

- 1  
9/5/93

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 7th day of September, 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:

Massachusetts Avenue - Southeasterly approximately 367 feet east of Prospect Street a distance of 25 feet - Conduit.

**BOARD OF SELECTMEN**

**(APPROVED AS EMERGENCY HOOKUP ON AUGUST 10, 1993)**

Form 518D  
648ACS

**BOSTON EDISON COMPANY**  
15 Blandin Avenue  
Framingham, Massachusetts 01701

AUG 6 1993

August 2, 1993

**FILE COPY**

Board of Selectmen  
Town Hall  
Acton, MA 01701

RE: Massachusetts Avenue  
Acton, MA  
W.O.#661587

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 for approximately twenty (25) feet of conduit at the above location.

The conduit has been installed by the customer Higgins & Welch in order to provide electric service to #456 Massachusetts Avenue, Acton.

Your prompt attention to this matter would be greatly appreciated.

Very truly yours,

  
Denis J. Deagle, Supervisor  
Rights, Permits & Survey

DJD/dm

Enclosure



INTERDEPARTMENTAL COMMUNICATION

Extra  
Consent  
8/10/93

\*\*\*\*\*

DATE: 8/9/93

TO: Board of Selectmen

FROM: Engineering

SUBJECT: Emergency Electrical Hook-up - 456 MASSACHUSETTS AVE

We have received a request for Emergency Electrical Hook-up prior to the public hearing. The location is a new home which is nearly completed and ready for closing and occupancy.

We have no objections to allowing this request.



David Abbt  
Engineering Admin.

3  
9/7/93

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 September 7, 1993 at 8:00 P.M. on the re-application as remanded back to the Town by the Alcoholic Beverages Control Commission of Henry Accounia, 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.

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

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

F. Dore' Hunter  
Chairman

---

July 6, 1993

Mr. Arthur Graziano  
Triple A Supermarkets, Inc.  
248 Great Road, Route 2A  
Acton, MA 01720

Dear Mr. Graziano:

Enclosed please find a copy of advertisement to appear in the Assabet Valley Beacon on Thursday, August 26, 1993.

Chapter 138 of the General Laws, Section 15A, requires the applicant to notify the abutters by Certified Mail within three days after the newspaper publication of such hearing. (You are required to present those Certified Return receipts at the hearing as proof of notification to abutters)

I have enclosed a copy of the legal ad for you to send to the Assessors certified list of abutters for your use in this notification.

If you have any questions, please feel free to call me at 264-9612.

Very truly yours,

  
Christine Joyce  
Town Manager's Office

cc: Mr. Henry Acconcia  
Julian D'Agostine

774

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

F. Dore' Hunter  
Chairman

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August 1, 1993

Assabet Valley Beacon  
20 Main Street

Gentlemen:

Attached please find a copy of advertisement to appear in your newspaper on Thursday, August 26, 1993 in the Legal Section.

Please send bill to:

Triple A Supermarket  
Mr. Arthur Graziano  
248 Great Road  
Acton, MA 01720

Please send a tear sheet to Town Manager's Office, 472 Main Street, Acton, MA.

Very truly yours,

  
Christine M. Joyce  
Town Manager's Office

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

F. Dore' Hunter  
Chairman

---

July 6, 1993

Mr. Arthur Graziano  
Triple A Supermarkets, Inc.  
248 Great Road, Route 2A  
Acton, MA 01720

Dear Mr. Graziano:

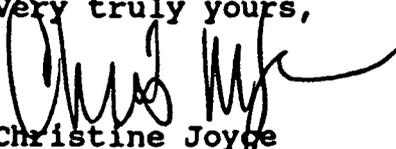
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Chapter 138 of the General Laws, Section 15A, requires the applicant to notify the abutters by Certified Mail within three days after the newspaper publication of such hearing. (You are required to present those Certified Return receipts at the hearing as proof of notification to abutters)

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If you have any questions, please feel free to call me at 264-9612.

Very truly yours,



Christine Joyce  
Town Manager's Office

cc: Mr. Henry Acconcia  
Julian D'Agostine

774



*The Commonwealth of Massachusetts*  
*The Alcoholic Beverages Control Commission*  
*Lowell Pattenhall Building, Government Center*  
*100 Cambridge Street, Boston 02202*

TELEPHONE: (617) 727-3040

FAX: (617) 727-1258

Re: Triple A Supermarkets, Inc.  
Premises: 248 Great Road  
City/Town: Acton  
License: MM-Pkg  
Heard: June 16, 1993

DECISION

This was an appeal from the action of the Acton Board in denying the application of Triple A Supermarkets, Inc. for a beer and wine package store license.

After hearing, the Commission makes the following findings:

1. On March 30, 1993, the local Board heard the application which had been continued from a previous hearing.
2. The applicant filed an amended application at the March 30, 1993 hearing to address security related concerns raised by the Acton Chief of Police. These concerns included closing off the back room inventory and limiting the number of registers that would be used for the sale of alcoholic beverages to three which would be staffed only by employees over the age of 25.
3. There is no prohibition against the sale of alcoholic beverages within a grocery store. The Commission has approved similar business operations. Location within a grocery store is not reasonable grounds for denying a license.
4. The licensee presented to the Local Board petitions with signatures from approximately 1,000 customers supporting the application.
5. The Local Board denied the application on a 2-3 vote.
6. The Local Board did not adopt a written statement of findings as required by MGL Chapter 138 section 23.

Based on the evidence heard, the Commission disapproves the action of the Acton Board and remands the matter for further hearing. The Commission recommends that the Local Board either approve the application with reasonable conditions or disapprove the application with a written statement of findings adopted by a majority of the Board.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

 Stuart P. Krusell, Chairman

 Pamela M. Nourse, Commissioner

Dated at Boston this 23rd day of June, 1993.

You have the right to appeal this decision to Superior Court under the provisions of Chapter 30A of the Massachusetts General Laws within thirty days of receipt.

- cc: Applicant
- Local Board
- File
- Consumer Affairs
- Atty. Julian D'Agostine
- ✓Atty. Zick Rubin



-2-

Date of d. incorporation: 12/30/55 State of e. incorporation: MA Date qualified to do business in f. 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
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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 AND 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

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

NAME	ADDRESS	TELEPHONE NUMBER
Henry A Accorcia	49 Juniper Rd Weston MA	617-893-1002
William Accorcia	50 Parky Acres Dr. Wayland MA	508-358-4692
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
<del>TRIPLE A SUPERMARKETS, INC.</del>	<del>248 GREAT ROAD ACTON MA</del>		<del>PIZZA, CREAM, RETAIL FOOD, FISH, CIGARETTES, WENONAS</del>

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

NAME	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

19. If applicant is a partnership, answer the following questions: N/A

a. Are all the partners United States Citizens?  Yes  No b. Are all of the partners at least twenty years old?  Yes  No  
(Provide copies of birth, naturalization or registered voter certificates for each partner)

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 16<sup>th</sup> DAY OF March, 1993

BY: SIGNATURE OF FULL NAME \_\_\_\_\_ TITLE \_\_\_\_\_  
[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 3/8/93 Name of newspaper publishing notice of application Beacon - 3/18/93 Evening 3/30  6 day  7 day license granted

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

21. 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

**PALMER & DODGE**

One Beacon Street  
Boston, Massachusetts 02108

CC: BOS - FYI  
& POSSIBLE FUTURE REF.

Zick Rubin  
(617) 573-0240

Telephone: (617) 573-0100  
Facsimile: (617) 227-4420

June 9, 1993

**CONFIDENTIAL**

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

**CONFIDENTIAL**

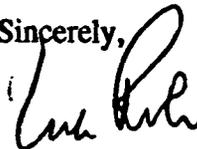
Dear Don:

I am enclosing a memorandum prepared by George Olson, one of our summer associates, on the standards used by the Alcoholic Beverages Control Commission in reviewing denials of licenses. In a nutshell, a consistently applied policy of limiting liquor or beer and wine licenses -- for example, denying such licenses to supermarkets -- is likely to be deemed consistent with the statutory policy of "protecting the common good." On the other hand, limiting competition with existing license-holders will not be deemed a legitimate reason for denying a license. In addition, the ABCC wants town licensing authorities to adopt a clear statement of their reasons for denying a license.

I am also enclosing a copy of the letter that Triple A's attorney filed with the ABCC, which you may not have received.

With best wishes.

Sincerely,



Zick Rubin

ZR/lma

Enclosures

cc: Acheson H. Callaghan, Esq.  
Norman Cohen, Esq.

## MEMORANDUM

To: Zick Rubin  
From: George Olson  
Date: June 9, 1993  
Re: Liquor License Denial by Town of Acton

### I. INTRODUCTION

The first paragraph of G.L. c. 138, § 23 sets the standard for the alcoholic beverages licensing scheme, providing in part that the "provisions for the issuance of licenses and permits hereunder...are enacted with a view only to serve the public need, and in such a manner as to protect the common good..." Great Atlantic & Pacific Tea Co., Inc. v. Board of License Commissioners of Springfield, 387 Mass. 833, 836 (1983). The scope of the "public need" and the "common good," which are undeniably ambiguous terms, may be clarified by a review of relevant case law and administrative decisions of the Alcoholic Beverages Control Commission ("ABCC").

As a preliminary matter, it is useful to keep in mind the overall statutory framework within which the alcoholic beverage licensing process occurs. As stated above, G.L. c. 138, § 23 provides the standard upon which local boards must base their decisions to approve or deny license applications (See G.L. c. 138, § 23, attached). If the local authority determines that a license will be denied, the unsuccessful licensee has certain rights created by the statute. First, the local licensing authority is required to inform the applicant of the denial, as well as provide written reasons for such action. G.L. c. 138, § 23, paragraph 4. Second, if the local authorities fail to grant a license, the applicant may appeal, under G.L. c. 138, § 67, to the ABCC. G.L. c. 138, § 23, paragraph 8. However, if the ABCC disapproves of the local authority's action, its power is limited to remanding the matter to the local licensing authority with the reasons why it did not approve. G.L. c. 138, § 67, paragraph 3.

### II. DISCUSSION

#### A. Determination of "Public Need"

Although case law interpreting the requirements of the alcoholic beverage licensing statute is relatively sparse, numerous decisions of the ABCC provide a means to distill some general rules by which a local licensing agency must abide in granting or denying license applications.

1. Court Reviewing Local Licensing Board Action Will Show "Reasonable" Deference to Its Decision Making

The Court, giving reasonable deference to the discretion of local authorities, will not substitute its judgment for that of the local authority, and will review those decisions only to determine if they are based on errors of law or are reflective of arbitrary or capricious action. Great Atlantic & Pacific Tea Co., 387 Mass. at 838 (1983), *See also, Re: Winton's Food & Fuel, Inc.*, January 3, 1991 (Decision of ABCC). What the local board must avoid is the suspicion or suggestion of action motivated by private interest, and if such appearance is present, the procedure is faulty and its results invalid. Board of Selectman of Barnstable v. ABCC, 373 Mass. 708, 714 (1977) (Although not voting on the application of her husband, local board member participated in the consideration and voting on twenty-six other competing applications, warranting finding by ABCC of procedural irregularity).

2. ABCC Will Disapprove Local Agency Action That It Finds To Be Inconsistent, Not Based on Evidence in the Record, or Based On Desire to Limit Competition

Although the case law requires the court to show deference to the local agency's decision making, the ABCC will disapprove licensing actions that it finds to be faulty. Some general rules may be distilled from a review of the ABCC's administrative decisions, all essentially based on the ABCC's interpretation of what constitutes the "public need" or "common good."

**Action Must Be Consistent With Prior Decisions, and Not Based on a Desire to Limit Competition**

A local board's decision to deny an application in order to limit the number of licenses in an area, provided that it is consistently applied and not implemented for the purposes of preventing competition, is an appropriate exercise of the board's discretion. Re: Morel Grocery Co., Inc., dba Convenient Food, June 19, 1990 (Decision of ABCC), Re I&B Wine and Spirits, Inc., March 26, 1991 (Decision of ABCC), Re: Gloria Food Store of Lynn, Inc., August 19, 1992 (Decision of ABCC). A local board may refuse to issue new licenses in an area based on the overall interest of the community, including the community's economic health, although protection of existing licenses from competition is not an appropriate basis for denying a license application. Re: Berry's Bell Tower Meat's Co., Inc., July 2, 1992 (Decision of ABCC).

**Decision of Local Board Must Be Supported By the Evidence**

Adopting a detailed statement of reasons in support of its action will not be sufficient if the licensing board's reasoning is not supported by the evidence. Re Ted's Tap, Inc., July 3, 1990 (Decision of ABCC), *see also, Re: Traxx of Leominster, Inc.*, April 9, 1992, (Decision of ABCC) (Licensing Board's Statement of Reasons of (a) density of existing liquor stores, (b) safety problems related to restriction of police and fire access and (c) strong

opposition of abutters, not supported by the evidence), Re: Finast Liquors of Massachusetts, Inc. dba Edwards Food Warehouse, May 6, 1992 (Local Board improperly denied license on the basis of lack of public need in finding that there were six pre-existing package stores within a one mile radius of the proposed premises when in fact there was only one), Re: Harold Congdon, September 16, 1992, (ABCC Decision) (Statement of Reason for denial of "Saturation - there are enough license in Town already", in light of evidence that other licenses had been granted, was not sufficient).

Further, the ABCC cautions local boards to use care in the drafting of accurate, clear statements of reasons when denying license applications, and recommends that such statements should be adopted by the vote of the board rather than issued administratively. Re: Coldunski, Inc. dba The Great American Pub, December 5, 1990 (Decision of ABCC).

### III. CONCLUSION

Although a Court will give great deference to the administrative decision making process of the local licensing authority, the ABCC, in interpreting the licensing statute and "public need," has developed a set of rules that limit the types of action that may be taken. Local licensing agency action must be consistent with prior decisions, and must not be based on impermissible grounds, e.g. desire to prevent competition. A statement of reasons for the licensing board's decision is required, and the decision must conform to the evidence presented.

which are acquired otherwise than by purchase and are not intended for sale. (1934, 385, § 15; 1955, 322.)

**Editorial Note—**

The 1955 amendment added one new sentence at the end of this section.

**§ 23. Terms, Licenses and Permits, Cancellation of Licenses, etc.; Temporary Licenses; Fines in Lieu of Suspension; Pledge of License for Loan.**

The terms licenses and permits, wherever employed as substantives in this chapter, are used in their technical sense of a license or permit, transferable only as provided in this chapter, and revocable by the granting authority, the commonwealth, acting through the same officers or agents and under the same delegated authority for any violation of this chapter or any regulation adopted by the commission or local licensing authority consistent with the terms of this chapter after opportunity for a hearing. The provisions for the issue of licenses and permits hereunder imply no intention to create rights generally for persons to engage or continue in the transaction of the business authorized by the licenses or permits respectively, but are enacted with a view only to serve the public need and in such a manner as to protect the common good and, to that end, to provide, in the opinion of the licensing authorities, an adequate number of places at which the public may obtain, in the manner and for the kind of use indicated, the different sorts of beverages for the sale of which provision is made.

No holder of such a license or permit hereunder shall have any property right in any document or paper evidencing the granting of such license or permit and issued by the licensing authorities, and said authorities, upon the expiration, suspension, revocation, cancellation or forfeiture of such a license or permit shall be entitled upon demand to the immediate possession thereof. The superior court shall have jurisdiction in equity, on petition of the licensing authorities, to enforce this provision.

No license issued under section twelve, fourteen or fifteen, and no certificate of fitness issued under section thirty shall authorize the sale of any alcoholic beverages other than those purchased from a licensee under section eighteen, nineteen or nineteen B or from a holder of a special permit to sell issued under section twenty-two A; provided, that the holder of a license under section twelve or fifteen may sell alcoholic beverages acquired as the result of the purchase of a warehouse receipt for such beverages if the said receipt was purchased from the holder of a license under section eighteen, nine-

teen or nineteen B, or from a broker registered under chapter one hundred and ten A who is authorized thereunder to deal in warehouse receipts for alcoholic beverages; and provided, further, that nothing contained in this section shall be construed to authorize a licensee under section twelve or fifteen to import alcoholic beverages into this commonwealth except through the holder of a license issued under section eighteen.

Whenever, in the opinion of the local licensing authorities, any applicant for a license under section twelve, fourteen, fifteen or thirty A fails to establish to their satisfaction his compliance with the requirements of this chapter, or any other reasonable requirements which they may from time to time make with respect to licenses under said sections, respectively, or to the conduct of business by any licensee thereunder, said authorities may refuse to issue or reissue to such applicant any such license; and whenever in their opinion any holder of such a license fails to maintain compliance with this chapter or it appears that alcoholic beverages are being or have been sold, served or drunk therein in violation of any provision of this chapter, they may, after hearing or opportunity therefor, modify, suspend, revoke or cancel such license; provided, however, that no local licensing authority shall require the holder of a license issued under the provisions of section fifteen, for the sale of wines and malt beverages only, to cover such beverages on Sundays or legal holidays. Whenever the local licensing authorities deny an application for a new license, refuse to issue a license or modify, suspend, revoke or cancel a license or deny an application for transfer of location or between persons or change of a description of the licensed premises, the licensing authorities shall mail a notice of such action to the applicant or licensee, stating the reasons for such action and shall at the same time mail a copy of such notice to the commission.

Whenever, in the opinion of the commission, any holder of a license or permit originally issued by it fails to maintain compliance with the requirements of this chapter, or any other reasonable requirements which it may from time to time make with respect to any such license or permit or to the conduct of business by any such licensee or permittee, it may, after hearing or opportunity therefor, modify, suspend, revoke or cancel such license or permit. The commission shall mail a notice to any licensee or permittee of any action by it modifying, suspending, revoking or cancelling such license or permit under the provisions of this paragraph stating the reasons for such action and shall at the same time mail a copy of such notice to the local licensing authority which issued such license or permit.

In case of modification, suspension, revocation or cancellation of a

license issued by the licensing authorities or of a permit issued by the commission, no abatement or refund of any part of the fee paid therefor shall be made.

The licensing authorities empowered to issue any license or permit may order refunded the whole or any part of the fee for such a license or permit in case of an error in the kind of a license or permit issued, or may order the fee paid for such a license or permit refunded to the applicant if he has withdrawn his application prior to the issuance of the license or permit applied for, or to the licensee or permittee if he has surrendered the license or permit issued to him and such licensing authorities are satisfied that no right, power or privilege has been exercised thereunder. Any sums ordered refunded as aforesaid shall be paid from any available funds in the treasury of the commonwealth or municipality as the case may be.

Any license issued under this chapter may, upon application pursuant to section fifteen A, be transferred from one location to another or the description of the licensed premises may be changed with the approval of the licensing authorities. No new license fee shall be required; provided, however, the local authorities may in their discretion increase the annual fee already paid by the license holder. The local licensing authorities may transfer a common victualler's or innholder's license issued under chapter one hundred and forty from one location to another if the applicant therefor is also the holder of a license for the sale of alcoholic beverages at the location from which the transfer is sought. If the local licensing authorities of any city or town refuse to grant or fail to act upon an application for a transfer of location of any license as authorized by this section, the applicant therefor may appeal to the commission under section sixty-seven in the same manner as though such authorities had refused to grant or failed to act upon an application for an original license under this chapter, and all the provisions of said section shall apply to such an appeal. Nothing herein contained shall be construed to limit or prevent the transfer from one location to another by local licensing authorities of common victuallers' or innholders' licenses issued under chapter one hundred and forty if the applicant for such a transfer is not the holder of a license for the sale of alcoholic beverages.

Any license under this chapter held by an individual, partnership or corporation may be transferred to any individual, partnership or corporation qualified to receive such a license in the first instance, if, in the opinion of the licensing authorities, such transfer is in the public interest. If the local licensing authorities determine that an individual, partnership or corporation is not entitled to a transfer as

aforesaid of a license granted by them, the applicant for such transfer may appeal to the commission as if such authorities had refused to grant the license to such individual, partnership or corporation upon an original application therefor, and the decision of the commission upon such appeal shall be final.

In the case of the death of an individual holder of any license or permit under this chapter, such license or permit, unless earlier surrendered, revoked or cancelled, shall authorize the executor or administrator of the deceased licensee or permittee to exercise all authority conferred upon such licensee or permittee until the termination thereof. In case of the appointment of a receiver or trustee in bankruptcy or otherwise of a licensee under this chapter, such license, unless earlier surrendered, revoked or cancelled, shall authorize such receiver or trustee to exercise all authority conferred on such licensee until the termination thereof.

Every license and permit granted under the provisions of this chapter, unless otherwise provided in such provisions, shall expire on December thirty-first of the year of issue, subject, however, to revocation or cancellation within its term.

The commission may accept from any licensee or holder of a certificate of compliance under this chapter an offer in compromise in lieu of suspension of any license or certificate of compliance previously suspended by the commission. A licensee or holder of certificate of compliance may petition the commission to accept such an offer in compromise within twenty days following notice of such suspension. The fine in lieu of suspension, when an offer in compromise is accepted, shall be calculated in accordance with the following formula: Fifty per cent of the per diem gross profit multiplied by the number of license suspension days, gross profit to be determined as gross receipts on alcoholic beverage sales less the invoiced cost of goods sold per diem. No such fine, in any event, shall be less than forty dollars a day. Any sums of money so collected by the commission shall be paid forthwith into the general fund of the state treasury.

Any license granted under the provisions of this chapter may be pledged by the licensee for a loan, provided approval of such loan and pledge is given by the local licensing authority and the commission. Such pledge shall not be construed so as to affect the right of such local licensing authority or the commission to suspend, revoke, or otherwise regulate such license, as provided in this chapter. (Ex Ses 1933, 376, § 2; 1934, 245; 1934, 370, § 6; 1934, 385, § 16; 1935, 252, § 5; 1935, 440, § 23; 1938, 238; 1939, 470, § 2; 1941, 578; 1943, 542, § 12; 1955, 652; 1965, 399; 1967, 454; 1971, 260, §§ 1-3; 1971, 477)

§ 3; 1973, 1009; 1976, 514; 1977, 929, § 7, approved Jan. 3, 1978, effective 90 days thereafter; 1980, 35, approved March 14, 1980, effective 90 days thereafter.)

#### Editorial Note—

The 1955 amendment added a former paragraph at the end of this section, requiring the disclosure of persons having a beneficial interest in a license.

The 1965 amendment changed "meet the reasonable demand of the public for pure alcoholic beverages" to "serve the public need and in such a manner as to protect the common good" in the second sentence of the first paragraph.

The 1967 amendment added a sentence to the fifth paragraph to provide that the commission shall mail a copy of a notice of its action in modifying, suspending, etc., a license or permit both to the licensee or permittee and to the local licensing authority.

The first 1971 amendment rewrote the first and fourth paragraphs to provide for revocation of a license by local licensing authorities only for violation of this chapter or of certain regulations, and only upon notification to the licensee of reasons for the revocation, and after opportunity for a hearing, and rewrote the eighth paragraph to eliminate a requirement that a transfer be subject to the prior approval of the commissioner, and to authorize an increase in the annual fee paid by a license holder after transfer.

The second 1971 amendment eliminated the former last paragraph which required the filing of a statement as to persons having a beneficial interest in a license.

The 1973 amendment added the twelfth paragraph authorizing the acceptance of a fine in lieu of suspension of license.

The 1976 amendment added the last paragraph, authorizing a licensee to pledge his license as collateral for a loan, subject to approval by both the local licensing authority and the commission.

