, advise agencies on matters of administration and state policies, and to do quality assurance.

FANS (Friends of the Acton Nursing Service) was established in 1983. It is made up of medical and business men and women. Its primary goal is to assist the APHNS in carrying out various projects through financial aid and manpower. They receive funds through the United Way, fund drive campaigns, donations from Acton residents and memorials. A few of the items the FANS have donated are Lifelines, Blood Pressure Cuffs, Cholesterol Testing Machine, and they pay the fee for the physician for the Well Baby Clinic.

An explanation of Medicare and Medicaid was given. Medicare is the federal government insurance that all citizens are eligible to receive upon turning 65 or who are permanently disabled. A second part of Medicare is called Medex or Medicare B. This can be purchased by individuals and covers all outpatient services such as physicians visits, lab test, etc. Medicaid is the state/Federal matching insurance coverage. Medicaid covers those individuals who are under 65 and whose financial situation does not allow them to purchase insurance. It also covers those clients over 65 whose expenses

Medicare doesn't cover and who cannot afford to pay for the remaining costs. Both insurances pertain to home care.

The Cost Report is the annual financial report that all certified home health care agencies must submit to Medicare. It accounts for all overhead cost of the agency such as rent, supplies and equipment. Also included in the Cost Report are the number of home visits, and all public health work performed by the agency. All fees received by an agency for public health services such as clinic fees are considered income on the Cost Report. Medicare determines the rate by which it will reimburse an agency on this analysis. If an agency takes in more money on the public health side of the service it can reduce the rate that Medicare will reimburse for Medicare/Medicaid payments. Also if there is a large spread between income and expenses an agency will have to either pay back monies to Medicare or Medicare technically can owe an agency money. Unfortunately Medicare does not pay back monies so it is lost to the agency. It is important for an agency to keep a close check on the Cost Report so that the agency is not owed money by Medicare.

After discussing the terms the meeting then moved onto the different structures of the agencies in our area. We looked at Emerson Home Care, Sudbury Visiting Nurses Association, Nashoba Regional Public Health Services and Acton Public Health Nursing Service. The structures were quite varied. Emerson Home Care is under the structure of the Emerson Hospital. Sudbury VNA is governed by a Board of Directors who answer to a 20 member Board of Trustees. Nashoba is governed by a Regional Board of Health consisting of 3 members from each of the member towns and APHNS is situated in the Acton Town Government.

We then turned the focus of meeting to the APHNS. Acton Public Health was started in 1923. In 1966 the Medicare Insurance Act went into effect. Since Acton provided the services of a Town nurse it became incumbent upon the Board of Health to qualify as a certified Home Health Agency. Except for the services of a nursing supervisor and physical therapist the majority of requirements were already part of the program. By 1969 it was noted that 47% of the population under 20 and the need for preventive health services continued to grow. Services were supported by funds from Town taxes, third party payees, Medicare, BC/BS etc and from individual fees. In the early 1980's the state established a new fund for towns to use called Enterprise Funds. These funds could be used by towns for utilities, transportation, health agencies and recreation. The Enterprise Fund allows towns to set aside a certain amount of money which is not part of the town budget. The amount is set by the revenues brought in the previous year. In the past the amount for the next years fund was based on monies already collected. The state now allows agencies to look at the last six months and make projections on anticipated revenues. The budget is then sent to the Department of Revenue who determines based on the agencies report whether or not they can increase their budget for the following year. The final budget is voted on at town meeting. In 1982 Acton voted to establish an Enterprise Fund for the Nursing Service.

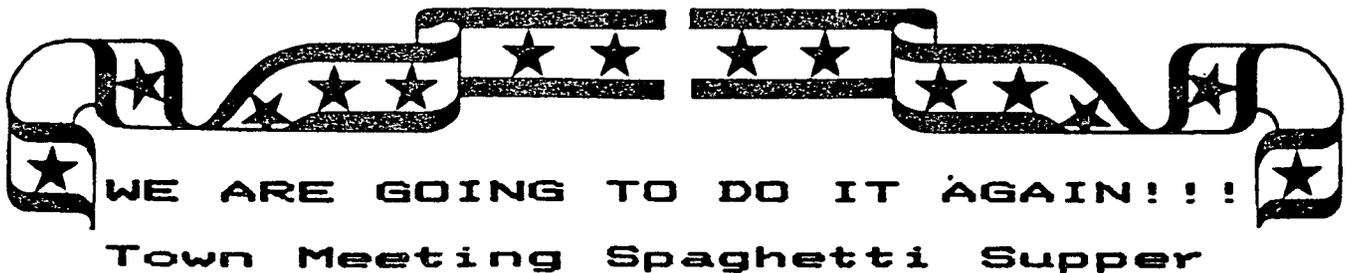
Due to time constraints we were unable to go into the differences between the four agencies. The next informational meeting will be held on March 14, 1991 at which time we will give a detail comparison of differences and

similarities between the agencies. If you have any questions on the information in this article or would like certain information presented at our next meeting please feel free to call me. We will also be presenting consensus questions.

Sue Appel (264-4587)
Local Study Chairperson

Come for Information & Consensus March 14th Consensus Questions.

1. APHNS has three missions: Primary; preventative health care, Secondary; Screening to detect disease. Tertiary; care of the acutely and chronically ill at home. How should the APHNS prioritize these missions?
2. Should the Administrative duties/responsibilities be separate from the duties/responsibilities of the Supervisor?
3. Which type of funding would best serve the APHNS; a revolving fund or Enterprise Fund along with FANS funds?
4. What are the criteria for maintaining high quality service, continuity of care and administrative efficiency?



April 1 is the date. The first night of Town Meeting.

This is a combination project: fundraising and public relations. We will need many members to help out in several ways to make it a success. A few hours a piece will make easy work of it.

Would you like to Shop? Bake a Dessert? Spend two hours in the kitchen cooking or serving? Cashier? Cleanup? Make phone calls?

It was fun last year, so join us again this year. Call Sandy Masson at 263-2466 or Carolyn Gray at 263-0307 and volunteer.

DON'T FORGET TO SEND IN YOUR RESERVATIONS FOR DINNER!

We have half-size flyers if you could distribute them within your church or any organization that you belong to. Just call Sandy and your supply will be on its way.

SELECTMEN'S MEETING
FEBRUARY 2, 1993

3/2/93

5

The Board of Selectmen held a special Budget Presentation meeting on Tuesday, February 2, 1993, present were Nancy Tavernier, Dore' Hunter, Norm Lake, Anne Fanton, William Mullin, and Town Manager Johnson

CITIZENS' CONCERNS

Art Harrigan, 25 Robinwood Road expressed concern about passing an override in excess of 1 million. His concern was based on economic conditions as well as the rise in taxes that would be experienced. He urged to combine services with other Town's. He was concerned that this rise would force people out of town due to the rise in taxes. Nancy said any change in the amount of the override would have to go back to the coordinating committee for review.

PUBLIC HEARINGS AND APPOINTMENTS

Beth Richardson - Ms. Richardson did not appear for her scheduled interview for appointment to the Historic District Committee.

Mr. Joshua Chernin - Mr. Chernin felt he possesses a strong planning background and has always been interested in Planning and Town Growth. However, he is not in favor of growth at any cost. He felt growth should be handled in a tasteful manner and controlled to maintain charm. He felt we should encourage small business. The Board thanked Mr. Chernin for his interest and informed him that they thought that Planning Board would put him right to work with the South Acton Village Planning Committee.
DORE' HUNTER - Moved to appoint Mr. Chernin as an Associate Planning Board Member with term to expire June 30, 1993. NORM LAKE - Second. UNANIMOUS VOTE.

CONSENT CALENDAR

DORE' HUNTER - Moved to accept the consent calendar as printed. ANNE FANTON - Second. UNANIMOUS VOTE

SELECTMEN'S CONCERNS

Nancy Tavernier spoke about the Town's recent Moody's Rating. She read the narrative about Acton's financial condition and complimented the Manager and financial staff for their contribution to this rating.

Main Street Traffic Mitigation - Anne noted the Historic District Commissions comments and noted that there was no budget for this project. Anne felt we needed to put more thought before

we moved ahead and needed to wait to see what happened with traffic after the Post Office Square project was completed. Staff was asked to put this back on the agenda with the consultant's report.

Anne Fanton updated the Board on her discussions with Mrs. Silflet regarding her request for sidewalks on School Street. Anne said that Mrs. Silflet has developed abutter support. Anne described the process to her and she will begin to talk to David Abbt. It has been laid out by the County, she will work with David. No Town funding and they would have to get abutter support.

GAT REDUCTION - Staff was asked about the recent correspondence to NESWC. Staff explained this is a routine request.

BUDGET REVIEW - The Board discussed the use of Trust Funds and Lig/Mig grants to offset the budget at the Library.

Dore' felt strongly that the tanks at the DPW should be given top priority and he urged the board's support. Nancy wanted to retain the mosquito program. Anne felt we could live without it. Bill Mullin felt we could delete the 4-wheel drive for Fire, the CAD system and the traffic signal.

ANNE FANTON - Moved to fund Eliot in the A Budget by deleting 11,000 from sidewalks. DORE' HUNTER - Second. 4-1 Motion failed.

Bill wanted clarification on the Ice House Pond figures. He was confused by the estimates of 30,000 vs. 82,000. Don explained that it was a two step plan. He further questioned our level of commitment to multi-year projects.

NANCY TAVERNIER - Moved to retain mosquito control. DORE' HUNTER - Second. 3-2 Anne and Dore' No. Motion Passed

Bill MULLIN - Moved to remove the Tank removal from B budget reductions and insert 50,000 for computer study. Dore' Hunter Second. 3-2 Anne and Norm, No - Motion passed

DORE' HUNTER - Moved to vote the reduced priority hierarchy as amended tonight. NORM LAKE - Second. UNANIMOUS VOTE.

A Budget discussion - NORM LAKE - Moved to increase percentage paid by town on Retiree's Health Insurance. DORE' HUNTER - Second. 2-3 Anne, Dore' and Nancy No - Motion failed. Staff was asked to notify Don Nylander of decision.

ANNE FANTON - Moved to expend \$1,500 from outside consultants for MAGIC dues. DORE HUNTER - Second. 4-1 Bill No.

DORE' HUNTER- Moved to reduce MAGIC contribution to 1,000 if the A budget fails. 4-1 ANNE no. Motion Passed.

Bill outlined his memo about reducing the Override amount. Nancy was concerned about the central issue and was strongly opposed to getting involved with changing the Override amount agreed upon at Coordinating Committee.

Override Question -

DORE' HUNTER - Moved to place a question on the Ballot for March 30, 1993 for a \$1,550,000 Override. NORM LAKE - Second. UNANIMOUS VOTE.

A Budget Preliminary Approval -

DORE' HUNTER - Moved to accept the A Budget in the present form reserving the right to amend at a later date. ANNE FANTON - Second. UNANIMOUS VOTE.

B Budget Preliminary Approval -

DORE' HUNTER - Moved to accept the B Budget in the present form reserving the right to amend at a later date. ANNE FANTON - Second. UNANIMOUS VOTE.

LEGAL RFP - Dore' said he would agree to re-do the legal RFP and make it clear this is not going to be a yearly exercise.

TOWN MANAGER'S CONCERNS

Don asked for Board direction regarding the recent submittal from the State regarding Low Level Radioactive issues. The Board suggested he ask the Board of Health if any of their members would be interested in reviewing and drafting comments and running them by the Board of Selectmen before submitting them. Dore' thought the Board of Health could be involved and also asked the Beacon to run a ad seeking volunteers to review this.

The Board adjourned at 11:15 P.M.

Clerk

Date

Christine Joyce
Recording Secty.
cmjW11-(354)

JANUARY 29, 1993

TO: Board of Selectmen
FROM: NANCY TAVERNIER, Chairman
SUBJECT: SELECTMEN'S REPORT

#####

AGENDA

ROOM 204

7:30 P.M.

FEBRUARY 2, 1993

I. CITIZEN'S CONCERNS

II. PUBLIC HEARINGS & APPOINTMENTS

1. 7:35 Committee Interview - Beth Richardson - Enclosed please find Ms. Richardson's Citizen Resource Sheet with comments from the VCC for appointment to the Historic District.
2. 8:00 Committee Interview - Joshua Cherin - Enclosed please find Mr. Cherin's Citizen Resource Sheet with comments from the VCC for appointment as Associate Member to the Planning Board.

III. CONSENT AGENDA

3. Betsy Ball Fund - Enclosed please find two requests for funds from the Betsy Ball Fund as well as one request from the Varnum Tuttle Memorial Fund for Board action.

IV. SELECTMEN'S CONCERNS

4. BUDGET REVIEW
OVERRIDE VOTE

V. TOWN MANAGER'S REPORT

5. Proposed Radioactive Waste Regulations - Enclosed please find the cover letter from the Low-Level Radioactive Waste Management Board. I will seek the Board's direction on Tuesday evening.

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.

Feb. 16, 1993 - Boston Edison, Triple A Supermarket Liquor Lic.,
Town Clerk Interviews

March 2, 1993 -
-Street Acceptance Hearings
-Charter Road Layout at Haartz Hearing
-Amendments to Traffic Rules and Orders

776 acs

3/2/93
⑥

February 26, 1993

Dorothy Smith, 81, lives at 302 Central Street. Her sole income is Social Security. Mrs. Smith attends the Elder Day Care center twice a week. At other times she is at home alone. Mrs. Smith suffers from severe arthritis and is unsteady on her feet. The Nursing Service and the elder network are concerned for her safety; she cannot get back up on her feet should she fall. A second yearly payment for her Lifeline cost is requested.

Sharing residence with Mrs. Smith is her daughter, a single woman in her late fifties who must work to provide the sustaining income for shelter costs for this family of two. There are evening hours for her job - again Dorothy is alone.

Carol Lake
Carol Lake
Council On Aging

Betsy Ball
\$300.



American Red Cross
of Massachusetts Bay

West Area Office
21 Foster Street
Newtonville, Massachusetts 02160-1599
(617) 527-6000 FAX (617) 969-4155

3/2/93

7

BOS CONCERNS 3/2 AGENDA

February 12, 1993

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

FEB 18 1993

Dear Mr. Lake,

The American Red Cross has a strong history of service to others and a mission to help people prevent, prepare for, and respond to emergencies. The Red Cross of Mass Bay does this by developing and offering programs and services which address critical human, health, and safety needs of the communities which it serves.

March is a time to get others involved with the Red Cross mission and to revitalize relationships in our communities. This year marks our 50th anniversary of declaring March as Red Cross month. This custom is supported by our honorary chairman, the President of the United States.

We are looking to you to participate and help the people of the Red Cross achieve its worthwhile mission by upholding this annual tradition. We would like to offer your town the opportunity to declare March as Red Cross month throughout your community. In order to accomplish this, I have enclosed a sample proclamation for your review and use. 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 Capriulo
Sandra J. Capriulo
West Area Coordinator



United Way

Acton Arlington Bedford Belmont Boxboro Burlington Cambridge Carlisle Concord Dover Lexington Lincoln
Maynard Natick Needham Newton Sherborn Somerville Stow Sudbury Waltham Watertown Weyland Wellesley Weston

COMMONWEALTH OF MASSACHUSETTS
TOWN OF ACTON
BOARD OF SELECTMEN

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

- Whereas: The American Red Cross is a humanitarian organization, led by volunteers, who prevent, prepare for, and respond to emergencies by developing and offering programs and services which address critical human, health and safety needs of the communities which it serves and which are consistent with its congressional charter and the fundamental principles of the International Red Cross movement; and
- Whereas: The American Red Cross meets the immediate emergency needs of disaster victims everyday in Massachusetts by providing food, clothing, shelter and other necessities following fires, floods and other natural and man-made disasters; and
- Whereas: The American Red Cross continues to provide emergency communications to military members and their families throughout the world, including for American troops based in Somalia and the Persian Gulf; 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 is a leader in efforts to stop the spread of HIV/AIDs through education programs in the work place, school and homeless shelters and through its careful testing of donated blood; 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, and our time as volunteers:
- Therefore: We the Acton Board of Selectmen, do hereby proclaim the month of March, 1993 as

AMERICAN RED CROSS MONTH

in the town of Acton urge all citizens of this community to join us in supporting all of the Red Cross programs and in recognizing this outstanding organization and its contributions to our community.

1993 ANNUAL TOWN MEETING WARRANT ARTICLE INDEX

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Article 17	Use of Tobacco and Smoking Products	
Article 18	Sale of Tobacco and Smoking Products	
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Article 20	Amend Zoning Bylaw - Reconstruction of Existing Non-Conforming Multi-family Dwellings	
Article 21*	Amend of Zoning Bylaw - Clarification of Zoning Bylaw	
Article 21A	Amend Zoning Bylaw - Housekeeping -ADA Handicapped Van Spaces	
Article 22*	Release of Interest in Real Estate - Willow Street	
Article 23*	Chapter 90 Highway Reimbursement Program	
Article 24*	Street Acceptances	
Article 25*	Amendment to Non-Criminal Bylaw	
Article 26	Communication Tower - Great Hill	
Article 27*	Relocation and layout of a portion of Charter Road	
Article 28*	Piper Road Sidewalk Easement - Digital	
Article 29*	Charter Road sidewalk easement - Fordham	
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Article 35	Use of Funds to Reduce Tax Rate	

TOWN WARRANT

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

To either of the Constables of the Town of Acton, in said County,

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify the legal voters of said Town of Acton, qualified to vote at Town Meetings for the transaction of town affairs, to meet in their respective precincts to wit:

- Precinct 1 - Conant School
- Precinct 2 - Conant School
- Precinct 3 - Blanchard Auditorium
- Precinct 4 - Blanchard Auditorium
- Precinct 5 - Blanchard Auditorium

at 7 o'clock A.M. Tuesday, the thirtieth of March, 1993, by posting a copy of this warrant by you attested, at each of the places as directed by vote of the Town, fourteen days at least before the thirtieth day of March.

To bring their votes on one ballot for the following officers and questions:

Moderator for one year, two Selectmen for three years, two members of the School Committee for three years, one Trustee of the Memorial Library for three years, and one member of the Acton Housing Authority for five years.

QUESTION ONE:

Shall the Town of Acton be allowed to assess an additional \$1,550,000 in real estate and personal property taxes for the purpose of meeting the educational expenses of the Acton Public Schools and the Acton-Boxborough Regional School system and for meeting the operating expenses of the Police Department, Fire Department, West Acton Citizens Library, Memorial Library, Highway Department, Finance Department, Municipal Properties Department, Conservation Department, Building Department, Health Department, Engineering Department, Cemetery Department and Planning Department of the town for the fiscal year beginning July first, nineteen hundred and ninety three?

Summary: The Board of Selectmen, the School Committee and the Finance Committee have prepared a financial plan which includes a proposal for a Proposition 2 1/2 general Override. This year's override, supported by the Board of Selectmen and the School Committee, will fund the "A" Budgets for both the Town and the schools.

Also, the Acton Water District will elect a Moderator for one year, a Commissioner for three years and a Clerk for one year.

You are also to notify the legal voters aforesaid to meet at the Acton Boxborough Regional High school on Monday, April 12, 1993 at 7:30 P.M., at which time and place the following articles are to be acted on:

ARTICLE 1 CHOOSE TOWN OFFICERS
(Majority Vote Required)

To choose all necessary Town Officers and Committees and to fix the salaries and compensation of all the elective officers of the Town as follows:

Moderator	\$20.00 per Town Meeting session
Board of Selectmen	Chairman \$750.00
	Clerk \$650.00
	Member \$650.00

or take any other action relative thereto.

SUMMARY

This article provides for the election of Trustees of the Elizabeth White Fund, Trustees of the West Acton Fireman's Relief Fund, Trustees of the Goodnow Fund, Trustees of the Citizen's Library Association of West Acton, and establishes the salaries of the Town's elected officials.

- (S) Recommended
- (F) No Recommendation

ARTICLE 2 HEAR AND ACCEPT REPORTS
(Majority Vote Required)

To see if the Town will accept reports, and to hear and act upon the report of any committee chosen at any previous Town Meeting that has not already reported, or take any other action relative thereto.

SUMMARY

This article provides for the acceptance of the Annual Town Report and any other reports which Town Boards and Committees may need to offer as well as acceptance if any, of reports of committees chosen at any previous Town Meeting.

- (S) Recommended
- (F) No Recommendation

ARTICLE 3* COUNCIL ON AGING VAN ENTERPRISE BUDGET
(Majority Vote Required)

To see if the Town will raise and appropriate, or appropriate from available funds, \$ or appropriate a sum of money and set aside the estimated receipts from the van service to meet such appropriation, for the purpose of providing a van service, or take any other action relative thereto.

SUMMARY

This article requests an appropriation for the elder van service enterprise fund. This 40 hour a week elder van service is funded by the Federal Government, State Government and Local Government. Fifty percent of the service is paid by federal funds, twenty-five percent of the service is paid by the Commonwealth, and the final twenty-five percent is absorbed by the Town of Acton. Fare revenues will be used to reduce the total service cost.

Direct inquiries to: Carol Lake, Director, Council on Aging, 263-0169
Selectman Assigned:

(S) Recommended
(F)

ARTICLE 4* NURSING ENTERPRISE BUDGET
(Majority Vote Required)

To see if the Town will raise and appropriate or appropriate from available funds \$ or appropriate a sum of money and set aside the estimated receipts from nursing services to meet such appropriation, for the purpose of providing nursing services, or take any other action relative thereto.

SUMMARY

This article requests an appropriation for the Nursing Services Enterprise Fund. An enterprise fund permits the Nursing Service to offset its costs with fees for service. These fees are deposited in a separate account and may be expended to pay part or all of the anticipated costs of running the Nursing Service.

Direct inquiries to: Doug Halley, Dir. Public Health - 264-9634
Selectman Assigned:

(S) Recommended
(F)

ARTICLE 5* SEPTAGE DISPOSAL ENTERPRISE BUDGET
(Majority Vote Required)

To see if the Town will vote to raise and appropriate or appropriate from available funds, the sum of \$, or any other sum, and set aside estimated receipts from Septage Disposal Fees to meet such appropriation, for the purpose of septage disposal, or take any other action relative thereto.

SUMMARY

This article requests that the receipts from septage haulers, licensing of septage haulers, licensing of septic system inspectors, licensing of septic installers, sewer treatment plant permit fees, and disposal works construction permit fees be used for the purpose of allowing septage collected within Acton to be taken to the Upper Blackstone Water Pollution Abatement Facility and to maintain the Town of Acton septage waste disposal program. These fees will be deposited in a separate account and may be expended to pay part or all of the anticipated costs of septage waste disposal.

Direct inquiries to: Doug Halley, Dir. Public Health - 264-9634
Selectman Assigned:

- (S) Recommended
- (F)

ARTICLE 6* NESWC ENTERPRISE BUDGET
(Majority Vote Required)

To see if the Town will raise and appropriate or appropriate from available funds, the sum of \$, or any other sum, and set aside the estimated receipts from solid waste disposal fees to meet a portion of such appropriation, for the purpose of solid waste disposal; or take any other action relative thereto.

SUMMARY

This article requests that the receipts from the transfer station be used for the purpose of maintaining the trash disposal operation. These fees will be deposited in a separate account and may be expended to pay part or all of the anticipated costs of solid waste disposal.

Direct inquiries to: John Murray, Assistant Town Manager - 264-9612
Selectman Assigned:

- (S) Recommended
- (F)

ARTICLE 7* MERRIAM SCHOOL ENTERPRISE BUDGET
(Majority Vote Required)

To see if the Town will raise and appropriate, or appropriate from available funds, the sum of \$137,172, or any other sum, and set aside the estimated receipts from the Merriam School rentals to meet such appropriation, for the purpose of maintaining the Merriam School, or take any other action relative thereto.

SUMMARY

This article requests that the receipts from the rental of the Merriam School be used for the purpose of maintaining the building. The proposed budget for FY'94 will be entirelyly offset by rents.

Direct inquiries to: William Ryan, School Dept. - 264-4700
Selectman Assigned:

(S)
(F)

ARTICLE 8 LOCAL DEFERRAL AMORTIZATION
(Majority Vote Required)

To see if the Town will vote to revise the four year amortization schedule, voted at the April 1992 Annual Town Meeting, to repay local teachers compensation deferred for FY 1992 and 1993, as required by as required by Section 1 of Chapter 336 of the Acts of 1991; or take any other action relative thereto.

SUMMARY

Bill Ryan to provide

Direct inquiries to: William Ryan, School Dept. - 264-4700
Selectman Assigned:

(S)
(F)

ARTICLE 8A - REPLACEMENT OF OIL TANKS

To see if the Town will vote to raise and appropriate, of appropriate from available funds and authorize the Treasurer with the approval of the Board of Selectmen to borrow for the removal and replacement of the fuel storage tanks located at the DPW Building at 14 Forest Road, or take any other action relative thereto.

SUMMARY

The gas and diesel tanks at the DPW are steel single wall tanks that are approximately 22 years old. Due to the serious negative environmental consequences of fuel spilling into the drinking water supply, the Town seeks to remove the existing tanks and replace them with state of the art double wall tanks equipped with a leak monitoring system. The cost is expected to be \$60,000 per year for 5 years.

Direct inquiries to: John Murray, Asst. Town Manager - 264-9612
Selectman Assigned:

(S)

ARTICLE 9

**OMNIBUS BUDGET
(Majority Vote Required)**

To see if the Town will make appropriations for expenditures by departments, officers, boards, and committees of the Town for the ensuing fiscal year and determine whether the money shall be provided by the tax levy or by transfer from available funds, including any special funds, or by any combination of these methods; or take any other action relative thereto.

ACCOUNT NAME	<u>FY93</u> <u>Approp.</u>	<u>FY94</u> <u>Coordinating</u> <u>Comm. Plan</u>	<u>FY93</u> <u>Request</u>	<u>FY93-94</u> <u>Request</u> <u>& Change</u>
EDUCATION:				
Acton Public Schools (Table 4)				
A/B Reg. School System (Tables 5 & 6)				
Minuteman Technical School System				
Total Education				
COMMUNITY SERVICES				
Municipal Services (Table 3)				
Local School & Municipal Debt				
Total Municipal Appropriation				
Total Appropriation				

SUMMARY

This article requests funds for the Fiscal Year 1994 (July 1, 1993 - June 30, 1994) Operating Budget. The Operating Budget includes the School and Municipal Budgets. The Municipal Budget also includes certain school costs. These are primarily the costs of debt service requirements, property and liability insurance on school buildings and contents, and pension costs for school employees, other than teachers and Regional School employees.

Direct inquiries to: John Murray, Assistant Town Manager - 264-9612
Selectman Assigned:

- (S) Recommended
- (F)

**ARTICLE 10 STORM APPROPRIATION
(Majority Vote Required)**

To see if the Town will vote to accept from the Federal Government reimbursement for costs incurred as a result of the snowstorm of December 11, 12, and 13, 1992; or take any other action relative thereto.

SUMMARY

The Federal Emergency Management Agency (FEMA) has approved the sum of \$8,645.00 for reimbursement for costs associated with this storm. Only tree damage and some minor building damage has been approved which would reimburse funds expended by the Municipal Properties Department.

Direct inquiries to: John Murray, Assistant Town Manager - 264-9612
Selectman Assigned:

- (S)
- (F)

**ARTICLE 11 TRANSFER OF FUNDS CEMETERY LAND FUND
(Majority Vote Required)**

To see if the Town will transfer the sum of \$45,000.00 from the Cemetery Land Fund to be expended by the Town Manager for the design, development, landscaping, roadways, and drainage of new sections of Woodlawn Cemetery and Mount Hope Cemetery, or take any other action relative thereto.

SUMMARY

This article will provide funds to develop a new section of Woodlawn Cemetery, that area being located between the soccer field on Concord Road and the service building. Completion of the new section will provide approximately 1000 new grave spaces, which will be sufficient for the foreseeable future, and will cost \$40,000.00

This article will also provide funds for final design and layout of the new section at the rear of Mount Hope Cemetery, which will cost \$5,000.00.

The funds in the Cemetery land Fund are accumulated from a portion of the purchase price of grave spaces, and are dedicated for the expansion of the cemeteries.

Direct inquiries to: Stewart Kennedy, Cemetery Superintendent - 264-9644
Selectmen Assigned:

- (S)
- (F)

**ARTICLE 12 DISCONTINUANCE OF TRAIN WHISTLE SOUNDING
(Majority Vote Required)**

To see if the Town will vote in accordance with Article 2, Section 8 of the Articles of Amendment to the Constitution of the Commonwealth of Massachusetts to authorize the Board of Selectmen to petition the General Court to enact a special law relative to warning devices at railroad crossings in the Town of Acton, or take any other action relative thereto.

SUMMARY

Enactment of this special law would prohibit trains from sounding whistles at grade crossings in the town of Acton which have the following safety features: flashing lights in each direction which are automatically activated by the approaching train; two gates, one on each side of the crossing, both of which are automatically lowered by the approaching train and both of which extend across approximately half the width of the lanes of traffic so that the entire width of the lanes of traffic is blocked when the gates are lowered; a bell that is automatically activated by the approaching train; overhead street lights; signs posted before the grade crossing in each direction warning motorists and pedestrians of the crossing ahead; posted speed limits for vehicular traffic of not more than twenty-five miles per hour; and not more than two lanes of vehicular traffic in each direction at the grade crossing. Notwithstanding the provisions of this act, a train shall sound its whistle in the event of any emergency.

Direct inquiries to: John Murray, Asst. Town Manager - 264-9612
Selectman Assigned: Nancy E. Tavernier

(S)
(F)

**ARTICLE 13 ACCEPTANCE OF G.L. 133 Section 377
ALTERNATIVE REVENUE SOURCES
(Majority Vote Required)**

To see if the Town will vote to accept Chapter 133, Section 377
.....ect. Town Counsel to write.

SUMMARY

Acceptance of this section will allow the Town to contract with vendors to identify and pursue federal reimbursements for, or other revenues or available resources that may be generated by, municipal programs and services, and to pay for the contracts from those reimbursement or revenues without further appropriation.

Direct inquiries to: John Murray, Assistant Town Manager - 264-9612
Selectman Assigned:

(S)
(F)

ARTICLE 14# WEST ACTON CITIZEN'S LIBRARY
(Majority Vote Required)

To see if the Town will raise and appropriate, or appropriate from available funds, the sum of \$24,528, or any other sum, for salaries and operating expenses for the maintenance of staffing of the West Acton Citizens Library Association, or take any other action relative thereto.

SUMMARY

#Inserted By Citizen Petition
Selectman Assigned:

(S) Not Recommended: If the Omnibus "A" FY 1994 Budget, which includes funds for this library is passed and this Article is also passed, the West Acton Library budget will be doubled. If the proposed Proposition 2 1/2 general override does not pass, and the FY 1994 "B" budget is implemented, that budget proves for closing the West Acton Library. Shrinking Town services due to a lack of fiscal resources is a painful process, but it is a process that the Selectmen feel should be managed in a coordinated manner, rather than have any group seek to have their favorite service held harmless via a citizen's petition such as this.

(F)

ARTICLE 15* AMEND CHARTER - COMMISSION ON DISABILITIES
(Majority Vote Required)

To see if the Town will vote the amend the Charter to increase the membership of the Commission on Disabilities from 7 to 9 members, or take any other action relative thereto.

SUMMARY

When the Town originally accepted the legislation establishing a Commission on Disabilities (originally called "Handicapped Commission") the statutory limit on the size of the Commission was set at 7 members. Subsequent changes in the legislation have increased the allowable size to 9 members. The Commission on Disabilities has asked that this change be made to allow a greater representation on the Commission.

Direct inquiries to:
Selectman Assigned:

(S)

(F)

ARTICLE 16* SELF-FUNDING PROGRAMS
(Majority Vote Required)

To see if the Town will vote pursuant to Section 53E 1/2 of Chapter 44 of the General Laws to establish revolving funds for the Historic District Commission and the Building Department, or take any other action relative thereto.

SUMMARY

This will allow the Town to fully fund the Historic District Commission the Building Department Inspection Program and the Sealer of Weights and Measures for the receipts that each program produces. This article removes the cost of these programs from the tax base.

REVENUES EXPENSES

Historic District Fees

Building Department
Microfilm Fees
Electrical, Plumbing &
gas permits
Sign License/Periodic Inspect.

Sealer of Weights and Measure

Direct inquiries to: John Murray, Assistant Town Manager - 264-9612
Selectman Assigned:

- (S)
- (F)

ARTICLE 17 USE OF TOBACCO AND SMOKING PRODUCTS
(Majority Vote Required)

To see if the Town of Acton will vote to replace Chapter E, Section 26-34, Clean Indoor Air Bylaw, with the sections as follows:

USE OF TOBACCO AND SMOKING PRODUCTS

Section E26. AUTHORITY:

The Town of Acton acting under M.G.L. Chapter 111, Section 31 and Chapter 40, Section 21, whereas adopts the following bylaw to protect the public health of the community of Acton, MA.

Section E27. FINDINGS AND PURPOSE:

There exists substantial evidence that tobacco smoke causes cancer, heart disease and various lung disorders. Evidence also indicates that the

harmful effects of tobacco smoke are not confined to smokers, but also cause discomfort and in some cases grave illness to non-smokers. Therefore on the recommendation of the Board of Health, the Town of Acton acts in order to prevent or minimize the potentially harmful effects of tobacco smoke in the general public and in the interest of and for the preservation of the public health.

Section E28. DEFINITIONS:

Nonsmoking Area: Any contiguous segregated area that is designated and posted by the proprietor or person in charge as a place where smoking is prohibited.

Public Area: An enclosed, indoor area when open to and used by the general public, including but not limited to the following facilities: auditoriums, licensed child care locations, schools, public libraries, municipal buildings, museums, theaters, retail stores, retail food establishments, indoor sports arenas, public transit facilities, enclosed shopping malls, hotel and motel lobbies, stairwells, hallways, entrance ways, public rest rooms, elevators accessible to the public, common areas in privately owned buildings, and any clubs, rooms or halls when used for public meetings.

Restaurant: A food establishment as defined by Article X of Massachusetts State Sanitary Code.

Smoking: The lighting of any cigar, cigarette, pipe or other tobacco product, or having the possession of any burning cigar, cigarette, pipe or other tobacco product.

Tobacco: Cigarettes, cigars, pipe tobacco, chewing tobacco, snuff, or tobacco in any of its forms.

Section E29. POSTING:

A. Each person, firm, corporation, establishment or agency having control of premises upon which smoking is prohibited by this bylaw shall conspicuously display upon the premises an appropriate number of signs stating that smoking is prohibited.

Section E30. SMOKING IN PUBLIC AREAS:

A. Prohibition - Smoking of tobacco is prohibited in any public area. This prohibition is effective thirty (30) days after the effective date of this bylaw.

B. Restaurants - Sixty (60) days after the effective date of this bylaw, no less than 75% of the total seating capacity of the establishment shall be nonsmoking area. This section when effective shall supersede the Town of Acton Clean Indoor Air Bylaw.

Section E31. VIOLATIONS AND PENALTIES:

A. Violations to this bylaw may be enforced by the constable, Police Chief, Police Officer, Sanitarian or Health Officer of the Board of Health

or other agent allowed by law.

B. All violations of this bylaw are subject to a fine of fifty (50) dollars per violation.

Section E32. VARIANCES:

A. The Board of Health may allow a variance of any provision of this bylaw with respect to any particular case or circumstance when in the opinion of the Board the enforcement thereof would cause a manifest injustice; provided however; the decision of the Board may be appealed in a court of competent jurisdiction. Any variance granted shall be in writing with a copy available to the public at all reasonable hours in the office of the Town Clerk and in the office of the Health Department.

Section E33. SEVERABILITY:

A. Each provision of this bylaw is construed as separate to the extent that if any section, item, sentence, clause, or phrase is determined to be invalid for any reason, the remainder of this bylaw shall continue in full force and effect.

or take any other action relative thereto.

SUMMARY

In 1982 Acton became the first community in Massachusetts to enact a regulation regarding smoking in public places. Since that date standards have changed and the town has adopted policies which further restrict smoking in public places. This replacement of the existing bylaw will be codifying existing policies adopted by the Town and School as well as increasing no smoking seating in food establishments from 25% to 75%.

Direct inquiries to: Doug Halley, Health Director - 264-9634
Selectman Assigned:

(S)

(F)

ARTICLE 18 SALE OF TOBACCO AND SMOKING PRODUCTS
(Majority Vote Required)

To see if the Town of Acton will vote to adopt a new bylaw - Chapter E, Sections 46-56, as follows:

SALE OF TOBACCO AND SMOKING PRODUCTS

Section E46. AUTHORITY:

The Town of Acton acting under M.G.L. Chapter 111, Section 31 and Chapter 40, Section 21, whereas adopts the following bylaw to protect the public health of the community of Acton, MA.

Section E47. FINDINGS AND PURPOSE:

There exists substantial evidence that tobacco smoke causes cancer, heart disease and various lung disorders. Evidence also indicates that the harmful effects of tobacco smoke are not confined to smokers, but also cause discomfort and in some cases grave illness to non-smokers. Therefore on the recommendation of the Board of Health, the Town of Acton acts in order to prevent or minimize the potentially harmful effects of tobacco smoke in the general public and in the interest of and for the preservation of the public health.

Section E48. DEFINITIONS:

Free Standing Display: A display, collection, or arrangement of tobacco products in a location accessible and open to the general public or customers, from which tobacco products are selected for sale, use or distribution.

Minor: A person less than eighteen (18) years of age.

Photographic Identification: An official photographic identification document issued by an instrumentality of Federal, State or local Government; examples are a Massachusetts Drivers License, Alcoholic Beverage Control Commission Liquor license, or Passport.

Smoking: The lighting of any cigar, cigarette, pipe or other tobacco product, or having the possession of any burning cigar, cigarette, pipe or other tobacco product.

Tobacco: Cigarettes, cigars, pipe tobacco, chewing tobacco, snuff, or tobacco in any of its forms.

Tobacco Vending Machine: A device which dispenses tobacco products by self service or by remote control.

Section E49. PERMITS:

A. No person, firm, corporation, establishment, or agency shall sell or distribute tobacco for retail consumption within the Town of Acton without obtaining a Tobacco Sales Permit issued by the Acton Board of Health or its designee.

B. Any person, firm, corporation, establishment or agency currently selling tobacco within the Town of Acton shall file an application for a tobacco sales permit within sixty (60) days of the effective date of this bylaw, or shall cease tobacco sales within 120 days of the effective date of this bylaw.

C. The fee for an initial Tobacco Sales Permit shall be twenty-five (25) dollars. All such permits shall be renewed annually by January first at an annual renewal fee as established by the Board of Health.

D. Tobacco Sales Permits must be posted to the public in a conspicuous location.

E. The permit provisions of this bylaw are not applicable to tobacco vending machines licensed by the Commonwealth of Massachusetts.

Section E50. PROHIBITED ACTS:

A. No person, firm, corporation, establishment, or agency shall sell or distribute tobacco products to a minor or permit the purchase of tobacco products by a minor from a vending machine.

B. No person, firm, corporation, establishment, or agency shall sell tobacco products to any person who is not obviously at least eighteen (18) years of age or is not already known to be at least eighteen (18) years of age unless photographic identification establishing their age has been presented as proof prior to any sale. Notes from parents or legal guardian are not acceptable for the sale of tobacco products to a minor.

C. No person, firm, corporation, establishment, or agency shall distribute tobacco free of charge by any method of distribution within the Town of Acton, except:

1. in conjunction with and as a part of the sale of an equal or greater quantity of the identical tobacco product, or
2. in exchange for a coupon or voucher issued by a manufacturer or distributor of tobacco products.

D. No person, firm, corporation, establishment, or agency shall construct or maintain free standing displays of tobacco products, unless the free standing display is located within 10 feet and in plain view of the regular location of a person designated to supervise the free standing display.

Section E51. TOBACCO VENDING MACHINES:

Six (6) months after the effective date of this bylaw, no person, firm, corporation, establishment, or agency, shall install or maintain a vending machine to distribute or sell tobacco products in the Town of Acton unless;

A. The vending machine is located in an area minors are currently excluded by law; or,

B.

1. The vending machine is equipped with an operational lock-out device approved by the Board of Health. Said device shall lock-out sales from the vending machine unless an employee manually releases the locking mechanism for a single sale. The release mechanism must not allow continuous operation of the vending machine and must not be accessible to customers. Vending machines shall be posted with a sign stating that the machine is equipped with a lock-out device and identify the person(s) to contact to purchase products from the machine, and

2. The vending machine is located within 20 feet and in plain view of the regular location of a person designated to supervise the purchase of tobacco from the vending machine.

Section E52. POSTING:

- A. In conformance with M.G.L. C. 230 sect 37, the posting and notice requirements of M.G.L. C. 270 sect 7 and Massachusetts Department of Public Health rules and regulations shall be applicable at all locations where tobacco products are sold or distributed.
- B. Tobacco sales permits must be posted to the public in a conspicuous location.

Section E53. VIOLATIONS AND PENALTIES:

- A. Violations to this bylaw may be enforced by the constable, Police Chief, Police Officer, Sanitarian or Health Officer of the Board of Health or other agent allowed by law.
- B. Persons, firms, corporations, establishments or agencies selling or distributing tobacco products without a Tobacco Sales Permit shall be subject to fines of two hundred (200) dollars per day for each day sales are made without being in compliance with this bylaw.
- C. VIOLATIONS BY PERMIT HOLDERS:
 1. Violations of this bylaw by a permitted establishment shall be subject to a fine of \$100.00 for the first violation, \$200.00 for a second violation, and \$300.00 per violation for a third or subsequent violation.
 2. Three (3) violations of this bylaw by a permitted establishment within a twelve (12) month period shall be cause for revocation of the Tobacco Sales Permit. Permits shall not be revoked without notice of violations and a hearing for revocation of permit. A public hearing will be held by the Board of Health within thirty (30) days after notice to the permittee. Revoked permits shall not be reinstated for twelve (12) months following the date of revocation, unless the Board of Health finds that the revocation causes a manifest injustice. Upon revocation of said permit the establishment shall remove all tobacco products from the sales area or any area accessible to the public.
- D. Compliance monitoring of this bylaw and its requirements may be enforced through periodic inspections of each Tobacco Sales Permit holder. Inspections may include the attempted purchase of tobacco products by minors under the supervision of an agent of an enforcing authority (e.g. Board of Health), such an inspection shall not be construed as "entrapment".

E. Violations of this bylaw by persons, firms, corporations, or establishments in control of tobacco vending machines shall be subject to a fine of \$100.00 for the first violation, \$200.00 for the second violation, and \$300.00 per violation for third or subsequent violations.

F. All other violations of this bylaw are subject to a fine of fifty (50) dollars per violation.

Section E54. EMPLOYEE TRAINING:

A. It shall be the obligation of the Tobacco Sales Permit holder to ensure that all employees engaged in the sale of tobacco are aware of the provisions of this bylaw.

Section E55. VARIANCES:

A. The Board of Health may allow a variance of any provision of this bylaw with respect to any particular case or circumstance when in the opinion of the Board the enforcement thereof would cause a manifest injustice; provided however; the decision of the Board may be appealed in a court of competent jurisdiction. Any variance granted shall be in writing with a copy available to the public at all reasonable hours in the office of the Town Clerk and in the office of the Health Department.

Section E56. SEVERABILITY:

A. Each provision of this bylaw is construed as separate to the extent that if any section, item, sentence, clause, or phrase is determined to be invalid for any reason, the remainder of this bylaw shall continue in full force and effect.

Or take any other action relative thereto.

SUMMARY

The Acton Police Department, based on complaints, requested that the Board of Health propose restrictions on tobacco sales to prevent purchase by minors. If passed Acton will become the 72nd Town in the State to enact regulations regarding the sale or use of tobacco. This proposal will discourage sales to minors by regulating over the counter vendors and vending machines. Passage of this bylaw should not have a significant impact on those adults who choose to smoke.

Direct inquiries to: Doug Halley, Health Director - 264-9634
Selectman Assigned:

(S)
(F)

ARTICLE 19 - AMEND ZONING BYLAW: SIGNS
(2/3 Vote Required)

To see if the Town of Acton will vote to amend Section 7 of the Acton Zoning Bylaw as follows:

- a) Delete Section 7.4.1.3 in its entirety and renumber Sections 7.4.1.4, 7.4.1.5 and 7.4.1.6 to become new Sections 7.4.1.3, 7.4.1.4 and 7.4.1.5 respectively.
- b) Delete Section 7.12.1.2 in its entirety and replace with new section 7.12.1.2 as follows:

7.12.1.2 SIGNS with dimensions in excess of those permitted under Sections 7.7 and 7.8, subject to the following limitations:

- a) No SIGN higher or wider than one and one half times the maximum height or width otherwise permitted, and
- b) no SIGN larger than twice the otherwise permitted maximum DISPLAY AREA, and
- c) no FREESTANDING SIGN larger than 40 square feet in DISPLAY AREA or higher than 10 feet, and
- d) Any such other limitation as the Planning Board may find appropriate to further the purpose of this Section as stated in Section 7.1.

- c) Insert new Section 7.12.1.11 as follows:

7.12.1.11 A SIGN displaying more than one symbol, logo or drawing, and more than one feature product or service.

- d) Delete Section 7.12.2.6 in its entirety and renumber Sections 7.12.2.7, 7.12.2.8, 7.12.2.9 and 7.12.2.10 to become new Sections 7.12.2.6, 7.12.2.7, 7.12.2.8 and 7.12.2.9 respectively.

- e) Delete Section 7.12.5 in its entirety and replace with new Section 7.12.5 as follows:

7.12.5 Where a SIGN is located in a Local Historic District, the Planning Board shall have no authority to require or grant a Special Permit under this Section 7.12. Instead, the Historic District Commission shall have the power and discretion to issue a Certificate of Appropriateness for such SIGN under the Acton Historic

District Bylaw, Chapter P of the Town Bylaws. However, any SIGN approved hereunder shall also comply with the requirements of this Bylaw, including the requirements of Section 7.12.1.

or take any other action relative thereto.

SUMMARY

If adopted, paragraph a) of this article will delete the requirement that signs and advertising devices in the village zoning districts feature light lettering on a dark background. Since adoption of this standard it became apparent that it has the potential of creating substantial conflicts with corporate logos and name recognition. The zoning bylaw contains a number of other design controls specific for signs in village zoning districts regulating size, height, materials, illumination and other aspects, which together will continue to assure that signs in the village zoning districts are appropriately scaled and designed for the village setting. Paragraphs b), c) and d) of this article will broaden the scope and set more flexible design review criteria for signs that may be authorized through a special permit. Paragraph e) clarifies the intent of Section 7.12.5. No adverse fiscal impact is anticipated by the adoption of this article.

Direct inquiries to: Roland Bartl, Town Planner 264-9636
Selectman Assigned:

- (S)
- (F)

ARTICLE 20 - RECONSTRUCTION OF EXISTING NONCONFORMING MULTIFAMILY DWELLINGS (2/3 Vote Required)

To see if the Town of Acton will vote to amend the Acton Zoning Bylaw as follows:

a) Insert new Section 8.7 as follows:

8.7 Special Permit to Reconstruct Nonconforming Multifamily Dwelling
- The Planning Board may authorize by Special Permit the reconstruction or rebuilding of a Multifamily Dwelling, as defined in Section 3.3.4, which is nonconforming as to USE, LOT size or other applicable dimensional requirements, when such BUILDING was destroyed by fire or natural disaster, or by voluntary demolition, and it may authorize the continuation or resumption of the USE as a Multifamily Dwelling after completion of reconstruction. The following standards shall apply:

- 8.7.1 To the extent possible, the new BUILDING shall comply with the dimensional requirements applicable in the zoning district in which the BUILDING is located. However, the Planning Board may authorize or require smaller or larger dimensions as it finds appropriate to address public interest considerations, such as but not limited to the preservation or improvement of neighborhood character, historic architectural features or the spatial relationship between buildings, and to address public safety and health concerns.
- 8.7.2 The Planning Board shall consider an application for a Special Permit under this section only if it is filed before or within 1 year from the date of the issuance of a demolition permit by the Building Commissioner or within one year from the date of the fire or natural disaster which caused the destruction of the BUILDING.
- 8.7.3 The number of DWELLING UNITS shall not be increased as a result of reconstruction.
- 8.7.4 The Planning Board may impose conditions and require plan changes for the reconstruction as it deems appropriate and necessary to further the purpose of this Bylaw, including but not limited to conditions and changes affecting the architectural design and layout of the BUILDING, garages, driveways and other improvements.

or take any other action relative thereto.

SUMMARY

This article, if adopted, will authorize the Planning Board to grant a special permit for the reconstruction of an existing nonconforming multifamily dwelling, if such dwelling has been destroyed by fire or natural disaster, or if the owner wishes to demolish and replace the existing building. The provision of a special permit will ensure a public hearing and will allow the Planning Board to set appropriate conditions on such reconstruction. Nonconforming multifamily dwellings are scattered throughout Acton, but they occur more frequently within and near the village centers. They represent some of the few affordable housing options in the Town of Acton and this article will encourage their continued use and existence. No adverse fiscal impact is anticipated by the adoption of this article.

Direct inquiries to: Roland Bartl, Town Planner 264-9636
Selectman Assigned:

(S)
(F)

ARTICLE 21* - CLARIFICATION OF ZONING BYLAW
(2/3 Vote Required)

To see if the Town of Acton will vote to amend Section 4.4.4.2 of the Acton Zoning Bylaw as follows:

- a) Delete Sub-sections a., b. and d. in their entirety and replace with new Sub-sections a., b. and d. as follows:
 - a. Minimum TRACT OF LAND area: 80,000 square feet.
 - b. Minimum TRACT OF LAND FRONTAGE: Fifty (50) feet.
 - d. Minimum TRACT OF LAND width: Fifty (50) feet.

or take any other action relative thereto.

SUMMARY

Sections 4.4.4.2. a., b. and d. as currently written set minimum area, frontage and width requirements for all lots in Major Affordable Housing Developments. However, it is the intent of these sections to regulate the minimum area, frontage and width of the overall land on which a Major Affordable Housing Development can be placed, rather than to control the size and configuration of any individual lots that might be created within such a development. If adopted, this article will clarify the intent of the Bylaw by replacing the word "lot" with the term "tract of land". "Tract of land" as defined in the zoning bylaw means an area of land consisting of a single lot or of several contiguous lots. No adverse fiscal impact is anticipated by the adoption of this article.

Direct inquiries to: Roland Bartl, Town Planner 264-9636
Selectman Assigned:

(S)
(F)

ARTICLE 21A HOUSEKEEPING ARTICLE -

ADA HANDICAPPED REQUEST FOR VAN SPACES

ARTICLE 22* RELEASE OF INTEREST IN REAL ESTATE - WILLOW STREET
(Majority Vote Required)

To see if the Town will authorize the Board of Selectmen to release the Town's right, title and interest, if any there be, to the Old Bottle and Can Dump on Willow Street (parcel 313 on Map G-1 of the Town Atlas) to the successors in title of John H. Watkins for the sum of \$1.00 and reasonable costs, as determined by the Board of Selectmen, for review and execution of the deed. The deed is to be subject to such terms and conditions as the Board of Selectmen, with the advice of Town Counsel, deem appropriate, including, without limitation, agreement by the purchaser to release and hold harmless

the Town against any future liability, including liability for environmental cleanup costs arising out of the lands previous use; or take any action relative thereto.

SUMMARY

For many years this parcel of vacant land containing one acre, plus or minus, was presumed to be owned by the Town of Acton. Prior to World War II, the land had been used as a bottle and can dump by many residents in the West Acton area. However, after extensive research at the Registry of Deeds and review of records of old Town Meetings, no evidence could be found that the Town had ever purchased the property. The long standing presumption of Town ownership has clouded the title of the rightful owner and this article will remedy this situation by releasing to the successors in title to John H. Watkins any lingering claim the Town may have to the property. John H. Watkins purchased a larger tract of land in 1908 containing within its borders the subject property and it is his heirs and assigns that have the strongest claim of ownership at this time.

Direct inquiries to: David Abbt, Engineering Administrator, 264-9628
Selectmen Assigned:

(S)
(F)

ARTICLE 23* CHAPTER 90 HIGHWAY REIMBURSEMENT PROGRAM (Majority Vote Required)

To see if the Town will raise and appropriate or appropriate from available funds a sum of money for highway improvements under the authority of Chapter 90 of the General Laws and any other applicable law, or take any other action relative thereto.

SUMMARY

A change in State law required that State Highway Reimbursement Funds be appropriated by Town Meeting. Each year the State provides communities with 100% Reimbursement for certain highway projects. These monies have provided all the resurfacing projects in Acton for the last three years. If Town Meeting were not to adopt this article, it is conceivable that the monies allocated to Acton may be redistributed to State projects or other cities and towns.

Direct inquiries to: John Murray, Assistant Town Manager - 264-9612
Selectman Assigned:

(S)
(F)

ARTICLE 24* STREET ACCEPTANCES
(Majority Vote Required)

To see if the Town will accept as public ways the following streets or portions thereof, as laid out by the Board of Selectmen according to plans on file with the Town Clerk, and authorize the Board of Selectmen to take the fee or easement in said streets by eminent domain or otherwise, including easements for drainage, utility, or other purposes where shown on said plans or described in the Order of Layout:

In the AUTUMN LANE SUBDIVISION

Autumn Lane - from the northerly sideline of Summer Street a distance of 373 feet, more or less, in an 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.

In the BUTLER ESTATES SUBDIVISION

Kinsley Road - from the southerly end of Kinsley Road as a Town way a distance of 200 feet, more or less, in a southerly direction to a dead end, this being the entire road in the Butler Estates subdivision.

or take any other action relative thereto.

SUMMARY

This is an Annual Article to accept roads as Town ways which have been built to Planning Board standards. In order to create a new road, a potential land developer must first obtain approval of his definitive subdivision plan from the Planning Board. The land developer's contractor then constructs the road according to this plan and the rules and regulations of the Planning Board. During construction, inspections are made by the Engineering Department to insure compliance with these standards. Upon completion of the road, the developer petitions the Board of Selectmen to start the legal process that will lead to acceptance of the road as a town way. Prior to Town Meeting the Selectmen hold a Public Hearing and adopt an "Order of Layout" containing a legal description of the road. Following Town Meeting, the Selectmen obtain title to the road by deed or eminent domain. Such roads are built and donated to the Town at no cost, however, the Town will assume future maintenance costs as with any Town road. The subdivision process is contained in Massachusetts General Law Chapter 41, and the layout of Town ways is Chapter 82. Autumn Lane and Kinsley Road have followed this process and are now ready for acceptance.

Direct inquiries to: David Abbt, Engineering Administrator, 264-9628.
Selectman Assigned:

- (S) Recommended
- (F)

ARTICLE 25* AMENDMENT TO NON-CRIMINAL BYLAW
(Majority Vote Required)

To see if the Town will vote to amend Section E45 of the Town Bylaws (Non-Criminal Disposition) by adding thereto the following:

Chapter Q, Rules and Regulations of the Conservation Commission-
Enforcing Person - Municipal Properties Director, Conservation Administrator
- Fine \$50.00, each offense.

Chapter R, Rules and Regulations of the Board of Selectmen - Enforcing
Person -Municipal Properties Director, Conservation Administrator - Fine
\$50.00, each offense.

Chapter S, Rules and Regulations of the Tree Warden, Enforcing Person
-Municipal Properties Director, Conservation Administrator - Fine \$50.00,
each offense.

or take any other action relative thereto.

SUMMARY

This article adds the Municipal Properties Director and Conservation Administrator as the enforcing agents for certain offenses, and would add violations of Rules and regulations governing use of public property as offenses that could be dealt with using the non-criminal or "ticketing" process. At present enforcement of minor violations of these rules and regulations is cumbersome and costly, in that a criminal complaint must be filed with District Court and a hearing held before a magistrate. the result of such along process is that these rules and regulations go unenforced.

The original non-criminal disposition bylaw was approved by Town Meeting in 1989, and this would be an expansion of that article.

Direct inquiries to: Dean Charter, Municipal Properties Director - 264-9629
Selectman Assigned:

(S)
(F)

ARTICLE 26 COMMUNICATION TOWER - GREAT HILL

To see if the Town will vote to allow Cellular One to place an antenna on the property known as Great Hill for the purpose of sending signals to customers as well as providing tower space to the Town of Acton to improve town communications, or take any other action relative thereto.

SUMMARY

Direct inquiries to:
Selectman Assigned:

(S)
(F)

**ARTICLE 27* RELOCATION AND LAYOUT OF A PORTION OF CHARTER ROAD
(Majority Vote Required)**

To see if the Town will vote to accept as a Town way a portion of Charter Road from Hayward Road a distance of 643 feet, more or less, in a northerly direction, as relocated and laid out by the Board of Selectmen according to a plan on file with the Town Clerk; including the acceptance of the land and easements shown on said plan from the Haartz Corporation and described in more detail in the Order of Layout,

or take any action relative thereto.

SUMMARY

The Haartz Corporation has agreed to donate a parcel of land for the recently constructed sidewalk on Charter Road provided the Town incorporates this land into the layout of Charter Road. In this way, the public sidewalk is entirely on public property. Both the Town and the Haartz Corporation will benefit from this arrangement relative to liability and legal responsibility.

Direct inquiries to: David Abbt, Engineering Administrator, 264-9628
Selectman Assigned:

(S)
(F)

**ARTICLE 28* PIPER ROAD SIDEWALK EASEMENT - DIGITAL
(Majority Vote Required)**

To see if the Town will vote to accept as a gift from Digital Equipment Corporation an easement for sidewalk purposes partly 10 feet wide and partly 15 feet wide located parallel to the sideline of Piper Road and described in a grant to the Town of Acton recorded with the Middlesex South District Registry of Deeds in Book 21631, page 320,

or take any action relative thereto.

SUMMARY

This easement is for a sidewalk along the frontage on Piper Road owned by Digital and was a condition of a site plan approval by the Board of Selectmen. The construction plan has been approved and construction of the sidewalk will probably take place during the 1993 construction season.

Direct inquiries to: David Abbt, Engineering Administrator, 264-9628
Selectman Assigned:

(S)
(F)

ARTICLE 29* CHARTER ROAD SIDEWALK EASEMENT - FORDHAM
(Majority Vote Required)

To see if the Town will vote to accept as a gift from Peter G. Fordham and Susan Wolf Fordham of 102 Charter Road an easement 5 feet wide along their frontage on Charter Road for sidewalk purposes,
or take any action relative thereto.

SUMMARY

The donation of this easement is for the sidewalk recently constructed in front of their home on Charter Road.

Direct inquiries to: David Abbt, Engineering Administrator, 264-9628
Selectman Assigned:

(S)
(F)

ARTICLE 30* HIGH STREET EASEMENT - L&S BUILDERS
(Majority Vote Required)

To see if the Town will vote to accept as a gift from Lunn and Sweeney Corporation an easement along the frontage of 176, 180, 186, 190, 194, 198, 202, 204 and 206 High Street (Lots 117, 124, 125, 120, 121, 122, C-1, D and E-1) for sidewalk and drainage purposes,
or take any action relative thereto.

SUMMARY

This donation is being made in anticipation of a sidewalk on High Street at some time in the future.

Direct inquiries to: David Abbt, Engineering Administrator, 264-9628
Selectman Assigned:

(S)
(F)

ARTICLE 31* ACCEPTANCE OF GIFTS OF LAND
(Majority Vote Required)

To see if the Town will vote to accept as gifts the following parcels of vacant land:

1) From Warren F. Birch and Barbara A. Birch a parcel of vacant land containing approximately two acres and shown on Town Atlas Map F-2 as Parcel 145, located behind 486-496 Massachusetts Ave. (Great Meadows) for general municipal purposes.

2) From Anthony Castelline two parcels of vacant land containing approximately 4.5 acres and 2.5 acres respectively and shown on Town Atlas Map F-2 as Parcels 122 and 150, located behind 492-500 Massachusetts Ave. (Great Meadows) said land to be used for purposes of conservation and public recreation only.

or take any other action relative thereto.

SUMMARY

These three parcels are low value swamp land being accepted as gifts to the Town. For the foreseeable future, they will be open space parcels and become part of the proposed Fort Pond Brook Greenway. The Town has previously obtained title to much of the adjoining land.

Direct inquiries to: Dean A. Charter, Municipal Properties, 264-9628
Selectman Assigned:

(S)
(F)

ARTICLE 32* UNPAID BILLS
(4/5 Vote Required)

To see if the Town will raise and appropriate, or appropriate from available funds, a sum of money to pay unpaid bills of previous fiscal years, or take any other action relative thereto.

SUMMARY

This is an annual article to pay any outstanding bills from previous fiscal years.

Direct inquiries to: Roy Wetherby, Dir. of Finance - 264-9617
Selectman Assigned:

(S)
(F)

ARTICLE 33* CONTINUATION OF PREVIOUS APPROPRIATIONS
(Majority Vote Required)

To see if the Town will vote to extend, transfer, or otherwise take action to prevent the lapse of appropriations previously authorized, pursuant to section 6-5 of the Charter of the Town of Acton, or to transfer or close out any such appropriations which are no longer needed, or take any other action relative thereto.

SUMMARY

This article requests that the article listed below, which are three years old or older and would be automatically closed out unless otherwise

voted by Town Meeting, remain open to complete the work outlined in the article. A list of all open articles appears in the Annual Town Report.

<u>Article</u>	<u>Town Meeting</u>	<u>Title</u>
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Balances

Direct inquiries to: Roy Wetherby, Dir. of Finance - 264-9617
Selectman Assigned:

(S)

(F)

ARTICLE 34 BUDGET TRANSFER
(Majority Vote Required)

To see if the Town will raise and appropriate, or appropriate from available funds, an amount of money to be used in conjunction with funds appropriated under current fiscal year's budgets to be used during the current fiscal year, or make any other adjustments to the current fiscal year budget and appropriations that may be necessary, or take any other action relative thereto.

SUMMARY

The intent of this article is to allow Town Meeting to transfer funds and supplemental monies to cover needed expenses in the current fiscal year.

Direct inquiries to: John Murray, Assistant Town Manager, - 264-9612
Selectman Assigned: Nancy Tavernier

NOTE: NESWC 100,000 from Free Cash
SNOW BUDGET - ~ 70,000 from Free Cash

(S)

(F)

**ARTICLE 35 USE OF FUNDS TO REDUCE THE TAX RATE
(Majority Vote Required)**

To see if the Town will determine an amount of free cash which shall be used for the purpose of reducing the tax rate for the fiscal year beginning July 1, 1993, or take any other action relative thereto.

SUMMARY

This article requests that the Town Meeting appropriate a sum of money from Free Cash to offset the tax levy.

Direct inquiries to: Roy Wetherby, Dir. of Finance - 264-9617
Selectman Assigned: Dore' Hunter

NOTE: $\approx 737,000 + 100,000$ for FY93 NESWC + 70,000 Snow deficit = \$907,000

(S)
(F)

***CONSENT CALENDAR**

And you are directed to serve this warrant by posting attested copies thereof fourteen days at least before the time of said meeting in not less than six public places in the Town to be designated by the Board of Selectmen.

Hereof fail not and make due return of this warrant with your doings thereon to the Town Clerk at or before the time of meeting aforesaid.

Given under our hands at Acton this th day of March, 1993.

Nancy E. Tavernier, Chairman
F. Dore' Hunter, Vice Chairman
Anne B. Fanton, Clerk
Norman D. Lake
William C. Mullin

ACTON BOARD OF SELECTMEN

True Copy Attest

CONSTABLE

(335.w11chris)

A Glossary of Terms Commonly Used in Municipal Finance

Abatement: A complete or partial cancellation of a levy imposed by a governmental unit; applicable to tax levies and special assessments.

Appropriation: An authorization granted by a legislative body to make expenditures and to incur obligations for specific purposes. An appropriation is usually limited in amount and the time when it can be expended. Only a vote of Town meeting or the school committee can authorize money appropriated for one purpose to be used for another. Any amount which is appropriated may be encumbered. Any part of the general appropriation not spent or encumbered by June 30 automatically reverts to surplus.

A specific or particular appropriation is carried forward from year to year until spent for the designated purpose or transferred by town meeting vote to another account.

Assessed valuation: The value placed upon a particular property by the local Board of Assessors for the purpose of apportioning the town's tax levy among individual property owners equitably and in accordance with the legal requirement that property be assessed at "full and fair cash value", certified periodically by the Commonwealth's Commissioner of Revenue (no less frequently than once every three years.)

Audit: Work done by accountants in examining financial reports, reviewing compliance with applicable laws and regulations, reviewing effectiveness in achieving program results. A basic audit examines only the financial reports and legal compliance. An outside Certified Public Accountant (CPA) audit is directed primarily toward the expression of an opinion as to the fairness of the financial statements and submission of a management letter. An auditor must be independent of the executive branch of government. A state auditor, private CPA or public accountant, or elected auditor meets this test.

Balance Sheet: A statement that discloses the assets, liabilities, reserves and equities of a fund or government unit at a specified date.

Budget: A plan of financial operation embodying an estimate of proposed expenditures for a given period and the proposed means of financing them. A budget may be preliminary (the financial plan presented to the town meeting) or final (the plan approved by that body).

Capital Budget: A plan of proposed capital outlays and the means of financing them for the current fiscal period. It is usually a part of the current budget.

Cemetery Land Fund: A Fund established to which may be added an annual appropriation earmarked for the acquisition of land development costs on designated cemetery land purchases.

Cherry Sheet: An annual statement received from the Massachusetts Department of Revenue detailing estimated receipts for the next fiscal year for the various state aid accounts and estimated state and county government charges payable by the assessors in setting the tax rate. The actual receipts and charges may vary from the estimates.

Classification: The division of the real estate tax by the Selectmen into one rate for residences, another rate for business, and another rate for open space.

Debt Service: Payment of interest and principal related to long term debt.

Encumbrance: Obligations as purchase orders, contracts, salary commitments which are chargeable to an appropriation and for which a part of the appropriation is reserved.

Enterprise Fund: A fiscal entity with a self-balancing set of accounts that is utilized to account for a governmental service when it is the intent to recover the total costs of service, including depreciation, primarily through user charges.

Equalized valuation: The value of all property as determined by the Commissioner of Revenue biennially, using a standard of "full and fair value."

Expenditure: The spending of money by the town for the programs or projects within the approved budget.

Fiscal Year: A 12-month period, beginning July 1 and ending June 30, to which the annual budget applies and at the end of which a governmental unit determines its financial position and the results of its operations. The numbers of the fiscal year is that of the calendar year in which it ends; FY94 is the fiscal year which ends June 30, 1994.

Free Cash: Now referred to as "undesignated fund balance." Certified each July 1 by the State, this is the portion of Fund Balance available for appropriation. It is not cash but rather is approximately the total of cash and receivables less current liabilities and earmarked reserves, reduced also by reserves for uncollected taxes.

Fund: An accounting entity with a self-balancing set of accounts which are segregated for the purpose of carrying on specific activities or attaining certain objectives in accordance with specific regulations, restrictions or limitations.

General Fund: The fund into which the general (non-earmarked) revenues of the town are deposited and from which money is appropriated to pay expenses.

General Obligation Bonds: Bonds issued by the Town that are backed by the full faith and credit of its taxing authority.

Overlay: The amount raised from the property tax levy in excess of appropriations and other charges. It cannot exceed 5 percent of the levy and is used to cover abatements and exemptions granted locally or on appeal.

Overlay Surplus: The unused portion of previous year's overlays; at the end of each fiscal year, this amount is computed from information provided by the Board of Assessors. Any sum so designated become part of the General Fund undesignated fund balance.

Override: A vote to increase the amount of property tax revenue that may be raised over the levy limit.

Personal Services: The cost of salaries, wages and related employment benefits.

Purchased Services: The cost of services that are provided by a vendor.

Property Tax levy: The amount produced by multiplying the assessed valuation of property by the tax rate. The tax rate is expressed per thousand dollars of assessed valuation, for example:

House value: \$300,000

Tax rate: \$10 (which means \$10 per thousand)

Levy: \$10 multiplied by \$300,000 and divided by \$1,000.

Result: \$3000

Reserve Fund: A fund appropriated each year which may be used only by vote of the Finance Committee for "extraordinary or unforeseen expenditures."

Revolving fund: Those funds that may be used without appropriation and that are established for special uses. Fees (as for recreation) may be paid into a revolving fund. Revolving funds are established by state law or town by-law.

Tax Levy: Total amount of dollars assessed in property taxes imposed by the Town each fiscal year.

Unreserved fund balance or surplus revenue account: The amount by which case, accounts receivable and other assets exceed liabilities and restricted reserves. It is akin to the stockholders equity account on a corporate balance sheet. It is not, however, available for appropriation in full because a portion on the assets listed as "accounts receivable" may be taxes receivable and uncollected. (see Free Cash)

Warrant: A list of items to be voted upon at Town Meeting

And you are directed to serve this warrant by posting attested copies thereof fourteen days at least before the time of said meeting in not less than six public places in the Town to be designated by the Board of Selectmen.

Hereof fail not and make due return of this warrant with your doings thereon to the Town Clerk at or before the time of meeting aforesaid.

Given under our hands at Acton this th day of March, 1993.

ACTON BOARD OF SELECTMEN

True Copy Attest

CONSTABLE

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TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION
TOWN MANAGER'S OFFICE

DATE: 2/26/93

TO: The Board of Selectmen
FROM: John Murray 
SUBJECT: Warrant Discussion

A few numerical/financial items need to be discussed and/or resolved prior to completing the financial warrant articles. A brief description of the issues follows:

1. Article 34 - Budget Transfer:
By consensus at the Coordinating Committee, \$100,000 will be added to this year's NESWC appropriation in order to fund the deficit in Acton's Community Stabilization Fund Account at NESWC. This \$100,000 will be transferred from Free Cash. A new item is the Snow Budget deficit, which at this point is approximately \$50,000 (I have put 70K in the warrant to accommodate one more storm). State law allows this deficit to be rolled over to FY94, but if a Town does this it reduces the amount of money that can be appropriated for FY94 by the amount of the deficit. Another possibility is to make an additional free cash transfer for this year. A third option is to wait and see if adequate monies exist in any account at the end of the year to offset the snow deficit. A fourth option is to ask either Town Meeting or the Fincom to transfer \$35,000 from the

reserve account and take one of the previous options to offset the remaining snow deficit. Please Note: The FY93 snow budget was increased 15% over the FY92 budget.

2. The Regional School Assessment and the Local School Appropriation request for FY94, as presented to Selectman Hunter and Selectman Lake last week, do not include the \$323,000 of additional school aid, which is an assumption of the FY94 Coordinating Committee Plan. If the schools do not decrease their budget requests to reflect this assumption, there is not enough money (levy plus override plus free cash) to fund both the Town and School budget requests.