The 1977 amendment rewrote the third paragraph, adding farmer-winery licensees to the list of persons to whose products sales are restricted.

The 1980 amendment added to the first sentence a provision excepting purveyors of wine and beer only from the Sunday display restrictions.

Acts 1967, Ch 539, entitled "An act authorizing, for a temporary period, the transfer of certain licenses to sell alcoholic beverages to certain other locations in order to prevent undue hardship", provides as follows:

In order to prevent undue hardship a local licensing authority may, in the year nineteen hundred and sixty-seven, notwithstanding the provisions of section sixteen C of chapter one hundred and thirty-eight of the General Laws, but subject to all other provisions of said chapter one hundred and thirty-eight, transfer any license issued under section twelve of said chapter one hundred and thirty-eight to another location, provided such other location is owned by the licensee and is not more than fifty feet distant from the location from which the transfer is made.

#### Total Client-Service Library® References—

45 Am Jur 2d, Intoxicating Liquors §§ 153 et seq.

#### ALR Annotations—

Right to withdraw application for or to transfer, liquor license. 73 ALR2d 1223.

Transfer of retail liquor license or permit from one location to another. 98 ALR2d 1123.

Revocation or suspension of liquor license because of drinking or drunkenness on part of licensee or business associates. 36 ALR3d 1301.

Sale or use of narcotics or dangerous drugs on licensed premises as ground for revocation or suspension of liquor license. 50 ALR3d 1130.

#### CASE NOTES

1. In general.
2. Operation and effect.
3. Appeal.

##### 1. In general

A liquor license is a nontransferable personal privilege, revocable at pleasure, and conveying no vested interest to the licensee. *Jubinville v Jubinville* (1943) 313 Mass 103, 46 NE2d 533, 144 ALR 1008.

Where a controverted license has expired, the controversy has become moot. *Williams Market of Waltham v Alcoholic Beverages Control Com.* (1953) 330 Mass 707, 113 NE2d 599.

The general policies and standards to be observed in administering the laws regulating the sale of alcoholic beverages are set out in this chapter, and this section sets forth the characteristics of the licenses to be granted. *Connolly v Alcoholic Beverages Control Com.* (1956) 334 Mass 613, 138 NE2d 131.

Liquor licenses do not confer vested property rights.—Liquor licenses are revocable at pleasure without assignment of reasons by the granting authority and they do not confer vested property rights in the holder. *Re Opinion of Justices* (1965) 349 Mass 794, 208 NE2d 823.

ALM GI. c. 138, § 23, does not permit holder of liquor license to pledge that license to Commonwealth's Department or Commissioner of Revenue to secure payment of Massachusetts taxes owed by licensee to Commonwealth. 1978-1979 Op Atty Gen, No. 20.

##### 2. Operation and effect

Effect of death of licensee; cancellation of unauthorized successor's license by court decree.—Where the court found that a decedent was the sole owner of a liquor store, and was also the sole owner of the liquor license issued in the names of decedent and his son, and the son following his father's death assumed control of the store and obtained a new license in the names of himself and his wife, it entered a decree directing the son to deliver the store properties to decedent's executrix, ordered the surrender of the new license to the licensing authority and restrained the son from interfering with any application the executrix or her nominee might make for a license to conduct the business thereafter. The court, however, declined to pass upon the question of whether the licensing authority was empowered to grant a license to the personal representative of the decedent. *Jubinville v Jubinville* (1943) 313 Mass 103, 46 NE2d 533, 144 ALR 1008.

In answer to the contention that contract for the sale and purchase of restaurant and its business is illegal in that it contemplated the sale of a liquor license contrary to this section, the court observed that the contract contained no such provision and added that it did not intimate that if such a provision had been included it would necessarily be illegal. *St 1943, c 542, § 12* which provides that liquor licenses may be transferred in the opinion of the authorities if the transfer is in the public interest. *Riga Sokol* (1945) 318 Mass 337, 61 NE2d 52.

Although a license, unlawfully canceled, would have expired at the year end, the licensee as holder of a license would have been under certain conditions "prima facie entitled" to a renewal of that license for the succeeding year, and restoration of the canceled license might benefit the petitioner, and for that reason the licensee's appeal should not be dismissed because of mootness. *Piona v Alcoholic Beverages Control Com.* (1933) 332 Mass 53, 123 NE2d 390.

In a case which would otherwise be rendered moot by expiration of the period which would be covered by a license had one been issued, the court proceeded to pass upon the merits of an appeal from the board's refusal to accept application for a license on the ground that otherwise an appeal by the applicant might never reach the court before it became moot. *Ward v Selectmen of Town of Waltham* (1955) 333 Mass 108, 128 NE2d 766, later proceedings 334 Mass 1, 128 NE2d 583.

When proceeding for transfer of license not adjudicatory proceeding.—

**DAVIS, MALM & D'AGOSTINE**  
A PROFESSIONAL CORPORATION  
ONE BOSTON PLACE  
BOSTON, MASSACHUSETTS 02108-4670

RECEIVED

93 APR 15 PM 3:41

ALCOHOLIC BEVERAGES  
CONTROL COMMISSION

TELEPHONE: (617) 367-2500  
TELECOPIER: (617) 323-6215

Julian J. D'Agostino  
C. Michael Malm  
Harold R. Davis  
Frank P. Conrad  
William F. Griffin, Jr.  
Paul E. Lovesson  
Robert C. Gerrard  
John R. Burnett  
Shirley J. Ward  
Gary S. Mischke  
Judith Ashton  
John T. Lynch  
Grover S. Parnell, Jr.  
Robert J. Oshvitz  
John D. Chamberlain

Richard A. Nyten, Jr.  
Carol R. Cohen  
Howard P. Spitzer  
Paul L. Feldman  
Kevin P. Long  
William J. Orton, Jr.  
Charles G. Ramcourt  
George A. Hewitt  
Mark E. Walsh  
Robert J. Dickstein  
J. Gavin Cuckfield  
Ellen Donovan McCann  
Lana Eboviele Williams  
Thomas S. Fitzpatrick  
Lori H. Friedman

April 15, 1993

Peter Connolly, Executive Secretary  
Alcoholic Beverages Control Commission  
Leverett Saltonstall Building  
100 Cambridge Street  
Boston, MA 02202-0002

Re: Appeal of Denial of Application for Retail License  
to Sell Wine and Malt Beverages - Notice of Decision  
Received April 15, 1993

Dear Mr. Connolly:

This is an appeal pursuant to G. L. c. 138, §67 of the denial of an application for the retail sale of wine and malt beverages, filed by the applicant, Triple A Supermarkets, Inc., with the Acton Board of Selectmen. The applicant was notified of the Acton Board of Selectmen's denial by written notice received on April 15, 1993. The decision is whimsical, arbitrary and capricious and is otherwise based upon legally untenable grounds because, among other things, the denial was based upon the effect the granting of the license would have on competition with similar enterprises in the Town of Acton.

The applicant hereby respectfully requests that a hearing be held on this appeal and that subsequent thereto, the Alcoholic Beverages Control Commission remand the matter to the Acton Board of Selectmen directing that the matter be reconsidered and with directions that the above-stated grounds for denial are legally untenable.

Peter Connolly, Executive Secretary  
April 15, 1993  
Page 2

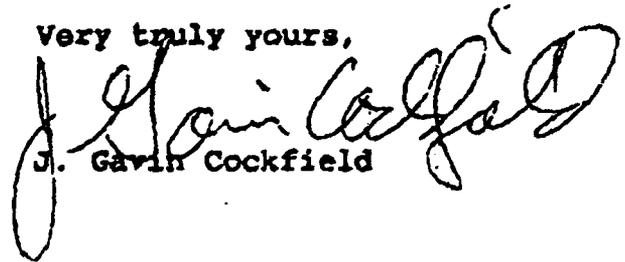
RECEIVED

93 APR 15 PM 3:41

ALCOHOLIC BEVERAGES  
CONTROL COMMISSION

This firm represents the applicant and this appeal will also serve as notice of our appearance in this action. Please forward all correspondence regarding this matter to myself at this firm at the above-stated address.

Very truly yours,



J. Gavin Cockfield

JGC/ljb

cc: Arthur Graziano  
Julian J. D'Agostine, Esq.

#3 9/7/93  
391 Mass. Ave.  
Acton, MA 01720  
Sept. 1, 1993

Board Of Selectmen  
Town of Acton  
Acton, MA 01720

Dear Board Members:

Due to a prior commitment, I am unable to attend the Sept. 7th hearing for Triple A's beer/wine license. I would like to go on record as opposing this license and hope that this letter will be read before your decision is made.

Having dealt with underage drinkers for 39 years, I consider myself an authority. I know they will go to any extreme to procure alcohol. Also, personally having had teenagers myself, I know how they think and that they will always help their friends. If some registers at Triple A are being manned by young adults, there is nothing to stop their friends from going through these lines and just putting beer or wine in the bags for them without ever ringing them up. We all know shoplifting is widespread in America today; underage drinkers can put beer or wine in their shopping cart (remember--they will not be carded until they get to the register), walk around the aisles of the store and put this beer or wine in their coat pockets or elsewhere.

As I stated at the last hearing, I still firmly believe the town of Acton is being very well serviced by the existing stores selling alcohol. We are in a deep economic decline in the liquor industry; we are struggling to stay in business. I fear one of us will be forced to close our doors if another license is issued. The town will lose revenue if this happens because full licenses cost more than beer/wine licenses. The general public is drinking far less than ever before; Acton has a liquor store in every section of town and competition is already keen.

Triple A can garner their profits from food and therefore undersell all of us on alcohol. We have alcohol as our only product to produce our profits. With several other large supermarkets in Acton, I fear you are opening up a can of worms that will crawl all over town and be out of control.

Sincerely,

NOTAR'S PACKAGE STORE

*Dianne M. Humelsine*

Dianne M. Humelsine

4  
9/7/93

TOWN OF ACTON

NOTICE OF HEARING

The Board of Selectmen will hold a public hearing on Tuesday, September 7, 1993 at 8:15 PM in the Acton Town Hall on a proposed amendment to the existing Traffic Rules and Orders which will prohibit parking on Maple Street from Main Street to Martin Street between the hours of 6:00 AM and 9:00 AM, Monday through Friday, excluding holidays.

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

Don P. Johnson  
Town Manager

---

AUGUST 19, 1993

BEACON PUBLICATIONS  
20 MAIN STREET  
ACTON, MA 01720

DEAR LEGALS:

Please place the enclosed ad in Legal Section of the  
Beacon for August 26 and September 2, 1993.

Send tear sheet and bill to:

Town of Acton  
Town Manager  
472 Main St.  
Acton, MA 01720

Very truly yours,

  
Christine Joyce



**EFFECTIVE AUGUST 1, 1993**

**THIS AREA WILL BE POSTED**

**NO PARKING**

**PERMIT PARKING AVAILABLE AT  
COMMUTER LOT**

**FREE PARKING AVAILABLE  
BEHIND SOUTH ACTON FIRE STATION**

**ACTON POLICE DEPARTMENT**

**ACTON POLICE DEPARTMENT  
COMMUTER LOT ACTIVITY SHEET  
AUGUST 1993**

DATE	TIME	R.R. STREET	NUMBER OF VIOLATORS				NUMBER OF AVAILABLE SPACES			
			MAPLE ST.	STOW ST.	MARTIN ST.	RES. SECTION	NON RES SECTION	RESIDENT	NON RES.	HANDICAP
08-02	10:30AM	0	0	0	0	6	5	76	0	5
08-03	10:15AM	4	0	0	0	9	6	73	0	5
08-04	10:00AM	7	1	0	0	8	6	79	0	5
08-05	10:30AM	3	0	0	0	8	3	72	0	4
08-06	10:30AM	2	0	0	0	1	0	93	2	5
08-09	11:15AM	1	1	0	0	10	0	73	0	4
08-10	11:10AM	0	0	0	0	8	2	67	0	5
08-11	11:10AM	0	0	0	0	11	1	63	0	5
08-12	11:40AM	1*	0	0	0	6	1	74	0	5
08-13	11:20AM	0	0	0	0	6	0	88	0	5
08-16	11:15AM	3	0	0	0	6	2	75	0	4
08-17	11:15AM	0	0	0	0	5	3	82	0	4
08-18	11:15AM	1	0	0	0	5	1	76	0	4
08-19	11:15AM	0	0	0	0	4	0	76	0	4
08-20	11:30AM	0	0	0	0	2	4	91	0	5
08-23	11:20AM	0	0	0	0	2	3	70	2	3
08-24	11:20AM	0	0	0	0	4	3	64	0	4
08-25	11:30AM	3	0	0	0	2	1	75	0	4
08-26	11:15AM	0	0	0	0	0	1	73	2	4
08-27	11:15AM	0	0	0	0	5	2	91	3	4
08-30	11:15AM	0	0	0	0	1	0	79	0	4
08-31	11:20AM	1*	0	0	0	5	2	67	0	3
totals		26	2	0	0	114	46	1677	9	107

\* INDICATES NUMBER OF VEHICLES TOWED

TOWN OF ACTON  
NOTICE OF HEARING

5  
9/7/93

The Board of Selectmen of the Town of Acton will hold a public hearing on Tuesday, September 7, 1993 at 8:30 P.M. under Chapter 140 of the General Laws on the application of Acton Ford, Inc., Leo Bertolami, President, to allow a Class I License on land at 76 Powder Mill Road, Acton, MA

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

TOWN OF ACTON  
INTERDEPARTMENTAL COMMUNICATION

DATE: August 19, 1993

TO: Don P. Johnson, Town Manager  
FROM: Garry Rhodes, Building Commissioner *GR*  
SUBJECT: Class 1 license 76 Powder Mill

The property is zoned General Industrial and the sale of vehicles would not normally be allowed at this locus. It is my opinion that since the previous owner operated a dealership this use can continue. I am somewhat concern that applicant does not own the property. It would be my recommendation that if the Board of Selectmen grant this license it be conditioned on the applicant obtaining ownership of the property within a specific period time.

AUGUST 17, 1993

TO: Building Commissioner, Town Planner  
FROM: Don P. Johnson, Town Manager  
SUBJECT: CLASS I LICENSE, 76 POWDER MILL ROAD  
ACTON FORD Inc.

#####

Enclosed please find copy of application for a Class I License at 76 Powder Mill Road.

Please send your comments and recommendations. The hearing is set for September 7th.

Don P. Johnson  
Don P. Johnson, Town Manager

enc.

cc: Police Chief

THE COMMONWEALTH OF MASSACHUSETTS

Town OF Acton

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

I, the undersigned, duly authorized by the concern herein mentioned, hereby apply for a... class 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? ... Acton Ford, Inc. ....

Business address of concern. No. ... 76 Powder Mill Road ... St., Acton, MA. 01720 ... City - Town.

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

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

N/A

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 ... Leo Bertolami

Secretary ... To be determined

Treasurer ... " " "

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

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

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

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

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

Showroom, parts department, service department and body shop  
comprising of a full service, Class I new vehicle dealership.

8. Are you a recognized agent of a motor vehicle manufacturer? **Yes**

(Yes or No)

If so, state name of manufacturer **Ford Motor Co.**

9. Have you a signed contract as required by Section 58, Class 1? **yes**

(Yes or No)

10. Have you ever applied for a license to deal in second hand motor vehicles or parts thereof? **yes**

(Yes or No)

If so, in what city — town **Acton and Concord**

Did you receive a license? **yes**

(Yes or No)

For what year? **1976 thru current**

11. Has any license issued to you in Massachusetts or any other state to deal in motor vehicles or parts thereof ever been suspended or revoked? **no**

(Yes or No)

Sign your name in full.....

**W. A. Barton**  
(Duly authorized to represent the concerns herein mentioned)

Residence..... **6 Proctor Street, Acton, MA.**

### 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)

August 17, 1993

Beacon Publications  
Acton, MA 01720

ATTENTION: LEGAL

Dear Legals:

Enclosed please find copy of advertisement to appear in your newspaper on Thursday, AUGUST 28, 1993 only. Please send bill to:

Leo Bertolami  
6 Proctor Street  
Acton, MA 01720

Very truly yours,

  
Christine Joyce  
Town Manager's Office

cc: Leo Bertolami  
Acton Ford, Inc.  
6 Proctor Street

803  
enc.

#6  
9/7/93

TOWN OF ACTON  
INTERDEPARTMENTAL COMMUNICATION  
TOWN MANAGER'S OFFICE

\*\*\*\*\*

DATE: 8/4/93

TO: The Board of Selectmen  
FROM: John Murray   
SUBJECT: Community Action Statement (CAC)

Attached is the final draft copy of the Community Action Statement (including the Planning Boards's suggested priority). I had asked Belle to highlight one of the suggestions by the Town Manager's Office for economic development, and Donna has done that in her second to last paragraph.

I know from my years of experience in the private sector, that location and access to transportation are first two requirements that must be accomplished in the siting process for a commercial facility. I believe that the vacant land along Route 2 is the only strip of land that truly fulfills these requirements. Therefore, the question becomes: Does Acton want a large scale commercial development or does the cost exceed the benefit?

The suggestion was placed upon the CAC to stimulate a thoughtful discussion of the Town's needs and wants concerning commercial development, and tax rate relief.

TOWN OF ACTON

INTER-DEPARTMENTAL COMMUNICATION

DATE: 8/4/93

TO: John Murray, Assistant Town Manager

FROM: Donna Jacobs, Assistant Planner *D. Jacobs*

SUBJECT: Community Action Statement  
Final Draft

Attached please find the final draft of the Community Action Statement (CAS) for the Board of Selectmen's review and comments. As you are aware, the draft CAS has been compiled based on the information supplied by all of the Town's committees, boards, departments and agencies. The Planning Board held an advertised public meeting at 8:30 PM on July 6, 1993 as requested by the Selectmen; however, only three residents attended. The Chamber of Commerce was unable to attend the public informational meeting, but has submitted comments subsequently (see attached).

It is important to note that the information included in the CAS is substantially as submitted by the various groups. No editing has been performed; only minor modifications have been made, as needed, to clarify the information provided.

The Acton Housing Authority, Acton Community Housing Corporation and the Commission on Disabilities also submitted supporting documents (mission statements, needs assessments, etc.). We have included the Acton Community Housing Corporation and the Commission on Disabilities documents and portions of the documents submitted by the Acton Housing Authority.

Most of the actions contained within the CAS were identified by the Master Plan and, with the exception of one action discussed below, are consistent with the Acton Master Plan. Along with the final CAS, I recommend that the Action Plan and the Executive Summary of the Master Plan be included as they emphasize the high level of public participation involved in developing the action recommendations of the Master Plan.

\* \* The Economic Development portion of the CAS submitted by the Town Manager's Office identifies the lack of a prime commercial area as a need. The proposed solution is the conversion of state-owned land in agricultural use adjacent to Route 2 to a prime commercial area. This land is identified by the Master Plan as both prime agricultural land and state farmland. The proposed solution for this need conflicts with Actions 44 and 46 of the Master Plan. \* \*

Please advise if you wish Planning staff to be available to discuss the draft CAS with the Selectmen during their meeting of September 7th.



August 5, 1993

Board of Selectmen  
Town of Acton  
Acton, MA 01720

Dear Ladies and Gentlemen:

After last week's Beacon article about the recent Small Cities Program meeting, it became clear that the Chamber of Commerce should have been in attendance. In that regard, we inquired and were referred to Ms. Belle Choate, who was most gracious and accommodating in her subsequent meetings with us.

Having quickly reviewed the materials and responses to the Community Action Statement, we thought that this preliminary reaction to the many issues and concerns raised therein might be of some value as you review the proposed document for the first time.

Our input is provided as a resource of both business-related feedback and an offer to provide whatever intellectual and/or participative assistance the Chamber and its members may possess. We understand that the Selectmen must consider all issues from a whole-Town view; we respectfully offer our commentary as partly representative of the business perspective.

We concur with the first priority for an Overall Economic Development Plan. We suggest however, that such a plan be considered as the short term goal. Just as important, it is our contention that the entire Town would benefit from such a program, to include not just the deserving WAV and SAV districts, but all other business community areas as well. In fact, we truly believe that if the Town were perceived to be more receptive to business and industry in general, then many WAV and SAV problems might be mitigated naturally.

A Town-wide approach to the Economic Development Plan would need to examine many important areas and their impact upon economic development. Reviews of preferred residential, commercial, industrial and agricultural mix philosophy, and how that fits with current zoning, Master Plan, revenue and existing quality results should be conducted. The variances between what is and what's desired must be evaluated, and incentives to move toward the optimum need to be developed. The Chamber offers its assistance in creating such a study and in providing both feedback and suggestions.

The infrastructure need is very appropriate as a second choice, and wastewater treatment should be high on the list. Once again, we suggest that a Town-wide approach ought to be viewed first, and as those overall needs emerge, specific remediation issues addressed. If wastewater treatment is the most urgent priority, then SAV probably deserves the first effort. But that's the point, the overall picture should be created first, and only then, intermediate priorities established. For instance, such a cursory study may indicate that more attention should be paid to road maintenance, culvert repair, bridge repair, traffic

gust 5, 1993

Board of Selectmen

safety, sidewalks, parking or traffic patterns. By the way, we note reference to a suggested Impact Fee bylaw. The value of such a consideration is that it would hopefully make fees more equitable; the offset is that such fees become deterrents to any kind of development.

The issue relating to an integrated, Town-wide computer system is one that businesses have faced for many years. It is our experience that such goals ought to be considered more long term in nature. Frequently setting easy standards and moving towards common software, results in more complete, accurate and eventually transferrable information. With today's increasingly more powerful and less expensive hardware, and ease of networking individual desktops, the need for the ultimate huge system investments of time and money are less obvious. Again we offer our assistance in the discussions about alternative approaches.

The business community is as vitally interested in accessibility and social services as is the Town. We have already held, and would offer to repeat, a seminar on the ADA Act. Further, it's important for us that Acton be a place that provides services of convenience and need for all its residents. That makes for more local purchase and utilization opportunities. One suggestion for your consideration about the ADA Act is to remember that it's not just accessibility for residents/customers that's important. The Act mandates that each building and employer be able to provide ease of access and job handling for disabled employees. We have found that this issue is probably the most difficult and potentially expensive accommodation within the Act. We offer to discuss our experience with the ramifications of this item with you.

We thank you for the opportunity to provide our initial comments about the important CAS document. Other facts and conclusions reached within the document are also worthy of discussion at your convenience. This letter is designed to open a clearer line of communication with the Town, and to provide an additional resource to the Town leadership. It is our hope that a true partnership can be developed that will allow you to make balanced and informed judgements as you take us through these difficult times.

Please call upon us or the Chamber for feedback or information at any time. Thank you for your service.

Yours truly,



Stephen M. Aronson  
President



William A. Lawrence, II  
Chairman - Government Affairs

**DRAFT**

**Town  
of  
Acton, Massachusetts**

**COMMUNITY ACTION STATEMENT**

**July 29, 1993**

July 29, 1993 Community Action Statement - Town of Acton

Local Government Structure

Pages one through four may be filled in by one person on behalf of the municipality. Pages 5 through 34 must be filled in by the entity responsible for the function discussed. Please fill in the following table concerning boards, commissions, and authorities in your municipality. If you do not have the entity or position listed, place NA in the number column. If some other board carries out the function such as the board of selectmen, write the name of that entity in the number column. In either of those cases do not fill in the other columns. When more than one choice is circled, please provide the information in the columns for each choice.

Board, Commission, Authority	Number of members	Term	Indicate with E if Elected or A if Appointed	If Appointed please indicate appointing authority	Is there full time support staff? (Yes No)
Chief Elected Officials circle one: Mayor <u>Selectmen</u>	5	3 years	E	n/a	Yes
Legislative Body circle one: <u>Open Town Meeting</u> , Representative Town Meeting, Council	n/a	n/a	n/a	n/a	n/a
City/Town Clerk	1	3 years	A	Board of Selectmen	Yes
Town Moderator	1	1 year	E	n/a	No
Personnel Board	n/a	n/a	n/a	n/a	n/a
Circle those that apply: Treasurer <u>Treasurer/Collector</u> Collector	1	standing	A	Town Manager	Yes
<u>Accountant</u>	1	3 years	A	Board of Selectmen	Yes
Auditor	n/a	n/a	n/a	n/a	n/a
<u>Assessing Officer(s)</u>	3	3 years	A	Board of Selectmen	Yes

July 29, 1993 Community Action Statement - Town of Acton

Board, Commission, Authority	Number of members	Term	Indicate with E if Elected or A if Appointed	If Appointed please indicate appointing authority	Is there full time support staff? (Yes No)
Circle those that apply: <b>Finance Committee</b> Appropriations Board Advisory Committee	9	3 years	A	Town Moderator	No
<b>Board of Health</b>	5	3 years	A	Board of Selectmen	Yes
Circle those that apply: <b>Police Chief</b> Police Commissioners	1	Standing civil service appt.	A	Town Manager	Yes
Circle those that apply: <b>Fire Chief</b> Fire Commissioners	1	standing	A	Town Manager	Yes
Inspectional Services Circle those that apply: <b>Building Inspector</b> full/part time <b>Electrical/wire inspector</b> full/part time <b>Plumbing/gas inspector</b> full/part time <b>Other (please describe)</b> full-time Building Comm.	1 1 1 1	standing 1 year 1 year standing	A A A A	Town Manager	Yes

July 29, 1993 Community Action Statement - Town of Acton

Board, Commission, Authority	Number of members	Term	Indicate with E if Elected or A if Appointed	If Appointed please indicate appointing authority	Is there full time support staff? (Yes No)
Water and sewer service Circle those that apply: <u>Water Commissioners</u> (note this is a separate legal entity) <u>Sewer Commissioners</u>  <u>Water/Sewer Commissioners</u>	3	3 years	E	n/a	Yes
<u>Planning Board</u>	7	5 years	A	Board of Selectmen	Yes
Circle those that apply: <u>Appeals Board</u> <u>Zoning Appeals Board</u> <u>Zoning Board</u>	3 (3 Associate)	3 years	A	Board of Selectmen	No
<u>Conservation Commission</u>	7	3 years	A	Board of Selectmen	Yes
<u>Public Housing Authority</u>	4 1	5 years 5 years	E A	n/a Governor	Yes
Circle those that apply: <u>Redevelopment Authority</u> <u>Community Development Authority</u>	n/a	n/a	n/a	n/a	n/a
<u>Council on Aging</u>	9	Standing	A	Board of Selectmen	yes
<u>Veterans Agent</u>	1	1 year	A	Town Manager	no
Directors/Trustees of Municipal Hospital	n/a	n/a	n/a	n/a	n/a

July 29, 1993 Community Action Statement - Town of Acton

Board, Commission, Authority	Number of members	Term	Indicate with E if Elected or A if Appointed	If Appointed please indicate appointing authority	Is there full time support staff? (Yes No)
Directors/Trustees of Municipal Library	3 ..... 6 corporate members	3 years ..... life	E ..... A	n/a ..... self perpetuating	Yes
Trustees of West Acton Citizens Library Assoc.	3	3 years	E	n/a	no (part-time only)
School Committee Local	6	3 years	E	n/a	yes
Regional School Committee List municipalities in district (Acton-Boxborough 7-12)	6	3 years	E	n/a	yes
Minuteman Voc. School (Acton, Arlington, Belmont, Bolton, Boxborough, Carlisle, Concord, Dover, Lancaster, Lexington, Lincoln, Needham, Stow, Sudbury, Wayland, Weston)	1	3 years	A	Town Moderator	yes
Board of Registrars	3	3 years	A	Board of Selectmen	yes

**Regional Activities**

Please describe any activities that the municipality is involved in on a regional basis. Include the names of other municipalities included in the activity. If you anticipate needs emerging for the region, please include a brief description here. Collect this information from the various functional service areas. Attach additional page(s) as needed.

-MAPC (Metropolitan Area Planning Council) member community

-MAGIC (Minuteman Advisory Group on Interlocal Coordination) Towns: Boxboro, Carlisle, Concord, Hudson, Littleton, Marlboro, Maynard, Sudbury, Stow

Needs:

Natural Resources: - Cross town boundary natural resource protection, principally for groundwater.

- Bikeways (inventory and plan for future construction to connect with existing bikeways to the east.

Transportation: - Regional Transportation Plan. Study the need and feasibility of satellite parking and shuttle service from communities in region to commuter rail stations in Littleton, Acton, Concord and Lincoln. Acton is participating in the development of the RTP.

Affordable Housing: - MAGIC has begun preliminary talks with its ten towns to explore addressing the affordable housing needs on a regional level. A regional task force is being formed with staffing to be provided by MAPC.

**July 29, 1993 Community Action Statement - Town of Acton**

**MAGIC - Needs (cont.):**

**Joint Services: - Funding to establish an electronic bulletin board for inter-community job and equipment sharing.**

**-Fort Devens CAC - through MAGIC**

**-Rt. 2 CAC - Acton, Concord, Lincoln**

**-Fort Devens Task Force - appointed by Board of Selectmen**

**-Hanscom Field Advisory Commission (HFAC) - six local towns.**

**-Acton Community Housing Corporation has a Share a Partnership Planner with the towns of Westford, Groton, and Acton. It continues to be a resource for the regional communities in providing information on setting up non-profit Affordable Housing Partnerships.**

**-The Acton Housing Authority formally meets with 11 local Housing Authorities (Maynard, Stow, Sudbury, Wayland, Littleton, Concord, Bedford, Groton, Lunenburg, Hudson) monthly to discuss mutual concerns. There have been several area workshops for staff and board members on Breaking the Poverty Cycle and working in cooperation with State Legislators on regional housing needs.**

**-Acton Memorial Library is a member of the EASTERN MASSACHUSETTS REGIONAL LIBRARY SYSTEM and the Minuteman Library Network. Participation in the Network provide the library with an opportunity to share resources with other members and increase patrons' access to materials. In September 1993 the Network will be on Internet which will provide professional staff with many additional resources to help patrons locate information of all types. Membership in the Region is the basis for inter-library loan activity beyond the Network and also provides in-service training and support. Both the Region and the Network will play significant roles when the strategic plan for library services and resource sharing are implemented.**

**-Regional Household Hazardous Waste Collection Days - Board of Health in the past have participated with neighboring towns.**

**-Rabies Vaccination of dogs & cats- Board of Health in the past have participated with neighboring towns.**

**-The Town of Maynard has been approached in regards to sharing their Sewer Treatment Plant.**

**-NESWC**

**-The Acton Fire Department is actively involved in regional activities in a group comprised of the following cities and towns: Acton, Ashland, Boxborough, Concord, Carlisle, Framingham, Holliston, Hopkinton, Hudson, Lincoln, Marlborough, Maynard, Millford, Natick, Northborough, Sherborn, Southborough, Stow, Sudbury, Wayland, Westborough.**

**These communities are engaged in activities involving Communications, Mutual-Aid Dispatching, Dive Team., Hazardous Materials Response Team, Training, Shared Resources and Collective Bid/Purchasing. Increased needs relative to these specific areas may be anticipated.**

**-LRTA - Lowell Regional Transit Authority.**

**Specific information on government operations in the area of municipal administration**

<p>Municipality has: Information provided by: <b>John Murray, Assistant Town Manager</b></p> <p><input type="checkbox"/> Charter <input checked="" type="checkbox"/> Charter with revisions <input type="checkbox"/> Charter process underway</p> <p><input type="checkbox"/> Never attempted charter activity</p> <p><input type="checkbox"/> Proposed charter to the voters which has not been adopted</p> <p>Optional: Why do you think the recommended charter failed to be adopted?</p>
<p>Municipal Administration:</p> <p><input type="checkbox"/> Function carried out by selectmen</p> <p><input type="checkbox"/> Town Administrator, Executive Secretary, Administrative Assistant (circle those that apply or add your own)</p> <p><input checked="" type="checkbox"/> <b>City/Town Manager</b></p> <p>Some departments have set short and long term goals and objectives, others may have specific plans in place for the next several years. If your department has them, please describe in general terms the goals, objectives, or plans the administration or chief elected officials have set for the next 3 years in the area of administration, personnel, data processing, or purchasing. Attach additional sheets if necessary. You will be asked to translate this information to specific needs on page 7. If no such goals, objectives, or plans are in place, leave this answer blank. Be sure to complete page 7.</p>
<p>Legal Services:</p> <p><input checked="" type="checkbox"/> <b>Town Counsel (one year appointment)</b></p> <p><input type="checkbox"/> City Solicitor</p> <p><input type="checkbox"/> on staff <input type="checkbox"/> hire counsel as needed <input type="checkbox"/> on retainer <input checked="" type="checkbox"/> hire special counsel as needed</p>

July 29, 1993 Community Action Statement - Town of Acton

<p>Personnel Administration:</p> <p><input checked="" type="checkbox"/> Personnel Department ___ Carried out by individual departments</p> <p>___ Function assigned to _____</p> <p>___ Have adopted personnel bylaw/ordinance</p> <p><input checked="" type="checkbox"/> Have pay classification and salary plan</p> <p><input checked="" type="checkbox"/> Have personnel policy in place</p> <p>___ Provide in-house training</p>
<p>Purchasing</p> <p>___ Purchasing department</p> <p><input checked="" type="checkbox"/> Procurement officer</p> <p><input checked="" type="checkbox"/> Procurement function assigned to <b>Town Manager</b> _____</p> <p>___ Individual departments do procurement as needed</p>
<p>Data Processing</p> <p><input checked="" type="checkbox"/> Centralized data processing department</p> <p>___ No departments use computers</p> <p><input checked="" type="checkbox"/> Some departments use computers; please list them <b>PC for specialized tasks Planning, Manager, Health, Engineering Building, Assessing</b></p> <p><input checked="" type="checkbox"/> All departments use computers</p> <p><input checked="" type="checkbox"/> Some departments use service bureaus such as banks or ADAP; please list them <b>Finance Dept.</b></p>
<p>Municipal Cable Television</p> <p>___ Responsibility assigned to <b>Cable Comm. advisee Selectmen</b></p> <p>Name of Cable Company <b>Cablevision</b> _____</p> <p>Term of contract <b>10 years</b> _____</p> <p>Date when contract next expires <b>1998</b> _____</p>

**Identification of Municipal Needs in the area of General Administration:**

Use the following chart to present specific municipal needs in the area of administration which have been identified by departments, boards, commissions, and authorities in the community. Needs may be suggested by the information and/or plans, goals, and objectives provided on the previous two pages. We have provided a list of potential needs and a completed sample of this form on pages 38 through 41 in order to facilitate local dialogue. It is not intended to include all the possibilities. For each need, complete other columns.

Information provided by: John Murray, Assistant Town Manager

DESCRIBE THE NEED(S)	WHAT FACTORS CONTRIBUTE TO THE NEED(S)	POTENTIAL WAYS FOR MEETING THE NEED(S)
1. An integrated town wide computer system	1. Lack of an ability to interconnect different departmental data-base 2. Lack of a financial reporting system 3. Lack of computer aided dispatch for public safety	A municipal grant program
2. A State relations officer within Town government	The disparity of viewpoints between state and local governments has increased dramatically over the last 4 years. We feel better understanding and communications is the key to this problem.	Municipal grants program
3. The level of business knowledge within the departments	In most areas the private sector has knowledge of new systems and business approaches before municipal staff does.	Create municipal sabbatical programs with business at no cost to the Town.
4. Employee training	Lack of advance degrees or certificates and high turnover	Create a system where municipal employees can attend the U Mass system on a space available basis at no cost. Also create a program with the state trade unions for free training programs.

**July 29, 1993 Community Action Statement-Town of Acton**

**Identification of Municipal Needs in the area of General Administration:**

**Information provided by Anne Fanton, member Board of Selectmen**

<b>DESCRIBE THE NEED(S)</b>	<b>WHAT FACTORS CONTRIBUTE TO THE NEED(S)</b>	<b>POTENTIAL WAYS FOR MEETING THE NEED(S)</b>
<b>Training for Volunteer Boards and Commissions</b>	<b>Increased complexities of issues High turnover of volunteers</b>	<b>Develop in-service training seminars for boards and commissions.</b>

**Specific information on government operations in the area of municipal finance, budget, and accounting**

Finance and accounting functions Information provided by John Murray, Assistant Town Manager

Municipality purchases services for (circle those that apply):

data processing, ~~preparation of tax bills~~, preparation of water and or sewer bills, ~~collections~~, ~~Deputy Tax Collector~~, ~~banking including bond counsel~~, ~~tax title attorneys~~, parking tickets

Capital purchases are in the budget of individual departments  
No community wide plan

Capital planning/budget committee

In the process of developing our first capital plan

Capital planning process in place; Plan is for 0 3 5 10 years

Percentage of budget set aside annually for cash capital budget items \_\_\_\_% no specific amt.

Percentage of budget set aside annually for permanent debt service \_\_\_\_% no specific amt.

Consolidated department of finance  
Adopted by  special act  charter  acceptance of MGL

Some departments have set short and long term goals and objectives, others may just have specific projects in place for the next several years. If your department has, please describe in general terms the goals, objectives, or plans the administration or chief elected officials have set for the next 3 years in the area of municipal finance, budgeting, and accounting. Attach additional sheets if necessary. You will be asked to translate this information to specific needs on page 10. If no such goals, objectives, or plans are in place, leave this answer blank and go on to page 10.

**July 29, 1993 Community Action Statement—Town of Acton**

**Identification of Municipal Needs in the area of Finance, Budget, and Accounting:**

Use the following chart to present specific municipal needs in the area of municipal finance, budget, and accounting which have been identified by departments, boards, commissions, and authorities in the community. Needs may be suggested by the information and/or plans, goals, and objectives provided on the previous page. We have provided a list of potential needs and a completed sample of this form on pages 38 through 41 in order to facilitate local dialogue. It is not intended to include all the possibilities. For each need, complete other columns.

**Information provided by John Murray, Assistant Town Manager**

DESCRIBE THE NEED(S)	WHAT FACTORS CONTRIBUTE TO THE NEED(S)	POTENTIAL WAYS FOR MEETING THE NEED(S)
1. An integrated financial reporting/budget system	Present accounting systems cannot provide adequate overall financial information reporting.	Special grants or below market rate municipal borrowing.
2. GAAP Accounting	Presently 3 accounting system books are maintained by a community (U Mass, Statutory, and General Accepted Accounting Procedure (for bonding).	Create a pilot program where a municipality only keeps a GAAP set of books.

**Specific information on government operations in the area of public safety**

Public Safety Police information provided by George Robinson, Chief  
Fire information provided by Robert Craig, Chief

Police:  
Does the department have a strong or weak chief (circle one)?

Chief reports to: Town Manager

Has the department undertaken community policing? yes no

Full time department with 33 staff  
 We have a "call" police department with \_\_\_\_\_ full time staff  
 We have a "call" police department  
 We have no police department

Fire Department:  
Chief reports to: Town Manager

Full time department with 42 staff  
 We have a "call" fire department with 30 Part-time staff (authorized)  
 We have a "call" fire department  
 We have no fire department

Dispatching:  
 Individual police and fire dispatching  
 Joint police fire dispatching  
 Dispatch done by non-uniform personnel  
 Dispatch provide by other (describe)

Ambulance service:  
 Provided by municipal fire department  
 Provided by private service in conjunction with municipal \_\_\_\_\_ department  
Please describe arrangement.

Provided by private service  
 Not available

Has the municipality consolidated any public safety functions? yes no (circle one) If yes, please describe

Some departments may have set short and long term goals and objectives, others may just have specific projects in place for the next several years. If your department has, please describe in general terms the goals, objectives, or plans the municipality has set for the next 3 years in the area of public safety. Attach additional sheets if necessary. You will be asked to translate this information to specific needs on page 13. If no such goals, objectives, or plans are in place, leave this answer blank and go on to page 13.

Police Department  
Maintain Accreditation Status  
Public Safety Joint Dispatch

**July 29, 1993 Community Action Statement—Town of Acton**

**Identification of Municipal Needs in the area of Public Safety:**

Use the following chart to present specific municipal needs in the area of public safety which have been identified by departments, boards, commissions, and authorities in the community. Needs may be suggested by the information and/or plans, goals, and objectives provided on the previous page. We have

provided a list of potential needs and a completed sample of this form on pages 38 through 41 in order to facilitate local dialogue. It is not intended to include all the possibilities. For each need, complete other columns.

**Information provided by: George Robinson, Police Chief**

DESCRIBE THE NEED(S)	WHAT FACTORS CONTRIBUTE TO THE NEED(S)	POTENTIAL WAYS FOR MEETING THE NEED(S)
<p><b>Police Department:</b></p> <p><b>New Facility</b></p> <p><b>Communications Center</b></p> <p><b>Increased Training</b></p>	<p><b>Age of building, growth of department</b></p> <p><b>E-911 , upgrade of equipment and environment</b></p> <p><b>the need to meet evolving requirements of law, policy and specific community generated needs.</b></p>	<p><b>New construction or renovation</b></p> <p><b>Renovation of space</b></p> <p><b>New sources of funding</b></p>

Information provided by: Robert Craig, Fire Chief

DESCRIBE THE NEED(S)	WHAT FACTORS CONTRIBUTE TO THE NEED(S)	POTENTIAL WAYS FOR MEETING THE NEED(S)
<b>Fire Department:</b>  <b>Capital Purchases - apparatus</b>	<b>Current age of apparatus Changes in technology Increasing cost of purchase</b>	<b>Grant programs Regional assistance</b>
<b>Fire Station Location Study</b>	<b>Cost of Study Location of existing stations Population/commercial shifts</b>	<b>Grant programs Availability of software</b>
<b>Renovate Existing Fire Stations</b>	<b>Cost of Study Location of existing stations Population/commercial shifts</b>	<b>Grant programs</b>
<b>Construct New Fire Station/s</b>	<b>Cost of Study Location of existing stations Population/commercial shifts</b>	<b>Grant programs</b>
<b>Regional or Shared Dispatch</b>	<b>E-911 Cost Aging of current equipment Lack of trained,dedicated dispatchers Changes in procedures Better utilization of personnel</b>	<b>Grant programs</b>
<b>Equipment Purchases</b>	<b>Cost Changing technology</b>	<b>Grant programs Regional assistance Collective State Aid</b>
<b>Increased Training</b>	<b>Changes in technology Increased demands</b>	<b>Grant/Incentive Programs</b>
<b>Personnel</b>	<b>Cost Increased demands</b>	<b>Grant programs Regional Assistance</b>

**Specific information on government operations in the area of public works.**  
(Since these functions are assigned in a variety of ways by different municipalities, please divide pages 15 through 22 as is appropriate in your community.)

Roads, sidewalks Information provided by: Dennis Ring, Engineering Asst.

Richard Howe, Highway Supt.

Miles of paved roadway maintained by the municipality 99.8

Miles of unpaved roadway maintained by the municipality 1.0 +/-

Linear feet of sidewalk maintained by the municipality 22 miles (116,160 L.F.)

Check off the following statements that apply to your municipality

There are roadways maintained by the Commonwealth or privately owned

Municipality has inventory of roads and their condition

Municipality has inventory of sidewalks and their condition

Pavement management system in use  by hand  automated

Municipality shares public works equipment with another municipality

Municipality has consolidated the following public works functions (list)

Please describe the consolidation and the responsibilities which have been included. Attach additional pages as needed.

Some departments may have set short and long term goals and objectives, others may just have specific projects in place for the next several years. If your department has, please describe in general terms the goals, objectives, or plans the municipality has set for the next 3 years in the areas of highway, maintenance, and engineering. Attach additional sheets if necessary. You will be asked to translate this information to specific needs on page 18. If no such goals, objectives, or plans are in place, leave this answer blank. You must complete page 18.

Municipal Electric Utility N/A (town serviced by Boston Edison)

Number of residential customers n/a

Number of business customers n/a

**Water and Sewer Service**

Information provided by: John MacLeod, Acton Water District Manager  
Douglas Halley, Health Director, Town

- All water provided by private wells
- All water provided by non-municipal utility
- Some water provided by municipal entity(ies) \*
- Some or all water provided by Massachusetts Water Resources Authority (MWRA)
- All water provided by municipal water departments

Some or all residences and businesses use septic systems or package treatment systems

Some or all businesses and residences served by municipal sewer system

Some or all businesses and residences served by MWRA

Other (please describe)

\* the Water Supply District of Acton is a separate legal entity from the Town.

- 1) Town of Concord serves some buildings on Rt 2A with drinking water.
- 2) Some parts of Acton have their own private wells.

Some departments may have set short and long term goals and objectives, others may just have specific projects in place for the next several years. If your department has, please describe in general terms the goals, objectives, or plans the municipality has set for the next 3 years in the areas of water and sewer service. Attach additional sheets if necessary. You will be asked to translate this information to specific needs on page 18. If no such goals, objectives, or plans are in place, leave this answer blank. Be sure to complete page 18.

**Acton Water District:**

The Town and Water Dist. have strict zoning laws in place to protect our water.

The Water District has a Master Plan in place to address future growth concerns.

The District also has a Master Plan to change old water mains.

The District already owns 3 sites for future wells and are presently working on another site.

**Health Department:**

Develop wastewater collection and treatment system for core South Acton area, as described in: South Acton Wastewater Collection & Treatment Feasibility Study June 1993, by SEA consultants.

Expand that service area to include more of South Acton.

Develop sewer system for Kelly's Corner

Utilize alternative treatment measures for sections of existing housing that incur sewerage problems.

Acheive 100% compliance with pumping septic tanks every two years.

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Engineering Check off those that apply Information provided by: Dennis Ring, Engineering Asst.

- In house City/Town Engineer or engineering department (Staffed by R.P.L.S.)
- Purchase services on town/city wide contract (As needed by specific projects)
- Contracted out by department, as needed

Solid Waste and Recycling Information provided by: Richard Howe, Highway Supt.

Please describe the municipalities activity in the area of solid waste and recycling

9000 ton per year NESWC 1993-1994.

The Town operates a transfer station, residents purchase stickers to offset the costs. At the transfer station site there is a Recycling Center that is available to residents and non-residents for a fee. The Town has a contract with BFI for recycling, and approximately 21% of the waste stream is recycled.

If the municipality goes out to bid for the services, how many responses did you receive to your last RFP for services?   N/A  

Some departments may have set short and long term goals and objectives, others may just have specific projects in place for the next several years. If your department has, please describe in general terms the goals, objectives, or plans the municipality has set for the next 3 years in the areas of solid waste and recycling. Attach additional sheets if necessary. You will be asked to translate this information to specific needs on page 18. If no such goals, objectives, or plans are in place, leave this answer blank. Be sure to complete page 18.

**July 29, 1993 Community Action Statement—Town of Acton**

**Identification of Municipal Needs in the area of Public Works:**

Please split this section and the recreation sections up as appropriate to your municipality. Use the following chart to present specific municipal needs in the area of public works which have been identified by departments, boards, commissions, and authorities in the community. Needs may be suggested by the information and/or plans, goals, and objectives provided on the previous page. We have provided a list of potential needs and a completed sample of this form on pages 38 through 41 in order to facilitate local dialogue. It is not intended to include all the possibilities. For each need, complete other columns.