Staff is be prepared to discuss these matters further.

COORDINATING COMMITTEE
 FY94 budget at version 7 guidelines and Arb. Decision

	1993	1994 2%	1995 5% INC.
TOWN GOV'T	\$9,906	\$10,280	\$10,794
(town growth)		\$88	\$460
(infrastructure & capital maintenance)		\$0	\$420
(self-funding tax collection program study)		\$50	\$0
SCHOOLS	\$18,073	\$19,324	\$20,605
(school growth)		\$300	\$0
MINUTEMAN	\$602	\$648	\$680
NESWC Arbitration and Stabilization Awards	\$100	\$351	\$0
MBTA ASSESSMENT		?	?
ENTERPRISE FUNDS (does not include merriam)	\$1,762	\$2,010	\$2,110
TOTAL OPERATING EXPENSES	\$31,243	\$33,051	\$35,070
DEBT & INTEREST	\$1,430	\$1,296	\$1,331
TOTAL EXPENDITURES	\$32,673	\$34,347	\$36,401
			2.5 % inc
CHERRY SHEETS	\$1,350	\$1,309	\$1,342
REGIONAL INCOME	\$1,921	\$1,986	\$1,954
Additional School Aid		\$323	\$350
SCHOOL CHOICE	\$445	\$304	\$311
MOTOR VEHICLE	\$950	\$950	\$974
FEES	\$1,000	\$1,000	\$1,025
ENTERPRISE FUNDS (does not include merriam)	\$973	\$1,182	\$1,241
Collection Program		\$0	\$0
DEFERRAL	\$619	\$0	\$0
NON-PROPERTY TAX REV.	\$7,258	\$6,974	\$7,196
TOTAL LEVY & TRANSFER	\$25,415	\$25,823	\$25,157
TOTAL REVENUE	\$32,673	\$32,797	\$32,353
LESS TOTAL EXPENSE	(\$32,673)	(\$34,347)	(\$36,401)
TOTAL OVER/(SHORT)	\$0	(\$1,550)	(\$4,048)
BEGINNING LEVY	\$23,375	\$24,318	\$26,776
± 1/2% INCREASE	\$584	\$608	\$669
NEW GROWTH	\$359	\$300	\$250
OVERRIDE	\$0	\$0	\$0
DEBT EXCLUSIONS	\$727	\$553	\$511
OVERLAY	(\$650)	(\$750)	(\$950)
SUB-TOTAL	\$24,395	\$25,029	\$27,257
RESERVE CONTRIBUTION	\$263	\$737	(\$2,100)
Extra Reserve Fund needs	\$133		
E & D CONTRIBUTION	\$0	\$57	\$0
OTHER	\$624	\$0	\$0
TOTAL REVENUE	\$25,415	\$25,823	\$25,157

(a)Enterprise fund income increased 5% and (b)FY94 override of shortfall

FLANAGAN & HUNTER, P.C.
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FAX COVER SHEET

DELIVER TO: Don Johnson

AT: Acton Town Hall

FAX NUMBER: 1-508-264-9630

FROM: Dore' Hunter

Number of Pages, including this Cover Sheet: 13

COMMENTS:

Hand outs at last night School Committee Meeting. Note B Budget sheets differ from earlier version. Norm and I appeared and spoke and made zero apparent impression.

DATE: February 19, 1993

FILE NO. None

Attention - Important Notice: This FAX is intended only for the individual or entity to which it is addressed, and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If you are not the intended recipient of this FAX please take note that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error please notify us immediately by telephone and return the documents by mail.

FY '94 Combined B Budget
With Subtotals Sorted By Item

NO	ORD	SYS	TOTAL \$	FTE	ITEM	SCH	CUM EFFECT	BACKUP INFORMATION
1	1	AB	\$12,500	0.25	Administrator	CO		Part of 1.5 Dir.s + Coord.s on list
2	1	APS	\$12,500	0.25	Administrator	CO		Part of 1.5 Dir.s + Coord.s on list
55	2	APS	\$12,500	0.25	Administrator	CO		Part of 1.5 Dir.s & Coord.s on list
56	2	AB	\$12,500	0.25	Administrator	CO		Part of 1.5 Dir.s & Coord.s on list
92	3	APS	\$12,500	0.25	Administrator	CO		Part of 1.5 Dir.s & Coord.s on list
93	3	AB	\$12,500	0.25	Administrator	CO		Part of 1.5 Dir.s & Coord.s on list
			\$75,000	1.50				
3	1	AB	\$7,000	0.20	Art Teacher	H	.2 of 2.0	Eliminates lowest enrollment elective
4	1	AB	\$7,000	0.20	Art Teacher	JHS	.2 of 2.2	Increase Art 1 class size from 18.2 av. to 19.2 av.
57	2	AB	\$3,500	0.10	Art Teacher	JHS	.3 of 2.2	Class size in art from 19.2-> 21.3
94	3	AB	\$28,000	0.80	Art Teacher	H	1.0 of 2.0	Eliminates Art for Seniors & Photo. II
95	3	APS	\$17,500	0.50	Art Teacher	SW	.5 of 2.5	Reduce time/wk &/or every other week
			\$63,000	1.80				
5	1	AB	\$5,000		Athletics	H	2.8%	\$5,000 of \$178,431; Gr. 9 sports decreased.
58	2	AB	\$20,000		Athletics	H	14.2%	\$25,000 of \$178,431; Reduces positions.
98	3	AB	\$10,500	0.00	Athletics	H	20.1%	\$35,500 of \$178,431; Eliminate positions.
			\$35,500	0.00				
6	1	AB	\$7,000	0.20	Business Teacher	H	.2 of 1.9	Decrease program and/or increased class size
97	3	AB	\$7,000	0.20	Business Teacher	H	.4 of 1.9	Eliminate Word Processing and other courses.
			\$14,000	0.40				
7	1	APS	\$10,000	0.33	Com Ed Rec Admin Sal	CO	.33 of 1.0	Reduce Effectiveness of Program from Town

FY '94 Combined B Budget
With Subtotals Sorted By Item

NO	ORD	SYS	TOTAL \$	FTE	ITEM	SCH	CUM EFFECT	BACKUP INFORMATION
59	2	APS	\$20,000	0.67	Com Ed Rec Admin Sal	CO	1.0 of 1.0	100% cut.
			\$30,000	1.00				
8	1	AB	\$5,733	0.50	Comp Assist Sal	H	.5 of 1.0	Tech support for Computer Labs decreases.
60	2	AB	\$5,733	0.50	Comp Assist Sal	H	1.0 of 1.0	No on-going lab support
61	2	AB	\$4,000	0.40	Comp Assist Sal	JHS	.4 of 1.0	Cut assistance for prof. staff/stud. in comp. room.
98	3	AB	\$6,000	0.60	Comp Assist Sal	JHS	1.0 of 1.0	No on-going lab support
			\$21,466	2.00				
37	1	AB	\$7,000	0.20	Psychologist Sal	JHS	.2 of .6	Decrease in service to most needy students.
42	1	AB	\$7,000	0.20	Sch Couns/Psych	H	.2 of 5.4	Increases case load & decreases SPED services.
62	2	AB	\$2,795	0.50	Counselor Summer Sal	H	.5 of 1.0	Impacts new student registration.
119	3	AB	\$7,000	0.20	Sch Couns/Psych	H	.4 of 5.4	Increase student case load; decrease in group work.
			\$23,795	1.10				
13	1	AB	\$24,500	0.70	Dept Chairs Sal	SW	.7 of 3.0	Less curriculum & staff supervision.
63	2	APS	\$8,750	0.25	Curriculum Specialist	SW	.25 of 2.0	Reduce curriculum coordination.
99	3	APS	\$8,750	0.25	Curriculum Specialist	SW	.5 of 2.0	Reduce curriculum coordination.
			\$42,000	1.20				
9	1	AB	\$28,000	1.00	Custodian	H	1.0 of 0.0	Decrease early AM hrs.; change shift schedule.
10	1	AB	\$8,400	0.30	Custodian	JHS	.3 of 6.0	Cut in custodial services
11	1	APS	\$23,808	1.00	Custodian	SW	1.0 of 6.0	Effects evening school activities
12	1	APS	\$11,804	0.50	Custodian	SW	1.5 of 6.0	Eliminates 1.5 of 2 evening custodians.
30	1	AB	\$7,500	0.25	Maintenance	CO	.25 of 1.5	Reduces efforts to maintain facilities.

FY '94 Combined B Budget
With Subtotals Sorted By Item

NO	ORD	SYS	TOTAL \$	FTE	ITEM	SCH	CUM EFFECT	BACKUP INFORMATION
64	2	APS	\$11,804	0.50	Custodian	SW	2.0 of 6.0	Eliminates all night custodial services.
72	2	APS	\$7,500	0.25	Maintenance	SW	.25 of 1.5	Reduces efforts to maintain facilities.
110	3	AB	\$7,500	0.25	Maintenance	CO	.5 of 1.5	Reduces efforts to maintain facilities.
111	3	APS	\$7,500	0.25	Maintenance	SW	.5 of 1.5	Reduces efforts to maintain facilities.
			\$113,618	4.30				
14	1	APS	\$6,413		EDCO Fees	CO	100%	Limits In-service & joint buying opportunities.
			\$6,413	0.00				
15	1	APS	\$35,000	1.00	Elementary Teacher-5th	SW	1.0 of 12	Gr. 5: 24.1 -> 26.3: forced transfers
16	1	APS	\$35,000	1.00	Elementary Teacher-6th	SW	1.0 of 11	Gr. 6: 24.1 -> 26.5: forced transfers
17	1	APS	\$17,500	0.50	Elementary Teacher-K	SW	.5 of 7.0	Class size 21.4 -> 23.1 (conservative)
65	2	APS	\$35,000	1.00	Elementary Teacher-3rd	SW	1.0 of 12	Gr. 3: 23.7 -> 25.8: forced transfers
66	2	APS	\$35,000	1.00	Elementary Teacher-4th	SW	1.0 of 12	Gr. 4: 22.7 -> 24.7: forced transfers
78	2	APS	\$21,000	0.60	Professional Staff	M		To balance SW Rem. Reading cuts - cont'd svcs?
101	3	APS	\$35,000	1.00	Elementary Teacher-1st	SW	1.0 of 14	Gr. 1: 21.2 -> 22.8: forced transfers
102	3	APS	\$35,000	1.00	Elementary Teacher-2nd	SW	1.0 of 14	Gr. 2: 23.7 -> 25.5: forced transfers
118	3	APS	\$14,000	0.40	Professional Staff	M		To balance SW Art, Music & PE cuts - cont'd svcs?
			\$282,500	7.50				
67	2	AB	\$7,000	0.20	English Teacher	H	.2 of 10.4	Eliminate Basics or an Eng 3 or 4 AA's, A's
68	2	AB	\$14,000	0.40	English Teacher	JHS	.4 of 5.9	Raise class size from 22.14 -> 25.8 (Gr. 8)
103	3	AB	\$14,000	0.40	English Teacher	H	.8 of 10.4	Reduces courses and increases class size.
104	3	AB	\$14,000	0.40	English Teacher	JHS	.8 of 5.9	Cut out teaming->class size=23.48 (7-8)
			\$49,000	1.40				

FY '94 Combined B Budget
With Subtotals Sorted By Item

NO	ORD	SYS	TOTAL \$	FTE	ITEM	SCH	CUM EFFECT	BACKUP INFORMATION
18	1	AB	\$4,100	0.20	ESL Assistant	H	.2 of .6	Increase group size
19	1	AB	\$5,400	0.40	ESL Assistant	JHS	.4 of .4	Eliminates direct ESL Services.
20	1	APS	\$12,500	1.00	ESL Assistant	SW	1.0 of 2.0	See below
21	1	APS	\$12,500	1.00	ESL Assistant	SW	2.0 of 2.0	Eliminates most of direct service.
			\$34,500	2.60				
105	3	APS	\$8,750	0.25	ESL Teacher	SW	.25 of 1.0	Consultant model only remains.
			\$8,750	0.25				
69	2	AB	\$35,000	1.00	For Lang Teacher	H	1.0 of 9.0	Elim. Fr., Spanish & Latin; Increases class size.
106	3	AB	\$7,000	0.20	For Lang Teacher	H	1.2 of 9.0	Increases class size to 25+.
107	3	AB	\$7,000	0.20	For Lang Teacher	JHS	.2 of 3.6	Raises F.L. classes from 23 -> 24.4.
			\$49,000	1.40				
22	1	AB	\$3,500	0.10	Health Teacher	H	.1 of 1.0	Health Ed. altered, increase in class size
			\$3,500	0.10				
23	1	AB	\$7,000	0.20	IA Teacher	H	.2 of 1.0	Decrease program and/or increased class size
24	1	AB	\$10,500	0.30	IA Teacher	JHS	.3 of 2.0	Mechanical Drawing class size to 22.4.
70	2	AB	\$7,000	0.20	IA Teacher	H	.4 of 1.0	Elim. Construction, Basic Wood, Fum. Construction
			\$24,500	0.70				
25	1	AB	\$7,000	0.20	Inst. Media Coord. Salary	H	.2 of .6	Red. AV svcs., 3->2 periods; Reassign to S.S. Dept.
71	2	AB	\$7,000	0.20	Inst. Media Coord. Salary	H	.4 of .6	Further reduction of A-V services.
			\$14,000	0.40				

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FEB 19 '93 09:00 FLAN & HUNT BOS.

**FY '94 Combined B Budget
With Subtotals Sorted By Item**

NO	ORD	SYS	TOTAL \$	FTE	ITEM	SCH	CUM EFFECT	BACKUP INFORMATION
26	1	APS		0.50	K. Ass't	SW	.5 of 7.0	Reduced with .5 K Teacher
			\$0	0.50				
27	1	AB	\$7,000	0.20	Librarian Salary	H	.2 of 1.0	Decrease hrs at beg. or end of day
28	1	APS	\$17,500	0.50	Librarian-Media Coord.	SW	.5 of 1.0	Reduce curricular + order planning
108	3	AB	\$13,125	0.30	Librarian Salary	H	.5 of 1.0	1.5 Librarian for grades 7-12
109	3	APS	\$17,500	0.50	Librarian-Media Coord.	SW	1.0 of 1.0	Supervision of elementary libraries eliminated.
			\$55,125	1.50				
29	1	AB	\$10,500	0.30	Life Management-H.E.	JHS	.3 of .8	Life Manage. - fewer sections (class size=18)
			\$10,500	0.30				
73	2	AB	\$14,000	0.40	Math Teacher	H	.4 of 10.8	Eliminate courses and increase class size.
74	2	AB	\$14,000	0.40	Math Teacher	JHS	.4 of 5.9	Raise class size from 22.14 -> 25.8 (Gr. 8)
112	3	AB	\$28,000	0.80	Math Teacher	H	1.2 of 10.8	Reduce courses and increases class size.
113	3	AB	\$14,000	0.40	Math Teacher	JHS	.8 of 5.9	Cut out teaming->class size=23.46 (7-8)
			\$70,000	2.00				
31	1	AB	\$3,500	0.10	Music Dept Chair	SW	.1 of .3	Reduces supervision and planning.
32	1	AB	\$7,000	0.20	Music Teacher	JHS	.2 of .7	Class size in Music Theatre from 21->25.6
33	1	AB	\$5,250	0.15	Music-Chorus	JHS	.15 of .3	Join 2 choruses into 1 of 80-100 students
75	2	AB	\$5,250	0.15	Music - Band	JHS	.15 of .3	Join 2 bands into 1 of 100-110 students.
78	2	AB	\$3,500	0.10	Music Teacher	H	.1 of .1	Music Theory - Eliminated.
114	3	APS	\$1,484		Music - Band Dir Salary	SW	100% Cut	Eliminates elementary band (after school).
115	3	APS	\$17,500	0.50	Music - Instrumental	SW	.5 of .5	Eliminates elementary instrumental program.

February 18, 1993

8:01:35 PM

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FEB 19 '93 09:01 FLAN & HUNT BOS.

FY '94 Combined B Budget
With Subtotals Sorted By Item

NO	ORD	SYS	TOTAL \$	FTE	ITEM	SCH	CUM EFFECT	BACKUP INFORMATION
116	3	APS	\$17,500	0.50	Music Teacher	SW	.5 of 2.5	Reduce time/wk. &/or every other week
			\$80,964	1.70				
34	1	AB	\$10,500	0.30	PE Teacher	H	.3 of 3.4	Increase class size. Impact Health Ed. structure.
35	1	AB	\$7,000	0.20	PE Teacher	JHS	.2 of 2.2	Raises average class size to 30.5.
117	3	APS	\$17,500	0.50	PE Teacher	SW	.5 of 3.5	Reduce time/wk. &/or every other week
			\$35,000	1.00				
36	1	AB	\$6,825	0.50	Prin-Study Assiat Sal	H	.5 of 1.0	Reduces attendance control-e.g. tardy
77	2	AB	\$6,825	0.50	Prin-Study Assiat Sal	H	1.0 of 1.0	Reduces attendance control-e.g. tardy
			\$13,650	1.00				
38	1	APS	\$3,800		R & D	CO	50%	Reduces curricular planning.
39	1	AB	\$3,800		R & D	CO	50%	Reduces curricular planning.
			\$7,600	0.00				
40	1	AB	\$7,000	0.20	Reading Teacher	H	.2 of 1.0	Increases class size and/or reduces direct service.
41	1	AB	\$7,000	0.20	Reading Teacher	JHS	.2 of 1.0	Increase class size in reading.
79	2	APS	\$35,000	1.00	Reading	SW	1.0 of 2.8	see below
80	2	APS	\$28,000	0.80	Reading	SW	1.8 of 2.8	Eliminates most direct services - consultant
			\$77,000	2.20				
81	2	AB	\$21,000	0.60	Science Teacher	H	.8 of 10.6	Eliminate courses and increase class size.
82	2	AB	\$14,000	0.40	Science Teacher	JHS	.4 of 5.9	Raise class size from 22.14 -> 25.8 (Gr. 8)
121	3	AB	\$7,000	0.20	Science Teacher	H	.8 of 10.6	Reduces courses and increases class size.

FY '94 Combined B Budget
With Subtotals Sorted By Item

NO	ORD	BYS	TOTAL \$	FTE	ITEM	SCH	CUM EFFECT	BACKUP INFORMATION
122	3	AB	\$14,000	0.40	Science Teacher	JHS	.8 of 5.9	Cut out teaming->class size=23.46 (7-8)
			\$56,000	1.60				
43	1	APS	\$6,500	0.25	Secretary - CO	CO		.25 of 1.0 on list
44	1	AB	\$6,500	0.25	Secretary - CO	CO		.25 of 1.0 on list
45	1	AB	\$3,600	0.20	Secretary - Principal	H	.2 of 3.4	Reduces office efficiency.
46	1	AB	\$3,600	0.20	Secretary - Pup. Serv's	H	.2 of 1.0	Reduces office efficiency.
83	2	AB	\$6,500	0.25	Secretary - CO	CO		.25 of 1.0 on list
84	2	AB	\$4,021	0.25	Secretary - Dept. Chair	H	.25 of 1.0	Reduces services
85	2	AB	\$3,600	0.20	Secretary - Pup. Serv's	JHS	.2 of 1.0	Reduces office efficiency.
86	2	AB	\$5,593	0.50	Secretary - Sci.Lab Asst.	H	.5 of 1.0	Lab preparation shifted to teachers
100	3	AB	\$4,021	0.25	Secretary - Dept. Chair	H	.5 of 1.0	Reduces services
120	3	AB	\$4,162	0.37	Secretary - Sci.Lab Asst.	H	.87 of 1.0	Lab preparation shifted to teachers
123	3	APS	\$6,500	0.25	Secretary - CO	CO		.25 of 1.0 on list
124	3	AB	\$3,600	0.20	Secretary - Principal	H	.4 of 3.4	Reduces office efficiency.
			\$58,197	3.17				
87	2	AB	\$21,000	0.80	Social Studies Teacher	H	.8 of 11.4	Elim. European Hist and/or Poli Sci; elim. US I Basic
88	2	AB	\$14,000	0.40	Social Studies Teacher	JHS	.4 of 5.9	Raise class size from 22.14 -> 25.8 (Gr. 8)
125	3	AB	\$21,000	0.80	Social Studies Teacher	H	1.2 of 11.4	Reduces courses and increases class size.
126	3	AB	\$14,000	0.40	Social Studies Teacher	JHS	.8 of 5.9	Cut out teaming->class size=23.46 (7-8)
			\$70,000	2.00				
47	1	AB	\$7,100	0.50	Sped Assistant	H	.5 of 5.6	Impacts IEP Implementation.
48	1	APS	\$6,367	0.50	Sped Assistant	SW	.5 of 8.4	Reduce services - 1st .5 of 1.5 cut.

FY '94 Combined B Budget
With Subtotals Sorted By Item

NO	ORD	SYS	TOTAL \$	FTE	ITEM	SCH	CUM EFFECT	BACKUP INFORMATION
89	2	AB	\$7,100	0.40	Sped Assistant	JHS	.4 of 2.0	Reduces direct services.
127	3	APS	\$6,367	0.50	Sped Assistant	SW	1.0 of 9.4	Reduced services & (see below)
128	3	APS	\$6,367	0.50	Sped Assistant	SW	1.5 of 9.4	Increases non-related groupings
			\$33,301	2.40				
129	3	AB	\$13,125	0.30	Sped Teacher	H	.3 of 3.0	Reduces services; impacts IEP implementation.
130	3	AB	\$7,000	0.20	Sped Teacher	JHS	.2 of 3.0	Reduces services; impacts IEP implementation.
			\$20,125	0.50				
49	1	AB	\$7,000	0.20	Speech & Language	H	.2 of .8	Reduces direct services.
90	2	AB	\$3,500	0.10	Speech & Language	JHS	.1 of .9	Reduces direct services.
131	3	APS	\$14,000	0.40	Speech & Language	SW	.4 of 4.0	Reduces direct services.
			\$24,500	0.70				
81	2	AB	\$5,545		Student Activities	H	13.9%	\$5,545 of \$40,000; decreases # of activities.
132	3	AB	\$1,100		Student Activities	JHS	9.2%	\$1,100 cut-elim. some xtra-curric. funding
			\$8,645	0.00				
50	1	AB	\$4,000		Substitute Salary	H	24.8%	\$4,000 of \$16,125
			\$4,000	0.00				
51	1	AB	\$2,203		Supplies	JHS	7.9%	\$2,203 of \$27,850
			\$2,203	0.00				
52	1	AB	\$5,074		Testing	CO	100%	Eliminates standardized testing.

P. 3

FEB 19 '93 09:04 FLAN & HUNT BOS.

FY '94 Combined B Budget
With Subtotals Sorted By Item

NO	ORD	SYS	TOTAL \$	FTE	ITEM	SCH	CUM EFFECT	BACKUP INFORMATION
53	1	APS	\$8,694		Testing	CO	100%	Eliminates standardized testing.
			\$13,788	0.00				
54	1	AB	\$2,048	0.50	Work Study Salary	H	.5 of 1.0	Decr. in program's expectations.
133	3	AB	\$2,048	0.50	Work Study Salary	H	1.0 of 1.0	Eliminates current program.
			\$4,096	1.00				
			\$1,493,214	49.22				

FEB 19 '93 09:05 FLAN & HUNT BOS.

TABLE 8
ACTON-BOXBOROUGH REGIONAL SCHOOL DISTRICT
EXPENDITURES BY OBJECT BUDGET COMPARISON

	1991-92 Budget	1991-92 Expenses	1992-93 Budget	1993-94 Proposed Budget	1993-94 % Change
SALARIES & FRINGE BENEFITS					
Teaching Salaries	\$5,193,638	\$5,099,620	\$5,478,143	\$5,571,375	1.7%
Principals' Salaries	\$295,326	\$345,028	\$298,087	\$348,226	16.1%
Central Office Administration	\$244,806	\$242,393	\$254,604	\$284,233	2.8%
Clerical & Technical Salaries	\$721,845	\$740,905	\$769,889	\$801,516	4.1%
Bldgs. & Grounds Maint. Salaries	\$131,825	\$130,394	\$137,222	\$140,809	2.7%
Custodial Salaries	\$399,088	\$417,990	\$433,050	\$440,695	1.8%
Athletic Salaries	\$180,969	\$158,724	\$170,400	\$179,678	5.4%
Home/Hospital Instruct. Salaries	\$3,040	\$14,119	\$8,040	\$8,040	0.0%
Substitute Salaries	\$55,742	\$54,724	\$54,829	\$54,854	0.1%
Course Reimbursement	\$7,000	\$8,582	\$0	\$0	0.0%
Retirement Payments	\$308,250	\$268,960	\$308,000	\$313,095	2.3%
Health Insurance	\$1,235,932	\$1,225,592	\$1,352,803	\$1,347,459	-2.6%
Group Life Insurance	\$14,102	\$12,097	\$13,500	\$13,500	0.0%
Unemployment Compensation	\$15,000	\$25,078	\$15,000	\$12,000	-20.0%
Worker's Compensation	\$70,000	\$72,038	\$83,600	\$92,015	10.1%
Sub-Total Salaries & Fringe Benefits	\$8,861,163	\$8,814,222	\$9,403,187	\$9,585,623	1.9%
INSTRUCTIONAL EXPENDITURES					
Instructional Supplies	\$99,229	\$99,292	\$101,874	\$98,616	-3.0%
Textbooks	\$79,189	\$71,801	\$78,874	\$78,892	0.1%
Library Books	\$24,219	\$24,643	\$24,020	\$24,900	3.7%
Sub-Total Instructional Expenses	\$202,611	\$195,736	\$204,568	\$202,508	-1.0%
SUPPLIES & EXPENSES					
Admin. Supplies & Expenses	\$189,575	\$204,873	\$193,849	\$197,483	1.9%
Legal Services	\$136,312	\$301,073	\$150,000	\$45,000	-70.0%
Custodial Supplies	\$25,000	\$23,846	\$25,000	\$25,000	0.0%
Debt Service	\$438,519	\$438,519	\$442,711	\$334,487	-24.4%
Maint. of Buildings & Grounds	\$128,016	\$128,000	\$126,516	\$129,599	2.4%
Utilities	\$365,026	\$315,862	\$332,071	\$326,934	-1.5%
Athletic Programs & Expenses	\$46,978	\$48,933	\$47,729	\$50,327	5.4%
Regular Student Transportation	\$199,938	\$180,956	\$201,688	\$203,797	1.0%
Sped Transportation	\$194,915	\$175,384	\$232,059	\$293,495	26.5% *
Travel	\$13,932	\$10,361	\$13,918	\$14,418	3.6%
Maintenance of Equipment	\$88,278	\$95,584	\$89,820	\$95,642	6.7%
Capital Outlay	\$63,854	\$77,828	\$0	\$0	0.0%
SPED Trl & Contr Svcs	\$550,788	\$485,208	\$617,436	\$740,123	19.9% *
Property & Casualty Insurance	\$58,760	\$62,934	\$55,200	\$57,925	4.9%
Contingency Accounts	\$0	\$0	\$0	\$0	0.0%
Building Rental	\$31,000	\$26,887	\$27,320	\$27,500	0.7%
Sub-Total Supplies & Expenses	\$2,526,881	\$2,574,008	\$2,555,117	\$2,541,730	-0.5%
TOTAL EXPENDITURES	\$11,590,655	\$11,583,986	\$12,162,852	\$12,329,861	1.4%
DEFERRAL OF TEACH. SALARY	(\$357,612)	\$0	(\$357,612)	\$0	0.0%
TOTAL BUDGET	\$11,233,143	\$11,583,986	\$11,805,340	\$12,329,861	4.4%

February 4, 1993

*\$91,312 transferred from Excess & Deficiency Account to offset deficit in legal services account

TABLE 6 (2.0%)
 ACTON-BOXBOROUGH REGIONAL SCHOOL DISTRICT
 ANALYSIS OF ASSESSMENTS
 Proposed Budget 1993 - 1994

#2 2/4/93

	GROSS BUDGET 1993-1994	ACTON* 82.92%	BOXBOROUGH 17.08%
OPERATING EXPENDITURES	\$11,551,098	\$9,578,170	\$1,972,928
DEFERRAL OF TEACHER SALARIES	\$0	\$0	\$0
TRANSPORTATION EXPENDITURES	\$444,276	\$388,249	\$56,027
TOTAL	\$11,995,374	\$9,966,419	\$2,028,955
DEBT SERVICE	\$934,487	\$917,763	\$16,724
GROSS BUDGET	\$12,929,861	\$10,284,182	\$2,045,679
REVENUE FROM STATE SOURCES			
REGIONAL SCHOOL AID	\$814,347	\$675,257	\$139,090
CHAPTER 70	\$733,675	\$608,963	\$125,312
TRANSPORTATION (Act87.4 Box12.6)	\$330,262	\$288,549	\$41,613
SPECIAL EDUCATION TRANSPORTATION	\$46,799	\$38,806	\$7,993
CONSTRUCTION OF SCHOOL PROJECTS	\$293,598	\$278,918	\$14,680
SCHOOL CHOICE	\$279,000	\$231,347	\$47,653
REVENUE FROM FEDERAL SOURCES			
P.L. 81-874	\$1,000	\$829	\$171
REVENUE FROM LOCAL SOURCES			
TUITION	\$10,000	\$8,292	\$1,708
MISCELLANEOUS	\$2,000	\$1,658	\$342
TRANSFER FROM E&D	\$68,839	\$57,081	\$11,758
TOTAL REVENUE	\$2,579,520	\$2,189,200	\$390,320
ASSESSMENTS	\$9,750,341	\$8,094,982	\$1,655,359
INCREASE OVER FY 93 ASSESSMENT	7.1%	7.1%	6.9%
February 4, 1993	\$646,527	\$539,521	\$107,006

*Based on FY'92 October 1, enrollment data

TABLE 4
ACTON PUBLIC SCHOOLS
EXPENDITURES BY OBJECT BUDGET COMPARISON

	1991-92 Budget	1991-92 Expenses	1992-93 Budget	1993-94 Proposed Budget	1993-94 Proposed % Change
SALARIES & FRINGE					
BENEFITS					
Teaching Salaries	\$4,662,923	\$4,643,109	\$5,062,295	\$5,392,987	6.5%
Principals' Salaries	\$250,436	\$250,436	\$262,555	\$269,442	10.2%
Central Office Administration	\$242,577	\$229,210	\$252,219	\$248,651	-1.4%
Clerical & Technical Salaries	\$748,509	\$763,813	\$785,545	\$957,258	10.4%
Bldgs. & Grounds Maint. Salaries	\$130,225	\$126,174	\$133,807	\$137,309	2.8%
Custodial Salaries	\$194,415	\$190,600	\$201,662	\$202,538	0.4%
Home/Hospital Instruct. Salaries	\$972	\$848	\$0	\$0	0.0%
Substitute Salaries	\$58,944	\$72,921	\$63,142	\$63,500	0.6%
Course Reimbursement	\$5,500	\$5,266	\$0	\$0	0.0%
Health Insurance	\$697,633	\$728,227	\$816,981	\$825,958	1.1%
Group Life Insurance	\$8,255	\$7,741	\$8,255	\$8,000	-3.1%
Unemployment Compensation	\$6,000	\$2,997	\$6,000	\$5,000	-16.7%
Sub-Total Salaries & FRINGE BENEFITS	\$7,006,389	\$7,018,342	\$7,592,241	\$8,040,848	5.9%
INSTRUCTIONAL EXPENSITURES					
Instructional Supplies	\$109,705	\$114,167	\$108,547	\$107,998	-0.5%
Textbooks	\$27,026	\$38,679	\$26,715	\$27,739	3.8%
Library Books	\$14,782	\$14,838	\$14,872	\$14,682	0.1%
Sub-Total Instructional Expenses	\$151,513	\$167,684	\$149,934	\$150,419	0.3%
SUPPLIES & EXPENSES					
Admin. Supplies & Expenses	\$117,820	\$130,058	\$117,369	\$122,124	4.1%
Legal Services	\$25,000	\$13,552	\$25,000	\$25,000	0.0%
Custodial Supplies	\$14,950	\$14,421	\$14,950	\$15,000	0.3%
Maint. of Buildings & Grounds	\$79,509	\$111,663	\$81,759	\$83,290	1.9%
Utilities	\$249,995	\$253,633	\$249,895	\$249,995	0.0%
Regular Student Transportation	\$153,206	\$132,280	\$153,272	\$153,622	0.2%
Sped Transportation	\$152,970	\$143,838	\$197,548	\$186,075	-5.8%
Travel	\$12,918	\$9,600	\$13,027	\$12,527	-3.8%
Maintenance of Equipment	\$35,325	\$31,011	\$35,706	\$37,138	4.0%
Capital Outlay	\$22,825	\$58,671	\$0	\$32,130	0.0%
SPED Tuit & Contr Svcs	\$501,630	\$430,064	\$518,492	\$576,613	11.2%
Contingency Accounts	\$0	\$0	\$0	\$0	0.0%
Sub-Total Supplies & Expenses	\$1,366,249	\$1,328,932	\$1,407,118	\$1,493,514	6.1%
TOTAL EXPENDITURES	<u>\$8,524,151</u>	<u>\$8,516,218</u>	<u>\$9,149,293</u>	<u>\$9,684,581</u>	<u>5.9%</u>
Less School Choice Revenue	\$0	\$0	(\$72,850)	(\$72,850)	0.0%
NET BUDGET	\$8,524,151	\$8,516,218	\$9,076,443	\$9,611,731	5.9%

February 4, 1993 #2

2/25/93

2/25/93

9

TO: Board of Selectmen
FROM: Nancy Tavernier
SUBJECT: Override vote and position statement

At our March 2 meeting, the Board needs to take a position on the override question of \$1.55 million. Our previous action only placed the question on the ballot, we reserved our recommendation vote until later. That time is now!

Whatever the outcome of the vote, the Board needs to transmit its recommendation to the voters in some form. The options available are a letter to the editor, a press release, an op ed piece, or any other method. The only restriction is that we cannot expend public funds to disseminate our message. If you agree that we need to do this, please put some of your thoughts on paper for the meeting so that we can begin to draft a Board statement.

Some suggestions are: to establish our leadership position, to explain the Coordinating Committee process, to explain the budget process and how the cuts were recommended, what kind of budget we are offering (maintenance), and why we continue to need overrides.

I will be seeking a volunteer to draft the statement for the Board's approval on 3/16, for publication by 3/25, although 3/18 would be ideal. I have chosen not to include a Coordinating Committee message in the warrant this year, if the Board disagrees please say so.

3/2/93

11

TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION
TOWN MANAGER'S OFFICE

DATE: 2/8/93
Revised 2/26/93

TO: The Board of Selectmen
FROM: John Murray 
SUBJECT: Selectmen's Spending Control Policy

After fully discussing Selectman's Mullin's concerns with him after last Tuesday's Selectmen's Meeting, I attempted to construct a policy suggestion, which facilitates the Selectmen's policy making role and the flexibility necessary for the Town Manager to enhance day to day operational performance. The policy suggestion follows, and I await further direction from the Board.

1. That the Town Manager provides the Board of Selectmen with quarterly spending reports which compare actual spending to annual appropriation. This material will be provided to the Selectmen by the fifteenth day following the end of the fiscal quarter. Revised sample report attached.

2. That the Town Manager provides the Board of Selectmen with an estimate of monies that are available for inter-departmental transfer, and a prioritized listing of how the Manager feels these monies should be expended. This report will be delivered to the Board of Selectmen on or about May 15th of each fiscal year.

3. That it is incumbent on the Town Manager to advise the Board of Selectmen, as soon as possible, if prior notification is not possible, of any inter-departmental transfer which affects the policy making role of the Board of Selectmen or is a highly visible purchase. An example of a highly visible purchase is the replacement of the loader at the transfer station. An example of a policy decision could be transferring \$15,000 from new sidewalk construction to offset a snow budget deficit, due to the fact that construction of sidewalks is a policy priority of the Board.

Table 3
Municipal Object Budget

	First 6 Months F/Y 1992	First 6 Months F/Y 1993	% Expended First 6 Months F/Y 1992	% Expended First 6 Months F/Y 1993
Labor Cost With Benefits	\$3,570,286	\$4,142,017	49.10%	53.12%
Utilities	\$84,526	\$103,050	23.44%	40.57%
Equipment Repair/Replace	\$62,967	\$58,393	31.54%	14.79%
Insurance Non-Employee	\$150,289	\$198,334	64.77%	82.98%
Legal Services	\$68,223	\$96,023	29.03%	42.30%
Snow Removal	\$20,231	\$25,113	18.91%	20.41%
Infrastructure Repair/Replace	\$46,907	\$49,407	41.24%	18.86%
Supplies, General	\$30,669	\$40,960	18.66%	38.19%
Gas and Diesel Fuel	\$4,708	\$40,860	5.36%	44.10%
Expenses, Other	\$35,120	\$47,116	32.97%	62.76%
Building & Grounds Maintenance	\$12,008	\$32,006	26.20%	50.38%
Library Books	\$28,275	\$32,805	48.01%	53.79%
Printing & Distribution	\$5,768	\$6,594	10.58%	10.81%
Social Services	\$685	\$500	30.78%	22.47%
M.I.S./Repairs Contracts	\$41,919	\$42,755	40.58%	44.66%
External Expert Advice	\$6,171	\$19,078	58.89%	65.89%
Audit	\$0	\$0	0.00%	0.00%
Advertising	\$2,241	\$4,702	19.49%	61.46%
Travel, Local	\$354	\$624	9.71%	20.36%
Public Relations	\$228	\$403	21.74%	26.02%
Travel, Out of State	\$83	\$250	4.16%	12.50%
Debt Registration	\$0	\$1,104	0.00%	55.20%
Veteran's Benefits	\$7,986	\$509	76.78%	2.72%
Reserve Fund	\$0	\$0	0.00%	0.00%
Total	<u>\$4,179,643</u>	<u>\$4,942,604</u>	<u>45.14%</u>	<u>49.53%</u>



ELIOT COMMUNITY HUMAN SERVICES, INC.

File
3/20

March 9, 1993

Mr. Don Johnson, Town Manager
Town of Acton
472 Main Street
Acton, MA 01720

Dear Mr. Johnson:

Thank you for your letter dated February 9, 1993 informing us of the Acton Board of Selectman's decision not to reallocate monies for mental health services. As you might imagine, we were very disappointed to hear that this was the outcome. As you know, in the past, your town contribution has enabled many residents of Acton to receive mental health services regardless of their ability to pay for services.

I have put together the following information for your review in response to your reminder that some individuals might qualify for assistance from the Betsy Ball Fund. I hope that as you review our information that you feel that we are providing an increased array of high quality services that will significantly improve the lives of many Acton residents. Your support in the past has made it possible for many Acton residents to access needed mental health care, independent of their income or insurance status. It is my hope that you will assist us in accessing Betsy Ball monies so that in some fashion we may be able to continue to provide this opportunity for the residents of your town in the future.

As you are now aware, during 1992-93, it became apparent that to continue services on a community basis, consolidation would be necessary to provide stability and a funding size threshold to meet the demands of the new emerging state managed health care initiative. Accordingly, Eliot Community Mental Health Center, Inc. and Community Human Services, Inc. agreed to a merger which was effective August 1, 1992.

As a result of the merger, Eliot Community Human Services was created. ECHS is a diverse human services agency with strong professional capabilities in providing community-based, adult and adolescent outpatient and residential mental health and mental retardation services for a wide variety of clients. Our philosophy remains focused on providing high quality community-based services.

The services offered by the new agency are critical and include a comprehensive Outpatient Mental Health Clinic located on the grounds of Emerson Hospital and a satellite clinic located in

186 Bedford Street • Lexington, Massachusetts 02173 • Telephone 617-861-0890 • Fax 617-861-0899

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Lexington. The Outpatient Clinic offers services in the following areas: individual, group and family counseling, child and adolescent services, substance abuse, geriatric support, community support, dual diagnosis services tailored to developmental disabilities, and services to DMH priority clients. The outpatient service is closely linked to a network of MH and MR day and residential programs, as well as foster care programs.

ECHS currently provides residential, pre-vocational, vocational, clubhouse, day treatment and advocacy programs for adults and adolescents with emotional and developmental problems.

Although several agencies expressed concern about possible changes that would take place due to the merger, I write this letter to reassure you that the service philosophy for the combined agency has not changed. Our Board and Staff remain committed to the mission of providing community-based care that is client centered and responsive to the needs of our clients. Nor, as a result of the merger, has there been a decrease in services. In fact, if you were to refer to our original letter, dated August 1st, 1992, we state that we believe that by becoming a larger multi-purpose agency, ECHS will be in a much stronger position to maintain our state funded programs as well as to access other sources of reimbursement.

The apparent differences that can be seen today as a result of the merger are related to our ability to offer a wider range of services to further meet the needs of our clients through the availability and expansion of our own resources. A concrete example of this is that many of our clients who currently reside in our residential programs, or attend our day programs, are now afforded the opportunity to receive clinical services through our outpatient department. Particularly, developmentally disabled clients experience difficulty in accessing outpatient clinic services due to the unavailability of trained clinicians with a background in this specialty. Thus they aren't able to avoid unnecessary hospitalizations. With our newly merged agency, these hospitalizations can be reduced due to our new staffing pattern.

During Fiscal Year 1992, (July 1, 1991 through June 30, 1992), 162 clients from the Acton area were served in the Outpatient Clinic in Concord for a total of 4,918 visits. The value of these services equals \$387,965 of which \$148,084 was reimbursed to Eliot through Medicaid, private insurance payments or self-pay fees. The net outstanding balance for Fiscal Year 1992 is \$239,881. Your contribution of \$11,000 for this same time period was applied to help offset the above deficit.

Our Fiscal Year 1993 December Profit and Loss Statement shows a

sizable operational deficit for the Clinic for the first six months of this fiscal year. Clearly, the provision of Outpatient Clinic services for the next fiscal year is in serious jeopardy. Therefore, we have made a deliberate decision to allocate all discretionary revenues to this particular cost center. This is not only to help offset the deficit but so as to remain true to our commitment of providing subsidized care to the most needy members of the communities of which we serve. It is our hope that by the close of this fiscal year we will have a solid plan in place to stabilize clinic operations.

Although this upcoming year will be an extremely difficult one, with state funding being constantly reduced or realigned, as well as Towns and Cities dollars shrinking, please be assured that ECHS remains committed to its philosophy of promoting the mental well-being of residents who live or work within the community it serves. Most importantly, ECHS is committed to meeting the needs of residents in its service area who are most-in-need.

As you can see, our reliance on your funding via the Betsy Ball Fund to help stabilize our service delivery system increases as we move forward through the fiscal year. We feel that our services are invaluable to your community and would like to see some type of assistance to help us make this a viable operation.

On behalf of the Staff and Board of Directors of Eliot Community Human Services, Inc., I would like to thank you in advance for assisting us in our attempts to access the Betsy Ball Fund.

I would be pleased to meet with you, at your earliest convenience, to further discuss our request.

We appreciate your continued support.

Sincerely,



Kate Markarian
Executive Director

KM/jk



WILLIAM F. WELD
GOVERNOR

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT



A. DAVID RODHAM
DIRECTOR

MASSACHUSETTS EMERGENCY MANAGEMENT AGENCY

TO: AREA I LOCAL DIRECTORS
 FROM: ^(RT) KEVIN TULLY - AREA I DIRECTOR
 SUBJECT: "BLIZZARD OF 93" - SNOW REMOVAL BRIEFING
 DATE: MARCH 17, 1993

I am pleased to inform you that the Commonwealth has been granted another Presidential Declaration due to the recent blizzard. The difference with this declaration is the fact it pertains to snow removal costs. The purpose of this briefing is to discuss the formula that will be applied to said costs to determine reimbursements.

We will be conducting two briefings and we ask that you have a representative attend the location closest to your community. The first briefing will be held at the State ECC in Framingham, in the Operations Room on March 25, 1993 at 2:00/PM. The second briefing will be held in Topsfield at the Topsfield Town Hall, 2nd. floor auditorium on March 26, 1993 at 10:30/AM. See the attached sheet for specifics on these locations.

Due to space restrictions we ask that you only send a Highway Department Representative/Department of Public Works Representative and/or the individual who handles the snow removal costs for your community.

Please be advised that we are still in need for your community to complete and submit the form that was faxed to you on March 15, 1993. That form pertains to the cost of protective actions and this information is needed to acquire an additional declaration to cover these costs. Your cooperation in this matter is greatly appreciated. If you have any further questions please call the Area I Office at (508) 640-9500 or (617) 944-1184. Thank You

lmb109

BRIEFING LOCATIONS

DATE: MARCH 25, 1993

LOCATION: STATE EOC - FRAMINGHAM - OPERATIONS ROOM
400 WORCESTER ROAD - (ROUTE 9)
FRAMINGHAM, MA
(NEXT TO THE STATE POLICE ACADEMY)

TIME: 2:00/PM

DATE: MARCH 26, 1993

LOCATION: TOPSFIELD TOWN HALL (2ND. FL. AUDITORIUM)
INTERSECTION OF ROUTE 97 AND WEST COMMON STREET
TOPSFIELD, MA

TIME: 10:30/AM

MAR 18 1993

WEST ACTON VILLAGE PLANNING COMMITTEE

RECEIVED & FILED

Minutes of Meeting

DATE March 18, 1993

February 2, 1993

Catherine Belbin
TOWN CLERK, ACTON

Committee members in attendance were: Chairman William Shupert; Vice Chairman Dennis Ahern; Denise Glaser; Rosalie DeQuattro; and Marvin Norman. Assistant Planner Donna Jacobs also attended. Committee members Anne Jackson and Ron Issacs were absent.

I. Minutes of 1/5/93 Meeting

The minutes of the January 5, 1993 meeting were approved by the committee.

II. Goals, Objectives, Action Recommendations & Issues

WAVPC members reviewed and discussed Donna Jacobs' memo dated 1/28/93 regarding previously established Goals & Objectives and the proposed reorganization of same. It was agreed that the revised approach covered all of the original issues. Members agreed that the goals should be prioritized as follows:

1. Maintain village character;
2. Improve pedestrian safety, convenience and comfort in West Acton Village and the surrounding neighborhoods;
3. Improve automobile traffic safety in West Acton Village;
4. Support new development that enhances village vitality;
5. Encourage small business development;
6. Promote diversity in housing within West Acton Village;
7. Protect West Acton's natural resources;
8. Preserve open spaces and develop additional public open spaces and park land bordering Fort Pond Brook; and
9. Improve the appearance of West Acton Village.

With regard to Goals 2 & 3 above, committee members identified the following intersections as hazardous:

Arlington & Central
Kinsley & Mass. Ave.
Wright & Mass. Ave.
Mead & Mass. Ave.
Windsor & Mass. Ave.; and
Spruce & Arlington.

Members identified the segment of Spruce Street from Mass. Ave. to Arlington St. and the area of Spruce and Arlington Sts. near the Post Office as particularly dangerous.

III. Review and Update Timeline

Members discussed the plan's development progress in relation to the timeline. Generally, the feeling was that the committee's progress has stalled somewhat due to meeting cancellations because of lack of quorum, but all members expressed a willingness to move ahead and hold to the original timeline which proposed presentation of the Village Plan and associated zoning bylaw amendments at a Fall 1993 Special Town Meeting.

It was agreed to hold a public meeting at the end of March, finalize the draft plan and release it for comment in May, and hold one or two additional public informational meetings in mid-June (one for general public and perhaps one for merchants). Committee members agreed that the summer months don't provide a good opportunity for meeting with neighborhood groups and civic/social organizations. The consensus was that the committee would meet only once in July and once in August; however, efforts to meet with these groups would begin in June and be continued in September. It is hoped that the Special Town Meeting won't be held until late November.

IV. Agenda for Next Meeting

Review and discuss the build-out analysis for proposed re-zoning.
Review and discuss the draft of proposed zoning bylaw amendments.

Other Business

New Members - Trey Shupert discussed the future workload of the committee and the resignation of Howard Canning. Committee members advised that a few individuals were interested in serving on the committee. It was agreed that committee members would ask these people to attend upcoming committee meetings and also ask them to send letters of interest to the Planning Board.

The meeting adjourned at 9:45 PM.

MAR 18 1993

WEST ACTON VILLAGE PLANNING COMMITTEE

RECEIVED & FILED

Minutes of Meeting

DATE March 18, 1993

March 2, 1993

Christine Bellini
TOWN CLERK, ACTON

Committee members in attendance were: Chairman William Shupert; Vice Chairman Dennis Ahern; Rosalie DeQuattro; and Marvin Norman. Assistant Planner Donna Jacobs also attended. Committee members Anne Jackson, Susan Boston, Denise Glaser and Ron Issacs were absent.

I. Minutes of 2/2/93 Meeting

The minutes of the February 2, 1993 meeting were approved by the committee.

II. &

III. Review Proposed Zoning Articles & Build-out Analysis

WAVPC members reviewed and discussed the proposed Zoning Articles as drafted by staff based on the committees input. Rosalie DeQuattro expressed concern that people wouldn't understand the legal language of the bylaw provisions. The committee discussed the presentation of these articles at the upcoming public informational meetings and the need for additional explanatory meetings prior to the Town Meeting presentation.

Donna Jacobs presented the Planning staff's recommendations on the zoning articles and the delineation of zoning districts to the committee and explained that they differed from the recommendations of the committee because of the build-out analysis recently performed by staff.

The build-out analysis was distributed and reviewed. Committee members discussed how the originally proposed FAR of 1.0 would likely result in a major change in the character of West Acton Village. With a FAR of 1.0, the buildout of parcels proposed to be zoned WAV would be 998,465 square feet of commercial floor area, an increase of 770,893 over the existing commercial floor area for those same parcels.

Donna Jacobs presented the Planning staff's concern that there be a significant residential presence in West Acton Village and suggested that the committee may want to consider the following: allow a FAR of .50; and allow a FAR of .75 only if 25-50% of the floor area is in residential use. The committee asked staff to analyze these alternatives and report the results of the analysis at the next meeting.

The previously suggested cap of 4 residential units per lot in the WAV was discussed. Donna Jacobs explained that this limitation would be appropriate for the new Village Residential District, but that a cap of 12 units, or no cap is more appropriate for the WAV District. Committee members discussed the 12 unit condominium development at the corner of Arlington and Central Sts., its relationship to the Village, and the likelihood that such a development would be reproduced on another lot. Members also discussed the provision of apartments over storefronts and decided that it would not be necessary to cap the number of residential units in the WAV District.

Members reviewed staff's recommendation that the committee consider some additional uses for the WAV district and also consider capping the size of those additional uses. Committee members agreed with staff's suggestions, except that members did not believe a funeral home use would be acceptable in the village because of the demand on parking.

The committee also agreed to recommend allowing the following uses by right in the proposed Village Residential District with a cap of 500 sq. ft. of net floor area in owner occupied dwellings:

- retail store;
- business or professional office;
- financial;
- restaurant;
- combined business and dwelling;
- veterinary care;
- personal services;
- general services;
- studio;
- accessory apartments in owner occupied single family homes;
- Inns and Bed & Breakfast with a limit of 5 guest rooms;
- multifamily dwellings with a cap of 4 units per dwelling; and
- conversion of single family to two-family.

The committee agreed to recommend that recreation be allowed by special permit in the proposed Village Residential District.

Committee members agreed to expand the proposed Village Residential District as suggested by staff. The committee requested that staff prepare a build-out analysis of the redefined Village Residential District for the next committee meeting.

IV. Content of Public Forum

Detailed discussion of the Public Forum was postponed to the next meeting. However, members did agree that the following should be presented at the public informational meeting on March 29th: survey results; Village Plan Goals & Objectives; planning area; proposed zoning district delineation; and build-out analysis for the proposed new and altered zoning districts.

Other Business:

Chairman Shupert announced that Susan Boston has been appointed to the WAVPC and would be attending the next committee meeting.

The meeting adjourned at 9:30 PM.

If you have any questions, I would be glad to talk to you. We thank you for your continuing interest in serving the Town.

Sincerely,

Nancy
Nancy E. Tavernier
Chairman

THE NURSING SERVICE CAN BE SAVED

In spite of seventy years of service to the townspeople, and the recent growth and financial success of the Nursing Service, the town's management is asking if it should continue. Several confusing accounts have appeared in the newspapers and these have unfortunately added to the worries of the patients.

The first article in this issue outlines the financial health of the Nursing Service under Lucy Saia's administration. Building on this and looking ahead, the amount of the balance in the Enterprise Fund is projected to increase to \$250,000 by the end of June 1993. The maximum amount that can be accumulated in the Enterprise Fund (its cap) is controlled by the State, and for the next fiscal year this is expected to be \$440,000.

A large portion of the staff have been individually contracted

to work for the Nursing Service. This practice is widespread throughout many private and governmental institutions as well as in industry. The Internal Revenue Service has been developing new guidelines that will decrease the proportion of the staff that may be contractually hired. This means that some of staff will have to become employees of the town. This will increase costs and may be expected to decrease the dramatically high year-end balances.

Thanks to the current healthy balance in the Enterprise Fund the adjustments required by the new regulations should be well within the capability of the Town's management. Won't you join us in telling the Selectmen and the Town Manager that you need this Service and want it to be continued.

CALENDAR

- March 30.....Town Election
- April 12.....Town Meeting
- June 15.....FANS Annual Meeting

S O S -- HELP -- SAVE OUR SERVICE -- HELP -- S O S

Can the Nursing Service be saved?? We say "Yes, the people want it". They say "How do you know they want it?? MAKE YOUR VOICE HEARD.

Please complete and mail the enclosed form to FANS, P.O.Box 541, Acton 01720 or call Rita Dolan (263-7884) or Margaret Richter (263-7256).

Please detach here

A NURSING SERVICE QUESTIONNAIRE TO LET THE SELECTMEN KNOW!

Name _____ Phone _____

Address _____

The Acton Public Health Nursing Service, which has served the Town since 1923, should continue as a Town Service, Yes _____ No _____

I have used these services: Health information _____ Clinics _____ Home Care _____ Other _____

I have not yet used these services, but want them to be available when I may need them. _____

If you would like to be contacted for membership in Friends of the Acton Nursing Service (FANS) please check here. _____

Please mail to: FANS, P.O. Box 541, Acton, MA 01720.

**ACTON PUBLIC SCHOOLS • ACTON-BOXBOROUGH REGIONAL SCHOOL DISTRICT**

16 Charter Road • Acton, MA 01720-2995 • (508) 264-4700 • FAX (508) 263-8409

OFFICE OF THE SUPERINTENDENT
William L. Ryan
Interim Superintendent of Schools

March 19, 1993

Mr. Don Johnson
Acton Town Manager
Acton Town Hall
Main Street
Acton, MA 01720

Dear Don:

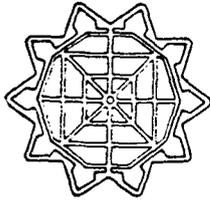
As we discussed last week, if the F.Y.'93 Per Pupil Education Aid (ABRSD = \$172,200 in F.Y.'93) becomes part of the base for Regional School Aid in F.Y.'94, the Regional School Committee will use the total amount to further reduce assessments. Acton's share of the \$172,200 would be \$142,788 (82.92%). If the P.P.E.A. funds (ABRSD = \$172,000; APS = \$180,000) do not become a reality in F.Y.'94, then the Coordinating Committee will have to meet to recommend further reductions in expenditures or adjustments in revenue.

Sincerely,

William L. Ryan
Interim Superintendent

WLR/k

cc Donald Wheeler
Mac Reid
Peter Beanland



**Massachusetts
Municipal
Association**

Sixty Temple Place

(800) 882-1498

Boston, Massachusetts 02111 (617) 426-7272 FAX (617) 695-1314

**Water and Sewer Commission Law Workshop
Thursday, April 8, 1993
Westborough Marriott**

Sponsored by the Massachusetts Municipal Association

Agenda

9:00 AM Registration, coffee and danish

9:30 AM Overview of the Problem

What is the status of the current water and sewer problem? How did all this begin, and what are the concerns of Massachusetts' residents. Mass Insight has just recently completed a survey regarding water and sewer rates and services, and will share the results with participants. This session will serve as background for the panel discussion.

•William Gunther, President, Mass Insight

10:00 AM Break

10:15 AM Overview of the New Law - Panel Discussion

Chapter 343 of the Acts of 1992 creates a model water and sewer commission, and allows municipalities to establish a separate water and sewer commission to administer and fund local water and sewer-related public works responsibilities. This session will explain the law and address the following questions: Is this law the proper way to solve the problem? What are the environmental, political and financial implications of the new law?

•David Baier, Director of Legislative and Member Services, MMA, Moderator

•James Segel, Esq., Partner, Hale and Dorr

•Christopher Hinchey, Esq., Legal Counsel, Department of Revenue

•Robert Ciolek, Director, Boston Water and Sewer Commission

•James Gomes, Executive Director, Environmental Lobby of Massachusetts

11:00 AM Questions and Answers with the Panelists

Directions to the Westborough Marriott: From the Mass Pike take Route 495 North. From Routes 290 and 2, take Route 495 South. Take exit 23B (Route 9 West) off Route 495. On Route 9, take the first exit (Flanders Road). Bear right off the exit ramp. The Marriott is at the top of the hill (1/4 mile ahead on the left).

CANCELLATION POLICY: If you register but are unable to attend, please notify us no later than April 5, 1993 to avoid responsibility for payment. At that point we will be committed to a count with the meeting facility, and will be billed for that number, regardless of attendance.

I will be attending the MMA's Water/Sewer Commission Workshop on April 8, 1993 in Westborough. Please enclose payment of \$15.00 (Make the check payable to MMA)

(Print) Name and Title: _____

Additional Person: _____

Municipality: _____

Please return lower half of form by April 5, 1993, to Patrick Marquis, MMA, Second Floor, 60 Temple Place, Boston, MA 02111.



Commonwealth of Massachusetts
Executive Office of Environmental Affairs

Department of Environmental Protection

Central Regional Office

William F. Weld
Governor

Daniel S. Greenbaum
Commissioner

Selected
MAR 16 1993

March 10, 1993

Airco Gases
Mountain Avenue
Murray Hill, New Jersey 07974

Attention: Mr. James Merriam

RE: Airco Gases
Site No. 2-0816
Response to Short Term
Measures, Results of
Initial Field
Investigation

Dear Mr. Merriam:

The Department of Environmental Protection has reviewed the "Response to Short Term Measures Results of Initial Field Investigation". As stated in the Recommendations in section 4.2 of the report, the next phase of the investigation is the Comprehensive Site Investigation. The Department is in agreement with IT's conclusion that additional work is warranted at the site.

A Phase 2 Scope of Work should be submitted to the Department within 60 days of receipt of this letter. The Phase 2 Scope of Work shall include, all requirements set forth in 310 CMR 40.545(2).

The Department continues to look forward to working with Airco on this project. Please call me with any question or comments regarding this letter, telephone (508)792-7653.

Sincerely yours,

Michael LeBlanc
Branch Chief
Waste Site Cleanup

MRL/mrl
ph2 sow

cc: Raymond Ball, IT Corporation, Shrewsbury, MA
Robert Kimball, DWPC, CERO
Division of Response and Remediation, State Site Branch
Acton Board of Health
Acton Board of Selectmen
Site Database

TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION
TOWN MANAGER'S OFFICE

DATE: March 16, 1993

TO: David Brown
FROM: Don P. Johnson, Town Manager
SUBJECT: Snow Clean-up

This is a brief note to let you and the Highway Crew know how much I appreciate the outstanding work you folks did on the snow storm this past weekend. At the mid-point in the storm I was not surprised at your prediction that we might need to keep the schools closed through Monday or Tuesday. I was extremely impressed when you called me mid-day on Sunday to inform me that you had opened all town streets and roads and the schools at that time.

I know how tiring the endless hours can be. Please share this memo with the crew. It won't bring any rest but it will let them know that we appreciate their fine work and dedication.

cc: Dick Howe
Board of Selectmen ✓



TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION
TOWN MANAGER'S OFFICE

DATE: March 15, 1993

TO: Planning Board
FROM: Don P. Johnson, Town Manager
SUBJECT: Mill Corner

The Selectmen have asked me to advise you that they are in receipt of your decision in the subject regard. They are aware of the time-line for their decision on the sewer option and would like me to assure you that they will reach a decision by June 30, 1993.

Thank you for keeping the Board informed as this project has progressed.

cc: Board of Selectmen



TOWN OF ACTON
472 Main Street
Acton, Massachusetts 01720
Telephone (508) 264-9612
Fax (508) 264-9630

Don P. Johnson
Town Manager

March 14, 1993

Mr. David C. Soule, Executive Director
Metropolitan Area Planning Council
60 Temple Place
Boston, MA 02111

Dear Mr. Soule:

I have been authorized, on behalf of the Board of Selectmen, to advise you that the Town of Acton is interested in MAPC's proposed development of a regional water supply protection plan.

Acton's entire drinking water supply comes from groundwater. As such, we are extremely concerned about the quality and protection of that precious resource. You may be aware that Acton adopted "state of the art" zoning several years ago with respect to groundwater protection. We are concerned and we are serious.

Please let us know if there is anything else we need to do at this time.

Very truly yours,



Don P. Johnson
Town Manager

cc: ~~Board of Selectmen~~
Don Gilberti
MAGIC

DPJ:623

DCN



MAR 18 1993

ENGINEERING DEPARTMENT
472 MAIN STREET
ACTON, MA 01720

March 16, 1993

Palmer & Dodge
Norman P. Cohen, Esq.
One Beacon Street
Boston, MA 02108

re: 1993 Street Acceptance

Dear Norm:

This year there are two subdivision roads up for acceptance at the Annual Town Meeting. Enclosed are draft copies of the proposed deeds conveying these roads to the Town. The roads are as follows:

Autumn Lane

The developer and owner is Richard J. Massarelli. The Attorney is Wilson, Orcutt, Cotter & Greenberg, P.C. (Charles E. Orcutt), 201 Great Road, Acton, MA 01720. Telephone 508-264-4770.

Kinsley Road

The Butler family is the owner. Their attorney is George P. Luker, Esq., 31 Main Street, Maynard, MA 01754. Telephone 508-897-9589.

Would you please review these deeds and let me know if any revision will be necessary. I anticipate being able to execute and record these deeds promptly at the close of Town Meeting.

Very truly yours,

David F. Abbt
Engineering Administrator

DFA/dmj
cc: Don P. Johnson, Town Manager ✓

.93*167

INTERDEPARTMENTAL COMMUNICATION

TOWN OF ACTON

March 17, 1993

TO: Board of Health
FROM: Board of Selectmen
SUBJECT: Analysis of Nursing Service

The Board of Selectmen would like to clarify the action it took at their meeting of 3/2/93 in regard to an analysis of the Acton Public Health Nursing Service.

The Selectmen considered two recommendations from the Health Director which were endorsed by the Town Manager. The first was that an action group, comprised of members from the Board of Selectmen, the Board of Health, the Finance Committee, F.A.N.S., the Professional Advisory Committee and the Town Manager, be formed to oversee an analysis of the Nursing Service in respect to specific issues. The second recommendation was that this action group would choose an independent consultant to perform the analysis, to be funded from the current fund balance for the Nursing Service. A majority of the Selectmen favored these recommendations.

After hearing comments from the Board of Health, F.A.N.S., and the Professional Advisory Committee, the Selectmen agreed to give a scaled down action group the opportunity to make a preliminary analysis of the Nursing Service without the benefit of an independent consultant. However, funding would be available in the Fiscal Year 1994 Nursing budget to hire a consultant if it is determined to be appropriate.

The Selectmen agreed to an action group comprised of members from the Board of Health, F.A.N.S., the Professional Advisory Committee, and the Town Manager or his designee. To be most effective, we would advise keeping the group small, such as one member and an alternative member, or two full members from each group (6-8 members total). We would like to be notified of the membership by May 1, 1993. We have directed that the Board of Health (not the Health Director or other staff) provide the leadership for this group. Necessary support will of course be provided by Town Hall, but staff cannot take on another major task at this time.

The Selectmen would like to suggest an approach to the analysis for your consideration as a group. The first step would be to develop a "wish list" design for a Nursing Service, without regard to current fiscal and legal constraints. What services, staffing levels, salary levels and management structure would you like to see?

The second step would be to ask whether or not this design can work in the municipal environment. Can Acton sustain a stand-alone agency within the current fiscal constraints? If yes, then you should explore specific suggestions for strengthening and sustaining what we have. If no, then go forth to look at other possible models with or without the use of a consultant. We would strongly suggest looking at other models only after you have arrived at an "ideal" design for the service. Agree on what you want to provide and then figure out how to do it. We would like to have a progress report by June 30, 1993 and a final report by October 1, 1993.

Nancy Tavernier was contacted by a local resident who has offered to help you focus in on the questions that need to be asked. Gloria Powaza, Musket Drive (264-0542 or 263-0639) is the CEO of Worcester Visiting Nursing Association. She does not want to be your consultant but has offered to come to one of your first meetings to share her wealth of knowledge. We encourage you to seek her out.

If you have any questions, please feel free to contact Nancy Tavernier at 263-9611. We appreciate your strong support for the Nursing Service and your willingness to conduct the preliminary analysis.

File
3/30/93

MARCH 26, 1993

TO: Board of Selectmen
FROM: NANCY TAVERNIER, Chairman
SUBJECT: SELECTMEN'S REPORT

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AGENDA
ROOM 204
8:00 P.M.
MARCH 30, 1993

NOTE: MEETING BEGINS AT 8:00 P.M.

I. CITIZEN'S CONCERNS

II. PUBLIC HEARINGS & APPOINTMENTS

- 1. 8:00 TRIPLE A MARKET - Enclosed please find application and staff comment regarding Triple A's application for a Beer and Wine License within their supermarket at 248 Great Road.
- 2. 8:25 BOSTON EDISION - Strawberry Hill Road - Enclosed please find hearing notice and staff comment.
- 3. 8:30 CLASS II LICENSE - J. SCOTT MOTOR's - Enclosed please find application and staff comment regarding a request for a Class II License at 866 Main Street for Board action.
- 4. 8:45 MARSHALL LAND DISCUSSION, RIGHT OF FIRST REFUSAL, 61A Property on Carlisle Road.

III. CONSENT AGENDA

- 5. Accept Minutes March 2, 1993 - Enclosed please find Minutes for Board approval.
- 6. APPOINTMENT - Enclosed please find Victoria Beyer's Citizen Resource Sheet along with a recommendation from VCC for appointment as an Associate Member to the Acton Historical Commission for Board action.
- 7. Accept Gift- Enclosed please find a request from Dean Charter to accept a gift of money from the A&B Youth Soccer Program to be used to maintain playing fields for board action.

IV. SELECTMEN'S CONCERNS

- 8. Concord Landfill Task Force - Enclosed please find correspondence from Concord for Board discussion.

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.

April 6, 1993

April 27, 1993

MAY 11, 1993 - Mobil Oil Site Plan 204 Main Street

784 acs

3/30/93

①

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 30, 1993, at 8:00 P.M. on the application of Henry Accounchia, Triple A Supermarket Markets, Inc. for a license to sell wine and malt beverages as a Package Goods Store at 248 Great Road, Route 2A, Acton, MA. The premises is comprised of retail supermarket with an in and out door at the front; 3 receiving doors and an emergency exit on one side and an emergency door in the rear.

Nancy E. Tavernier

F. Dore' Hunter

Anne B. Fanton

Norman D. Lake

William C. Mullin

ACTON BOARD OF SELECTMEN

②

INTERDEPARTMENTAL COMMUNICATION

TO: BD OF HEALTH, BUILDING COMMISSIONER and POLICE DEPT.

FROM: DON P. JOHNSON, TOWN MANAGER

SUBJECT: LIQUOR LICENSE - TRIPLE A MARKET
248 GREAT ROAD

Enclosed please find a copy of the application for liquor license as a Beer and Wine Package Store for Triple A Markets, Inc. at 248 Great Road, Acton, MA

The public hearing is scheduled for March 30, 1993 at 8:00 P.M. Please send your comments and recommendations.

THIS IS A RE-SUBMITTAL OF ORIGINAL APPLICATION PLEASE LET ME KNOW IF YOUR COMMENTS SUBMITTED ON THE PRIOR APPLICATION STAND.

POLICE CHIEF NOTE: THE PLANS OF HOW THEY PLAN TO CONTROL THE LIQUOR SITE ARE ON FILE IN THE TOWN MANAGER'S OFFICE FOR INSPECTION.

cc: Fire Chief

**TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION**

DATE: March 12, 1993

TO: Don P. Johnson, Town Manager
FROM: Garry A. Rhodes, Building Commissioner *GAR*
SUBJECT: Liquor License/Triple A Market, 248 Great Road

This is a second submission, therefore these comments will supercede my previous review.

I have reviewed the drawings that were submitted with the application. The sale of liquor is considered a retail use and is permitted at this locus by zoning.

(986)

TOWN OF ACTON POLICE DEPARTMENT

INTER-DEPARTMENTAL COMMUNICATION

FEB 3 1993

TO: TOWN MANAGER
FROM: Police Chief
SUBJ: Triple A Market Beer and Wine License

DATE: February 2, 1993

**Town Manager
Information**

I am concerned with the prevention of sales to minors and those people who have already had something to drink. The market has several cash registers maned by various people, I believe some on a part time basis. Will beer and wine be sold through these outlets? How will these persons be trained? How old will the cashiers be? Will the supplies be secured to ensure no access to those who are under age? Is there a possibility of internal theft by under age employees who may work in the grocery area? There are many more people working at this store than a package store. Will bonds form between "of age" and "under age" employees coupled with purchase convenience encourage "gifts" of these items?

think The Board may wish to consider internal controls.

3/26/93

Chief has no problems now that two registers have been designated and the area has been defined on the plan to show the area of liquor display and storage.

Date: February 1, 1993

To: Don P. Johnson, Town Manager

From: Rose Erdozaincy, R.S. *RE*

Re: Liquor License Application - Triple A Market

We have reviewed the application submitted to you by Triple A Market for a liquor license. Our experience with this facility has always been one of cooperation and expediency in responding to our concerns.

This department has no outstanding or unresolved issues with Triple A Market. Therefore, we recommend that the liquor license be issued to the applicants.

Thank you for your consideration.

3/26/93
Comments stand per BOH

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

The Commonwealth of Massachusetts ALCOHOLIC BEVERAGES CONTROL COMMISSION

General questions to be answered by all applicants.
Please type or print legibly in ink.