**Information provided by: Dennis Ring, Engineering Asst.**

DESCRIBE THE NEED(S)	WHAT FACTORS CONTRIBUTE TO THE NEED(S)	POTENTIAL WAYS FOR MEETING THE NEED(S)
Additional personnel - Engineering Dept.	Loss of previously staffed positions due to budget restraints	Seek grants or funding for temporary full-time help leading to restoration of permanent positions.
Parcel based data base to coincide with computerization of Town Atlas (GIS)	Decreased staffing, increasing need to consolidate tasks such as assessing and map updating.	Locate possible funding source
New vehicle	Age of existing vehicle Lack of garage space	Locate possible funding source
Modify/update traffic rules & orders	Changes in the State standards Need for comprehensive, accurate documentation of traffic laws.	Additional personnel to compile existing data.
Bridge Replacements, Wetherbee St., Concord Rd., Main St. @ B&M R.R.	Deterioration of existing structures, need for improving traffic flow by changing bridge alignment.	Locate funding source (State or Federal Aid?)
Town wide culvert repairs/replacements	Age & deterioration of existing structures	Locate funding source, implement annual maintenance program
General intersection improvements throughout Town	increased traffic and growth in Town	Locate funding source, implement annual program to complete minor improvements when possible.
Implement planned changes at Commuter parking lot to increase parking spaces	Increased commuter use of lot	locate funding source (MBTA?)
Sidewalk construction/repair	Need to encourage pedestrian travel, safety, and ADA standards	Locate funding source, implement annual maintenance program.

Information provided by: Richard Howe, Highway Supt.

DESCRIBE THE NEED(S)	WHAT FACTORS CONTRIBUTE TO THE NEED(S)	POTENTIAL WAYS FOR MEETING THE NEED(S)
Major thoroughfares need to be reconstructed.	For years have been paving over the existing surface, can not add any more material.	through State Grants Ch.90 etc. Highway funds
General Intersection Improvements Culvert Repairs Sidewalk construction/repair Bridge Replacements	See Engineering Department sections	See Engineering Department sections
Lack of tonnage to meet the requirements of the recycling & trash contracts	New State regulations mandating recycling and banning of specific items from the waste stream.	Regionalize? Possibly join with one or two Towns. Seek sources for possible funding. State grants.
Equipment to handle recycling Roll-off bins for cans/bottles etc.	Increase in volume required by contracts.	Grants and funding from revenue generated by the recycling.
Equipment to handle recycling of leaves, etc. (mulching/composting)	Increase in volume required by contracts.	Grants and funding from revenue generated by the recycling.

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**Information provided by: John MacLeod, Acton Water District Manager**

<b>DESCRIBE THE NEED(S)</b>	<b>WHAT FACTORS CONTRIBUTE TO THE NEED(S)</b>	<b>POTENTIAL WAYS FOR MEETING THE NEED(S)</b>
<b>Need for a better water management system.</b>	<b>Escalating energy costs Age of existing equipment</b>	<b>Conversion to an automatic telemetering system. The Water District and its engineers are working on an energy conservation program now, in order to conserve power and as a better management tool for the District.</b>

Information provided by: Douglas Halley, Health Director, Town

DESCRIBE THE NEED(S)	WHAT FACTORS CONTRIBUTE TO THE NEED(S)	POTENTIAL WAYS FOR MEETING THE NEED(S)
1. South Acton Center has been identified as an area that requires sewers.	slow percolation rates, high groundwater & small lot sizes.	Build package treatment facility, as described in SEA report.
2. Kelly's Corner has been identified as an area that requires sewers.	slow percolation rates, high groundwater & small lot sizes.	Acton-Boxborough Regional School has been ordered to build a treatment plant. Ames/Finast is actively seeking a treatment plant alternative. B.O.H. is assessing area to determine additional interest.
3. Alternative sewer waste treatment systems	Isolated areas in Town experience septic problems that can not be addressed by treatment plant solutions. Proposed new standards may require additional areas to be sewered.	New treatment systems such as Bioclere & Clivus Multrun could be used on an individual basis to solve septic problem.

**Specific information on government operations in the area of parks and recreation**

Parks, recreation, maintenance of municipal grounds and buildings Information provided by: Dean Charter, Municipal Property Director and Bruce Stamski, Recreation Commission Chm.

Number of parks 10  
Acres of parkland 25 parkland (1400 acres conservation)  
Number of park buildings 0

Number of municipal swimming pools 1 (A.B.R.H. School pool)  
Number of municipal beaches 0  
Number of municipal skating rinks 0

Please indicate who is responsible for maintenance of the following areas:

school grounds School Dept. athletic fields Municipal Properties Dept.

public beaches n/a municipal parks Municipal Properties Dept.

Conservation lands Municipal Properties Dept.

Who is responsible for maintenance of the following public buildings?

schools School Dept. local government buildings Municipal Properties Dept.

library Municipal Properties Dept. police station Municipal Properties Dept.

fire station(s) Municipal Properties Dept.

other (describe):

Property around municipal buildings Municipal Properties Dept.

Please describe the types of recreational programs offered (add sheets as needed): Recreational programs are provided through the regional school district Community Education Program. Some departments may have set short and long term goals and objectives, others may just have specific projects in place for the next several years. If your department has, please describe in general terms the goals, objectives, or plans the municipality has set for the next 3 years in the areas of parks, grounds, and maintenance. Attach additional sheets if necessary. You will be asked to translate this information to specific needs on page 21. If no such goals, objectives, or plans are in place, leave this answer blank and go on to page 21. Recreation Commission is an advisory board only. The Commission's focus in recent years has been the planning of the North Acton Recreation Area. The goal is to get the area built.

1. Provide water based recreation
2. Provide at least 1 new playfield not for Leagues
3. Provide at least 1 new soccer field
4. Transfer more maintenance costs to user fees
5. Increase "non-traditional" recreation opportunities such as community gardens, bike trails etc.

Are parks, recreational services provided by other entities for use of residents? yes no Please describe on a separate sheet. 1. All recreation scheduling and programs are provided by Acton Boxborough Community Education, a division of the Acton Boxborough Regional School District. 2. Various Leagues run their own programs, using Town recreation areas. The leagues are responsible for scheduling games, providing coaches, umpires, etc., and handle maintenance specific to their sports, such as lines, team benches, goals, back stops, lighting etc.. The Leagues are: Acton-Boxborough Youth Soccer, Colonial Little League, Pop Warner Football, Acton Twilight Softball.

**Identification of Municipal Needs in the area of Parks and Recreation:**

Please split this section and the public works sections up as appropriate to your municipality. Use the following chart to present specific municipal needs in the area of parks and recreation which have been identified by departments, boards, commissions, and authorities in the community. Needs may be suggested by the information and/or plans, goals, and objectives provided on the previous page. We have provided a list of potential needs and a completed sample of this form on pages 38 through 41 in order to facilitate local dialogue. It is not intended to include all the possibilities. For each need, complete other columns.

Information provided by: **Dean Charter, Municipal Property Director**

DESCRIBE THE NEED(S)	WHAT FACTORS CONTRIBUTE TO THE NEED(S)	POTENTIAL WAYS FOR MEETING THE NEED(S)
Water based recreation	Increasing population No facilities exist	-Funds for North Acton Recreation Area. (Recreation Commission is planning a 10 acre swimming pond in the North Acton area. Project recently received all permits and will go out to bid soon. Sale of excavated gravel will go towards the park.)  -Dredging of Ice House Pond.
Additional play fields for soccer league use	Increased population and popularity of sport (1200 children in soccer)	-purchase land, build fields -Build fields on existing Town land -cooperative public/private arrangement
Additional play fields for non-league, informal use	Organized Leagues monopolize all facilities	See list above.
Non-traditional Recreation	Need for accessibility (ADA). Awareness of physical fitness needs, more adults want exercise.	-Expand accessibility -Expand community gardens -Build bike trails on old Penn Central Tracks.
Create greenbelts and corridors	Wildlife migration, hiking, trails etc.	Purchase connecting parcels of land.

***Specific information on government operations in the area of planning and zoning***

Planning and Zoning Information provided by: Roland Bartl, Town Planner

Special permits are issued by (please list) **Planning Board  
Board of Selectmen  
Board of Appeals**

Master plan last updated **1990/91**

Dates and titles of planning studies **West Acton Village Plan (near completion)  
South Acton Village Plan (in progress)**

**Zoning districts/mechanisms**

- Residential
- Agricultural
- Agricultural Residential
- Industrial
- Commercial
- Wetlands
- Multifamily
- Cluster
- Mobile home or manufactured housing
- Planned residential development
- Planned unit development
- Mixed use (describe) **in Village District zones**

- Other (please list and describe)
  - Accessory Apartments by right
  - Flood Plain District
  - Groundwater Protection District
  - Affordable Housing Incentives
  - Transfer of Development Rights
  - Sign Controls
  - Site Plan Review

Are impact fees built into the development approval process? yes **no** Please describe.

Some municipalities/departments may have set short and long term goals and objectives, others may just have specific projects in place for the next several years. If your department has, please describe in general terms the goals, objectives, or plans the municipality has set for the next 3 years in the areas of planning and zoning. Attach additional sheets if necessary. You will be asked to translate this information to specific needs on page 24. If no such goals, objectives, or plans are in place, leave this answer blank.

**Impact Fee Bylaw - development and implementation**

**Specific Area Plans for designated growth centers**

**GIS Development**

**Continue Groundwater Protection**

**Regular and Timely Master Plan Updates**

**July 29, 1993 Community Action Statement—Town of Acton**

**Identification of Municipal Needs in the area of Planning and Zoning:**

*Use the following chart to present specific municipal needs in the area of planning and zoning which have been identified by departments, boards, commissions, and authorities in the community. Needs may be suggested by the information and/or plans, goals, and objectives provided on the previous page. We have provided a list of potential needs and a completed sample of this form on pages 38 through 41 in order to facilitate local dialogue. It is not intended to include all the possibilities. For each need, complete other columns*

**Information provided by: Roland Bartl, Town Planner**

DESCRIBE THE NEED(S)	WHAT FACTORS CONTRIBUTE TO THE NEED(S)	POTENTIAL WAYS FOR MEETING THE NEED(S)
<p><b>1. Complete specific area plans for South Acton Village and West Acton Village</b></p>	<p>Have been identified as concentrated growth centers in 1990/91 Master Plan and Zoning.</p> <p>Areas need further detailed planning effort to improve economic viability, access, circulation, wastewater management, commercial tax base.</p>	<p>Establish community Planning effort with strong involvement of area businesses in development partnerships. Retain consultants/experts in areas of economic development, design and planning.</p>
<p><b>2. Development of specific area plan for Kelly's Corner.</b></p>	<p>Have been identified as concentrated growth centers in 1990/91 Master Plan and Zoning.</p> <p>Areas need further detailed planning effort to improve economic viability, access, circulation, wastewater management, commercial tax base.</p>	<p>Establish community Planning effort with strong involvement of area businesses in development partnerships. Retain consultants/experts in areas of economic development, design and planning.</p>
<p><b>3. Development of GIS system</b></p>	<p>Land use planning has become more complex. GIS allows organization, analysis and display of information in a highly effective and professional manner. Far reaching applications beyond planning possible.</p>	<p>Hire qualified assistant to update land database, convert digital Cad maps to GIS format. Link maps and database.</p>
<p><b>4. Development of Impact Fees Bylaw</b></p>	<p>Development impact mitigation can no longer be subsidized from traditional municipal revenues.</p>	<p>Hire planning/legal consultant for program development and bylaw.</p>

July 29, 1993 Community Action Statement—Town of Acton

DESCRIBE THE NEED(S)	WHAT FACTORS CONTRIBUTE TO THE NEED(S)	POTENTIAL WAYS FOR MEETING THE NEED(S)
<p><b>5. Conduct Nitrate Loading Study</b></p>	<p>Acton has no sewer system. Thousands of individual septic systems discharge wastewater into the ground without prior nitrate removal. Groundwater is the sole source of drinking water for 98%<sup>1</sup> of Acton's households, businesses and industries.  <sup>1</sup>(only exception those along Rt. 2A getting water from Concord's Nagog Reservoir)</p>	<p>Hire technical consultant to estimate nitrate loading for municipal wells by each watershed, using predictive modeling based on existing level of development and on build-out levels; and to establish maximum loading potential without overstepping safe drinking water thresholds.</p>
<p><b>6. Development of specific area plan of East Acton Village.</b></p>	<p>Have been identified as concentrated growth centers in 1990/91 Master Plan and Zoning.             Areas need further detailed planning effort to improve economic viability, access, circulation, wastewater management, commercial tax base.</p>	<p>Establish community Planning effort with strong involvement of area businesses in development partnerships. Retain consultants/experts in areas of economic development, design and planning.</p>
<p><b>7. Development of specific area plan for North Acton Village</b></p>	<p>Have been identified as concentrated growth centers in 1990/91 Master Plan and Zoning.             Areas need further detailed planning effort to improve economic viability, access, circulation, wastewater management, commercial tax base.</p>	<p>Establish community Planning effort with strong involvement of area businesses in development partnerships. Retain consultants/experts in areas of economic development, design and planning.</p>
<p><b>8. Pollution Source Inventory</b></p>	<p>Information on the presence and quantities of hazardous materials in Acton is scattered incomplete and difficult to access for regulatory and emergency purposes.</p>	<p>Hire assistance to complete and update inventory, and entry in GIS compatible format.</p>
<p><b>9. Transportation Plan Update</b></p>	<p>New Development, changes in traffic patterns and modes. (5 year update of Master Plan – transportation component)</p>	<p>Hire transportation planning consultant.</p>

**Specific information on government operations in the area of land conservation**

Conservation Information provided by: Thomas Tidman, Conservation Administrator.  
Open space and recreation plan date 1993 - 1998  
Responsibilities include (Check off those that apply):  
 Inland wetlands  
 Coastal wetlands  
 Soil Removal bylaw  
 Local wetlands bylaw  
 Town Forest  
 Other (please describe)  
Acres of Conservation land approx. 1400  
The Commission maintains trails on its conservation lands. yes no  
Some municipalities/departments may have set short and long term goals and objectives, others may just have specific projects in place for the next several years. If your department has, please describe in general terms the goals, objectives, or plans the municipality has set for the next 3 years in the areas of conservation. Attach additional sheets if necessary. You will be asked to translate this information to specific needs on page 27. If no such goals, objectives, or plans are in place, leave this answer blank and complete page 27. Conservation Department has listed goals and objectives, which appear in Section 3 of the Open Space and Recreation Plan 1993 - 1998.

**I. Preserve open spaces which have value as aesthetic, recreational, wetland, water, and wildlife resources.**  
A. Adopt a land bank or a land fund for open space.  
B. Establish a fund for public purchase of open space.  
C. Prioritize & pursue land available through donations, purchase or other options.  
D. Bring all lands offered under Ch. 61,61A, and 61B to town meeting vote.  
E. Maintain present ratio of open space per resident (80 acres per 1000 residents.)

**II. Create and set aside corridors for vegetation, wildlife, and human use between wetlands, conservation areas, and remaining open space land.**  
A. Develop "Greenbelt" concept for Nashoba Brook and Fort Pond Brook.  
B. Prioritize land acquisitions to create corridors.  
C. In new developments, maintain open space corridors and easements for trails.  
D. Improve access to ponds and streams.  
E. Develop trail connections with conservation lands in abutting towns.  
F. Create additional trail heads and trail connections between conservation lands.

**III. Prevent environmental degradation of remaining open space.**  
A. Continue to rigidly enforce the Wetlands Protection Act and Town Wetlands Protection Bylaw.  
B. Continue to conduct public education efforts on the value of open space, and how the public can minimize human impact on the environment.  
C. Inventory and prioritize endangered species and critical habitat for protection.  
D. Develop prioritized inventory of all lands that should be considered for acquisition by the Town  
E. Preserve farmland as a resource.

**V. Manage and maintain all public open space to preserve and enhance its value.**  
A. Maintain or increase level of professional & volunteer maintenance activities.  
B. Continue present rate of boundary marking, trail signage, & trail head facilities.  
C. Provide improved access points and fire lanes.  
D. Continue to upgrade trails.  
E. Conduct wildlife habitat enhancement projects.  
F. Manage land to provide a diversity of environments for plants and animals.  
G. Accent cultural, historic, and natural features of lands.  
I. Investigate options for use of lands for timber & agricultural commodities production.  
J. Continue close cooperation with Planning Department and other Agencies to develop and enforce regulations to mitigate the impacts of development.

**July 29, 1993 Community Action Statement-Town of Acton**

**Identification of Municipal Needs in the area of Conservation:**

Use the following chart to present specific municipal needs in the area of conservation which have been identified by departments, boards, commissions, and authorities in the community. Needs may be suggested by the information and/or plans, goals, and objectives provided on the previous page. We have provided a list of potential needs and a completed sample of this form on pages 38 through 41 in order to facilitate local dialogue. It is not intended to include all the possibilities. For each need, complete other columns.

**Information provided by: Thomas Tidman, Conservation Administrator**

DESCRIBE THE NEED(S)	WHAT FACTORS CONTRIBUTE TO THE NEED(S)	POTENTIAL WAYS FOR MEETING THE NEED(S)
Develop prioritized land acquisition list	A list and location of land desired for acquisition would help to develop Greenbelts, and Cross-town trail connections.	Such a list could be compiled on the Engineering Auto Cad.
Finish dam reconstruction at Robbins Mill Pond	Project has been partially completed (1990), one significant area of erosion remains. The elevated level of erosion has been caused by many years of spring runoff in Nashoba Brook.	Reconstruction of the initial phase of the dam was accomplished by the Conservation Dept. in co-operation with the Engineering and Highway Depts., using funds received from a grant. The remaining dam reconstruction will be completed with the assistance of a crew from MCI Concord.
Adopt a Land Bank	Shrinking availability of federal, state and local sources of revenue to purchase land, has triggered the need for a Land Bank.	
Develop and Distribute new Trail Maps	Our current conservation land trail maps are more than ten years old, many changes and improvements to the lands have occurred since their initial publication.	Our in-house publication capabilities will allow us to develop a series of new maps of high quality. The Engineering Department Auto Cad system produces clear, high quality maps.
Dredge Ice House pond	Has always been a shallow pond. Sediment loading from upstream development & natural deposition. Introduction of a non-native weed "Water Chestnut", rapid accumulation of Bio-mass.	Look for possible funding source- grants Develop a maintenance strategy and long term management plan for pond restoration. Initial dredging would likely be done by the Acton Highway Department.

**July 29, 1993 Community Action Statement—Town of Acton**

DESCRIBE THE NEED(S)	WHAT FACTORS CONTRIBUTE TO THE NEED(S)	POTENTIAL WAYS FOR MEETING THE NEED(S)
Review all developments to protect natural resources	Need to identify vernal pools, rare & endangered plant & animal species. Most of Acton's easily developable land is now built. the remaining land to be developed often contains wetlands, and other sensitive areas.	
Acquire connections to open space in new developments	Retaining the rural character of Acton was a high priority during the development of the Master Plan. by establishing open space connections in developments linking them to existing open space and conservation lands, cross-town trail systems and greenbelts can be created.	Interaction with planning department and developers during preliminary reviews of subdivisions.
Widen All hiking trails to minimum 6' width	Currently many of our conservation land trails are very narrow and difficult to keep clear of fast growing vegetation. By creating 6' wide trails more efficient maintenance with larger equipment, requiring far less time would be possible. In addition, a 6' wide trail corridor would allow us to keep poison ivy farther away from the actual trail.	Use of Eagle Scout candidates, inmates from MCI Concord, and Municipal Properties Dept.
Continue and expand public education programs	Public interest in our conservation land nature walk series is always well-attended, as are seasonal walks held at the Arboretum. With more and more people moving into Acton public education and highlighted awareness of environmental issues will be even more important in preserving our remaining environmental/natural resources.	Public walks, newsletter and articles, seminars, weekend workshops, all sponsored by the Conservation Commission.

**July 29, 1993 Community Action Statement—Town of Acton**

DESCRIBE THE NEED(S)	WHAT FACTORS CONTRIBUTE TO THE NEED(S)	POTENTIAL WAYS FOR MEETING THE NEED(S)
<b>Identify and obtain Greenbelt parcels</b>	<b>Protecting the remaining wetlands/floodplain along Nashoba Brook and Fort Pond Brook insure habitat for many of our remaining wildlife species.</b>	<b>With rising taxes and limited potential for building on these lands many people are deeding over unbuildable parcels to the Town of Acton Conservation Commission, which have contributed greatly to our Greenbelts.</b>
<b>Develop historic area at Nashoba Brook</b>	<b>Recently we have seen an increase in vandalism at the "Potato Cave" near Nashoba Brook. Many of the old mill/dam structures are still visible along the Brook, and are historically significant. Much of the land along Nashoba Brook is already under the control of the Conservation Commission and suitable for a trail system.</b>	<b>Trails have already been planned and in some areas roughed in. Signs have been placed near the "Potato Cave" noting the historic significance of the structure. Upgrading the trail system and signage will be done by Eagle Scout candidates and the Municipal Properties Dept.</b>
<b>Expand wildlife and vegetation diversity program</b>	<b>Loss of open farm land and natural meadows through a successional progression to forest has limited the available habitat for many of our open land species ie Bluebirds.</b>	<b>Annual vs. bi- annual mowing of fields and a general management plan for suspending the succession from field to forest. Installation of Bluebird Boxes in open areas. Selective thinning and removal of forest trees on conservation lands.</b>

**Specific information on government operations in the area of community and economic development**

Community and Economic Development Information provided by: Roland Bartl, Town Planner; John Murray, asst. Town Manager; Naomi McManus, clerk Acton Community Housing Corp; Anne Forbes, chm. Historic Districts Comm; Anita Dodson, chm. Historic Comm; Sandra Whaley, SARC.

Ongoing business organizations in the municipality (If involved in the downtown area(s) check on the line to the right as well.

Community wide	Downtown
<input checked="" type="checkbox"/> Chamber of Commerce	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> Historical Society and Iron Work Farm, Inc.	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> Community Development Corporation (Community Housing Corp - non-profit housing partnership)	_____
<input checked="" type="checkbox"/> Local development Corporation	_____
_____ Industrial Development Commission	_____
_____ Economic Development Industrial Comm.	_____
<input checked="" type="checkbox"/> Historic Commission and Historic Districts Comm.	<input checked="" type="checkbox"/>
_____ Regional Chamber of Commerce	_____
_____ Industrial Development Finance Authority	_____
<input checked="" type="checkbox"/> Commercial Banks	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> Savings Banks	<input checked="" type="checkbox"/>
_____ Credit Unions	_____
_____ Other banks	_____

Please list the location of all historic districts: South Acton Historic District, West Acton Historic District, Acton Center Historic District

Sites/buildings on the National Register of Historic Places

How many? 5 3 individual buildings and 2 sites (Exchange Hall, Faulkner House, Jones Tavern (all in South Acton); Acton Center District, and portion of Isaac Davis Trail.

Please describe neighborhood organizations, housing partnerships, and or regional organizations like CAP agencies involved in community and economic development or human services for the community on a separate sheet of paper. Include the type of organization and its area of assistance or expertise. Acton Community Housing Corporation, non-profit housing partnership (see Addendum A - Mission Statement); SARC (South Acton Revitalization Committee - Town board); South Acton Improvement Assn. ( neighborhood improvement issues - meet as needs require)

For human services organizations see detailed listing on pg 39.