Fee _____

1. Type of alcoholic beverage license: (check only ONE)
 Restaurant Restaurant-Commercial Club Innholder General On Premises Tavern Club
 Package Goods Store Other (specify): Beer AND WINE within the Supermarket
2. Class of license: All Alcoholic Beverages Wine and Malt Beverages
3. Applicant is an Individual Partnership Limited Partnership Business Corporation
 Non-profit Corporation Other (specify): _____

4. If applicant is an individual, partnership, general partnership or limited partnership, state the following in a, b, and c:

a. For each person - FULL NAME HOME ADDRESS SOCIAL SECURITY NO.

b. Firm or trade name, address and telephone no: _____

c. Business name (d/b/a) if different: _____

Address: _____ Telephone no: _____

(If applicant has a d/b/a, applicant must include a copy of the certificate of doing business, required under Massachusetts General Law Chap 110, Sect. 5, regardless of which name will appear on the license)

5. If applicant is a corporation:

List the titles of all officers, the manager, and all members of the board directors. Below these list all stockholders (as defined in the instruction sheet). Then give the full name, home address and the number of shares of stock for each:

TITLE	FULL NAME	HOME ADDRESS	SOCIAL SECURITY NO.	NO. OF SHARES OF STOCK OWNED OR CONTROLLED, IF ANY
PRESIDENT/DIR.	HENRY ACCONCIA	49 JUNIPER RD WESTON	013-24-0232	50 shares
VICE-PRESIDENT/DIR.	William Acconcia	50 FORTY ACRES DR. WAYLAND	027-16-4549	50 shares
STORE MANAGER	THOMAS ACCONCIA	2 EAST WINDHAM RD WINDHAM NH	013-40-3918	
Gen Manager	FRITHUR M BRADWENT	73 STANFORDS AVE BRAintree MA	021-41-3576	
Clerk	C. MICHAEL MILLEN	84 Highland St NEWTON MA	024-34-6819	

b. Corporation name: TRIPLE A Supermarkets, INC

Address 75 Boston Post Rd Wayland MA 01778 Telephone no. 508 358 7700

Business name (d/b/a) if different: _____

Address _____ Telephone no. _____

(If applicant has a d/b/a, applicant must include a copy of the certificate of doing business required under Massachusetts General Law Chap. 110, Sect. 5, regardless of which name will appear on the license)

5. - cont.

d. Date of incorporation: 12/30/55 e. State of incorporation: MA f. Date qualified to do business in the Commonwealth of Massachusetts: 12/30/55
 (attach a copy of approved certificate of organization)

6. If applicant is a club, association, limited partnership, or other type of organization:

a. List for each principal officer: (Note - Each association member who signs this application must answer this question.)

TITLE	FULL NAME	HOME ADDRESS	TELEPHONE NUMBER
-------	-----------	--------------	------------------

b. Trade, firm or business name: _____

Address: _____ Telephone no. _____
 (If applicant has a d/b/a, applicant must include a copy of the certificate of doing business, required under Massachusetts General Law Chap. 110, Sect. 5, regardless of which name will appear on the license)

7. State name, address and telephone number of a person who can be contacted concerning this application:

Arthur Graziano 73 Standish Ave Braintree MA 02184 617-848-5407

8. Address and telephone of premises to be licensed:

248 Great Road Rte 2A Acton MA 01720 508-263-4567

9. Give a full and complete description of the premises to be licensed, including location of all entrances and exits:

Retail Supermarket with an in end out door at the front;
3 receiving doors and an emergency exit on one side and an
emergency door at the rear.

10. a. Will there be any major remodeling, redecorating or building on the premises in preparation for acquisition of this license?

Yes No If yes, complete b, c, d, and e.

b. Give a brief description of the planned changes: _____

c. Estimated costs: \$ _____ d. Estimated construction schedule: _____

e. State all sources of financing: _____

11. a. Does the applicant own the premises to be licensed? Yes No If no, state:

1. Names, addresses and telephone number of owners:

Gary Gold

2. Indicate whether applicant will be a Lessee Sublessee Assignee or Other

Specify other: _____

12. If applicant will be leasing the premises to be licensed, state:

a. \$ 13,864 per MONTH b. Beginning date of lease 8/73 Ending date of lease 8/2000
MONTH, YEAR, E.T.C.

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

Henry A Accorcia 49 Juniper Rd Weston MA 617-893-1002
William Accorcia 50 Parky Acres Dr. Wayland MA 508-358-4682
Triple A Supermarkets 75 Boston Post Rd Wayland MA 508-358-4600
Lincoln Trust Corp

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

William and Henry Accorcia each own 50 shares in Triple A Supermarkets Inc.
Lincoln Trust has security interest in the assets of the corporation.

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

TRIPLE A SUPERMARKETS, INC. 248 GREAT ZONE ACTON MA
PAstry cream, retail food, fish, cigarettes, vending

THE ANSWER TO THIS QUESTION IS NO. (A6)

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: TYPE OF LICENSE LICENSE ADDRESS DATE LICENSE GRANTED

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:

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)

1. 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)

20. If the applicant is a corporation, answer the following questions: (Corporate applicants must include with this application a copy of the vote by the board of directors appointing the manager or other principal representative)

a. Are the majority of directors United States Citizens? Yes No

b. Are the majority of directors citizens of the Commonwealth of Massachusetts? Yes No

c. Is the manager or principal representative a United States Citizen? Yes No

d. How many shares of stock are authorized? 100 e. How many shares of stock are issued? 100

f. Will any stock be pledged as collateral for this license? Yes No If yes, to whom?

g. Will this license be pledged as collateral? Yes No If yes, to whom?

NOTE: If applicant is an association, a copy of the birth certificate, naturalization certificate, or registered voter certificate for each member who signs at the end of this form must be included with this application.

NOTICE

The accompanying General Instructions are incorporated herein by reference.

SIGNED AND SUBSCRIBED TO UNDER PENALTY OF PERJURY THIS 16th DAY OF March, 1993

BY: SIGNATURE OF FULL NAME

TITLE

[Handwritten Signature]

General Manager

- Note: 1. Individual applicant(s) must sign above.
- 2. Applications by a partnership must be signed by a majority of the partners.
- 3. Applications by a corporation must be signed by an officer authorized by a vote of the corporation's board of directors. A copy of the vote of authorization must be included with this application.
- 4. Applications by an association must be signed by a majority of the members of the governing body. All the signers must have answered question 6a.

Name of attorney, if any, filing application on behalf of licensee.

Telephone number

Office address

Time of filing

Date of filing

Name of newspaper publishing notice of application

6 day 7 day license granted

12:00

3/8/93

Beacon - 3/18/93 hearing 3/30

Space below may be used by local licensing authorities for additional information.

QUESTIONS TO BE ANSWERED ONLY BY APPLICANTS FOR A PACKAGE GOODS STORE ALCOHOLIC BEVERAGES LICENSE

If applicant is an individual, is applicant a citizen and resident of the Commonwealth of Massachusetts? Yes No

22. If applicant is a partnership, are all partners citizens and residents of the Commonwealth of Massachusetts? Yes No

23. If applicant is a corporation:

a. Is the corporation organized under the laws of the Commonwealth of Massachusetts? Yes No

b. Are all the directors United States Citizens? Yes No

c. Are a majority of the directors residents of the Commonwealth of Massachusetts? Yes No

FORM A

CHANGE OF MANAGER

THIS FORM IS COMPLETED WHEN THERE IS A CHANGE IN THE MANAGER OF A CORPORATION.

INSERT THE NAME OF THE LICENSEE ON LINE BELOW.

TRIPLE A SUPERMARKETS INC

NAME OF NEW MANAGER: Thomas A. Accancia

HOME ADDRESS: 2 Eastwood Rd Windham MA 03087

PLACE OF BIRTH: BRIGHTON MA

DATE OF BIRTH: 4/12/50 REGISTERED VOTER: YES NO

ARE YOU A CITIZEN: YES NO

COURT AND DATE OF NATURALIZATION: _____

FATHER'S NAME: HENRY A Accancia MOTHER'S MAIDEN NAME: FAHEY

POLICE RECORD: (LIST FELONY OR ANY DRUG CONVICTIONS)

NONE

PRIOR EXPERIENCE IN THE LIQUOR INDUSTRY:

NONE

FINANCIAL INTEREST, DIRECT OR INDIRECT, IN ANY OTHER LIQUOR LICENSE:

NONE

EMPLOYMENT FOR THE LAST TEN YEARS: (Dates, Position, Employer, Address)

STORE MANAGER ENTIRE 10 YEARS.
TRIPLE A SUPERMARKET
248 Great Rd
Acton MA 01720

FORM A

HOURS PER WEEK TO BE SPENT ON THE LICENSED PREMISES:

55

SIGNED AND SUBSCRIBED UNDER PENALTY OF PERJURY THIS 8th
~~1st~~

OF MARCH 19 93.

BY: SIGNATURE:

John W. Linn

TITLE:

Genl Mgr

FORM C

THIS FORM FOR FINANCING "CAPITALIZATION"

* IS LICENSE PART OF COLLATORAL?
(Using Liquor License to secure financing)

YES _____

NO

* THIS QUESTION MUST BE ANSWERED BEFORE THE FORM IS SUBMITTED

PURCHASE PRICE: 0

WHAT WAS PURCHASED: —

SHARES OF STOCK: —

ASSETS: —
(Building) (License)

OTHER ASSETS: —

WHO PURCHASED: —

HOW FINANCED: —
(Cash - Loans - Mortgage - Bank - Seller - etc.)

PREMISES: leased
(Owned - Leased - Rented)

IF THIS IS A CLUB LICENSE, HAS THERE BEEN A "SALE" OR "DISSOLUTION" OF CLUB? N/A CHANGE IN OFFICERS OR CLUB ORGANIZATION? _____

ANY ADDITIONAL INFORMATION THAT YOU MAY HAVE THAT WOULD HELP THE COMMISSION IN DETERMINING THE STATUS OF THIS APPLICATION: _____

No financing necessary. Funds derived from existing cash flow.

IT IS IMPORTANT TO KEEP ALL INFORMATION CONFIDENTIAL.

Signature of Investigator

Date

TRIPLE A SUPERMARKETS, INC.

MEETING OF DIRECTORS BY CONSENT

MARCH 3, 1993

The undersigned, being all of the directors of Triple A Supermarkets, Inc., a Massachusetts corporation (the "Corporation"), hereby consent to and adopt the following resolutions effective as of the above date.

RESOLVED: That the following persons are hereby elected to the respective offices indicated by their names, to serve in such capacity until the next annual meeting of directors for the election of officers and thereafter until their respective successors shall be chosen:

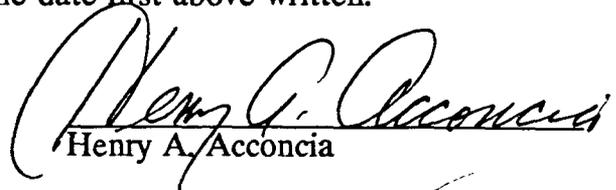
Henry A. Acconcia	President
William G. Acconcia	Vice President
C. Michael Malm	Clerk

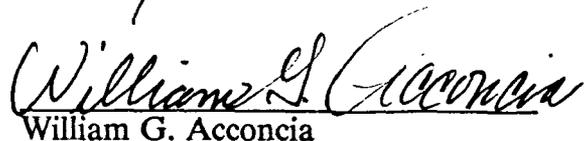
RESOLVED: That the Corporation apply for a license to sell alcoholic beverages (wine and beer) at its supermarket located at 248 Great Road, Route 2A, Acton, Massachusetts (the "Acton Store"); and be it further

RESOLVED: To ratify and confirm the appointment of Thomas Acconcia as Manager of the Acton Store; and be it further

RESOLVED: That Arthur Graziano, General Manager of the Corporation, be and hereby is authorized and directed by and on behalf of the Corporation to execute and deliver Application for Alcoholic Beverage License or any other documents required by The Commonwealth of Massachusetts or the Town of Acton for a beer and wine license for the Acton Store, and that Thomas Acconcia, Manager of the Acton Store, be and hereby is authorized and directed by and on behalf of the Corporation to take any and all action and execute any and all documents which he may deem necessary or appropriate to carry out the foregoing.

Witness the execution hereof as of the date first above written.


Henry A. Acconcia


William G. Acconcia

TRIPLE A SUPERMARKETS, INC.

CLERK'S CERTIFICATE

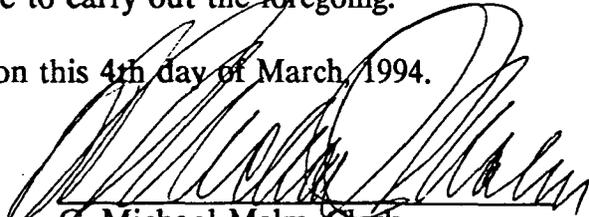
The undersigned certifies that he is the duly elected and acting clerk of Triple A Supermarkets, Inc. and that the following resolutions were duly adopted by the Board of Directors of the Corporation, effective as of March 3, 1993 and have not been altered or amended and remain in full force and effect.

RESOLVED: That the Corporation apply for a license to sell alcoholic beverages (wine and beer) at its supermarket located at 248 Great Road, Route 2A, Acton, Massachusetts (the "Acton Store"); and be it further

RESOLVED: To ratify and confirm the appointment of Thomas Acconcia as Manager of the Acton Store; and be it further

RESOLVED: That Arthur Graziano, General Manager of the Corporation, be and hereby is authorized and directed by and on behalf of the Corporation to execute and deliver Application for Alcoholic Beverage License or any other documents required by The Commonwealth of Massachusetts or the Town of Acton for a beer and wine license for the Acton Store, and that Thomas Acconcia, Manager of the Acton Store, be and hereby is authorized and directed by and on behalf of the Corporation to take any and all action and execute any and all documents which he may deem necessary or appropriate to carry out the foregoing.

Executed under seal of the corporation this 4th day of March, 1994.



C. Michael Malm, Clerk

INTERDEPARTMENTAL COMMUNICATION

TOWN MANAGER'S OFFICE

3/30/93
②

DATE: 3/26/93

TO: BOARD OF SELECTMEN

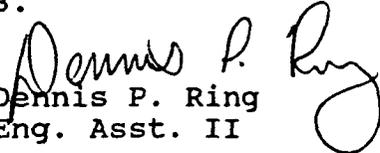
FROM: ENGINEERING DEPT.

SUBJECT: BOSTON EDISON PETITIONS - STRAWBERRY HILL ROAD

We have reviewed the petition for the locations referenced above, and we have the following comments.

These petitions are for the installation of 1 new utility pole and a conduit to provide underground electrical service to a newly constructed house at #49 Strawberry Hill Road.

We do not foresee any problems with the proposed installations. If you have any questions or need additional information, please contact us at 264-9628.


Dennis P. Ring
Eng. Asst. II

BOSTON EDISON COMPANY

15 Blandin Avenue
Framingham, MA 01701

3-16-93

Board of Selectmen
Town Hall
Acton, MA 01720

RE: Strawberry Hill Road
Acton, MA
Work Order #658660

Dear Members of the Board:

The enclosed petition and plan are being presented by the Boston Edison Company and the New England Telephone and Telegraph Company for the purpose of obtaining a Grant of Location to install pole 53/4A on Strawberry Hill Road, Acton.

This work is necessary in order to provide a new overhead/underground electrical service to the Bobjon Corp. located at 49 Strawberry Hill Road, Acton.

Your prompt attention to this matter would be greatly appreciated. If you need any further assistance, please contact Christine Cosby at (508) 370-4812.

Very truly yours,



Denis Deagle - Supervisor
Rights, Permits & Survey

DJD/syb
Enclosures

PETITION OF BOSTON EDISON COMPANY AND OTHER COMPANIES
FOR JOINT OR IDENTICAL LOCATIONS FOR POLES

To the BOARD OF SELECTMEN of the Town of Acton Massachusetts:

Respectfully represent BOSTON EDISON COMPANY and NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY companies subject to Chapter 166 of the General Laws (Ter. Ed.), that they desire to construct a line upon, along and across the public way or ways hereinafter specified.

WHEREFORE, your petitioners pray that after due notice and hearing as provided by law the Board may by Order grant your petitioners joint or identical locations for the erection or construction of poles, to be owned and used in common by them, and for such other fixtures including anchors and guys as may be necessary to sustain or protect the wires of the line, said poles to be located, substantially as shown on the plan made by R.A. Ruscitto dated February 8, 19⁹³, and filed herewith, upon, along and across the following public way or ways of said Town:

Strawberry Hill Road - southerly side approximately 520 feet east of Great Road
One (1) pole

Public Hearing Required

Your petitioners agree to reserve space for one crossarm at a suitable point upon each of said poles for the telephone, fire and police signal wires owned by the Town and used for municipal purposes.

BOSTON EDISON COMPANY

By Denis J. Deagle
Denis J. Deagle - Supervisor
Rights, Permits & Survey

NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY

By Matthew S. Hurley
MANAGER RIGHT OF WAY

Dated this _____ day of _____ 19____

Town of Acton Massachusetts.

Received and filed _____ 19____

Acton Board of Selectmen

BOSTON EDISON COMPANY

15 Blandin Avenue
Framingham, MA 01701

3-16-93

Board of Selectmen
Town Hall
Acton, MA 01720

RE: Strawberry Hill Road
Acton, MA
Work Order #658660

Dear Members of the Board:

The enclosed petition and plan are being presented by the Boston Edison Company for the purpose of obtaining a Grant of Location to install approximately 13 feet of conduit at pole 53/4A, Strawberry Hill Road, Acton.

This work is necessary in order to provide a new overhead/underground electrical service to the Bobjon Corp. located at 49 Strawberry Hill Road, Acton.

Your prompt attention to this matter would be greatly appreciated. If you need any further assistance, please contact Christine Cosby at (508) 370-4812.

Very truly yours,



Denis Deagle - Supervisor
Rights, Permits & Survey

DJD/syb
Enclosures

PETITION OF BOSTON EDISON COMPANY FOR LOCATION FOR CONDUITS
AND MANHOLES

To the BOARD OF SELECTMEN of the Town of Acton Massachusetts:

Respectfully represents BOSTON EDISON COMPANY, a company incorporated for the transmission of electricity for lighting, heating or power, that it desires to construct a line for such transmission under the public way or ways hereinafter specified.

WHEREFORE, your petitioner prays that, after due notice and hearing as provided by law, the Board may by Order grant to your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located, substantially as shown on the plan made by R.A. Ruscitto dated February 8, 19 93, and filed herewith, under the following public way or ways of said Town:

Strawberry Hill Road - southeasterly approximately 520 feet east of Great Road,
a distance of about 13 feet conduit

Public Hearing Required

BOSTON EDISON COMPANY

By



Denis J. Deagle - Supervisor
Rights, Permits & Survey

Dated this 16th day of March 19 93

Town of Acton Massachusetts.

Received and filed _____ 19 _____

3/30/93

(3)

TOWN OF ACTON
NOTICE OF HEARING

Notice is hereby given that the Board of Selectmen will hold a public hearing in its office at the Town Hall on Tuesday, March 30, 1993 at 8:30 P.M. on the application of Jeffrey Scott, d/b/a Scott Motors, for a Class II Dealer's License at 866 Main Street, Acton, MA.

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

(4)

**TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION**

DATE: March 12, 1993

TO: Don P. Johnson, Town Manager
FROM: Garry A. Rhodes, Building Commissioner *GAR*
SUBJECT: Class II License Application/866 Main Street

This application creates a somewhat difficult zoning issue. 866 Main Street is a dwelling unit located in the "Small Manufacturing District". Acton zoning bylaw does not normally permit "Light Vehicular and Equipment Sales" in this zoning district. However, section 3.8.1 allows a home occupation as an accessory use to a dwelling in a non-residential district. A home occupation that is conducted entirely within the dwelling unit by a resident is permitted. If the Board of Selectmen votes to approve this request, they may wish to prohibit any vehicles from being displayed on the exterior of the dwelling unit. This, in my opinion, would allow the home occupation to comply with zoning.

(985)

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 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? SCOTT motors

Business address of concern. No. 866 MAIN St., Acton Mass 01720 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.

Debra A. Scott 866 MAIN 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 NA

Secretary NA

Treasurer NA

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

If so, is your principal business the sale of new motor vehicles?

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

Is your principal business that of a motor vehicle junk dealer?

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

866 Main St. ...
.....
.....
.....
.....

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? (Yes or No) For what year?

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? (Yes or No)

.....
.....
.....

Sign your name in full. *J. H. Scott*
(Duly authorized to represent the concern herein mentioned)

Residence *866 Main St. ...*

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)

SELECTMEN'S MEETING
MARCH 2, 1993

3/30/93

5

The Board of Selectmen held a special Budget Presentation meeting on Tuesday, March 2, 1993, present were Nancy Tavernier, Dore' Hunter, Norm Lake, Anne Fanton, William Mullin, and Town Manager Johnson

CITIZENS' CONCERNS

None expressed

PUBLIC HEARINGS AND APPOINTMENTS

STREET ACCEPTANCE
AUTUMN LANE and KINSLEY ROAD

David Abbt outlined the procedure that is followed by the Town when a builder requests that a street be accepted. The builder has requested that the Town Meeting accept Autumn Lane and Kinsley Road as voted by the Planning Board as accepted streets. DORE' HUNTER - Moved to accept Autumn Lane and Kinsley Road as presented. ANNE FANTON - Second. UNANIMOUS VOTE.

STREET ACCEPTANCE
CHARTER ROAD

David explained the Charter Road sidewalk easement from Haartz as it related to acceptance of this portion of Charter Road. Frank McGilvery wanted to be assured no more trees would be removed. The discussion continued regarding the need to remove trees and proper notice of those removals. Mr. Keane, also of Charter Road, said that he was notified by the Tree Warden when trees were to be removed abutting his property. Anne said she wanted to be sure that the residents received proper notice which trees are expected to be removed for the sidewalk construction. Don said he would check the procedure and report back to the Board.

DORE' HUNTER - Moved to accept the easement, a portion of Charter Road for sidewalks as outlined in the presented paperwork. NORM LAKE - Second. UNANIMOUS VOTE.

AMENDMENT TRAFFIC RULES AND ORDERS

DORE' HUNTER Moved to Amend the Traffic Rules and Orders to place a Stop sign at School and Lawsbrook Road as presented. NORM LAKE - Second. UNANIMOUS VOTE

NORM LAKE - Moved to amend the Traffic Rules and Order to place a Stop sign at the intersection of Stow and Robbins Street. DORE' HUNTER - Second. 4-1 Bill Opposed.

NORM LAKE - Moved to amend the Traffic Rules and Orders to place a Stop sign at Esterbrook Road. DORE' HUNTER - Second. UNANIMOUS VOTE.

Nancy noted the letter of opposition received from Mrs. Campbell on the placement of the sign at Robbins Street. Staff was asked to investigate her concerns outlined in the letter and prepare a response.

NURSING SERVICE

Nancy Tavernier reviewed the options before the Board this evening. It was noted that due to the resignation of the Supervisor it had become apparent that the service should be reviewed on several levels and options presented. She felt that a group or independent consultant needed to be charged with the task of analyzing the present operation.

Nancy explained the current situation and Don Johnson further commented and expanded on the situation and discussed the future of the service. Bill asked what was being done to mitigate the problems.

It was explained that if an RFP was prepared to give us a clear understanding of what would be required to keep the service going it would be helpful.

Bill McGuiness, Chair, Board of Health did not agree with the hiring of a consultant to review the operation. He felt that the money could be well spent in other areas of public health. The Board of Health feels it can solve the issues and they can be efficient and feels the bottom line is does Acton want to continue with providing this service.

Rita Dolan, Representative from FANS spoke about the importance of keeping the service in place and felt that a physician should be included in any study committee membership.

Jean Worfolk - Spoke about the increased salaries being attained in the Nursing field. She felt the service should be retained.

Eleanor Voohries - Felt we should work out the bugs in the system and not spend money on a study. She felt it is a bad time to move away from the service as it is a time when much emphasis is being placed on public health.

Ed Richter, Former BOH Member - Would like to see the funds not expended for a consultant's study and wanted the present system retained.

Betty McManus, Housing Authority - Spoke about the support her office receives from the Nursing Service and urged retention.

Anne asked about the number of home health aids currently in place. Doug said we have 100 hours currently and the ratio of home health aids vs. Nurses is 2/1. Currently we have four part-time Home Health Aids, 3 of which have been moved towards

employees to protect us from IRS liability. Dore' felt it would be possible to review this situation with the current volunteers and staff.

Anne spoke about the consultant and their objectivity. She did not feel an in-house study would be as objective.

Bill asked if this could be made a revolving fund. He suggested that BOH, PAC and FANS address the issue and come back with the answers. If they got into it and felt they could not properly address the issue then the 30,000 would be allocated to cover the consultant to prepare the study.

Martha Morrison - Urged the Town not to study the service again as the health care field is changing so rapidly it would be a waste of money. She felt we needed to get a community commitment.

Stephen Graham thought a collaborative effort with other towns would be possible. It was explained that Acton is unique in that it is not part of a region.

BILL MULLIN - Moved to request an action group be formed made up of representatives of the Board of Health, FANS, PAC and the Town Manager or his designee to address current status of the Acton Public Health Nursing Service with the goal of formulation and presentation of an action plan and to incorporate in the FY94 Nursing Enterprise Fund budget an allocation up to \$30,000 for a study/consultant if so required with the Board of Health taking the leadership and with the Town Manager being involved. DORE' HUNTER - Second. UNANIMOUS VOTE.

CONSENT CALENDAR

ANNE FANTON- Moved to accept the consent calendar as printed. NORM LAKE - Second. UNANIMOUS VOTE

SELECTMEN'S CONCERNS

AMERICAN RED CROSS PROCLAMATION - NORM LAKE - Moved to sign the proclamation of March as RED CROSS Month. DORE' HUNTER - Second. UNANIMOUS VOTE.

MAPC WASTEWATER GRANT- Anne was concerned about the possibility of expending too much staff time on this project and the level of detail in MAPC studies. NORM LAKE - Moved to send letter of support pending interest of other communities. ANNE FANTON - Second. UNANIMOUS VOTE.

CITIZEN COMPLAINT-WOODLANE - Staff was asked to prepare a response to Mrs. Gates outlining the staff memo's.

MAGIC - Anne let the Board know that she would be unable to attend the meeting on the 11th in Sudbury to discuss Route 2,

Devens and such with our Senators and Representatives and wanted to let the Board know in case anyone was free to attend.

FINCOM MEETING - Nancy urged attendance at the Monday FinCom meeting at 8:00 to discuss the Town's budget.

Warrant Discussion - Article 8 - DORE' HUNTER - Moved to accept the 15 year amortization of deferral - ANNE FANTON - Second. 4-1 BILL MULLIN, No.

Dore' wants to see hard numbers from the School Committee so they don't have to amend on the floor.

DORE' HUNTER - Moved to approve the A Budget as presented at \$11,404,010. NORM LAKE - Second. UNANIMOUS VOTE.

Article 17 - Norm was uneasy telling restaurants how much space should be allotted to smokers. Dore' agreed with Norm. ANN FANTON - Moved to recommend this Article as presented. BILL MULLIN - Second. 3-2 Lake and Hunter No.

The remainder of articles were to be Recommended in the warrant. The Board discussed and assigned members to each article and staff was directed to incorporate the recommendations and members name in the warrant.

MILL CORNER - The Board discussed the offer of the \$300,000 vs the affordable units as originally offered. The Board would have to vote to accept the gift of 300,000 for sewerage purposes prior to June 30, 1993. The \$15,000 to study the feasibility of sewers would be taken from the Slattery gift monies but the study would have to be complete prior to the June 30th deadline. The decision before us is to discuss whether or not to pursue a sewer study. Dore' felt we needed to get the RFP and send a note to SARC when we prepare it.

Bill Gothrope of ACHC said that if the number generated by the Consultant turns out to be only enough for seed money or too burdensome for individual owners he did not want to see us loose the Housing and urged the Board to look at the numbers hard and look at the benefit of housing.

Anne stated she was more inclined to opt for acceptance of the housing stock. Bill felt a letter of credit for the \$300,000 should be posted in advance. Norm felt the sewerage plant was not going to happen, the numbers would be too high. Dore' felt we should wait until we got some hard numbers. Nancy felt we had an obligation to the neighborhood. She felt we would be further ahead if we at least knew the costs.

The Board discussed options to separate out Lot 1 and 2.

DORE' HUNTER - Moved to acknowledge we will make a decision before June 30th on whether we would accept housing or the gift. To ask that an RFP be prepared which would analyze the sewer option to tell us what we can do for \$300,000 before the funds are spent. BILL MULLIN - Second. UNANIMOUS VOTE.

Override -

Bill Mullin spoke about the process to determine the amount of the override and the downfall of the Coordinating Process. He wanted everyone to know that 100% of the members of the boards and committees all support the override; the amount of the override is the issue of disagreement. He urged the support of the 1,550,000 override amount. Dore' was still concerned about the process and non-resolution of the split issue.

BILL MULLIN - Moved to support the Override question on the Ballot for March 30, 1993 for a \$1,550,000 Override. DORE' HUNTER - Second. UNANIMOUS VOTE.

Library Lig/Mig Grant - Nancy reported on her meeting with Wanda, Ann Chang and John Murray. She said that the Town has lost 71% of state aid since 1989. The Library has come up with a plan to comply with the waiver requirements. NANCY TAVERNIER - Moved to reduce the Reserve Fund by \$2,000 to address the funding level of libraries in event of B Budget and to apply for Waiver from the State. BILL MULLIN - Second. UNANIMOUS VOTE.

TOWN MANAGER'S CONCERNS

Selectmen Spending Plan - BILL MULLIN - Moved to accept the Plan as presented. DORE' HUNTER - Second. UNANIMOUS VOTE.

EXECUTIVE SESSION

DORE' HUNTER - MOVED to go into executive session for the purpose of discussing Negotiations. NORM LAKE SECOND. Anne Fanton took Roll call, All Ayes.

The Board adjourned at 12:15 P.M.

Clerk

Date

Christine Joyce
Recording Secty.
cmjW11-(364)

BOARD OF SELECTMEN
EXECUTIVE SESSION

MARCH 2, 1993

CELL ONE TOWER- The Board discussed the recent Water District Meeting. Norm said that it was his feeling that if the Great Hill proposal failed, they would be back in Acton Center. Nancy felt more comfortable letting DPU make the final decision. BILL MULLIN- Moved to support the Water District's negotiated one tower at Great Hill. NORM LAKE - Second. UNANIMOUS VOTE.

The Board adjourned at 12:30 P.M.

Clerk

Date

Christine Joyce
Recording Secty.
cmjW11-(364)

FEBRUARY 26, 1993

TO: Board of Selectmen
FROM: NANCY TAVERNIER, Chairman
SUBJECT: SELECTMEN'S REPORT

#####

AGENDA
ROOM 204
7:30 P.M.
MARCH 2, 1993

I. CITIZEN'S CONCERNS

II. PUBLIC HEARINGS & APPOINTMENTS

1. 7:45 STREET ACCEPTANCE HEARINGS - Enclosed please find the notices and response from the Planning Board regarding the acceptance of Autumn Lane and Kinsely Road for Board action.
2. 7:55 STREET ACCEPTANCE HEARING - Enclosed please find the notices and response from the Planning Board regarding the acceptance of Charter Road for Board action
3. 8:00 AMENDMENT TO TRAFFIC RULES AND ORDERS - Enclosed please find the notices and staff comment regarding the proposed amendemnts at three locations for Board action.
4. 8:15 NURSING SERVICE DISCUSSION - Enclosed please find information prepared by staff for Board review and discussion.

III. CONSENT AGENDA

5. Selectmen's Minutes - Enclosed please find minutes from the February 2, 1993 Meeting for Board approval.
6. Betsy Ball Fund - Enclosed please find a confidential request from the Betsy Ball Fund.

IV. SELECTMEN'S CONCERNS

7. AMERICAN RED CROSS - Enclosed please find a request for Acton to Proclaim March American Red Cross Month for board action.

8. Preliminary Warrant Review - Enclosed is the latest copy of the Warrant for Board discussion and action.
9. Override Vote and Position Statement- Enclosed please memorandum from the chairman for board discussion
10. Mill Corner - Discussion and Decision

V. TOWN MANAGER'S REPORT

11. Selectmen Spending Plan - Enclosed please find staff memo for Board review.

VI. EXECUTIVE SESSION

VII. MEETINGS

Congressman Meehan - Thursday, March 4 - PLEASE NOTE: THIS HAS BEEN CANCELLED AND WILL BE RESCHEDULED AT A LATER DATE

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 16, 1993
- March 30, 1993 - Election - Mtg. begins at 8:00P.M.
- April 5, 1993
- April 20, 1993

TOWN OF ACTON
INTER-DEPARTMENTAL COMMUNICATION

3/30/93
⑥

DATE : 9 March 1993
TO : Board of Selectmen
FROM : Volunteer Coordinating Committee
SUBJECT : Recommendation for Appointment

At its meeting of 8 March 1993, the VCC voted to recommend Victoria G. BEYER to Associate Member of the Historical Commission for a one-year term expiring 30 June 1994. Ms. Beyer is very interested in historical research and preservation work. Several years ago, while living in South Carolina, she was involved in dealing with a historical commission from the side of a property owner petitioning for modification on a home. She prefers the research aspect rather than the enforcement area.

picked up 3-2-93

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: 3-1-93

Mr / Mrs
Ms / Dr

BEYER VICTORIA G.

Last Name First Name Middle Initial

1 Harvard Ct. 263-2259 617-964-1913
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) HISTORICAL COMMISSION
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):

No

Do you have any time restrictions? Yes

How long have you lived in Acton? 7 YR. in Massachusetts? 11 YRS.

Are you a US citizen? Yes

Present occupation and employer (optional - attach resume) MGR. RETAIL CLOTHING STORE

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 member: NATL. Trust for HISTORIC PRESERVATION, COLONIAL WILLIAMSBURG, BOSTON SOC. ARCHITECTS

APPOINTMENTS MADE BY THE BOARD OF SELECTMEN

DATE 9 March 1993

NAME	COMMITTEE	APPOINTED		REG.	ASSOC.	ALTN.	EXPIRES	HOLD	COMMENTS
		YES	NO						
BEYER, Victoria G.	AHC				X		6/30/94		

TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION

3/30/93
⑦

March 15, 1993

TO: Don P. Johnson, Town Manager
FROM: Dean A. Charter, Municipal Properties Director **DAC**
SUBJECT: Acton Boxboro Youth Soccer donation acceptance

This winter, I have been in frequent contact with ABYS regarding field maintenance, and the league has volunteered to pay for a contractor for the mowing of School Street Field and Woodlawn Field, and for the lining of the other areas used by soccer for the spring season. The mowing has always been the Town's responsibility, using Town staff, and the lining has always been done by the league.

I have solicited proposals for the work outlined above, and the League has presented me with a check for \$3500.00, which will be sufficient for the spring season. Due to the intricacies of State Law, It is my plan to deposit this check a gift account rather than into the Recreation Revolving Fund account for Municipal Properties, and to pay the invoices presented by the vendor from that gift account. This cost share will be evaluated after the spring season and the League has expressed interest in continuing with the program for future years, which will certainly lighten the burden for the crew during the high growth portions of the year.

I hope to have the acceptance of these funds on the Selectmen's agenda as soon as possible so that I can cut a purchase order for the contractor.

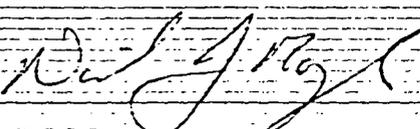
DAC/281

MARCH 10, 1993

DEAR CAMERON,

ENCLOSED IS A CHECK FOR \$3500.00 FOR
THE FIELD MAINTENANCE PROGRAM YOU DISCUSSED
WITH JUDY ROBBINS.

NICK MOZZICATO
TREASURER
ABSYS

ACTON BOXBOROUGH YOUTH SOCCER		538
MARCH 10 19 93		53-7122/2113
PAY TO THE ORDER OF	TOWN OF ACTON	\$ 3500.00
THREE THOUSAND FIVE HUNDRED		DOLLARS ⁰⁰ / ₁₀₀
 Middlesex Savings Bank <small>NATICK, MA 01760</small>		
FIELD MAINTENANCE		
⑆ 211371227⑆ 223815751⑆ 0538		



OLD NORTH BRIDGE

TOWN OF CONCORD
TOWN HOUSE - P.O. BOX 535
CONCORD, MASSACHUSETTS 01742
508-371-6200 508-371-6202
FAX 508-369-5240

3/30/93
⑧

MAR 18 1993

Landfill Task Force
March 15, 1993

Board of Selectmen
Town of Acton
Acton, Mass. 01720

BOS CONCERNS 3/30

Ladies and Gentlemen:

Our communities confront a number of issues in common. Solid waste management is certainly among the most pressing and complex. I am a member of Concord's Board of Selectmen and Chair of our recently created Landfill Task Force that operates under the auspices of the Board. The Task Force is very interested in meeting and talking with our counterparts from other Towns in this area.

If there is sufficient interest among our neighbors, we would be pleased to organize a conference on Saturday, May 15th to share information and experience concerning waste management policy and practice. To be most effective, professional staff as well as members of boards and committees should be encouraged to attend. We would also expect to have a few "experts" on hand who could update us on the status of the State's Solid Waste Master Plan, legislative efforts, and market conditions for trash and recyclables. Presentations would be followed by small group discussions.

If you would like your Town to participate in such an event (NO CHARGE, ZERO BUDGET), please return the enclosed form by April 1st. We do not need definite registrations at this point, but would appreciate an idea of how many people might be attending so we can plan adequate space. If you have suggestions for guest speakers, by all means, please pass them along. Assuming initial response is positive, we will forward confirming details on or about April 15th. If you would like additional information, please contact me through Carolyn Landry at the Concord Selectmen's office (508-371-6202). I will return your call as promptly as possible.

Sincerely,
Carrie Flood
Carrie Flood, Selectman and
Chair of the Landfill Task Force

Copies of this letter have been sent to:

- | | | |
|-------------|----------|------------|
| Acton | Bedford | Bolton |
| Boxborough | Carlisle | Chelmsford |
| Clinton | Harvard | Hudson |
| Lexington | Lincoln | Littleton |
| Marlborough | Maynard | Stow |
| Sudbury | Wayland | Westford |

File
3/30/93

TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION
TOWN MANAGER'S OFFICE

DATE: 3/26/93

TO: The Board of Selectmen
FROM: John Murray 
SUBJECT: Dor's Pilot Program for Early Tax Rate Determination

I feel that this program is nothing more than a "red herring" and is analogous to Fedex's new program to place package tracking stations in places of business that use their service.. Fedex promotes this program as an enhancement to their service. In fact it reduces the workload on their personnel, and shifts that workload to the user of the service. I am sure Fedex hopes it will reduce their cost.

Dor is promoting this program as an enhanced service, while it is no more than a plan to spread a peak demand load at their office over a greater time period. In order to achieve this goal, we would double our workload. The language that would allow a community to infer that there may be some financial benefit in participating, is nebulous at best. Therefore, I suggest that the Town respectfully decline this generous offer.



MASSACHUSETTS DEPARTMENT OF REVENUE

DIVISION OF LOCAL SERVICES

P.O. Box 9655

Boston 02114-9655

MITCHELL ADAMS
Commissioner

(617) 727-2300
FAX (617) 727-6432

LESLIE A. KIRWAN
Deputy Commissioner

March 23, 1993

Dear Local Official:

The Division of Local Services is pleased to announce a pilot program of early budget review and accelerated tax rate approval. This letter describes the program and provides an application form for you to indicate your community's interest in participating.

Purpose

This pilot program is a result of the Division of Local Services' efforts to identify ways to streamline and accelerate the budget review that is part of the tax rate setting process. For a variety of reasons -- including the adoption of quarterly tax billing, revaluation-related delays and late Cherry Sheet notification -- DOR's review of local budgets has moved later and later into the fiscal year. For cities and towns where problems exist, this involvement occurs too late; cuts made halfway through the year are twice as difficult to make.

The pilot program is designed to move the budget review to much earlier in the year, right around the time of town meeting or city council adoption of the budget. This timeframe will give the community and the Division the opportunity to work together to identify and resolve any potential problems much earlier and with less pressure.

If this program is successful, we may consider expanding it in the future.

Procedure

The enclosed Budget Summary Form is the primary tool we will use in the pilot program. The community will fill this form out twice: first before the budget is adopted, to indicate proposed revenues and expenditures; and again after the budget is adopted to indicate final action. At this time, the clerk would fill out the enclosed Certification of Appropriations Form which will also be signed by the

Chief Financial Officer and Chair of the Board of Selectmen or Mayor/Manager to certify whether all appropriations have been fully funded.

The DOR will then review the information and notify the community of any problems, or that the review is satisfactory. This approval would constitute preliminary approval of the budget portion of the tax rate, leaving only the values to be finalized and the actual calculation of the tax rate for final approval. (Participating communities would not be precluded from further budget actions after this approval, though changes would have to undergo a separate review.)

Communities that successfully complete the pilot program will receive a certificate of achievement signifying their early budget approval. In addition, the Governor has proposed funds to award a grant of \$3000 to each participating community. If approved by the Legislature, these grants will be awarded and may be spent for purposes associated with further management improvements, such as training, hardware or software purchases, etc.

How to Apply

If you are interested in participating, please complete and return only the enclosed one page application form. Since the program will require cooperation of all members of your financial team, we ask that all signatures be provided as indicated. Because this letter is being sent to more than one local official for his/her consideration, we suggest that you meet as a group and appoint one member as a contact person to coordinate this effort with the Division.

Participants will be selected from among those that apply, with consideration given to achieving a balance of community size, geographic location and other factors. If selected, your contact person will be requested by the Bureau of Accounts to complete and return the Budget Summary and Certification of Appropriations forms.

We hope you will give serious consideration to participating in this pilot program. If you have any questions, please contact your Bureau of Accounts representative.

Sincerely,

Leslie A. Kirwan

Leslie A. Kirwan
Deputy Commissioner

BUDGET SUMMARY FORM FOR

City or Town _____

I. REVENUES

PROPOSED

ADOPTED

A. TAXATION:

1. FY94 Levy Limit Base	\$ _____	\$ _____
2. FY93 Amended Growth	_____	_____
3. (line 1 + line 2) X 2.5%.....	_____	_____
4. FY94 New Growth	_____	_____
5. FY94 Override	_____	_____
6. FY94 Debt and/or Capital Exclusion....	_____	_____
7. FY94 Other	_____	_____

TOTAL REVENUE: TAXATION

B. NON-TAXATION:

1. State Aid Cherry Sheet	_____	_____
2. Local Receipts Not Allocated	_____	_____
3. Offset Receipts	_____	_____
4. Enterprise Receipts	_____	_____
5. Revolving Funds	_____	_____
6. Free Cash Appropriated	_____	_____
7. Stabilization Fund Appropriated.	_____	_____
8. Overlay Surplus Appropriated	_____	_____
9. Other Available Funds Appropriated ...	_____	_____
10. Authorized Deferral of Teachers' Pay .	_____	_____
11. Other Amounts Used To Reduce Rate	_____	_____

TOTAL REVENUE: NON-TAXATION

TOTAL REVENUE:

II. EXPENDITURES

A. APPROPRIATIONS:

1. GROSS APPROPRIATIONS (see Cert. of Appropriations, total col a)	_____	_____
--	-------	-------

B. OTHER AMOUNTS TO BE RAISED:

1. Tax Title/Debt and Interest	_____	_____
2. Final Court Judgements	_____	_____
3. Overlay/Revenue/Offset Recpts Deficits	_____	_____
4. Cherry Sheet Offsets	_____	_____
5. Authorized Deferral of Teachers' Pay .	_____	_____
6. Overdrawn or Unprovided for Accounts .	_____	_____
7. Other	_____	_____
8. STATE and COUNTY CHARGES	_____	_____
9. OVERLAY	_____	_____

TOTAL OTHER AMOUNT TO BE RAISED

TOTAL EXPENDITURES: \$ _____ \$ _____

BUDGET SUMMARY FORM PAGE -2-

RECONCILIATION FROM PAGE -1-

TOTAL REVENUE	\$ _____	\$ _____
TOTAL EXPENDITURES	_____	_____
EXCESS CAPACITY or (DEFICIT) ¹	_____	_____

FUNDS AVAILABLE NOT USED ON RECAP

Free Cash _____	Stabilization Fund _____
Overlay Surplus _____	Other: _____

¹ If the proposed or adopted budget summary is out of balance (deficit), please submit a detailed explanation of the community's plan to balance.

SIGNATURES

DATE

Mayor/Ch. Bd. of Selectmen	_____	_____
Administrator/Manager	_____	_____
Auditor/Accountant	_____	_____
Ch. Bd. of Assessors	_____	_____
City/Town Clerk	_____	_____
Ch. of City Council/FinCom	_____	_____

Date of Annual Town Meeting or City budget adoption _____

APPLICATION

Please return by 5:00pm Tuesday April 6, 1993 to:

Judy Luca
Bureau of Accounts
P.O.Box 9655
Boston, Mass. 02114-9655
Fax#: 617-727-6432

We the undersigned are interested in participating in a Division of Local Services' sponsored pilot program encouraging both early budget review and accelerated tax rate approval.

If selected, we will complete, sign (if requested) and submit both a Budget Summary and a Certification of Appropriations Form to the Bureau of Accounts for review.

If we successfully complete the program, we will receive a certificate of achievement signifying our early budget approval and if approved by the Legislature, a grant of \$3,000 proposed by the Governor which we will spend for purposes associated with further management improvements.

	SIGNATURES	DATE
Mayor/Ch. Bd. of Selectmen	_____	_____
Administrator/Manager	_____	_____
Auditor/Accountant	_____	_____
Ch. Bd. of Assessors	_____	_____
City/Town Clerk	_____	_____
Ch. of City Council/FinCom	_____	_____
Chief Financial Officer	_____	_____
CONTACT PERSON	_____	_____
		Tel. # _____

**THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF REVENUE
FISCAL 1994 TAX LEVY LIMITATION FOR ACTON
FOR BUDGET PLANNING PURPOSES**

I. TO CALCULATE THE FY93 LEVY LIMIT

A. FY92 Levy Limit	\$	<u>23,375,001</u>
A1 ADD Amended FY92 Growth	+ \$	<u> </u>
B. ADD (IA + IA1) X 2.5%	+ \$	<u>584,375</u>
C. ADD FY93 New Growth *	+ \$	<u>359,192</u>
D. ADD FY93 Override	+ \$	<u> </u>
E. FY93 Subtotal	\$	<u>24,318,568</u>
F. FY93 Levy Ceiling	\$	<u>36,366,953</u>

I. \$ 24,318,568
FY93 Levy Limit
(Lesser of I.E. and I.F.)

II. TO CALCULATE THE FY94 LEVY LIMIT

A. FY93 Levy Limit from I.	\$	<u>24,318,568</u>
A1 ADD Amended FY93 Growth	+ \$	<u> </u>
B. ADD (IIA + IIA1) x 2.5%	+ \$	<u>607,964</u>
C. ADD FY94 New Growth *	+ \$	<u> </u>
D. ADD FY94 Override	+ \$	<u> </u>
E. FY94 Subtotal	= \$	<u> </u>
F. FY94 Levy Ceiling	\$	<u> </u>

II. \$
FY94 Levy Limit
(Lesser of II.E. and II.F.)

**III. TO CALCULATE THE FY94
MAXIMUM ALLOWABLE LEVY**

A. FY94 Levy Limit from II.	\$	<u> </u>
B. FY94 Debt Exclusion(s)	+ \$	<u> </u>
C. FY94 Capital Expenditure Exclusion(s)	+ \$	<u> </u>
D. FY94 Other Adjustment	+ \$	<u> </u>
E. FY94 Maximum Allowable Levy	= \$	

* Must be certified by DOR
** Indicates that increases other than by exclusions are contingent upon an increase in FY94 valuations

This is your preliminary FY94 levy limit. We are providing you with this information to assist in planning your FY94 budget.

The method for calculating the FY94 levy limit has remained substantially the same as in FY93. Adjust, when available, your preliminary levy limit to reflect new and amended growth, overrides, debt exclusions and capital expenditure exclusions. The Bureau of Accounts will calculate and confirm the maximum amount you may levy for FY94 at the time you set your FY94 tax rate.

Please note that in applying for amended growth, the Bureau of Accounts will only accept applicable omitted and/or revised values. Growth not submitted for credit for any other reason will not be accepted by the Bureau.

If you have any questions on the computation of your levy limit or on the reporting of Proposition 2 1/2 overrides and exclusions, please contact your community's Bureau of Accounts Field Representative in Boston at 617-727-2300, in Worcester at 508-792-3571 or in Springfield at 413-784-1040.



Metropolitan Area Planning Council

60 Temple Place, Boston, Massachusetts 02111 617/451-2770

Serving 101 cities and towns in metropolitan Boston

CC: BOS - PLS. NOTE!
(NOTE: RECD ≈ 3/22)

March 4, 1993

Dear Representative or Senator:

The Metropolitan Area Planning Council (MAPC) at its February 24th meeting voted to oppose the new metropolitan area designations proposed by the federal Office of Management and Budget (OMB). MAPC is the state-designated regional planning agency that represents 101 cities and towns in metropolitan Boston. Currently, there are two Primary Metropolitan Statistical Areas (PMSAs) in our region - Boston and Salem-Gloucester. OMB recently reopened the process for public comment on PMSA designations through March 20th. Local opinion on the new designations will be important to OMB's final decision by June 30th. Your views and communications on the new PMSA proposal could alter the final outcome. **We urge you to oppose the present designation proposal.**

The new metro area proposal reflects the growing economic dependence of far-distant communities on the healthy, diversified and export-oriented economy of metropolitan Boston. The Boston-Brockton-Nashua, MA-NH-ME-CT Consolidated Metropolitan Statistical Area (CMSA) is a direct recognition of this new economic interdependence. PMSAs are a subset of this larger geography.

However, the new proposal is a radical revision of metropolitan areas; the Fitchburg-Leominster, Lawrence-Haverhill, Lowell, Manchester, New Bedford, Portsmouth-Dover-Rochester, Salem-Gloucester and Worcester metro areas were desolved into an expanded Boston PMSA with only Brockton remaining as a separate PMSA. (Brockton has remained separate because leaders in that area understood the consequences and took steps to prevent it from being included in the proposed mega-PMSA.) Please refer to the attached map for the geographic areas.

One of most detrimental effects of the new proposal is that the 8 former metropolitan areas would no longer be recognized as distinctive market areas. These areas would become invisible to businesses that use them to create marketing plans and select sites. Many federal reports are based on metropolitan area statistics. The absence of data for these areas, coupled with the very large geography of the new Boston PMSA, would also make it harder for local businesses looking for marketing opportunities or program administrators planning budgets to gauge demographic changes between the decennial censuses.

Marjorie A. Davis, *President*

Edmund P. Tarallo, *Vice-President*

Richard A. Easler, *Secretary*

Marylou Batt, *Treasurer*

David C. Soule, *Executive Director*

Specifically, the new PMSA proposal would mean a loss of federal statistics on cost of living, income, labor costs and participation, and rent for the former metropolitan areas. Funding from a variety of federal programs is allocated on the basis of metro area data. The net financial gain or loss under the new designation is difficult to determine since there are contradictory program-specific impacts. However, specific programs and funds could be severely effected. A few examples are:

Housing Subsidies: Fair market rents are determined for individual metro areas; increasing PMSA geography would lower allowable rents in metro Boston, reducing rental opportunities. In other cases, eligibility for housing funds is based on a percentage of median income; reducing the median would make more people ineligible.

Medicare Payments: HHS reimburses hospital medicare costs linked to a wage index for the metro area; adding the former metro areas to metro Boston reduces the PMSA wage rate and federal payments to Boston-area hospitals.

MAPC believes that the old metro area designations are far preferable to the new ones. It may be that the increasing economic dependence of far-flung communities on central cities should be recognized by expanding the geographic boundaries of the former metro areas. In many instances, the commutersheds of these metro areas have increased over the last ten years.

Thank you for consideration of our thoughts on PMSA designations. Please be aware that your views on the matter should be in the hands of OMB by the March 20th deadline for public comment. If you have any questions on the statements made in this letter, please feel free to contact Douglas Carnahan at MAPC.

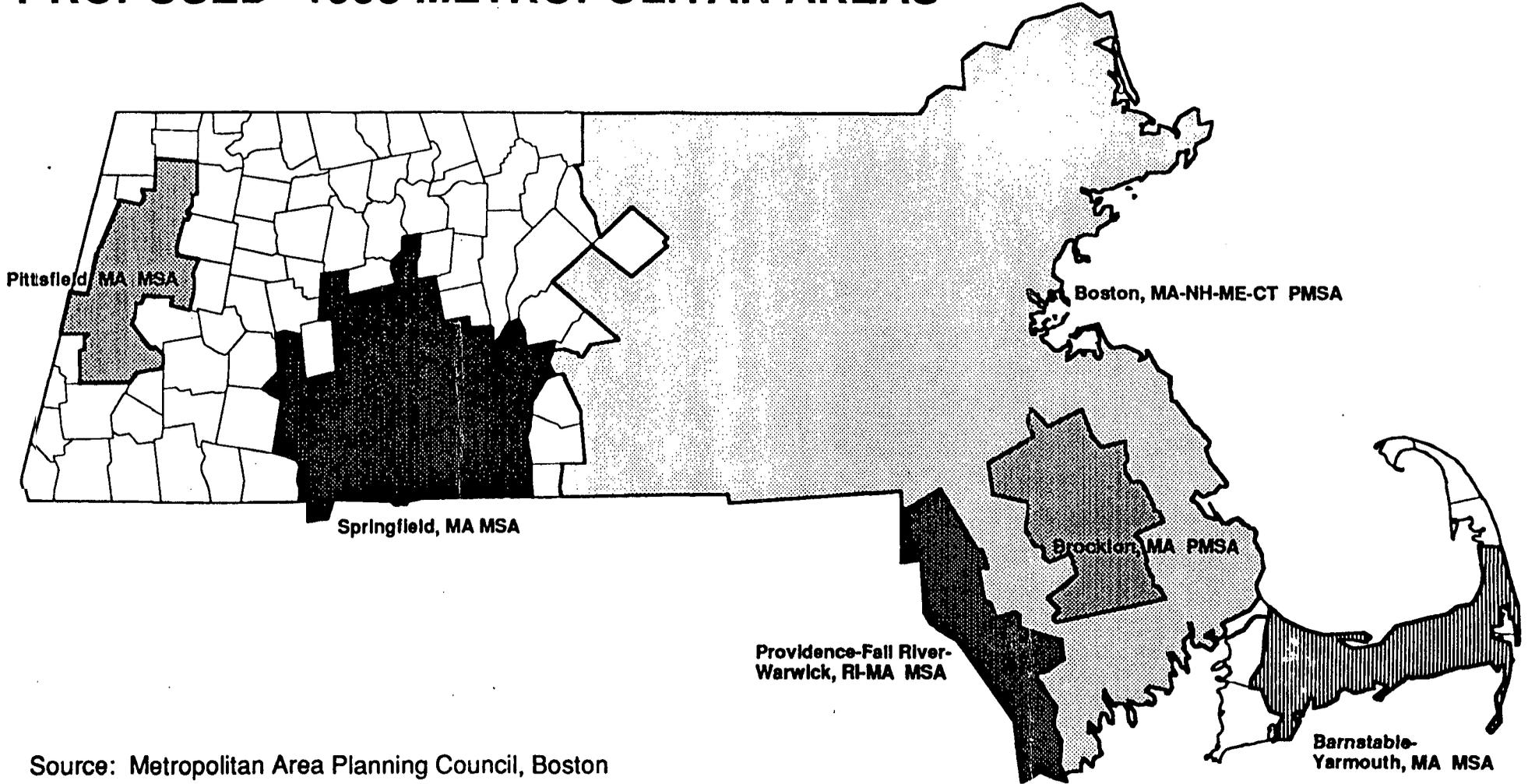
Sincerely yours,

Marjorie A. Davis

Marjorie A. Davis
President, MAPC

cc: Chief Elected Officials of member communities
Regional Chambers of Commerce
Regional Planning Agencies

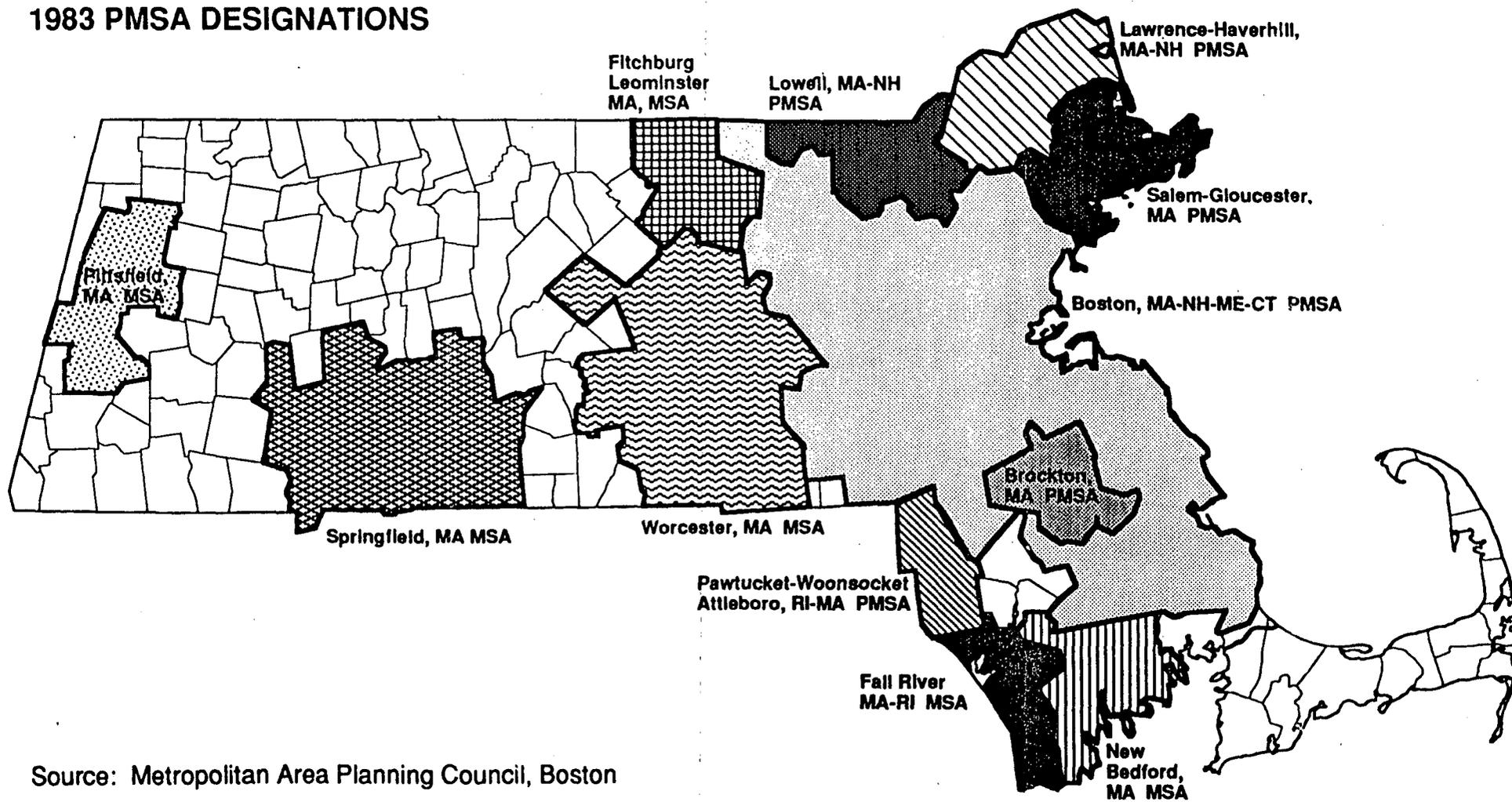
PROPOSED* 1993 METROPOLITAN AREAS



Source: Metropolitan Area Planning Council, Boston

*As Defined by the Federal Office of Management and Budget

1983 PMSA DESIGNATIONS



Source: Metropolitan Area Planning Council, Boston

MASSACHUSETTS

Name	Title	Address	Zip	DC Number
Edward M. Kennedy	U.S. Senate	315 Russell Senate Office Building	20510	202-224-4543
John F. Kerry	U.S. Senate	421 Russell Senate Office Building	20510	202-224-2742
John Olver	Congressman	1323 Longworth House Office Building	20515	202-225-5335
Richard E. Neal	Congressman	131 Cannon House Office Building	20515	202-225-5601
Peter I. Blute	Congressman	1029 Longworth House Office Building	20515	202-225-6101
Barney Frank	Congressman	2404 Rayburn House Office Building	20515	202-225-5931
Martin Meehan	Congressman	1216 Longworth House Office Building	20515	202-225-3411
Peter Torkildsen	Congressman	120 Cannon House Office Building	20515	202-225-8020
Edward J. Markey	Congressman	2133 Rayburn House Office Building	20515	202-225-2836
Joseph P. Kennedy	Congressman	1210 Longworth House Office Building	20515	202-225-5111
John J. Moakley	Congressman	235 Cannon House Office Building	20515	202-225-8273
Gerry E. Studds	Congressman	237 Cannon House Office Building	20515	202-225-3111



cc: BOS

Minuteman Advisory Group on Interlocal Coordination

Acton
Boxborough
Carlisle
Concord
Hudson



Littleton
Marlborough
Maynard
Stow
Sudbury

60 Temple Place, Boston, MA 02111 617 / 451-2770

**MINUTEMAN ADVISORY GROUP
ON INTERLOCAL COORDINATION**
A Subregion of Metropolitan Area Planning Council

DRI REPORT

Under its process for reviewing Developments of Regional Impact (DRI), the Minuteman Advisory Group on Interlocal Coordination (MAGIC) has reviewed the following project:

Project: Suburban Manor Nursing Home

Location: Acton, at Concord town line, off Rt. 2A

Developer: Acton Medical Investor, L.P.

Project Description:

- 41-bed nursing home addition
- Addition to administrative and dining area
- Wastewater treatment plant for 16,300 gal/day design flow

This development is subject to DRI review because it meets the following threshold(s):

Project on or near community boundary

Comments and Findings:

The site plan application has not yet been filed; hence, materials for review are incomplete. Based on the limited materials in hand, MAGIC raised concerns about the impact of the treatment plant on wells in the impact range; traffic impacts on Rt. 2A, including turning movements, visibility, and signage; impacts of site lighting; and impacts of odor and noise emanating from the sewage treatment plant. In all cases, MAGIC was especially concerned about impacts on Concord, potentially not in Acton's purview, and urges that Concord participate in final reviews.

The preliminary report prepared by staff in advance of MAGIC review is appended hereto.

Pursuant to its review, MAGIC recommends that the following steps be taken:

Department of Environmental Protection (DEP) is requested to review potential public or private wells within the impact range, especially those in Concord.

Acton's Board of Selectmen is requested to notify Concord when the public hearing is scheduled; to forward the site plan application, including traffic plans, to the Concord Planning Director for review and comment on potential traffic and other impacts on Concord; and to await Concord's comments before making final decisions.

Acton is requested to consider potential impacts on Concord of site lighting and of noise and odor from the treatment plant.

This packet is being sent to the following parties:

- Department of Environmental Protection
- Acton BOS, PB, MAPC Rep, and MAGIC Rep

Concord BOS, PB, MAPC Rep, and MAGIC Rep

DRI Subcommittee

John Pavan (Acton), Chair
Gail Jewell (Concord)
Jeffrey Betterini (Boxborough)

Signature of MAGIC Chair: *Donna Jacobs* 

MAGIC staff contact: Judith Alland, MAPC, (617) 451-2770.



Metropolitan Area Planning Council

60 Temple Place, Boston, Massachusetts 02111 617/451-2770

Serving 101 cities and towns in metropolitan Boston

TO: MAGIC DRI Subcommittee
FROM: Judith Alland, MAGIC Coordinator
DATE: March 11, 1993
SUBJECT: Preliminary DRI Review: Acton Nursing Home Expansion (Revised)

Roland Bartl, Acton Town Planner, has submitted a DRI Notification Form to MAGIC for the proposed expansion of the Suburban Manor Nursing Home in Acton. The project triggers DRI review because it abuts Concord. The plan calls for a 41-bed expansion to an existing 122-bed facility, the addition of an administrative/dining area, relocation and addition of parking, and a new sewage treatment plant. Four permits were originally required: a Groundwater Discharge Permit from DEP; a Disposal Works Permit from the Acton Board of Health; a special permit from the Planning Board for the treatment plant; and a special permit from the Board of Selectmen for the site plan.

The Notification Form was sent to MAGIC too late for timely review in advance of the Planning Board process. That board held a public hearing on February 8, 1993, heard testimony from Concord residents (among others), and granted the permit for the sewage treatment plant.

At this writing, the town has yet to receive an application for site plan approval. Most of the information submitted to date pertains to the sewage treatment plant, with little information on traffic or other potential subregional issues. This review is based on these incomplete materials, supplemented by conversations with John Pavan of the Planning Board and Roland Bartl.

The Proposal and its Subregional Impacts

It appears that the plan is to add 20,597 square feet of net floor area in the form of the 41-bed addition, a dining/administration addition, and the treatment plant building. No ENF is required. Outlined below are the DRI criteria and "best guess" responses based on available information..

1. Does the project include an affordable housing component?

No.

2. How does the project affect existing open space?

The project appears to reduce existing open space by 27,516 square feet. Because this space is not really available to the public and because the post-development property will still contain 281,587 square feet of open space, the reduction does not appear to be of subregional significance.

3. What are the traffic impacts on adjacent communities?

No information is provided on traffic volumes or traffic flow. Acton requires a traffic analysis only for projects generating more than 30 trip ends per peak hour or 400 trip ends per day. Using ITE figures, Roland believes that the project will not reach this threshold. For nursing homes, ITE estimates

Marjorie A. Davis, *President*

Edmund P. Tarallo, *Vice-President*

Richard A. Easler, *Secretary*

Marylou Batt, *Treasurer*

David C. Soule, *Executive Director*

2.6 trip ends per bed per day
0.2 trip ends per bed per AM peak hour
0.26 trip ends per bed per PM peak hour

For 41 beds, this equates to

107 trip ends per day
8.2 trip ends per AM peak hour
10.7 trip ends per PM peak hour

Hence, from Acton's point of view, this traffic volume does not trigger more thorough analysis and presumably is not thought to have major significance. Roland notes, however, that the new traffic when added to the existing traffic does exceed these thresholds. The 163-bed total generates

424 trip ends per day
33 trip ends per bed per AM peak hour
42 trip ends per PM peak hour

According to Roland, traffic during construction will not be unmanageable since no major excavation is anticipated, and the treatment plant is not likely to generate more than a few trips a day.

4. What impacts does the project have on the sewerage facilities of adjacent communities or of the subregional system.

The treatment plant will be constructed with leaching facilities to be located to the northeast of the nursing home in a presently wooded section of the property. Thus as a self-contained facility, this project would not appear to affect adjacent communities or the subregional system. Concerns were raised by abutters regarding impacts on their septic systems.

5. What impact does the project's waste generation have on adjacent communities?

No information available.

6. Will the proposed project affect the water supply of adjacent communities?

The site is overlain by Zone 3 (Aquifer Protection Area) and Zone 4 (Watershed Protection Area) of Acton's Groundwater Protection District. Measures are planned to comply with relevant regulations requiring that the development not reduce the amount of annual precipitation being captured and recharged and that measures be taken to treat and renovate runoff prior to discharge or infiltration. Groundwater flow is to the NE toward wetland areas adjacent to Comerford St. in Concord. Concerns were raised about the water table, which is already high: Would it rise still higher? Would it flood?

Since Concord households are served by Concord water, the expansion is not likely to have any effect.

7. Does the project call for a land use which is incompatible with the land use in adjacent communities?

The project is an expansion of an existing use and hence does not affect existing land use compatibility.

Recommendations

It appears that the most significant impact from a subregional perspective is the traffic generated by the total facility, not simply that attributable to the expansion. The developer should be asked to present traffic plans showing roadways and access routes and to address access to and from Route 2A (and elsewhere, if relevant), including turning movements, visibility, and signage. Depending on the results, the developer could be asked to make appropriate improvements if needed. Concord officials should be sent plans in advance of the hearing and invited to participate in design discussions and in the hearing itself.

cc: BOS
CABLE ADVISORY COMMITTEE

✓
3/26

**EXECUTIVE SUMMARY
REPORT OF GENERAL FINDINGS:**

**CABLE TELEVISION GOVERNMENT ACCESS AND INSTITUTIONAL NETWORKS
IN THE COMMONWEALTH OF MASSACHUSETTS**

March, 1993

**Executive Summary
Report Of General Findings:**

**Cable Television Government Access And Institutional Networks
In The Commonwealth Of Massachusetts**

Introduction

During the month of August, 1992, the Massachusetts Cable Television Commission ("the Commission") distributed an I-NET and government access survey to each of the 323 Massachusetts communities that are wired for cable television service. The Commission also distributed an identical survey to the cable operators serving these communities. Three hundred and eleven (311) completed surveys were returned to the Commission; of these, two hundred and twenty-seven (227) were completed by cable operators and eighty-four (84) were completed by cities and towns.

The Commission's survey was designed to provide a baseline understanding of the level of activity and interest in various government access and I-Net applications. In addition, the survey was designed to provide the Commission with data that could be used to assist us in answering queries that we receive from parties who are interested in various aspects of government access and I-Nets.

In conjunction with this survey, the Commission sponsored a Cable Forum on September 17, 1992 in Springfield dealing with government access and I-Nets. (Video taped copies of this Forum are available from the Commission.) The September 1992 Forum, the Commission's survey, and this report are intended to highlight the possible benefits that can be derived from government access and I-Nets while, at the same time, helping to ensure that local interest in government access and I-Net equipment and services are well thought out and not wasteful.

A key goal of conducting this project was to encourage the exchange of information between various communities across the state. Copies of this executive summary have been made available to each Massachusetts community and each cable company operating in the state. Copies of full report are available from the Commission. In addition, the Commission has catalogued the survey responses that we received and they are available for review in our office during normal working hours.

The Utility of this Study

We believe that the survey and this report can benefit communities in a number of ways. First, the report provides data regarding government access and I-Net interest and activity. We believe that this data will be useful to communities as they enter renewal negotiations that deal with funding decisions related to these applications.

Second, this report identifies specific local programming sources that are being used by various communities. By sharing this information with all Massachusetts communities, we hope to stimulate local governments' interest in carrying public interest programming over community programming channels.

Third, we have catalogued the survey responses and are making them available to anyone visiting our office. We hope that this information will assist those who have a specific interest in various government access/I-Net applications.

As was stated by many parties during our Government Access/I-Net Forum, there are clear lessons as to potential ways in which local governments can use cable television; yet experience also shows examples of franchise demands that led to the construction of institutional cable television facilities that are greatly underutilized. It is our hope that this information will assist in furthering innovative cost-effective applications, while avoiding the mistakes of the past.

SUMMARY OF GENERAL FINDINGS

The following summary of findings is based on the Commission's review of the three hundred and eleven (311) completed surveys that we received from local communities and cable operators across the state. While the responses that we received were based on specific communities at one given point in time, we believe that they present significant insight into government access/I-NET attitudes, activities, and opportunities. In reviewing the survey data, the following general findings were revealed:

1. Cable operators and local governments alike reported that a city/town's use of an I-Net or government access channel enhances the relationship between the cable operator and the issuing authority.
2. Coverage of local government events and educational use of government access/I-Nets generated the highest levels of interest and activity.
3. The cable operators responding to the survey showed a lower level of interest in emergency notification and closed circuit television than did the cities/towns. We believe that this may reveal an underestimation of the possible utilization of these services.
4. There is a large difference of opinion between cable operators and communities as to whether or not cities and towns would better utilize their I-Nets and government access channels if they had more information about I-Nets. Communities were of the opinion that increased information would mean better utilization.
5. Only a very small percentage (1.3%) of I-Net users were found to have left the I-Net after becoming a user.
6. Fewer than 25% of the communities responding have shared I-Net and/or government access information with other Massachusetts communities.
7. A variety of "outside" programming sources have been located by individual communities across the state, but as a whole, most communities have not utilized outside programming sources.
8. While a majority of communities have not sought outside programming, communities that have done so have found a wide variety of programming (e.g. programming from Federal Emergency Management Agency, State Office of Environmental Affairs, National Institute of Justice, Center for Deaf Information, MCET, etc.)

9. While much of the state's initial franchising activity (in the late 1970s and early 1980s) focused on the technical uses of government access and I-Nets (e.g. meter reading, voice/data networking) the "low tech" applications (e.g. coverage of government events, educational productions) have generated the highest levels of interest and activity.

10. Even during times of limited budgets and resources, communities and cable operators both expect that local governments have reason to further explore government access and I-Net applications.

11. In a period of just over one decade, the growth of the cable television industry has provided a significant level of non-entertainment, government access and I-Net activity across Massachusetts.

LEVELS OF INTEREST IN I-NET/GOVERNMENT ACCESS APPLICATIONS

The following chart presents survey respondents' stated levels of interest in various government access and I-Net applications. To the immediate left of each activity is the percentage of city/town respondents who rated their interest as being "very interested." In the column furthest to the left of each activity is the rank of the level of interest by category (1 being the highest level "very interested" responses). To the right of each activity are similar columns for the levels of interest and ranking based on survey responses received from cable television operators.

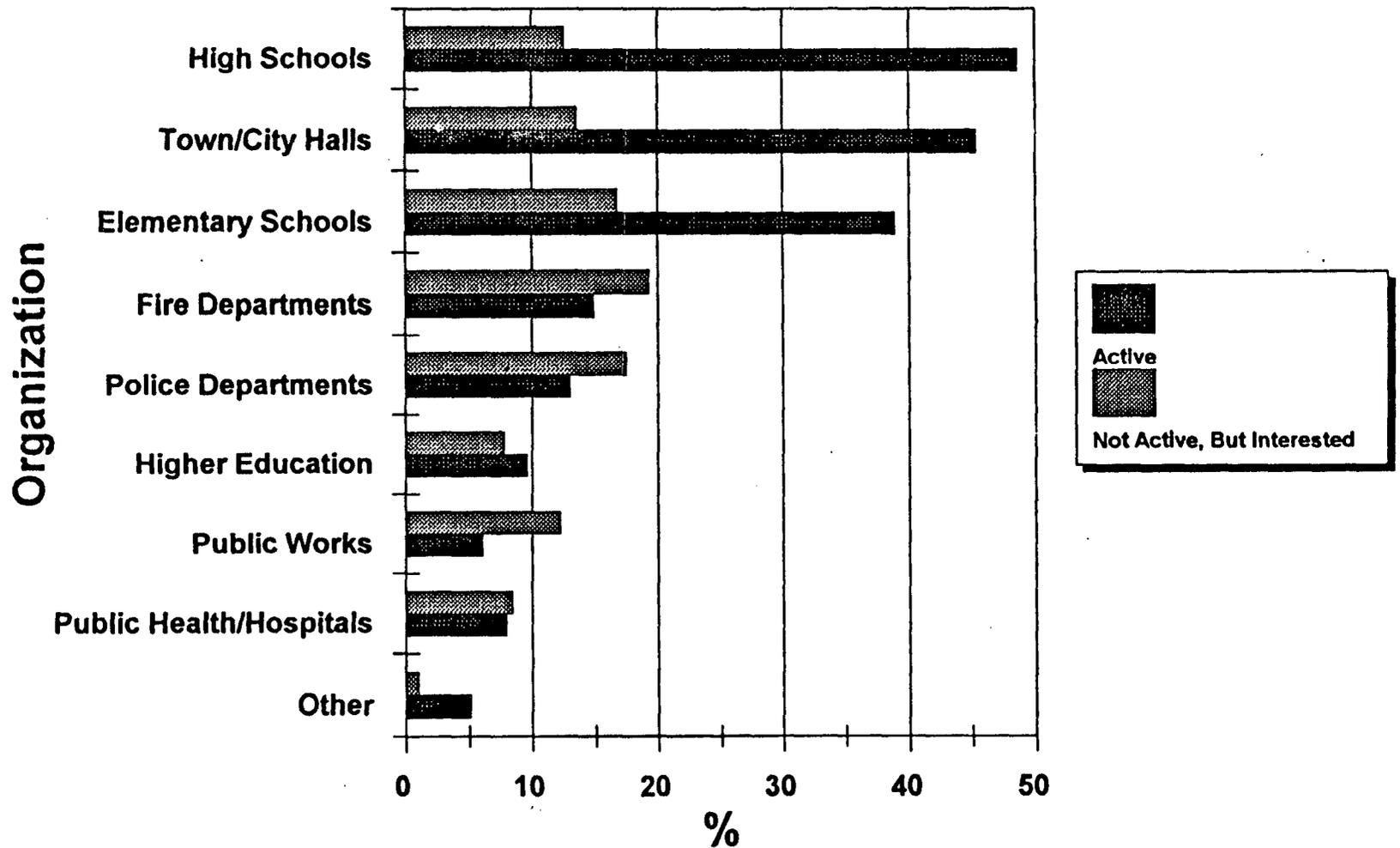
<u>City/Town Responses</u>		Activity	<u>Cable Operator Responses</u>	
Rank	% Very Interested		% Very Interested	Rank
1	47.6	Video coverage of government events	39.2	1
2	36.9	School/University community programming	30.4	2
2	36.9	Emergency notification	16.3	4
3	31.0	Government character generated programming	30.4	2
4	28.6	School/University character generated programming	23.8	3
5	13.1	Closed circuit TV	5.3	6
5	13.1	Data networking	7.9	5
6	10.7	Government employee training programming	3.5	7
7	4.8	Energy monitoring	2.2	8
8	2.4	Voice networking	2.2	8

REPORTED LEVELS OF I-NET AND GOVERNMENT ACCESS ACTIVITY

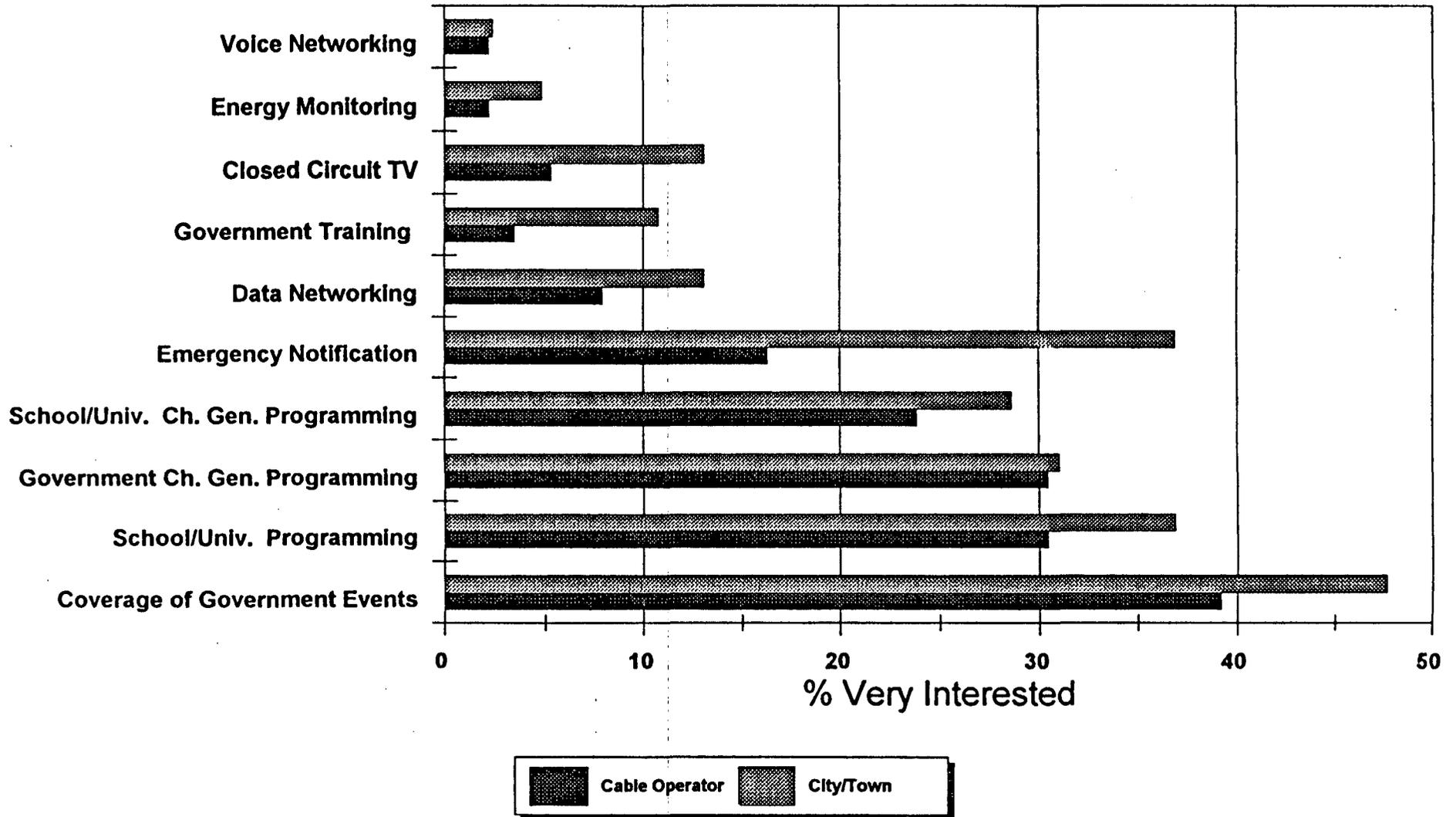
The chart below lists the percentage of responses that indicated active utilization of government access/I-Nets for each type of department/agency that was presented in the survey. In addition, the chart lists the percent providing a response of "not active, but interested."

Rank		% Reporting Active	% Not Active, But Interested
1	High Schools	48.6	12.5
2	Town/City Halls	45.3	13.5
3	Elementary Schools	38.9	16.7
4	Fire Departments	14.8	19.3
5	Police Departments	12.9	17.4
6	Higher Education	9.6	7.7
7	Public Works	6.1	12.2
8	Public Health/ Hospitals	8.0	8.4
9	"Other"	5.1	1.0

Organizations Reporting the Highest Levels of Interest



Activities with The Highest Levels of Interest



COMMUNITIES USING OTHER PUBLIC-INTEREST PROGRAMMING

A small portion of communities (less than twenty-five percent) reported that they had used outside sources for programming material that is carried over government access channels. However, those communities that have used outside sources have found an interesting variety of programming. The following is a list of those communities that specified that they have carried public-interest programming from sources outside of the community:

American Cancer Society

- Hopkinton

Annenburg/CPB Project

- Boston

Center for Deaf Information

- Shrewsbury

Deep Dish TV

- Longmeadow
- Fitchburg
- Shrewsbury

FEMA (Federal Emergency Management Agency)

- Springfield
- West Bridgewater
- Whitman

Fire Department Training

- Cohasset
- Foxborough
- Holbrook
- Somerset
- East Bridgewater
- Hanson
- Hull

Mass. Municipal Association

- Hadley

COMMUNITIES USING OTHER PUBLIC-INTEREST PROGRAMMING (cont.)

MCET (Massachusetts Corporation for Educational Telecommunications)

- Cambridge
- Hull
- Scituate
- Hingham
- Newton
- Springfield

National Institute of Justice

- Lexington

NASA

- Attleboro

IRS (Internal Revenue Service)

- Millis

State Office of Environmental Affairs

- Millis

U.S. Navy

- Weymouth

For more information regarding the experiences that communities have had with these programs, we have included a list on the following two pages of the local contacts that were provided to us in response to our survey.

PROGRAMMING CONTACTS

Attleboro

Steve Cronin
General Manager
Inland Cable Communications
8 North Main Street
Attleboro, MA 02703
Phone (617) 222-1320

Cambridge

Anne K. Dowling
Community Relations Manager
Continental Cablevision
88 Sherman Street
Cambridge, MA 02140
Phone (617) 876-5005

East Bridgewater

Rick LaFond
Executive Secretary
Town of E. Bridgewater
175 Central Street
East Bridgewater, MA 02333
Phone (508) 378-8200

Foxborough

Barbara Selvitella
Director of Media Services
Foxborough High School
South Street
Foxborough, MA 02035
Phone (508) 543-1644

Hanson

David Nugent
Executive Secretary
Town Hall
Liberty Street
Hanson, MA 02341
Phone (617) 293-2131

Holbrook

David Houghton
Executive Secretary
Town of Holbrook
50 N. Franklin Street
Holbrook, MA 02343
Phone (617) 767-4312

Boston

Tom Cohan, Director
Cable Communications
City of Boston
43 Hawkins Street
Boston, MA 02114
Phone (617) 635-3112

Cohasset

Jack Walp, Chairman
Cable Advisory Committee
Town of Cohasset
26 Fernway Street
Cohasset, MA 02025
Phone (617) 383-2614

Fitchburg

David Streb
Planning Coordinator
City of Fitchburg
718 Main Street
Fitchburg, MA 01420
Phone (508) 345-1018

Hadley

Roberta Crosbie
Administrative Assistant
Town of Hadley
52 Middle Street
Hadley, MA 01035
Phone (413) 586-0224

Hingham

Sky Thaxter, Chairman
Cable Advisory Committee
Town of Hingham
42 Elm Street
Hingham, Ma 02043
Phone (617) 749-3435

Hopkinton

Randy Wadell
General Manager
Continental Cablevision
249 West Central Street
Natick, MA 01760
Phone (508) 651-0022

PROGRAMMING CONTACTS (cont.)

Hull

Peter Seitz, Chairman
Cable Advisory Committee
68 Wyola Road
Hull, MA 02045
Phone (617) 925-2970

Longmeadow

Richard Orr
General Manager
Continental Cablevision
3303 Main Street
Springfield, MA 01103
Phone (413) 733-5000

Newton

Anthony Doar
General Manager
Continental Cablevision
95 Wexford Street
Needham, MA 02194
Phone (617) 449-7080

Shrewsbury

Wayne Cullen
Manager Technical Operations
Shrewsbury Community Cablevision
100 Maple Avenue
Shrewsbury, MA 01545
Phone (508) 845-5721

Springfield

Richard Orr
General Manager
Continental Cablevision
3303 Main Street
Springfield, MA 01103
Phone (413) 733-5000

Weymouth

Don Wunder
General Manager
Dimension Cable
83 Moore Road
P.O. Box 149
East Weymouth, MA 02189
Phone (617) 337-4100

Lexington

Wendy Wilson
Studio Coordinator
251 Waltham Street
Lexington, MA 02173
Phone (617) 861-2324

Millis

Julius Rosen, Chairman
Cable Advisory Committee
Town of Millis
333 Village Street
Millis, MA 02054
Phone (508) 376-7028

Scituate

Richard Smith, Chairman
Cable Advisory Committee
Town of Scituate
85 Hatherly Road
Scituate, MA 02066
Phone (617) 545-6581

Somerset

William O'Neil, Chairman
Cable Advisory Committee
Town of Somerset
403 Kentman Road
Somerset, MA 02726
Phone (508) 679-6045

West Bridgewater

Beth Faricy
Administrative Assistant
Town of W. Bridgewater
65 N. Main Street
West Bridgewater, MA 02379
Phone (508) 586-1394

Whitman

Barbara Healy
Administrative Assistant
Town Hall
54 South Avenue
Whitman, MA 02382
Phone (617) 447-7600

PALMER & DODGE

One Beacon Street
Boston, Massachusetts 02108

Ruth E. Fitch
(617) 573-0390

Telephone: (617) 573-0100
Facsimile: (617) 227-4420

CC: BOS - COVER LTR. ONLY
BINDER IS IN RF FOR 1-2 WKS.
AFTER THAT TIME WE WILL
RETAIN W/OUR NESWC FILES.
March 22, 1993



Mr. Don Johnson, Town Manager
Town Hall
472 Main Street
Acton, MA 01720

Dear Don: (NESWC Refunding Bonds)

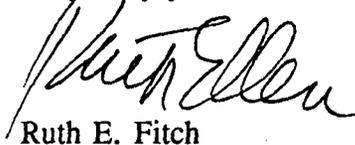
Enclosed is the Town of Acton's Closing Binder for the recent NESWC refunding bond issue.

I want to thank you and all the members of the Town's administration who worked so diligently with us in gathering the Town statistical information for the Official Statement and executing and returning documents in time for the Closing. Your understanding and willingness to "get it done" in spite of the short timeline and the weather enabled us to close this complicated transaction smoothly, right on schedule. We enjoyed working with you and very much appreciate your cooperation.

If you have any comments or questions about either the transaction or the Closing Binder, please do not hesitate to give me a call.

Thanks again.

Very truly yours,



Ruth E. Fitch

REF/db
Enclosure



MITCHELL ADAMS
COMMISSIONER

The Commonwealth of Massachusetts

Department of Revenue

Leverett Saltonstall Building,

100 Cambridge Street, Boston 02204

March 10, 1993

Dear Sir or Madam:

Since July 1985, each city and town in the Commonwealth of Massachusetts has had the authority to enact a local tax on room occupancy. Under the local option room occupancy excise, a city or town may levy up to 4% of the taxable rents of hotels, motels and lodging houses in that community.

As a service to local communities, the Massachusetts Department of Revenue has issued a report on local option room occupancy revenue potential, based on fiscal 1992 collections. The Room Occupancy Revenue Report for 351 Cities and Towns, a copy of which is enclosed, provides information on local room occupancy collections for cities and towns which had adopted the local room occupancy excise by July 1, 1991. The report also provides estimates of the amount of local room occupancy tax which the Department would have collected for unadopted localities during fiscal 1992 if they had adopted the tax as of July 1, 1991. The estimates are intended to help communities determine the amount of revenue that they could receive from a local option room occupancy excise.

I hope you will find this report useful in evaluating the revenue options of local communities.

Sincerely,

Mitchell Adams (by JFL)

Mitchell Adams
Commissioner of Revenue

CC: BOS - COVER LTR.
REPORT IN RF

enc.

TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION
TOWN MANAGER'S OFFICE

DATE: March 23, 1993

TO: Bill Ryan
FROM: Don P. Johnson, Town Manager
SUBJECT: Coordinating Committee

During the Selectmen's meeting of March 16, the Board discussed strategies with respect to the Override and the Annual Town Meeting.

The Board felt that at least one meeting of the Coordinating Committee should take place between now and Town Meeting. To that end, the Board suggested that a meeting be scheduled for not later than Monday, April 5 ... after the Election.

Please check your calendar and let me know of your availability.

By copy of this memo to the Coordinating Committee I am advising them of the potential meeting date.

cc: Coordinating Committee
Board of Selectmen ✓





WILLIAM F. WELD
GOVERNOR

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT



A. DAVID RODHAM
DIRECTOR

MASSACHUSETTS EMERGENCY MANAGEMENT AGENCY

March 22, 1993

TO: All Mayors, Selectmen, Town Managers

The administration knows that your municipality is having an extremely difficult time meeting your financial needs. The stormy winter including 2 major blizzards, one in December and the recent March one have depleted everyone's snow budget and I expect that you are running in the red. Towards this end I am doing everything that I can at the state level to get funding to help you make up for some of those costs.

The Governor has requested and received from President Clinton a snow declaration that will help alleviate a portion of the costs associated with the March Blizzard.

The administration and the legislature may appropriate further dollars to help with the storm costs. It is also possible that we may be eligible for a full presidential declaration which would bring in additional assistance for the recent blizzard.

I have recently mailed to your designated applicant's agent forms to be filled out. These forms request your estimated costs, please have them returned immediately. ~~We can put these unusual costs together on a statewide basis and see if, 1) we have enough for a presidential declaration and 2) give figures for the legislature to work with if they choose.~~ I hope that you will follow up with the appropriate person in your community and make sure that these figures get into us as soon as possible so that we can continue to work for you.

Sincerely,

A. David Rodham
Director

ADR/kmb

*John -
who got this MAILING?*

cc: BOS-FYE



Acton Permanent Fire Fighters Local 1904

International Association of Fire Fighters

P. O. Box 727 Acton, Massachusetts 01720

January 1, 1993

TO: Chief Craig

From: Jack White
Local 1904 President

Subject: Applicants for Deputy Chief

Affiliated with
Professional Fire Fighters
of Massachusetts

It has come to my attention that in your effort to fill the currently vacant Deputy Chief position that applications were received from within the Department. I am writing at this time in support of the members that have applied for the position.

There are many advantages to promoting from within. Besides taking advantage of the training provided and paid for by the Town to the members over their career, it is also utilizing the proven command abilities and mutual respect between current Firefighters and Officers for the betterment of the Fire Department.

Internal promotions also provide incentive to all members of the Department to attend training and seek out ways to improve their own qualifications for future openings and by doing so upgrading the Fire Department as a whole.

These facts should be considered while not only choosing a Deputy, but in the filling of any future positions and promotions within the Fire Department.

NOTE TO BOS -

IN CONNECTION W/THE
DISCUSSION LAST MTG,
WE THOUGHT YOU MIGHT

BE INTERESTED IN THE UNION'S
POSITION 2 MONTHS AGO ... BEFORE
THE RUMOR MILL TOLD THEM THAT ONLY
1 CANDIDATE ON THE SHORT LIST WAS INTERNAL.

Yours Truly

Jack White
Local 1904 President



Acton Memorial Library

cc: BOS

March 22, 1993

Nancy Tavernier
Board of Selectmen
Acton, MA

Dear Nancy:

The Acton Memorial Library Foundation has presented a check to the Board of Trustees to cover personnel costs for the remaining Sundays the library will be open in FY93. The check, in the amount of \$1,500, has been deposited with the Town Treasurer in the library's Gift Account for Sunday hours.

Sincerely yours,

Wanda Null
Wanda Null
Library Director

cc: Mary Larson, Town Accountant

cc: BOS

Town of Acton

Planning Department

472 Main Street Acton, Massachusetts 01720

(508) 264-9636

INTERDEPARTMENTAL COMMUNICATION

TO: Town Meeting
Don P. Johnson, Town Manager ✓
Board of Selectmen
Don MacKenzie, Moderator
Cathy Belbin, Town Clerk

DATE: March 23, 1993

FROM: Roland Bartl, Town Planner *R.B.*

SUBJECT: Recommendation of the Planning Board concerning Articles 22, 23 &
24 of the 1993 Annual Town Meeting Warrant -
CORRECTION

The previous report on the Planning Board's recommendations, dated 2/23/1993 concerning the above zoning articles stated that the vote to recommend these articles was taken on January 25, 1992. That vote in fact was taken on January 25, 1993.

[RHB.ZONE.93*11]

Don -
For your information
Joe Magno

cc: BOS
CAC

CABLEVISIONSM

March 19, 1993

Mrs. Wanda Null, Library Director
Acton Memorial Library
486 Main Street
Acton, MA 01720

Dear Mrs. Null,

I am very pleased to announce that Cablevision has selected the Acton Memorial Library to be the recipient of a National Cable Television Library Grant on Wednesday, May 19, 1993. We have arranged for the grant as part of a nationwide program, sponsored by the Arts and Entertainment Network and Cablevision.

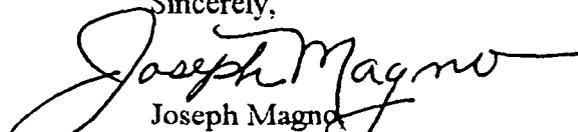
As a grant recipient, the Acton Memorial Library will receive, at no charge, a collection of fine Arts and Entertainment video cassettes. In addition, RCA, as a corporate sponsor, will provide a 21" color monitor and a new VCR as part of this permanent donation to the library. A companion set of books will also be donated. A future component of the project will include a donation of funds for library materials.

Cablevision will host a presentation program for town and library officials on the 19th of May at your library. Refreshments will be provided by us, along with a screening of a special promotional tape on the Acton Memorial Library, which will be prepared over the next several weeks by our Acton Access Director, Mark Tomyl. We will be contacting you shortly regarding the production of the tape.

Cablevision is extremely pleased to be able to make this program available to the Acton Memorial Library. Please contact my office at (508) 562-3885, ext. 423 to arrange a meeting for planning purposes. I know you will be pleased with both the donation and the presentation program.

I look forward to working with you on this exciting project.

Sincerely,


Joseph Magno
Community Relations

JM/cma

cc: Nancy Tavernier, Chairperson
Board of Selectmen

Don Gilberti, Cable Advisory Liaison

cc: BOS

Town of Acton

Planning Department

472 Main Street Acton, Massachusetts 01720

(508) 264-9636

INTERDEPARTMENTAL COMMUNICATION

TO: Town Meeting DATE: March 23, 1993
Don P. Johnson, Town Manager ✓
Board of Selectmen
Don MacKenzie, Moderator
Cathy Belbin, Town Clerk

FROM: Roland Bartl, Town Planner R.B.

SUBJECT: Article 25 of 1993 Annual Town Meeting Warrant -
VAN ACCESSIBLE PARKING

The Planning Board, at its regular meeting on March 22, 1993 voted unanimously (5-0) to recommend against adoption at this time of Article 25 - Van Accessible Parking.

The Planning Board recognizes that van accessible parking spaces are required under the "Americans with Disabilities Act" and must be installed whether or not required under the Acton Zoning Bylaw. The Planning Board is concerned with the negative impact of this requirement on small businesses and feels that the matter should be studied further to see if and how this impact could be mitigated within the Acton Zoning Bylaw. It is the Planning Board's opinion that until such time, the Town should not adopt this article.

This memorandum shall serve as the final report containing the Planning Board recommendation on Article 25 pursuant to M.G.L., ch.40A, s.5.

cc: Acton Commission on Disability

[RHB.ZONE.93*12]



ACTON PUBLIC SCHOOLS • ACTON-BOXBOROUGH REGIONAL SCHOOL DISTRICT

16 Charter Road • Acton, MA 01720-2995 • (508) 264-4700 • FAX (508) 263-8409

OFFICE OF THE SUPERINTENDENT
William L. Ryan
Interim Superintendent of Schools

March 19, 1993

Mr. Don Johnson
Acton Town Manager
Acton Town Hall
Main Street
Acton, MA 01720

cc: BOS

Dear Don:

As we discussed last week, if the F.Y.'93 Per Pupil Education Aid (ABRSD = \$172,200 in F.Y.'93) becomes part of the base for Regional School Aid in F.Y.'94, the Regional School Committee will use the total amount to further reduce assessments. Acton's share of the \$172,200 would be \$142,788 (82.92%). If the P.P.E.A. funds (ABRSD = \$172,000; APS = \$180,000) do not become a reality in F.Y.'94, then the Coordinating Committee will have to meet to recommend further reductions in expenditures or adjustments in revenue.

Sincerely,

B:11

William L. Ryan
Interim Superintendent

WLR/k
cc Donald Wheeler
Mac Reid
Peter Beanland

Balance in
RF

TOWN OF ACTON
472 Main Street
Acton, Massachusetts 01720
Telephone (508) 264-9615
Fax (508) 264-9630

Catherine Belbin
Town Clerk

March 16, 1993

Palmer and Dodge
One Beacon Street
Boston, Massachusetts 02108

Attention: Acheson Callaghan, Esquire

Re: Craig A. Foster v. William H. Shupert, III et al
Middlesex Superior Court Case #93-1485

Dear Mr. Callaghan,

I am forwarding herewith a copy of the above referenced complaint delivered by hand and filed in this office on March 15, 1993.

Very truly yours,


Catherine Belbin
Town Clerk

bjb

Encl.

Dist. Health Director
Municipal Properties
Conservation Administrator
Fire Chief
Historical Commission

Building Commissioner
Engineering Administrator
Town Manager
Historic Dist. Commission
Acton Water District

Balance in
RF

TOWN OF ACTON
472 Main Street
Acton, Massachusetts 01720
Telephone (508) 264-9615
Fax (508) 264-9630

Catherine Belbin
Town Clerk

March 16, 1993

Palmer and Dodge
One Beacon Street
Boston, Massachusetts 02108

Attention: Acheson Callaghan, Esquire

Re: Craig A. Foster v. William H. Shupert, III et al
Middlesex Superior Court Case #93-1486

Dear Mr. Callaghan,

I am forwarding herewith a copy of the above referenced
complaint delivered by hand and filed in this office on
March 15, 1993.

Very truly yours,

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Town Clerk

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Encl.

Dist. Health Director
Municipal Properties
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Fire Chief
Historical Commission

Building Commissioner
Engineering Administrator
Town Manager
Historic Dist. Commission
Acton Water District

TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION
TOWN MANAGER'S OFFICE

DATE: 3/26/93

TO: The Board of Selectmen
FROM: John Murray 
SUBJECT: Soft Second Loan Program

Acton is Not ready to participate in this program at this time. The Selectmen may wish to direct staff to notify EOCD that Acton may eventually wish to participate in the program. If such a letter is sent EOCD and MHD will work with the Town to plan a local program.

The Selectmen may also wish to assign this planning task to the Town Manager or his designee, or to ACHC, if they decide to pursue this subsidized mortgage program.

SOFT SECOND LOAN PROGRAM NOTICE OF FUNDING AVAILABILITY

March 12, 1993

Chairperson
Board of Selectmen
Town Hall
Acton, MA 01720

Dear Chairperson :

We are pleased to announce the availability of \$1 million in additional funds for the Soft Second Loan Program. Since 1991, the Soft Second program has helped almost 300 low or moderate income first-time buyers qualify for home mortgages. The properties purchased with Soft Second assistance represent approximately \$20 million in real estate value. Twenty-six communities already are participating in the program, and we urge your community to consider applying for the new funds.

The Soft Second Loan Program was designed by a task force of the Massachusetts Bankers' Association that included representatives from banks, community organizations, the state's Executive Office of Communities and Development (EOCD), and the Massachusetts Housing Partnership Fund (MHP). The program combines a conventional first mortgage, a second mortgage held in portfolio by participating local banks, and a repayable subsidy loan provided to the buyer with federal, state or local funds. It allows families earning less than 80 percent of median income (HUD "Low Income" figure for a family of 1-4 persons; e.g. less than \$38,600 for metro Boston area) to qualify for a mortgage and purchase a home. Buyers participate in this program by obtaining a "reservation" of low-interest financing directly from the bank, then locating and buying a home within the price range they can afford. Some of the advantages of the Soft Second Program are outlined below:

Unmatched affordability. No other public or private mortgage program for first-time homebuyers creates as much "buying power" in the private market. The program can even be combined with programs already offered by local banks in your area (such as first-time homebuyer loans from the Massachusetts Housing Finance Agency.)

Proven mortgage product. The program now is in operation in 26 communities and has withstood the demands of lenders and home buyers, with many families now in their new homes.

Minimal administrative burden. A local program may be successfully implemented without any significant time demands on local officials or staff. Local banks assume responsibility for qualifying potential homebuyers and loan origination. MHP provides loan documents, an operations manual, and training to participating banks. MHP also ensures that each loan closing is consistent with the program guidelines.

Banking industry support. The Soft Second Loan Program was designed as part of the banking industry's commitment to community reinvestment and has the full support of the Massachusetts Bankers Association.

Fannie Mae approval. The Federal National Mortgage Association (Fannie Mae) has approved the program (including all loan documents and operating procedures) and has agreed to purchase the first mortgages from participating banks.

Since 1991, the Soft Second Loan Program has been operating in Boston with the participation of all major Boston lenders. At least 20 additional lenders now are participating in the program in communities throughout the state.

In response to the program's success, the state legislature appropriated \$1 million in funding for FY 93 to expand the program. This letter serves to notify communities of the availability of these funds to support local soft second programs. **In order to take full advantage of the spring homebuying season, communities that are interested should respond quickly to this notification by submitting a letter of interest (see attached) to EOCD by Friday, April 16, 1993.** EOCD will evaluate proposals in accordance with the criteria outlined in the attachment. Readiness to proceed (e.g., commitment by local lenders to participate) will be a critical factor in EOCD's evaluation of applicant communities. It is expected that the \$1 million would fund approximately 100 to 150 home purchases, and consequently will support a number of local start up programs.

Communities that may wish to participate in the Soft Second Program eventually, but are not ready to take advantage of the current funds, can use this opportunity to convey general interest in the program. EOCD and MHP will work with these communities to plan a local program and to explore other sources of subsidy loan funds including future state appropriations, federal Community Development Block grant funds, and HOME funds.

A more complete description of the program and an application for the current EOCD funding is enclosed. If you would like

additional information, or are interested in making the program available in your own community, please contact Kate Racer of EOCD at (617) 727-7824.

We appreciate your interest in affordable housing and look forward to working with you on this matter.

Sincerely,



Mary L. Padula
Secretary
Executive Office of
Communities and
Development



Clark Ziegler
Executive Director
Massachusetts Housing
Partnership



Richard Driscoll
President
Massachusetts
Bankers Association

SOFT SECOND LOAN PROGRAM

March 1993

Outline for Letter of Interest

for Initiation of Local Soft Second Loan Program

Objective

Communities interested in participating in a local Soft Second Loan Program for first-time homebuyers in coordination with local banks should submit a letter of interest to the Executive Office of Communities and Development (EOCD) to be considered for a reservation of funding from the FY'93 appropriation of \$1 million.

Deadline

In order to be considered for this funding, the letter of interest must be received by EOCD by close of business, April 16, 1993.

Mechanics

Send letter of interest to the following:

Soft Second Loan Program
Executive Office of Communities and Development
Suite 1804
100 Cambridge Street
Boston, MA 02202
Attn: Catherine Racer

The letter should be signed by the chief elected official of the city or town and should include the name and phone number of the local person.

Content

The letter should include the following information to convey the community's level of interest and readiness to proceed with a local program.

- o **Participation by the Community:** Identify the organizations and individuals that will be responsible locally for the program.
- o **Participation by Local Lenders:** Explain what steps have been taken to date to engage local banks in participation in the program. If banks have committed to participation in the program, provide the volume of lending offered by the banks.

- o **Contribution by the Community** Explain the commitment that the community is willing to make to the implement the local program. This local contribution may take various forms including: staff time in program outreach, local funds to share the cost of the subsidy loans, local funds to offer an associated down payment assistance program, homebuyer counseling programs, etc.
- o **Design of Local Program:** Explain the steps that have been taken thus far to design and implement a local program. Outline the element of the local program including responsibilities for the following: program outreach, intake, prequalification, loan origination, loan closing, homeownership. (Although many of these program elements are generally undertaken by the participating banks, some communities have chosen to share with banks responsibility for elements such as outreach and prequalification.)
- o **Readiness to Proceed:** Define the steps and schedule to be followed to implement the program locally.

EOCD Funding Reservation

EOCD will reserve funding for those communities most ready to utilize state resources provided in the FY'93 budget authorization of \$1 million. Communities that qualify will receive a conditional "base reservation" of funding (e.g., funding adequate to support subsidy loans for a specific number of closing by first-time homebuyers). This base reservation will enable the community to work actively to encourage participation by local lenders and rapid startup of the program. Beyond the base reservation, communities will be allowed access to additional funds, up to the maximum established for each community) on a "first come, first served" basis. This will allow communities that start programs quickly to expand lending activity over time.

Criteria for Priority

Priority will be given to those communities that are most ready to proceed. Priority also will be given to communities that demonstrate local commitment to and support for the program.

EOCD RESPONSE

Communities that respond to this solicitation will be notified one month after this submission regarding reservations of funds.

SOFT SECOND LOAN PROGRAM

**Executive Office of Communities and Development
Massachusetts Housing Partnership Fund
Massachusetts Bankers Association
Spring 1993**

I. What is the Soft Second Program?

The Soft Second Loan Program is a joint initiative of the public and private sectors to increase affordable housing opportunities for low and moderate income homebuyers in Massachusetts. Developed in 1990 by a task force of the Massachusetts Bankers Association, the program combines a conventional first mortgage with a subsidized second mortgage to help low and moderate income households qualify for a mortgage and purchase a home for the first time.

II. How does the program help first-time buyers qualify for mortgages?

The Soft Second Program is designed to help low and moderate income buyers over the initial hurdle of qualifying for a mortgage. Here's how it works.

Before a person purchases a home, he or she must qualify for a loan through one of the participating banks. Banks decide whether the person is qualified for the loan based on mortgage amounts, amount of monthly payments, personal income, and credit history. An example will help illustrate this. Assume a person with an annual income of \$29,500 wants to purchase a home priced at \$90,000 and has saved \$4,500 for a downpayment. With conventional financing, the person would have to mortgage the remaining amount of \$85,500 to purchase the home. However, with conventional financing, the person's income, \$29,500, probably would be too low for him or her to cover the monthly payments on an \$85,500 mortgage at conventional interest rates. The person would not qualify for the loan.

The Soft Second Loan Program addresses the qualification problem by breaking the total mortgage amount into a "first" and a subsidized "second" mortgage. Participating lenders then qualify borrowers based on the monthly payments on the first mortgage and the borrower's reduced share of the monthly interest on the second mortgage. As explained below, a subsidy loan provided with public funds covers the remaining portion of the monthly interest payments on the second mortgage.

Furthermore, by limiting the first mortgage amount to below 75 percent of the value of the property, the borrower can avoid the additional expense of private mortgage insurance (generally required as an additional monthly payment when the loan exceeds 75

percent of property value). Underwriting for the loans is based upon the Community Homebuyers Program developed with Fannie Mae and the General Electric Mortgage Credit Corporation. This allows for 5 percent down and a favorable debt-to-income ratio making ownership even more accessible to prospective buyers.

III. How does the program limit the buyer's debt in the early years of ownership?

In addition to offering low down payments and favorable underwriting, the Soft Second Loan Program significantly reduces a buyer's debt, especially in the first ten years of ownership. The first mortgage is fully amortizing -- i.e., the buyer pays principal and interest as soon as the loan closes. However, to decrease the buyers's financial burden in the early years, the second mortgage payments are limited to interest only for the first ten years. From year eleven to thirty, the buyer assumes principal and interest payments on both mortgages.

Public funds cover a substantial portion of the interest due on the second mortgage in the early years. For the first five years, public funds cover up to 75 percent of the interest payments on the second mortgage. Over the next five years the amount of subsidy gradually decreases and is phased out by year ten. For the buyer, this gradual phase-out means that payments remain constant for the first five years, increase no more than 3 percent per year from year six through ten and then level off and are constant for the remainder of the thirty year mortgage.

In Boston, funds from the Commonwealth and the city are provided as a loan to the borrower (a third lien on the property) to reduce the borrower's share of second mortgage interest payments. Given limited state funding, an important alternative source of these public funds is the federal Community Development Block Grant Program (CDBG) provided directly to "entitlement" communities by the federal government and indirectly to smaller communities by the state's Executive Office of Communities and Development (EOCD). For example, the City of Quincy has used CDBG monies to fund its Soft Second Loan Program.

IV. How are the amounts of the first and second mortgages and the subsidy determined?

The first and second mortgage amounts are based on what a buyer can afford. Buyers are expected to contribute no less than 28 percent and no more than 33 percent of their income to carry the first and second mortgages and to cover other housing expenses. The first mortgage can be up to 75 percent of property value. For the second mortgage, borrowers can borrow up to 20 percent of the purchase price of the house (not to exceed \$25,000). The amount of public subsidy is the difference between the borrower's monthly contribution to the second mortgage and the full monthly cost of this mortgage.

V. What happens when the buyer wants to sell?

A buyer who decides to sell a home purchased through The Soft Second Loan Program is responsible for repaying the public subsidy used to cover the second mortgage interest payments, within certain limits. If the buyer sells within five years of purchase, the full amount of the subsidy used is due. However, in no event shall this amount, when combined with the other debt of the first and second mortgages, exceed 95 percent of the value of the property. If the buyer remains in the home for five years or longer, the repayment is limited to the lesser of the amount of the subsidy used or 20 percent of the net appreciation gained at the time of sale. In no event is repayment required prior to the sale of the property.

VI. Who can participate in the program?

This program is open to first-time homebuyers, defined as individuals who have not owned a home over the prior three years. The income eligibility guidelines are determined by the source of public subsidy. For example, if a community uses Community Development Block Grant (CDBG) funds for this program, participants must fall within the CDBG income guidelines.

Price limits on eligible properties are to be determined locally, based on what people who fit within income guidelines can afford. For example, in Boston, the sales price limits for the program are \$110,000 for a condominium and \$125,000 for a single family property.

VII. How can buyers participate in the program?

Once a program is established in your community, potential buyers work with the participating lender(s) and local officials to determine their eligibility for the program. In the Boston program, qualified buyers initially contact a participating bank to obtain a "reservation" of low-interest financing and then locate and purchase a home within a price range they can afford.

VIII. How do banks participate in the program?

Banks participate by originating the first and the second mortgages under the program. Banks are encouraged to sell the first mortgages to Fannie Mae on the secondary market. MHP has worked with Fannie Mae to obtain approval for the program and for the loan closing documents developed for it. The banks' ability to sell the first mortgages in the secondary market reduces bank risk over time and greatly leverages the use of bank commitments to the program. The second mortgages are held by the banks in their own loan portfolios.

In order to make this mortgage product even more affordable to the first time buyer, the banks participating in the Soft Second Loan Programs in some communities have offered first and second mortgages at .5 percent below conventional interest rates.

Communities are encouraged to negotiate the interest rate of those mortgages with participating lenders.

IX. Why do banks participate in this program?

Banks participate in this program because it addresses many of their community lending concerns and because it makes good business sense. Low and moderate income first time buyers represent a major potential market for banks. The Soft Second Loan Program substantially increases the ability of these buyers to purchase homes.

X. How can a community or a region establish its own Soft Second Loan Program?

MHP is prepared to help communities take three critical steps to set up a Soft Second Loan Program.

First, find a source of public funds to subsidize the interest on the second mortgage. Possible fund sources include periodic state funding through EOCD, CDBG funds received directly from the federal government by larger "entitlement" communities, and CDBG funds obtained by "Small Cities" through EOCD. MHP will assist communities in securing these public funds needed to initiate a local program.

Second, line up your local banks. Talk to your banks about the program and enlist their support. Let them know that the Soft Second Loan Program is an initiative of the Massachusetts Bankers Association. Also tell your banks the program has been approved by Fannie Mae, which has agreed to buy first mortgages from participating lenders.

Third, work with MHP to get your program up and running. MHP is prepared to support the program's operation and to ensure that each loan closing is consistent with the program documents and guidelines. MHP has put together an operations manual which contains all the materials necessary for the Program's administration.

XI. Who should I contact?

For further information on the Soft Second Program, contact Carl White or Kathy Phillips of the MHP staff at (617) 338-7868.

Joint Boards of Selectmen

Ayer • Harvard • Lancaster • Shirley

Working for Ft. Devens' Future

Base Reuse Community Resource Center
Fort Devens, Antietam Street, Building P-5
P.O. Box 350, Ayer, MA 01432-0350
(508) 772-8340 Fax (508) 772-7577

DATE: 3/23/93

TIME STARTED: _____

NUMBER OF PAGES TO FOLLOW: 3

PLEASE DELIVER TO:

Name TOWN OF ASTON

Company EXECUTIVE SECRETARY

Room or Floor _____

Telephone # _____

Fax # _____

THIS FAX IS FROM: Bert DONEY
 JOINT BOARDS OF SELECTMEN
 FAX: (508) 772-7577

SUBJECT: _____

NOTES:

cc: BOS
 FT. DEVENS TASK FORCE
 PL. BD.

(Handwritten signature and date 3/26)

FT. DEVENS REUSE PLANNING WORKSHOP SERIES

GOALS AND OBJECTIVES DISCUSSION

Residents of the Ft. Devens area and North Central Massachusetts are encouraged to attend a FOCUSED discussion to develop regional goals and objectives for the re-use of Ft. Devens.

**7:30 PM TUESDAY
MARCH 30, 1993
RSVP by MARCH 29, 1993 (508) 772-6340**

**SHERATON INN
RT'S 2 & 12
LEOMINSTER, MA**

**Sponsored by the
Joint Boards of Selectmen
and the
Massachusetts Government Land Bank**

**with funding from the
Office of Economic Adjustment (DOD)**

FT. DEVENS REUSE PLANNING WORKSHOP SERIES

**GOALS AND OBJECTIVES
DISCUSSION**

**Members of the Business Communities of Ft. Devens, Ayer, Harvard,
Lancaster, Shirley and Central Massachusetts are encouraged to
attend a FOCUSED two hour discussion to develop regional goals and
objectives for the re-use of Ft. Devens.**

**8:00 AM Wednesday
March 31, 1993
COMPLIMENTARY CONTINENTAL BREAKFAST**

**at the
BULL RUN RESTAURANT
RT 2A SHIRLEY, MA**

RSVP BY MARCH 30, 1993-(508) 772-6340

**Sponsored by the
Joint Boards of Selectmen
and the
Massachusetts Government Land Bank**

**with funding from the
Office of Economic Adjustment (DOD)**

FT. DEVENS REUSE PLANNING WORKSHOP SERIES

GOALS AND OBJECTIVES DISCUSSION

Residents of the Ft. Devens area and North Central Massachusetts are encouraged to attend a FOCUSED discussion to develop regional goals and objectives for the re-use of Ft. Devens.

**7:30 PM WEDNESDAY
MARCH 31, 1993**

**ACTON/BOXBOROUGH HIGH SCHOOL
ACTON, MA**

Rt 2 to Rt 27N to Hayward Road (first left), high school at bottom of the hill. Park in large lot and enter thru main doors.

**Sponsored by the
Joint Boards of Selectmen
and the
Massachusetts Government Land Bank**

**with funding from the
Office of Economic Adjustment (DOD)**

INTERDEPARTMENTAL COMMUNICATION

TO: Don Johnson, Town Manager

DATE: March 24, 1993

FROM: Wanda Null, Library Director

SUBJECT: Letter of appreciation

The attached letter was received today from a Boxborough resident who uses the Memorial Library. It certainly lifted the spirits of the Children's staff!

cc: BOS

March 19, 1993

Dear Ms. Null —

This is a letter that I have been meaning to write for several years and as typically happens the extras get tossed aside.

Recently, I was sitting watching my children enjoy the book selections and I was recalling the many times I have asked for guidance and was directed by two extremely gifted staff members — Lisa Rheault and Lee Donohue. The understanding and compassion these two individuals exhibit day in and day out to the tired moms and dads struggling with toddlers goes beyond library science degrees and computerized systems!

(2)

I can only hope that with all the rushing about people stop and appreciate these human efforts from time to time. Art takes on many forms.

Thank you for a wonderful library which I use on a weekly basis and a great staff!

Sincerely,
Mary Ann Cotter



Commonwealth of Massachusetts
Executive Office of Environmental Affairs

**Department of
Environmental Protection**
Central Regional Office

William F. Weld
Governor

Daniel S. Greenbaum
Commissioner

CC: BOS-FXI

March 16, 1993

Acton-Boxborough Regional School District
16 Charter Road
Acton, MA 01720

ATTN: Steve Desy, Director
Facilities & Transportation

RE: ACTON - DWPC
314 CMR 5.00
Administrative Consent Order
and Notice of Noncompliance
ACO-CE-93-1002
Deadline Extension

Dear Mr. Desy:

This serves to summarize an agreement reached at our meeting held at this office March 11, 1993 regarding a draft Administrative Consent Order issued to the District by the Department February 11, 1993. Please note that the correct identification number for this document is ACO-CE-93-1002. Due to an error the original draft Consent Order sent for your review was mislabeled.

The District acknowledges that the subsurface sewage disposal system serving their Acton complex was designed for sewage flows exceeding 15,000 gallons per day (gpd) and, therefore, this discharge is subject to Chapter 314 CMR 5.00 of Division of Water Pollution Control Regulations.

The District's consultant (Defeo, Waite and Paré, Inc.) requests that the Department extend the March 12, 1993 execution deadline for the Consent Order in order that the District may submit a formal request to amend the Consent Order. This amendment would allow an investigation of the feasibility of an alternative degree of treatment that, in the consultant's opinion, would produce an effluent quality sufficient to achieve compliance with the State Ground Water Quality Standards established by 314 CMR 6.00.

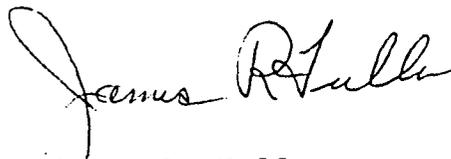
RE: ACTON - DWPC
ACO-CE-93-1002
page 2

The Department hereby agrees to a temporary postponement of the Consent Order deadline subject to the following:

1. That by Friday April 9, 1993 the District provide the Department with a detailed proposal, including a brief summary of the areas to be investigated and including a proposed schedule for implementing each component of the proposed investigation.
2. The Department will meet with the Acton-Boxborough Regional School District at this office at 9:30 AM on Friday April 16, 1993 to discuss this proposal. Upon review of this submittal the Department shall either approve or deny the District's request for the investigation by reissuing to the District the draft Consent Order incorporating any approved amendments, and establishing a new deadline for District response.
3. Should the District fail to provide the required submittal by April 9, 1993, the Department shall consider this as a non-response to the draft Consent Order, and shall proceed with unilateral enforcement which may include administrative penalties.

If the District should have any questions please contact Robert Kimball of my staff at (508) 792-7650.

Very truly yours,



James R. Fuller
Regional Engineer
Bureau of Resource Protection

mw/rk:abrsdmtg.002

cc: Ronald White, DWPC GW Permit Program, Boston, MA 02108
Acton School Committee, 16 Charter Road, Acton, MA 01720
Town Manager's Office, 14 Forest Road, Acton, MA 01720
ATTN: Don P. Johnson
Board of Health, 14 Forest Road, Acton, MA 01720
ATTN: Doug Halley
Ropes & Gray, One International Place, Boston, MA 02110
Attn: John McElhinney
Defeo, Waite & Paré, Inc., 31 Bellows Road, Rayham, MA 02767
ATTN: Mark K. Paré, V.P.



cc: BOS

PLANNING BOARD • Town of Acton

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

ACTON PLANNING BOARD

RECEIVED & FILED

Minutes of Meeting

DATE March 23, 1993

February 8, 1993

Barbara Brown
TOWN CLERK, ACTON

Planning Board members in attendance were David Hill, William Shupert, John Pavan (not in attendance at public hearing - Item III), James Lee, Mary Giorgio, Gregory Niemyski, and Associate Member Joshua Chernin. Planning Board member Douglas Carnahan was not in attendance. Town Planner Roland Bartl and Assistant Planner Donna Jacobs also attended.

I Consent Agenda

Item A, Minutes of the 1/11/93 Board meeting, was called off the Consent Agenda. The minutes were discussed by the Board and corrections were noted. Mr. Lee moved that the Board vote to approve the minutes of the January 11, 1993 meeting as amended. His motion was seconded by Mr. Niemyski and passed by unanimous vote.

Item B, Bond Recalculation and Lot Releases for Meadowview Subdivision. Mr. Niemyski moved that the Board vote to establish the new bond amount and authorize release of the lots as recommended by staff. Mr. Shupert seconded the motion which passed by unanimous vote.

II Interviews for Village Planning Committees

Board members met with Roger Andrews and Susan Boston, residents who are seeking appointment to the South Acton Village Planning Committee (SAVPC) and West Acton Village Planning Committee (WAVPC) respectively. Mr. Niemyski moved that the Board vote to appoint Mr. Andrews to the SAVPC and Ms. Boston to the WAVPC. The motion was seconded by Mr. Lee and passed by unanimous vote.

III Suburban Manor - Groundwater Protection District Special Permit Public Hearing

Chairman Hill opened the public hearing by reading the legal notice as published in the Middlesex News. Attorney Charles Kadison, representing Acton Medical Investors, Ltd./dba Suburban Manor Nursing Home, stated that the proposed use is a state of the art tertiary treatment facility for Suburban Manor Nursing Home. Mr. Kadison introduced Kevin Klein of DeFeo, Wait & Pare, the engineering firm that designed the treatment facility.

Mr. Klein stated that the existing 122 bed nursing home discharges septic system waste to series of leaching pits. Mr. Klein informed the Board that the proposed treatment plant will improve groundwater quality because it will remove 90% of the organics whereas a typical septic system only removes

40-50%. Mr. Klein stated that daily, monthly and quarterly testing will be done.

In response to questions raised by the Town, Mr. Klein stated that the closest municipal well is 3/4 miles southwest of the site. The Town of Concord supplies water to those along and within 500' of Route 2A. The Acton Water District supplies all other buildings in the vicinity. Mr. Klein stated that the existing septic system is proposed for use as a pre-treatment tank and will be uncovered and checked during the construction process. If the tank needs replacement, it will be done at that time.

Mr. Klein informed the Board that other than small amounts of gas and oil used for maintenance purposes, dilute methanol and caustic soda are the only two hazardous materials that will be used in operation of the treatment facility. The treatment building is designed with a 6" rim so that any spill will be contained. Mr. Klein stated that a Hazardous Material Management Plan and an Emergency Response Plan must be approved by DEP before the plant goes on line.

With regard to groundwater monitoring, testing is required by DEP and is designed to assure that the discharge meets groundwater standards and that the groundwater is not being degraded. Permanent groundwater monitoring wells will be installed before the treatment plant is used. The discharge from the treatment plant will meet drinking water standards.

Harry Donahue of Acton Survey & Engineering reviewed the site alterations that are related to the sewage treatment plant for the Board. He advised that there will be a net loss in runoff from the site because they are proposing to infiltrate the run-off to increase recharge.

Mr. Niemyski asked how disinfection was done. Mr. Klein responded that the plant uses ultraviolet light for disinfection.

Mr. Shupert asked if and how any biological waste discharged into the treatment plant is handled by the plant. Mr. Kadison said that the nursing home has a contractor remove sharp objects and biological waste.

Abutters asked questions about the directional flow of groundwater and the effect of the additional recharge on the area. An abutter also questioned whether viruses are removed in the treatment. Mr. Klein used the site plan to illustrate the direct of groundwater flow. Mr. Klein stated that not as much study has been done on the removal of viruses, but that viruses attach themselves to solids, which are removed in the treatment.

Mr. Bartl advised the applicant of the bylaw requirements of existing groundwater elevations, hazardous materials management plan, documentation of the historic high water based on USGS information, and emergency response plan. Mr. Bartl stated that the Applicant needs to install additional monitoring wells upgradient and to the east of the leaching area. The applicant agreed to submit the two plans and install additional monitoring wells prior to operation of the plant.

Mr. Niemyski moved that the Board vote to close the hearing subject to receipt of the hazardous materials management plan, emergency response plan, and documentation of the historic high water based on USGS information. Mrs. Giorgio seconded the motion which passed by unanimous vote.

IV. Recommendation on Acceptance of Roads

Mr. Niemyski moved to recommend acceptance of Kinsley Road extension and of Autumn Lane. Trey Shupert seconded the motion which passed unanimously.

Engineering Administrator David Abbt explained to the Board the proposed new layout on Charter Road to include the new sidewalk. David Hill moved that the Board vote to recommend acceptance of the new layout of Charter Road. Trey Shupert seconded the motion which passed unanimously.

V. Mill Corner - Draft Decision

The Board discussed the draft decision for the Mill Corner PCRC and directed staff to make several changes including: Eliminate the option that the value differential to market rate of one affordable housing unit may go to the ACHC; eliminate the possibility of extending the decision deadline for acceptance of the \$300,000.- cash contribution. The Board also discussed the letter of Mr. Charter concerning the type of construction of the proposed 4 car parking area. The Board agreed that the draft should not be changed, the parking lot will not have to be paved. Mr. Pavan asked about the option agreement concerning the future construction of a municipal treatment plant. Mr. Bartl reported that such option agreement, according to Town Counsel, should not be in the decision due to zoning conflicts. Town Counsel, Town staff and the project proponent will work out a separate agreement that will address the zoning concern.

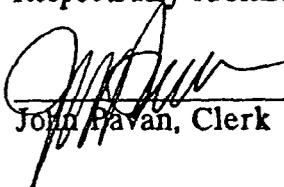
Other Business

Mr. Shupert reported that the WAVPC has the plan goals and objectives in place and is working to keep on target for a Fall '93 special town meeting.

Mr. Niemyski moved that the Board requested staff to write a letter to the Board of Selectmen asking that they apply for whatever funding sources that might be available for a South Acton sewer system and to utilize the Great Hill gift to receive help in preparing grant applications. Mr. Lee seconded the motion and emphasized that if the plans and the project are ready to go, the probability of funding is much higher. Mr. Bartl will send draft to Mr. Hill for review and signature. Voted unanimously.

The Board meeting was adjourned at 10:30 PM.

Respectfully submitted,



John Pavan, Clerk



cc: BOS

PLANNING BOARD • Town of Acton

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

ACTON PLANNING BOARD

Minutes of Meeting

January 25, 1993

RECEIVED & FILED

DATE *March 23, 1993*

Barbara Brown
TOWN CLERK, ACTON

Planning Board members in attendance were William Shupert, John Pavan, James Lee, Mary Giorgio, Douglas Carnahan and Gregory Niemyski. Planning Board member David Hill was not in attendance. Town Planner Roland Bartl and Assistant Planner Donna Jacobs also attended.

I Consent Agenda

Item A, minutes of the 1/11/93 Board meeting, was called off the Consent Agenda.

The minutes were discussed by the Board and corrections were noted. Mr. Niemyski moved that the Board vote to approve the minutes of the January 11, 1993 meeting as amended. His motion was seconded by Mr. Carnahan and passed by unanimous vote.

II Report on Meeting with Board of Selectmen

Vice Chairman William Shupert reported on the meeting with the Board of Selectmen during which the proposed zoning amendments were discussed. Mr. Shupert stated that there is generally no problem with the proposed amendments other than with the proposed change to illumination of signs. Mr. Shupert explained that the Board was providing a special permit mechanism for alternative methods of illuminating signs, rather than continuing with the variance approach presently used by applicants.

Mr. Shupert reported that additional comments were to change "neighborhood atmosphere" in 8.7.1 to just "neighborhood" and to clarify the summary of the change to the PCRC Bylaw provision. The Board decided to replace "atmosphere" with "character".

Mr. Pavan moved that the Board vote to recommend to the 1993 Annual Town Meeting adoption of all of the proposed zoning amendments heard during the public hearing on December 7, 1992. His motion was seconded by Mr. Lee and passed by unanimous vote.

III Unit/Lot Releases by Staff

Board members reviewed the draft policy prepared by the planning staff upon consultation with Town Counsel. Mr. Carnahan moved that the Board vote to authorize Town Planner Roland Bartl to execute routine lot/unit releases posted and/or required under the Acton Subdivision Rules and under the rules

for special permits until 1/1/94. His motion was seconded by Mr. Pavan and passed by unanimous vote.

IV Public Hearing - Hearthstone Farm Continuation of Definitive Subdivision & PCRC

V. Chairman Shupert announced the continuation and introduced the applicant, Mr. Ronald Peabody of Northwest Structures, Inc. Mr. Peabody introduced Attorney Stephen Graham and his consulting engineer, Ian Rubin of Lancewood Engineering, Inc.

John Pavan inquired how the applicant proposed to maintain diversity of housing styles within the development. Mr. Peabody responded that it is his intention not to have any houses duplicated and that he will include such a requirement as a condition of the protective covenants for the subdivision. He added that there may be identical footprints, but that the houses will all have different facades.

Mr. Pavan inquired why the protective covenants proposed for the development are subject to a 30 year period. Attorney Graham responded that the 30 year period is customary for protective covenants and that they can be renewed at the end of 30 years.

Mr. Carnahan asked if the applicant had any problem providing the conservation access easement noted in item 3 of Mr. Bartl's memo dated 1/22/93. Mr. Peabody responded that he will grant such an access easement.

Mr. Carnahan inquired whether the applicant had any comments with regard to the possible sight distance problem identified by Engineering Administrator David Abbt in his memo dated 1/22/93. Mr. Rubin responded that he had met with Mr. Abbt to discuss this issue. Mr. Abbt's measurement is to the crest of the hill on Strawberry Hill Rd., which is very shallow. Mr. Rubin stated that there should be no problem meeting sight distance requirements, but that he will make the proper measurements to verify his belief.

Mr. Lee inquired about the possibility of moving the proposed parking area from the area opposite the entrance to Jay Lane to another location. Mr. Peabody responded that he would have to have further conversations regarding this matter with engineering and planning staff to respond to some of their recommendations.

Mr. Lee also asked when the revised plan with the contours will be available. Mr. Peabody informed the Board that he has conducted a field survey of the critical areas and the balance will be done when the aerial photos are mapped in approximately 2-3 weeks.

Mr. Niemyski stated that he believes the Board and developer need to come to closure on the sidewalk issue along Strawberry Hill Road. Mr. Peabody stated that he wants to construct a meandering sidewalk as suggested by Mr. Abbt in his memo of 1/22/93, but would prefer to limit the area of construction to the frontage of the subdivision along Strawberry Hill Road to the intersection of Pope Road.

Mr. Shupert inquired if the applicant intended to put a gravel or paved path in

the access easement. Mr. Peabody responded that he does not intend to construct a paved or gravel walk way within the access easement.

Mr. Pavan asked how the applicant proposes to provide fire protection for the development. Mr. Peabody responded that he has met with the Fire Chief and that the Chief is still considering how fire protection should be provided.

Mr. Craig Foster asked whether the Board should have all final plans before it prior to making a decision. He informed the Board that he has had professional consultants review the application and plans and they found 40 points where the application was not consistent with the requirements. With the revised materials provided since the last session of the public hearing, he believes this number has been reduced to 32. He listed the following items: water balance not adequately designed; no easements for drains running through the development; no detail shown of the deep subdrains; fire protection; unclear whether all trees will be removed from the site; unclear that all abutters were notified; and that he believes the proposed development is not in the spirit of the PCRC.

Mr. Larry Backman of 60 Strawberry Hill Road read the letter from Ms. Youngman & Ms. Dunlap on their behalf as they were not able to attend the meeting. It was noted by the V. Chairman that the letter had already been submitted to the Board and entered into the record of the hearing.

Attorney Graham stated that the legal counsel for the Estate of Marguerite Bowen is in attendance this evening. He also stated that Youngman and Dunlap were involved in deciding the location of the lot lines.

Rosemary Nicholson, 76 Strawberry Hill Road, said that no consideration of drainage was given to the land previously developed across the street and that a couple of the new homes built there have water in the basement. Ms. Nicholson stated that the parking and drainage proposed for the opposite side of the street should not be allowed since it is not on the parcel being developed. Ms. Nicholson stated that the problems should be resolved on the site.

Mr. Howard Gross of 5 Duston Lane stated his opposition to the development due to his concern about the scarcity of water in the area. He also expressed concern about adequate fire protection and suggested that if one house caught fire, the fire would spread to all of them due to the fact that the houses are to be built on very small lots in close proximity to each other. Mr. Gross stated that the Town should not be expected to accept the subdivision roadway because it didn't accept Duston Lane.

Mrs. Giorgio asked Mr. Gross how the fire protection was provided to the homes on Duston Lane. Mrs. Giorgio stated that the development proposes a very small number of homes (9) in relation to the acreage of the parcel (approx. 42 acres). Mr. Bartl responded that the watershed for the proposed development is different than the watershed in which Duston Lane is located.

Mrs. Nicholson stated that she understands the subdivision roadway and drainage will be accepted by the Town. Mr. Gross stated that Jay Lane should not be accepted by the Town because Duston Lane hasn't been accepted. Mr. Bartl advised Mr. Gross that Jay Lane is proposed to comply with the Subdivision Rules and Regulations for construction of a roadway in Acton and that Duston Lane was not constructed in accordance with the Subdivision

Regulations and was never intended to be proposed for acceptance by Town Meeting.

Mr. Pavan inquired about the well previously mentioned and asked if it was to be removed. Mr. Graham stated that the water lines to the well would be capped.

Mr. Foster stated that the construction detail for the retention pond is not shown and suggested that the developer consider going back to a few ANR lots as originally recommended by Mr. Abbt.

Since there was no further comment, Mr. Niemyski moved to close the hearing. His motion was seconded by Mr. Carnahan and passed with 5 in favor and Mr. Pavan opposed.

Mr. Niemyski moved that the Board amend the previous motion to close the hearing subject to the receipt of the materials listed in Mr. Bartl's memo of 1/22/93. His motion was seconded by Mr. Carnahan. Mr. Pavan said that some of the additional information may need further consideration by the Board and the Board may not be able to use the information if the hearing is closed. Mrs. Giorgio stated that the Board used to close hearings with outstanding materials still due as a matter of course, but that the Board has now stated that information be received before the Board issues its decision.

Members discussed the outstanding information: contours of the proposed common land, stonewalls, final review of the drainage design, accurate measurement of sight distance and fire protection. Mr. Rubin stated that the field survey will provide the location of stonewalls within the development area and the contours have been shot to determine the location of the top of the hill. Mr. Rubin advised the Board that he will be able to meet the drainage design requirements; that he will verify that there is no problem with sight distance; and that Mr. Peabody has agreed to provide whatever fire protection is deemed necessary by the Fire Chief. The amended motion to close the hearing passed by unanimous vote.

V Mill Corner PCRC - Public Hearing Continuation

V. Chairman Shupert announced the continuation of the hearing and introduced the applicant, Kevin Sweeney of Lunn & Sweeney. Mr. Sweeney presented an offer of a \$300,000 cash contribution to be used towards the revitalization of South Acton, primarily the construction of a sewage treatment facility in lieu of construction of the affordable housing units as an alternative for the Board to consider. Mr. Sweeney explained that the negotiations had led him to consider that the 4 affordable units represent slightly less than \$300,000 and that there may be a better way to contribute to S. Acton.

Mr. Niemyski stated that there are two issues to resolve this evening: 1) the sidewalk along Main Street to School St.; and 2) the affordable units vs. the contribution towards a fund for a sewage treatment facility. Mr. Niemyski stated that he believes the sidewalk along Main St. should be constructed and that the Town will be better served through the creation of the 4 affordable housing units.

Mr. Pavan asked about the easement to the Children's Discovery Museum and

inquired why there is no outside date for execution of the easement. Mr. Sweeney replied that the easement agreement has been submitted to the museum and that he is waiting for the plan to be drawn and the road built prior to execution of the easement.

Mr. Pavan inquired if, under the Town's Options, the septic limitation to residential land could be removed so that other uses could be tied in to any future septic treatment. Mr. Sweeney replied that he has no problem with expanding the uses to include non-residential.

Mr. Pavan asked whether the owners of the homes within the Mill Corner development will routinely use the parking lot proposed for use by the Town of Acton on Lot 2C. Mr. Sweeney replied that he envisioned the lot being used only for overflow. Mr. Pavan suggested that this issue be clarified as the lot should be available for Town use when it is accepted by the Town.

The question of whether the DeCosta easement issue has been resolved was asked by Mr. Pavan. Mr. Sweeney responded that there is no issue because the developer's don't dispute that the easement exists or that DeCosta has the right to use the easement.

Mr. Carnahan inquired as to the status of the water balance calculation. Mr. Donahue of Acton Survey & Engineering, consulting engineer to the applicant, stated that the calculation has been reviewed by the Engineering Department.

The nature of the right of way to School Street was questioned by Mr. Lee. Mr. Donahue responded that the developer is offering either the right of way to School Street or the sidewalk along Main Street as alternatives for the Board's consideration.

Mr. Niemyski questioned whether there is space to put the sidewalk along Main Street, if easements would be required, and if it could be ascertained that the integrity of the building on the corner of Main Street and School St. would be jeopardized by the construction of a sidewalk in this location. Mr. Sweeney responded that they can construct the sidewalk to follow the existing grade if they have the rights and the Board selects that alternative. Mr. Sweeney suggested that the Board could include a condition in the decision to require construction of the sidewalk along Main St., if feasible, otherwise require the construction of an asphalt right-of-way from Nylander Rd. to School Street.

Mr. Pavan expressed concern over the proposed Condominium Master Deed. He suggested that the Board verify that withdrawal of land from the condominium association will not affect the Town's options.

Mr. Sweeney advised the Board of some typographical errors in the Quit Claim Deed. On page 1 of the deed "2a" should be "2c" and this substitution should be made throughout the document. In the 4th paragraph down, the word "passive" should be inserted before the words "conservation" and "recreation".

Sandra Whaley informed the Board that she wants the sidewalk constructed along Main Street and feels that it would not be unreasonable for the Board to require both the sidewalk and a paved right-of-way from Nylander Rd. to School St. She believes there is a strong need for connection between this new neighborhood and the existing village.

Michaela Moran of 80 School Street inquired whether the right-of-way, and pavement of the right-of-way was required as an emergency access.

Bill Gothorpe, Chairman of the Acton Community Housing Corporation, stated that the ACHC is deeply disappointed in the developer's change of plans regarding the affordable housing component of the development. He believes that the money offered is not sufficient to get the job done for sewers and would prefer 3 affordable units in the development and the cash proceeds from the 4th unit donated to the ACHC.

Anne Forbes, speaking for the Historic District Commission, emphasized the difference in the PCRC approval process now that it no longer requires a vote of Town Meeting. Mrs. Forbes stated that she hopes the Board will really look at the purpose of the Bylaw provision - "in harmony with the character of the surrounding area and neighborhood". Mrs. Forbes stated that there are approximately 100-120 buildings visible from the development site and feels that the proposed development is not in harmony with its surroundings because it creates a false sense of "colonialism" that is not prevalent in South Acton Village. Mrs. Forbes suggested that some of the architectural details be altered such as the 6 over 9 windows, the garage door openings and the eagles on the lights.

Ms. Betty McManus of the Acton Community Housing Corporation spoke about the importance of affordable housing.