Some municipalities/departments may have set short and long term goals and objectives, others may just have specific projects in place for the next several years. If your department has, please describe in general terms the goals, objectives, or plans the municipality has set for the next 3 years in the areas of community and economic development. Attach additional sheets if necessary. You will be asked to translate this information to specific needs on page 30. If no such goals, objectives, or plans are in place, leave this answer blank and complete page 30. ACHC's Management Plan-short & long Goals- See Addendum B

Town Planner:  
**Economic Development Plan**  
**South Acton Revitalization**  
 Stimulate growth (commerce and employment) in designated growth centers  
 Affordable Housing  
**Historical Commission Goals:** 1. Complete & Update Cultural Resource List  
 2. Encourage preservation of historic & architecturally significant buildings  
 3. Encourage protection & preservation of Acton's open spaces & farmlands  
 4. Photograph Acton artifacts, buildings, gravestones etc.  
 5. Continue to research buildings, family history, properties etc.

ACTON COMMUNITY HOUSING CORPORATION  
MISSION STATEMENT

Background

The ACHC was incorporated by the Board of Selectmen as a direct result of the formation of the Housing Task Force to study the need for affordable housing and to recommend procedures for the implementation of the Town's Affordable Housing policy. The general affordable housing objectives of the ACHC have the approval of the Board of Selectmen, Town Manager, Zoning Board of Appeals, Planning Board, Conservation Commission, and other applicable Town Boards, Committees, and Agencies.

Responsibilities

The Board of Selectmen and the Town Manager, with the concurrence of the aforementioned Boards, Commissions, and Agencies have delegated certain defined responsibilities and functions to the ACHC. These include, but are not necessarily limited to, the following.

The ACHC will act as the Town's initial contact with developers of proposed affordable residential housing projects which are site-specific and for which the developer has indicated an intention to request an increase in allowed density or other variances in return for said provision of affordable housing. In this context, the ACHC will serve as a preliminary negotiating agency.

The ACHC may also initiate action intended to create affordable residential housing projects. In this context the ACHC will work to create a specific project consistent with Town policy.

Procedures

In fulfillment of this mission the Acton Community Housing Corporation will follow the course as outlined below.

The ACHC will forward its project specific preliminary recommendations and conclusions to each of the above mentioned Boards, Commissions and Agencies with a request for comments from each.

Comments will be reviewed with ACHC's Consultant, Project Proposers and the Authors of the comments. Following the review process by a majority vote of its Board of Directors, the ACHC will issue project specific recommendations which will be distributed to the Board of Selectmen and



### III. ACHC MANAGEMENT PLAN



**Acton Community Housing Corporation  
Management Plan  
Year 1 (1989)**

**The Year 1 (1989) Management Plan of the Acton Community Housing Corporation is based on the following major objective:**

**To assist the Town of Acton in achieving a number of deed-restricted affordable housing units that is equal to 5% of the Town's housing stock in 1995.**

**The Year 1 Management Plan includes ACHC tasks that will; lead to self-sufficiency over the long-term; foster development of affordable housing by private developers; service households needing affordable housing; and service the units currently being developed, and to be developed in future projects.**

**The Management Plan will be implemented:**

- **within the context of the affordable housing component of the Master Plan;**
- **consistent with the growth policy established by the Town;**
- **consistent with the results of the affordable housing study, and;**
- **with due consideration to the conservation of natural resources and the environment.**



**Acton Community Housing Corporation  
Management Plan  
Year 2 (1990) - Year 6 (1995)**

The long-term (Year 2 - 6) plan for 1990 through 1995 provides for the ACHC to: continue supporting affordable housing through the Year 1 tasks; implement tasks to foster its self-sufficiency; and evaluate, and possibly undertake, a more pro-active role in affordable housing development in order to meet the 5% goal by 1995. The five year plan for 1990 through 1995 is a working document, which can be revised and updated each year as the ACHC reviews its progress toward meeting the goal of 5% deed-restricted affordable housing in Acton. The plan will be updated, as needed, to ensure consistency with the Town's Master Plan. This plan is subject to approval of the Acton selectmen.

1. If necessary, continue work to obtain non-profit status for the ACHC.
2. Investigate and implement revenue generating functions for the ACHC.
3. Continue corporate fundraising. (In Year 2 to complete the drive for a \$100,000 permanent endowment by the end of 1990. After Year 2 for general support of ACHC's affordable housing goal).
4. Continue to coordinate the Comprehensive Permitting Process for HOP and other projects that include affordable housing units, in accordance with affordable housing guidelines approved by the selectmen and adopted by the ACHC.
5. Continue to work with other Town entities to update affordable housing target populations.
6. Continue to act to expedite the processing of private development proposals that include an affordable housing component.
7. Continue to educate the community about affordable housing needs, and about who affordable housing serves.



8. Continue to serve as an information clearinghouse for households seeking affordable housing in Acton.
9. Continue to review, approve and monitor marketing plans for affordable units.
10. Continue to maintain a list of households eligible for the affordable units and notify them when units become available in Acton and surrounding communities.
11. Continue to work with local banks to support affordable housing by offering favorable mortgage rates and closing costs.
12. Administer controls for preserving the affordability of units.
13. Continue to support zoning amendments that would encourage affordable housing development.
14. As needed, review and revise a governance structure to carry out the functions of the ACHC.
15. If necessary, follow procedures for the ACHC to receive any resale proceeds in the event that affordable units are sold at market rates because qualified moderate-income buyers are unavailable.
16. Administer an Acton Housing Fund if one is created.
17. Evaluate ACHC purchase of units built by a private developer, and rent or sell them as affordable housing units.
18. Evaluate ACHC purchase and development of property for affordable housing units, by sub-contracting to an experienced affordable housing developer - either a for-profit firm, or a non-profit organization.
19. Evaluate an ACHC role as a land broker - to purchase land, or receive land from the Town, and offer it free or at low cost to developers who will build with a high proportion of affordable units.

**Identification of Municipal Needs in the area of Community and Economic Development:**

Use the following chart to present specific municipal needs in the area of community and economic development which have been identified by departments, boards, commissions, and the community. Needs may be suggested by the information and/or plans, goals, and objectives provided on the previous page. We have provided a list of potential needs and a this form on pages 38 through 41 in order to facilitate local dialogue. It is not intended to include all the possibilities. For each need, complete other columns.

Information provided by : Roland Bartl, Town Planner

DESCRIBE THE NEED(S)	WHAT FACTORS CONTRIBUTE TO THE NEED(S)	POTENTIAL WAYS FOR MEETING THE NEED(S)
1. South Acton Village sewers	Area is in severe decline with spots of blighted conditions. Area contains 3 national historic resources. The principal cause is lack of adequate wastewater collection & treatment. Existing conditions pose a health hazard and prevent reinvestment.	build sewer - public or private.
2. Economic Development Plan	the Town has little information on the state of the local economy, and businesses or manufacturers providing employment. Unemployment is present, but remains largely a hidden problem. There exists no official policy or plan regarding economic health, growth and employment.	Hire an economic development consultant. Create an industrial and economic development commission.
3. Increase affordable housing stock	Average housing costs exceed the ability of median income households to purchase homes by a large margin.	Reevaluate existing local affordable housing incentives to ensure/improve their effectiveness. community Housing Corp.. should enter the field as developers of affordable housing.
4. Develop market study and economic development strategy for designated growth centers.	Growth centers have been designated in the 1990/91 Master Plan. Market analysis and economic development strategy are key elements of the specific area plans for these growth centers.	Hire expert consultants and establish growth center partnerships with business/industry.

July 29, 1993 Community Action Statement-Town of Acton

Information provided by: John Murray, Assistant Town Manager

DESCRIBE THE NEED(S)	WHAT FACTORS CONTRIBUTE TO THE NEED(S)	POTENTIAL WAYS FOR MEETING THE NEED(S)
1. Update the wastewater disposal system of the Town	a) 60% of the Town would not be in compliance with the proposed 1993 wastewater standards. b) 98% of drinking water is obtained from groundwater sources.	Sewer the Town.
2. Traffic mitigation	a) All of the major feeder roads are functioning approximately 25% over capacity. b) Rt. 2 as a divided highway bisects the Town into 2 distinct sections.	a) Full traffic study of the Town b) A local bus line serving the community c) Parallel local "service" roads to Rt. 2 d) Bury Rt. 2 or provide at the minimum 3 additional crossovers. e) Extend double commuter rail tracks to Rt. 495 and create a ;large regional parking facility. f) Upgrade bridges for truck traffic.
3. A lack of prime commercial area	Transportation system	Have the prison system deed prime commercial land to the Town for development (land along Rt. 2.)
4. Lack of corporate knowledge of Acton	No PR program	a) Fund a complete market analysis and subsequent marketing plan of action. b) Fund an economic development office.
5. Revitalize existing commercial centers of Acton.	Age of businesses	Provide below market rate loans to local business, in order to provide a face lift and parking.

Information provided by: Anne Forbes, chm. Historic Districts Commission

DESCRIBE THE NEED(S)	WHAT FACTORS CONTRIBUTE TO THE NEED(S)	POTENTIAL WAYS FOR MEETING THE NEED(S)
<p>Need to stabilize and retain historic character of Acton Center and the Village Centers of South &amp; West Acton.</p>	<p>-progressive loss of features contributing to the historic character of the areas through fire, demolition and incompatible architectural change.</p> <p>-deterioration of historic buildings due to economic conditions and unfavorable factors such as limited septic capacities limited parking (especially in South Acton District.)</p>	<p>Design review and certificate issuing process conducted by the Historic District Commission. [historic District Bylaw approved unanimously by special town meeting; 3 Districts began operation in June 1992.]</p> <p>-public education effort by HDC.</p> <p>-publish Design Guidelines for District property owners, both for public education and to streamline design review process.</p>
<p>South and West Acton: Need to retain and/or facilitate small business mix and pedestrian scale.</p>	<p>Both areas - inadequate parking</p> <p>South Acton - inadequate sewage facilities, under-utilization and deterioration of buildings and area character.</p>	<p>Both areas: develop off-street parking and flexible zoning</p> <p>South Acton: establish a South Acton Sewer District.</p>

Information provided by: Sandra Whaley, SARC

DESCRIBE THE NEED(S)	WHAT FACTORS CONTRIBUTE TO THE NEED(S)	POTENTIAL WAYS FOR MEETING THE NEED(S)
<p><b>1. Municipal sewers</b></p>	<p>Studied and presented in numerous reports, S.A. presents extremely poor conditions for on-site septic. These conditions are: high ground water, poor soils (moraine), small lot sizes in many cases and steep slopes.</p>	<p>Conventional sewerage with discharge at Maynard's treatment plant (needs to be upgraded now according to new requirements.)                      —or                      Package treatment plants with discharge into leaching beds or, if State will grant variance, into Fort Pond Brook.</p>
<p><b>Repair Railroad Bridge , redesign and signal intersections in village center and design for true pedestrian use throughout; joining areas east and west of Rt. 27.</b></p>	<p>All traffic outbound from Stow, Maynard and elsewhere heading to Rt. 2 must pass over this bridge (22,000 trips per day.) It is grossly under built (a wooden structure with plywood sides and badly rusting trusses.) On one side of the bridge are 3 roads converging, on the other there are 5 plus driveways. the bridge rises high over the tracks and doesn't meet state or federal guidelines for site line safety. It is clearly decrepit and dangerous.</p>	<p>Rebuild bridge at same time as redesign of intersections take place. this is critical! So far the State DPW and MBTA have behaved as if each live on different planets, however, in this instance where seven roads converge within several feet or over the tracks the interdepartment cooperation is critical.</p>
<p><b>Parking</b></p>	<p>S.A. village center grew up around a string of mill ponds and mills all in a row around a main thoroughfare which eventually the RR bisected and then a bridge was erected in the middle of it. The steep slopes and small lot sizes in the commercial area have contributed to a village layout nearly devoid of parking for non-MBTA use.</p>	<p>We have secured an essential parcel of land behind a critical building targeted as a lynch pin for successful revitalization of S.A. We now are in desperate need of funds to develop the lot to its intended potential.</p>

**July 29, 1993 Community Action Statement—Town of Acton**

<b>DESCRIBE THE NEED(S)</b>	<b>WHAT FACTORS CONTRIBUTE TO THE NEED(S)</b>	<b>POTENTIAL WAYS FOR MEETING THE NEED(S)</b>
<b>Seed money for businesses to develop property and business potential</b>	<b>The area (due in large measure to septic problems and restrictions on parking) has been "red-lined" by banks.</b>	<b>Whatever programs which will help delead buildings , assist in marketing study, seed money for public/private partnerships for restoration and job creation.</b>
<b>Park Planning</b>	<b>Fort Pond Brook is an unused waterway in desperate need of cleanup, (due to septic and dumping of trash, etc. over the years.) The several dams need repair and some dredging is probably in order for the stream to function, for recreation potential and contribute to the health of South Acton revitalization on a physical scale. There is also an unused R.R. bed that crosses the brook and would contribute to its recreational use. We have envisaged a plan that would take in potentially all of Fort Pond Brook in Acton for many passive and active uses.</b>	

Information provided by: Anita Dodson, chm. Historical Commission

DESCRIBE THE NEED(S)	WHAT FACTORS CONTRIBUTE TO THE NEED(S)	POTENTIAL WAYS FOR MEETING THE NEED(S)
1. Preserve farmlands as a resource & indicative of historic character of Town.	Owners can not afford to pay taxes on farmland	Use agricultural preservation zoning. Tax differently on farmland.
2. Preservation of those features which contribute to Acton's rural & historic character.	too much "out of character " building ex. strip malls.	Provide incentives to preserve & revitalize historic structures & places. ex. Exchange Hall.
3. Preserve natural & man-made features such as country roads, stone walls, historic buildings, woodlands, open fields	People live in Acton because of New England town character. This should not be lost.	Provide incentives for preservation of natural & man-made features.
4. Amend zoning regulations controlling signs in Historic Districts & elsewhere & reducing density in developments	People live in Acton because of New England town character. This should not be lost.	Explore zoning bonuses for historic preservation along with tax incentives.
5. Expand West Acton Village Historic District to include Central St. through old ice house. (Only one left in Eastern Mass.)	We will lose important historic buildings if not preserved.	Provide tax incentives for restoration.
6. Promote upgrading of South Acton Historic District	This area is currently depressed. Buildings need repair. Traffic problems and parking need to be addressed.	Provide tax incentives for restoration.

Information provided by: Naomi McManus, clerk, Acton Community Housing Corp.

DESCRIBE THE NEED(S)	WHAT FACTORS CONTRIBUTE TO THE NEED(S)	POTENTIAL WAYS FOR MEETING THE NEED(S)
<p>A need to create affordable housing opportunities for first time buyers- low to moderate income, town employees, residents renting and adult children of residents.</p>	<p>-housing trends in Acton are causing a transformation of the Town restricting residency to the economically advantaged. Many long time residents would not be able to afford their own homes if they were to buy them today. Their adult children are unable to afford any home in Acton.                      -Acton's escalating housing costs mean that many aspiring buyers, particularly entry level buyers and younger households find it increasingly difficult to purchase a market rate home or condo.                      -Often potential homebuyers lack knowledge of resources or the process involved in purchasing a house.</p>	<p>Select areas &amp; parcels in Town where density bonuses would be granted for construction of affordable housing. Work in cooperation with Planning board to require each development to construct a % of development to be set aside for affordable housing.                      -Identify &amp; secure Town and State owned property that are suitable for donation of affordable housing.                      -Linkage - monies to be given to ACHC Trust Fund to promote &amp; create affordable housing.                      -Real Estate Transfer Tax                      -Inclusionary Housing                      -Taxation policies extending property tax deferrals to low &amp; moderate income homeowners or provide exemption for owners who rent to low &amp; moderate income.</p>
<p>A need to create a % of barrier free housing for low to moderate income Town employees &amp; residents.</p>	<p>Housing that is currently being constructed does not provide for units to be handicapped accessible.</p>	<p>Require a % of handicapped accessible units in affordable housing developments.</p>
<p>A coordination &amp; management of grants especially Federal &amp; State grants which involve many different areas.</p>	<p>Due to the financial limitations of the ACHC there is no paid staff. The Board depends on their volunteer members that have limited amount of time &amp; energy.</p>	<p>CBDG monies to hire staff to coordinate the Town's housing efforts in encouraging affordable housing.</p>
<p>Need for education &amp; counseling for first time homebuyers, tenants, and landlords.</p>	<p>Often potential homebuyers lack knowledge of resources &amp; of the process involved in purchasing a home.</p>	

*Specific information on government operations in the area of human services*

Human Services (Check off those that apply) Information provided by: Naomi McManus, Exec. Director Acton Housing Authority; Carol Lake, director Council on Aging; Mary Ellen Mayo, RN, administrator Acton Public Health Nursing Service; Wanda Null, director Acton Memorial Library; Suzi Pomeroy, director West Acton Citizens Library

- Human services department Acton Housing Authority  
 Community center(s)

Please describe the types of human services the municipality provides including any citizen boards, commissions, or advocate groups appointed by the municipality (please add pages as needed):

Acton Housing Authority: see attached sheet- Mission Commission on Disability

Public Health Nursing Service:

- Nursery school & day care licensing  
Follow-up on communicable diseases in the community  
Public health clinics: well-child clinics, blood pressure & cholesterol screenings, lead screenings, immunizations including flu vaccination clinics.  
Medicare Certified Home Health Services - skilled nursing, physical, occupational & speech therapy, home health aide services.

West Acton Citizens Library - see attached sheet

- Youth Commission

Please describe the types of services provided. Please add pages as needed.

- Council on Aging  
 Senior Center

Please describe the types of services provided. Please add pages as needed.  
See attached page Acton Council on Aging

- Veterans Agent

Please describe the types of services provided. Please add pages as needed. Mostly referrals to other agencies such as Red Cross Service to Military Families or VA.

Please describe the non-profit agencies providing human or social services in the community. What services are provided? Please add pages as needed. Various halfway houses operated by State Dept.

Mental Health

- Concord Family Service, Inc. - counseling, support groups  
Widow Persons Service - individual support to recently widowed  
Elliot Mental Health - full mental health services  
Emerson Hospital - full medical facility, group support  
Minuteman Home Care, Inc. - wide gamut of State directives of services for elders.

Some municipalities/departments may have set short and long term goals and objectives, others may just have specific projects in place for the next several years. If your department has, please describe in general terms the goals, objectives, or plans the municipality has set for the next 3 years in the areas of community and economic development. Attach additional sheets if necessary. You will be asked to translate this information to specific needs on page 33. If no such goals, objectives, or plans are in place, leave this answer blank and complete page 33.

Acton Housing Authority's 5 year Plan (January 4, 1993)

Family Self-Sufficiency Program Coordinating Committee - Action Plan (October 1992)

Parent Aid Mentor Program

Acton Commission on Disabilities: see Needs Assessment Survey

Acton Public Health Nursing Service: see attached goals.

## Acton Commission on Disability

### General Information

**The population figure for any given population is 14%. As medical science advances, more infants are saved at birth often with mild to severe disabilities; more children and adults are also living with disabilities due to Accident and illness; more people are living longer with a higher chance of developing a disability. As this population increase, we must find ways for them to enter and enjoy the mainstream of life and end discrimination by removing attitudinal and architectural barriers.**

**See attached needs assessment information.**

## Acton Council on Aging

### Functions:

Home delivered meals

Door-to-door van transportation to three town geographical area

Telephone reassurance calls

Social and educational day bus trips out-of-town

Direct-mailed senior newsletter/9 issues a year

Speaker forum - informational, educational

Fuel assistance - forms/outreach for SMOC agency/ emergencies

Quarterly federal commodity food distribution

Day classes: exercise, art, quilting, bridge etc.

Medical insurance forms assistance

Income/property tax assistance

Informational and referral

Counseling of adult children

Assistance to low income population in non-age related programs

Participation in SHARE food distribution

Loans of medical equipment

Volunteer opportunities for senior citizens

Friendly visitor program

Management of senior center building & Windsor building for Town of  
Acton

Intergenerational program with local schools

Access Salvation Army outreach funds and local church emergency funds for  
needy individuals

Health clinics - blood pressure, hearing, eye, podiatry

Interaction with Community Supper, Inc. to access emergency food supply

Maintain volunteer pool to act as companions, emergency transportation

Working relationship with older scouts - Explorer Post 7, who supply  
manpower for moving elders and low income and do snow shoveling

Distribution of used furniture in the community - donations

Participation in agency case meetings for individuals at risk



Windsor Avenue  
P.O. Box 681  
Acton, Massachusetts 01720  
508/263-5339

TDD #- 1-800-545-1833 EXT.120

#### ACTON HOUSING AUTHORITY

Under the Massachusetts General Laws, Chapter 121 B, Section 3, Public Housing Authorities were created in 1969. The Town of Acton, at its Annual Town Meeting, March 30, 1970, approved the establishment of the Acton Housing Authority. The Authority is governed by a five (5) Member Board, with four members elected for five years and the fifth member appointed by the Governor, also for a five year term. The operation of the Authority is administered by the Executive Director and staff.

The Acton Housing Authority (AHA) has as its mission:

To ensure an adequate supply of safe and decent housing for low and moderate income individuals and families where they can live without substantial disturbance or interference by others and to provide such housing without discrimination as to race, sex, creed, religion, national origin or handicap.

In support of this mission and purpose, the AHA has the following responsibilities to the community:

- 1). To expand the supply of low income housing by effectively building and managing additional housing.
- 2). To take advantage of State and Federal programs to meet the low income housing needs of the community.
- 3). To serve as a source of information, an advocate and a conscience regarding housing and housing needs.
- 4). To advocate for and assist the tenants/residents of the AHA in achieving their independence.
- 5). To educate the community and the public concerning housing needs and issues and the role of the AHA in addressing them.

#### AHA'S HOUSING PROGRAMS:

- 1). Two Rental Assistance Programs:  
State Massachusetts Voucher Program 33 Certificates,  
Federal Section 8 Certificate Program 79 Certificates,  
12 additional Section 8 Certificates from other housing Authorities
- 2). In 1980 Acton developed a Pilot Program for the purchase of condominiums for family housing. Currently own 27 units in 9 condo associations.
- 3). Conventional Elderly Housing 91 units under Chapter 667 at two sites
- 4). Conventional Family Housing under Chapter 705 six (6) duplexes + the 27 condos=39 units for families
- 5). Developed Handicapped Housing for 12 clients under the Chapter 689 Program known as Eliot House.
- 6). Developed a Pilot Single Room Occupancy (SRO) Program currently housing up to eight handicapped clients in the community.
- 7). Instrumental in the development of Acton Community Housing Corporation- a non-profit corporation designated by the Selectmen to provide affordable housing for Town employees, adult children of residents and for First Time Homebuyers

#### SERVICES/RESOURCES DEVELOPED BY THE AHA

- 1). Developed a formal Agreement with the town of Boxboro to administer the Massachusetts's Rental Subsidy Program and the Federal Section 8 Program.
- 2). Developed and implemented a pilot Parent Program funded by the Executive Office of Communities and Development.
- 3). Developed and implemented a Parent Aide Program for up to ten (10) subsidized clients through a Service Contract with Concord Assabet Adolescent Services.
- 4). Instrumental in developing proactive programs to empower clients.
- 5). Developed a Cooperative Agreement with the Acton Visiting Nurses for consultation services relating to health issues for the elderly and families subsidized by the Authority.
- 6). Developed and implemented a monthly consultation service by the Department of Mental Health's and Eliot Community Human Services' administrative staff.
- 7). Provide on going affordable housing workshops in the community.
- 8). Developed and implemented a Section 8 Family Self Sufficiency Program with the assistance of a fifteen member Program Coordinating Committee representing various community resources and services.
- 9). Established effective collaboration with other town boards and organizations. (Selectmen, Conservation Commission, Planning Board, Fire and Police Departments, Council on Aging, Minuteman Homecare, local schools, Concord Family Service, Minuteman Tech., Habitat for Humanity International, Acton's Clergy Council, Concord Assabet Adolescent Services, CODE, Acton's Elderly Providers Group, Emerson Hospital, A/B Community Education, Widening Horizons, State Legislators)
- 10). Donations received from the Community enabled the Authority to offer summer camps/hips to children and classes at A/B Community Education for both parents and children.
- 11). Career Counseling and interview techniques are offered.
- 12). Offered A ten (10) week workshop on "Empowering Women" funded by the Acton/Boxboro Women's Club.
- 13). Area workshops run for the staff of eight (8) Local Housing authorities.
- 14). On March 18th a Legislator's Breakfast was held for the twelve Local Housing Authorities and their Legislators to come together and share mutual concerns.
- 15). The coordination of resources and advocacy for AHA clients in the community.