Mr. Sweeney informed the Board that he met with the previous developer and that the bid for the entire sewage treatment facility was \$450,000. He estimates the current costs at \$310,000 because of existing infrastructure installed during the previous development. Mr. Sweeney reiterated his offer to provide \$300,000 for a sewage treatment facility or 4 affordable units in the development. He stated that he would not do something where the money will go outside of South Acton because the money is being produced in South Acton and the benefits should be to South Acton Village, not another section of Acton. Mr. Sweeney also referred to the previous gift of \$150,000 made for improvements to South Acton and suggested that the money could be added to his gift to cover construction of a sewage treatment plant and some of the sewer piping that will be needed.

Mrs. Forbes informed the Board that the previous gift is tied to a letter suggesting how the money should be spent in South Acton, and that not all of the money could be used for sewage treatment.

Mr. Sweeney read from portions of the letter attached to the previous gift and stated that these were suggestions of how to utilize the gift, not requirements. Mr. Sweeney believes it is up to the Selectmen to determine how the money will be spent.

Mr. Pavan inquired whether Mr. Sweeney would offer to construct the sewage treatment plant as a third alternative for consideration. Mr. Sweeney responded that he would be willing to offer that alternative as well.

Mrs. Whaley stated that she has been involved in the issue of South Acton sewers for over 10 years and that it is a complicated issue. Mrs. Whaley also stated that the contractor's costs for construction of the plant are likely to be less than those incurred if the Town constructed the plant, due to additional

regulations imposed on municipalities. Mrs. Whaley inquired why this issue was being discussed during the hearing rather than at the village planning level.

Mr. Shupert responded that the applicant has offered alternatives to the Town through the special permit process. Mr. Shupert reminded the audience that the applicant has proposed gifts to the Town, and as such, these alternatives will be referred to the Board of Selectmen with the Planning Board's recommendations.

Mr. Lee moved that the hearing be closed. Mrs. Giorgio seconded the motion which was passed by unanimous vote.

VI. Suburban Manor - Groundwater Protection District Public Hearing

V. Chairman Shupert opened the continuation of the hearing and announced that the hearing will be closed due to lack of notification of abutters. The special permit application will be heard at 8:00 PM on 2/8/93.

VII. Boston University Colloquium Report

Members reviewed the planning staff's memo on the draft final report of the B.U. Preservation Studies project. Mr. Niemyski voted that the Board authorize Mr. Bartl to write a letter of support on its behalf. His motion was seconded by Mr. Carnahan and passed by unanimous vote.

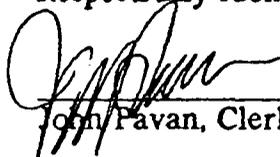
Other Business

Members agreed to schedule a site visit to the Mill Corner development on January 30, 1993 at 9:00 AM and asked staff to post the visit in accordance with the Open Meeting Law.

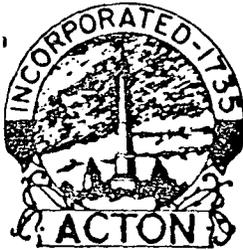
Board members discussed the three options offered by Mr. Sweeney in connection with the Mill Corner development proposal: cash gift of \$300,000; construction of a sewage treatment plant; or construction of 4 affordable units within the development. Members took a straw vote and favored the inclusion of 4 affordable housing units within the development unanimously. The Board directed staff to notify the Selectmen of Mr. Sweeney's offers and to state that the Board unanimously favors the inclusion of 4 affordable housing units.

The Board meeting was adjourned at 10:30 PM.

Respectfully submitted,



John Pavan, Clerk



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

ACTON PLANNING BOARD

Minutes of Meeting

January 11, 1993

RECEIVED & FILED

DATE March 23, 1993

Barbara Brown
for TOWN CLERK, ACTON

Planning Board members in attendance were Gregory Niemyski, David Hill, James Lee, William Shupert, Mary Giorgio, Douglas Carnahan and John Pavan. Town Planner Roland Bartl and Assistant Planner Donna Jacobs also attended.

I Consent Agenda

Items B & D were approved by unanimous vote.

Items A and C were called off the Consent Agenda. Item A, minutes of the 12/21/92 Board meeting, were discussed by the Board and minor corrections were noted. Mr. Hill moved that the Board vote to approve the minutes of the December 21, 1992 meeting as amended. His motion was seconded by Mr. Lee and passed by unanimous vote. Item C, waiver request of ANR requirements, was reviewed by the Board. Mr. Lee questioned where the location of the reservoir is in relation to the change in lot lines. Members also inquired about the location of the "line of march" of the Minutemen. Roland Bartl has asked that the applicant show the location of the "line of march" on the plan. Doug Carnahan moved that the Board vote to grant the requested waivers. David Hill seconded the motion which was approved by unanimous vote.

II Election of Officers

William Shupert nominated David Hill for the position of Chairman. His motion was seconded by Mary Giorgio and passed by unanimous vote. David Hill nominated William Shupert for the position of Vice Chairman. His motion was seconded by John Pavan and passed by unanimous vote. William Shupert nominated John Pavan for the position of Clerk. His motion was seconded by Mary Giorgio and passed by unanimous vote.

It was agreed that the newly elected officers would assume their positions at the next Board meeting.

III Decision - Quarry Road Determination

Board members reviewed the draft decision prepared by the Town Planner. James Lee moved that the Board vote to issue the decision as drafted. Mary Giorgio seconded the motion which passed with six in favor and 1 abstention.

IV Public Hearing - Hearthstone Farm Definitive Subdivision & Continuation of Public Hearing for Hearthstone Farm PCRC

Chairman Niemyski read the legal notice for the Definitive Subdivision and announced the continuance of the hearing for the PCRC Special Permit. Attorney Stephen Graham, representing Northwest Structures, Inc., requested a continuation of the public hearing until the January 25, 1993 Board meeting to allow the applicant time to review and respond to staff comments. The Board agreed to the continuation; however Mr. Niemyski stated that he would accept questions from the Board and the public hearing attendees present.

Mr. Hill commented that the driveway to Lot 5 goes through the 25' easement and asked whether this was the intention of the applicant. It was also noted that the driveway for Lot 9 goes through the no-build zone.

Mr. Pavan questioned whether Strawberry Hill Road is a scenic road. Mr. Bartl replied that the road is not a laid out way, therefore the stone walls appear to not be in the scenic road. Mr. Bartl advised the Board that he would ask Town Counsel to verify this interpretation.

Mr. Pavan stated that there should be some mechanism in place to assure a mix of housing designs.

Janet Turley inquired whether the removal of public shade trees is necessary. Mr. Niemyski responded that removal of public shade trees requires a public hearing and that a hearing notice would be published if removal of public shade trees is required.

Rosemary Nicholson, 76 Strawberry Hill Road, stated that there are already 3 access points to the Spring Hill conservation area and questioned why another access is being provided in this development plan.

David Hill moved that the Board vote to continue the public hearing. Mary Giorgio seconded the motion which was passed by unanimous vote.

V Mill Corner PCRC - Public Hearing Continuation

Chairman Greg Niemyski announced the continuation of the hearing and asked if the staff has had an opportunity to review the applicant's responses to their comments. Mr. Bartl replied that staff has not reviewed the responses because they were delivered on January 8th.

Mr. Pavan asked about the 8' emergency access to School Street. Mr. Hill asked how the applicant will prevent cars from using the emergency access as a cut through. Mr. Donahue replied that they intend to put a gate across the opening.

Mr. Niemyski stated that the issue of a sidewalk along Main Street remains unresolved.

Mr. Pavan asked if the reconstruction of the bridge will extend that far.

Sandra Whaley stated that the sidewalk from School Street to the entrance of

the project is feasible and suggested that the Planning Board members walk this area. Mrs. Whaley stated that one of the goals of the South Acton Village Planning Committee (SAVPC) and the South Acton Revitalization Committee (SARC) was to provide connection between new neighborhoods and existing neighborhoods.

Michaela Moran of 80 School Street expressed concern about the hilltop and hillside. She inquired whether the proposed alteration is allowed under the PCRC. Mr. Sweeney responded that the construction of the roadway, in accordance to the Subdivision Rules, is what determines which areas will be developed. The location of the roadway was based on early comments received from the Town boards and the neighborhood. Mr. Sweeney stated that the PCRC makes the project more efficient by creating clusters and limiting development to 40% of the parcel and it protects the residents of School Street from visual impacts.

Mr. Bartl stated that the present proposal represents the evolution of development plans that are based on many meetings with representatives of the Town, the neighborhood and the Town's consultants.

Roger Andrews of 39 Central Street stated that he is concerned about the safety of the intersection of Nylander Way and Main Street. Mr. Bartl responded by advising that the Town hired a transportation consultant to review the design of the intersection and that the consultant found the design to be adequate.

Susan Master-Karnik of 105 School Street expressed concern that the development features a number of houses that are "knock offs" of her house's design.

David Hill moved that the Board vote to continue the hearing until January 25, 1993 at 8:45 PM. His motion was seconded by William Shupert and passed by unanimous vote.

VI. Suburban Manor - Groundwater Protection District Public Hearing

Chairman Niemyski opened the hearing by reading the legal notice as published in the Beacon. Attorney Charles Kadison, representing Acton Medical Investors, Ltd./dba Suburban Manor Nursing Home, stated that the proposed use is a state of the art tertiary treatment facility for Suburban Manor Nursing Home. Mr. Kadison introduced Kevin Kline of DeFeo, Wait & Pare, the engineering firm that designed the treatment facility.

Mr. Kline stated that the existing 122 bed nursing home discharges septic system waste to series of leaching pits. The proposed treatment plant is designed for 150 gallons per day per bed instead of the present requirement of 100 gallons per day per bed because the proposed Title V modifications recommend the higher discharge rate. Mr. Kline stated that daily, monthly and quarterly testing will be done.

In response to questions raised by the Town's engineering consultant, VHB, Mr. Kline stated that the closest municipal well is 3/4 miles southwest of the site. The Town of Concord supplies water to those along and within 500' of Route 2A. The Acton Water District supplies all other buildings in the vicinity. Mr.

Kline stated that the existing septic system is proposed for use as a pre-treatment tank and will be uncovered and checked during the construction process. If the tank needs replacement, it will be done at that time.

Mr. Kline informed the Board that other than small amounts of gas and oil used for maintenance purposes, dilute methanol and caustic soda are the only two hazardous materials that will be used in operation of the treatment facility. The treatment building is designed with a 6" rim so that any spill will be contained. Mr. Kline stated that an Emergency Response Plan must be approved by DEP before the plant goes on line.

With regard to groundwater monitoring, testing is required by DEP and is designed to assure that the discharge meets groundwater standards and that the groundwater is not being degraded. The discharge will meet drinking water standards.

Mr. Niemyski asked what source of power is utilized by the emergency generator. Mr. Kline responded that the generator is fueled by natural gas.

Mr. Bartl asked what happens to the treatment of sewage if excessive amounts of either caustic soda or methanol is used. Mr. Kline responded that very small amounts are used. Methanol is added as another carbon source for the denitrification process and that methanol is rapidly vaporized. The caustic soda is only used to balance the ph level.

Mr. Shupert inquired whether the proposed design has been used in other treatment plants. Mr. Kline responded that the design is the standard sewage treatment facility and is widely used.

Mr. Niemyski asked if the facility is fail-safe. Mr. Kline replied that the pretreatment and flow tanks can be used in the event of failure of the treatment plant. A licensed operator will be on the site for at least 2 hours every day and the facility is equipped with an automatic dialer. Mr. Pavan inquired whether the automatic dialer could be connected to the nursing home since there is 24 hour staff coverage there.

Mr. Pavan inquired whether there is a mechanism to fund replacement of the facility. Mr. Kadison responded that there is a 20 year fund which is reviewed by the state annually to assure that sufficient money is available to fund total replacement of the facility in 20 years.

Attorney Kadison stated that the applicant is only before the Board for the treatment plant and that the rest of the project will be reviewed under the Site Plan application. Attorney Kadison and Mr. Bartl discussed an interpretation of the Bylaw which could subject all of the proposed site modifications to the Groundwater Special Permit. It was agreed that Town Counsel's opinion will be sought.

Harry Donahue of Acton Survey & Engineering reviewed the site alterations for the Board and said that the site as it exists is non-conforming. The plan calls for relocation of pavement, building addition and construction of a sewage treatment plant. Mr. Bartl illustrated how the proposed site plan does not comply with the requirements of the Groundwater Protection provision of the Bylaw.

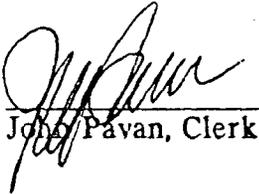
The Board voted to continue the hearing until January 25, 1993 at 9:15 PM to allow for input by Town Counsel.

VII. Executive Session, Farm Hill Subdivision

Mr. Hill moved that the Board vote to enter into executive session for the purpose of discussing pending litigation on the Farm Hill Subdivision approval, and that the board adjourn at the conclusion of the executive session. Mrs. Giorgio seconded the motion which was approved unanimously by roll call vote.

The Board meeting was adjourned at 11:10 PM.

Respectfully submitted,



John Pavan, Clerk

MARTIN T. MEEHAN
5TH DISTRICT, MASSACHUSETTS

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SUBCOMMITTEE ON MILITARY FORCES AND PERSONNEL
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AND THE GENERAL ECONOMY
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AND TECHNOLOGY

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House of Representatives
Washington, DC 20515-2105

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(508) 681-8200

WALKER BUILDING
265 MAIN ST.
ROOM 102
MARLBOROUGH, MA 01752
(508) 460-9282

JOHN -
PLS. COORDINATE.
WJM
cc: BOS

TO: LOCAL OFFICIALS
FROM: MARTY MEEHAN
DATE: MARCH 17, 1993
RE: FEMA ASSISTANCE

ATTACHED PLEASE FIND CORRESPONDENCE MY OFFICE RECEIVED FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY REGARDING PARTIAL SNOW REMOVAL REIMBURSEMENT FOR LAST WEEKEND'S STORM. BELOW IS THE FORMULA USED FOR DETERMINING THE AMOUNT OF AID LOCAL MUNICIPALITIES CAN RECEIVE FROM THE FEDERAL GOVERNMENT.

- 1. DETERMINE THE NUMBER OF ROAD MILES PLOWED.
- 2. MULTIPLY BY ONE LANE IN EACH DIRECTION.
- 3. MULTIPLY BY NUMBER OF TIMES PLOWED.
- 4. DIVIDE BY COSTS
- 5. MULTIPLY BY 75 PERCENT

PLEASE CONTACT MY OFFICE OR THE FOLLOWING AGENCIES WITH ANY ADDITIONAL QUESTIONS.

FEMA (617) 223-9540

MASSACHUSETTS EMERGENCY MANAGEMENT AGENCY (508) 820-2000



Federal Emergency Management Agency

Washington, D.C. 20472

OFFICE OF CONGRESSIONAL AFFAIRS

TIME-SENSITIVE FACSIMILE TRANSMISSION

MEMORANDUM FOR: Administrative Assistants/Chiefs of Staff
to Massachusetts Congressional Delegation

FROM: *[Signature]*
Kevin J. Clark, Acting Director
Office of Congressional Affairs

SUBJECT: Presidential Declaration for Emergency
Assistance due to Snow Storms

Last night, President Clinton declared an emergency for the State of Massachusetts as a result of extreme snowfall and winter storm conditions during the past weekend.

In his March 15, 1993 letter to the President, Governor William F. Weld requested assistance under section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended. Anxious to help the State and local governments in Massachusetts and the constituents they serve, the President determined on March 16, 1993 that the situation in Massachusetts is of such severity and magnitude that effective response is beyond the capabilities of the State and local governments, and supplemental Federal assistance is necessary. Thus, the situation warrants an emergency declaration for snow removal assistance.

Attached is a summary sheet listing those counties designated for assistance and the type of assistance provided. Attached also for your information is a narrative explanation of the types of assistance FEMA can provide under the Stafford Act.

Please feel free to contact Greg Moreau on (202) 646-4500 if further information or explanation is necessary.

Attachments (2)

FACT SHEET ON
EMERGENCY SNOW REMOVAL ASSISTANCE

Office of Congressional Affairs
FDMA

EMERGENCY SNOW REMOVAL ASSISTANCE

The nation's disaster law provides authority to the President to grant federal assistance as requested by a State to meet immediate emergency needs, such as funding for removing snow from essential public roads and arteries. The aid is made available for a short-term period and is cost-shared with the state and affected local governments. The federal disaster law also provides authority to the President to grant a major disaster request from the Governor when existing State and local resources are clearly overwhelmed by a natural or man-made event. The difference between the authorities is outlined below.

EMERGENCY ASSISTANCE DECLARATION

Emergency snow removal assistance for the East Coast winter storm last weekend is available to the impacted states for a period of five days from the date of the storm. The federal government pays 75 percent of the snow removal costs necessary to open access for emergency vehicles (normally one lane each way) to collector roads, and principal and minor arteries, with the remaining 25 percent provided by the state and affected local governments. Assistance under this authority is generally in the form of reimbursement to States and localities, for their own work forces or contract efforts.

MAJOR DISASTER DECLARATION

When requested by a state, this aid can include as needed grants and loans for stricken people, as well as funding to local governments to help pay for debris removal, emergency protective measures and restoring damaged public property.

Aid to local governments under a major disaster declaration is cost shared, with the federal government paying 75 percent of the approved cost for public works projects. Snow removal can be included in these costs if it was not previously covered under an emergency assistance declaration.

SUMMARY

In the event of a declaration, the following information applies:

STATE: Massachusetts
NUMBER: FEMA-3103-EM
INCIDENT: Severe Blizzard Conditions, High Winds, and
Record Snowfall
INCIDENT PERIOD: March 13-17, 1993
DATE REQUESTED BY GOVERNOR: March 15, 1993
FEDERAL COORDINATING OFFICER: Edward A. Thomas
FEMA Region I

DESIGNATIONS AND TYPES OF ASSISTANCE:

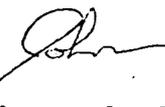
FEMA intends to provide assistance for required emergency measures for a period of five (5) days beginning on March 13 to open critical emergency access on collector roads and streets, minor, and principal arterial roads for emergency vehicles in the counties of Barnstable, Berkshire, Bristol, Dukes, Essex, Franklin, Hampden, Hampshire, Middlesex, Nantucket, Norfolk, Plymouth, Suffolk, and Worcester.

NOTE: This is an emergency declaration and not a major disaster.

OTHER: Additional designations may be made at a later date after further evaluation.

TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION
TOWN MANAGER'S OFFICE

DATE: 3/26/93

TO: The Acton Memorial Library Board of Trustees
FROM: John Murray 
SUBJECT: Memorial Library's Facility Use Policy

On January 14, 1993 Wanda forwarded a copy of your "facility use policy", and asked to have Town Counsel review the document. At the request of the Town Manager, I reviewed your policy and I asked Dean Charter to comment (Dean copied Wanda on February 17, 1993, when he submitted his comments).

Notwithstanding Section 5 of Article 4 of the Town Charter, which places "exclusive jurisdiction of rental and use of all town real property" to the Town Manager, Don Johnson is committed to working with your Board in order to determine the appropriate policy statement.

We present the following points as constructive criticism and suggestions for change:

1. That religious, political, or lobbying purposes be prohibited.
2. That a small security deposit be required.
3. That a small fee be charged to certain groups in order to compensate the Town for additional expenses (please see Dean Charter's memo of October 1992).

Don Johnson, would like to invite you to put any of your comments concerning the suggested changes in writing to him at your earliest convenience. In addition if you would like to speak with me concerning the suggestions, feel free to call me at 264-9612.

Thank you for your time and consideration.

cc: BOS
DPJ

TOWN OF ACTON
INTER-DEPARTMENTAL COMMUNICATION

November, 1988
REVISED October, 1992

FROM: Dean A. Charter, Municipal Properties Director
SUBJECT: Regulations, Use of Meeting Rooms

I. GENERAL USER CLASSIFICATION

- A. Official departments, boards and committees of the Town, either appointed or elected, may use the meeting rooms at any time, no charge to be assessed to that department, board or committee. A town staff member or the committee chairman may be given the responsibility of opening and securing the room and the building if a Municipal Properties Employee is not on duty.
- B. Support groups for town agencies (i.e. Friends of Library) may use the meeting rooms at no charge if a custodian is on duty anyway. (Typically 7:00 A.M. to 10:00 P.M. Monday - Thursday, 7:00 A.M. to 5:00 P.M. Friday. At all other times, a custodial charge of \$25 per hour, four hour minimum, will be assessed. Keys will not be given out.
- C. Acton community service organizations (i.e. Garden Club, other local Not for profit organization) Processing fee \$10 per event, no custodial charge if a custodian is present on normal schedules. If a custodian has to be called in, there will be a \$25 per hour custodial charge, four hour minimum. Keys will not be given out.
- D. All other organizations: \$10 per event processing fee, \$25 per hour custodian fee, four hour minimum, If a custodian is not available on normal schedule. Room charge additional as shown below:

Room 204 (capacity 135)	\$50.00 per hour of use
Room 46 (capacity 6)	\$10.00 per hour of use
Room 121 (capacity 12)	\$15.00 per hour of use
Room 126 (capacity 20)	\$20.00 per hour of use

For example, the cost of a four hour meeting in room 204 on a Saturday in this classification would be:

$$\$10.00 + \$100.00 (\$25 \times 4) + \$200.00 (\$50 \times 4) = \$310.00$$

II. RESERVATIONS

Reservations must be made in writing on the forms provided to the Municipal Properties Department at least seven days in advance. Priority for reservations will be given to Group A. Fees are not refundable, and must be paid in full at the time of reservation. Checks are to be made out to "Town of Acton".

III. PROHIBITED EVENTS

Space will not be granted for religious, political, or lobbying purposes.

IV. PROHIBITED ACTIVITIES

- A. Smoking
- B. Consumption of food (unless special arrangements are made)
- C. Intrusion into other spaces or offices
- D. Consumption of alcohol
- E. Violation of any bylaw ordinance, or law
- F. Adhering any object on display to any surface, except to a bulletin or marker board
- G. Any furniture, switches, blinds, temperature controls, or windows must be returned to it's original position. All trash to be placed in wastebaskets, any items left behind will be considered to be trash.

V. GROUP STATUS

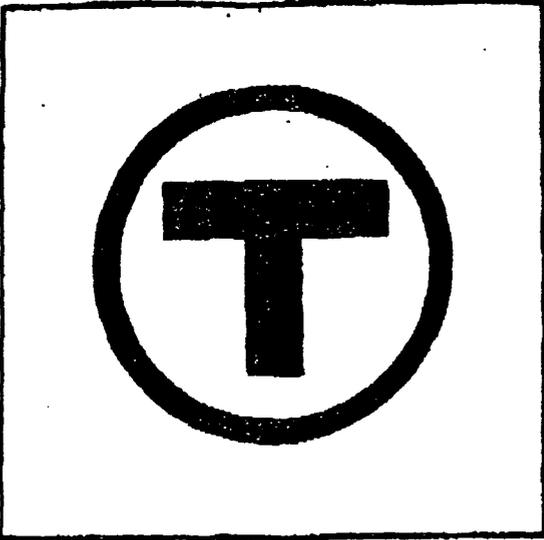
Status of any group (i.e. Class A, B, C, D, or prohibited), is totally within the discretion of the Town Manager or his designee.

VI. BUMPING

The Town Manager reserves the right to bump any organization at any time to free up space for the benefit of Group A. In the event of such a bumping occuring, all fees will be refunded.

DAC/161

(45)



cc: BOS-FYI
YES, IT'S ON THEIR LAND.

Real Estate Management Department

March 22, 1993
Date

1 OF (4) PAGES

To

COMMENTS:

John Murray
Assistant Town Manager
Town of Acton

FAX: (508) 264-9630

FROM
Lorraine Pacocha
Railroad Properties

OFFICE: (617) 722-3787

Bid specifications for pushcart concession at South Acton Commuter Rail Station.

Pushcart concession space

MASSACHUSETTS BAY TRANSPORTATION AUTHORITY
INVITATION FOR BIDS

License of: Pushcart Concession Space.
Located at: South Acton Commuter Rail Station.

Pursuant to the provisions of Massachusetts General Laws, Chapter 161A, Section 5(c), Massachusetts Bay Transportation Authority (MBTA) invites bids for the license of pushcart concession space located at the South Acton Commuter Rail Station, South Acton, MA.

Proposals must be submitted on the Authority's bid envelope on the Authority's proposal form, and time stamped by the Authority, no later than 2:30 p.m., Thursday, March 25, 1993 at which time bids will be publicly opened and read aloud. Interested parties must obtain bid specifications from Lorraine M. Pacocha, MBTA, Real Estate Management, Ten Park Plaza, Boston, MA 02118, (617) 722-3787.

The Authority reserves the right to reject any and all proposals.

Andrew J. Warren
Director
Real Estate Management

A-Bea-318,1L

John M. Murray

FAX: (617) 722-5841

MASSACHUSETTS BAY TRANSPORTATION AUTHORITY

Bid Specifications

For License of Pushcart Concession Space

- Located at: South Acton Commuter Rail Station (see plan).
- Usage: Provision of a service for commuters.
- Term of License: Month to month. May be cancelled by MBTA upon seven (7) days notice.
- Minimum Acceptable Bid: \$125.00 per month.
- Insurance Requirements: A certificate or certificates evidencing Comprehensive General Public Liability Insurance Policy limits of \$500,000 per occurrence and \$500,000 aggregate for both bodily injury and property damage naming the MBTA, National Railroad Passenger Corporation (Amtrak) and Guilford Transportation Industries as additional insureds.
- Available Date: Anticipated immediately, upon satisfaction of Authority's requirements.
- Rent Deposit: A deposit of two months' rent for the first and last month of the term of the license. Deposit due upon execution of license.
- Bid Deposit: \$100.00 in the form of a bank treasurer's check or certified check. Deposit of successful bidder will be held until license is executed. Deposits of unsuccessful bidders will be returned when their bids are no longer being considered by the Authority.
- Permits: The Licensee will be responsible for obtaining all necessary permits.
- Condition of Premises: The property is licensed in its present condition. Any future improvements are subject to approval of the Authority.
- Special Conditions: Successful bidder shall indemnify the MBTA for any and all acts, occurrences, liabilities, etc., arising out of its license and occupancy of MBTA property.
- Rental increases will be adjusted yearly using the Consumer Price Index for All Urban Consumer, Boston, MA.
- Pushcart location may be relocated with twenty-four (24) hours notice at the discretion of MBTA Railroad Operations.

Bid/SouthActon

**Special Conditions
Continued:**

Tobacco products may not be sold.

The Licensee may not store van and/or pushcart in maintenance yard, parking lot or platform area.

The Vendor will be responsible for its own rubbish removal on a daily basis.

The Vendor must not cause traffic delays when commuters are entering or exiting the parking lot.

Right to Reject Bids:

The Authority reserves the right to reject any and all bids.

IMPORTANT:

ALL BIDS MUST BE SUBMITTED ON AUTHORITY BID FORM AND IN AUTHORITY BID ENVELOPES.

SOUTH ACTON COMMUTER RAIL STATION

TRACKS



PLATFORM



(X) Proposed pushcart location

★ THIS ILLUSTRATION NOT DRAWN TO SCALE ★

MEMORANDUM

cc: BOS
FILE

MAR 22 1993

TO: Distribution
FROM: Bruce R. Conklin *BRC*
SUBJECT: Monthly RD/RA Progress Report
DATE: March 18, 1993

Enclosed is the monthly RD/RA Progress Report for February 1993. If you have any questions, please call.

BRC:paa

Enclosures

Distribution:

- L. Jennings, EPA (6)
- E. Benoit, DEP (2)
- C. Tuttle, DEP Boston (2)
- D. Halley, Acton (3)
- D. Johnson, Acton (1)
- J. Ayres, GZA (1)
- P. Reiter, GZA (2)
- C. Myette, Wehran-MDEP (1)
- S. Anderson (1)
- D. Kronenberg, Grace (1)
- W. Cheeseman, FHE (1)
- H. Fox, Sierra Club (1)
- R. Eisengrein, ACES TAG Mgr. (1)
- J. Swallow, Pine & Swallow (1)
- M. Moore, Concord Board of Health (1)

File: 798-124-RT-GEAD

W.R. GRACE & CO.
ACTON, MASSACHUSETTS

MONTHLY RD/RA PROGRESS REPORT
FEBRUARY 1993

PAST AND PRESENT ACTIVITIES

Meetings:

No meeting was held in February.

Monitoring Wells:

All new landfill wells were surveyed. The draft OSA well specifications were issued to seven contractors for bidding. A pre-bid meeting was held on February 18, 1993 at the site. Addendum No. 1 to the specifications was issued on February 25, 1993.

Landfill Recovery Well

ELF recovery was monitored until 1/27. MLF was turned on at 11:00 a.m. on 1/27; pumping at 40 gpm. Pumped MLF until 2/1/93. MLF was turned off on 2/1/93 and recovery was monitored until 2/5. WLF started at 11:00 a.m. on 2/5 and was pumped at 30 gpm. Pumped WLF until 2/10. WLF recovery was monitored until 2/16. MLF/ELF/WLF on 2/16 until 2/21. Recovery was monitored until 2/25/93. All wells will go online on March 1st.

Blowdown Pit

The results of the Blowdown Pit investigations were summarized in a report delivered to the GP. Comments have not yet been received. Results were incorporated into the 60% design.

Remediation Design:

CDM completed work on the 60% design and the VFL pilot test work field effort was completed. W.R. Grace completed their review of the design and it was submitted on February 16th.

FUTURE ACTIVITIES (MARCH 1993)

The next technical meeting is not yet scheduled. The agenda for another meeting is being considered and will likely include the landfill gas vent system and OSA Work Plan comments. Complete VFL pilot test. Receive bids for OSA wells and select contractor.

CDM is proceeding to develop the 100% design documents.

UNRESOLVED DELAYS

A new schedule has been accepted by the GP. Any delays will be measured off of the new schedule.

CC: BOS - PRESS RELEASE ONLY -
COPY OF RESULTS IN RF

Town of Acton

Planning Department

472 Main Street, Acton MA 01720

(508) 264-9636

Press Release

MAR 12 1993

South Acton Village Planning Committee Releases Resident Survey Results

In January of 1992, Acton's Planning Board formed the South Acton Village Planning Committee (SAVPC) to formally write and implement a Planning document for the South Acton Village District. This plan is primarily a "blueprint" for improvements to the village district which will encourage future development that is compatible with existing residences, business and infrastructure.

One of the Committee's goals is to ensure that public input and suggestions are incorporated into the plan as it is written. With this in mind, the South Acton Village Planning Committee mailed comprehensive survey forms to almost 1,900 households in the South Acton area in the Spring of 1992. "The survey return rate was overwhelming, and it took almost seven months to compile and summarize the results", said Town Planner Roland Bartl. "We received a return rate of 17.5% which is more than double the average response expected from direct mail surveys. This level of response is terrific and shows that residents in South Acton are interested in participating in shaping the future of South Acton Village", Bartl said.

Responding to a question to identify the greatest assets of South Acton Village, 54% named "village charm", historic character and buildings. Thirty-four percent (34%) identified the commuter train station as another significant asset.

The most identifiable landmarks in South Acton were reported as Exchange Hall, the train station, Music store and Jones Tavern. Exchange Hall was also on top of the list of buildings to preserve, followed by other old/historic buildings in general, Jones Tavern and the Faulkner House.

The survey also asked "what in South Acton Village should be changed?" 78% of respondents indicated that they would like to see a general clean up the area as well as better maintenance of buildings and yards. 34% mentioned traffic improvements, 23% singled out the Main Street Bridge whereby some felt it should be repaired, others said it should be replaced and a few respondents felt that an "at grade" crossing would be best. Respondents also stated the need for more and better sidewalks, more stores and business activity and more parking.

Touching upon one of the most critical issues facing South Acton, the survey stated that in light of the failure to realize the sewer project approved by voters 5 years ago, "a smaller and partial solution could improve the current septic system problems in South Acton Village itself to help the village center's ability to serve as a neighborhood business area. This would involve the construction of a much smaller collection system with a treatment plant and ground (subsurface) disposal site near the village." The survey advised that under such a scenario, the area served would form a separate sewer district, and that the cost to the individual user may be relatively high. The survey asked whether such a smaller sewer option should be pursued further and a narrow majority of households gave their support 43%, to 41% with 16% undecided. However, many of those who expressed support were concerned about the costs. Households within the Village itself signaled their support 57% to 21%, with 21% expressing no opinion.

Commuter parking was another topic in the survey and 60% of the respondents stated that the current commuter lot should be expanded to meet future demand, while 28% disagreed with expansion. The possibility of building a parking garage was presented and respondents seemed to split almost 50% to 50% for and against the idea.

The survey also asked for suggestions on new business in South Acton. Responses reported that video rental, gift shop, convenience store, restaurant, carry out food, and a liquor store were the types of businesses which would be appropriate for South Acton Village.

William H. "Trey" Shupert, Vice Chair of the Acton Planning Board and the Chair of SAVPC, said that "the Music Store and Erikson's Grain and Feed Store prove that businesses can be profitable in South Acton. It is our hope that we can create a realistic Village plan that will encourage more small businesses to open in South Acton".

The South Acton Village Planning Committee meets the second and fourth Tuesday of each month in room 126 of the Acton Town Hall. These meetings are open to the public and interested residents are invited to attend.

For More Information Contact: Roland Bartl, Town Planner
Donna Jacobs, Asst. Town Planner



William F. Weld
Governor

Argeo Paul Cellucci
Lieutenant Governor

James J. Kerasiotes
Secretary

Laurinda T. Bedingfield
Commissioner

March 10, 1993

MAR 12 1993

To the town of Acton Board of Selectmen

Enclosed is your signed copy of Agreement No. 35062 for reimbursing approved projects to be done in your municipality pursuant to the provisions of the General Laws, Chapter 90 section 34, subsection 2(a).

You will notify the District Highway Director before starting the work which was approved for reimbursement under this Agreement.

Very truly yours,

MARYELLEN HARRINGTON
Acting Department Secretary
Massachusetts Highway Commission

ET/mls

Enclosure

cc: DICK HOWE
BOS - FYI

MASS HIGHWAY

William F. Weld
Governor

Argeo Paul Cellucci
Lieutenant Governor

James J. Kerasiotes
Secretary

Laurinda T. Bedingfield
Commissioner

Office of the Commissioner

Dear City/Town of Acton:

In accordance with Section 3(c) of Chapter 33 of the Acts of 1991 (6033-9198), this Department is authorized to apportion the sum of \$180,000,000 among the cities and towns of the Commonwealth. By vote of the Public Works Commission on March 23, 1973, your municipality is entitled to reimbursement of documented expenditures under the provisions of General Laws, Chapter 90, Section 34, Clause 2(a) on approved projects to the amount of \$292,382.00.

The stated amount of apportionment assigned to this memorandum, which represents the second apportionment of Chapter 33 funds, shall be \$292,382.00.

These funds shall be used in compliance with all applicable statutes and regulations, including but not limited to, Chapter 30, Section 39M; Chapter 149, Section 44J; Chapter 149, Section 26-27F; as applicable for "construction, reconstruction and improvement including surface treatments so-called" on all approved public ways which qualify under the State Aid Highway guidelines adopted by the Public Works Commission. This means the funds must be allocated to roadway projects, such as resurfacing and related work (the minimum for resurfacing shall be 3/4" course with a continuous length of 500'), and other work incidental to the above such as preliminary engineering including State Aid/Consultant Design Agreements, right-of-way acquisition, shoulders, side road approaches, landscaping and tree planting, roadside drainage, structures (including bridges), sidewalks, traffic control and service facilities, street lighting (excluding operating costs), and for such other purposes as the Department may specifically authorize. The municipality shall provide documentation of compliance with Chapter 149, Sections 44 J and 26-27F; as applicable.

This allocation for funds will provide one hundred percent (100%) payment of the cost for those projects which are located on the State Aid Primary System, as well as for projects on all other Chapter 90 local roads.

After the duly authorized officials have signed the memorandum and returned it to the District Highway Director for validation, the executed document shall be evidence of an entitlement for reimbursement to the stated amount.

Only projects recommended by the duly authorized municipal officials and approved for funding by the District Highway Director shall be eligible for payment.

The Governor or his designee, the secretary of administration and finance, and the state auditor or his designee shall have the right at reasonable times and upon reasonable notice to examine the books, records and other compilations of data of vendors which pertain to the performance of the provisions and requirements of this agreement. (Executive Order No. 195-April 27, 1981)

CITY/TOWN OF ACTON
BY Wm. R. Johnson
TOWN MANAGER

duly authorized 3/5/93

THE COMMONWEALTH OF MASSACHUSETTS
Laurinda T. Bedingfield

Massachusetts Highway Department

Volunteer Coordinating Committee - March 8, 1993

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

Meeting was called to order at 7:30 pm at Acton Town Hall by Nancy Whitcomb.

Minutes of February 22, 1993 were approved as read.

Interviews: An interview was scheduled with Victoria Beyer for a position on the Historical Commission.

Victoria Beyer- She is currently managing a retail clothing store and has lived in Acton for seven years and in Massachusetts for the 11 years. Her principal interest is in the Historical Commission. She has been involved with old buildings over a number of years, and is fascinated with the archeological and historical nature of these structures. She is a member of the National Trust for Historic Preservations, the Boston Society of Architects and the Acton Historical Society. Through these affiliations she has acquired an interest in the types of activities associated with the Historical Commission.

Town Manager + Board of Selectman Appointments The Board of Selectman took no action on recommended appointments during this period. At the present time the following appointments are pending by the Selectman:

- Cable Advisory Committee (entire committee - 8 persons)
- Board of Assessors (two recommendations for one opening)
- Commission on Disabilities (Donna Whalen 11/17/92)

The following individuals were sworn in during this period

- Joshua Chernin - Planning Board (Associate) with term ending 6/30/93
sworn in 2/22/93.
- Kathryn Garcia - AB Arts Council with term ending 6/30/93
sworn in 3/3/93.

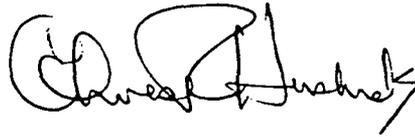
A motion was made and seconded to recommend Victoria Beyer as an associate member of the Acton Historical Commission with a term expiring June 30, 1994. The motion was passed unanimously.

A letter was received indicating that Dave Lunger is resigning from the Fort Devens Second Airport Task Force as of February 1993. He is currently an associate member with this task force.

A motion was made to recommend the appointment of Marilyn Wolfson as a full member of the Fort Devens Second Airport Task Force upon the effective date of resignation of Fred Rudolph.

Forms requesting active committees to report their membership to the volunteer coordinating committee were distributed. This form will request each volunteer organization to: Establish what members are being reappointed, what new members might be required, which members must be sworn in, and perform a review the of committee write-ups.

The meeting was adjourned at 8:47 pm. The next meeting is scheduled for 22 March, 1993.

A handwritten signature in black ink, appearing to read "Charles R. Husbands". The signature is stylized with a large initial "C" and "H".

Charles R. Husbands, VCC, March 16, 1993.

cc: Town Clerk and Selectmen. ✓

TOWN OF ACTON
472 Main Street
Acton, Massachusetts 01720
Telephone (508) 264-9612
Fax (508) 264-9630

Don P. Johnson
Town Manager

March 23, 1993

Stephen D. Anderson, Esq.
Anderson & Krieger
The Bulfinch Building
47 Thorndike Street
Cambridge, MA 02141

Subject: WR Grace Cost Recovery Suit

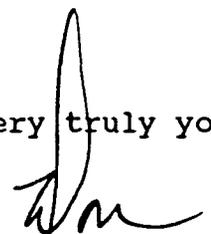
Dear Steve:

This note is intended as a brief confirmation of our conversation this morning and my authorization for you to proceed with the negotiations.

I am comfortable with the \$85,000 offer that Grace has put forward and believe we are ready to reach agreement in that regard. We cannot, however, agree to a total release. If you can convince Bill Cheeseman that they must move in this area, we can probably settle the case.

Please see what you can do. The Federal reopeners seem to offer some protection to both sides. Maybe we can find common ground there.

Very truly yours,



Don P. Johnson
Town Manager

cc: Board of Selectmen
Doug Halley

DPJ:627

ANDERSON & KREIGER
ATTORNEYS AT LAW

STEPHEN D. ANDERSON
(ALSO ADMITTED IN CT)

ARTHUR P. KREIGER
(ALSO ADMITTED IN NY)

GEORGE A. HALL, JR.

ALLAN R. PIERCE
(ALSO ADMITTED IN IL)

CYNTHIA HESLEN
(ALSO ADMITTED IN VT)

The Bulfinch Building
47 Thorncliffe Street
Cambridge, MA 02141
(617) 252-6575
FAX (617) 252-6899

Western Mass. Office:

20 Federal Street, Suite 1
Greenfield, MA 01301
(413) 774-3392
FAX (413) 772-2558

March 17, 1993

BY FAX

Don Johnson, Town Manager
Town of Acton
Town Hall
Acton, MA 01720

RE: Town of Acton v. W.R. Grace & Co.--Conn.

Dear Don:

I attended the Status Conference before Judge Keeton this morning. I also had further settlement discussions with Bill Cheeseman in the lobby after the conference.

Grace is willing to increase its settlement offer to \$85,000 provided that Acton signs a complete Release to Grace. I explained to Bill that the Town is very concerned about future actions that may cause it to incur costs with respect to the site, and the Town wants suitable exceptions built into the Release. In addition to the standard "reopener" provisions in Federal Consent Decrees, Bill may be willing to recommend to Grace an exception comparable to the circumstances required under United States Supreme Court cases to reopen a Federal Consent Decree. If the Town believes that an agreement on the dollar amount of the settlement is possible, Bill and I will seek to negotiate recommended language in a Release that addresses both the concerns of the Town and the concerns of Grace.

If we are unable to reach a settlement, we discussed a way to present the important legal issues in the case to the Court on an agreed Statement of Facts. This will cost much less than a jury trial on the issues and is likely to lead to a speedier conclusion. The Court instructed the parties to file such a joint submission on August 6, 1993. A further hearing before the Judge will take place on August 12 at 3:30 P.M. to discuss a briefing schedule.

Don Johnson, Town Manager
March 17, 1993
Page 2

Grace has now split the difference between the Town's latest demand and Grace's offer. I do not believe there will be much further movement on Grace's settlement figure. I recommend exploring with Grace the contours of a proposed Release to determine whether any mutually agreeable settlement is possible. Please call me to discuss this. I am available on Thursday, March 18 at any time from 10:00 A.M. to 3:00 P.M.

Sincerely,



Stephen D. Anderson

SDA/jec
Enclosure

cc: Acheson H. Callaghan, Jr., Esq.

ACT/CD81/339/Johnson.012

DRAFT

**SELECTMEN'S MEETING
MARCH 16, 1993**

The Board of Selectmen held their regular meeting on Tuesday, March 16, 1993, present were Nancy Tavernier, Dore' Hunter, Norm Lake, Anne Fanton, William Mullin, and Town Manager Johnson

CITIZENS' CONCERNS

None expressed

PUBLIC HEARINGS AND APPOINTMENTS

**BOSTON EDISION
DAVIS ROAD**

NORM LAKE - Moved to approve. DORE' HUNTER - Second.
UNANIMOUS VOTE.

CONSENT CALENDAR

DORE' HUNTER Moved to accept the consent calendar as printed.
NORM LAKE - Second. UNANIMOUS VOTE

SELECTMEN'S CONCERNS

The Chairman publicly thanked the Highway Department for the excellent job performed during the recent snow storm.

LIONS CLUB - DORE' HUNTER - Moved to waive the \$20.00 Tent fee. NORM LAKE - Second. UNANIMOUS VOTE

JENK'S FUND - DORE' HUNTER - Moved to award to the three applications to the Jenk's Fund in the amount requested. NORM LAKE - Second. UNANIMOUS VOTE.

BOY SCOUT INVITATION - Dore' and Norm will represent the Board at the outing.

MMA RESOLUTION - DORE' HUNTER - Moved that the Board of Selectmen indicate support of the MMA Actions as listed and communicate our support to our State and Federal Officials. NORM LAKE - Second. UNANIMOUS VOTE. Bill felt uncomfortable about joining in on this as it represents a case similar to pick and choose "Fund me" much the same as we struggle to avoid to balance services. Don Johnson to send letter to our representatives and MMA expressing our support.

CABLE TV COMMITTEE APPOINTMENTS - Dore' asked how many members were to be appointed, Nancy said 5-7. Anne thought that Don Gilberti's appointment should be

considered carefully as he currently represents the town on another time consuming board. Bill was concerned that Don Gilberti had volunteered and he should be considered, VCC had said they did not see a conflict after they had reviewed and had given their recommendation. Anne felt that the Board of Selectmen had the right to make their decisions after reviewing recommendations from VCC. Nancy expressed concern that only one member from the original committee should be appointed at the beginning so as not to direct the committee and that after the Committee had established itself that Don could apply and fill as vacancies occurred. Dore' asked which of the seven was a former member, Nancy indicated John Covert had served on the original Committee.

NORM LAKE - Moved to appoint the original list of seven as submitted, with communication to Don Gilberti that he may reapply in a year after the committee is fully constituted and as openings occur. DORE' HUNTER - Second. 4-1 Bill Mullin NO.

BOARD OF SELECTMEN'S SCHEDULE - The Board discussed upcoming meetings. They will be meeting on April 6 and April 12 & 13th at 6:45 (prior to Town Meeting) staff to arrange for the use of the faculty dining room at the high school. The meeting of the 20th was cancelled and they will meet on April 27th.

WARRANT DISCUSSION - Dore' asked what the School Committees vote/position was on deferral. Dore' thought a vote was required to adopt deferral plan. Dore' asked that a written communication to implement regional deferral as per Coordinating Committee vote has been taken. (help with this last sentence please)

REPRESENTATIVE MEEHEN - Anne and Bill will try to make the new time which has been set up to represent the Board.

EOCD QUESTIONNAIRE - The Board reviewed and made comments to the Manager for inclusion.

E-911- The Board reviewed the current correspondence from the Fire Union. Nancy reminded the Board that it was a Town Meeting Vote two years ago and that it has been accepted, it was a town meeting decision, not a Board decision. Dore' commented that the issue has been voted by the citizens and it is a done deal.

NURSING REVIEW - The Board discussed the draft as prepared by Nancy. Anne noted she wanted Don's concerns outlined in the draft. Bill did not feel we

should be dictating the task. Nancy wanted to have the structure for them to follow so it would stay on track. It was decided to amend the letter to include dates of a preliminary report and final report of October 1st. DORE' HUNTER - Moved to adopt draft with changes. NORM LAKE - Second. UNANIMOUS VOTE.

Nancy spoke about the recent article in the Beacon and expressed her concern with the inaccurate information within it. She was verbally attacked after it was printed and after conversation with Doris Hilberg, Doris stated that she apparently misunderstood. Nancy has asked that a correction be printed. Bill also was concerned about the accusatory nature of the Editorial, and felt that a retraction and statement be printed.

WATER DISTRICT MEETING - Norm encouraged the citizens to attend and vote on the Water Districts Articles. Of particular concern was the Cell One Article. Norm was asked to let voters know that Board of Selectmen supports passage of this article at the Meeting.

TOWN MANAGER'S CONCERNS

SKY LIGHTS - Don reported on the breakage of three sky lights over the Finance wing. No one was hurt. Dean has been instructed to contact the architect to discuss this with him. It is possible that reimbursement might be obtained from FEMA since it can be tied to the snow storm.

EXECUTIVE SESSION

ANNE FANTON - MOVED to go into executive session for the purpose of discussing the exchange of Real Property and Collective Bargaining. DORE' HUNTER - SECOND. Anne Fanton took Roll call, All Ayes.

The Board adjourned at 10:00 P.M.

Clerk

Date

Christine Joyce
Recording Secty.
cmjW11-(369)

BOARD OF SELECTMEN
EXECUTIVE SESSION

MARCH 16, 1993

COLLECTIVE BARGAINING - Don outlined the situation currently with regard to the hiring process for the Deputy Chief. He is moving forward, he feels that the town needs to have a non-union person in this position to assist the Chief. This position was left unfilled as a safety net and now Don feels it can be filled and the hiring of a deputy will help the Chief tremendously.

MARSHALL LAND -(for the record Bill will not participate since he knows the purchaser) Anne outlined the 61A committee's review of the lot. The conservation Commission wants us to look at a swap when the remaining parcel is offered. It was decided to let the public know of the Board's review and possible vote a the next meeting. Anne will draft a short notice to the Beacon letting the public know that the Board will be discussing the waiving of right of first refusal on a 61A parcel at the 30th Board Meeting. Anne asked that we get a written statement from Conservation regarding the preservation of wetlands areas for future negotiations.

MORRISON LAND - Anne outlined the review done by the 61A Committee. The house will remain evening if a Nursing Home is built. She further discussed the idea of a land swap using the Arlington Street property. Anne felt we should take a serious look at this parcel now, so it is not at the last minute and to sell it in the future to use the funds to purchase other land. Norm felt we should look at the Arlington Street property also to be prepared so we would not loose the chance if there were a small window of opportunity which becomes available in the future.

The Board adjourned at 10:15 P.M.

Clerk

Date

Christine Joyce
Recording Secty.
cmjW11-(369)

MARCH 12, 1993

TO: Board of Selectmen
FROM: NANCY TAVERNIER, Chairman
SUBJECT: SELECTMEN'S REPORT

#####

AGENDA
ROOM 204
7:30 P.M.
MARCH 16, 1993

I. CITIZEN'S CONCERNS

II. PUBLIC HEARINGS & APPOINTMENTS

1. 7:31 BOSTON EDISION - DAVIS ROAD - Enclosed please find hearing notice and staff comment.
2. 7:35 PLAQUE PRESENTATION - CLOCK REPAIRS

III. CONSENT AGENDA

3. ONE DAY LIQUOR LICENSE - Enclosed please find a request from Congregation Beth Elohim for a One-Day Liquor License in conjunction with their Food and Wine Sale.
4. ENTERTAINMENT LICENSE - Enclosed please find the annual request from the Lion's Club in conjunction with the Towne Fair.
5. VILLAGE SAAB - Enclosed please find two letters relative to Site Plan #7/8/91-332 and staff comment for Board action.

IV. SELECTMEN'S CONCERNS

6. Jenks fund - Enclosed please find this year's request for Board review.
7. Boy Scout Invitation - Enclosed please find an invitation to the Annual Patriot's Day event.
8. MMA Request For Resolution - Enclosed find documents requesting support for proposed MMA Actions.
9. Cable TV Advisory Committee Appointments - Enclosed please find correspondence from VCC regarding recommendations to ICTAC for Board action.

V. TOWN MANAGER'S REPORT

VI. EXECUTIVE SESSION

10. An Executive Session will be needed to discuss the purchase, exchange and value of real property - Please see enclosed materials.

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 30, 1993 - Election - Mtg. begins at 8:00P.M.
Triple A Beer and Wine
Scott Motors- Class II

April 5, 1993
April 20, 1993

781 acs

3/30

TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION
TOWN MANAGER'S OFFICE

DATE: 3/30/93

TO: The Board of Selectmen
FROM: John Murray 
SUBJECT: The Senior Center

Attached is a copy of a cover letter received from Roy Smith today. Staff has not been able to review all attachments, but we thought the content of the last paragraph on page one would be of interest. I have also taken this opportunity to attach a letter from the Board to Roy Smith dated May 1, 1992.

Due to the election being held today staff will not be prepared to discuss all the technical points of this matter, but will be able to speak to the issues generally.



• TEL. (508) 263-0011

292 GREAT ROAD • ACTON, MA. 01720

March 30, 1993

Don Johnson
Town of Acton
Town Hall
Acton, MA 01720

Re: Our Senior Center Meeting of 18 March 1993

Dear Don,

The center will now be ready for initial occupancy on 15 April. As we discussed last Thursday, two items remain open. One item is the additions or clarifications to the lease which I believe have been discussed and resolved; and the second and more important item is payment of costs exceeding the \$300,000 limit agreed to between the Town and Boston Federal Bank.

The lease additions are attached (Exhibit "B" to the lease). I have discussed the Board of Health items with Doug Halle and the revisions reflect the current Town of Acton Rules and Regulations. I am currently discussing with Jack Dunphy regarding the revised septic plan for the Elderly Center increased septic flow. The plan will reflect the requirements outlined by a Town of Acton inter-departmental communication dated May 14, 1992. It is my understanding that Doug will review these requirements with Jack Dunphy and upon receipt of the revision from Jack will review and approve the revision. That revision will become Exhibit "C" to the lease and will be installed by the Town prior to 1 July 1993. Please have Exhibit "B" reviewed and approved by the Selectmen.

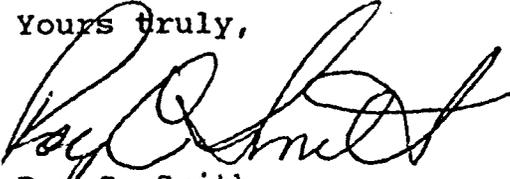
The decision of what to do in regard to costs in excess of \$300,000 is not as simple. The Bank, based on its discussions with the Town, released earlier funds to the Town with the clear understanding that \$300,000 was the limit and will not release further funds past the \$300,000. As discussed, the building will be complete, but the following items, which will not restrict occupancy, only exterior appearance, will remain incomplete.

Finish paving (bid) - finish coat, berm, sidewalk	\$15,195
Landscaping (bid)	4,700
Loaming - screened loam on site	<u>1,800</u>
	\$21,695

The items that were provided above and beyond the original estimate include the expanded kitchen and the roof from the unloading area to the main entrance. These items, along with the nationwide uncontrollable increase in building materials, caused the shortfall.

Please discuss these items with the Selectmen at your next meeting. If you need our presence, please call.

Yours truly,



Roy C. Smith
President

RCS/jws

Attachments

e
r
e
ll
ct

5

Nancy Tavernier, Chairman
Board of Selectmen

May 1, 1992

Mr. Roy Smith, President
R. Smith Associates, Inc.
292 Great Road
Acton, MA 01720

Subject: Senior Center

Dear Mr. Smith:

The Board of Selectmen is quite distressed over reports concerning the current status and anticipated costs of the Senior Center that you are building at Audubon Hill. In a recent meeting with a representative of the Council on Aging (conducted in executive session) the Board was informed that your current estimates place the cost of construction at \$324,000 and, equally disturbing, we find that much of what you had previously specified to be included in the finished building is no longer included.

The Town has never received more than an outline specification, a conceptual floor plan and exterior elevations describing this facility. Nonetheless, you and your representatives have made numerous verbal representations as to the content of the finished building. Despite the difficulty of negotiating in such a vague atmosphere, Town representatives have negotiated in good faith, being at all times mindful of your generosity and sensitive to the financial constraints of the overall Audubon Hill project.

The Board now questions the value of further negotiations and cites the following as some of the reasons for its frustration:

1. Throughout the negotiations that took place during January and February of this year, wherein you were seeking a renegotiated Comprehensive Development Agreement for the overall project, you continually represented that this facility could easily be constructed for less than \$300,000. On or about February 6, during negotiations with Town Manager Don

Johnson, Assistant Town Manager John Murray and Messrs. Conley and Tashjian of Boston Federal Savings Bank, you affirmed the validity of that number. At your office, immediately following the meeting with the bank officials, you and Mr. Charles Allard further stated to Mr. Johnson and Mr. Murray that you felt the \$300,000 from the bank would provide ample funding to incorporate the additional amenities sought by the Council on Aging. Indeed, Mr. Allard assured the Town representatives of his confidence that the building, as then designed, could be constructed for \$240,000 ... thereby providing \$60,000 to fund the desired changes.

2. On numerous occasions over the past year your office (usually represented by Mr. Eric Smith) has approached representatives of the Council on Aging and the Town Manager's office seeking to demolish the old Veenstra house. The house was originally planned to be restored and incorporated as part of the Senior Center. The representation was that the cost of restoring the house would be substantial, compared to the space gained. The promise was that better space would be provided in a single-story expanded floor plan for the Center, with a walk-out basement for storage purposes, while reducing the overall cost of construction. In a meeting with Eric Smith at Town Hall on April 21, representatives of the Council on Aging were informed that the ceiling height for the planned basement space could not be designed to meet Building Code requirements. This was subsequently confirmed by your architect. This revelation comes after demolition of the house and with no other proposal for providing the needed storage space.
- 3) In the April 21 meeting there were other changes in the content of the Center that came to the attention of the Council on Aging. These included the removal of a fireplace that had been included earlier and the disclosure, on questioning, that your offer no longer included cabinets or counters in the kitchen. The latter had been clearly included in an outline specification provided to the Council in January.

In January and February, as the Town considered your request for relief from most of the conditions of the Comprehensive Development Agreement, the Board weighed the substantial value of the housing units and conditions it was being asked to surrender versus the value of the Senior Center and the amenities anticipated within the \$300,000 allotment offered by the bank. In coming to their decision to grant the relief you requested, Board members placed a great deal of

confidence in the representations you made with regard to the budgeted numbers. After the Selectmen assented to the revised agreement the estimate rose dramatically and, since that time, has continually remained well above \$300,000.

Representatives of the Town have attempted to understand the reason(s) for the dramatic changes in both the estimates and the specifications for this project. To date, we have been unable to reconcile these differences. The only resolutions offered by your representatives have been reductions in content of the building or financial contributions by the Town. Neither of these alternatives is acceptable to the Selectmen.

On Tuesday, April 28, the Board of Selectmen voted unanimously to inform you that the Town will not invest monies to offset costs above the \$300,000 allocated by the bank. The Board expects that you will construct the facility you promised, within the budget to which you agreed. Ultimately, when the building is ready for occupancy, the Selectmen will have to decide whether it is suitable for our purposes. The Board has determined that further participation in the design/estimating process at this time is not in the best interest of the Town.

If you wish to discuss this matter further with the Selectmen you may do so by contacting the Town Manager's office and scheduling time during a regular public session of the Board.

Very truly yours,

Nancy E. Tavernier
Nancy Tavernier, Chairman
Board of Selectmen

cc: Acheson H. Callaghan, Jr., Palmer and Dodge
David Y. Bannard, Palmer and Dodge
Mr. David Conley, Boston Federal Savings Bank
Council on Aging

DPJ:280

MARCH 12, 1993

File
3/16/93

TO: Board of Selectmen
FROM: NANCY TAVERNIER, Chairman
SUBJECT: SELECTMEN'S REPORT

#####

AGENDA

ROOM 204

7:30 P.M.

MARCH 16, 1993

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Triple A Beer and Wine
Scott Motors- Class II

April 5, 1993
April 20, 1993

781 acs

3/16/93

①

Boston Edison
Conduit and Manholes Installation

NOTICE TO ABUTTERS

In conformity with the requirements of Section 22 of Chapter 166 of the General Laws. (Ter. Ed.), you are hereby notified that a public hearing will be held at the office of the Selectmen of the Town of Acton Massachusetts, on the 16th day of March 1993, at 7:31 P.M., o'clock, upon the petition of Boston Edison Company for permission to construct, and a location for, a line of conduits and manholes, with the necessary wires and cables therein, for the transmission of electricity, under the following public ways of said Town:

Davis Road - Northerly approximately 1,351 feet west of Great Road.

A distance of about 7 feet - conduit.

BOARD OF SELECTMEN

Form 518D
648ACS

BOSTON EDISON COMPANY
15 Blandin Avenue
Framingham, MA 01701

February 10, 1993

Board of Selectmen
Town Hall
Acton, MA 01720

RE: P14/8 Davis Road
Acton, MA
Work Order #659072

Dear Members of the Board:

The enclosed petition and plan is being presented by the Boston Edison Company for the purpose of obtaining a Grant of Location to install approximately seven (7) feet of conduit at pole 14/8 Davis Road, Acton.

This work is necessary in order to provide new overhead/underground electric service a terminal cabinet located near pole 14/8 Davis Road, Acton for New England Telephone.

Your prompt attention to this matter would be greatly appreciated. If you need any further assistance, please contact Christine Cosby at (508) 370-4812.

DJD/rbb
Enclosures

Very truly yours,



Denis Deagle - Supervisor
Rights, Permits & Survey
Western Division

Municipal Properties Department

3/16/93 (2)
Town of Acton

472 Main Street, Acton, Massachusetts, 01720

508-264-9629

February 22, 1993

Mr. & Mrs. Joseph Grandine
49 Woodbury Lane
Acton, Ma., 01720

Dear Mr. and Mrs. Grandine

The Town Manager has asked that I invite you to the Board of Selectmen's meeting on Tuesday, March 16, 1993 at 7:30 P.M. so that they might formally accept your kind donation of the repairs to the Town Hall Clock and Weathervane.

As you have probably noticed, the clock is now working reliably, except during snow storms, and the bell is chiming on the hour. I have received only favorable comments from the public at large and the neighbors since we got the unit working properly. I still have the bronze plaque in my office, and would like to have it installed before the acceptance; Please give me a call if you have any specific locations in mind.

This project took a great deal longer than any of us predicted, but the result is a wonderful addition to the ambiance of the Town Common. Your dedication and generous contribution will not be soon forgotten.

Sincerely,



Dean A. Charter
Municipal Properties Director

cc.:

✓ Town Manager

DAC/270



TOWN OF ACTON
MASSACHUSETTS

FOR TOWN USE ONLY

License or Permit Application

3/16/93
③

3/3 1993

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... Congregation Beth Elohim
 Location of Event... 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 FOOD AND WINE SALE

Day and Date of Event: Sunday, March 21..... Hours of Event: 9-1

DESCRIPTION OF APPLICANT

Name of person making application ... Tina Kaplan
 Occupation... Volunteer
 Residential Address... 22 Jackson Dr, Acton
 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? NO

Male or Female Female

If so, when.....

Date of birth... 11/13/50

where.....

Place of birth... Lynn, MA

State briefly.....

Father's name... Robert Burack

.....

Mother's maiden name... Burtman

References: (Names and addresses)

Height... 5 ft. 5 in.

1. Rabbi Lewis Mintz

Weight... 165

2. Michael Chautin

Complexion... White

3. Louise Bielenki

Hair... Brown

Remarks:



TOWN OF ACTON
MASSACHUSETTS

FOR TOWN USE ONLY

License or Permit Application

3/16/93
④

..... 3 - 2 - 1993

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
(Please print or type) Other... ACTON LIONS CLUB TOWNE FAIR

Name of Organization/Applicant..... ACTON LIONS CLUB.....

Location of Event..... REAR OF HIGH SCHOOL BALL FIELD.....

Name of Owner of Premises..... TOWN OF ACTON.....

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

..... ACTON LIONS CLUB.....
..... FOR REDISTRIBUTION OF.....
..... PROCEEDS.....
..... WITH ACTON - SCHOLARSHIPS + ECT.....
..... + EYE ~~RESEARCH~~ RESEARCH.....

Day and Date of Event: JULY - 12, 3, 4, 5..... Hours of Event: 12:00 AM TO 11:30 PM

DESCRIPTION OF APPLICANT

Name of person making application .. PETER J. WOJTKIEWICZ.....

Occupation..... SELF EMP RADIO-TV SALES + SERV.....

Residential Address..... 11 WILLIAM RD..... ACTON, MA.....

Business Address..... 557 MASS AVE..... ACTON, MA.....

Telephone: Home..... 263-3493..... Business..... 263-7327.....

Date of naturalization, if not born in U.S..... Have you ever been arrested for any law violation?.....

Male or Female..... MALE..... If so, when.....

Date of birth..... 1-10-1936..... where.....

Place of birth..... CONCORD, MA..... State briefly.....

Father's name..... JOHN.....

Mother's maiden name..... JENNIE RUTO..... References: (Names and addresses)

..... 1. ANN SIMONE - ACTON.....

..... 2. ROBERT RHODES C/O P.D.....

..... 3.

Height..... 5 ft..... 10..... in.
Weight..... 160.....

3/16/93 (5)

FEB 25 1993

TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION

DATE: February 26, 1993

TO: Don P. Johnson, Town Manager
FROM: Garry A. Rhodes, Building Commissioner *GAR*
SUBJECT: Site Plan Special Permit #7/8/91-332
Village Saab, 30 Main Street

I am in receipt of two letters of agreement from George Palli, dated November 20, 1992. These letters were in response to condition 3.4.1 (traffic) and condition 3.4.2 (monitoring wells). I have reviewed both letters and find that they meet the intent of the decisions and I do not have any objections if the Board of Selectmen accept them as written.

(980)

November 20, 1992

Board of Selectmen
Town of Acton
Acton, Ma. 01720

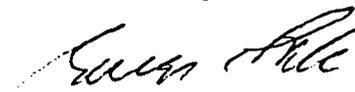
re: Site Plan #3298 (3.4.1.)

Dear Board Members:

In the event that traffic conditions on Main St. in Acton, Ma. in the opinion of the board reaches proportions that constitutes a hazard to the citizens of the Town of Acton, the Petitioner or the owner of the property will contribute (on a pro rata basis) a fair share toward a traffic study to be conducted at the direction of an to the satisfaction of the Board, focused on alleviating the problem. The Petitioner's share is to be based on metering of traffic to and from the subject property. The Petitioner herein agrees to assume all costs necessary and associated with the subject property

Furthermore, the letter shall express agreement that the Petitioner or the owner of the property will contribute, according to the established pro rata basis, a fair share towards mitigation measures suggested in the traffic study.

Sincerely,



George C. Palli,
President

SAAB

VILLAGE SAAB

November 20, 1992

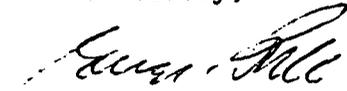
Board of Selectmen
Town of Acton
Acton, Ma. 01720

re: Site Plan #3298 (3.4.2.)

Dear Board Members:

In the event monitoring wells are needed, for the purpose of monitoring the general quality of groundwater in the area and providing an early warning of potential problems, such wells shall be installed in accordance with the directions and specifications of the Board of Selectmen. Petitioner shall agree to assume all costs (not to exceed a maximum total cost of \$3,000 to the Petitioner) necessary and associated with the provision of such monitoring wells (not to exceed three) and shall provide the necessary easements/access rights to the Town of Acton and the Acton Water Supply District in order to facilitate the taking of water samples for analysis.

Sincerely,



George C. Palli,
President

SALES • SERVICE • PARTS

200 MAIN STREET

ACTON MA 01720

(508) 635-0070

INTERDEPARTMENTAL COMMUNICATION
TOWN MANAGER'S OFFICE

3/16/93
⑥

DATE: 3/11/93

TO: Board of Selectmen

FROM: Christine Joyce, Town Manager's Office *Cmj*

SUBJECT: Jenks Fund Request Allocations

Below please find a summary of funding requests received in our office for 1993 Jenks Fund allocations. Please review and forward your recommendations on Allocations for action at your March 30th meeting.

The current balance available for expenditure is: \$1,800.00.

Description	Amount Requested	Recommended Allocation
ACTON MEMORIAL LIBRARY To fund 1993 Summer Reading Program	\$600.00	
DISCOVERY MUSEUMS To fund "Teacher's Science Swap" program for Elementary/Middle schools	\$250.00	
ACTON HOUSING AUTHORITY Summer Activities through Community Education classes	\$500.00	
Total requested:	\$1,350.00	



ACTON HOUSING AUTHORITY

Windsor Avenue
P.O. Box 681
Acton, Massachusetts 01720
508/263-5339

TDD # 1-800-545-1833 EXT.120

March 1, 1993

Ms. Nancy Tavernier
Chairman, Acton Board of Selectmen
Acton Town Hall
472 Main St.
Acton, MA 01720

Dear Ms. Tavernier:

The Acton Housing Authority is submitting our request for funding from the Jenks Fund to provide for summer activities through the Acton/Boxboro Community Education Program for the children of the families who receive assistance in the community.

Last years favorable review by the Selectmen provided hours of positive experiences to these children. Of the ninety nine (99) families assisted there are one hundred and fifty seven (157) children. Our request this year for five hundred (\$500) dollars would provide hours of positive reinforcement and opportunities which these children could not experience without your assistance.

I have enclosed a brief highlight of our '92 program and the number of children who benefited. Should you or other members of the Board of Selectmen have questions or if you would like to meet please feel free to contact me. Thank you in advance for your consideration of our request.

Sincerely,

Naomi E. McManus
Executive Director

Enc.

ACTON HOUSING AUTHORITY
P.O. BOX 681
ACTON, MA. 01720
(508) 263-5339
TDD #-1-800-545-1833 EXT.120

1992 COMMUNITY PROGRAM/SERVICES OFFERED
TO AHA'S CLIENTS AND THEIR CHILDREN

ACTON-BOXBORO COMMUNITY EDUCATION COURSES	NO. OF CLIENTS
LACROSSE	1
POTTERY	2
SWIMMING LESSONS	11
BASEBALL	2
SKI LESSONS	1
AQUACIZE	1
GINGER BREAD MAKING	1
DANCING	1
TOUR BOSTON GARDEN	1
GYM HOCKEY/TRACK	1
A/B REGIONAL HIGH SUMMER SCHOOL	1
POOL MEMBERSHIP (MID-JUNE/MID-SEPTEMBER) FOR 11 FAMILIES WITH TWENTY EIGHT CHILDREN	

SUMMER CAMP	NO. OF CLIENTS
A/B COMMUNITY ED. DAY CAMP	12
CHILDREN'S DISCOVERY CAMBERSHIP	1
4H CAMP	2
CAMP WILDERNESS	1
GROTON WOOD	4
CAMP WONDERLAND	1
GIRL SCOUT CAMP	1
LITTLETON DAY CAMP	3

CAREER/EDUCATION COUNSELING
FOUR CLIENTS ATTENDED COUNSELING SESSIONS

PARENT AIDE PROGRAM
AHA CONTRACTED WITH CONCORD ASSABET ADOLESCENT SERVICES TO PROVIDE 12 SINGLE PARENT CLIENTS A PARENT AIDE FOR TWELVE MONTHS

COMPLIMENTARY PASSES
HALLOW PUPPET SHOW, DISCOVERY MUSEUM, JUNIOR WOMEN'S CLUB BREAKFAST WITH SANTA AND A JUGGLING SHOW, TICKETS TO CONCORD ASSABET ADOLESCENT SERVICES FUND RAISER SHOW

AHA RECEIVED COMMUNITY CONTRIBUTIONS FROM
ROTARY, DIGITAL EQUIPMENT CORPORATION, NEC TECHNOLOGIES, MIDDLESEX SAVINGS BANK, LIONS CLUB, UNITED WAY, JENKS FUND TOWN OF ACTON, JUNIOR WOMEN'S CLUB, GIRL SCOUTS, BOY SCOUTS, A/B HIGH SCHOOL STUDENTS, CHILDREN'S MUSEUM, CONCORD ASSABET ADOLESCENT SERVICES, CONCORD FAMILY SERVICE, BEACON SANTA, WHITE FUND, FRIENDS OF THE ACTON NURSING SERVICES, A/B HIGH SCHOOL ADMINISTRATION AND SEVERAL INDIVIDUAL CONTRIBUTORS



THE DISCOVERY MUSEUMS

• a creative children's museum • an inventive science museum •

Founder

President Emeritus

Donald B. Verger
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Naturalist*

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Deputy Director

Deborah J. Gilpin

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Association of Youth Museums
Assoc. of Science Technology Ctrs.
Nat'l Assoc. for the Education of Young Children
National Science Teachers Assoc.
New England Museum Association
Museums of Boston

March 10, 1993

Mr. Don P. Johnson
Town Manager, Acton
472 Main Street
Acton, MA 01720

Dear Mr. Johnson,

Please find attached a proposal requesting a Jenks Fund allocation to support a "Teacher's Science Swap" program. The funding of \$250 for this project will impact 20 teachers and all the students in their classrooms.