#### AHA RECEIVES FUNDS FROM:

- 1). Executive Office of Communities and Development
- 2). Housing & Urban Development
- 3). United Way of Acton/Boxboro
- 4). Acton/Boxboro Junior Women's Club
- 5). Digital Corporation
- 6). NEC Technology
- 7). Middlesex Bank
- 8). Rotary Club
- 9). Lions Club
- 10). Acton/Boxboro Girl Scouts
- 11). Acton Children's Museum
- 12). Local Church Organizations
- 13). Jenks Fund (administered by the Selectmen)
- 14). Acton/Boxboro Community Education

## **Acton Public Health Nursing Service**

**Goal: Increase utilization of services offered by APHNS.**

**Objective: Increase visibility of the Nursing Service in the Community.**

**Objective: Establish an ongoing formal relationship school nurses to enhance public health education & services to school age children.**

**Objective: Expand the role of public health nursing in providing services to seniors.**

**Objective: Increase referrals to the home care component of the agency.**

**Objective: Provide clinics and teaching as dictated by community needs.**

**Objective: Take a leadership role in the identification of public health community needs.**

**Objective: Establish a formal relationship with the single mother coordinator to determine need for public health nursing services.**

## Acton Commission on Disability

### General Information

The population figure for any given population is 14%. As medical science advances, more infants are saved at birth often with mild to severe disabilities; more children and adults are also living with disabilities due to Accident and illness; more people are living longer with a higher chance of developing a disability. As this population increase, we must find ways for them to enter and enjoy the mainstream of life and end discrimination by removing attitudinal and architectural barriers.

See attached needs assessment information.

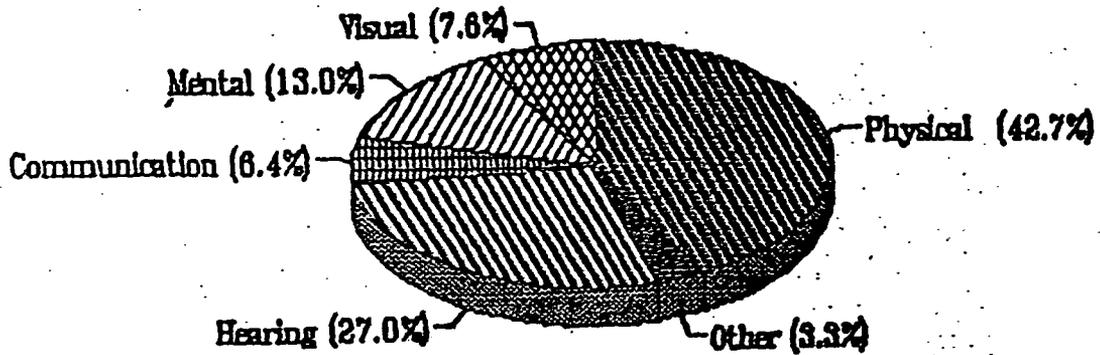
## Acton Council on Aging

### Functions:

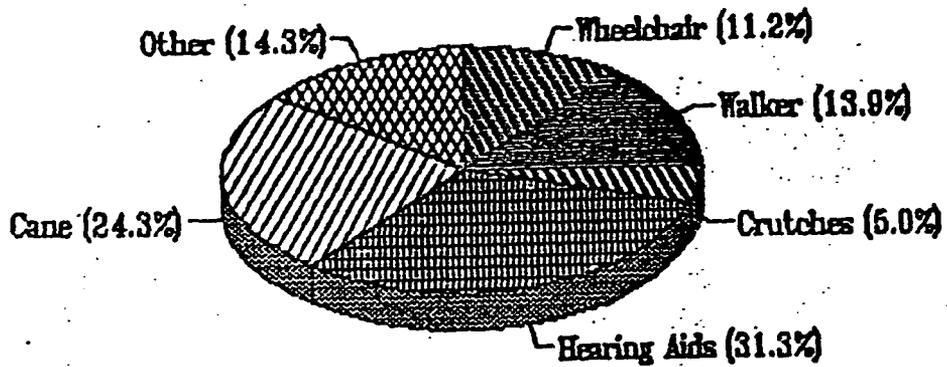
Home delivered meals  
Door -to-door van transportation to three town geographical area  
Telephone reassurance calls  
Social and educational day bus trips out-of-town  
Direct-mailed senior newsletter/9 issues a year  
Speaker forum – informational, educational  
Fuel assistance - forms/outreach for SMOC agency/ emergencies  
Quarterly federal commodity food distribution  
Day classes: exercise, art, quilting, bridge etc.  
Medical insurance forms assistance  
Income/property tax assistance  
Informational and referral  
Counseling of adult children  
Assistance to low income population in non-age related programs  
Participation in SHARE food distribution  
Loans of medical equipment  
Volunteer opportunities for senior citizens  
Friendly visitor program  
Management of senior center building & Windsor building for Town of  
Acton  
Intergenerational program with local schools  
Access Salvation Army outreach funds and local church emergency funds for  
needy individuals  
Health clinics – blood pressure, hearing, eye, podiatry  
Interaction with Community Supper, Inc. to access emergency food supply  
Maintain volunteer pool to act as companions, emergency transportation  
Working relationship with older scouts – Explorer Post 7, who supply  
manpower for moving elders and low income and do snow shoveling  
Distribution of used furniture in the community - donations  
Participation in agency case meetings for individuals at risk

NEEDS ASSESSMENT SURVEY  
GRAPHIC SUMMARY

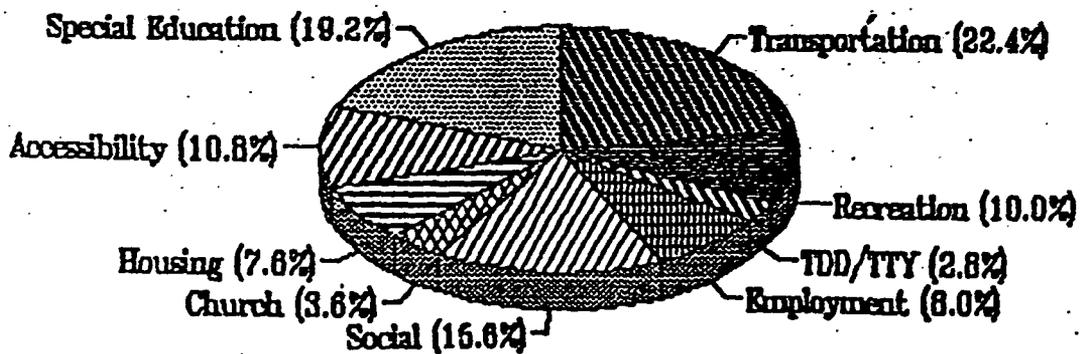
Disabilities



Aids



Needs



## NEEDS ASSESSMENT SURVEY

### PLAN OF ACTION

The data collected in this survey leads the Acton Commission on Disability to recommend that:

- \* The Commission continue to advocate for the needs of people with disabilities.
- \* The Commission continue to assist the Town and area businesses in facilitating changes required by the Americans with Disabilities Act (ADA) and other statutes by offering training programs and consultation services.
- \* The Town of Acton should publish its transition plan for compliance with the ADA in accordance with regulatory statutes.
- \* That the Needs Assessment Survey be revised to elicit more precise and useful information.

\*\*\*\*\*

The Acton Commission on Disability thanks all those who took the time to fill in the survey and to write comments.

Special thanks to Charles Mayo for creating data entry and analysis software.

#### MEMBERS OF THE ACTON COMMISSION ON DISABILITY

Walter Kiver, Chairman  
Louis Beauregard  
Joan Burrows, Associate Member  
Wayne Geehan  
Cary Hobson

Connie Sue Ingram  
Edward Kelly  
Carol Lake, Town Liaison  
Mary Ellen Mayo

## NEEDS ASSESSMENT SURVEY

### SUMMARY OF COMMENTS

Several comments described problems with handicap parking spaces. Problems included inappropriate placement and unavailability in some apartment complexes.

Accessibility was cited as a problem in several business areas including the Acton Plaza and West Acton Village.

The lack of sidewalks in Acton was identified as a problem by a number of respondents.

Several comments were made on telephone problems especially the lack of volume controls on public phones.

The Acton Nursing Service and the Civil Defense were commended for their good work.

One respondent recommended that the Commission initiate a campaign to have businesses do a better job of cleaning snow and ice off their sidewalks. Such a program would help people with disabilities and might help to prevent the occurrence of accidents resulting in disabilities.

### **West Acton Citizen's Library**

- 1. Provide usual library services: books, magazines, audio & visual tapes to patrons.**
- 2. Deliver books to Suburban Manor Nursing Home, Windsor Green Senior Citizen residence and homebound. Advertise this service through the Council on Aging.**
- 3. Obtain foreign language books for recent emigrants.**
- 4. Provide summer story time for pre-schoolers.**
- 5. Provide an informal area that serves as a community center for All age groups. Library is ;located within walking distance fro senior citizens in the area. Library is between Windsor Green and location senior citizens lunch program. within walking distance of two elementary schools.**
- 6. Encourage group visits for school age and pre-schools.**
- 7. Provide volunteer opportunities for All age groups. Presently we have volunteers aged 9 to 83.**

**Identification of Municipal Needs in the area of Human Services Delivery:**

Use the following chart to present specific municipal needs in the area of delivery of human services which have been identified by departments, boards, commissions, and authorities in the community. Needs may be suggested by the information and/or plans, goals, and objectives provided on the previous page. We have provided a list of potential needs and a completed sample of this form on pages 38 through 41 in order to facilitate local dialogue. It is not intended to include all the possibilities. For each need, complete other columns.

**Information provided by: Acton Commission on Disability**

DESCRIBE THE NEED(S)	WHAT FACTORS CONTRIBUTE TO THE NEED(S)	POTENTIAL WAYS FOR MEETING THE NEED(S)
Access to all business, medical facilities, town buildings etc.	A need to end discriminations for individuals with disabilities. There are many places one cannot enter move around or conduct business.	Provide money to run sensitivity seminars to increase understanding and knowledge of the Americans with disabilities Act (ADA), and consulting services to help eliminate architectural barriers.
Transportation for evening and weekends for individuals with disabilities to reduce isolation and depression by offering transportation to social and recreational activities.	An increased need especially ages 30 to 60 years who desperately need socialization. With institutions closing more people are in need.	Money is need to purchase a modified van, pay a driver, insurance and upkeep.
Curb cuts to all sidewalks for individuals using wheelchairs, and other aids for mobility.	No curb cuts in many areas. curb cuts in need of repair or updating to meet regulations (State & Federal) including slope and drainage, to allow people with disabilities to use sidewalks.	Money need to put in curb cuts where need. A priority list made up with Town Depts. and Commission.
Sidewalks need repair or replacement to meet State & Federal regulations so smooth & safe for individuals with disabilities, both physical & blind or sight impaired.	Sidewalks in disrepair some not wide enough, some need proper drainage to meet regulations & allow people with disabilities to use all the sidewalks in Town for business and for pleasure.	As above.
Recreational facilities, parks, playgrounds, pools, etc., accessible for all individuals with disabilities.	Need to be accessible for children, adults, families.	Money to assure access in all recreation areas.

Information provided by: Mary Ellen Mayo, RN - Acton Public Health Nursing Service

DESCRIBE THE NEED(S)	WHAT FACTORS CONTRIBUTE TO THE NEED(S)	POTENTIAL WAYS FOR MEETING THE NEED(S)
<p><b>Increased utilization of public health nursing services by residents of Acton.</b>                      (Few residents of the Town are aware of the presence of the Nursing Service, fewer still are aware of the range of services available.)</p>	<p><b>Lack of knowledge of service/availability among Town residents.</b></p> <p><b>Separation between public health nursing and school nurses who report to the school system.</b></p> <p><b>Unemployment in area can lead to people losing health insurance and not seeking services because of cost.</b></p> <p><b>Perception that Acton is an affluent community whose health needs are met by private practitioners.</b></p>	<p><b>1. Perform a public health needs assessment by establishing ongoing relationships with:</b>                      Council on Aging Director                      Director of Housing                      Single Mother Coordinator                      School Nurses                      Town Physicians in private practice                      Community Supper Director</p> <p><b>2. Market available services to appropriate sources:</b>                      Emerson Hospital                      Lahey Clinic                      Town Residents</p> <p><b>3. Provide services to meet needs identified in #1 above.</b></p>

Information provided by: Carol Lake, director Council on Aging.

DESCRIBE THE NEED(S)	WHAT FACTORS CONTRIBUTE TO THE NEED(S)	POTENTIAL WAYS FOR MEETING THE NEED(S)
Develop new senior center as community focal point.	Older citizens, their children, handicapped, have very scattered sites for services, information.	Fund/train new/old staff for center development.
Current town funded senior/handicapped van transport does not cover Boston area for medical appointments.	Requests from seniors over a period of time indicates need for this area transportation.	Fund through LRTA for on demand rides or once-a week system. Modest fee for service.
Develop safe walking paths on conservation land abutting senior center.	Low impact exercise is a proven health benefit for all ages. Group support to exercise.	Fund trail clearance and leveling, benches along route, develop volunteer pool for upkeep.
Develop new senior center as emergency center for town-wide use.	Natural events-winds and snow/ice- have created power outages of some length in cold temperatures. Threats to older persons.	Fund emergency cots, some medical supplies, gas fired generator, utilized all accessible center building with large capacity, develop volunteer pool.
expand current limited intergenerational program with use of senior volunteers in schools.	Personnel cutbacks in schools could be covered by more one-on-one use of senior citizens in tutoring, class participation.	Expand current staff job descriptions COA/school to focus on senior volunteer recruitment and placement.
Action 122 Town Park Section 5, Recreation Master Plan	No current recreation outdoor with facilities center place.	As Master plan action.

Information provided by: Naomi McManus, director Acton Housing Authority

DESCRIBE THE NEED(S)	WHAT FACTORS CONTRIBUTE TO THE NEED(S)	POTENTIAL WAYS FOR MEETING THE NEED(S)
<p>A full-time Case Manager to coordinate our family Self Sufficiency Program and the Parenting Program.</p>	<p>—The need to break the poverty cycle. our clients lack the knowledge of the normal life skills.                      —Many of our clients education needs should be addressed.                      —Clients need to be empowered.                      —Education on drugs and alcohol dependency.</p>	<p>Many communities fund the Case Manager position by writing a CDBG grant.                      Case Manager would provide counseling and referral service for:                      1)Career, education, &amp; job training.                      2)Coordinate Life Skill Course.                      3)Deal with clients in emergency situations with referrals to agencies for long term counseling.</p>
<p>Coordination &amp; management of grants, especially Federal &amp; State grants, which involve many different areas.</p>	<p>Our limited financial resources make hiring a grant writer impossible.</p>	<p>Private or public funding for grant writer for town.</p>
<p>Day Care</p>	<p>contributes to Poverty Cycle</p>	<p>Private or public funding linked to family self-sufficiency</p>
<p>A need for career &amp; job counseling</p>	<p>AHA's limited financial resources.</p>	<p>Private funding to pay for referral.</p>
<p>Staff's understanding of poverty cycle</p>	<p>Bureaucracy adds to continuance of cycle</p>	<p>Private &amp; public funds for education.</p>
<p>Need for additional family housing</p>	<p>Lack of sufficient housing places for families in need at risk.</p>	<p>Possible private funding i.e. linkage Inclusionary zoning.</p>
<p>Maintenance need to refurbish public housing i.e. painting</p>	<p>Lack of funds to preventive maintenance needs.</p>	<p>—Public monies through grant writing                      —Identify Town &amp; State owned properties that are suitable for donations towards the development of affordable housing.                      —Direct the focus of housing initiatives to provide housing for elderly, handicapped, young families, &amp; low &amp; moderate income residents in Acton.                      —Adopt tax abatement policy for owners who rent to eligible low &amp; moderate income elderly &amp; families.                      —Establish community land trust and/housing trust to provide housing to elderly, handicapped, and families of low &amp; moderate income.</p>

DESCRIBE THE NEED(S)	WHAT FACTORS CONTRIBUTE TO THE NEED(S)	POTENTIAL WAYS FOR MEETING THE NEED(S)
<p>Separate space for story hour and children's programming</p> <p>Insufficient work space for staff</p> <p>Books cannot be reshelved when returned due to lack of space</p>	<p>Increased preschool population Location of new preschool playground adjacent to library will increase demand for services for preschoolers.</p> <p>Staff has increased since 1967 addition was planned (to include an Ass't. Director, Reference Librarian, Cataloger) Automation (completed in 1989) requires space for terminals, lasers, printers and other equipment Increased circulation (130%) since 1967 requires more space for materials management (mending, reserve materials waiting to be picked up, sorting returned materials for shelving, etc)</p> <p>1967 addition to original library was designed to accommodate 40,000 books. Library has 62,000+ books and 3,000+ non-print items. Additional shelving can be added only at the expense of public seating. Aisles between bookcases must conform to ADA requirements for wheelchair accessibility.</p>	<p>Redesign interior library space to create story hour/programming area which does NOT restrict access to usage of the library's book collection</p> <p>Offsite relocation of staff would reduce efficiency Enclose patios as proposed in 1988 would create potential office space Construct a small addition on north side of building to increase existing office area.</p> <p>Compact shelving is not practical for public libraries not having closed stacks.</p> <p>Increase the size of the building to provide space for 80,000 volumes and 6,000 non-print resources.</p>

ML

DESCRIBE THE NEED(S)	WHAT FACTORS CONTRIBUTE TO THE NEED(S)	POTENTIAL WAYS FOR MEETING THE NEED(S)
<p>Inadequate public seating of all types</p> <p>Residents express a need for a place to casually meet their neighbors.</p> <p>Programming for residents 60+ years of age.</p>	<p>Library was designed to meet the needs of a community of 10,000 people. Population of Acton is now 18,000+; in FY92 160,000 people came to the library. Reduced hours due to budget cuts has intensified use of the library when it is open.</p> <p>Large numbers of adult students needing quiet study space compete with junior high and high school students for table space.</p> <p>Lack of Central shopping area. Climate precludes year-round use outside facilities. Limited number of destinations for walkers/bicyclists coupled with high volume of traffic on major roads.</p> <p>Community groups/Town boards and committees need additional meeting space.</p> <p>Private playgroups frequently meet at the library in the picture book room and monopolize that area in the library.</p> <p>Population of this age groups has increased 37% since 1980. Increased requests for large print materials and books on tape.</p>	<p>Expand the library to accommodate more individual study carrels, enclosed areas of ESL tutoring.</p> <p>Enclose equipment (terminals/printers, microfilm readers, copy machines, CD Rom workstations) to minimize disturbances to students.</p> <p>Incorporate a community area into expansion of the library.</p> <p>Outreach librarian to develop programs (day-time book discussion groups, library instruction etc) for this age group.</p> <p>Work with Council on Aging to further establish the Memorial Library as citizens' gateway to information.</p>

*Community Action Strategy: This is a summary of the table of organization, specific information, and identification of needs sections. Please complete those sections first and then develop the strategy. Use this section to list the 3 to 5 greatest needs which the community faces. The needs should be drawn from the information compiled in the earlier sections. Describe the methods and resources the community expects to use to address those needs. The discussion may include identification of resources within the community or external to it which could be considered to help address the needs. When the community anticipates applying to EOCD for grant funds, this strategy must specify that approach. The strategy should include short and longer term considerations. Large needs could be addressed by a strategy phased over 1 to 3 years. Add additional sheets if necessary.*

**Need I: There is a long term need for an overall Town-wide economic development plan. The plan would require the hiring of consultants to compile the necessary data on employment, business and manufacturing in the Town. Currently the Town has no such data available. EOCD funding for this study is a possibility.**

**In the short term the existing commercial areas of South Acton, West Acton and Kelly's Corner need to be revitalized. The Town currently has an on-going community planning effort underway developing plans for West and South Acton. EOCD funding would be a possible source for a portion of the funds required to help implement some of the needed improvements to revitalize these two areas.**

**The major limiting factor in the existing area of South Acton is wastewater treatment (see Need II).**

**In the short term, Kelly's Corner is the next existing area to be addressed in the planning effort. In this case a request for grant funds both for the planning and implementation stages are possible.**

**The long term need is to begin planning the development of East Acton and North Acton Villages. This would require funding from EOCD for experts in economic and commercial development planning to assure the long term viability of the areas.**

**Need II: In both the long and short term the Town is in need of infrastructure improvements and this need is an integral part of Need I, and would need to be addressed simultaneously. The Town has existing conditions relative to wastewater treatment that have hampered economic and commercial viability in the old existing section of South Acton, causing this area to decline. In South and West Acton parking has been a limiting factor to commercial activity. The existing need for wastewater treatment in Kelly's Corner is a limiting factor to secure its future economic viability.**

**The South Acton Area is most critical at this time both because of the state of decline and the current opportunity that exists to solve a portion of the problem in the core area through the use of a private development's on-site wastewater treatment capacity, including the donation of funds toward the total cost. EOCD would be looked to, for possible funding in this effort.**

**Parking in this area is the other immediate need to make any commercial revitalization possible. A parcel of land has been made available for use by the Town, funds will be needed to construct it. This would be part of a possible EOCD grant package.**

**In the short term the Town's older roads are badly in need of rebuilding, and the Town's sidewalks need to be rebuilt to meet ADA standards. A number of the major intersections need safety and design improvements.**

**In the long term the Town needs to develop an Impact Fee bylaw to insure that all future projects provide a means to address the incremental infrastructure needs that they require in a fair and equitable manner. This would be part of a EOCD grant application.**

**Need III: An integrated Town-wide computer system is a short term need to facilitate the long term needs of the community in all areas. The financial management needs updated computerization for better tracking. Part of this is the creation of a pilot program allowing a municipality to keep only a GAAP set of books. EOCD funding would be sought.**

**A GIS system is needed to tie all the land based data into one single format for use by planning, engineering, assessing, health department; and for the parcel by parcel tracking of hazardous materials use and storage. This requires the hiring of a qualified assistant to convert existing maps to the GIS format and update the database. This could possibly be part of an EOCD grant package.**

**Need IV: Accessibility is a major need in the community, as identified by the Needs Assessment Survey of the Commission on Disabilities. A wide range of specific problems exist, from sidewalks to access to commercial areas, recreation and transportation, including increased accessibility to library facilities among other areas. As well as the need for barrier-free housing.**

**The enactment of the Americans with Disabilities Act (ADA) makes this a major high priority need. An EOCD grant proposal would include addressing these issues.**

**Need V: The Town needs to expand its social service programs. Short term needs include expanded van transportation to allow more mobility for the elderly and for those with disabilities; both for work and social opportunities. Including van trips to Boston for medical appointments, as well as expanded weekend hours to allow more socialization.**

**The Town is currently setting up a new Senior Center. A portion of that needs to be established as an emergency shelter for town-wide use. Currently the Town has no such shelter and wind/winter storms frequently cause power outages adversely affecting the elderly and disabled.**

**The new Senior Center is adjacent to Conservation land and safe walking trails are needed to provide alternative forms of recreation to the clientele.**

**The other need is for a full-time case manager for the Family Self-Sufficiency Program which has been established under the Acton Housing Authority.**

**All of the above needs would potentially be part of an EOCD grant package.**

TOWN OF ACTON

9/1/93

INTER-DEPARTMENTAL COMMUNICATION

DATE : 22 July 1993  
TO : Board of Selectmen  
FROM : Volunteer Coordinating Committee  
SUBJECT : Recommendations for Appointments

At its meeting on 19 July 1993, the VCC made the following recommendations for your consideration:

VAILLANCOURT, R. Peter to become a Full Member of the Board of Health filling the unexpired term resulting from the resignation James Barbato. His term would expire on 6/30/94. This is supported by the Board of Health.