Last year's Jenks Fund support is allowing Museum staff to take thematic workshops to the entire first grade in Acton schools during March and April of the 1992/93 school year. Because teachers are also present at the workshops, they can use our methods as a model for science inquiry learning.

The "Teacher's Science Swap" program is a natural outgrowth of student workshops. By training teachers to use inquiry-based techniques in their classrooms on an ongoing basis, students will remain interested and improve their science skills.

In 1992, The Discovery Museums served nearly 145,000 visitors and presented school outreach programs to 3000 students and teachers throughout Massachusetts. We are always pleased when we can offer programs to our local community.

Thank you for presenting this project on our behalf, please feel free to contact me with any questions.

Sincerely,



Deborah Gilpin
Deputy Director

The Discovery Museums, Inc.
Partners in Creative Education
Children's Discovery Museum/Science Discovery Museum



THE DISCOVERY MUSEUMS

• a creative children's museum • an inventive science museum •

BOARD OF SELECTMAN
1993 JENKS FUNDING

March 10, 1993

PROPOSAL - "TEACHER'S SCIENCE SWAP" The Discovery Museums

The Discovery Museums respectfully requests 1993 Jenks funding to support a "Teacher's Science Swap" program. We request consideration of a \$250 grant from the Jenks Fund. **Twenty teachers and all of their students (500 elementary/middle school) will benefit from the program.**

Training teachers to use interactive methods, real-world models, and inquiry-based learning techniques is a vital step toward improving the math and science literacy of the students graduating from our schools. Since 1990, The Science Discovery Museum Education Staff has been training teacher groups in these approaches through workshops given during inservice days and at teacher education classes.

The Discovery Museums will bring our expertise to a group of up to 20 teachers in the area. The training these teachers receive will impact approximately 500 students. The program involves Museum staff hosting a gathering of Acton, Boxboro, Maynard, and Concord science teachers. Based on previous work with the Science Discovery Museum methods, one or more Acton teachers will lead a training session using a particular science topic (e.g. electricity, magnets, light/color). Sharing or swapping of techniques will be encouraged and facilitated by Museum staff, resulting in skills improvement for all participants.

The Discovery Museums requests \$250 for this project. A \$100 stipend will be given to the Acton teacher, and materials at a cost of \$150 will be used during the class. Participants will also be able to use these materials in their classrooms. The Discovery Museums will match this funding with staff salary time, advertising, registration, and overhead expenses.

Thank you for your consideration of this project.

The Discovery Museums, Inc.
Partners in Creative Education
Children's Discovery Museum/Science Discovery Museum

177 Main Street, Acton, MA 01720 Tel. (508) 264-4200 TDD (508) 264-0030

ACTON MEMORIAL LIBRARY

486 Main Street
Acton, Massachusetts 017
264-9641 264-9642
TDD 635-0072

Board of Selectmen
Town of Acton
Acton, Massachusetts

The Acton Memorial Library's Children's Department requests a grant of six hundred dollars from the Jenks Fund to underwrite our 1993 Summer Reading Program titled "Sail on a Sea of Books." This program for the children of Acton is now in its thirteenth year and each year the number of participants has increased. Public response has been overwhelmingly favorable. Many parents and teachers have expressed appreciation for the help our program offers to maintaining reading levels during the summer vacation. Nine hundred children were registered for our 1992 program and we expect to easily match or exceed that number in 1993. In 1992, 17,000 books were read by children and their parents who participated in this program - an average of 17.4 books read per child. The \$400.00 allocation by the Jenks Fund provided quality programs at no cost to participants. We are proud we can provide this public service for all of the young people of Acton.

Because of our grant from the Jenks Fund 1992, the Children's Department was able to sign contracts with entertaining and reasonably priced performers that attracted children and adults to the library and to all its resources. Older children were entertained by local storyteller, Meryl Hlynka, at our Dirty Sneaker Contest and younger children enjoyed a magic show by the "Carsmith Brothers" of Lexington.

The Children's Department is requesting a \$200.00 increase from the previous year because of an impressive 50% increase (650 children in 1991 - 977 children in 1992) in the number of participants in the program. Our success is due largely in part because of the generosity shown by the Jenks Fund Committee. To ensure another successful Summer Reading Program and provide the community with stimulating, enriching, and free programs, please give us favorable consideration to our request for a six hundred dollar grant from the Jenks Fund for the 1992 program.

Thank you.



Lisa Rheault
Children's Librarian

Enclosed is the Acton Memorial Library's 1992 Summer Reading Program flyer, publicity releases, and photographs taken during the 1992 Summer Reading Program, "Reach For It. Read!" If we can answer any of your questions please call.

*in
Christies
file*



3/16/93
⑦

MAR - 4 1993

ACTON PUBLIC CEREMONIES COMMITTEE
BOY SCOUTS SUB-COMMITTEE
ACTON, MASS.

25 February 1993

Board of Selectmen
Acton Town Hall
Acton, MA
Attn: Nancy Tavernier, Chairman

Dear Chairman Tavernier,

I would like to extend an invitation to you to join us at our Boy Scout encampment celebrating Patriot's Day.

The event is being held on Sunday and Monday April 18 and 19 this year. We will be making the march with the townspeople of Acton this year

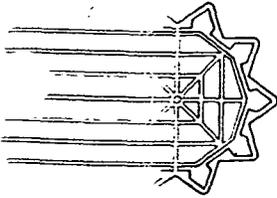
We would appreciate a few words of welcome at our campfire which will be at 8:00 on Sunday evening at our campground off Wetherbee Street.

If you have any questions my phone is 508-263-2674.

We appreciate the support of the Selectmen and the Town in helping to bring this historic event closer to hundreds of boys.

Regards,

Robert W. Ingram
Chairman



**Massachusetts
Municipal
Association**

Sixty Temple Place
Boston, Massachusetts 02111

(800) 882-1498

(617) 426-7272 FAX (617) 695-1314

SELECTMEN'S CONCERNS 3/16

3/16/93 (8)

MAR 8

March 5, 1993

Dear Local Official,

I am writing to ask your community's assistance in advocating for two important MMA efforts: removing the cap on lottery funds for cities and towns, and increasing the municipal share of the state gas tax revenue. The MMA will be working vigorously during the debate on the FY '94 state budget to ensure that these vital local aid initiatives are included in final version of the budget.

Enclosed please find background information and sample resolution language on these two important issues. We have also included figures that demonstrate the effect of these proposals on each community.

We ask that town meetings, boards of selectmen, city councils, and mayors record their support of these initiatives. Town officials may put the language on the town meeting warrant, or if warrants have closed, they may make a brief presentation to town meeting and move to adopt a resolution. If your town meeting date has past, we ask that the board of selectmen adopt a resolution at a regular meeting. City officials may take a vote of the city council or issue a mayoral resolution.

After taking action on these issues, please send a copy to the MMA office, send a letter and copy of the resolution to your legislators, and share the results with your local media.

Thank you for your participation in working toward a greater municipal share of state lottery and gas tax funds. We will provide information on future developments in these areas. If you have any questions, please contact the MMA's Legislative and Member Services Division.

Sincerely,

Geoffrey Beckwith
Executive Director

Massachusetts Municipal Association

Background on Lottery Aid

The Massachusetts Lottery was established 21 years ago for the exclusive purpose of providing cities and towns with an additional revenue source to support local services and to reduce property taxes.

For the past several years, the state has subverted the statutory intent of the Lottery by diverting portions of lottery revenue away from cities and towns and into the state's general fund (see graph on reverse side). Beginning in FY '90, the state routinely diverted all the growth in lottery proceeds away from cities and towns. By Fiscal Year 1992 the state was taking \$75 million in lottery monies, or nearly 20% of total lottery proceeds, away from communities and using it for state budgetary purposes.

Last summer, the MMA worked with the legislature to halt to the practice of level funding the "local share" of the lottery. Representative Frank Hynes of Marshfield offered and won an amendment to the state budget that allowed cities and towns to receive the estimated \$23 million growth in lottery revenues for FY '93. The amendment was included in the budget that was sent to the Governor's desk. The Governor vetoed the increase, but his veto was unanimously overridden by both the House and Senate.

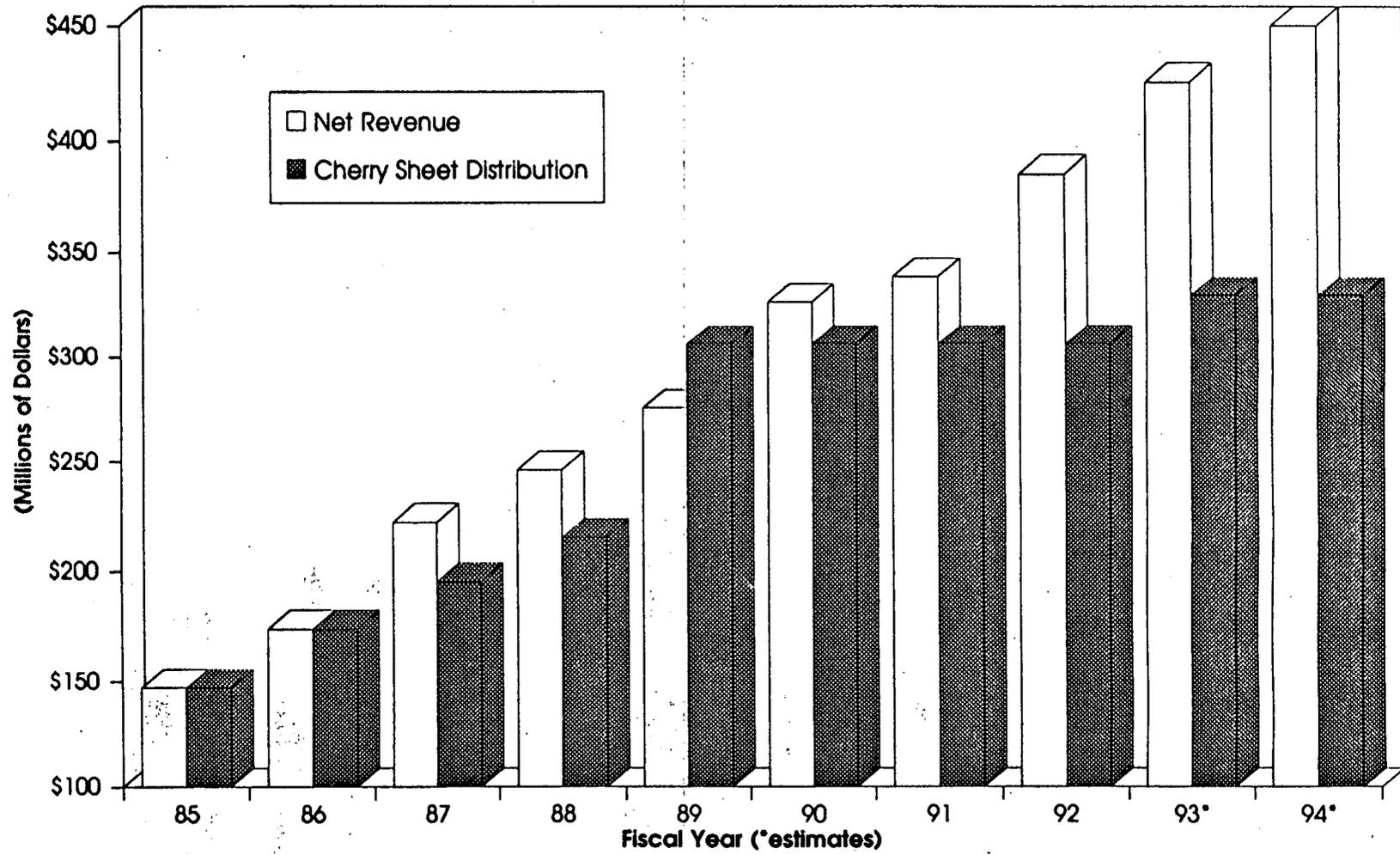
The projected FY '93 lottery increase was very conservative. The actual growth in lottery revenue will be \$41 million. In essence, cities and towns still face a lottery shortfall of \$18 million.

The FY '94 budget submitted by Governor Weld (House One) proposes a return to the practice of capping the lottery and not giving cities and towns their rightful increase of lottery revenue. Once again, working with the legislature, the MMA will offer a budget amendment to guarantee that cities and towns receive the full growth of lottery funds in FY '94. If this amendment is adopted, lottery aid would increase for municipalities by approximately \$47 million in FY '94. This MMA amendment is very reasonable because the state would still be allowed to retain \$75 million in lottery revenues in FY '94. Next year, the MMA plans to eliminate the entire state diversion of lottery funds, so that cities and towns will once again receive one hundred percent of lottery revenues.

Model Warrant Article

To see if the town of _____ will instruct its representatives to the General Court to support an amendment to the FY '94 state budget to guarantee that cities and towns receive the full \$47 million growth in lottery revenues.

Lottery Fund Diversions, FY85-93



Massachusetts Municipal Association

New Cherry Sheet Lottery Aid Under MMA-Sponsored Budget Amendment

Governor's FY94 recommendation is level-funded at \$329 million

MMA amendment would distribute \$376 million in FY94

[March 3, 1993]

Amounts Illustrate Effect Of Proposed MMA Amendment
Do Not Use For Budgeting Purposes

City/Town	Gov's FY94 CS Lottery Aid Proposal	MMA FY94 CS Lottery Aid Amend.	Gov-MMA Difference	City/Town	Gov's FY94 CS Lottery Aid Proposal	MMA FY94 CS Lottery Aid Amend.	Gov-MMA Difference
ABINGTON	\$933,624	\$1,066,857	\$133,233	BELLINGHAM	\$967,037	\$1,105,038	\$138,001
ACTON	\$604,239	\$690,467	\$86,228	BELMONT	\$838,039	\$957,631	\$119,592
ACUSHNET	\$725,930	\$829,524	\$103,594	BERKLEY	\$201,238	\$229,956	\$28,718
ADAMS	\$1,027,029	\$1,173,591	\$146,562	BERLIN	\$111,770	\$127,720	\$15,950
AGAWAM	\$1,697,549	\$1,939,798	\$242,249	BERNARDSTON	\$108,968	\$124,518	\$15,550
ALFORD	\$8,038	\$9,185	\$1,147	BEVERLY	\$1,762,752	\$2,014,306	\$251,554
AMESBURY	\$934,509	\$1,067,868	\$133,359	BILLERICA	\$1,730,437	\$1,977,379	\$246,942
AMHERST	\$3,453,217	\$3,946,009	\$492,792	BLACKSTONE	\$560,201	\$640,145	\$79,944
ANDOVER	\$695,537	\$794,794	\$99,257	BLANDFORD	\$53,242	\$60,840	\$7,598
ARLINGTON	\$2,066,731	\$2,361,664	\$294,933	BOLTON	\$72,919	\$83,325	\$10,406
ASHBURNHAM	\$243,314	\$278,036	\$34,722	BOSTON	\$27,232,544	\$31,118,769	\$3,886,225
ASHBY	\$159,768	\$182,568	\$22,800	BOURNE	\$454,076	\$518,875	\$64,799
ASHFIELD	\$67,485	\$77,115	\$9,630	BOXBOROUGH	\$94,128	\$107,561	\$13,433
ASHLAND	\$360,290	\$411,705	\$51,415	BOXFORD	\$166,417	\$190,166	\$23,749
ATHOL	\$852,782	\$974,478	\$121,696	BOYLSTON	\$158,680	\$181,324	\$22,644
ATTLEBORO	\$2,343,622	\$2,678,069	\$334,447	BRAINTREE	\$1,501,952	\$1,716,288	\$214,336
AUBURN	\$733,416	\$838,078	\$104,662	BREWSTER	\$112,688	\$128,769	\$16,081
AVON	\$209,043	\$238,875	\$29,832	BRIDGEWATER	\$1,233,762	\$1,409,826	\$176,064
AYER	\$401,191	\$458,443	\$57,252	BRIMFIELD	\$145,273	\$166,004	\$20,731
BARNSTABLE	\$670,573	\$766,267	\$95,694	BROCKTON	\$7,596,741	\$8,680,835	\$1,084,094
BARRE	\$326,531	\$373,129	\$46,598	BROOKFIELD	\$201,908	\$230,721	\$28,813
BECKET	\$35,440	\$40,497	\$5,057	BROOKLINE	\$1,818,725	\$2,078,266	\$259,541
BEDFORD	\$317,167	\$362,428	\$45,261	BUCKLAND	\$118,534	\$135,449	\$16,915
BELCHERTOWN	\$643,038	\$734,803	\$91,765	BURLINGTON	\$620,663	\$709,235	\$88,572

City/Town	Gov's FY94	MMA FY94	Gov-MMA Difference	City/Town	Gov's FY94	MMA FY94	Gov-MMA Difference
	CS Lottery Aid Proposal	CS Lottery Aid Amend.			CS Lottery Aid Proposal	CS Lottery Aid Amend.	
CAMBRIDGE	\$3,756,704	\$4,292,805	\$536,101	DRACUT	\$1,324,116	\$1,513,074	\$188,958
CANTON	\$602,533	\$688,518	\$85,985	DUDLEY	\$639,807	\$731,111	\$91,304
CARLISLE	\$78,845	\$90,097	\$11,252	DUNSTABLE	\$69,190	\$79,064	\$9,874
CARVER	\$496,322	\$567,150	\$70,828	DUXBURY	\$374,890	\$428,389	\$53,499
CHARLEMONT	\$64,715	\$73,950	\$9,235	EAST BRIDGEWATER	\$625,928	\$715,251	\$89,323
CHARLTON	\$470,791	\$537,975	\$67,184	EAST BROOKFIELD	\$136,756	\$156,272	\$19,516
CHATHAM	\$71,455	\$81,652	\$10,197	EAST LONGMEADOW	\$596,239	\$681,325	\$85,086
CHELMSFORD	\$1,290,155	\$1,474,267	\$184,112	EASTHAM	\$50,111	\$57,262	\$7,151
CHELSEA	\$2,311,923	\$2,641,846	\$329,923	EASTHAMPTON	\$1,260,162	\$1,439,994	\$179,832
CHESHIRE	\$233,160	\$266,433	\$33,273	EASTON	\$865,313	\$988,798	\$123,485
CHESTER	\$68,608	\$78,399	\$9,791	EDGARTOWN	\$14,520	\$16,592	\$2,072
CHESTERFIELD	\$53,043	\$60,613	\$7,570	EGREMONT	\$33,339	\$38,097	\$4,758
CHICOPEE	\$4,333,839	\$4,952,300	\$618,461	ERVING	\$20,744	\$23,704	\$2,960
CHILMARK	\$1,398	\$1,598	\$200	ESSEX	\$100,329	\$114,646	\$14,317
CLARKSBURG	\$176,529	\$201,721	\$25,192	EVERETT	\$1,395,370	\$1,594,497	\$199,127
CLINTON	\$967,530	\$1,105,602	\$138,072	FAIRHAVEN	\$942,856	\$1,077,406	\$134,550
COHASSET	\$199,483	\$227,950	\$28,467	FALL RIVER	\$11,396,680	\$13,023,045	\$1,626,365
COLRAIN	\$88,511	\$101,142	\$12,631	FALMOUTH	\$518,991	\$593,054	\$74,063
CONCORD	\$419,285	\$479,119	\$59,834	FITCHBURG	\$3,604,785	\$4,119,206	\$514,421
CONWAY	\$70,135	\$80,144	\$10,009	FLORIDA	\$15,765	\$18,015	\$2,250
CUMMINGTON	\$30,551	\$34,911	\$4,360	FOXBOROUGH	\$730,425	\$834,660	\$104,235
DALTON	\$422,333	\$482,602	\$60,269	FRAMINGHAM	\$2,523,084	\$2,883,141	\$360,057
DANVERS	\$908,100	\$1,037,691	\$129,591	FRANKLIN	\$1,050,220	\$1,200,092	\$149,872
DARTMOUTH	\$1,117,033	\$1,276,439	\$159,406	FREETOWN	\$394,376	\$450,655	\$56,279
DEDHAM	\$1,023,635	\$1,169,713	\$146,078	GARDNER	\$1,601,618	\$1,830,177	\$228,559
DEERFIELD	\$201,469	\$230,220	\$28,751	GAY HEAD	\$1,219	\$1,393	\$174
DENNIS	\$202,603	\$231,515	\$28,912	GEORGETOWN	\$293,993	\$335,947	\$41,954
DIGHTON	\$309,770	\$353,976	\$44,206	GILL	\$81,767	\$93,436	\$11,669
DOUGLAS	\$231,791	\$264,869	\$33,078	GLOUCESTER	\$1,132,176	\$1,293,743	\$161,567
DOVER	\$90,366	\$103,262	\$12,896	GOSHEN	\$27,182	\$31,061	\$3,879

City/Town	Gov's FY94	MMA FY94	Gov-MMA Difference	City/Town	Gov's FY94	MMA FY94	Gov-MMA Difference
	CS Lottery Aid Proposal	CS Lottery Aid Amend.			CS Lottery Aid Proposal	CS Lottery Aid Amend.	
GOSNOLD	\$167	\$191	\$24	HOPKINTON	\$244,057	\$278,885	\$34,828
GRAFTON	\$629,153	\$718,936	\$89,783	HUBBARDSTON	\$94,401	\$107,873	\$13,472
GRANBY	\$389,440	\$445,015	\$55,575	HUDSON	\$953,031	\$1,089,033	\$136,002
GRANVILLE	\$54,133	\$61,858	\$7,725	HULL	\$469,472	\$536,468	\$66,996
GREAT BARRINGTON	\$375,084	\$428,610	\$53,526	HUNTINGTON	\$127,399	\$145,579	\$18,180
GREENFIELD	\$1,421,799	\$1,624,697	\$202,898	IPSWICH	\$467,093	\$533,750	\$66,657
GROTON	\$277,779	\$317,419	\$39,640	KINGSTON	\$364,692	\$416,735	\$52,043
GROVELAND	\$307,693	\$351,602	\$43,909	LAKEVILLE	\$322,638	\$368,680	\$46,042
HADLEY	\$136,031	\$155,443	\$19,412	LANCASTER	\$402,564	\$460,012	\$57,448
HALIFAX	\$394,222	\$450,480	\$56,258	LANESBOROUGH	\$210,341	\$240,358	\$30,017
HAMILTON	\$278,476	\$318,216	\$39,740	LAWRENCE	\$6,275,273	\$7,170,787	\$895,514
HAMPDEN	\$289,703	\$331,045	\$41,342	LEE	\$362,298	\$414,000	\$51,702
HANCOCK	\$22,134	\$25,293	\$3,159	LEICESTER	\$786,050	\$898,223	\$112,173
HANOVER	\$482,846	\$551,751	\$68,905	LENOX	\$346,987	\$396,504	\$49,517
HANSON	\$591,758	\$676,205	\$84,447	LEOMINSTER	\$2,221,232	\$2,538,213	\$316,981
HARDWICK	\$190,760	\$217,982	\$27,222	LEVERETT	\$68,159	\$77,886	\$9,727
HARVARD	\$923,750	\$1,055,574	\$131,824	LEXINGTON	\$724,197	\$827,544	\$103,347
HARWICH	\$157,933	\$180,471	\$22,538	LEYDEN	\$23,249	\$26,567	\$3,318
HATFIELD	\$154,126	\$176,121	\$21,995	LINCOLN	\$208,631	\$238,404	\$29,773
HAVERHILL	\$3,159,061	\$3,609,875	\$450,814	LITTLETON	\$242,172	\$276,731	\$34,559
HAWLEY	\$11,661	\$13,325	\$1,664	LONGMEADOW	\$647,080	\$739,422	\$92,342
HEATH	\$17,216	\$19,673	\$2,457	LOWELL	\$7,189,329	\$8,215,283	\$1,025,954
HINGHAM	\$660,086	\$754,284	\$94,198	LUDLOW	\$1,307,554	\$1,494,149	\$186,595
HINSDALE	\$82,716	\$94,520	\$11,804	LUNENBURG	\$469,263	\$536,229	\$66,966
HOLBROOK	\$706,575	\$807,407	\$100,832	LYNN	\$5,597,804	\$6,396,640	\$798,836
HOLDEN	\$694,425	\$793,523	\$99,098	LYNNFIELD	\$336,948	\$385,032	\$48,084
HOLLAND	\$65,270	\$74,584	\$9,314	MALDEN	\$3,737,694	\$4,271,082	\$533,388
HOLLISTON	\$547,573	\$625,714	\$78,141	MANCHESTER	\$121,218	\$138,516	\$17,298
HOLYOKE	\$4,402,011	\$5,030,201	\$628,190	MANSFIELD	\$533,141	\$609,223	\$76,082
HOPEDALE	\$217,621	\$248,677	\$31,056	MARBLEHEAD	\$490,931	\$560,989	\$70,058

City/Town	Gov's FY94 CS Lottery Aid Proposal	MMA FY94 CS Lottery Aid Amend.	Gov-MMA Difference	City/Town	Gov's FY94 CS Lottery Aid Proposal	MMA FY94 CS Lottery Aid Amend.	Gov-MMA Difference
MARION	\$86,020	\$98,295	\$12,275	NEEDHAM	\$727,552	\$831,377	\$103,825
MARLBOROUGH	\$1,421,943	\$1,624,862	\$202,919	NEW ASHFORD	\$2,693	\$3,077	\$384
MARSHFIELD	\$949,218	\$1,084,676	\$135,458	NEW BEDFORD	\$11,304,438	\$12,917,640	\$1,613,202
MASHPEE	\$49,317	\$56,355	\$7,038	NEW BRAINTREE	\$40,978	\$46,826	\$5,848
MATTAPOISETT	\$203,982	\$233,091	\$29,109	NEW MARLBOROUGH	\$26,263	\$30,011	\$3,748
MAYNARD	\$482,266	\$551,088	\$68,822	NEW SALEM	\$45,190	\$51,639	\$6,449
MEDFIELD	\$397,730	\$454,488	\$56,758	NEWBURY	\$179,058	\$204,611	\$25,553
MEDFORD	\$3,446,751	\$3,938,620	\$491,869	NEWBURYPORT	\$737,331	\$842,552	\$105,221
MEDWAY	\$396,270	\$452,820	\$56,550	NEWTON	\$2,371,645	\$2,710,091	\$338,446
MELROSE	\$1,510,515	\$1,726,073	\$215,558	NORFOLK	\$325,518	\$371,971	\$46,453
MENDON	\$139,418	\$159,314	\$19,896	NORTH ADAMS	\$2,177,540	\$2,488,286	\$310,746
MERRIMAC	\$321,055	\$366,871	\$45,816	NORTH ANDOVER	\$729,919	\$834,082	\$104,163
METHUEN	\$2,133,842	\$2,438,352	\$304,510	NORTH ATTLEBOROUGH	\$1,228,072	\$1,403,324	\$175,252
MIDDLEBOROUGH	\$1,062,108	\$1,213,676	\$151,568	NORTH BROOKFIELD	\$354,730	\$405,352	\$50,622
MIDDLEFIELD	\$20,118	\$22,989	\$2,871	NORTH READING	\$481,121	\$549,779	\$68,658
MIDDLETON	\$151,923	\$173,603	\$21,680	NORTHAMPTON	\$1,949,265	\$2,227,435	\$278,170
MILFORD	\$1,436,859	\$1,641,906	\$205,047	NORTHBOROUGH	\$439,543	\$502,268	\$62,725
MILLBURY	\$808,218	\$923,555	\$115,337	NORTHBRIDGE	\$1,039,924	\$1,188,327	\$148,403
MILLIS	\$324,292	\$370,570	\$46,278	NORTHFIELD	\$101,285	\$115,739	\$14,454
MILLVILLE	\$143,702	\$164,209	\$20,507	NORTON	\$931,185	\$1,064,070	\$132,885
MILTON	\$1,063,296	\$1,215,034	\$151,738	NORWELL	\$316,660	\$361,849	\$45,189
MONROE	\$4,768	\$5,448	\$680	NORWOOD	\$1,191,109	\$1,361,086	\$169,977
MONSON	\$602,396	\$688,361	\$85,965	OAK BLUFFS	\$25,003	\$28,571	\$3,568
MONTAGUE	\$554,082	\$633,152	\$79,070	OAKHAM	\$55,875	\$63,849	\$7,974
MONTEREY	\$21,623	\$24,709	\$3,086	ORANGE	\$742,661	\$848,643	\$105,982
MONTGOMERY	\$36,113	\$41,267	\$5,154	ORLEANS	\$74,084	\$84,656	\$10,572
MOUNT WASHINGTON	\$1,029	\$1,176	\$147	OTIS	\$12,655	\$14,461	\$1,806
NAHANT	\$138,362	\$158,107	\$19,745	OXFORD	\$957,406	\$1,094,033	\$136,627
NANTUCKET	\$29,350	\$33,538	\$4,188	PALMER	\$876,260	\$1,001,307	\$125,047
NATICK	\$1,054,820	\$1,205,348	\$150,528	PAXTON	\$189,272	\$216,282	\$27,010

City/Town	Gov's FY94 CS Lottery Aid Proposal	MMA FY94 CS Lottery Aid Amend.	Gov-MMA Difference	City/Town	Gov's FY94 CS Lottery Aid Proposal	MMA FY94 CS Lottery Aid Amend.	Gov-MMA Difference
PEABODY	\$2,238,929	\$2,558,436	\$319,507	SALISBURY	\$278,537	\$318,286	\$39,749
PELHAM	\$59,315	\$67,780	\$8,465	SANDSFIELD	\$15,126	\$17,285	\$2,159
PEMBROKE	\$729,962	\$834,131	\$104,169	SANDWICH	\$183,844	\$210,079	\$26,235
PEPPERELL	\$495,045	\$565,690	\$70,645	SAUGUS	\$946,943	\$1,082,077	\$135,134
PERU	\$41,797	\$47,762	\$5,965	SAVOY	\$47,344	\$54,100	\$6,756
PETERSHAM	\$44,760	\$51,147	\$6,387	SCITUATE	\$695,739	\$795,025	\$99,286
PHILLIPSTON	\$44,364	\$50,695	\$6,331	SEEKONK	\$580,475	\$663,312	\$82,837
PITTSFIELD	\$3,765,842	\$4,303,247	\$537,405	SHARON	\$581,683	\$664,692	\$83,009
PLAINFIELD	\$15,847	\$18,108	\$2,261	SHEFFIELD	\$98,729	\$112,818	\$14,089
PLAINVILLE	\$295,602	\$337,786	\$42,184	SHELBURNE	\$130,057	\$148,617	\$18,560
PLYMOUTH	\$1,195,631	\$1,366,254	\$170,623	SHERBORN	\$101,080	\$115,505	\$14,425
PLYMPTON	\$92,569	\$105,779	\$13,210	SHIRLEY	\$395,123	\$451,509	\$56,386
PRINCETON	\$120,687	\$137,910	\$17,223	SHREWSBURY	\$1,024,322	\$1,170,498	\$146,176
PROVINCETOWN	\$66,417	\$75,895	\$9,478	SHUTESBURY	\$48,203	\$55,082	\$6,879
QUINCY	\$4,570,533	\$5,222,772	\$652,239	SOMERSET	\$594,944	\$679,846	\$84,902
RANDOLPH	\$1,507,589	\$1,722,730	\$215,141	SOMERVILLE	\$5,718,638	\$6,534,717	\$816,079
RAYNHAM	\$537,312	\$613,989	\$76,677	SOUTH HADLEY	\$1,139,762	\$1,302,412	\$162,650
READING	\$943,649	\$1,078,313	\$134,664	SOUTHAMPTON	\$253,115	\$289,236	\$36,121
REHOBOTH	\$406,259	\$464,234	\$57,975	SOUTHBOROUGH	\$187,413	\$214,158	\$26,745
REVERE	\$2,476,178	\$2,829,541	\$353,363	SOUTHBRIDGE	\$1,500,986	\$1,715,184	\$214,198
RICHMOND	\$54,533	\$62,315	\$7,782	SOUTHWICK	\$523,634	\$598,359	\$74,725
ROCHESTER	\$179,343	\$204,936	\$25,593	SPENCER	\$940,801	\$1,075,058	\$134,257
ROCKLAND	\$1,122,815	\$1,283,047	\$160,232	SPRINGFIELD	\$13,482,158	\$15,406,132	\$1,923,974
ROCKPORT	\$167,283	\$191,155	\$23,872	STERLING	\$277,482	\$317,080	\$39,598
ROWE	\$960	\$1,097	\$137	STOCKBRIDGE	\$52,537	\$60,034	\$7,497
ROWLEY	\$173,084	\$197,784	\$24,700	STONEHAM	\$933,153	\$1,066,319	\$133,166
ROYALSTON	\$55,922	\$63,902	\$7,980	STOUGHTON	\$1,494,962	\$1,708,301	\$213,339
RUSSELL	\$90,160	\$103,026	\$12,866	STOW	\$168,354	\$192,379	\$24,025
RUTLAND	\$348,941	\$398,737	\$49,796	STURBRIDGE	\$264,277	\$301,991	\$37,714
SALEM	\$1,635,310	\$1,868,677	\$233,367	SUDBURY	\$418,367	\$478,070	\$59,703

City/Town	Gov. Proposal	MMA Amend.	Difference	City/Town	Gov. Proposal	MMA Amend.	Difference
SUNDERLAND	\$192,803	\$220,317	\$27,514	WEST BOYLSTON	\$297,479	\$339,931	\$42,452
SUTTON	\$336,754	\$384,811	\$48,057	WEST BRIDGEWATER	\$323,069	\$369,173	\$46,104
SWAMPSCOTT	\$425,605	\$486,341	\$60,736	WEST BROOKFIELD	\$188,861	\$215,812	\$26,951
SWANSEA	\$945,344	\$1,080,249	\$134,905	WEST NEWBURY	\$122,884	\$140,420	\$17,536
TAUNTON	\$4,298,774	\$4,912,231	\$613,457	WEST SPRINGFIELD	\$1,473,874	\$1,684,203	\$210,329
TEMPLETON	\$539,250	\$616,204	\$76,954	WEST STOCKBRIDGE	\$51,476	\$58,822	\$7,346
TEWKSBURY	\$1,278,271	\$1,460,687	\$182,416	WEST TISBURY	\$9,010	\$10,296	\$1,286
TISBURY	\$46,469	\$53,100	\$6,631	WESTBOROUGH	\$436,754	\$499,081	\$62,327
TOLLAND	\$2,218	\$2,535	\$317	WESTFIELD	\$2,655,987	\$3,035,010	\$379,023
TOPSFIELD	\$181,570	\$207,481	\$25,911	WESTFORD	\$550,929	\$629,549	\$78,620
TOWNSEND	\$442,814	\$506,006	\$63,192	WESTHAMPTON	\$54,809	\$62,631	\$7,822
TRURO	\$13,112	\$14,983	\$1,871	WESTMINSTER	\$227,867	\$260,385	\$32,518
TYNGSBOROUGH	\$291,568	\$333,176	\$41,608	WESTON	\$199,773	\$228,282	\$28,509
TYRINGHAM	\$6,914	\$7,901	\$987	WESTPORT	\$667,687	\$762,969	\$95,282
UPTON	\$233,094	\$266,358	\$33,264	WESTWOOD	\$327,259	\$373,961	\$46,702
UXBRIDGE	\$589,764	\$673,926	\$84,162	WEYMOUTH	\$3,393,288	\$3,877,528	\$484,240
WAKEFIELD	\$1,072,165	\$1,225,168	\$153,003	WHATELY	\$59,547	\$68,045	\$8,498
WALES	\$93,706	\$107,078	\$13,372	WHITMAN	\$988,918	\$1,130,042	\$141,124
WALPOLE	\$818,861	\$935,717	\$116,856	WILBRAHAM	\$559,956	\$639,865	\$79,909
WALTHAM	\$2,485,099	\$2,839,735	\$354,636	WILLIAMSBURG	\$142,815	\$163,195	\$20,380
WARE	\$743,067	\$849,107	\$106,040	WILLIAMSTOWN	\$490,308	\$560,277	\$69,969
WAREHAM	\$969,617	\$1,107,986	\$138,369	WILMINGTON	\$578,543	\$661,104	\$82,561
WARREN	\$305,218	\$348,774	\$43,556	WINCHENDON	\$638,906	\$730,081	\$91,175
WARWICK	\$29,976	\$34,254	\$4,278	WINCHESTER	\$607,257	\$693,916	\$86,659
WASHINGTON	\$30,735	\$35,121	\$4,386	WINDSOR	\$22,160	\$25,322	\$3,162
WATERTOWN	\$1,378,103	\$1,574,765	\$196,662	WINTHROP	\$1,211,633	\$1,384,539	\$172,906
WAYLAND	\$327,396	\$374,117	\$46,721	WOBURN	\$1,431,980	\$1,636,331	\$204,351
WEBSTER	\$1,003,299	\$1,146,475	\$143,176	WORCESTER	\$12,815,549	\$14,644,394	\$1,828,845
WELLESLEY	\$642,823	\$734,557	\$91,734	WORTHINGTON	\$43,738	\$49,980	\$6,242
WELLFLEET	\$25,975	\$29,682	\$3,707	WRENTHAM	\$420,760	\$480,805	\$60,045
WENDELL	\$47,628	\$54,425	\$6,797	YARMOUTH	\$430,102	\$491,480	\$61,378
WENHAM	\$125,360	\$143,250	\$17,890	Total	\$329,000,000	\$375,950,001	\$46,950,001

Massachusetts Municipal Association

Gas Tax Revenue Sharing Act/Local Roads Fund

Estimated distribution as proposed in MMA legislation/House Bill 1567 and Senate Bill 1409

NOTES: [FY93 Chapter 90 Bond-Funded Amounts Not Included]

For Effect of Act; Compare Col. 3 to Col. 6
[March 3, 1993]

Amounts Illustrate Effect Of MMA Bill
Do Not Use For Budgeting Purposes

City/Town	Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6
	FY93 Ch.81 CS Amt.	FY93 Ch.90 Cash Amt.	Total FY93 Amounts	FY94 Ch.81 CS Amt.	FY94 Ch.90 Cash Amt.	Total FY94 Rv. Sh.
ABINGTON	\$138,090	\$69,326	\$207,416	\$201,476	\$373,791	\$575,266
ACTON	\$134,939	\$119,873	\$254,812	\$196,878	\$646,333	\$843,211
ACUSHNET	\$110,523	\$55,074	\$165,597	\$161,255	\$296,950	\$458,205
ADAMS	\$112,789	\$62,094	\$174,883	\$164,561	\$334,798	\$499,360
AGAWAM	\$255,149	\$126,285	\$381,434	\$372,267	\$680,902	\$1,053,169
ALFORD	\$11,404	\$15,306	\$26,710	\$16,639	\$82,527	\$99,166
AMESBURY	\$134,685	\$80,925	\$215,610	\$196,508	\$436,332	\$632,840
AMHERST	\$170,079	\$139,178	\$309,257	\$248,148	\$750,422	\$998,570
ANDOVER	\$113,246	\$235,849	\$349,095	\$165,228	\$1,271,652	\$1,436,880
ARLINGTON	\$242,368	\$163,048	\$405,416	\$353,619	\$879,121	\$1,232,740
ASHBURNHAM	\$81,463	\$64,877	\$146,340	\$118,856	\$349,804	\$468,660
ASHBY	\$59,187	\$49,774	\$108,961	\$86,355	\$268,371	\$354,725
ASHFIELD	\$59,307	\$62,657	\$121,964	\$86,530	\$337,835	\$424,365
ASHLAND	\$91,758	\$64,229	\$155,987	\$133,877	\$346,309	\$480,185
ATHOL	\$141,140	\$104,900	\$246,040	\$205,926	\$565,599	\$771,525
ATTLEBORO	\$348,468	\$233,652	\$582,120	\$508,421	\$1,259,804	\$1,768,225
AUBURN	\$167,758	\$110,846	\$278,604	\$244,762	\$597,660	\$842,422
AVON	\$48,654	\$37,174	\$85,828	\$70,987	\$200,436	\$271,423
AYER	\$112,974	\$50,012	\$162,986	\$164,831	\$269,656	\$434,487
BARNSTABLE	\$287,461	\$399,861	\$687,322	\$419,411	\$2,155,972	\$2,575,382
BARRE	\$101,998	\$87,121	\$189,119	\$148,817	\$469,738	\$618,554
BECKET	\$41,955	\$49,369	\$91,324	\$61,213	\$266,185	\$327,399
BEDFORD	\$49,095	\$139,174	\$188,269	\$71,630	\$750,401	\$822,032
BELCHERTOWN	\$144,346	\$108,877	\$253,223	\$210,603	\$587,042	\$797,645
BELLINGHAM	\$165,663	\$88,047	\$253,710	\$241,705	\$474,731	\$716,436
BELMONT	\$67,649	\$109,931	\$177,580	\$98,701	\$592,727	\$691,428
BERKLEY	\$54,171	\$42,547	\$96,718	\$79,036	\$229,405	\$308,441
BERLIN	\$46,158	\$37,902	\$84,060	\$67,345	\$204,362	\$271,708
BERNARDSTON	\$45,130	\$37,879	\$83,009	\$65,845	\$204,234	\$270,079
BEVERLY	\$239,060	\$186,574	\$425,634	\$348,793	\$1,005,969	\$1,354,762
BILLERICA	\$287,936	\$193,237	\$481,173	\$420,104	\$1,041,894	\$1,461,998
BLACKSTONE	\$83,616	\$43,705	\$127,321	\$121,997	\$235,650	\$357,647
BLANDFORD	\$49,896	\$53,203	\$103,099	\$72,799	\$286,861	\$359,660
BOLTON	\$43,691	\$50,050	\$93,741	\$63,746	\$269,858	\$333,604
BOSTON	\$828,848	\$2,848,294	\$3,677,142	\$1,209,304	\$15,357,437	\$16,566,741
BOURNE	\$123,995	\$114,376	\$238,371	\$180,911	\$616,691	\$797,602
BOXBOROUGH	\$21,577	\$26,942	\$48,519	\$31,481	\$145,266	\$176,747
BOXFORD	\$64,381	\$66,766	\$131,147	\$93,933	\$359,989	\$453,922
BOYLSTON	\$51,021	\$38,209	\$89,230	\$74,441	\$206,017	\$280,457
BRAINTREE	\$247,637	\$206,652	\$454,289	\$361,307	\$1,114,227	\$1,475,533

City/Town	Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6
	FY93 Ch.81 CS Amt.	FY93 Ch.90 Cash Amt.	Total FY93 Amounts	FY94 Ch.81 CS Amt.	FY94 Ch.90 Cash Amt.	Total FY94 Rv. Sh.
BREWSTER	\$34,460	\$53,101	\$87,561	\$50,278	\$286,312	\$336,589
BRIDGEWATER	\$170,873	\$101,461	\$272,334	\$249,307	\$547,060	\$796,367
BRIMFIELD	\$61,138	\$55,159	\$116,297	\$89,201	\$297,409	\$386,610
BROCKTON	\$737,685	\$397,063	\$1,134,748	\$1,076,295	\$2,140,883	\$3,217,179
BROOKFIELD	\$49,643	\$34,126	\$83,769	\$72,430	\$184,003	\$256,433
BROOKLINE	\$46,017	\$192,968	\$238,985	\$67,140	\$1,040,444	\$1,107,584
BUCKLAND	\$40,463	\$36,861	\$77,324	\$59,036	\$198,745	\$257,781
BURLINGTON	\$58,363	\$175,752	\$234,115	\$85,153	\$947,621	\$1,032,774
CAMBRIDGE	\$68,611	\$474,369	\$542,980	\$100,105	\$2,557,703	\$2,657,808
CANTON	\$120,552	\$124,850	\$245,402	\$175,887	\$673,167	\$849,054
CARLISLE	\$34,602	\$46,070	\$80,672	\$50,485	\$248,398	\$298,883
CARVER	\$111,038	\$72,029	\$183,067	\$162,006	\$388,365	\$550,371
CHARLEMONT	\$38,457	\$36,501	\$74,958	\$56,109	\$196,809	\$252,918
CHARLTON	\$132,504	\$105,459	\$237,963	\$193,326	\$568,612	\$761,938
CHATHAM	\$0	\$63,296	\$63,296	\$0	\$341,279	\$341,279
CHELMSFORD	\$242,982	\$196,649	\$439,631	\$354,515	\$1,060,294	\$1,414,809
CHELSEA	\$140,764	\$93,199	\$233,963	\$205,377	\$502,510	\$707,888
CHESHIRE	\$56,585	\$39,111	\$95,696	\$82,559	\$210,879	\$293,438
CHESTER	\$49,626	\$50,650	\$100,276	\$72,405	\$273,097	\$345,502
CHESTERFIELD	\$39,994	\$44,210	\$84,204	\$58,352	\$238,372	\$296,724
CHICOPEE	\$483,085	\$235,736	\$718,821	\$704,829	\$1,271,042	\$1,975,871
CHILMARK	\$0	\$13,088	\$13,088	\$0	\$70,570	\$70,570
CLARKSBURG	\$23,430	\$14,187	\$37,617	\$34,185	\$76,496	\$110,681
CLINTON	\$109,886	\$65,607	\$175,493	\$160,326	\$353,741	\$514,066
COHASSET	\$34,448	\$42,037	\$76,485	\$50,260	\$226,657	\$276,917
COLRAIN	\$66,533	\$67,876	\$134,409	\$97,073	\$365,976	\$463,049
CONCORD	\$69,430	\$131,710	\$201,140	\$101,300	\$710,154	\$811,454
CONWAY	\$52,942	\$55,148	\$108,090	\$77,243	\$297,346	\$374,589
CUMMINGTON	\$37,493	\$40,836	\$78,329	\$54,703	\$220,181	\$274,884
DALTON	\$67,419	\$43,379	\$110,798	\$98,365	\$233,892	\$332,258
DANVERS	\$166,518	\$153,606	\$320,124	\$242,953	\$828,215	\$1,071,167
DARTMOUTH	\$258,978	\$187,504	\$446,482	\$377,853	\$1,010,983	\$1,388,836
DEDHAM	\$176,236	\$124,912	\$301,148	\$257,131	\$673,500	\$930,631
DEERFIELD	\$83,719	\$76,269	\$159,988	\$122,147	\$411,229	\$533,377
DENNIS	\$49,111	\$135,221	\$184,332	\$71,654	\$729,085	\$800,738
DIGHTON	\$75,101	\$55,111	\$130,212	\$109,574	\$297,149	\$406,723
DOUGLAS	\$80,843	\$64,704	\$145,547	\$117,951	\$348,872	\$466,823
DOVER	\$14,165	\$44,648	\$58,813	\$20,667	\$240,731	\$261,398
DRACUT	\$229,554	\$127,927	\$357,481	\$334,923	\$689,759	\$1,024,683
DUDLEY	\$119,262	\$81,025	\$200,287	\$174,005	\$436,873	\$610,878
DUNSTABLE	\$33,633	\$32,356	\$65,989	\$49,071	\$174,455	\$223,526
DUXBURY	\$91,639	\$91,228	\$182,867	\$133,703	\$491,885	\$625,588
EAST BRIDGEWAT	\$94,941	\$41,344	\$136,285	\$138,521	\$222,918	\$361,438
EAST BROOKFIELD	\$29,391	\$18,220	\$47,611	\$42,882	\$98,239	\$141,121
EAST LONGMEADO	\$131,705	\$100,743	\$232,448	\$192,160	\$543,186	\$735,346
EASTHAM	\$8,972	\$42,884	\$51,856	\$13,090	\$231,223	\$244,313

City/Town	Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6
	FY93 Ch. 81 CS Amt.	FY93 Ch. 90 Cash Amt.	Total FY93 Amounts	FY94 Ch. 81 CS Amt.	FY94 Ch. 90 Cash Amt.	Total FY94 Rv. Sh.
EASTHAMPTON	\$168,877	\$91,938	\$260,815	\$246,394	\$495,714	\$742,108
EASTON	\$169,579	\$104,299	\$273,878	\$247,419	\$562,361	\$809,779
EDGARTOWN	\$0	\$44,752	\$44,752	\$0	\$241,294	\$241,294
EGREMONT	\$26,663	\$31,412	\$58,075	\$38,902	\$169,366	\$208,267
ERVING	\$5,448	\$17,973	\$23,421	\$7,949	\$96,906	\$104,855
ESSEX	\$30,816	\$26,309	\$57,125	\$44,961	\$141,854	\$186,815
EVERETT	\$88,588	\$129,879	\$218,467	\$129,251	\$700,281	\$829,532
FAIRHAVEN	\$149,754	\$92,875	\$242,629	\$218,494	\$500,765	\$719,259
FALL RIVER	\$721,380	\$397,073	\$1,118,453	\$1,052,506	\$2,140,939	\$3,193,445
FALMOUTH	\$151,558	\$213,218	\$364,776	\$221,126	\$1,149,629	\$1,370,755
FITCHBURG	\$395,406	\$243,041	\$638,447	\$576,904	\$1,310,427	\$1,887,332
FLORIDA	\$27,067	\$33,631	\$60,698	\$39,491	\$181,332	\$220,824
FOXBOROUGH	\$151,744	\$94,695	\$246,439	\$221,397	\$510,579	\$731,976
FRAMINGHAM	\$387,044	\$372,716	\$759,760	\$564,704	\$2,009,613	\$2,574,317
FRANKLIN	\$167,330	\$112,517	\$279,847	\$244,137	\$606,671	\$850,808
FREETOWN	\$105,495	\$62,603	\$168,098	\$153,919	\$337,545	\$491,464
GARDNER	\$192,641	\$122,774	\$315,415	\$281,067	\$661,976	\$943,042
GAY HEAD	\$0	\$3,824	\$3,824	\$0	\$20,617	\$20,617
GEORGETOWN	\$66,989	\$44,641	\$111,630	\$97,738	\$240,697	\$338,436
GILL	\$39,196	\$35,416	\$74,612	\$57,188	\$190,955	\$248,143
GLOUCESTER	\$146,059	\$137,137	\$283,196	\$213,103	\$739,418	\$952,521
GOSHEN	\$21,885	\$23,019	\$44,904	\$31,931	\$124,115	\$156,046
GOSNOLD	\$0	\$1,404	\$1,404	\$0	\$7,569	\$7,569
GRAFTON	\$135,841	\$86,736	\$222,577	\$198,194	\$467,665	\$665,859
GRANBY	\$82,187	\$54,187	\$136,374	\$119,912	\$292,165	\$412,078
GRANVILLE	\$53,034	\$55,436	\$108,470	\$77,378	\$298,902	\$376,279
GREAT BARRINGT	\$98,562	\$83,174	\$181,736	\$143,804	\$448,459	\$592,262
GREENFIELD	\$195,329	\$129,447	\$324,776	\$284,988	\$697,952	\$982,940
GROTON	\$93,227	\$75,684	\$168,911	\$136,020	\$408,071	\$544,091
GROVELAND	\$63,762	\$37,422	\$101,184	\$93,030	\$201,770	\$294,800
HADLEY	\$62,310	\$65,066	\$127,376	\$90,911	\$350,825	\$441,736
HALIFAX	\$76,284	\$43,938	\$120,222	\$111,300	\$236,905	\$348,205
HAMILTON	\$62,685	\$47,983	\$110,668	\$91,459	\$258,715	\$350,173
HAMPDEN	\$74,282	\$47,852	\$122,134	\$108,379	\$258,009	\$366,387
HANCOCK	\$22,271	\$22,756	\$45,027	\$32,494	\$122,696	\$155,190
HANOVER	\$97,582	\$80,767	\$178,349	\$142,374	\$435,478	\$577,852
HANSON	\$97,383	\$52,775	\$150,158	\$142,083	\$284,551	\$426,634
HARDWICK	\$76,511	\$76,552	\$153,063	\$111,631	\$412,755	\$524,386
HARVARD	\$59,758	\$74,130	\$133,888	\$87,188	\$399,697	\$486,884
HARWICH	\$72,549	\$120,634	\$193,183	\$105,850	\$650,432	\$756,282
HATFIELD	\$61,354	\$47,717	\$109,071	\$89,517	\$257,281	\$346,798
HAVERHILL	\$401,345	\$269,667	\$671,012	\$585,569	\$1,453,992	\$2,039,562
HAWLEY	\$31,282	\$37,265	\$68,547	\$45,641	\$200,928	\$246,569
HEATH	\$36,970	\$43,785	\$80,755	\$53,940	\$236,078	\$290,018
HINGHAM	\$115,884	\$129,131	\$245,015	\$169,077	\$696,251	\$865,328
HINSDALE	\$33,732	\$32,080	\$65,812	\$49,216	\$172,967	\$222,182

City/Town	Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6
	FY93 Ch. 81 CS Amt.	FY93 Ch. 90 Cash Amt.	Total FY93 Amounts	FY94 Ch. 81 CS Amt.	FY94 Ch. 90 Cash Amt.	Total FY94 Rv. Sh.
HOLBROOK	\$109,838	\$48,594	\$158,432	\$160,256	\$262,007	\$422,263
HOLDEN	\$160,232	\$112,565	\$272,797	\$233,781	\$606,928	\$840,709
HOLLAND	\$35,317	\$32,558	\$67,875	\$51,528	\$175,546	\$227,074
HOLLISTON	\$115,688	\$84,067	\$199,755	\$168,791	\$453,274	\$622,065
HOLYOKE	\$346,773	\$227,135	\$573,908	\$505,948	\$1,224,668	\$1,730,616
HOPEDALE	\$49,817	\$25,937	\$75,754	\$72,684	\$139,848	\$212,532
HOPKINTON	\$78,352	\$76,203	\$154,555	\$114,317	\$410,870	\$525,187
HUBBARDSTON	\$67,979	\$65,236	\$133,215	\$99,183	\$351,739	\$450,922
HUDSON	\$165,401	\$95,783	\$261,184	\$241,323	\$516,444	\$757,767
HULL	\$80,626	\$54,986	\$135,612	\$117,635	\$296,474	\$414,108
HUNTINGTON	\$44,268	\$35,228	\$79,496	\$64,588	\$189,940	\$254,528
IPSWICH	\$104,987	\$77,641	\$182,628	\$153,178	\$418,627	\$571,805
KINGSTON	\$86,523	\$53,841	\$140,364	\$126,239	\$290,301	\$416,539
LAKEVILLE	\$88,227	\$58,979	\$147,206	\$128,725	\$318,001	\$446,726
LANCASTER	\$77,016	\$58,731	\$135,747	\$112,368	\$316,668	\$429,036
LANESBOROUGH	\$51,477	\$41,369	\$92,846	\$75,106	\$223,052	\$298,157
LAWRENCE	\$489,471	\$251,936	\$741,407	\$714,147	\$1,358,389	\$2,072,536
LEE	\$75,950	\$57,973	\$133,923	\$110,812	\$312,578	\$423,390
LEICESTER	\$137,427	\$82,614	\$220,041	\$200,508	\$445,440	\$645,948
LENOX	\$69,767	\$57,679	\$127,446	\$101,791	\$310,994	\$412,785
LEOMINSTER	\$337,586	\$211,102	\$548,688	\$492,544	\$1,138,220	\$1,630,764
LEVERETT	\$33,395	\$30,209	\$63,604	\$48,724	\$162,882	\$211,606
LEXINGTON	\$59,665	\$182,773	\$242,438	\$87,052	\$985,477	\$1,072,529
LEYDEN	\$27,306	\$31,121	\$58,427	\$39,840	\$167,796	\$207,636
LINCOLN	\$19,888	\$54,393	\$74,281	\$29,017	\$293,276	\$322,293
LITTLETON	\$69,993	\$59,663	\$129,656	\$102,121	\$321,693	\$423,814
LONGMEADOW	\$117,344	\$94,754	\$212,098	\$171,207	\$510,895	\$682,102
LOWELL	\$612,254	\$390,455	\$1,002,709	\$893,289	\$2,105,259	\$2,998,548
LUDLOW	\$195,242	\$108,487	\$303,729	\$284,861	\$584,941	\$869,802
LUNENBURG	\$120,413	\$77,107	\$197,520	\$175,685	\$415,744	\$591,429
LYNN	\$519,133	\$322,640	\$841,773	\$757,424	\$1,739,613	\$2,497,037
LYNNFIELD	\$68,167	\$64,844	\$133,011	\$99,457	\$349,624	\$449,080
MALDEN	\$338,558	\$198,481	\$537,039	\$493,962	\$1,070,169	\$1,564,131
MANCHESTER	\$15,616	\$30,137	\$45,753	\$22,784	\$162,491	\$185,275
MANSFIELD	\$111,626	\$100,465	\$212,091	\$162,864	\$541,687	\$704,552
MARBLEHEAD	\$36,329	\$89,884	\$126,213	\$53,005	\$484,637	\$537,641
MARION	\$14,588	\$27,001	\$41,589	\$21,284	\$145,584	\$166,868
MARLBOROUGH	\$215,077	\$166,931	\$382,008	\$313,801	\$900,057	\$1,213,858
MARSHFIELD	\$176,328	\$112,030	\$288,358	\$257,266	\$604,043	\$861,309
MASHPEE	\$39,555	\$108,659	\$148,214	\$57,711	\$585,868	\$643,579
MATTAPOISETT	\$53,224	\$43,714	\$96,938	\$77,655	\$235,697	\$313,352
MAYNARD	\$79,423	\$81,822	\$161,245	\$115,880	\$441,167	\$557,046
MEDFIELD	\$76,855	\$75,167	\$152,022	\$112,133	\$405,285	\$517,418
MEDFORD	\$327,395	\$208,997	\$536,392	\$477,675	\$1,126,872	\$1,604,547
MEDWAY	\$83,593	\$61,209	\$144,802	\$121,964	\$330,029	\$451,993
MELROSE	\$161,516	\$112,265	\$273,781	\$235,655	\$605,310	\$840,965

City/Town	Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6
	FY93 Ch. 81 CS Amt.	FY93 Ch. 90 Cash Amt.	Total FY93 Amounts	FY94 Ch. 81 CS Amt.	FY94 Ch. 90 Cash Amt.	Total FY94 Rv. Sh.
MENDON	\$44,810	\$37,531	\$82,341	\$65,379	\$202,359	\$267,738
MERRIMAC	\$53,407	\$31,977	\$85,384	\$77,922	\$172,412	\$250,333
METHUEN	\$326,567	\$196,282	\$522,849	\$476,467	\$1,058,313	\$1,534,780
MIDDLEBOROUGH	\$222,439	\$153,745	\$376,184	\$324,542	\$828,965	\$1,153,507
MIDDLEFIELD	\$27,737	\$31,131	\$58,868	\$40,469	\$167,853	\$208,322
MIDDLETON	\$48,074	\$38,626	\$86,700	\$70,141	\$208,266	\$278,407
MILFORD	\$196,968	\$129,993	\$326,961	\$287,380	\$700,896	\$988,276
MILLBURY	\$137,809	\$73,837	\$211,646	\$201,066	\$398,114	\$599,179
MILLIS	\$72,160	\$51,202	\$123,362	\$105,283	\$276,071	\$381,354
MILLVILLE	\$27,975	\$18,606	\$46,581	\$40,816	\$100,320	\$141,136
MILTON	\$136,270	\$119,865	\$256,135	\$198,820	\$646,286	\$845,107
MONROE	\$11,898	\$14,691	\$26,589	\$17,359	\$79,212	\$96,571
MONSON	\$127,240	\$98,600	\$225,840	\$185,645	\$531,629	\$717,275
MONTAGUE	\$130,551	\$99,154	\$229,705	\$190,476	\$534,618	\$725,094
MONTEREY	\$32,453	\$39,387	\$71,840	\$47,349	\$212,366	\$259,715
MONTGOMERY	\$25,234	\$26,214	\$51,448	\$36,817	\$141,343	\$178,160
MOUNT WASHINGT	\$10,733	\$14,183	\$24,916	\$15,660	\$76,474	\$92,133
NAHANT	\$17,793	\$19,220	\$37,013	\$25,960	\$103,630	\$129,590
NANTUCKET	\$0	\$123,248	\$123,248	\$0	\$664,530	\$664,530
NATICK	\$199,129	\$174,742	\$373,871	\$290,533	\$942,174	\$1,232,707
NEEDHAM	\$95,077	\$178,649	\$273,726	\$138,719	\$963,239	\$1,101,958
NEW ASHFORD	\$6,165	\$8,407	\$14,572	\$8,995	\$45,327	\$54,322
NEW BEDFORD	\$788,357	\$457,937	\$1,246,294	\$1,150,227	\$2,469,105	\$3,619,332
NEW BRAINTREE	\$38,574	\$42,233	\$80,807	\$56,280	\$227,714	\$283,994
NEW MARLBOROU	\$57,787	\$71,805	\$129,592	\$84,312	\$387,159	\$471,471
NEW SALEM	\$32,548	\$33,475	\$66,023	\$47,488	\$180,489	\$227,977
NEWBURY	\$63,307	\$48,734	\$112,041	\$92,366	\$262,767	\$355,133
NEWBURYPORT	\$100,556	\$92,255	\$192,811	\$146,713	\$497,421	\$644,134
NEWTON	\$126,377	\$459,465	\$585,842	\$184,386	\$2,477,342	\$2,661,728
NORFOLK	\$73,190	\$59,264	\$132,454	\$106,785	\$319,542	\$426,328
NORTH ADAMS	\$151,277	\$83,900	\$235,177	\$220,716	\$452,370	\$673,086
NORTH ANDOVER	\$129,794	\$147,833	\$277,627	\$189,372	\$797,085	\$986,457
NORTH ATTLEBOR	\$215,141	\$120,496	\$335,637	\$313,894	\$649,689	\$963,584
NORTH BROOKFIE	\$81,099	\$63,792	\$144,891	\$118,325	\$343,956	\$462,281
NORTH READING	\$96,350	\$69,489	\$165,839	\$140,576	\$374,672	\$515,248
NORTHAMPTON	\$252,174	\$192,130	\$444,304	\$367,926	\$1,035,929	\$1,403,855
NORTHBOROUGH	\$110,324	\$80,618	\$190,942	\$160,965	\$434,674	\$595,639
NORTHBRIDGE	\$140,362	\$71,817	\$212,179	\$204,791	\$387,223	\$592,014
NORTHFIELD	\$61,738	\$58,956	\$120,694	\$90,077	\$317,876	\$407,953
NORTON	\$143,167	\$86,057	\$229,224	\$208,883	\$464,002	\$672,885
NORWELL	\$72,760	\$74,475	\$147,235	\$106,158	\$401,552	\$507,710
NORWOOD	\$191,444	\$174,515	\$365,959	\$279,320	\$940,949	\$1,220,270
OAK BLUFFS	\$9,505	\$32,860	\$42,365	\$13,868	\$177,174	\$191,042
OAKHAM	\$39,149	\$37,063	\$76,212	\$57,119	\$199,838	\$256,957
ORANGE	\$115,635	\$81,569	\$197,204	\$168,713	\$439,806	\$608,520
ORLEANS	\$9,051	\$61,724	\$70,775	\$13,206	\$332,803	\$346,009

City/Town	Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6
	FY93 Ch. 81	FY93 Ch. 90	Total FY93	FY94 Ch. 81	FY94 Ch. 90	Total
	CS Amt.	Cash Amt.	Amounts	CS Amt.	Cash Amt.	FY94 Rv. Sh.
OTIS	\$24,394	\$37,251	\$61,645	\$35,591	\$200,849	\$236,440
OXFORD	\$152,636	\$90,204	\$242,840	\$222,699	\$486,362	\$709,061
PALMER	\$162,964	\$104,840	\$267,804	\$237,767	\$565,275	\$803,043
PAXTON	\$45,994	\$33,441	\$79,435	\$67,106	\$180,309	\$247,415
PEABODY	\$267,497	\$171,099	\$438,596	\$390,283	\$922,534	\$1,312,817
PELHAM	\$23,117	\$20,177	\$43,294	\$33,728	\$108,790	\$142,518
PEMBROKE	\$125,162	\$69,575	\$194,737	\$182,614	\$375,136	\$557,749
PEPPERELL	\$113,609	\$77,378	\$190,987	\$165,758	\$417,204	\$582,962
PERU	\$26,737	\$28,104	\$54,841	\$39,010	\$151,533	\$190,543
PETERSHAM	\$47,897	\$52,950	\$100,847	\$69,883	\$285,497	\$355,380
PHILLIPSTON	\$36,770	\$38,138	\$74,908	\$53,648	\$205,631	\$259,279
PITTSFIELD	\$442,403	\$294,063	\$736,466	\$645,474	\$1,585,529	\$2,231,003
PLAINFIELD	\$35,143	\$39,881	\$75,024	\$51,274	\$215,033	\$266,307
PLAINVILLE	\$72,332	\$48,272	\$120,604	\$105,534	\$260,272	\$365,806
PLYMOUTH	\$220,577	\$204,762	\$425,339	\$321,826	\$1,104,037	\$1,425,863
PLYMPTON	\$35,442	\$31,005	\$66,447	\$51,710	\$167,175	\$218,885
PRINCETON	\$74,830	\$69,270	\$144,100	\$109,178	\$373,492	\$482,671
PROVINCETOWN	\$0	\$24,597	\$24,597	\$0	\$132,621	\$132,621
QUINCY	\$440,060	\$362,471	\$802,531	\$642,055	\$1,954,370	\$2,596,426
RANDOLPH	\$230,005	\$138,359	\$368,364	\$335,581	\$746,005	\$1,081,587
RAYNHAM	\$109,292	\$69,456	\$178,748	\$159,459	\$374,493	\$533,952
READING	\$154,833	\$109,303	\$264,136	\$225,904	\$589,341	\$815,245
REHOBOTH	\$145,732	\$109,401	\$255,133	\$212,626	\$589,868	\$802,493
REVERE	\$215,077	\$140,821	\$355,898	\$313,801	\$759,280	\$1,073,081
RICHMOND	\$34,679	\$35,495	\$70,174	\$50,597	\$191,382	\$241,979
ROCHESTER	\$63,056	\$50,954	\$114,010	\$92,000	\$274,733	\$366,732
ROCKLAND	\$141,908	\$75,318	\$217,226	\$207,046	\$406,098	\$613,145
ROCKPORT	\$31,748	\$39,874	\$71,622	\$46,321	\$214,991	\$261,312
ROWE	\$2,453	\$31,282	\$33,735	\$3,579	\$168,666	\$172,245
ROWLEY	\$49,507	\$39,848	\$89,355	\$72,232	\$214,854	\$287,085
ROYALSTON	\$55,928	\$60,662	\$116,590	\$81,600	\$327,080	\$408,680
RUSSELL	\$27,660	\$21,360	\$49,020	\$40,356	\$115,171	\$155,527
RUTLAND	\$78,339	\$61,114	\$139,453	\$114,298	\$329,515	\$443,813
SALEM	\$180,031	\$155,990	\$336,021	\$262,668	\$841,068	\$1,103,736
SALISBURY	\$60,763	\$39,719	\$100,482	\$88,654	\$214,157	\$302,812
SANDISFIELD	\$53,560	\$68,452	\$122,012	\$78,145	\$369,081	\$447,226
SANDWICH	\$71,833	\$99,120	\$170,953	\$104,806	\$534,438	\$639,243
SAUGUS	\$159,098	\$113,949	\$273,047	\$232,127	\$614,391	\$846,518
SAVOY	\$37,436	\$41,397	\$78,833	\$54,620	\$223,205	\$277,825
SCITUATE	\$150,407	\$108,832	\$259,239	\$219,446	\$586,799	\$806,245
SEEKONK	\$145,978	\$99,873	\$245,851	\$212,984	\$538,494	\$751,479
SHARON	\$133,487	\$105,176	\$238,663	\$194,760	\$567,086	\$761,846
SHEFFIELD	\$71,794	\$72,688	\$144,482	\$104,749	\$391,921	\$496,670
SHELBURNE	\$50,912	\$45,983	\$96,895	\$74,281	\$247,933	\$322,214
SHERBORN	\$31,192	\$46,643	\$77,835	\$45,510	\$251,488	\$296,998
SHIRLEY	\$65,033	\$46,594	\$111,627	\$94,884	\$251,224	\$346,109

City/Town	Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6
	FY93 Ch.81 CS Amt.	FY93 Ch.90 Cash Amt.	Total FY93 Amounts	FY94 Ch.81 CS Amt.	FY94 Ch.90 Cash Amt.	Total FY94 Rv. Sh.
SHREWSBURY	\$205,539	\$130,390	\$335,929	\$299,885	\$703,038	\$1,002,923
SHUTESBURY	\$32,387	\$32,341	\$64,728	\$47,253	\$174,376	\$221,629
SOMERSET	\$133,633	\$101,541	\$235,174	\$194,973	\$547,490	\$742,463
SOMERVILLE	\$340,176	\$218,227	\$558,403	\$496,323	\$1,176,636	\$1,672,958
SOUTH HADLEY	\$156,330	\$97,381	\$253,711	\$228,088	\$525,057	\$753,145
SOUTHAMPTON	\$73,092	\$55,324	\$128,416	\$106,643	\$298,298	\$404,941
SOUTHBOROUGH	\$60,279	\$64,801	\$125,080	\$87,948	\$349,394	\$437,342
SOUTHBRIDGE	\$181,356	\$109,792	\$291,148	\$264,602	\$591,979	\$856,581
SOUTHWICK	\$104,565	\$64,625	\$169,190	\$152,562	\$348,445	\$501,008
SPENCER	\$148,412	\$100,218	\$248,630	\$216,536	\$540,357	\$756,892
SPRINGFIELD	\$1,240,436	\$736,173	\$1,976,609	\$1,809,818	\$3,969,301	\$5,779,119
STERLING	\$97,149	\$77,721	\$174,870	\$141,742	\$419,059	\$560,801
STOCKBRIDGE	\$26,383	\$41,520	\$67,903	\$38,493	\$223,867	\$262,361
STONEHAM	\$133,943	\$96,817	\$230,760	\$195,425	\$522,019	\$717,444
STOUGHTON	\$217,170	\$137,247	\$354,417	\$316,855	\$740,009	\$1,056,864
STOW	\$50,940	\$45,496	\$96,436	\$74,322	\$245,303	\$319,626
STURBRIDGE	\$95,634	\$83,331	\$178,965	\$139,532	\$449,302	\$588,834
SUDBURY	\$109,964	\$131,079	\$241,043	\$160,439	\$706,750	\$867,189
SUNDERLAND	\$45,752	\$36,015	\$81,767	\$66,753	\$194,186	\$260,939
SUTTON	\$102,061	\$84,397	\$186,458	\$148,909	\$455,053	\$603,961
SWAMPSCOTT	\$36,521	\$52,888	\$89,409	\$53,285	\$285,160	\$338,445
SWANSEA	\$173,131	\$107,770	\$280,901	\$252,601	\$581,074	\$833,675
TAUNTON	\$452,555	\$238,660	\$691,215	\$660,286	\$1,286,809	\$1,947,094
TEMPLETON	\$98,296	\$67,386	\$165,682	\$143,416	\$363,330	\$506,746
TEWKSBURY	\$233,058	\$154,288	\$387,346	\$340,036	\$831,893	\$1,171,929
TISBURY	\$9,628	\$29,360	\$38,988	\$14,047	\$158,304	\$172,351
TOLLAND	\$22,445	\$33,397	\$55,842	\$32,748	\$180,072	\$212,820
TOPSFIELD	\$62,004	\$51,929	\$113,933	\$90,465	\$279,990	\$370,455
TOWNSEND	\$111,095	\$87,749	\$198,844	\$162,090	\$473,127	\$635,217
TRURO	\$3,867	\$34,362	\$38,229	\$5,642	\$185,274	\$190,916
TYNGSBOROUGH	\$78,010	\$53,474	\$131,484	\$113,818	\$288,322	\$402,140
TYRINGHAM	\$16,090	\$21,076	\$37,166	\$23,476	\$113,637	\$137,112
UPTON	\$77,084	\$54,927	\$132,011	\$112,467	\$296,155	\$408,622
UXBRIDGE	\$122,093	\$84,001	\$206,094	\$178,136	\$452,917	\$631,053
WAKEFIELD	\$170,439	\$127,090	\$297,529	\$248,673	\$685,242	\$933,916
WALES	\$27,439	\$21,415	\$48,854	\$40,034	\$115,465	\$155,499
WALPOLE	\$158,983	\$122,566	\$281,549	\$231,959	\$660,852	\$892,811
WALTHAM	\$296,035	\$325,162	\$621,197	\$431,920	\$1,753,208	\$2,185,128
WARE	\$129,883	\$88,506	\$218,389	\$189,502	\$477,208	\$666,710
WAREHAM	\$178,267	\$129,860	\$308,127	\$260,095	\$700,177	\$960,271
WARREN	\$76,954	\$60,815	\$137,769	\$112,277	\$327,905	\$440,182
WARWICK	\$41,640	\$46,782	\$88,422	\$60,753	\$252,238	\$312,991
WASHINGTON	\$31,195	\$35,642	\$66,837	\$45,514	\$192,174	\$237,688
WATERTOWN	\$133,047	\$152,344	\$285,391	\$194,118	\$821,407	\$1,015,525
WAYLAND	\$68,794	\$96,079	\$164,873	\$100,372	\$518,036	\$618,408
WEBSTER	\$144,527	\$89,559	\$234,086	\$210,867	\$482,883	\$693,750

City/Town	Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6
	FY93 Ch.81 CS Amt.	FY93 Ch.90 Cash Amt.	Total FY93 Amonata	FY94 Ch.81 CS Amt.	FY94 Ch.90 Cash Amt.	Total FY94 Ev. Sh.
WELLESLEY	\$21,047	\$170,315	\$191,362	\$30,708	\$918,307	\$949,014
WELLFLEET	\$8,189	\$45,367	\$53,556	\$11,948	\$244,608	\$256,556
WENDELL	\$39,233	\$40,841	\$80,074	\$57,242	\$220,207	\$277,448
WENHAM	\$21,806	\$24,349	\$46,155	\$31,815	\$131,285	\$163,100
WEST BOYLSTON	\$70,389	\$52,899	\$123,288	\$102,699	\$285,219	\$387,917
WEST BRIDGEWAT	\$84,875	\$51,786	\$136,661	\$123,834	\$279,219	\$403,053
WEST BROOKFIEL	\$59,518	\$47,731	\$107,249	\$86,838	\$257,358	\$344,195
WEST NEWBURY	\$46,735	\$40,932	\$87,667	\$68,187	\$220,700	\$288,887
WEST SPRINGFIE	\$251,235	\$160,767	\$412,002	\$366,556	\$866,822	\$1,233,378
WEST STOCKBRID	\$32,404	\$30,433	\$62,837	\$47,278	\$164,088	\$211,366
WEST TISBURY	\$0	\$13,546	\$13,546	\$0	\$73,035	\$73,035
WESTBOROUGH	\$72,837	\$124,406	\$197,243	\$106,270	\$670,774	\$777,044
WESTFIELD	\$363,072	\$229,755	\$592,827	\$529,728	\$1,238,795	\$1,768,523
WESTFORD	\$105,210	\$97,709	\$202,919	\$153,503	\$526,827	\$680,330
WESTHAMPTON	\$36,329	\$38,810	\$75,139	\$53,005	\$209,256	\$262,261
WESTMINSTER	\$96,710	\$83,745	\$180,455	\$141,102	\$451,536	\$592,637
WESTON	\$13,156	\$92,879	\$106,035	\$19,195	\$500,787	\$519,982
WESTPORT	\$175,627	\$122,199	\$297,826	\$256,243	\$658,872	\$915,115
WESTWOOD	\$48,968	\$96,183	\$145,151	\$71,445	\$518,600	\$590,045
WEYMOUTH	\$431,151	\$224,729	\$655,880	\$629,057	\$1,211,692	\$1,840,749
WHATELY	\$29,053	\$28,239	\$57,292	\$42,389	\$152,261	\$194,650
WHITMAN	\$131,321	\$64,462	\$195,783	\$191,600	\$347,567	\$539,166
WILBRAHAM	\$143,063	\$94,095	\$237,158	\$208,731	\$507,344	\$716,075
WILLIAMSBURG	\$48,718	\$39,123	\$87,841	\$71,080	\$210,941	\$282,021
WILLIAMSTOWN	\$67,381	\$60,078	\$127,459	\$98,310	\$323,929	\$422,239
WILMINGTON	\$121,653	\$152,102	\$273,755	\$177,494	\$820,104	\$997,598
WINCHENDON	\$112,617	\$83,658	\$196,275	\$164,310	\$451,066	\$615,376
WINCHESTER	\$71,590	\$100,945	\$172,535	\$104,451	\$544,274	\$648,725
WINDSOR	\$48,024	\$55,978	\$104,002	\$70,068	\$301,824	\$371,892
WINTHROP	\$100,203	\$62,100	\$162,303	\$146,198	\$334,829	\$481,027
WOBURN	\$262,724	\$237,373	\$500,097	\$383,319	\$1,279,871	\$1,663,190
WORCESTER	\$1,167,406	\$776,371	\$1,943,777	\$1,703,266	\$4,186,039	\$5,889,305
WORTHINGTON	\$47,299	\$49,737	\$97,036	\$69,010	\$268,173	\$337,183
WRENTHAM	\$83,696	\$68,393	\$152,089	\$122,114	\$368,761	\$490,875
YARMOUTH	\$139,771	\$169,818	\$309,589	\$203,928	\$915,623	\$1,119,551
State Totals	\$43,075,655	\$36,898,951	\$79,974,606	\$62,848,132	\$198,951,867	\$261,799,999

Notes:

1. These calculations are based on the \$180 million Chapter 90 allocation in Chapter 33 of the Acts of 1992. Ch.33 uses the 2/3rds [50-25-25] 1/3rd [75-12.5-12.5] formula.
2. The cash-funded FY93 Chapter 90 amount is the \$36,898,950 [GGA item 6000-2000] apportioned via the Chapter 33 formula. The ratio is 0.20499417. These numbers vary slightly from MHD.
3. Some account totals are \$1 high due to rounding.
4. Total estimated motor fuels excises collections for FY94 equal \$550,000,000; and amount equivalent to 10 cents of the 21 cent gas tax rate, or 47.6 percent, is \$261.8 million; This amount less Chapter 81 amount equals \$198,951,867.

Massachusetts Municipal Association

Gas Tax Revenue Sharing Act/Local Roads Fund

House Bill 1567/Senate Bill 1409

Over the past several years, the state has failed to meet its commitments to share with cities and towns state motor fuel excises collections, mainly the gasoline excise. For FY'93, collections are expected to total \$545 million. Even when local roadway spending has been authorized, state reimbursement of local expenses has been regularly delayed which has forced municipalities into costly borrowing. The Gas Tax Revenue Sharing Act legislation filed by the MMA for consideration in the 1993 legislative session would establish a new motor fuel excises revenue sharing statute. This Act would ensure that cities and towns receive a fair share of gas tax collections and that proceeds are not diverted to non-local projects and spending programs. In addition, it would set a timetable for state distributions to provide some certainty for local finance officials.

State law requires that 15 percent of gas tax collections be distributed to cities and towns, with half of this amount earmarked for Chapter 90 roadway construction and repair. In addition, the state has customarily administered a reimbursement-based Chapter 90 program funded with state bond proceeds. Since FY'89, the state has only partially fulfilled its obligations. This has resulted in an inadequate amount of revenue available for local road construction and improvement projects and for the policing of local streets. In addition, the volatility in funding from year to year has also disrupted the local planning process and has led to the delay in completion of some local road projects.

In FY'90, cities and towns received only about 8 percent of tax collections through the Cherry Sheet Highway Aid account. No Chapter 90 funds were distributed in this year. In FY'91, the Cherry Sheet account was zeroed out. Chapter 90 bond-funded spending authorizations were distributed. In both FY'92 and FY'93, the Cherry Sheet account was fully funded and Chapter 90 bond program authorizations were again distributed. In FY'93, the Chapter 90 grant program was also reinstated. In these two years, the local share of motor fuel excises collections totaled about 15 percent plus the state expense of the Chapter 90 bond program. For FY'94, the Governor has recommended that the Cherry Sheet account be fully funded, but that the Chapter 90 grant program be eliminated. In addition, there are no Chapter 90 bond funds available in FY'94. The current outlook for next year is for cities and towns to receive \$43.5 million, or only 7.5 percent of gas tax collections.

The Gas Tax Revenue Sharing Act would create a new state fund called the Local Roads Fund. An amount of tax collections equivalent to 10 cents of the 21 cent gas tax rate -- or 47.6 percent of collections -- would be credited to the fund and could be used only for distributions by the State Treasurer to cities and towns for appropriation for local road construction and maintenance programs, including the reconstruction of gravel roads, and for the policing of local streets. About 80 percent of Massachusetts lane-miles are maintained locally. Municipalities could also use the funds for the construction of salt storage sheds and for the replacement/removal of underground municipal DPW fuel tanks.

Model Warrant Article

To see if the town of _____ will instruct its representatives to the General Court to support legislation filed by the Massachusetts Municipal Association that would establish in state law a Local Roads Fund in order to ensure a fair and predictable share of state gas tax collections for distribution to cities and towns for use on local roads.

APPOINTMENTS MADE BY THE BOARD OF SELECTMEN

3/16/93

(9)

DATE 29 January 1993

NAME	COMMITTEE	APPOINTED		REG.	ASSOC.	ALTN.	EXPIRES	HOLD	COMMENTS
		YES	NO						
COVERT, John R.	CAC			X			6/30/96		See attached
GRANAT, Michael B.	CAC			X			6/30/96		" "
HIRSCH, Laura C.	CAC			X			6/30/96		" "
HOGAN, Leslie S.	CAC			X			6/30/96		" "
INGRAHAM, Sharon B.	CAC			X			6/30/96		" "
SHELTON, James S.	CAC			X			6/30/96		" "
WEISSENER, Alfred	CAC			X			6/30/96		" "

TOWN OF ACTON

INTER-DEPARTMENTAL COMMUNICATION

DATE : 29 January 1993
TO : Board of Selectmen
FROM : Volunteer Coordinating Committee
SUBJECT : Recommendations for Appointments

Per your request of 8 September 1992, we advertised for candidates for the Cable Advisory Committee. We received a number of responses from the previous committee as well as new interested parties. At our 25 JANUARY 1993 meeting, we voted to recommend the following to serve three-year terms, expiring on 30 June 1996, on this newly constituted Committee:

- COVERT, John R. Served on the original cable committee and is interested in possible technical proposals for upgrading the current system to a state-of-the-art system during the contract renewal process.
- GRANAT, Michael B. A former DEC employee with experience in tracking, marketing and training. He is a facilitator in organizing meetings.
- HIRSCH, Laura C. President of Acton Community Television Cable from 1989 to present. Her principal area of concern is video production and access of these production facilities by network users.
- HOGAN, Leslie S. Would like to represent the consumer on this Committee having dealt with the office of Cable Vision.
- INGRAHAM, Sharon B. Served on the Town of Sharon Cable Advisory Board from 1982- 1987. Her principal interest is in ongoing franchise compliance issues and the relationship between compliance and the law. She is involved in a business which works with state and local governments in examining license renewals.
- SHELTON, James S. Involved in the same concepts and technology as involved in the Acton Cable Vision contract.
- WEISSENSEE, Alfred A. He has negotiated contracts for cable television for Hanscom AFB in the 1970's.

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: 5 Oct 92

Mr / Mrs COVERT John R.
Ms / Dr Last Name First Name Middle Initial

2 FLAGG RD 263-5433 603 881-1431
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) Cable Advisory Committee
- 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):

Cable Advisory Committee

Do you have any time restrictions? No

How long have you lived in Acton? 13 1/2 yrs in Massachusetts? 13 1/2 yrs

Are you a US citizen? Yes

Present occupation and employer (optional - attach resume) _____

SOFTWARE ENGINEER, DIGITAL EQUIPMENT CORPORATION

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 B.E.E. GEORGETOWN

ability to analyze data over>
cost of installation - using fiber optics - may not be feasible

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: 12/2/92

Mr Mrs Ms Dr GRANAT MICHAEL B
 Last Name First Name Middle Initial

407 GREAT ELM WAY 263-5766 496-8245
 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) CABLE ADVISORY COMMITTEE
- 2) MET. ADVISORY PLNG COUNCIL?
- 3) (ASK re PLB.)

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):

Do you have any time restrictions? yes but not defend yet

How long have you lived in Acton? 3 yrs in Massachusetts? 19 years

Are you a US citizen? yes

Present occupation and employer (optional - attach resume) management consultant - Digital

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 psychology, planning, meeting facilitation

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: 10/5/92

Mr / (Mrs) Hirsch Laura C
Ms / Dr Last Name First Name Middle Initial

4 Carriage Dr 2636192 263-5590
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) Cable Advisory Committee
- 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):

ACT - Acton Community Television - President - 1989 - Present

Do you have any time restrictions? No
How long have you lived in Acton? 18 yrs in Massachusetts? 20 yrs.
Are you a US citizen? Yes

Present occupation and employer (optional - attach resume) _____
Tape-It Video Service, Inc. - Owner

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 Video Production - Access User

Please list below any additional information or comments which may help in the matching of your interests with the most appropriate Board/Committee, such as civic experience, special interests/hobbies, etc. :

I am particularly interested in cable companies being answerable to their customers & I am for Ed Markey's recent bill passed in Congress.

TOWN OF ACTON VOLUNTEER BOARDS, COMMITTEES, AND COMMISSIONS

Acton-Boxborough Arts Council
 Aging, Council on
 Appeals, Board of
 Assessors, Board of
 Cable Advisory Committee
 Cemetery Commissioners
 Commission on Disability
 Conservation Commission
 Fair Housing Committee
 Finance Committee
 Fort Devens Reuse Task Force
 Hanscom Field Advisory Commission
 Health, Board of

Historical Commission
 Historic District Commission
 Metropolitan Advisory Planning Council
 Minuteman Home Care
 Minuteman Vocational School Representative
 Planning Board
 Prison Advisory Committee
 Public Ceremonies & Celebrations Committee
 Recreation Commission
 South Acton Revitalization Committee
 Town Report Committee
 Volunteer Coordinating Committee

Thank you. If you have questions or would like more information, please contact a member of the Volunteer Coordinating Committee (you can find out who the current members are by calling the Town Manager's office at Town Hall, 264-9612). The space below is for the use of the Volunteer Coordinating Committee and the appointing box to record the status of your application.

<p>VCC INTERVIEW</p> <p>Applicant called: date/by _____</p> <p>Scheduled date / time <u>1-11-93</u></p> <p>VCC RECOMMENDATION: Date <u>1-25-93</u></p> <p>Board(s) <u>CAC</u> <u>Member</u> / Alt / Assoc <small>3 yrs 6-30-94</small></p> <p>_____ Member / Alt / Assoc</p> <p>_____ Member / Alt / Assoc</p> <p>Date VCC recommendation sent to <u>BOS</u> / TMgr / TMod <u>1-29-93</u></p> <p><input type="checkbox"/> No openings at this time >>>>-----></p>	<p>APPOINTING BODY : BOS / TMgr / TMod</p> <p>Interview date _____</p> <p>Appointed : Date _____</p> <p>To: Board _____</p> <p>Term _____</p> <hr/> <p>NOTIFICATION OF APPOINTMENT</p> <p>Date received by VCC _____</p> <p>Notification by the VCC :</p> <p>Date committee notified _____</p> <p>Date applicant notified _____</p>
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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: 10/5/92

Mr / (Mrs) Ingraham Sharon B
Ms / Dr Last Name First Name Middle Initial

6 Puritan Rd 897-8066 897-3937
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) Cable Advisory Committee
- 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):

Town of Sharon - cable 1982-87

Do you have any time restrictions ? days

How long have you lived in Acton? 5 yrs in Massachusetts? 11 yrs

Are you a US citizen ? yes

Present occupation and employer (optional - attach resume)

Breweiser Ingraham Consulting - self

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 Professional expertise - cable +

community programming

picked up 1-4-93

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: 12/29/92

Mr / Mrs
Ms / Dr Shelton Last Name James First Name S Middle Initial

43 Quabog Rd. Street Address 263-8174 Home Phone (617) 271-6295 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) Cable Advisory Committee
- 2) Recreation Commission
- 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):

No

Do you have any time restrictions? Just the normal ones

How long have you lived in Acton? 12 yrs in Massachusetts? 12 yrs

Are you a US citizen? Yes

Present occupation and employer (optional - attach resume) Systems Engineer,
Mitre Corporation

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 BS (Physics and Math); BS (Electrical Engineering)

Please list below any additional information or comments which may help in the matching of your interests with the most appropriate Board/Committee, such as civic experience, special interests/hobbies, etc. :

Lead project for design and installation of a very large broadband local area network which uses the same components as cable television systems; worked on many acquisition projects

TOWN OF ACTON VOLUNTEER BOARDS, COMMITTEES, AND COMMISSIONS

Acton-Boxborough Arts Council
 Aging, Council on
 Appeals, Board of
 Assessors, Board of
 Cable Advisory Committee
 Cemetery Commissioners
 Commission on Disability
 Conservation Commission
 Fair Housing Committee
 Finance Committee
 Fort Devens Reuse Task Force
 Hanscom Field Advisory Commission
 Health, Board of

Historical Commission
 Historic District Commission
 Metropolitan Advisory Planning Council
 Minuteman Home Care
 Minuteman Vocational School Representative
 Planning Board
 Prison Advisory Committee
 Public Ceremonies & Celebrations Committee
 Recreation Commission
 South Acton Revitalization Committee
 Town Report Committee
 Volunteer Coordinating Committee

Thank you. If you have questions or would like more information, please contact a member of the Volunteer Coordinating Committee (you can find out who the current members are by calling the Town Manager's office at Town Hall, 264-9612). The space below is for the use of the Volunteer Coordinating Committee and the appointing body to record the status of your application.

<p>VCC INTERVIEW</p> <p>Applicant called: date/by _____</p> <p>Scheduled date / time <u>1-11-93</u></p> <p>VCC RECOMMENDATION: Date <u>1-25-93</u></p> <p>Board(s) <u>CAC</u> <u>Member</u> / Alt / Assoc <u>3 yrs 6-30-96</u> _____ Member / Alt / Assoc _____ Member / Alt / Assoc</p> <p>Date VCC recommendation sent to <u>BOS</u> / TMod / TMod <u>1-29-93</u></p>	<p>APPOINTING BODY : BOS / TMod / TMod</p> <p>Interview date _____</p> <p>Appointed : Date _____</p> <p>To: Board _____</p> <p>Term _____</p>
<p>[] No openings at this time >>>>-----></p>	<p>NOTIFICATION OF APPOINTMENT</p> <p>Date received by VCC _____</p> <p>Notification by the VCC :</p> <p>Date committee notified _____</p> <p>Date applicant notified _____</p>

picked up 12-22-92

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: Dec 24, 1992

Mr / Mrs
Ms / Dr Weissensee Alfred A
Last Name First Name Middle Initial

11 Alcott Street 263-8143 508/880-4433
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) Cable TV Advisory Committee
- 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):

A-B Youth Soccer Board 1978-82

Do you have any time restrictions? Periodically travel

How long have you lived in Acton? 14 years in Massachusetts? 14 years

Are you a US citizen? Yes

Present occupation and employer (optional - attach resume) Contracts
MANAGER - GTE

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 MBA

APPOINTMENTS MADE BY THE BOARD OF SELECTMEN

3/16/93
9A

DATE 26 February 1993

NAME	COMMITTEE	APPOINTED		REG.	ASSOC.	ALTN.	EXPIRES	HOLD	COMMENTS
		YES	NO						
GILBERTI, Donald R	CAC			X			6/30/96		See attached memo

TOWN OF ACTON

INTER-DEPARTMENTAL COMMUNICATION

DATE : 26 February 1993
TO : Board of Selectmen
FROM : Volunteer Coordinating Committee
SUBJECT : Recommendation for Appointment

Following our submittal of our recommendations for the Cable Advisory Committee on 29 January 1993, we received a memo from Don Johnson on 8 February 1993 relative to an application from Don Gilberti. At our meeting of 22 February 1993, we interviewed Don Gilberti. Because of a memo sent to us on 14 September 1992 concerning a possible conflict of interest in connection with Don Gilberti and the focus of the Cable Advisory Committee, we extensively queried Don on this issue and concluded that we could not find such a conflict to exist.

We, therefore, voted to recommend Don Gilberti for full membership on the CAC for a three-year term ending 30 June 1996. We further voted to reaffirm our previous recommendations and not to withdraw any of those names.

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: February 8, 1993

Mr / Mrs GILBERTI Senior DONALD R
Ms / Dr Last Name First Name Middle Initial

14 Coolidge Drive (508) 263-5129 (508) 264-4700
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) Cable Television Advisory Committee
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):

Many - Partial list: Board of Health 1968-1982
Board of Selectmen 1982-1991
Cable Television Advisory Committee - during entire life as original committee

Do you have any time restrictions? No
How long have you lived in Acton? 29 years in Massachusetts? 52 years
Are you a US citizen? Yes

Present occupation and employer (optional - attach resume) Acton-Barborough Regional School District
Audiosvisual Media Director
Teacher of History

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 School Committee liaison to Cablevision
Selectman liaison to Cablevision

Please list below any additional information or comments which may help in the matching of your interests with the most appropriate Board/Committee, such as civic experience, special interests/hobbies, etc.:

I served as vice chair of Cable Advisory Committee and helped write the original Issuing Authority Report.

TOWN OF ACTON VOLUNTEER BOARDS, COMMITTEES, AND COMMISSIONS

Acton-Boxborough Arts Council
 Aging, Council on
 Appeals, Board of
 Assessors, Board of
 Cable Advisory Committee
 Cemetery Commissioners
 Commission on Disability
 Conservation Commission
 Fair Housing Committee
 Finance Committee
 Fort Devens Reuse Task Force
 Hanscom Field Advisory Commission
 Health, Board of

Historical Commission
 Historic District Commission
 Metropolitan Advisory Planning Council
 Minuteman Home Care
 Minuteman Vocational School Representative
 Planning Board
 Prison Advisory Committee
 Public Ceremonies & Celebrations Committee
 Recreation Commission
 South Acton Revitalization Committee
 Town Report Committee
 Volunteer Coordinating Committee

Thank you. If you have questions or would like more information, please contact a member of the Volunteer Coordinating Committee (you can find out who the current members are by calling the Town Manager's office at Town Hall, 264-9612). The space below is for the use of the Volunteer Coordinating Committee and the appointing body to record the status of your application.

<p>VOC INTERVIEW</p> <p>Applicant called: date/by <u>1-31-93</u> <u>JP</u></p> <p>Scheduled date / time <u>2-22-93</u> <u>5:30</u></p> <p>VOC RECOMMENDATION: Date <u>2-22-93</u></p> <p>Board(s) <u>CAC</u> <u>Member</u> / Alt / Assoc <u>3 yrs 6/30/96</u> _____ Member / Alt / Assoc _____ Member / Alt / Assoc</p> <p>Date VOC recommendation sent to <u>BOS / TMgr / Mod</u> <u>2-26-93</u></p> <p><input type="checkbox"/> No openings at this time >>>></p>	<p>APPOINTING BODY : <u>BOS / TMgr / Mod</u></p> <p>Interview date _____</p> <p>Appointed : Date _____</p> <p>To: Board _____</p> <p>Term _____</p>
	<p>NOTIFICATION OF APPOINTMENT</p> <p>Date received by VOC _____</p> <p>Notification by the VOC :</p> <p>Date committee notified _____</p> <p>Date applicant notified _____</p>

3/16/93

10

TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION
TOWN MANAGER'S OFFICE

DATE: March 12, 1993

*** EXECUTIVE SESSION ... CONFIDENTIAL ***

TO: Board of Selectmen
FROM: Don P. Johnson, Town Manager
SUBJECT: Chapter 61A Offers

Attached you will find documents related to the latest Marshall Lot (#3) and Mr. Morrison's recent "offer". We have scheduled this for discussion under Executive Session Tuesday night.

Approved, 2/19/93
T.M., BOS

**CHAPTER 61A COMMITTEE
MINUTES
JANUARY 27, 1993**

MEMBERS PRESENT: Anne Fanton - Selectmen; Carol Place - Conservation Trust; Jim Lee - Planning Board; Tom Tidman - Conservation Administrator; Morene Bodner - Conservation Commission
OBSERVER: Brewster Conant
RECORDERS: Jim Lee and Morene Bodner

Update on Whittier Land

Anne explained that the bulk of the Whittier land has been willed to Fish and Game with the exception of a small amount of acreage containing the house. There is no absolute guarantee that the land deeded to Fish and Game will remain in conservation use, however, it is now outside of the Town's control.

Marshall Land Status and Review

The upcoming offer for sale of the Marshall land was discussed. Although the Marshall land was not on the 1987 prioritized list of Chapter 61/61A land (2/17/87 Doug Halley memo) it is now under 61A, giving the Town right of first refusal. The 61A subcommittee (Tom , Morene and Carol) spent time reviewing the Marshall land because of its proximity to existing conservation land and the fact that it borders Robbins Mill Pond. Eddie Hill, the Marshall family's real estate agent, accompanied the subcommittee plus several observers on a walk of the land. Subsequently, additional members of the Conservation Commission walked the land bordering Robbins Mill Pond. Eddie expressed an interest in meeting with the Town to determine the Town's intent/desire with respect to the property.

The subcommittee and the Conservation Commission reached the following conclusions:

- It's doubtful that the Town would/could purchase the land.
- The Town owns a plot of land (plot #8 - acquired through a tax-taking) in the middle of the Marshall land uplands. This lot could potentially be swapped for land along the pond, consisting of wetlands, flood plain and some uplands.
- It would be highly desirable to acquire a strip of land on the east side of Robbins Mill Pond because:
 - The area's particularly attractive and would fit in with our overall "greenbelt plan" to acquire land along Town waterways.
 - The land is in a part of town with no access to conservation land. A small parking lot could be put in off of Carlisle Road, providing access to a trail that would border the pond and connect up with the system of trails in the Spring Hill conservation area.

Anne questioned where the Marshall property would be ranked and if the priority list should be revised. It was agreed that the priority list does not need revision since each property must be considered as it

comes on the market. In summary, it appears that a portion of the Marshall property could be acquired at no cost to the Town.

Morrison Land Update

Carol reported on a Sudbury Valley Trust presentation given to the Conservation Trust and the Conservation Commission. The Sudbury Valley Trust would provide technical assistance only - no money. The Trust works with property owners to place conservation restrictions on their land. Brewster stated that in the old days the Town could go out looking for alternate developers, but that with today's better zoning the best alternative was to have the Planning Board work directly with the land owner.

Morene suggested that we were working in a vacuum if we don't or can't contact the landowners; we should invite all the 61A land owners to a meeting to discuss goals, conservation restrictions etc. Brewster felt that conservation restrictions were only of use to farmers, and that most landowners on the list would not be interested in this approach. A discussion ensued over the difficulties in contacting Mr. Morrison.

Tom showed a map of the current Morrison property and a drawing depicting a possible approach for the development of the land. This "best case" scenario included a town road accessing playing fields at the front of the lot and four house lots at the rear of the property. In order to fully evaluate the feasibility of such a plan, more information is needed about the development potential of the property. One "bargaining chip" might be to swap a strip of the abutting cemetery land for land along the pond. There is a setback along the border between the cemetery and Morrison property; this strip cannot be used by the cemetery.

Anne will present a summary of Tom's plan to the Board of Selectmen. It was agreed that while it is valuable to have a plan for the development of the Morrison parcel, it is not possible to refine the plan without further information from the landowner, surveyors, developers etc.

Other Issues

The Committee discussed the restrictions involved in gaining more information on 61A land. Anne wished that the Conservation Trust would take a leadership role in forming a land trust fund; similar to that of Concord. Carol will go to the Trust and raise the possibility of them becoming involved in 61A property investigations/evaluations.

Anne updated the Committee on the Arlington Street property owned by the School District. She talked to the School Committee about the possibility of selling this property to raise funds for the acquisition of conservation land; there was no initial negative reaction.

INTERDEPARTMENTAL COMMUNICATION

TO: Don P. Johnson, Town Manager DATE: February 23, 1993
FROM: Roland Bartl, Town Planner *R.B.*
SUBJECT: Ch. 61 Offer, Lot 3 Marshall Land

The parcel offered contains 305835 sf. It is located in the R-10 district where minimum lot size is 100000 sf.. Furthermore, the back half of the lot is in Zone 1 of the Groundwater Protection District where approximately 126000 sf. are needed to support a 4 bedroom home, the rest is in Zone 2. Given these circumstances and the available frontage, the land could support 2 lots - one standard lot and one hammerhead lot. Approximately $\frac{2}{3}$ of the parcel is also in a flood plain. This lot is adjacent to Lot 4 which was offered to the Town in August or September 1992.

The Planning Board has discussed this offer for Lot 3. Its recommendation remains the same as for Lot 4 which is attached.

xc:

[RHB.IDC.93*6]

Town of Acton

Planning Department

472 Main Street Acton, Massachusetts 01720

(508) 264-9636

INTERDEPARTMENTAL COMMUNICATION

TO: Board of Selectmen

DATE: September 22, 1992

FROM: Planning Board

SUBJECT: Marshall Land - Ch. 61 Notification
Carlisle Road

The parcel that is subject to the option contains 269,144 square feet. It is located in the R-10 district where a building lot requires 100,000 square feet. Also, it is located in Zones 1 & 2 of the Ground Water Protection District and abuts land owned by the Acton Water District (the Marshall well and pumping station is located on the abutting parcel).

Given the zoning controls already in place it would appear that the Town of Acton would have no need or interest in exercising its option. However, the Board may wish to refer the matter to the Acton Water District.


for the Planning Board

TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION

DATE: February 18, 1993

TO: Don P. Johnson, Town Manager
FROM: Garry A. Rhodes, Building Commissioner *GAR*
SUBJECT: Chapter 61 Offering Marshall Land, Lot 3

In response to your request for information, I hope the following will help to answer the zoning question. The land is in the "Residence 10" zone. This zoning district requires a lot size of 100,000 sq. ft. (they have 305,835 sq. ft.) with 250 feet of frontage (they have 350.13 feet).

(974)

2/19/93

*CHRIS - PLS. RETAIN THIS WITH THE LATEST
MARSHALL PACKAGE & BRING IT BACK BEFORE
THE BOS IN SEVERAL WEEKS, WHEN WE
HAVE THE OTHER COMMENTS.*

INTERDEPARTMENTAL COMMUNICATION

March 12, 1993

TO: Don Johnson, Town Manager

FROM: Doug Halley, Health Director

SUBJECT: Marshall Land - Chapter 61A

The Board of Health has received two applications for proposed septic systems on lots 3 & 5 Carlisle Road (Marshall Land). Both of these applications were approved and permits were issued on February 25, 1993. Both houses will be in Zone 1 of the aquifer, while the proposed septic systems will be in Zone 2, or adjacent to Zone 2. However it appears that both lots meet the standards the town has set for work in an aquifer.

Other than providing additional protection for the Water District's well adjacent to this property the Board of Health does not view Lot 3 (7.02 ac.) nor Lot 5 as essential for purchase. The Marshall Well is currently only being used for backup purposes for the Water District and that purpose is not anticipated to be change in the near future.

TOWN OF ACTON
INTER-OFFICE COMMUNICATION

TO: Don Johnson, Town Manager
FROM: Brian McMullen
SUBJECT: Rollback Taxes - Marshall Property
DATE: March 12, 1993

Here is the information regarding the Marshall Property (Map B6 Parcel 12 - Lot 3) you requested on February 12, 1993.

<u>FY</u>	<u>TAX</u>	<u>INTEREST</u>	<u>TOTAL W/INTEREST</u>
87	151.65	172.25	323.90
88	126.16	120.58	246.74
89	2,264.28	1,756.62	4,020.90
90	2,382.58	1,419.54	3,802.12
91	2,556.93	1,125.31	3,682.24
92	2,275.19	591.77	2,866.96
93	2,290.28	183.45	2,473.73

Back taxes and withdrawal penalties, as of May 31, 1993 is \$17,416.59. If you have any questions please contact me.

NOTE TO BOS:

THESE ROLL BACK TAXES HAVE NOT BEEN PAID @ THIS TIME. THE PETITIONER HAS CONTACTED US AND IS IN THE PROCESS OF RESOLVING.

Don

TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION
TOWN MANAGER'S OFFICE

FILE COPY

DATE: Feb. 12, 1993

TO: Board of Selectmen
FROM: Don P. Johnson, Town Manager
SUBJECT: Chapter 61 Offering
Marshall Land, Lot 3

Attached is a notification that another piece of the Marshall Land is being sold. This property is adjacent to the house that was the original question that came before the Board.

Lot 3 appears to be an undeveloped parcel and the purpose of the sale seems to be for the construction of a single family dwelling. I am forwarding this memo to the various departments and committee(s) copied below and requesting that they fill in the blanks with what they know and recommend (e.g.. What is the assessed value? What are the recapture taxes/penalties? Have they been paid? What is the zoning? What is the development potential or plan? What is the value of the property to the Town? What is the recommended action for the Selectmen to consider? etc.)

I am forwarding this package, even though I am aware that Anne Fanton will not be in attendance Tuesday night. I would recommend that this item be held for discussion until after the requested information is received from staff/committees and Anne returns. This advance notice will at least give you an opportunity to think about the issue. Attorney Bailey has not expressed any immediate urgency so I do not expect a delay of several weeks to cause a problem in that regard.

It is my understanding that the Board may wish to discuss this matter in a forum that will encourage and facilitate public input. I am not sure whether you wish to have a Public Hearing or whether the objective might be accomplished by publicizing the Board's intent to discuss this matter at a regular meeting and a time certain. I seek your guidance in this regard.

A handwritten signature in black ink, appearing to be 'J. M.', is written over the word 'regard' in the first paragraph.

cc: Board of Assessors
Chapter 61/61A Committee
Conservation Trust
Planning Department
Building Department
Health Department

Powers & Hall

Professional Corporation

Attorneys at Law

100 Franklin Street

Boston, Massachusetts 02110-1586

617-728-9600

Facsimile 617-728-9633

FEB - 9 1993

February 5, 1993

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

Re: Land and Buildings located on
42 Carlisle Road, Acton, Massachusetts - Lot 3

Dear Madam or Sir:

Enclosed herewith is a copy of an executed Purchase and Sale Agreement between the Trustees of the WLM Trust et al. and James R. DeAngelo et al. dated January 29, 1993 ("Agreement"). The land is described as Lot 3 on a plan of land in Acton, Mass. dated September 4, 1992, containing approximately 7.0210 acres, a portion of said plan being attached to the Agreement as Schedule A ("the Premises"). A portion of said land is classified as forest lands pursuant to G.L. c. 61.

Pursuant to M.G.L. c. 61, §8, notice of intent to sell the Premises and to convert the land to another use is hereby given to you.

The undersigned have been informed by the office of the Board of Assessors that a portion of the Premises may have been classified by the Assessors as agricultural land under G.L. c. 61A. The undersigned do not believe that any written application was ever filed under G.L. c. 61A, and therefore no portion of the Premises is subject to the provisions of c. 61A. However, to the extent that any portion of the Premises is subject to the provisions of c. 61A, this letter constitutes notice of intent to sell the Premises and to convert the land to another use pursuant to G.L. c. 61A, §14.

The obligations of the buyer under the Agreement to purchase the land and buildings described in the Agreement constitute a "bona fide offer to purchase said land" within Massachusetts General Laws, c. 61, §8 and c. 61A, §14.

Powers & Hall Professional Corporation

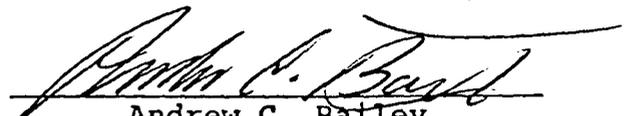
Board of Selectmen
February 5, 1993
Page 2

The address of the undersigned record owners of the
Premises for the purpose of this notice of intent is:

Andrew C. Bailey
c/o Powers & Hall Professional Corporation
100 Franklin Street
Boston, MA 02110

Very truly yours,

WLM TRUST AND MSM TRUST
By their Attorney,


Andrew C. Bailey

ACB:d
Enclosures
CERTIFIED MAIL
RETURN RECEIPT REQUESTED
P 251 263 076

STANDARD FORM
PURCHASE AND SALE AGREEMENT

This 25th day of January 1993

1. PARTIES AND MAILING ADDRESSES

Andrew C. Bailey et al, Trustee of 1989 Mary S. Marshall Revocable Trust and as Trustee of WLM Trust hereinafter called the SELLER, agrees to SELL and

(fill in)

James R. DeAngelo and Nancy J.D. DeAngelo

hereinafter called the BUYER or PURCHASER, agrees to BUY, upon the terms hereinafter set forth, the following described premises: Land on Carlisle Road in Acton, Massachusetts, containing 7.021+ acres and shown as Lot 3 on Land Court Plan No. 16078

2. DESCRIPTION (fill in and include title reference)

3. BUILDINGS, STRUCTURES, IMPROVEMENTS, FIXTURES

(fill in or delete)

Included in the sale as a part of said premises are the buildings, structures, and improvements now thereon, and the fixtures belonging to the SELLER and used in connection therewith including, if any, all wall-to-wall carpeting, drapery rods, automatic garage door openers, venetian blinds, window shades, screens, screen doors, storm windows and doors, awnings, shutters, furnaces, heaters, heating equipment, stoves, ranges, oil and gas burners and fixtures appurtenant thereto, hot water heaters, plumbing and bathroom fixtures, garbage disposers, electric and other lighting fixtures, mantels, outside television antennas, fences, gates, trees, shrubs, plants, and ONLY IF BUILT IN, refrigerators, air conditioning equipment, ventilators, dishwashers, washing machines and dryers; and

but excluding

4. TITLE DEED (fill in)

* Include here by specific reference any restrictions, easements, rights and obligations in party walls not included in (b), leases, municipal and other liens, other encumbrances, and make provision to protect SELLER against BUYER's breach of SELLER's covenants in leases, where necessary.

Said premises are to be conveyed by a good and sufficient quitclaim deed running to the BUYER, or to the nominee designated by the BUYER by written notice to the SELLER at least seven days before the deed is to be delivered as herein provided, and said deed shall convey a good and clear record and marketable title thereto, free from encumbrances, except

(a) Provisions of existing building and zoning laws;

(b) Existing rights and obligations in party walls which are not the subject of a party agreement;

(c) Such taxes for the then current year as are not due and payable on the date of the delivery of such deed;

(d) Any liens for municipal betterments assessed after the date of this agreement;

(e) Easements, restrictions and reservations of record, if any, so long as the same do not prohibit or materially interfere with the current use of said premises;

(f) None

5. PLANS

If said deed refers to a plan necessary to be recorded therewith the SELLER shall deliver such plan with the deed in form adequate for recording or registration.

6. REGISTERED TITLE

In addition to the foregoing, if the title to said premises is registered, said deed shall be in form sufficient to entitle the BUYER to a Certificate of Title of said premises, and the SELLER shall deliver with said deed all instruments, if any, necessary to enable the BUYER to obtain such Certificate of Title.

7. PURCHASE PRICE (fill in); space is allowed to write out the amounts if desired

The agreed purchase price for said premises is

dollars, of which

\$ 5,000.

have been paid as a deposit this day and

\$ 145,000.

are to be paid at the time of delivery of the deed in cash, or by certified, cashier's, treasurer's or bank check(s), or by Lender's attorney client fund check to be held by Seller until Deed is recorded

\$

\$ 150,000.

TOTAL



8. **TIME FOR PERFORMANCE; DELIVERY OF DEED (fill in)** Such deed is to be delivered at 10:00 o'clock A. M. on the 31st day of May 1933 at the South Middlesex or Lender's Attorney's Office Registry of Deeds, unless otherwise agreed upon in writing. It is agreed that time is of the essence of this agreement. Buyer or Seller may elect to accelerate the Closing date as provided in Schedule A.
9. **POSSESSION AND CONDITION OF PREMISE (attach a list of exceptions, if any)** Full possession of said premises free of all tenants and occupants, except as herein provided, is to be delivered at the time of the delivery of the deed, said premises to be then (a) in the same condition as they now are, reasonable use and wear thereof excepted, and (b) not in violation of said building and zoning laws, and (c) in compliance with provisions of any instrument referred to in clause 4 hereof. The BUYER shall be entitled personally to inspect said premises prior to the delivery of the deed in order to determine whether the condition thereof complies with the terms of this clause.
10. **EXTENSION TO PERFECT TITLE OR MAKE PREMISES CONFORM (Change period of time if desired).** If the SELLER shall be unable to give title or to make conveyance, or to deliver possession of the premises, all as herein stipulated, or if at the time of the delivery of the deed the premises do not conform with the provisions hereof, then any payments made under this agreement shall be forthwith refunded and all other obligations of the parties herein shall cease and this agreement shall be void without recourse to the parties hereunder. If the SELLER shall use reasonable efforts to remove any defects in title, or to deliver possession as provided herein, or to make the said premises conform to the provisions hereof, as the case may be, in which event the SELLER shall give written notice thereof to the BUYER at or before the time for performance hereunder, and thereupon the time for performance hereof shall be extended for a period of thirty (30) days, provided that Seller shall have no duty to incur costs and expenses exceeding \$1,000.
11. **FAILURE TO PERFECT TITLE OR MAKE PREMISES CONFORM, etc. deposits** If at the expiration of the extended time the SELLER shall have failed so to remove any defects in title, deliver possession, or make the premises conform, as the case may be, all as herein agreed, or if at any time during the period of this agreement or any extension thereof, the holder of a mortgage on said premises shall refuse to permit the insurance proceeds, if any, to be used for such purposes, then any pay all deposits made under this agreement shall be forthwith refunded and all other obligations of the parties hereto shall cease and this agreement shall be void without recourse to the parties hereto.
12. **BUYER'S ELECTION TO ACCEPT TITLE** The BUYER shall have the election, at either the original or any extended time for performance, to accept such title as the SELLER can deliver to the said premises in their then condition and to pay therefore the purchase price without deduction, in which case the SELLER shall convey such title, except that in the event of such conveyance in accord with the provisions of this clause, if the said premises shall have been damaged by fire or casualty insured against, then the SELLER shall, unless the SELLER has previously restored the premises to their former condition, either
 (a) pay over or assign to the BUYER, on delivery of the deed, all amounts recovered or recoverable on account of such insurance, less any amounts reasonably expended by the SELLER for any partial restoration, or
 (b) if a holder of a mortgage on said premises shall not permit the insurance proceeds or a part thereof to be used to restore the said premises to their former condition or to be so paid over or assigned, give to the BUYER a credit against the purchase price, on delivery of the deed, equal to said amounts so recovered or recoverable and retained by the holder of the said mortgage less any amounts reasonably expended by the SELLER for any partial restoration.
13. **ACCEPTANCE OF DEED** The acceptance of a deed by the BUYER or his nominee as the case may be, shall be deemed to be a full performance and discharge of every agreement and obligation herein contained or expressed, except such as are, by the terms hereof, to be performed after the delivery of said deed.
14. **USE OF MONEY TO CLEAR TITLE** To enable the SELLER to make conveyance as herein provided, the SELLER may, at the time of delivery of the deed, use the purchase money or any portion thereof to clear the title of any or all encumbrances or interests, provided that all instruments so procured are recorded simultaneously with the delivery of said deed.
15. **INSURANCE (Insert amount (list additional types of insurance and amounts as agreed))** ~~Until the delivery of the deed, the SELLER shall maintain insurance on said premises as follows:~~

Type of Insurance	Amount of Coverage
(a) Fire and Extended Coverage	\$50,000
16. **ADJUSTMENTS (list operating expenses, if any, or attach schedule)** ~~Collected rents, mortgages, taxes, water and sewer use charges, parking expenses, if any, according to the schedule attached hereto or set forth below, and taxes for the then current fiscal year, shall be apportioned and fuel value shall be adjusted, as of the day of performance of this agreement and the net amount thereof shall be added to or deducted from, as the case may be, the purchase price payable by the BUYER at the time of delivery of the deed. Collected rents for the current rental period shall be apportioned if not when collected by the party.~~

17. ADJUSTMENT OF UNASSESSED AND ABATED TAXES

If the amount of said taxes is not known at the time of the delivery of the deed, they shall be apportioned on the basis of the taxes assessed for the preceding fiscal year, with a reapportionment as soon as the new tax rate and valuation can be ascertained; and, if the taxes which are to be apportioned shall thereafter be reduced by abatement, the amount of such abatement, less the reasonable cost of obtaining the same, shall be apportioned between the parties, provided that neither party shall be obligated to institute or prosecute proceedings for an abatement unless herein otherwise agreed.

18. BROKER'S FEE (fill in fee with dollar amount or percentage; also name of Brokerage firm(s))

A Broker's fee for professional services ~~is~~ is due from the SELLER to:

E.A. Hill & Company, Ltd. \$4,500.
Brigette Senkler & Assoc. 4,500.

~~The Broker(s) named herein but if the SELLER pursuant to the terms of clause 21 hereof retains the deposits made hereunder by the BUYER, said Broker(s) shall be entitled to receive from the SELLER an amount equal to one-half the amount contained on a check payable to the Broker(s) for professional services according to this contract. The Seller is the lessor. Said Brokers shall not be entitled to any Broker's fee.~~

19. BROKER(S) WARRANTY (fill in name)

The Broker(s) named herein E.A. Hill & Company, Ltd. and Brigette Senkler & Assoc warrant(s) that the Broker(s) is(are) duly licensed as such by the Commonwealth of Massachusetts.

20. DEPOSIT (fill in name)

All deposits made hereunder shall be held in escrow by Powers & Hall P.C. as escrow agent subject to the terms of this agreement and shall be duly accounted for at the time for performance of this agreement. In the event of any disagreement between the parties, the escrow agent may retain all deposits made under this agreement pending instructions mutually given by the SELLER and the BUYER. Interest shall be paid to Buyer at Closing.

21. BUYER'S DEFAULT; DAMAGES

If the BUYER shall fail to fulfill the BUYER's agreements herein, all deposits ^{and interest} made hereunder by the BUYER shall be retained by the SELLER as liquidated damages ~~unless within thirty days after the time for performance of this agreement or any extension hereof the SELLER otherwise notifies the BUYER in writing~~ which shall be the sole remedy of the Seller against the Buyer.

22. RELEASE BY HUSBAND OR WIFE

~~The SELLER's spouse hereby agrees to join in the deed and to release and convey all real estate and all rights and interests in said premises.~~

23. BROKER AS PARTY

The Broker(s) named herein join(s) in this agreement and become(s) a party hereto, insofar as any provisions of this agreement expressly apply to the Broker(s), and to any amendments or modifications of such provisions to which the Broker(s) agree(s) in writing.

24. LIABILITY OF TRUSTEE, SHAREHOLDER, BENEFICIARY, etc.

If the SELLER or BUYER executes this agreement in a representative or fiduciary capacity, only the principal or the estate represented shall be bound, and neither the SELLER or BUYER so executing, nor any shareholder or beneficiary of any trust, shall be personally liable for any obligation, express or implied, hereunder.

25. WARRANTIES AND REPRESENTATIONS (fill in); if none, state "none"; if any listed, indicate by whom each warranty or representation was made

The BUYER acknowledges that the BUYER has not been influenced to enter into this transaction nor has he relied upon any warranties or representations not set forth or incorporated in this agreement or previously made in writing, except for the following additional warranties and representations, if any, made by either the SELLER or the Broker(s):

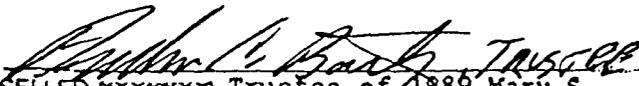
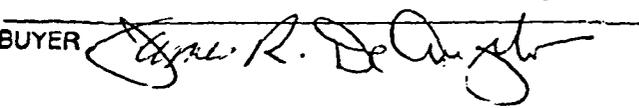
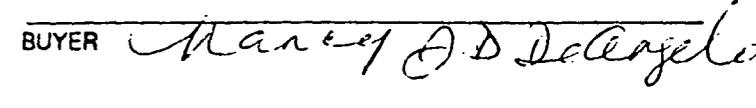
26. MORTGAGE CONTINGENCY CLAUSE (omit if not provided for in Offer to Purchase)

In order to help finance the acquisition of said premises, the BUYER shall apply for a conventional bank or other institutional mortgage loan of \$ _____ at prevailing rates, terms and conditions. If despite the BUYER's diligent efforts a commitment for such loan cannot be obtained on or before _____, 19____ the BUYER may terminate this agreement by written notice to the SELLER and/or the Broker(s), as agent(s) for the SELLER, prior to the expiration of such time, whereupon any payments made under this agreement shall be forthwith refunded and all other obligations of the parties hereto shall cease and this agreement shall be void without recourse to the parties hereto. In no event will the BUYER be deemed to have used diligent efforts to obtain such commitment unless the BUYER submits a complete mortgage loan application conforming to the foregoing provisions on or before _____ 19____

- 27. CONSTRUCTION OF AGREEMENT This instrument, executed in multiple counterparts, is to be construed as a Massachusetts contract, is to take effect as a sealed instrument, sets forth the entire contract between the parties, is binding upon and enures to the benefit of the parties hereto and their respective heirs, devisees, executors, administrators, successors and assigns, and may be cancelled, modified or amended only by a written instrument executed by both the SELLER and the BUYER. If two or more persons are named herein as BUYER their obligations hereunder shall be joint and several. The captions and marginal notes are used only as a matter of convenience and are not to be considered a part of this agreement or to be used in determining the intent of the parties to it.
- 28. LEAD PAINT LAW The parties acknowledge that, under Massachusetts law, whenever a child or children under six years of age resides in any residential premises in which any paint, plaster or other accessible material contains dangerous levels of lead, the owner of said premises must remove or cover said paint, plaster or other material so as to make it inaccessible to children under six years of age.
- 29. SMOKE DETECTORS The SELLER shall, at the time of the delivery of the deed, deliver a certificate from the fire department of the city or town in which said premises are located stating that said premises have been equipped with approved smoke detectors in conformity with applicable law.
- 30. ADDITIONAL PROVISIONS Schedule A, attached hereto, is incorporated herein by reference.

FOR RESIDENTIAL PROPERTY CONSTRUCTED PRIOR TO 1978, BUYER MUST ALSO HAVE SIGNED LEAD PAINT "PROPERTY TRANSFER NOTIFICATION CERTIFICATION"

NOTICE: This is a legal document that creates binding obligations. If not understood, consult an attorney.

 Trustee of 1989 Mary S. MARSHALL Revocable Trust SELLER
 Trustee of WLA Trust SELLER
 BUYER
 BUYER

Broker(s)

EXTENSION OF TIME FOR PERFORMANCE

Date _____

The time for the performance of the foregoing agreement is extended until _____ o'clock _____ M. on the _____ day of _____ 19____ time still being of the essence of this agreement as extended. In all other respects, this agreement is hereby ratified and confirmed.

This extension, executed in multiple counterparts, is intended to take effect as a sealed instrument.

SELLER (or spouse) SELLER

BUYER BUYER

Broker(s)

SCHEDULE A

1. Mortgage contingency:

This contract is subject to the Buyer obtaining written commitments for an acquisition/construction loan in the amount of \$320,000.00 from an institutional lender on or before (see*) , and, a written commitment for permanent financing in the amount of \$320,000.00, payable in no less than 30 years, on or before (see *). In no event shall Buyer be required to apply to more than one lender for either loan. In the event, despite Buyer's diligent efforts, a written commitment for both loans cannot be obtained by said dates, the Buyer may terminate this Agreement by written notice to the Seller, and/or the Brokers, as agent for the Seller, prior to the expiration of such time, whereupon any payments made under this Agreement shall be forthwith refunded and all other obligations of the parties hereto shall cease and this Agreement shall be void without recourse to the parties hereto. If Buyer shall not give notice as provided above, this mortgage contingency shall be null and void.

*6 weeks from Seller notifying Buyers that 2A and 2B have been satisfied.

2. This Agreement is subject to:

- A. Receipt of permits from the Town of Acton for the installation of a septic system sufficient to service a four-bedroom house located approximately as shown on the Plan attached hereto.
- B. Receipt of estimates from Seller's consultants that the septic system referred to in A above can be installed for not more than \$15,000.
- C. Receipt by Buyer of permits necessary for the construction of a four-bedroom house with 2-car garage in approximately the location shown on the Plan attached hereto.

Seller shall make reasonable efforts to obtain the permits and estimates described in A and B above but shall not be obligated to retain more than one consultant. If Seller shall through no fault of its own fail to obtain the permits or estimates described in A and B above on or before March 1, 1993, either Buyer or Seller may terminate this Agreement by written notice to the other party, or the Buyer and Seller may agree to an extension of time for performance hereunder. Buyer shall make reasonable efforts to obtain the permits described in C above, but, if through no fault of Buyer the permits are not received on or before April 15, 1993, either Buyer or Seller may terminate this Agreement by written notice to the other party, or Buyer and Seller may agree to an extension of time for performance hereunder.

3. Buyer's obligations under this Agreement are subject to Seller providing, at the Closing, evidence reasonably satisfactory to Buyer that (i) the Town of Acton has waived or otherwise failed to exercise its option to purchase the Premises in accordance with Massachusetts General Laws C.61 (" Statute"), or, in the alternative, that the Town's 120 day option period has expired, and (ii) Seller has otherwise complied with the provisions of the Statute so far as material to conveying title to Buyer in conformity with this Agreement.

If the Town of Acton or its assignee shall exercise its option to purchase the Premises pursuant to the Statute, this Purchase and Sale Agreement shall terminate, the deposit and interest thereon shall be returned to the Buyer and neither the Seller nor the Buyer shall have any claims against the other.

If Seller receives written notice from the Board of Selectmen of the Town of Acton that said Town will not exercise its option to purchase the Premises pursuant to Massachusetts General Laws C.61, §8, Seller or Buyer may accelerate the date of the Closing by notifying the other party in writing of the action of the Selectmen and designating the date for the Closing which shall be not less than twenty (20) days from the date of the notice of acceleration and not before April 15, 1993.

4. Buyer may assign its rights under the Purchase and Sale to a builder of their choosing, said builder to be bound by the terms and conditions of the Purchase and Sale, but such assignment shall not terminate the Buyer's obligations hereunder.
5. The Seller agrees to sign affidavits and documents at Closing reasonably required by Closing attorney in order to enable Buyer to obtain financing including, but not limited to so-called mechanics lien and parties in possession affidavit.
6. Without limiting any other provisions in this Agreement, the premises shall not be considered to be in compliance with the provisions of this Agreement with respect to title unless:
 - A. no building, structure, improvement or property of any kind encroaches upon or under the premises from any other premises.

B. the premises are located on a public way or has rights on private ways with rights of access to a public way.

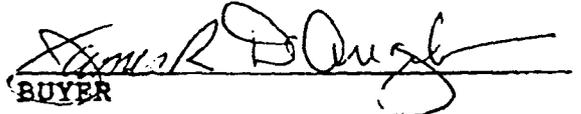
7. All notices required or permitted to be given hereunder shall be in writing and delivered by hand or mailed postage prepaid, by registered or certified mail, by overnight delivery, or by facsimile transmission, in the case of

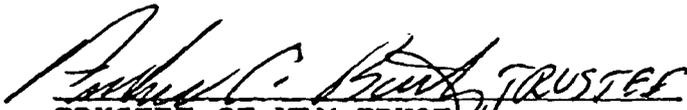
SELLER: Andrew C. Bailey, Esq.
Powers & Hall Professional Corporation
100 Franklin Street
Boston, MA 02110

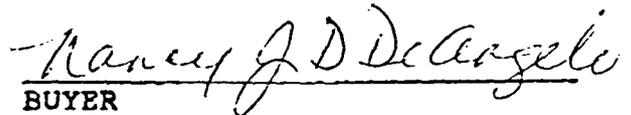
BUYER: Robert W. Landry, Esq.
345 Poston Post Road
Sudbury, MA 01776

or in the case of either party to such other address as shall be designated by written notice given to the other party. Any such notice shall be deemed given when so delivered by hand or if mailed, when deposited with the U.S. Postal Service, postage prepaid.


TRUSTEE OF 1989 MARY S.
MARSHALL REVOCABLE TRUST


BUYER


TRUSTEE OF WLM TRUST


BUYER

N47°04'06"E 611.84

36.47

474.55 (EDM) N64°08'14"E

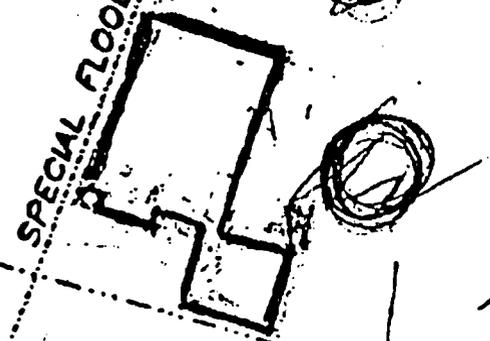
SPECIAL FLOOD HAZARD AREA FLOOD ELEVATION IS ELEV. = 174.0 NG.V.D.

N30°48'00" 421.60

S&N SET

475.00
S17°47'54"E

PROPERTY LINE TOTAL F1



LOT 3
305,835± S.F.
7.0210± Ac.

GROUND

ZONE

2-86091

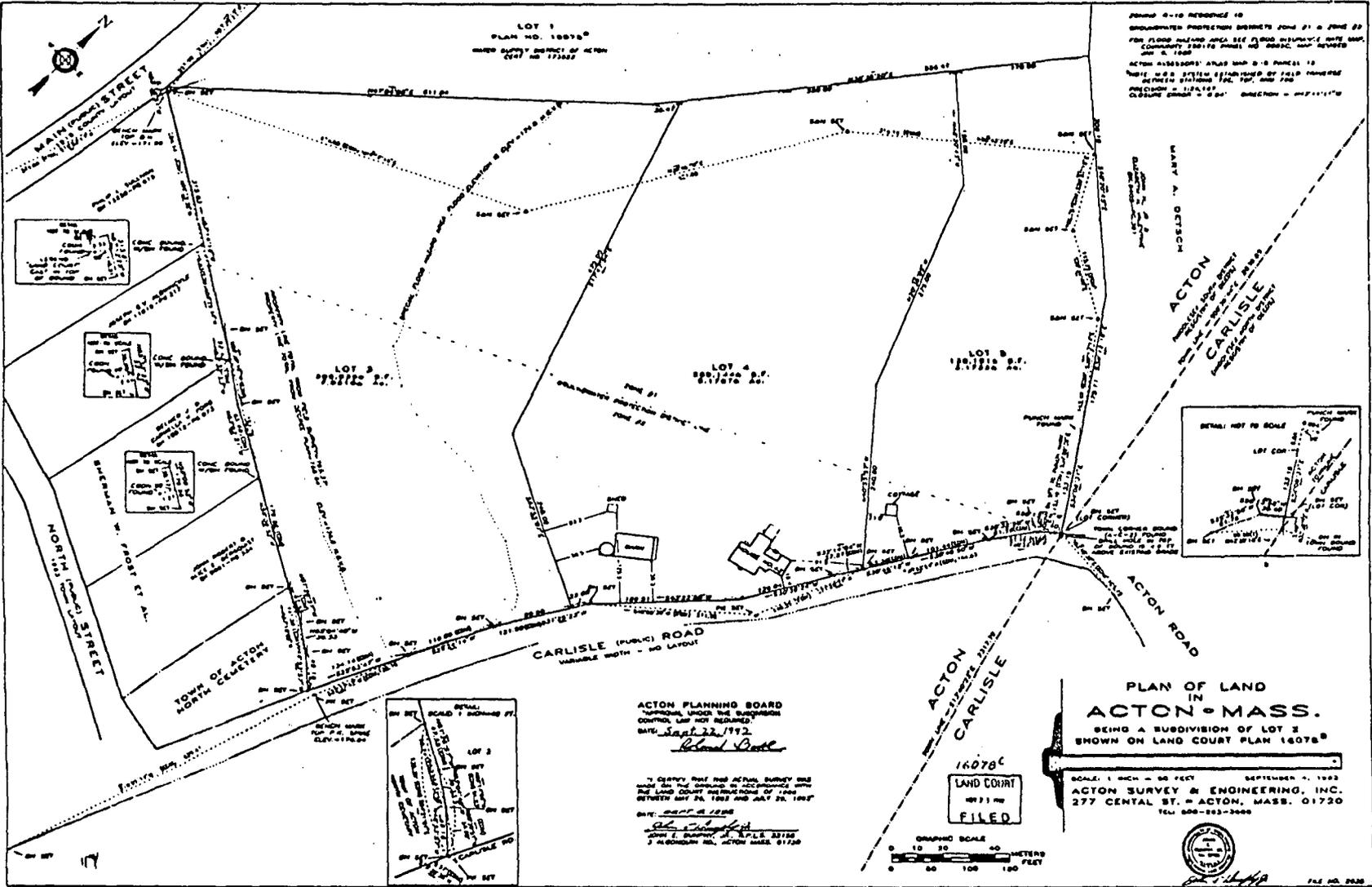
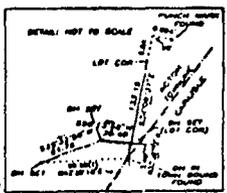


FIGURE 2-10 REFERENCE TO
 UNDEVELOPED PROTECTION DISTRICT ZONE D-1 & ZONE D-2
 FOR FLOOD HAZARD AREA SEE FLOOD HAZARD MAP
 COMMUNITY 13070 PART OF 1982C MAP APPROVED
 MAY 5, 1982
 ACTON MASSACHUSETTS ATLAS MAP D-10 PANEL 10
 THERE IS NO SYSTEM ESTABLISHED BY FIELD MEASUREMENT
 BETWEEN 1117000 N. 101. 100. 100
 DISTANCE ERROR = 0.00' CORRECTION = 0.000000'

MARY A. DETSCH
 ACTON
 CARLISLE
 TOWN OF ACTON



ACTON PLANNING BOARD
 APPROVAL UNDER THE SUBDIVISION
 CONTROL LAW NOT REQUIRED.
 DATE: Sept 22, 1982
Richard D. Bell

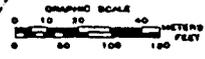
"I CERTIFY THAT THIS ACTUAL SURVEY WAS
 MADE BY THE SURVEYOR IN ACCORDANCE WITH
 THE LAND COURT REGULATIONS OF 1982
 BETWEEN MAY 24, 1982 AND JULY 24, 1982"
 DATE: SEPTEMBER 22, 1982
John E. Dunning, Jr.
 JOHN E. DUNNING, JR., P.L.L.C. 23710
 3 ALBANY RD., ACTON, MASS. 01720

PLAN OF LAND
 IN
 ACTON - MASS.

BEING A SUBDIVISION OF LOT 3
 SHOWN ON LAND COURT PLAN 16078B

SCALE: 1 INCH = 50 FEET SEPTEMBER 2, 1982
 ACTON SURVEY & ENGINEERING, INC.
 277 CENTAL ST. - ACTON, MASS. 01720
 TEL: 508-263-2000

16078C
 LAND COURT
 FILED



FILE NO. 2028

EXECUTIVE SESSION

CC: BOS - THIS IS A DRAFT
RESPONSE TO THE "MORRISON
OFFER".

DRAFT

3/16/93
⑩

March 8, 1993

John C. Morrison
P.O. Box 396
Nagog Hill Road
Littleton, MA 01460

Dear Mr. Morrison,

I am in receipt of your letter to the Acton Planning Board dated February 22, 1993, indicating that you have received an offer to purchase certain land owned by you which is located in the Town of Acton. Your letter indicates that the land in question comprises approximately 33 acres on Concord Road in Acton, Massachusetts, and that all or a portion of the land is classified under chapter 61A of the Massachusetts General Laws. Your letter further indicates that you are currently in the process of negotiating the purchase price to be paid in connection with the sale of the land.

As you are aware, because the above referenced land is classified under chapter 61A, any sale of the land is subject to the Town's statutory right of first refusal under G.L. c. 61A, §14. Under section 14, this right of first refusal is triggered upon the Town's receiving notification that you have received a bona fide offer to purchase your land. Upon receiving such notification, the Town would have 120 days to meet such a bona fide offer.

Because you are currently in the process of negotiating the price to be paid in connection with the sale of your land, it is the Town's position that you have not yet received a bona fide offer to purchase the land. Indeed, the Supreme Judicial Court has determined that, in order for an offer to purchase land to be bona fide, such an offer must be in writing, must specify the price to be paid, and must otherwise be enforceable. See Schwanbeck v. Federal Mogul Corp., 412 Mass. 703, 710 (1992); Roy v. Greene, 404 Mass. 67 (1989). See also Shayeb v. Holland, 321 Mass 429, 432 (1947) ("The price of a parcel of land is undoubtedly an essential element of a contract for its sale"). Thus, because you have not received a written offer to purchase your land which specifies the purchase price that is to be paid, for purposes of chapter 61A you have not received a "bona fide" offer to purchase. Accordingly, the Town's first refusal rights have not yet been triggered and the 120 option period has not yet begun to run.

If you should be successful in negotiating a contract for the sale of your land, at that time it would be appropriate for you to notify me to that effect and to send me a copy of the purchase and sale contract. At that time, the Town will determine what action to take. In the meantime, let me reiterate that the Town does not believe that its first refusal rights have been triggered by your letter of February 22, 1993 and the Town does not believe that the 120 day option period has begun to run.

If you should have any questions, please do not hesitate to call me at (508) 264-9612 or Acton's Town Counsel, Norman P. Cohen, at (617) 573-0386.

Very truly yours,

Don P. Johnson

TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION
TOWN MANAGER'S OFFICE

DATE: March 4, 1993

(BY FAX)

TO: Norm Cohen, Town Counsel
FROM: Don P. Johnson, Town Manager
SUBJECT: Ch. 61A Offer, Morrison

Per our conversation of a few minutes ago I am transmitting the attached communication from Mr. Morrison. As we discussed, I do not believe this constitutes a bona fide offer. As a matter of fact, this is only a copy that has been forwarded to me by the Planning Department ... so far as I am aware, he has not provided notice to anyone else at this time.

Please draft a suitable letter that I might send Mr. Morrison to notify him that we do not consider this a proper offer without the necessary supporting documentation and that the time does not start running until a proper offer is presented. Also, per your suggestion, we should be prepared with an article in case the Selectmen wish to pursue this property through Town Meeting. I will accept your offer to do the drafting.

cc: Board of Selectmen
Ch. 61A Committee
Tom Tidman



RECEIVED
MAR 01 1993
TOWN OF ACTON
PLANNING DEPT.

Wm/John - FYI

P. O. Box 396
Nagog Hill Road
Littleton, MA 01460

MAR - 3

Office of the Planning Board
Town of Acton
472 Main Street
Acton, Massachusetts 01730

Re: EOEa No. 7372, Pond View Nursing Home

Gentlemen:

Please be advised that in accordance with the provisions of M. G. L. Chapter 61A, notice is hereby given you of my receipt of a bona fide Offer to Purchase concerning land owned by me in Acton, Massachusetts, being 33 acres on Concord Road; said Offer being tendered to me by Dr. Alfred L. Arcidi, principal of ACN Corporation, d/b/a Pondview Nursing Home. The purchase price is to be determined during the pendency of the Offer.

Upon receipt of this notice, the Town, under the provisions of 61A, has 120 days within which to determine its action.

I shall await your advices.

Very truly yours,

John C. Morrison
John C. Morrison

February 22, 1993

Extra info
3/16/93

TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION
TOWN MANAGER'S OFFICE

DATE: March 12, 1993

TO: Board of Selectmen
FROM: Don P. Johnson, Town Manager
SUBJECT: Congressman Meehan

Congressman Meehan's office has contacted me regarding rescheduling the "Town Meeting" that was recently cancelled. They have offered Saturday, April 24 as their preferred date. I have informed them that I would poll you for your availability. (I probably will not be available and I have so informed them.)

Please let me know whether this fits your schedules.