PATTON, Cindy A. to be Associate Member of the Board of Health for a one-year term expiring on 6/30/98 if the above action is favorably acted on. While we gave consideration to Cindy being recommended for the Commission on Disability, we concluded that her training and experience would equally be valuable to the Board of Health.

McELROY, Linda S. to be moved up from Associate Member to Full Member of the Conservation Commission for a three-year term expiring 30 June 1996. This action has the support of the Conservation Commission.

PARKER, James L. to be a Member of the Council on Aging for a one-year term expiring on 6/30/94. He has extensive training and experience in the problems of the elderly and can provide expertise in Medicare and Medicaid.

CONN, Angelene L. to be a member of the Council on Aging for a one-year term expiring 6/30/94. While only a relatively recent resident of Acton, she is anxious to become involved in Town activities and feels she can make a contribution to the Council.

HARTUNG, Kay B. to be a Member of the Acton/Boxborough Arts Council for a two-year term expiring 6/30/95. She has attended meetings of the Council and was active for some six years on the Somerville Arts Council.

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: 2-11-92

Mr / Mrs Ms / Dr VAILLANCOURT ROLAND PETER Last Name First Name Middle Initial

17 WOODBURY LA 263-8231 365-1400 x 424 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) BOARD OF HEALTH 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):

FRIENDS OF MUSIC (A-B HS BAND)

Do you have any time restrictions? PM ONLY

How long have you lived in Acton? 20 YRS in Massachusetts? 50 YRS

Are you a US citizen? YES

Present occupation and employer (optional - attach resume)

NURSE ANESTHETIST - CONCORD ANESTHESIA ASSOC

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 REGISTERED NURSE

CERTIFIED REGISTERED NURSE ANESTHETIST

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:

As well as been in health care for over  
twenty years. My family has also been  
involved in the food service industry for many years.

TOWN OF ACTON VOLUNTEER BOARDS, COMMITTEES, AND COMMISSIONS

Acton-Boxborough Arts Council  
 Aging, Council on  
 Appeals, Board of  
 Assessors, Board of  
 Audit Monitoring Committee  
 Cemetery Commissioners  
 Conservation Commission  
 Fair Housing Committee  
 Finance Committee  
 Handicapped Commission  
 Hanscom Field Advisory Commission  
 Health, Board of  
 Historical Commission  
 Historic District Commission

Investment Advisory Committee  
 Metropolitan Advisory Planning Council  
 Minuteman Home Care  
 Minuteman Vocational School Representative  
 Planning Board  
 Planning Council  
 Prison Advisory Committee  
 Public Ceremonies & Celebrations Committee  
 Recreation Commission  
 South Acton Revitalization Committee  
 Town Report Committee  
 Transportation Advisory 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 use by the Volunteer Coordinating Committee and the appointing body to record the status of your application.

VCC INTERVIEW

Applicant called: date/by \_\_\_\_\_

Scheduled date / time \_\_\_\_\_

VCC RECOMMENDATION: date 7/19/93

Board(s) BCH (Member / Alt / Assoc  
 (up from exp 6/30/94)  
 \_\_\_\_\_ Member / Alt / Assoc  
 \_\_\_\_\_ Member / Alt / Assoc

Date VCC recommendation sent to

(BOS) / TMgr / TMod 7/22/93

[ ] No openings at this time >>>>----->

APPOINTING BODY: BOS / TMgr / TMod

Interview date \_\_\_\_\_

Appointed: Date \_\_\_\_\_

to: Board \_\_\_\_\_

Term \_\_\_\_\_

NOTIFICATION OF APPOINTMENT

Date received by VCC \_\_\_\_\_

Notification by the VCC :

Date committee notified \_\_\_\_\_

Date applicant notified \_\_\_\_\_

Vaillancourt 9/7  
#7  
9/9/93

TOWN OF ACTON  
INTERDEPARTMENTAL COMMUNICATION

DATE: August 31, 1993

TO: Don P. Johnson, Town Manager  
FROM: Garry Rhodes, Building Commissioner *GAR*  
SUBJECT: 35 Main Street Map I-2 parcel 22-1

You have questioned the parking of vehicles at 35 Main Street. As you have indicated vehicles have been parked there for several months.

The property in question belongs to Roland and Katherine Vaillancourt. The vehicles belong to the Saab dealership located at 30 Main Street.

Mr. Vaillancourt in the past has approached me about using his property for vehicle storage for the Saab dealership. I informed him that the property is zoned residential and such use would be illegal.

Against my warning he recently allowed the Saab dealership to park vehicles on the property. I have spoken with Saab and they informed me that they would be removing them as soon as the new parking lot is completed.

It takes months and possible years to resolve a zoning violation if the violator does not cooperate. Mr. Vaillancourt is aware that he is illegally using the property. Since I have been told that these vehicles would be removed in the not to distant future, I have chosen to forgo the enforcement until I see if they are indeed removed at the completion of the construction. It would be a needless legal expense to pursue this at this time.

TOWN OF ACTON

8  
9/7/93

INTER-DEPARTMENTAL COMMUNICATION

DATE : 19 May 1993  
TO : Board of Selectmen  
FROM : Volunteer Coordinating Committee  
SUBJECT : Recommendation for Appointments

At its meeting of March 8, 1993, the VCC voted to recommend Marilyn M. WOLFSON to full member of the Ft. Devens Second Airport Task Force upon verification of the resignation of Fred Rudolph. Having received this confirmation, we so recommend Dr. Wolfson's appointment from Associate to Member, term expiring upon disbanding of the Task Force.

At its meeting of May 17, 1993, the VCC voted to recommend Stephen K. CROCKETT to be appointed Member Board of Appeals. He will replace Matt Mleziva whose term expires 6/30/93. Stephen will serve a three-year term expiring 6/30/96.

At the same meeting, the VCC voted to recommend two candidates for consideration to the one Alternate opening being created by the appointment of Crockett to member. We recommend Nicholas P. MILLER or Peter J. BERRY to this opening. for a three-year term expiring 6/30/96. Both candidates are well qualified. MILLER is an engineer with extensive experience with noise control and dealing with parties in conflict. BERRY is an attorney and has extensive experience in public housing and permit procedures.

At the same meeting, the VCC voted to recommend Richard M. CROSWELL to Associate Member to the Planning Board for a one-year term expiring 6/30/94. Mr. Croswell is a structural engineer. He has been encouraged to apply by Trey Shupert, a current member, who has pointed out the time committment which did not deter Mr. Croswell.

picked April 16 1993

### 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: 21 March 1993

Mr / Mrs  
 Ms / Dr

Miller  
Last Name

Nicholas  
First Name

P.  
Middle Initial

30 Taylor Rd.  
Street Address

263 4251  
Home Phone

(617) 863-1401  
Business Phone

Please refer to the chart on the back of this form for the order of preference for Board, Committee, or Commission within a category to you.

- 1) Board of Appeals
- 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 (approximate).

None

Do you have any time restrictions? Week days 7 am to 6 pm

How long have you lived in Acton? 20 years in Massachusetts

Are you a US citizen?

Present occupation and employer (optional - include address if necessary)

Harris Milk Milkhouse, Hanson, Duxbury, MA

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 My profession involves working with the public to seek solutions to noise problems. This work requires both fact finding and working both with those who create the noise and those affected by it - attempting to understand both perspectives and to describe likely results of mitigation actions.

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 interested in the problems of balancing development needs with residential life style and quality of life. The Board of Appeals, which is to act on appeals from Building Commissioner decisions, applications for special permits and petitions for variances from the zoning by law, seems to be a focus for resolution of these types of problems of balance. I would like to contribute to making Acton a community that pursues with some determination the balance the citizens desire - as expressed in the Master Plan.

TOWN OF ACTON VOLUNTEER BOARDS, COMMITTEES, AND COMMISSIONS

- Acton-Boxborough Arts Council
- Aging, Council on
- Appeals, Board of
- Assessors, Board of
- Audit, Monitor, or Committee
- Cemetery Commission
- Conservation Commission
- Fair Housing Committee
- Finance Committee
- Handicapped Commission
- Hanscom Field Advisory Commission
- Health, Board of
- Historical Commission
- Historic District Commission
- Investment Advisory Committee
- Metropolitan Advisory Planning Council
- Minuteman Home Care
- Minuteman Vocational School Representative
- Planning Board
- Planning Council
- Police Advisory Committee
- Public Hearing on the Metropolitan Planning Council
- Recruitment Commission
- South Acton Revitalization Committee
- Town Report Committee
- Transportation Advisory 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 use by the Volunteer Coordinating Committee and the appointing body to record the status of your application.

VCC INTERVIEW

APPOINTING BODY: BOS / THgr / THod

applicant called: date/by 5/26/96

Interview date

scheduled date/by 5/26/96

Appointed: date

VCC RECOMMENDATION: BOS / THgr / THod

Board(s) BOS / THgr / THod

Member / Alt / Assoo

3/19/96

Member / Alt / Assoo

Member / Alt / Assoo

NOTIFICATION OF APPOINTMENT

Date received by VCC

Date VCC recommendation sent to

Date appointee & committee notified

BOS / THgr / THod

5/19/96

by VCC

# HARRIS MILLER MILLER & HANSON INC.

429 Marrett Road  
Lexington, Mass. 02173  
Tel. (617) 863-1401  
Fax (617) 861-8188

**NICHOLAS P. MILLER - President**

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## EDUCATION

M. S. (Mechanical Engineering), University of North Dakota, 1974  
The School of Advanced International Studies, Washington, D.C., 1967-1969  
Massachusetts Institute of Technology, 1966-1967  
B. E. S. (Mechanics), The Johns Hopkins University, 1966

## PROFESSIONAL EXPERIENCE



1989 to Present	Harris Miller Miller & Hanson Inc., President
1981 to 1989	Harris Miller Miller & Hanson Inc., Vice President
1973 to 1981	Bolt Beranek and Newman Inc., Consultant and member Senior Technical Staff
1969 to 1973	U. S. Air Force, ICBM Missile Launch Officer
Summer 1968	Atlantic Research Corp., VA, Machinery Design Engineer
Summer 1967	Westinghouse Research, Pittsburgh, Heat Transfer Design Engineer
Winter 1966	Massachusetts Institute of Technology, Research Assistant in Pulsatile Fluid Dynamics
Summer 1965	Sulzer Brothers, Switzerland, Machine Shop Apprentice
Summer 1964	The John Hopkins University, Laboratory Assistant in Experimental Acoustics

## PROFESSIONAL AFFILIATIONS

Member, Acoustical Society of America  
Affiliate, Institute of Noise Control Engineering  
Member, Pi Tau Sigma, Tau Beta Pi, Delta Phi Alpha

## PROFESSIONAL RESPONSIBILITIES

A co-founder and Chief Executive Officer of the firm, Mr. Miller is also responsible for project management of consulting services in airport-related noise studies, staff recruiting and development.

Mr. Miller is actively involved with computation, measurement, assessment and control of aircraft operations noise. He has been project manager for a wide variety of aviation noise related projects, including FAR Part 150 studies in Portland (ME) and Baltimore (MD), many noise/land use compatibility studies under the U.S. Navy's AICUZ (Air Installations Compatible Use Zones) program, development and validation of computer noise prediction models for the Federal Aviation Administration and noise studies associated with environmental assessments and impact statements.

He has been extensively involved in the use of noise measurements and radar data for development of noise exposure contours for airports in Denver, Salt Lake, Baltimore, Portland (ME), Fort Lauderdale, and Naval facilities in San Diego, Santa Ana, Whidbey Island (WA), and Key West. Mr. Miller has overseen field verification of aircraft noise data used in the U.S. Air Force program NOISEMAP, and testing of algorithms used in the Federal Aviation Administration's program the Integrated Noise Model, INM. His work has also included preparation of training courses for noise officers at airports and for noise law enforcement personnel. He regularly prepares presentations for public meetings and workshops to explain noise, its assessment and control.

Mr. Miller's experience has also included development of noise control regulations, noise barrier design, assessment of aircraft ground operations noise, and measurement and analysis of diverse sources of noise. He has helped develop and assess noise control laws for the U.S. EPA, the Federal Highway Administration, the State of Maryland, and the New Jersey Turnpike.

# HARRIS MILLER MILLER & HANSON INC.

**NICHOLAS P. MILLER - President**

page 2

## REPRESENTATIVE PROJECTS

Project Manager for Comprehensive Acoustical Services, Baltimore Washington International Airport, Including:

Part 150 Study and Update of Noise Zone and Noise Abatement Plan.  
Master Plan Noise Analysis.  
Noise Abatement Office Management Plan.  
Development and Presentation of Training Course in Fundamentals of Acoustics and Noise Measurement Procedures.  
NOISEMAP Conversion to VAX 780.  
Aircraft Sideline Noise Measurement Program / Noise Model Selection.  
Expert Testimony in Litigation.



Project Manager and Principal Investigator for Naval Facilities Aircraft Noise Studies:

Adak, Alaska	Naples, Italy
Alameda, California	New Orleans, Louisiana
Brunswick, Maine	Norfolk, Virginia
Chase Field, Texas	North Island, California
El Toro, California	Patuxent River, Maryland
Imperial Beach, California	Pensacola, Florida
Key West, Florida	Roosevelt Roads, Puerto Rico
Miramar, California	Whidbey Island, Washington
	Whiting Field, Florida

Project Manager for the National Park Service Study of Aircraft Overflights:

Mr. Miller is working with the National Park Service to examine the extent and degree of problems produced by aircraft flying over visitors in the National Parks. The study includes measurement of noise and simultaneous surveying of visitor reactions to the noise.

Project Manager for:

Noise Section of Ellington Field, Texas, Master Plan Study  
Noise Analysis of Blue Route, I-476, for Township of Nether Providence, PA  
Noise Analysis / Barrier feasibility, Maryland Route 100 Environmental Analysis  
Noise Measurements and Analysis, Rickenbacker Airport, Ohio  
Noise Measurements, Noise Barrier Feasibility Study, William P. Hobby Airport, Texas  
Development of Noise Sensitive Area Model, Federal Aviation Administration  
Logan International Airport, Annual Noise Contour Update  
Portland International Jetport, Part 150 Study  
Logan International Airport, Measurement of Ground Power Units  
Building Code Provisions, Memphis-Shelby County  
Aircraft Conversion, Air National Guard, Tennessee  
Health Effects of Noise, Transport Canada  
Management of Air Operations EIS, NAS Whidbey Island

TOWN OF ACTON

9  
9/7/93

INTER-DEPARTMENTAL COMMUNICATION

DATE : 19 May 1993  
TO : Board of Selectmen  
FROM : Volunteer Coordinating Committee  
SUBJECT : Recommendation for Appointments

At its meeting of March 8, 1993, the VCC voted to recommend Marilyn M. WOLFSON to full member of the Ft. Devens Second Airport Task Force upon verification of the resignation of Fred Rudolph. Having received this confirmation, we so recommend Dr. Wolfson's appointment from Associate to Member, term expiring upon disbanding of the Task Force.

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At the same meeting, the VCC voted to recommend two candidates for consideration to the one Alternate opening being created by the appointment of Crockett to member. We recommend Nicholas P. MILLER or Peter J. BERRY to this opening. for a three-year term expiring 6/30/96. Both candidates are well qualified. MILLER is an engineer with extensive experience with noise control and dealing with parties in conflict. BERRY is an attorney and has extensive experience in public housing and permit procedures.

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original picked up  
Did not show on 2-8-93 1-21-93

TOWN OF ACTON VOLUNTEER APPLICATION  
INTERVIEWED 2-22-93

Temp. 714  
Feb 8

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: January 21, 1993

Mr / Mrs Berry Last Name  
Ms / Mr Peter First Name  
J. Middle Initial

39 Faulkner Hill Rd. Street Address  
(508) 261-0265 Home Phone  
(617) 367-3262 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) Zoning Board of Appeals
- 2) Metz Advisory Planning Council
- 3) Planning Board - too much time right now

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):

Acton Housing Authority - current - since 1990  
Acton Community Housing Corporation - current - since 1989

Do you have any time restrictions? not during working hours

How long have you lived in Acton? 5 years in Massachusetts? 23 years

Are you a US citizen? yes

Present occupation and employer (optional - attach resume).  
Attorney - see attached resume

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

Education or special training B.A. - English Literature - UMass  
J.D. - New England School of Law

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:

SPE PLANNING

TOWN OF ACTON VOLUNTEER BOARDS, COMMITTEES, AND COMMISSIONS

Acton-Boxborough Arts Council  
 Aging, Council on  
 Appeals, Board of  
 Assessors, Board of  
~~Assessors, Board of~~  
~~Assessors, Board of~~ Committee  
 Cemetery Commissioners  
 Commission on Disability  
 Conservation Commission  
 Fair Housing Committee  
 Finance Committee  
 Hanscom Field Advisory Commission  
 Health, Board of  
 Historical Commission

Historic District Commission  
~~Historic District Commission~~ Committee  
 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  
second Airport/Ft. Devens Task Force  
 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 use by the Volunteer Coordinating Committee and the appointing body to record the status of your application.

VCC INTERVIEW <u>would accept</u>	APPOINTING BODY: BOS / THgr / TMod
applicant called: date/by _____	Interview date _____
scheduled date / time <u>2/22/93</u>	Appointed: Date _____
	to: Board _____
VCC RECOMMENDATION: date <u>5/17/93</u>	Term _____
Board(s) <u>BOAP</u> Member / <u>Alt</u> / Assoc	
<u>3rd term exp. 6/30/96</u>	
_____ Member / Alt / Assoc	NOTIFICATION OF APPOINTMENT
_____ Member / Alt / Assoc	Date received by VCC _____
Date VCC recommendation sent to	Notification by the VCC :
<u>BOS</u> / THgr / TMod <u>5/19/93</u>	Date committee notified _____
<input type="checkbox"/> No openings at this time >>>>----->	Date applicant notified _____

**PETER BERRY**  
39 Faulkner Hill Road  
Acton, Massachusetts 01720

(508) 264-0265 - home  
(617) 367-3262 - work

**LEGAL EXPERIENCE**

**Acting General Counsel; Deputy General Counsel**  
Boston Housing Authority (BHA), Boston, Massachusetts  
1988-January 1993

Management of ten attorney legal staff in an Authority operating 23,000 apartments with \$120 million annual budget. Major responsibilities include large real estate development projects; contracting and procurement issues; impact litigation; environmental controls; all labor relations, employment and personnel issues.

**Real Estate Development**

- Provided legal advice and representation for design and construction of large public housing developments by negotiating architectural and construction contracts; writing budgets; securing financing; securing permits; approving change orders; and resolving contract disputes.

**Projects included:**

- Mission Hill Extension/Bromley Park Turnkey Redevelopment: \$40 million turnkey contract for redevelopment of 200 units of family housing.
- Cathedral Turnkey Redevelopment: \$12 million turnkey contract for redevelopment of 87 units of family housing plus community space.
- Purchase of more than 50 condominium units with total expenditures over \$5 million.
- Ongoing modernization projects with \$25 million annual budget.
- Developed special needs housing.
- Responsible for all BHA contracts and purchase procedures, including consultant contracts and publicly bid construction contracts.
- Refinanced \$5 million mortgage revenue bond sale resulting in substantial savings to the BHA.
- Obtained necessary approvals and permits from city, state and federal regulatory agencies including: Zoning Board of Appeals, Redevelopment Authority, Landmarks Commission, Building Department, Fire Department, Architectural Access Board, State Building Code Appeals Board, Department of Environmental Protection, Executive Offices of Communities and Development, U.S. Department of Housing and Urban Development.

### Representative Litigation

- Defense of a \$2 million personal injury claim by minor for lead paint poisoning.
- Asbestos property damage litigation against thirty manufacturers.
- Federal class action litigation by NAACP alleging racial discrimination in BHA's tenant selection and assignment.
- Work out of twelve year Superior Court receivership imposed to correct State Sanitary Code violations.
- Suit against the Massachusetts Department of Labor declaring invalid minimum wage rates set for BHA employees.
- Superior Court ruling that filed sub-bid requirements of G.L. Ch. 149 did not apply to construction work at BHA's West Broadway development.
- Suit against insurers for failing to defend and indemnify the BHA in a class action racial discrimination complaint.
- Defense of eminent domain litigation filed by property owners seeking increased damages.
- Overall responsibility and supervision for all BHA litigation.

### Environmental

- Negotiated innovative protocol for lead paint removal from occupied apartments, insured compliance, and obtained necessary permits from Boston Department of Health and Hospitals' Office of Environmental Affairs; Massachusetts Department of Environmental Protection; Massachusetts Department of Labor and Industries; U.S. Environmental Protection Agency; and OSHA.
- Oversaw and approved 21E hazardous waste studies.
- Responsible for insuring BHA regulatory compliance with federal and state statutes governing storage, disposal, removal and clean up of hazardous waste.

### Labor

- Conducted labor relations litigation before the American Arbitration Association, Massachusetts Labor Relations Commission, Civil Service Commission, and Superior Court; issues included: work out-of-grade, reduction in force, discipline, overtime pay, reorganization, cancellation of overtime, shift changes, discharge, layoffs, and demotions.
- Negotiated Collective Bargaining Agreements with the Teamsters Union; International Brotherhood of Police Officers; Laborers International Union; Boston Building Trades Council; International Brotherhood of Firemen, Oilers & Engineers.

- Represented the BHA in mediation proceedings conducted by The Board of Conciliation and Arbitration and by the Joint Labor-Management Committee.
- Negotiated employee dental plan and deferred compensation plan.

**General Counsel**

Cambridge Housing Authority (CHA), Cambridge, Massachusetts  
1984-1988

Responsible for legal advice and representation for a public housing authority operating 4,000 apartments, including all design and construction work; eminent domain takings; permitting from city, state and federal regulatory agencies; real estate acquisition and development; negotiating and drafting all contracts and public bid documents.