100

Com The

ACTON HEALTH FAIR AND FORUM

Sponsored by The Acton Public Health Nursing Service and its F.A.N.S.
In celebration of 70 years of service to Acton Residents

cc: BOS - FYI

ACTON HEALTH FORUM

Friday Evening
March 19, 1993
7:30 p.m.
ABRHS Auditorium

**"Keeping Your Child
OUT OF HARM'S WAY!"**

A roundtable discussion on topics from
IMMUNIZATIONS to SUICIDE PREVENTION
including AIDS, ALCOHOL, DRUGS, RABIES
and many other topics

To be addressed by representatives of:

ACTON TOWN GOVERNMENT	ACTON SCHOOL DEPARTMENT
Board of Health	Curriculum K-12
Nursing Service	Pupil Services
Police Health & Safety Dept.	Student Peer Program
COMMUNITY AGENCIES	PTO Health & Safety
United Way of A-B	Healthcare Services
Mental Health - CODE Program	MEDICAL PROFESSIONALS
C-A Adolescent Services	Pediatrician
	Veterinarian
	Emerson Pediatric Director

AUDIENCE PARTICIPATION WILL BE ENCOURAGED

ACTON HEALTH FAIR

Saturday
March 20, 1993
10 a.m. - 3 p.m.
ABRHS

"WELLNESS...

It all begins with YOU!"

Among the many activities and exhibits are...

Screenings for:	Child & Alzheimer ID Program
Blood Pressure	Bike & Safety Equipment
Cholesterol	Radon Testing Information
Glucose	Heimlich Maneuver/Child & Adult
Oral Cancer	Personal Home & Safety Info
	Nutrition Counseling
Vision & Hearing Tests	Health Information Programs

and MANY, MANY MORE exhibits geared to keeping you WELL!

Refreshments are available

ALL EVENTS ARE FREE!

For more information, call: Rita Dolan 263-7884 Ruth Porter 263-8961 (evenings)

MARCH BUSINESS BEFORE HOURS

at

CROSSROADS CAFE
405 Nagog Square, Acton

cc: BOS - FYE

"Override Implications"

with

William Ryan, Interim Superintendent
Acton Public & Acton-Boxborough Regional School Systems
&
Don Johnson, Town Manager
Acton, Massachusetts

Mr. Ryan and Mr. Johnson will discuss pertinent information surrounding the upcoming Override vote in Acton. They will present information from both school and municipality points of view. Don't miss this important forum! **Wednesday, March 17, 1993. 7:30 to 9:00 a.m.**

HUMAN RESOURCE ASSOCIATION

at the

Westford Regency Inn & Conference Center
219 Littleton Road, Westford

"Workplace Safety"

with

John B. Miles, Jr., Regional Administrator
Occupational Safety & Health Administration (OSHA)

In his position, Mr. Miles, is responsible for enforcing the provisions of the Occupational Safety and Health Act for the New England region states of Massachusetts, Vermont, New Hampshire, Rhode Island, Connecticut and Maine. He is a member of the American Society of Safety Engineers, and was recently selected as this year's Distinguished Federal Executive by the Federal Executive Board in Boston. **Thursday, March 18, 1993. 12:00 to 1:30 p.m.**

Business Before Hours 3/17/93

Members: \$10. _____

Non-Members: \$13. _____

Human Resource Association 3/18/93

Members: \$15. (\$8 ea. additional) _____

Non-Members: \$20. _____

NAME: _____

COMPANY: _____ PHONE: _____

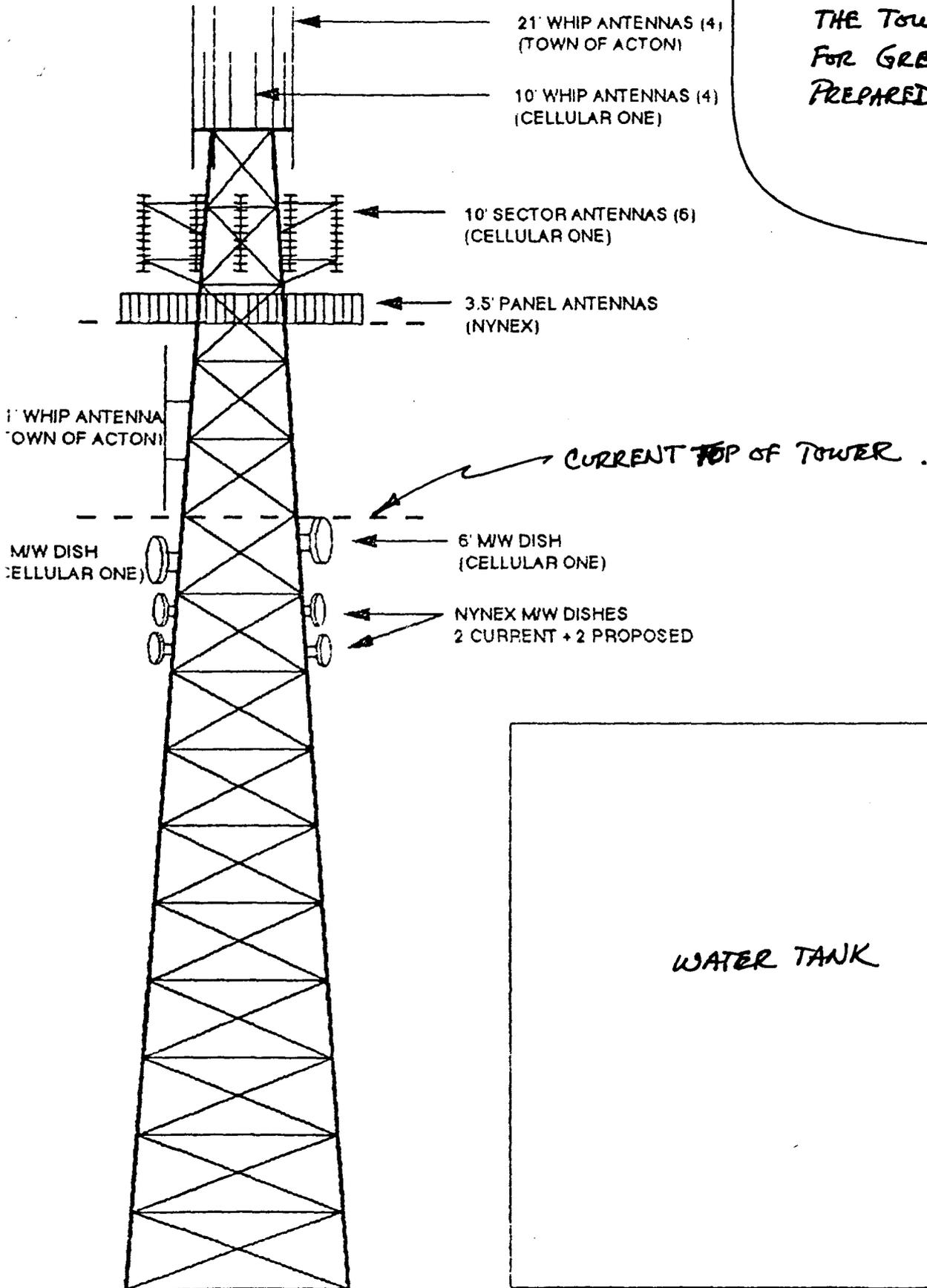
NUMBER ATTENDING: _____

PAYMENT ENCLOSED: _____

3/12

CC: BOS -

THIS IS A SKETCH OF
THE TOWER PROPOSAL
FOR GREAT HILL ...
PREPARED BY NORM LAKE .



TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION

DATE: March 10, 1993

TO: Don P. Johnson, Town Manager
FROM: Garry A. Rhodes, Building Commissioner *JAC*
SUBJECT: Concord Auto Vehicle Count

The Board of Appeals set the vehicle count for the Concord Auto Auction at a maximum of 4500 vehicles. According to Sgt. Rhode, there were 1964 vehicles on February 24, 1993.

(984)

*cc: BOS -
DORÉ, PLEASE NOTE.
WON*

Nancy E. Tavernier

35 Mohawk Dr. Acton, MA 01720

March 10, 1993

Don Wheeler, Chairman
Acton-Boxborough School Committee
Jean Butler, Chairman
Acton School Committee
16 Charter Rd.
Acton, MA

MAR 10 1993

Dear Don, Jean, and Committee members,

Congratulations on a job very well-done! Your selection of Dr. Isa Zimmerman was absolutely the correct choice for the school system and the community as a whole. I look forward, with a great deal of excitement, to working with her.

Finding a new Superintendent was a mammoth task and I am sure very exhausting. You are to be commended for the process you established and followed, and for the sheer energy you put into the undertaking.

What I was most pleased about was the fact that I could observe the proceedings in the final week from my home because your meetings were broadcast LIVE. It was absolutely riveting to see you in action (I'm not so sure my teenagers would agree since they were relegated to the second TV!). The production was outstanding, both video and audio, and hopefully will demonstrate to you the necessity for doing it this way. You will be amazed how much more knowledgeable the community will be about Dr. Zimmerman for having watched it on live TV.

Special accolades go to Don, who led the meetings with great professionalism, and to Jean for her diligence in keeping the community involved.

Sincerely,

Nancy

Nancy E. Tavernier

cc Board of Selectmen ✓

RECEIVED & FILED

DATE March 14, 1993

cc: BOS
ROLAND B.
Planning Department

Town of Acton

Catherine Beckin
TOWN CLERK, ACTON

472 Main Street Acton, Massachusetts 01720

(508) 264-9636

South Acton Village Planning Committee (SAVPC)

Minutes for Meeting of:

February 23, 1993

Members in attendance: Roger Andrews, Bob Pion, Betsy Eldridge, William Shupert (Trey), Sushama Gokhale, Sandra Whaley.

Also present: Roland Bartl (Town Planner).

Minutes of February 9, 1993 and September 23, 1992 were approved.

Announcements: 1. SARC meeting on sewers on March 4, 1993. 2. Selectmen have frozen any expenditures from the Great Hill Gift account until options feasibility on sewers has been studied.

Mill Corner Update: The Planning Board has issued its approval with conditions. The Board of Selectmen have until June 30th, 1993 to decide on acceptance of the \$300,000.00 gift. After that date 4 affordable housing units will be provided instead. A feasibility study on a small sewer system in light of the existing Great Hill Gift plus the offered \$300,000.00 would have to be completed by June 30. The Board of Selectmen appear to want to conduct such a feasibility study. The committee agreed to favor such a study.

Survey Press Release: Will be forthcoming shortly.

Market Study: The Draft RFP has been reviewed by the consultant and comments and suggestions were given to Roland.

Goals and Objectives: For discussion was the 10/10/92 draft II of the Goals and Action Recommendations. Bob and Trey reviewed their comments and suggestions concerning Goals 1, 2, 7, & 8 with the committee. It was agreed that the Goal statements need to be shortened and that the action recommendations must be made more specific. Goal 7 concerning the sewerage of South Acton Village should be move to be Goal 2 to give it a higher profile. Bob and Trey will redraft items as discussed and bring them back to the committee.

Next regularly scheduled meeting: TUESDAY - MARCH 9, 1993:

- Minutes
- Review Goals & Action Recommendations and propose changes/additions (carried over from this meeting): Goals 1 & 2 - Bob (revised); Goals 3 & 4 - Sushama; Goals 5 & 6 - Sam; Goals 7 & 8 - Trey (revised); Goals 9 & 10 - Betsy.

Minutes approved March 9, 1993.

cc: Town Clerk, Planning Board, Board of Selectmen ✓

[RHB.SAVPC*1]

3/12/93
ROLAND - REMEMBER, THERE IS NO FUNDING AVAIL. @ THIS TIME DUE TO SEWER ISSUE.

TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION
TOWN MANAGER'S OFFICE

DATE: March 12, 1993

TO: Nancy Tavernier, Chairman
FROM: Don P. Johnson, Town Manager
SUBJECT: E OCD Questionnaire

Staff has returned most of their response in the subject regard. I have attached copies for your information.

As per my earlier note, I await your direction as to how you may wish to handle this item.

cc: Board of Selectmen

TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION
TOWN MANAGER'S OFFICE

DATE: March 5, 1993

TO: Nancy Tavernier, Chairman, Board of Selectmen
FROM: Don P. Johnson, Town Manager
SUBJECT: EOCD Questionnaire

We are in receipt of the attached questionnaire from EOCD. Much of the information is statistical in nature so I am sending copies of the form to appropriate staff for development of that information. I presume that you or a representative of the Board will want to be involved in completion of the subjective comments that apply.

By copy of this memo to the below listed staff I am asking them to provide the information, under the designated headings, by Friday, March 12, in order that I might include it in the Board's weekend packet:

Garry Rhodes	Zoning Regulations Growth Management
Roland Bartl	Economic Development
Roy Wetherby	Largest Employers
Dean Charter	Recreational Activities

cc: Board of Selectmen



EXECUTIVE OFFICE OF COMMUNITIES & DEVELOPMENT



William F. Weld, Governor
A. Paul Cellucci, Lt. Governor
Mary L. Padula, Secretary

To all Mayors and Chairmen of Boards of Selectmen:

One of the difficulties in shaping programs and considering remedies for the problems facing your municipality is the lack of sufficient data about real conditions in cities and towns. As you know in working with your community, a fiscal balance sheet tells some things, but not everything, about how you are dealing with the circumstances under which you must function.

EOCD hopes to deal with this difficulty by compiling the data for a comprehensive Municipal Community Profile. This profile will contain information about administrative structures, service levels and development plans, among other material, that will give a true picture of the present, and of the hopes you have for the future of your city or town. Although much of the information on demographics, housing and finance will come from federal and other state sources, there are some questions only you can answer about your community.

We therefore ask your cooperation in filling out a brief questionnaire. When EOCD has finished integrating this information with the data already accumulated about municipalities, we will be able to send a copy of your community's complete profile to you. It is our expectation that you will find the profile very useful in your decision making process, in filing grant applications, and even in attracting economic development.

Please complete and return the questionnaire by March 31. If you have any questions about the material, feel free to contact Geoffrey Forrest at (617) 727-7762.

I very much appreciate your help and cooperation.

Handwritten signature of Mary L. Padula.

Mary L. Padula, Secretary

cc: Planning Directors
Chairmen of Planning Boards
City and Town Clerks

EXECUTIVE OFFICE OF COMMUNITIES AND DEVELOPMENT
COMMUNITY PROFILE QUESTIONNAIRE

Community: ACTON

Contact: _____

Phone: _____

ZONING REGULATIONS

Date of Last Major Revision
of zoning regulations:

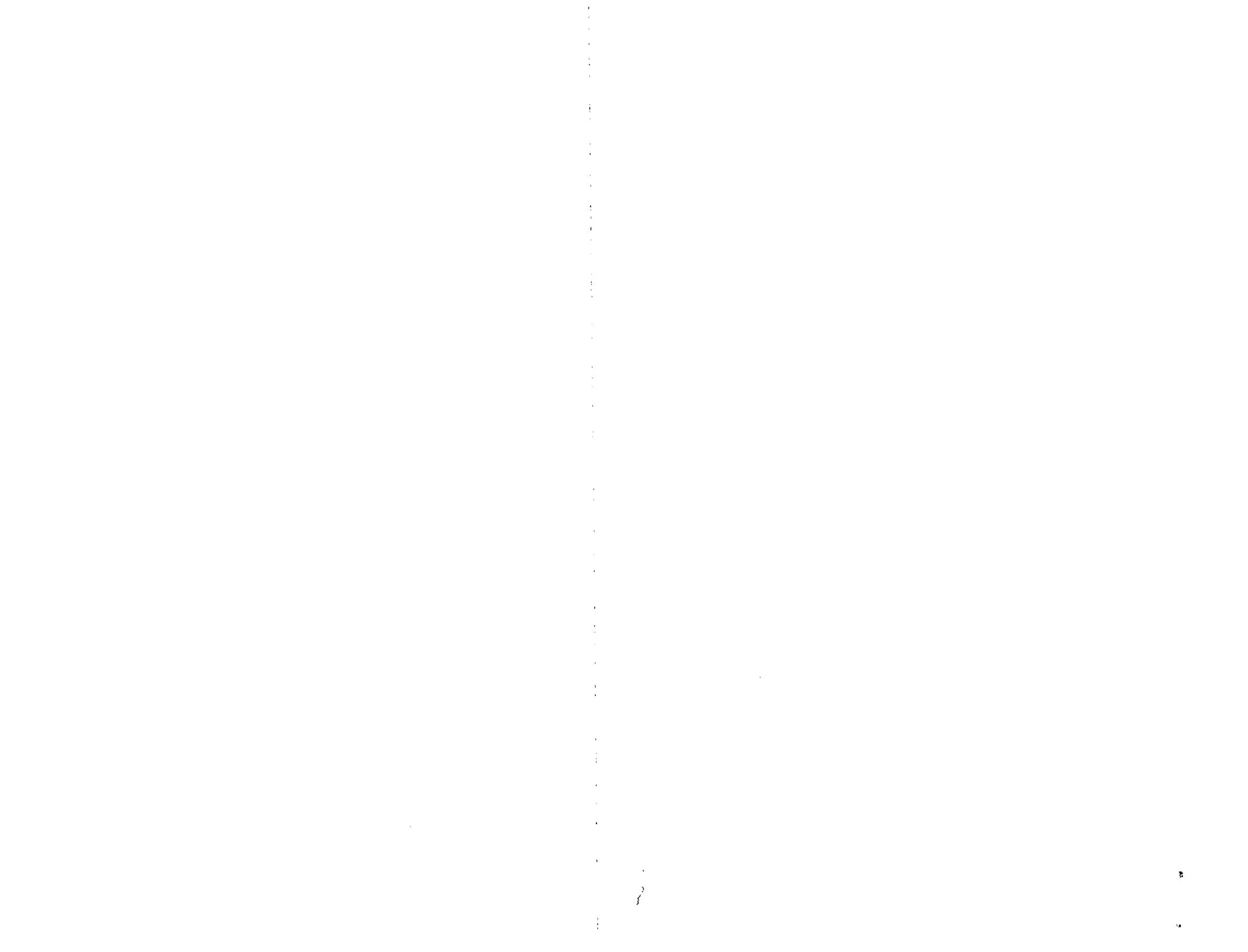
1990 - 1991

	<u>single family</u>	<u>two family</u>	<u>multi-family</u>
What is your minimum lot size (residential)	<u>20,000 sf</u>	<u>NA sf</u>	<u>100,000 sf</u>
What is your minimum lot width (residential)	<u>50 ft</u>	<u>NA ft</u>	<u>50 ft</u>
What are your density limits (residential)	<u>1 per lot</u>	<u>NA</u>	<u>5 units per acre</u>

GROWTH MANAGEMENT

Do you have the following:

Comprehensive Plans	<u>YES/NO</u>	If YES, when was it last updated: <u>1991</u>
Rent Controls	<u>YES/NO</u>	Comments: _____
Condominium Controls	<u>YES/NO</u>	Comments: _____
Groundwater Protection	<u>YES/NO</u>	If YES, what type: <u>Four (4) Zoning Districts to protect the Town's water supply.</u>
Subdivision Control Laws	<u>YES/NO</u>	Comments: _____
Site Plan Approval Requirements	<u>YES/NO</u>	Comments: <u>by Board of Selectmen</u>
Other Growth Limits	<u>YES/NO</u>	If YES, what type: <u>Private septic systems only.</u>



LARGEST EMPLOYERS

Please list the five (5) largest employers located in your community:

	Name	Number of employees
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____

RECREATIONAL ACTIVITIES

Does your community have a recreation department, or offer recreational activities?

YES/NO

If YES, list department(s) name and address:

Town of Acton, Municipal Properties Department
472 Main Street, Acton, MA 01720 508-264-9629

Acton Boxborough Regional School District
Community Education Department
16 Charter Road, Acton, MA 01720

508-264-4700 (X5353)

Secretary



MASSACHUSETTS

BOARD OF APPEALS

(508) 264-9632

MAR - 9 1933

#93-4

NOTICE OF PUBLIC HEARING

The Board of Appeals will hold a Public Hearing on Monday,

May 3, 19 93, at 7:30 P.M. in the TOWN HALL, Room 126

on the following petition:

by Robert Magliozzi, 92 Loring Avenue, Winchester, MA for Elmside Homes Inc., Washington Street, Gloucester, MA for a FLOOD PLAIN SPECIAL PERMIT from the requirements of Section IV.1.8 of the Zoning Bylaw to allow the installation of a residential driveway and utilities through the flood plain located at 31 Conant Street, Map I20/Parcel 22.

CC: BOS - HRG. NOTICE & 1ST PAGE OF APPLICATION
FULL DOCUMENTS IN R.F.

Petitioner must be present, or send authorized representative

BOARD OF APPEALS

By

Malcolm Burdine,

Clerk

Date Received
TOWN CLERK
March 8, 1993
By: *Barbara Brown*



Date Received *3/8/93*
BOARD OF APPEALS
By: *Valin J. Synnall*

BOARD OF APPEALS
(FORM 3)
PETITION FOR A SPECIAL PERMIT
(FLOOD PLAIN DISTRICT)

March 8 1993

I/We hereby petition the Board of Appeals for a public hearing and a special permit under Section IV.1.8, Flood Plain District, of the Zoning By-Law to allow:

The installation of a residential driveway and utilities
through the flood plain located at 31 Conant Street, Acton.
(limited project)

OFFICE USE ONLY	
Seven copies of petition?	<input checked="" type="checkbox"/>
Seven copies of site development plan?	<input checked="" type="checkbox"/>
Site plan complete as per checklist?	<input checked="" type="checkbox"/>
List of abutters and other interested parties?	<input checked="" type="checkbox"/>
Fee - \$100.00/1-25 abutters \$125.00/26+ abutters?	<i>\$100.00</i>
Next Hearing Date?	<i>5/3/93 No 93-4</i>
Copy of petition & site plan sent to:	<i>2:30 p.m.</i>
Planning Board	_____
(Date)	_____
Conservation Commission	_____
(Date)	_____
Town Engineer	_____
(Date)	_____
Board of Health	_____
(Date)	_____

Respectfully submitted
Signed *Robert Magliozzi*
(Petitioner)

Name Robert Magliozzi
92 Loring Ave.
Address Winchester, MA 01890

Phone # 617-729-7171

Signed *John Stokell*
(Owner of Record)

Name Elmside Homes Inc.
Washington Street
Address Gloucester, MA 01930

Phone # 508-281-4553

Last recorded plan: Date	_____
Book No.	_____
Page No.	_____
Town Atlas Sheet No.	_____
Parcel No.	<u>I-22</u>

3/6/93

TO Board of Selectmen
FROM: Nancy Tavernier
SUBJECT Charge given to Board of Health on Nursing Service

Attached is a draft of a memo that I would like to send to the Board of Health from the Selectmen to clarify the decisions we made at our 3/2/93 meeting in regard to the Nursing Service

I feel strongly that this BOH assignment should not an be open-ended one, that there should be a framework and a timeline to the analysis. Having spoken to several of the would-like-to-be key players in the past several weeks, I am aware that there are all kinds of "agendas" out there. Most of the opinions expressed to me seem to have a common theme of allowing the Nursing Service to operate independently from Town management, salary schedules, funding constraints, and budget priorities. This will ultimately be an issue of control.

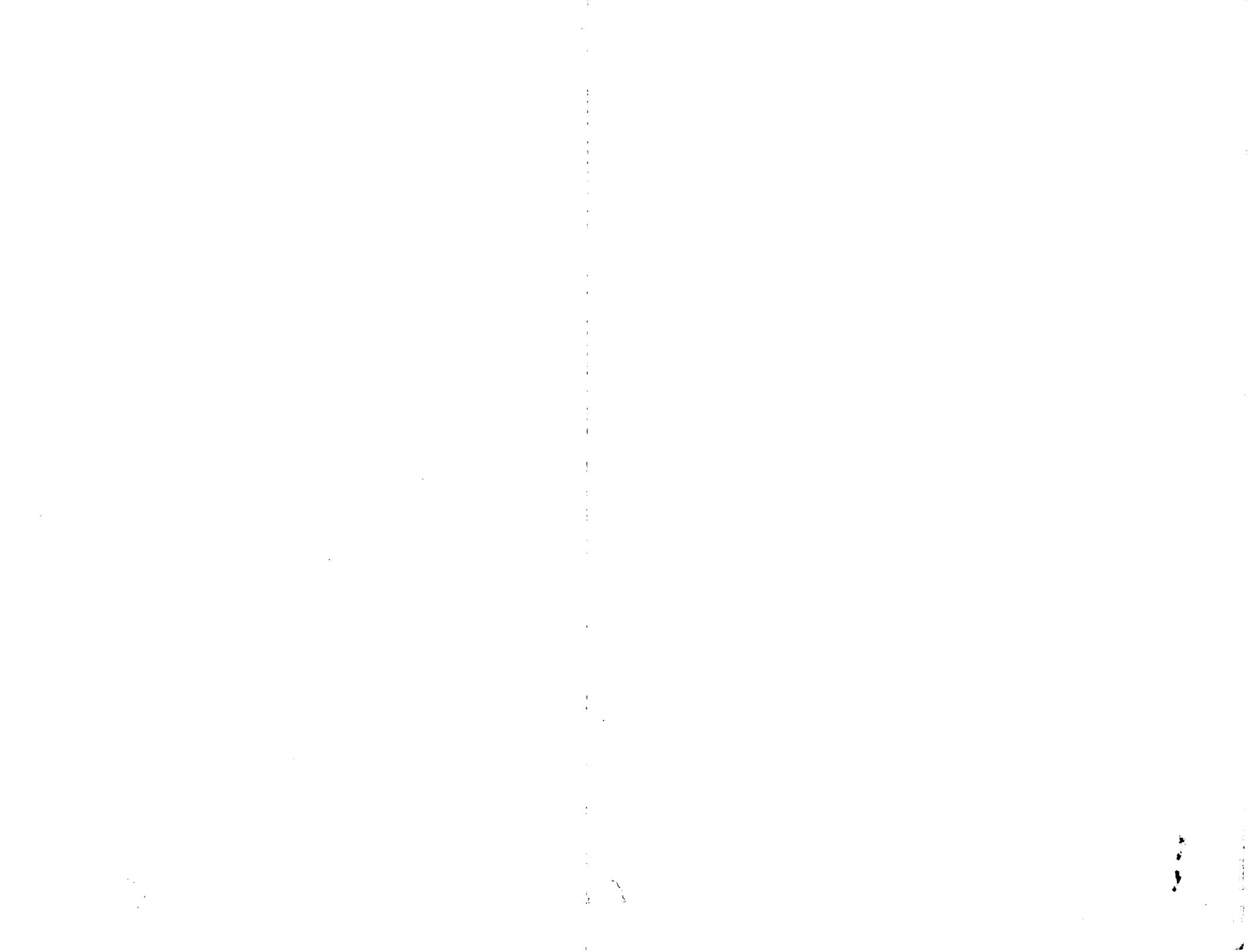
We will discuss the memo at the 3/16/93 meeting to be sure we are clear as a board on the assignment we have given to the BOH

list" design for a Nursing Service without regard to current fiscal and legal constraints. What services, staffing levels, salary levels and management structure would you like to see?

The second step would be to ask whether or not this design can work in the municipal environment. Can Acton sustain a stand-alone agency within the current fiscal constraints? If yes, then you should explore specific suggestions for strengthening and sustaining what we have. If no, then go forth to look at other possible models with or without the use of a consultant. We would strongly suggest looking at other models only after you have arrived at an "ideal" design for the service. Agree on what you want to provide and then figure out how to do it. We would like to have a progress report from the Board of Health in September 1993.

Nancy Tavernier was contacted by a local resident who has offered to help you focus in on the questions that need to be asked. Gloria Powaza, Musket Dr. (264-0542 or 263-0639) is the CEO of the Worcester Visiting Nursing Association. She does not want to be your consultant but has offered to come to one of your first meetings to share her wealth of knowledge. We encourage you to seek her out.

If you have any questions, please feel free to contact Nancy Tavernier at 263-9611. We appreciate your strong support for the Nursing Service and your willingness to conduct the preliminary analysis.



Nancy E. Tavernier

35 Mohawk Dr. Acton, MA 01720

March 7, 1993

Barbara B. Smith
159 Central St.
Acton, MA

Dear Ms. Smith,

I am responding to your letter of March 3, 1993 in regard to the West Acton Citizens Library funding situation. There is probably nothing that I can say in this letter will moderate your anger at "town officials" but I can at least explain my position and correct your misstatements.

There is not currently a single service that we have in the Town of Acton that we do not fully support, given the adequate revenue to do so. The West Acton Citizens' Library is a valuable, personal and unique service, one that goes far in maintaining a sense of community in Acton. As a professional librarian and a long-time user of both local libraries, it pains me greatly to propose a reduction in either library service.

As you are aware, the West Acton Citizens' Library will remain funded if the \$1.55 million dollar override passes at the March 30 election. This would raise taxes a total of 7.8% and would result in a less than \$1 a day increase on the tax bill of a \$250,000 home. If the override fails, we will have to cut hundreds of thousands of dollars from the Town budget (\$480,000 to be exact) and over \$1 million from the schools. The West Acton Library is one of those cuts as well as cuts in the Memorial Library, environmental protection, fire department equipment, traffic safety improvements, tree trimming, Ice House pond reclamation, highway paving and infrastructure repair, elderly services, new sidewalks, building and grounds maintenance, replacement vehicles, and 3.5 staff members.

Your responsibility as a voter is to determine the level of spending for the Town at both the ballot box and Town Meeting. You also have the opportunity to select the leadership for the town. Our responsibility as Selectmen is to determine how that level of revenue will be spent, in a way that best maintains the services that we deem vital. We do that through a budget process that is coordinated with the School Committee and the Finance Committee.

It is our job to look at every service in the context of the larger picture of the entire community and its needs. It would be irresponsible of us to look at just one service, like the West Acton Library, without weighing it against such things as a new Senior Center and basic public safety needs. This is the reason we place only one override question on the ballot instead of a menu of questions for individual

services. We believe that we must not allow ourselves to be fractured into special interest groups. Our approach forces the voters to look at the needs of the community as a whole, not just their own favorite program. The decision we made was to keep one library open, in the event of a failed override, rather than keeping two libraries and eliminating another service entirely.

I would like to set the record straight about the misconception that the West Acton Library cannot be unfunded or closed without a Town Meeting vote. That is simply not true. In 1962, Town Meeting voters accepted the gift of the **property** of the Citizens' Library Association building with the following conditions:

1. That the Town of Acton continue to operate the said property in accordance with the purposes.....
2. That the Town of Acton shall elect at the annual town meeting a Board of 3 Trustees....
3. That in the event the Town of Acton shall at any annual town meeting, by a four-fifths vote, **vote to discontinue, transfer and/or sell the said property**, any proceeds are to be turned over the Board of Trustees of the Acton Memorial Library....

The first condition appears to order the continuation of the operation of the library but numerous law suits around the state have confirmed the rights of cities and towns to make budget decisions that are contrary to either current collective bargaining agreements or, in this case, a budget item. If the voters decide that there is no money for the West Acton Library by defeating the override, no one can mandate that it be spent anyway. The third condition, relates to the town meeting vote, and you will notice it only applies if the town is proposing to discontinue, transfer or sell the **property** and we are not doing that. If that ever should be proposed, then it would require a 4/5's vote at town meeting.

Frances Bissell, as Trustee of the West Acton Library, has every right to file a citizen's petition to sustain the funding for the library, the same right given to any citizen in the town. However, we do not have to like it or approve of it, and we don't. The question I have for you is, in the event of the loss of the override, where will the money come from to fund this citizen's petition? We are bound by law to have a balanced budget and most likely will have no surplus (free cash) after this town meeting. There are no hidden funds or other means by which such a reduction could be avoided. Perhaps the only recourse at that point would be for a group of citizens, such as you, to privatize the West Acton Library and transfer ownership of the building to your group. Then you would not be at the whim of town officials for this service ever again.

Acton voters are a special group of people who have, as you point out,

overwhelmingly approved previous overrides. They may not be able to do so this time, but I believe they understand the consequences of their vote and will learn to live with the cuts. We are not "jerking" them around, we have far more respect for our citizens than you give us credit for. We have learned on three previous occasions when asking for override approval, that when the voters understand the issues, they will make a well-informed vote. I hope my letter has helped you to become a better informed voter.

Thank you for taking the time to express your feelings to us.

Sincerely,

A handwritten signature in cursive script that reads "Nancy E. Tavernier".

Nancy E. Tavernier

cc Board of Selectmen

March 3, 1993

Barbara B. Smith
159 Central St.
Acton, MA

I object to the way town officials have handled the Acton Citizens Library budget.

Obviously, town officials must balance the budget by putting some of Acton's services before the voters as "override" items.

However, as I understand it, the Citizens Library joined the small galaxy of town services some decades ago with the stipulation that it could not be closed without a vote of town meeting. When the library's defunding seemed a possible consequence of the upcoming override vote, a library trustee appropriately began the process to put the library's closing before Town Meeting. That prompted certain town officials to threaten retribution against the Citizens Library or any town service whose lobbyists try to put their budget before the voters.

As a voter--and employer of town officials--I am angry that town officials want to circumvent the law that specifically preserves the Citizens Library at the voter's pleasure. It's wrong for town officials to think they can satisfy the law's intent by defunding the Citizens library, removing the books, terminating the librarian, and maintaining the shell of the building.

I'm also angry that for some town officials the budget "process" means bullying citizens who exercise their right to practice direct democracy--to bring a budget item to a vote at town meeting.

Finally, I just read that town officials have also cut the Memorial Library's budget JUST enough--if the override isn't approved--to have that library lose its state certification, along with all the funds and services certification bestows. It's obvious that town officials are intentionally placing before voters services whose elimination would cause the most pain, holding hostage popular services to force the override's passage.

Fie on all of you. Acton voters have overwhelmingly approved previous overrides. I don't think we deserve to be jerked around this way by the people we've elected and appointed to govern us.

Barbara B Smith

**SELECTMEN'S MEETING
MARCH 2, 1993**

DRAFT

The Board of Selectmen held a special Budget Presentation meeting on Tuesday, March 2, 1993, present were Nancy Tavernier, Dore' Hunter, Norm Lake, Anne Fanton, William Mullin, and Town Manager Johnson

CITIZENS' CONCERNS

None expressed

PUBLIC HEARINGS AND APPOINTMENTS

**STREET ACCEPTANCE
AUTUMN LANE and KINSLEY ROAD**

David Abbt outlined the procedure that is followed the requested that the Board accept Autumn Lane and Kinsley Road as voted by the Planning Board. DORE' HUNTER - Moved to accept Autumn Lane and Kinsley Road as presented. ANNE FANTON - Second. UNANIMOUS VOTE.

**STREET ACCEPTANCE
CHARTER ROAD**

David explained the Charter Road sidewalk easement from Haartz as it related to acceptance of this portion of Charter Road. Frank McGilvery wanted to be assured the no more trees would be removed. The discussion continued regarding the need to remove trees and proper notice of those removals. Mr. Keane also of Charter Road, said that he was notified by the Tree Warden when trees were to be removed abutting his property. Anne said she wanted to be sure that the residents received proper notice which trees are expected to be removed for the sidewalk construction.

DORE' HUNTER - Moved to accept the easement, a portion of Charter Road for sidewalks as outlined in the presented paperwork. NORM LAKE - Second. UNANIMOUS VOTE.

AMENDMENT TRAFFIC RULES AND ORDERS

DORE' HUNTER Moved to Amend the Traffic Rules and Orders to place a Stop sign at School and Lawsbrook Road as presented. NORM LAKE - Second. UNANIMOUS VOTE

NORM LAKE - Moved to amend the Traffic Rules and Order to place a Stop sign at the intersection of Stow and Robbins Street. DORE' HUNTER - Second. 4-1 Bill Opposed.

NORM LAKE - Moved to amend the Traffic Rules and Orders to place a Stop sign at Esterbrook Road. DORE' HUNTER - Second. UNANIMOUS VOTE.

Nancy noted the letter of opposition received from Mrs. Campbell on the placement of the sign at Robbins Street. Staff was asked to investigate her concerns outlined in the letter and prepare a response.

NURSING SERVICE

Nancy Tavernier reviewed the options before the Board this evening. It was noted that due to the resignation of the Supervisor it had become apparent that the service should be reviewed on several levels and options presented. She felt that a group or independent consultant needed to be charged with the task of analyzing the present operation.

Nancy explained that the current situation and Don Johnson further commented and expanded on the situation and discussed the future of the service. Bill asked what was being done to mitigate the problems.

It was explained that if an RFP was prepared to give us a clear understanding of what would be required to keep the service going it would be helpful.

Bill McGuinness, Chair, Board of Health did not agree with the hiring of a consultant to review the operation. He felt that the money could be well spent in other areas of public health. The Board of Health feels it can solve the issues and they can be efficient and feels the bottom line is does Acton want to continue with providing this service.

Rita Dolan, Representative from FANS spoke about the important of keeping the service in place and felt that a physician should be included in any study committee membership.

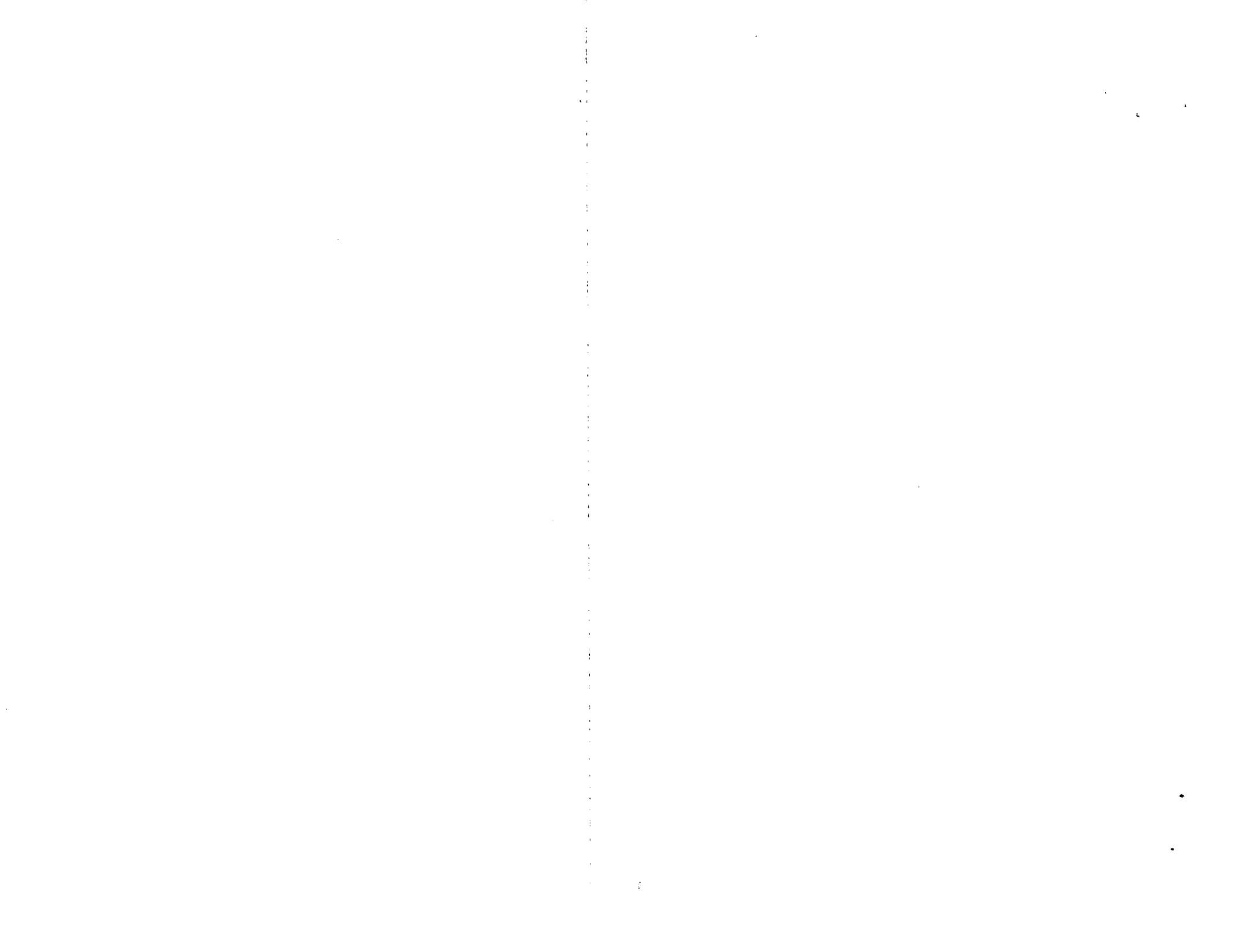
Jean Worfolk - Spoke about the increased salaries being attained in the Nursing field. She felt the service should be retained.

Eleanor Voohries - Felt we should work out the bugs in the system and not spend money on a study. She felt it is a bad time to move away from the service as it is a time when much emphasis is being placed on public health.

Ed Richter, Former BOH Member - Would like to see the funds not expended for a consultant's study and wanted the present system retained.

Betty McManus, Housing Authority - Spoke about the support her office receives from the Nursing Service and urged retention.

Anne asked about the number of home health aids currently in place. Doug said we have 100 hours currently and the ratio of home health aids vs. Nurses is 2/1. Currently we have four part-time Home Health Aids 3 of which have been moved towards



employees to protect us from IRS liability. Dore' felt it would be possible to review this situation with the current volunteers and staff.

Anne spoke about the consultant and their objectivity. He did not feel an in-house study would be as objective.

Bill asked if this could be made a revolving fund. He suggested that BOH, PAC and FANS address the issue and come back with the answers. If they got into it and felt they could not properly address the issue then the 30,000 would be allocated to cover the consultant to prepare the study.

Martha Morrison - Urged the Town not to study the service again as the health care field is changing so rapidly it would be a waste of money. She felt we needed to get a community commitment.

Stephen Graham thought collaborative effort with other towns would be possible. It was explained that Acton is unique in that it is not part of a region.

BILL MULLIN - Moved to request an action group be formed made up of representatives of the Board of Health, FANS, PAC and the Town Manager or his designee to address current status of the Acton Public Health Nursing Service with the goal of formulation and presentation of an action plan and to incorporate in the FY94 Nursing Enterprise Fund budget an allocation up to \$30,000 for a study/consultant if so required with the Board of Health taking the leadership with the Town Manager being involved.
DORE' HUNTER - Second. UNANIMOUS VOTE.

CONSENT CALENDAR

ANNE FANTON- Moved to accept the consent calendar as printed.
NORM LAKE - Second. UNANIMOUS VOTE

SELECTMEN'S CONCERNS

AMERICAN RED CROSS PROCLAMATION - NORM LAKE - Moved to sign the proclamation of March as RED CROSS Month. DORE' HUNTER - Second. UNANIMOUS VOTE.

MAPC WASTEWATER GRANT- Anne was concerned about the possibility of expending too much Planning staff time on this project because of the level of detail required by MAPC. NORM LAKE - Moved to send letter of support pending interest of other communities. ANNE FANTON - Second. UNANIMOUS VOTE.

CITIZEN COMPLAINT-WOODLANE - Staff was asked to prepare a response to Mrs. Gates outlining the staff memo's.

MAGIC - Anne let the Board know that she would be unable to attend the meeting on the 11th in Sudbury to discuss Route 2,

Devens and such with our Senators and Representatives and wanted to let the Board know in case anyone was free to attend.

FINCOM MEETING - Nancy urged attendance at the Monday FinCom meeting at 8:00 to discuss the Town's budget.

Warrant Discussion - Article 8 - DORE' HUNTER - Moved to accept the 15 year amortization of deferral - ANNE FANTON - Second. 4-1 BILL MULLIN, No.

Dore' wants to see hard numbers from the School Committee so they don't have to amend on the floor.

DORE' HUNTER - Moved to approve the A Budget as presented at \$11,404,010. NORM LAKE - Second. UNANIMOUS VOTE.

Article 17 - Norm was uneasy telling restaurants how much space should be allotted to smokers. Dore' agreed with Norm. ANN FANTON - Moved to recommend this Article as presented. BILL MULLIN - Second. 3-2 Lake and Hunter No.

MILL CORNER - The Board discussed the offer of the \$300,000 vs the affordable units as originally offered. The Board would have to vote to accept the gift of 300,00 for sewerage purposes prior to June 30, 1993. The \$15,000 to study the feasibility of sewers would be taken from the Slattery gift monies but the study would have to be complete prior to the June 30th deadline. The Decision before us is to discuss whether or not to pursue a sewer study. Dore' felt we needed to get the RFP and sent a note to SARC when we prepared it.

Bill Gothrope of ACHC said that if the number generated by the Consultant turns out to be only enough for seed money or too burdensome for individual owners he did not want to see us lose the Housing and urged the Board to look at the numbers hard and look at the benefit of housing.

Anne stated she was more inclined to opt for acceptance of the housing stock. Bill felt a letter of credit for the \$300,000 should be posted in advance. Norm felt the sewerage plant was not going to happen, the numbers would be too high. Dore' felt we should wait until we got some hard numbers. Nancy felt we had an obligation to the neighborhood. She felt we would be further ahead if we at least knew the costs.

The Board discussed options to separate out Lot 1 and 2.

DORE' HUNTER - Moved to acknowledge we will make a decision before June 30th on whether we would accept housing or the gift. To ask that an RFP be prepared which would analyze the sewer option to tell us what we can do for \$30,000 before the funds are spent. BILL MULLIN - Second. UNANIMOUS VOTE.

Override -

Bill Mullin spoke about the process to determine the amount of the override and the downfall of the Coordinating Process. He wanted everyone to know that 100% of the members of the boards and committees all support the override, the amount of the override is the issue of disagreement, he urged the support of the 1,550,000 override amount. Dore' was still concerned about the process and non-resolution of the split issue.

BILL MULLIN - Moved to support the Override question on the Ballot for March 30, 1993 for a \$1,550,000 Override. DORE'

HUNTER - Second. UNANIMOUS VOTE.

Library Lig/Mig Grant - Nancy reported on her meeting with Wanda, Ann Chang and John Murray. She said that the Town has lost 71% of state aid since 1989. The Library has come up with a plan to comply with the waiver requirements. NANCY TAVERNIER - Moved to reduce the Reserve Fund by \$2,000 to address the funding level of libraries in event of B Budget and to apply for Waiver from the State. BILL MULLIN - Second. UNANIMOUS VOTE.

TOWN MANAGER'S CONCERNS

Selectmen Spending Plan - BILL MULLIN - Moved to accept the Plan as presented. DORE' HUNTER - Second. UNANIMOUS VOTE.

EXECUTIVE SESSION

DORE' HUNTER - MOVED to go into executive session for the purpose of discussion Negotiations. NORM LAKE SECOND. Anne Fanton took Roll call, All Ayes.

The Board adjourned at 12:15 P.M.

Clerk

Date

Christine Joyce
Recording Secty.
cmjW11-(364)

BOARD OF SELECTMEN
EXECUTIVE SESSION

MARCH 2, 1993

CELL ONE TOWER- The Board discussed the recent Water District Meeting. Norm said that is was his feeling that if the Great Hill proposal failed, they would be back in Acton Center. Nancy felt more comfortable letting DPU make the final decision. BILL MULLIN- Moved to support the Water District's negotiated one tower at Great Hill. NORM LAKE - Second. UNANIMOUS VOTE.

The Board adjourned at 12:30 P.M.

Clerk

Date

Christine Joyce
Recording Secty.
cmjW11-(364)

FEBRUARY 26, 1993

TO: Board of Selectmen
FROM: NANCY TAVERNIER, Chairman
SUBJECT: SELECTMEN'S REPORT

#####

AGENDA
ROOM 204
7:30 P.M.
MARCH 2, 1993

I. CITIZEN'S CONCERNS

II. PUBLIC HEARINGS & APPOINTMENTS

1. 7:45 STREET ACCEPTANCE HEARINGS - Enclosed please find the notices and response from the Planning Board regarding the acceptance of Autumn Lane and Kinsely Road for Board action.
2. 7:55 STREET ACCEPTANCE HEARING - Enclosed please find the notices and response from the Planning Board regarding the acceptance of Charter Road for Board action
3. 8:00 AMENDMENT TO TRAFFIC RULES AND ORDERS - Enclosed please find the notices and staff comment regarding the proposed amendemnts at three locations for Board action.
4. 8:15 NURSING SERVICE DISCUSSION - Enclosed please find information prepared by staff for Board review and discussion.

III. CONSENT AGENDA

5. Selectmen's Minutes - Enclosed please find minutes from the February 2, 1993 Meeting for Board approval.
6. Betsy Ball Fund - Enclosed please find a confidential request from the Betsy Ball Fund.

IV. SELECTMEN'S CONCERNS

7. AMERICAN RED CROSS - Enclosed please find a request for Acton to Proclaim March American Red Cross Month for board action.

8. Preliminary Warrant Review - Enclosed is the latest copy of the Warrant for Board discussion and action.
9. Override Vote and Position Statement- Enclosed please memorandum from the chairman for board discussion
10. Mill Corner - Discussion and Decision

V. TOWN MANAGER'S REPORT

11. Selectmen Spending Plan - Enclosed please find staff memo for Board review.

VI. EXECUTIVE SESSION

VII. MEETINGS

Congressman Meehan - Thursday, March 4 - PLEASE NOTE: THIS HAS BEEN CANCELLED AND WILL BE RESCHEDULED AT A LATER DATE

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 16, 1993

March 30, 1993 - Election - Mtg. begins at 8:00P.M.

April 5, 1993

April 20, 1993

779 acs

cc: BOS

 **CABLEVISION**

March 3, 1993

MAR - 9 1993

Ms. Nancy Tavernier, Chairperson
Board of Selectmen
472 Main Street
Acton, MA 01720

Dear Ms. Tavernier,

Attached please find our Quarterly Summary of Complaints form for the fourth quarter of 1992.

Should you require any additional information, please feel free to call me at (508)562-1675.

Sincerely,



Jay Somers
Assistant General Manager

JS/cma

QUARTERLY SUMMARY OF COMPLAINTS FORM

Name of Licensee: A R Cable Service
 License Area: ACTON
 Business Area: 577 MAIN ST
 Hudson MA 01749

4th Qtr 1992
 Total Complaints
 This Quarter

Total Complaints
 To Date This Year

Type	Total Complaints This Quarter	Total Complaints To Date This Year
Quality of Picture	498	2005
Quality of Sound	0	0
Program Content	0	1
Interruption of Service (technical)	60	243
Deletion of Program(s) from Broadcast Channel	0	0
Complaints with Respect to Services Other than Television	58	192
Failure to Respond to Original Complaint	0	1
Failure to Service Original Complaint Satisfactorily	0	2
Inaccuracy of Billing	2	2
Special Promo	0	0
Miscellaneous	0	0

Licensee shall submit two completed copies of this form to the Commission and the issuing authority at later than two weeks after each of the following dates: March 31st, June 30th, September 30th, and December 31st.

If a licensee operates more than one community antenna system, the licensee shall submit separate quarterly complaint tabulations for each system.

LICENSEE COMPLAINT FORM

COMPLAINT CODES:

CORPS:

- | | | | |
|--|---|-------|------------|
| A. Quality of Picture | G. Failure to service original complaint satisfactorily | 07823 | Leominster |
| B. Quality of Sound | H. Billing Concerns | | Peabody |
| C. Program Content | I. Non Payment Procedures | | Hudson |
| D. Interruption of Service (Technical) | J. Promotions/Campaigns | 07829 | Braintree |
| E. Deletion of Program(s) from broadcast channel | K. Miscellaneous | | Lexington |
| F. Failure to respond to original complaint | L. Complaints other than television related | 07831 | Norwood |
| | | 07841 | Haverhill |

Corp	Town	Acct. #	Name of Complainant	Date Complaint Recv'd	Compl. Code	Complaint (Describe)	Resolution
07823	ACTON	316685	K. SHEA	11/20/92	A	WANTED NEW CHANNELS KEEP GOING OUT	SET UP RPT FOR ANOTHER CONV. - NOT A
07823	ACTON	316051	J. PAINÉ	11/21/92	D, H	NO TENNIS COVERAGE	SET UP TIC FOR 11/23/92 LISTENED
07823	ACTON	322252	A. LARTER	11/22/92	E	WANTED CREDIT FOR PROBLEM	ISSUED CREDIT
07823	ACTON	317936	J COLLENTRO	10/23/92	H	WANTED SAME DAY SERVICE	SET UP TIC FOR 10/19/92 SUB NOT A

Licensee is required to keep such records on file in its local business office for a period n less than two years from the date of a complaint recorded.

cc: BOS

VOLUNTEER COORDINATING COMMITTEE

Minutes of Meeting, 02-22-93 at Town Hall

MAR - 9 1993

Present: Whitcomb, George, Kadlec, Powers and Comstock
Absent: Husbands and Lane

The meeting was called to order at 7:40 PM by Nancy Whitcomb. Minutes of the 02-08-93 meeting were accepted as revised. Two people were interviewed:

7:45 PM - Peter Berry is interested in serving on the Board of Appeals, the MAPC, or the Planning Board. Mr. Berry is a member of the Acton Housing Authority and the Acton Community Housing Corporation. An attorney, he has experience with housing and zoning issues; there is no conflict of interest because neither he nor his firm are involved in any legal issues in Acton.

Mr. Berry is very familiar with Acton's Master Plan (not just the words but the intent); he has been a resident of Acton for 5 years. After some discussion, he indicated that the Board of Appeals would be his first choice, both because the time requirement for the Planning Board may be more than he can commit, and because he is familiar with BOA procedures. He is willing to serve as an Alternate member.

8:30 PM - Don Gilberti is interested in serving on the Cable Advisory Committee. Don was involved in the formation, and served as vice-chairman, of the original Acton Cable Advisory Committee, and has provided informal liaison with the cable company since the Committee's work ended. From his more than 20 years of service on various boards and committees, Don is fully aware of the time commitment and other details of serving on this committee. He contacted Don Johnson last December, and was waiting to hear from him, which explains the timing of this interview (see letter from Don Johnson).

Following the interviews :

- Walter George reported that there has been no action by either the Board of Selectmen or the Town Manager on the several recommendations for appointment now pending.
- Charlie Kadlec will try to set up a meeting of the Fair Housing Committee, with the help of Ronald Bartl, to get this committee started. This will take a few weeks.

- The VCC voted unanimously to recommend Don Gilberti as an additional full member of the Cable Advisory Committee, and to advise the Board of Selectmen that we have extensively explored the possibility of a conflict of interest (as raised in the 09-11-92 memo from Nancy Tavernier to the VCC) and found none. (moved by Kadlec and seconded by Comstock).
- The next meeting was set for 03-08-93, at 7:30 PM, at Town Hall.

The meeting was adjourned at 9:33 PM.



Charles Kadlec

cc: Town Clerk, BOS

cc: BOS

ACTON PUBLIC SCHOOLS
ACTON-BOXBOROUGH REGIONAL SCHOOL DISTRICT

MAR - 9 1993

Library
Senior High School

March 17, 1992
7:30 p.m.

LOCAL ALCOHOL AND OTHER DRUG ABUSE ADVISORY COUNCIL

AGENDA

- I. 7:30 CALL TO ORDER
- II. 7:31 1. Discussion of Mission Statement and Goals
- 2. Goals for 1992-1993
- 3. Next Meeting - Meeting with New Superintendent -
 Date to be Determined
- III. 9:00 ADJOURNMENT

January 4, 1993

Bill,

Enclosed find a DRAFT of two mission statements - one if the Task Force feels it wants to be action oriented and the other if it feels it wants to act as a resource for the community.

Please have your goals committee add, delete, and/or modify if they choose as our committee felt the larger group needed to have the final say on wording, content, etc.

Hope you goals committee can work with these statements and bring back a draft to the larger group for discussion, adoption in February.

Sincerely,


Kathy Bowen

MISSION STATEMENT

RESOURCE

To maintain a partnership (community, students, parents and families whose purpose is to make available resources that assist the community in making healthy decisions concerning high risk behavior (alcohol and other drugs, sexual behavior, unintentional and intentional injuries).

OVER

MISSION STATEMENT

ACTION

To maintain a partnership (community, students, parents and families) whose purpose is to promote awareness of the need to decrease high risk health behaviors and educate the community to reinforce the development of healthy decision making behaviors.

OVER

CCI BOS

ACTON SCHOOL COMMITTEE

MAR - 9 1993

Jr. High School Library
7:30 P.M.

For March 11, 1993 Meeting

AGENDA

- 7:30 I. CALL TO ORDER
- 7:31 II. APPROVAL OF MINUTES OF March 4, 1993 AND STATEMENT OF WARRANT
- 7:35 III. PERIOD OF PUBLIC PARTICIPATION
- 7:50 IV. EDUCATION REPORT - Co-NECT School - Dan Leclerc
- 8:15 V. SUPERINTENDENT'S REPORT FOR THE MONTH OF MARCH, 1993
William Ryan

RECOMMENDATIONS

- 1. Acceptance of Computer Donation
- 2. Students in Crisis Policy
- 3. Co-NECT School New American Design Team

- 8:30 VI. FOR YOUR INFORMATION
 - 1. Enrollment Information
 - 2. Personnel
 - 3. Professional/Alternative Assignment Report
- 8:35 VII. WARRANT DISCUSSION
- 8:40 VIII. CONCERNS OF THE BOARD
- 9:00 IX. NEXT MEETING -April 1 (local and regional)
- 9:00 X. ADJOURNMENT

cc: BOS

ACTON SCHOOL COMMITTEE
MINUTES

Library
R.J. Grey Junior High School

March 4, 1993

Members Present: Jean Butler, Stephen Aronson, Pam Harting-Barrat, Lees Stuntz, Micki Williams.

Also Present: Bill Ryan, Mac Reid, Dan Leclerc, Fran Leiboff, Steve Desy, citizens and press.

The meeting was called to order at 9:20 p.m. by Jean Butler, Chairperson.

The minutes of February 18, 1993 were approved as written.

Warrant #93-015 in the amount of \$11,810.47 and warrant #92-111 in the amount of \$430.21 were signed by the chairperson and circulated to other members of the Committee.

PUBLIC PARTICIPATION: None.

SUPERINTENDENT'S RECOMMENDATIONS FOR MARCH

Mac Reid distributed documents outlining space projections for the Acton Public Schools. Included was information about projected class sizes with 14 & 15 kindergarten sections, an 11-year history of kindergarten statistics, and a 4-year history and 5-year projection of room use. To solve the space problem at Gates, there will be two kindergarten sections for two years and all classes will remain at Gates. After some discussion, it was moved, seconded and unanimously

VOTED: To open the New Merriam School in FY '94 as a K-6 elementary school. This recommendation is contingent on the Acton override passing on March 30, 1993.

Jean Butler thanked the Gates faculty for being willing to give up their faculty lounge. Bill Ryan said that he was proud of the entire staff's cooperation in making these accommodations throughout the system.

CONCERNS OF THE BOARD

- Steve Aronson reported on Bill Mullin's (Acton selectman) presentation at the most recent Selectman's meeting, which praised the school system for the ability to begin a brand new school (Merriam) for only \$350,000.
- All School Committee members are invited to attend the "Global Connections" program at Gates on Wednesday, March 10.

WARRANT DISCUSSION: There were no questions.

NEXT MEETING: March 11, 7:30 p.m., Junior High Library.

The meeting was adjourned at 9:46 p.m.

Respectfully submitted,

Sarah T. Lawton,
Secretary, pro tempore



CC: BOS
J. MURRAY

CONFIDENTIAL

NORTH EAST SOLID WASTE COMMITTEE

MEMORANDUM

To : Advisory Board Members
Chief Executive Officers

From : Robert W. Moroney, PE
Executive Director

Subject : PALMER & DODGE ISSUES

Date : March 10, 1993

Enclosed is a letter dated March 10, 1993 from Peter Terris of Palmer & Dodge. It describes the scope of services and estimate of legal fees associated with the issues discussed at the March 3, 1993 Executive Committee meeting. Please retain this letter for your files.

PALMER & DODGE

One Beacon Street
Boston, Massachusetts 02108

Peter S. Terris
(617) 573-0159

Telephone: (617) 573-0100
Facsimile: (617) 227-4420

March 10, 1993

Mr. Robert Moroney
Contract Community Representative
NESWC
109-123 Main Street
North Andover, MA 01845

Dear Bob:

At its March 3, 1993 meeting, the NESWC Executive Committee asked me to provide a general overview of the scope of litigation, and an estimate of the legal fees that NESWC is likely to incur in connection with its buy-down suit under the Construction Agreement. These issues are addressed below.

We would propose bringing suit against the following parties: UOP; MRI; Allied Signal; Signal Environmental Systems, Inc.; Wheelabrator Environmental Systems, Inc.; Weston and Leonard Grillo. All but the last two are companies who participated in the design or construction of the Facility or in the acceptance test, or who guaranteed the work for those who did. Weston and Leonard Grillo are the parties responsible for overseeing the acceptance test on behalf of NESWC to ensure that they constituted an appropriate measure of the Facility's actual operating capacity, and were carried out properly.

The claims in such litigation would be asserted by both NESWC and the State Street Bank and Trust Company, as Trustee under the Bond Indenture. Any proceeds recovered would be payable to the State Street Bank for redemption of a portion of the Project's indebtedness. The first step we would take, before commencing litigation, would be to approach the State Street Bank for authorization to sue in its name. Next, also pre-litigation, we would search for and engage an expert in boiler design and technology to replace Roger Hecklinger of Weston, who testified on NESWC's behalf in the arbitration proceeding. This expert would also be needed in the event of further arbitration proceedings were MRI to make any further claim for an adjustment under the Service Agreement.

We expect to file suit in state (Superior) court. Although there is an arbitration provision in the Construction Contract which arguably applies to those claims asserted by State Street Bank, we are not at all persuaded that it does. In addition, we have no way of

SENT BY:6

: 3-10-93 :11:41AM :

PALMER & DODGE-

508 526 1849:# 3

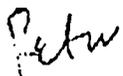
Mr. Robert Moroney
March 10, 1993
Page 2

knowing whether the defendants who might take advantage of the arbitration clause would actually seek to do so. We are confident, however, that the clause would not apply to NISWC's claims against Weston or Grillo.

In terms of legal fees, my best current estimate is approximately \$750,000, exclusive of disbursements and expert fees, through trial. While we will make every effort to contain costs, you should realize that this is only an estimate, and that the actual fees will depend on how aggressively opposing parties defend the case and the extent of pre-trial discovery. Of course, this estimate takes into account our knowledge of the specifications, design and construction of the Facility, and the events surrounding its construction and acceptance. Our relatively high position on the learning curve will greatly assist us in managing and containing the litigation legal fees.

Please give me a call if you have any questions.

Very truly yours,


Peter S. Terris

PST/mlm



Acton Permanent Fire Fighters Local 1904

International Association of Fire Fighters

P. O. Box 727 Acton, Massachusetts 01720

MAR - 2 1993

TO: Don Johnson

From: Local 1904

Date: February 27, 1993

CC: BOS - FYI

POLICE CHIEF / LT. BRAD MAYER
FIRE CHIEF Professional Fire Fighters
of Massachusetts

Dear Mr. Johnson,

It has come to my attention that the Selectmen are considering seeking acceptance of Chapter 291 of the Acts of 1990, which would authorize and require the Town to provide enhanced 911 service.

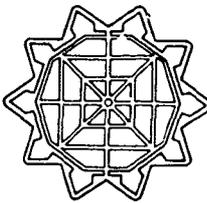
In the event that Chapter 291 is accepted, the Town will be required to submit a plan for providing such service to the Emergency Telecommunications Board, either in conjunction with other communities or on it's own. Before Chapter 291 is accepted and before any plan is submitted, I would like to remind you of the contractual and legal limitations on the Town's ability to reorganize it's emergency response procedures.

While the Union recognizes the potential value of an E911 system, we are also concerned about problems that may be raised by the implementation of the system, as well as hidden costs. We are also concerned about the potential impact of E911 on our working conditions. As you know, to the extent that our contract defines certain rights and benefits, these rights may not be altered without our agreement. To the extent that E911 would affect wages, hours and working conditions not expressly governed by the contract, the Town would have an obligation to bargain with the Union prior to implementing such changes.

Changes which would require bargaining include, but are not limited to, any changes that require bargaining unit members to perform new duties, including changes that would require employees to undergo training, changes in emergency response procedures or mutual aid that would impact on firefighter safety, overtime opportunities, or workload and changes that would delegate work currently performed by bargaining unit members to other employees or contractors, here or elsewhere.

If the Town anticipates seeking any such changes, either on it's own initiative or in order to comply with Chapter 291 or regulations that may be promulgated there under, it is obligated to bargain with the Union prior to implementation. This bargaining would be meaningless if it takes place after the Town has already obligated itself to comply with Chapter 291.

cc: BOS



**Massachusetts
Municipal
Association**

Sixty Temple Place

Boston, Massachusetts 02111

(800) 882-1498

(617) 426-7272

FAX (617) 695-1314

MAR 4 1993

February 29, 1993

Dear Local Official,

As part of the Massachusetts Municipal Association's ongoing effort to provide you with the latest information on key matters of concern to local government, I am happy to announce a series of five MMA Regional Update Meetings that we will be hosting this Spring. I am writing to invite you to attend and participate in one (or more) of these sessions.

It is vitally important for the MMA to be in constant communication with you. Currently, we provide written updates, Action Alerts, special workshops and seminars, our two-day Annual Meeting, *The Beacon*, *The Advocate*, and our new *Legislative Bulletin*. In addition, we make personal visits to regional meetings held by selectmen, mayors, councillors, managers, and finance committees, and go to community-specific meetings whenever we can.

We are taking the additional step of establishing these MMA Regional Update Meetings for three reasons. First, we want to provide you with a comprehensive presentation on the most pressing local government issues that are being debated at the State House (local aid and education reform are the top two this year). Second, the MMA would like to provide you with an opportunity to network with your colleagues, and hear how your neighbors are dealing with issues of mutual interest. And third, these meetings will give you a chance to tell us how the MMA can best serve you.

We expect that each meeting will be attended by selectmen, mayors, town and city councillors, municipal managers, finance committee members, and other key officials. Spread the word among local officials from your community (and please make sure they register using a copy of the enclosed form if they are coming).

Please plan on attending the MMA Regional Update Meeting that is most convenient for you. Just fill out the enclosed registration form and mail it in today! Feel free to call our membership services division if you have any questions. Your participation in the regional field meetings will guarantee their success -- I look forward to seeing you there.

Sincerely,

Geoffrey C. Beckwith
Executive Director

Directions to Meeting Locations

FRANKLIN: Dean Junior College Campus Center

Take Route 495 to Exit 17 and take Route 140 towards Franklin. At the second set of traffic lights (corner of Union and West Central Streets) take a left on to Union Street and then take your first right on to School Street. At the next intersection, take a right onto Main Street. At the next corner, take the next right onto Emmons Street. The Campus Center is the first building on the right and has parking adjacent to the building. The meeting will be held in the Campus Center Multi-Purpose Room.

SANDWICH: Sandwich Public Library

From the East: Take Route 6 or 6A West to Exit 2. Turn left onto Route 130 and travel towards Sandwich center. At the fork, bear right onto Main Street. The library is on the right hand side of the road at 142 Main Street.

From the West: Take Route 3 towards Cape Cod. Travel over the Sagamore Bridge and take Exit 2. Turn left onto Route 130 and travel towards Sandwich center. At the fork, bear right onto Main Street. The library is on the right hand side of the road at 142 Main Street.

AMHERST: Bangs Community Center

From the South: Take Route 91 North towards Northampton and take the Route 9 exit. Turn right and travel on Route 9 East over the bridge and through Hadley. Turn left onto South Pleasant Street at the lights at the top of the hill (on the common) in Amherst center. Take a right onto Main Street at the next light, then a sharp left into Boltwood Walk (not Boltwood Avenue) just past the Town Hall. Parking is available nearby and throughout downtown.

From the North: Take Route 2 to Route 91 South to the South Deerfield exit. Turn left at the end of the exit ramp, turn right onto Route 5, and turn left again at the Sugarloaf Shops past Yankee Candle onto Route 116. Follow Route 116 through part of South Deerfield, over a bridge over the Connecticut River, through Sunderland and into Amherst. Stay on Route 116 all the way to its intersection with Route 9 in Hadley. Turn left onto Route 9 into Amherst. Turn left onto South Pleasant Street at the lights at the top of the hill (on the common) in Amherst center. Take a right onto Main Street at the next light, then a sharp left into Boltwood Walk (not Boltwood Avenue) just past the Town Hall. Parking is available nearby and throughout downtown.

LEE: Lee Senior Center, Airoidi Building

Take the Mass. Pike to Exit 2. Take Route 20 North to downtown Lee. At the Lee Hardware Store, turn left onto Railroad Street. Bear right into the municipal parking lot next to the Airoidi Building. Enter the front of the building facing Railroad Street.

BEDFORD: Middlesex Community College Campus Center, Cafeteria East

Take Route 128 to Exit 31B. Take Routes 225 & 4 towards Bedford. Travel 1 1/2 miles to the Bedford Shopping Center. Turn right directly after the Shopping Center onto Hillside Avenue, which eventually becomes Springs Road. Travel past a stop sign and past the Veteran's Hospital on the left hand side. One mile past the Hospital, turn right at Middlesex Community College entrance. Proceed to the Campus Center (Building 8) where parking is available.

Massachusetts Municipal Association

Regional Update Meetings

Franklin	Thursday, March 25	7:00 - 9:00 p.m.	Dean Junior College
Sandwich	Saturday, April 3	9:30 - 11:30 a.m.	Sandwich Public Library
Amherst	Thursday, April 8	7:00 - 9:00 p.m.	Bangs Community Center
Lee	Thursday, April 22	7:00 - 9:00 p.m.	Lee Senior Center
Bedford	Thursday, April 29	7:00 - 9:00 p.m.	Middlesex Community College

Registration will open a half hour before each meeting. Each session will begin promptly at the starting time listed above. Directions to each of the meetings are on the reverse side of this notice.

Agenda

- I. Registration (begins 30 minutes before meeting).
- II. Introductions and Overview.
- III. Perspectives on Revenue Sharing.
 - Status of the FY 1994 Budget
 - Lottery Aid
 - Gas Tax
 - Mandates
- IV. Education Reform.
 - Content and Status
 - Impact on Local Budgets
 - Impact on Local Decision-Making
 - Potential for Education Improvements
- V. Community Information Exchange and Networking Session.
- VI. Conclusions and Adjournment.

Registration Form

Please fill out this Registration Form, cut it off at the line above, and mail it to the Massachusetts Municipal Association, Attn: Regional Update Meetings, 60 Temple Place, Boston, MA 02111.

Name: _____	I/we will be attending:
Community: _____	_____ Franklin on March 25
Title: _____	_____ Sandwich on April 3
Name: _____	_____ Amherst on April 8
Community: _____	_____ Lee on April 22
Title: _____	_____ Bedford on April 29

Please return this form as soon as possible. Call the MMA's Membership Services Division at (800) 882-1498 if you have any questions.