**Representative Litigation**

- Obtained permits siting a group home for mentally ill individuals; complex issues interpreting zoning ordinance.
- Defended claim by general contractor for delay damages alleged in connection with \$12 million construction project.
- Obtained injunction from Superior Court ordering striking blue collar employees to return to work.
- Obtained federal court ruling ordering indemnification for CHA under fidelity insurance bond.

**Labor**

- Negotiated collective bargaining agreements.
- Responsible for all grievance and arbitration proceedings; unfair labor practice charges; all personnel and employment issues.

**Senior Attorney**

Greater Boston Legal Services, Boston, Massachusetts  
1982-1983

- Litigation involving civil rights, employment discrimination, and immigration law.

**Managing Attorney**

Greater Boston Legal Services, Chelsea, Massachusetts  
1980-1981

- Overall responsibility for 11 person law office providing representation to low-income clients in civil cases.

**Staff Attorney**

**Neighborhood Legal Services, Beverly, Massachusetts  
1978-1980**

- **Practice in Federal District Court and Massachusetts Appeals, Superior, Probate and District Courts.**

## **EDUCATION**

**J.D. New England School of Law, Boston, Massachusetts, 1978.**

**B.A. University of Massachusetts, Boston, Massachusetts, 1974  
Major: English Literature**

## **MILITARY SERVICE**

**United States Marine Corps, Radar Air Traffic Controller, 1965-1969,  
Vietnam Veteran.**

## **COMMUNITY LEADERSHIP**

- **Lawyers Clearinghouse on Affordable Housing and Homelessness  
Founding Board Member, 1987-present.**
- **Massachusetts Bar Association, Public Law Section Council  
1986-1990.**
- **Massachusetts Bar Foundation  
Fellow, 1989-present.**
- **BHA/NAACP Community Benefit Fund Advisory Board  
1990-Present; Appointed by U.S. District Court, Chief Judge Tauro**
- **Acton Community Housing Corporation, Director, Vice Chairman,  
1989-present.**
- **Acton Housing Authority, Commissioner, Treasurer  
1991-present.**
- **Emmanuel Church, Boston, Massachusetts  
Senior Warden; Member, Building Committee. Significant music and arts  
programs; issues involving restoration of 120 year old church structure, 1983-  
1990.**
- **North Shore Community Action Program, Director, Treasurer  
1978-1981.**
- **National Legal Services Corporation  
Consultant for new lawyers training and advanced paralegal training in  
administrative advocacy, 1975-1983.**

TOWN OF ACTON

#10

9/7/93

INTER-DEPARTMENTAL COMMUNICATION

DATE : 19 May 1993  
TO : Board of Selectmen  
FROM : Volunteer Coordinating Committee  
SUBJECT : Recommendation for Appointments

At its meeting of March 8, 1993, the VCC voted to recommend Marilyn M. WOLFSON to full member of the Ft. Devens Second Airport Task Force upon verification of the resignation of Fred Rudolph. Having received this confirmation, we so recommend Dr. Wolfson's appointment from Associate to Member, term expiring upon disbanding of the Task Force.

At its meeting of May 17, 1993, the VCC voted to recommend Stephen K. CROCKETT to be appointed Member Board of Appeals. He will replace Matt Mleziva whose term expires 6/30/93. Stephen will serve a three-year term expiring 6/30/96.

At the same meeting, the VCC voted to recommend two candidates for consideration to the one Alternate opening being created by the appointment of Crockett to member. We recommend Nicholas P. MILLER or Peter J. BERRY to this opening. for a three-year term expiring 6/30/96. Both candidates are well qualified. MILLER is an engineer with extensive experience with noise control and dealing with parties in conflict. BERRY is an attorney and has extensive experience in public housing and permit procedures.

At the same meeting, the VCC voted to recommend Richard M. CROSWELL to Associate Member to the Planning Board for a one-year term expiring 6/30/94. Mr. Croswell is a structural engineer. He has been encouraged to apply by Trey Shupert, a current member, who has pointed out the time committment which did not deter Mr. Croswell.

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: 6/11/91

Mr / Mrs  
 Ms / Dr

CROCKETT

STEIN

S

Last Name

First Name

Middle Initial

44-5156

398 PINE CONE BLVD

204-0530

204-0530

Street Address

Home Phone

Business Phone

2) Board of Selectmen

3) Finance Committee

Have you ever lived in Acton or served on a town board, committee or commission? Yes

Acton, MA (6/11/91)

Do you have any life restrictions? None

How long have you lived in Acton? 6 yrs In Massachusetts? 32 years

Are you a US citizen? Yes

Present occupation and employer (optional) PRESIDENT

Do you or your employer have any current or potential business relationships with the town of Acton that could create a conflict of interest? NO

Education or special training BACHELOR OF SCIENCES IN CIVIL ENGINEERING

FLORIDA MEMBER CALIBER IN 1980

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:

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**TOWN OF ACTON VOLUNTEER BOARDS, COMMITTEES, AND COMMISSIONS**

- Acton-Borborough Arts Council
- Aging Council on
- Appeals, Board of
- Assessors, Board of
- Audit Monitoring Committee
- Cemetery Commissioners
- Conservation Commission
- Fair Housing Committee
- Finance Committee
- Handicapped Commission
- Hanscom Field Advisory Commission
- Health, Board of
- Historical Commission
- Historic District Commission

- Investment Advisory Committee
- Metropolitan Advisory Planning Council
- Minuteman Home Care
- Minuteman Vocational School Representative
- Planning Board
- Planning Council
- Prison Advisory Committee
- Public Celebrations Committee
- Recreation Commission
- South Acton Evaluation Committee
- Town Report Committee
- Transportation Advisory 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 use by the Volunteer Coordinating Committee and the appointing body to record the status of your application.

VCC INTERVIEW	APPOINTING BODY: BOS / TMgr / TMod
applicant called: date/by _____	Interview date _____
scheduled date / time _____	Appointed: Date _____
	to: Board _____
VCC RECOMMENDATION: date <u>5/17/93</u>	" Term _____
Board(s) <u>BOAP</u> <u>Member</u> / Alt / Assoc	NOTIFICATION OF APPOINTMENT
<u>34-term exp 6/30/96</u>	Date received by VCC _____
_____ Member / Alt / Assoc	Notification by the VCC :
_____ Member / Alt / Assoc	Date committee notified _____
Date VCC recommendation sent to	Date applicant notified _____
( <u>BOS</u> / TMgr / TMod <u>5/19/93</u>	
[ ] No openings at this time >>>>----->	

# 11  
9/7/93

ROY C. SMITH  
P.O. BOX 2840  
BREWSTER, MASSACHUSETTS 02631  
Telephone (508) 896-5906  
FAX (508) 896-5906

FAX NO: 508-264-9630  
DATE: Sept 3 1993  
TO: JOHN MURPHY  
FROM: ROY SMITH / R. SMITH ASSOC

Number of Pages, Including Cover Page:     

SUBJECT: SNOW REMOVAL + SEPTIC CAPACITY SENIOR CENTER

MESSAGE:

John

this is to confirm our offer to open up the driveway to the senior center from the street "Audubon Drive". for reasons of fire and emergency access if the town has not yet had time to plow. This would be a pass in and out. We assume no liability. Also confirm my position regarding the available flow which according to your calculations gal/person/day should be more than adequate.

The members will discuss these items Tuesday evening with the selectman.

And John the driveway is not a private Road.

If you do not receive all of the pages or have other problems call

(508) 896-5906. Ask for \_\_\_\_\_

Ray C. Smith  
Pres. R. Smith Assoc.

71  
9/7/93

TOWN OF ACTON  
INTERDEPARTMENTAL COMMUNICATION

DATE: July 7, 1993

TO: Don P. Johnson, Town Manager  
FROM: Senior Center Punch List

**ENTRY:**

1. front door threshold should be flush with walk.
2. front door fixed panel slide bolt does not fully engage.
3. exit sign on front door must be located over the operatable door.
4. signs on men's and women's bathrooms.

**ENTRY BATHROOM LEFT SIDE:**

1. lock on bathroom stall disconnected.
2. sheet rock at both traps not finished.

**ENTRY BATHROOM RIGHT SIDE:**

1. clean or paint attic access.

**LIVING ROOM:**

1. fans make excessive noise.
2. base needs to be reglued in several place
3. alcove sheet-rock ceiling repair not acceptable.
4. double doors stick.
5. repaint in closets where closet maid installed.
6. adjusting lever on heating vent missing.
7. remove forms & repaint jamb on exterior door facing High St.

**OFFICE AREA:**

1. a. office facing High St. has excessive noise from lighting.  
b. adjust closet doors.  
c. reglue base.
2. adjust bathroom door.
3. office opposite High St., window weather stripping needs adjusting
4. clean carpet at handicap door.
5. screws in handicap door threshold needs lighting.

**DINING ROOM:**

1. cover plate missing by entry door.
2. remove paint from floor.
3. excessive noise from fans.

**GENERAL:**

1. install screens on all windows.
2. clean all tile floors.
3. provide owners with manuals on all equipment.

**EXTERIOR:**

1. door knob missing from garage.
2. remove wood chips from base of siding on garage.
3. nails on entry post rusting.
4. repaint metal bulkhead.
5. the flashing on water table not acceptable.
6. the fascia board flashing not acceptable. No provision was made for

expansion.

**QUESTIONS:**

1. purpose of electric wire by panel box in basement?
2. can 12x12 ceiling lights accept a higher wattage light?

(878)

*extra info*  
*9/21*

## MUNICIPAL FORUM

AGENDA  
for  
September 27, 1993 meeting  
7:15 a.m., Room #114

- 1) Visioning Process - process for selection of facilitator
- 2) Report from Each Board
  - a) consensus of School Committee
  - b) vote of Selectmen
  - c) Finance Committee
- 3) Process for selection of a facilitator for Municipal Forum
- 4) Identification of FY'95 major fiscal issues,  
e.g.
  - a) national health insurance
  - b) future impact of education reform
  - c) technology for schools warrant
  - d) town infrastructure (equipment and roads)
- 5) Other

Attachment: Proposed Guidelines

Nancy  
Bill  
Chuele Olmste

Acton Public Schools  
Acton-Boxborough Regional Schools

cc: BOS  
Extra Infor  
for 9/21

To: The Selectmen, The Finance Committees

From: Isa Zimmerman *IS*

On: 9/20/93

Re: The Visioning Process for Acton and Boxborough

file

Based on many comments from a wide variety of people since I arrived, it appears to me that the leadership of the communities should take the initiative to reunify the communities after a difficult year.

I have suggested publicly on several occasions that we engage in a visioning process, which asks the people to determine what kind of towns they want to live in, in five years, and of course, very importantly from my perspective, what kind of schools they want-- for the children of the communities as well as for the future of the adults who live and work in the communities.

We would invite all parents, members of the school staffs, town officials of both towns as well as the public at large through both personal communication and through the Beacon, the Lamplighter and cable television.

There are several processes, such as the Delphi method, which allow very large groups of people to participate in priority-setting. We could use such a method to get consensus on a vision and eventually on the strategies to achieve the goals indicated by the vision. This process would probably require several meetings over the course of a couple of months, with a small group at the end doing the final writing and editing. (The schools have already developed a mission statement, a vision statement, some goals and some belief statements which we would be happy to share, for those who have not seen them, as models for use by others.) It would be wonderful if there were a "product" which could be shared at the Town Meetings.

I suggested a professional facilitator and believe we could identify someone in Acton or Boxborough with that skill who might be willing to volunteer to help the communities. At least four volunteers have come forward already and I am suggesting that the Municipal Forum decide on the process for selection.

We need to move from adversarial relationships to cooperative ones. Engaging in the visioning process is potentially a mutually satisfying and productive experience.

c: School Committees

*Extra Info*  
*9/21*

## MUNICIPAL FORUM

### PROPOSED GUIDELINES

- 1) Any staff presentations will be made in writing in advance, and orally with a ten minute limitation.
- 2) Minutes will go out with the next agenda and be approved by exception.
- 3) All Municipal Forum correspondence will be addressed to the chair of each Board.
- 4) The agenda will be developed by the Superintendent and Town Manager. Any items for members should be sent to either person.
- 5) There will be a place for public participation at the end of the meeting for items which may influence the following meeting.
- 6) Members speak first. Non-members can volunteer opinion on a topic before a discussion is made.
- 7) Only members will sit at the table. Additional chairs will be provided for observers.

9/20/93

hereby, the parties to this Settlement Agreement do hereby  
promise and agree as follows:

(14)

1. Grace shall on the date of this Settlement Agreement  
(a) pay to the Town the sum of One Dollar and (b) make an  
unconditional grant to the Town's Board of Selectmen in the sum  
of One Hundred Thousand Dollars (\$100,000.00) for the purpose of  
establishing an Environmental Projects and Enforcement Fund to be  
used for such environmental projects and environmental law  
enforcement activities as the Selectmen may in their sole and  
absolute discretion choose to undertake in accordance with powers  
and authority conferred upon them by law.



#14  
BMc STRATEGIES, INC.  
100 Unicorn Park Drive  
Woburn, MA 01801-3339  
(617) 932-6844  
FAX (617) 932-6877

MEMORANDUM

*Please  
Provide  
changes*  


**TO:** John Murray, Assistant Town Manager  
Town of Acton

**FROM:** Cheryl Marsh

**RE:** Press Release Regarding Grace Settlement

**DATE:** September 15, 1993

Attached please find a draft copy of a brief press release concerning Grace's recent settlement with the Town of Acton, as requested by David Kronenberg, environmental affairs manager. We have attempted to draft the release from the town's viewpoint and have included several suggested quotes from a town spokesperson.

Please note that this is merely an example using Chairman Hunter as spokesperson; another spokesperson can easily be substituted if appropriate. Please give me a call if you have any questions. We look forward to your review and comments. You may reach me at (617)-932-6844 or by FAX at (617)-932-6877.

---

# DRAFT

## TOWN OF ACTON

### NEWS RELEASE

**CONTACT:** John Murray, Assistant Town Manager  
(508) 264-9615

**FOR IMMEDIATE RELEASE:** September 24, 1993

### W.R. GRACE CONTRIBUTES \$100,000 TO TOWN ENVIRONMENTAL FUND

(Acton, Mass.) The Town of Acton today received a \$100,000 grant from W.R. Grace & Co-Conn. (Grace) to establish a special environmental activity fund for the community, according to Board of Selectmen Chairman F. Dore Hunter. The contribution was part of a settlement reached by Grace and the town in response to the town's request for reimbursement of costs it incurred over the past 13 years during participation in the cleanup design and plan for the Grace site in Acton.

"The Board is proud of its role in the negotiation of such a proactive environmental program and welcomes the positive impact a fund like this can bring to our community," said Hunter. "We look forward to establishing an Environmental Projects and Enforcement Fund to address general environmental issues facing our citizens."

- more -

---

**In announcing the terms of the settlement, Chairman Hunter praised the work that had been done by the town over recent years to ensure a safe and efficient cleanup process. "Last week, the final cleanup design was approved by the Environmental Protection Agency," he continued. "Coupled with the settlement agreement, this milestone brings an end to any differences between the town and Grace and marks the beginning of a cooperative working relationship."**

**David E. Kronenberg, manager of environmental affairs for Grace's Polyfibron Division stated, "We want to underscore our pledge of cooperation and commitment to a safe, thorough, responsible cleanup of the Acton site," Kronenberg concluded. "Our goal is to be responsive to you, our neighbors in Acton, and we look forward to open lines of communication throughout that process."**

**- ### -**

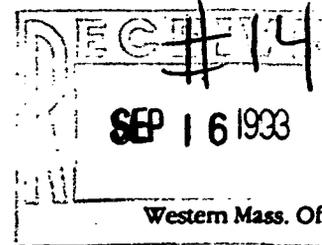
**DRAFT**

---

**ANDERSON & KREIGER**

ATTORNEYS AT LAW

The Bulfinch Building  
47 Thorndike 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) 774-2845

STEPHEN D. ANDERSON  
(Also Admitted In CT)

ARTHUR P. KREIGER  
(Also Admitted In NY)

GEORGE A. HALL, JR.

ALLAN R. FIERCE  
(Also Admitted In IL)

CYNTHIA HESLEN  
(Also Admitted In VT)

September 14, 1993

William Cheeseman, Esquire  
Foley, Hoag and Eliot  
1 Post Office Square  
Boston, MA 02109

Re: Town of Acton v. W.R. Grace & Co.--Conn.

Dear Bill:

I have received your letter of September 14, 1993, enclosing (1) Grace's check no. 3408 in the amount of \$100,000 payable to the Town of Acton and (2) one counterpart of the Settlement Agreement executed by Grace and the Town.

Pursuant to your request, I have signed and am returning a photocopy of the check to confirm that I have received it.

I will call Monica Cunningham next week to confirm that the Selectmen have voted to accept the \$100,000 grant from Grace and to arrange for the filing of the Stipulation of Dismissal and cancellation of the conference with Judge Keeton scheduled for Friday, September 24.

I also wish to thank you for your cooperation and assistance in resolving this matter.

Sincerely,

Allan R. Fierce

ARF/jec  
Enclosures

cc: John Murray, Asst. Town Manager  
Act/Cost/339/Cheesem.015

W. R. Grace & Co., One Town Center Road, Boca Raton, FL 33486-1010

66-156  
531

3408

**GRACE**

Date  
09/08/93

Check No.  
3408

Amount of Check  
\$\*\*\*\*\*100,000.00

**PAY**  
To the  
order of

TOWN OF ACTON

*Rec'd 9/14/93  
Allan R. Furr*

**AMOUNT**

W. R. Grace & Co.

*Mark Beal*

Authorized signature

First Union National Bank of North Carolina, Chapel Hill, NC

*Henry J. Hines*

Authorized signature

⑈003408⑈ ⑆053101561⑆ 2079900003628⑈

The attached check is in full payment of account as shown. If not correct, notify us at once.

Detach at perforation before depositing check

Date	Reference	Invoice Amount	City Sales Tax	Discount	Amount Paid	Description
		100,000.00			100,000.00	COST RECOVERY LAWSUIT
		100,000.00			100,000.00	INVOICE TOTALS

W. R. Grace & Co., One Town Center Road, Boca Raton, FL 33486-1010

No. 3408

ACTON POLICE DEPARTMENT  
 COMMUTER LOT ACTIVITY SHEET  
 AUGUST 1993

DATE	TIME	NUMBER OF VIOLATORS				NUMBER OF AVAILABLE SPACES				
		R.R. STREET	MAPLE ST.	STOW ST.	MARTIN ST.	RES. SECTION	NON RES SECTION	RESIDENT	NON RES.	HANDICA
08-02	10:30AM	0	0	0	0	6	5	76	0	5
08-03	10:15AM	4	0	0	0	9	6	73	0	5
08-04	10:00AM	7	1	0	0	8	6	79	0	5
08-05	10:30AM	3	0	0	0	8	3	72	0	4
08-06	10:30AM	2	0	0	0	1	0	93	2	5
08-09	11:15AM	1	1	0	0	10	0	73	0	4
08-10	11:10AM	0	0	0	0	8	2	67	0	5
08-11	11:10AM	0	0	0	0	11	1	63	0	5
08-12	11:40AM	1*	0	0	0	6	1	74	0	5
08-13	11:20AM	0	0	0	0	6	0	88	0	5
08-16	11:15AM	3	0	0	0	6	2	75	0	4
08-17	11:15AM	0	0	0	0	5	3	82	0	4
08-18	11:15AM	1	0	0	0	5	1	76	0	4
08-19	11:15AM	0	0	0	0	4	0	76	0	4
08-20	11:30AM	0	0	0	0	2	4	91	0	5
08-23	11:20AM	0	0	0	0	2	3	70	2	3
08-24	11:20AM	0	0	0	0	4	3	64	0	4
08-25	11:30AM	3	0	0	0	2	1	75	0	4
08-26	11:15AM	0	0	0	0	0	1	73	2	4
08-27	11:15AM	0	0	0	0	5	2	91	3	4
08-30	11:15AM	0	0	0	0	1	0	79	0	4
08-31	11:20AM	1*	0	0	0	5	2	67	0	3
	totals	26	2	0	0	114	46	1677	9	107

\*\* INDICATES NUMBER OF VEHICLES TOWED

ACTON POLICE DEPARTMENT  
 COMMUTER LOT ACTIVITY SHEET  
 SEPTEMBER 1993

DATE	TIME	R.R. STREET	NUMBER OF VIOLATORS				NUMBER OF AVAILABLE SPACES			
			MAPLE ST.	STOW ST.	MARTIN ST.	RES. SECTION	NON RES SECTION	RESIDENT	NON RES.	HANDICAP
09-01	10:30AM		0	0	0	2	0	60	0	4
09-02	11:15AM		0	0	0	2	1	69	0	3
09-03	11:20AM		0	0	0	4	3	95	0	2
09-06		H	0	L	I	D	A			Y
09-07	11:20AM		0	0	0	1	12	44	0	4
09-08	11:20AM		0	0	0	7	0	53	0	5
09-09	11:30AM		0	0	0	7	4	61	0	4
09-10	11:20AM	1	0	0	0	1	2	65	0	4
09-13	11:20AM		0	0	0	6	6	53	0	3
09-14	11:20AM		0	0	0	11	0	41	0	3
09-15	11:15AM	3	0	0	0	4	2	50	0	4
09-16	11:15AM		0	0	0	3	1	68	0	2
09-17	11:00AM		0	0	0	3	1	60	0	4
09-20	11:20AM		0	0	0	3	2	57	0	3
09-21	11:20AM		0	0	0	4	0	53	0	3

Ave 56.46  
 (excludes 9-3-93, Friday  
 before Labor Day)

INTERDEPARTMENTAL COMMUNICATION

TOWN MANAGER'S OFFICE

File

\*\*\*\*\*

DATE: Sept. 23, 1993 1:40 PM

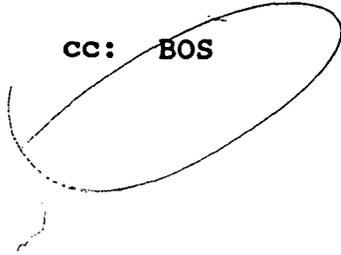
TO: Town Clerk

FROM: Board of Selectmen *cmj*

SUBJECT: Special Meeting

Please be advised that the Board of Selectmen will have a special meeting on September 28, 1993 at 7:30 P.M. in Room 204 to discuss the Education Reform Waiver Process.

cc: BOS



cc: BOS

NOTE

September 21, 1993

TO: David Kielson, Chesterfield  
Steve Lecloux, Williamstown  
John Murray, Acton  
Barry DelCastilho, Amherst

FR: John Robertson, MMA

RE: DOE Regulations

---

The Department of Education has asked us to comment on proposed emergency regulations governing the selection of a representative of the member municipalities of a regional school district to participate as a member of the regional committee for collective bargaining purposes. We have been asked to provide comments by noon time today. If you would take a look at the DOE proposal and let me know of your thoughts on it, it would be appreciated.

My own initial thoughts are that the seven day window for the meeting of representatives of member municipalities seems rather short. Also, giving authority to the superintendent of schools to call the meeting may be inappropriate. Let me know what you think.

**EMERGENCY REGULATIONS**

603 CMR: DEPARTMENT OF EDUCATION

603 CMR 42.00: SCHOOL EMPLOYEES COLLECTIVE BARGAINING

603 CMR 42.01: Participation of Municipal Representative in Regional School District Collective Bargaining

(1) Statement of Emergency, Purpose and Intent.

(a) Statement of Emergency. Section 1 of Chapter 150E of the General Laws, as amended by Section 62 of Chapter 71 of the Acts of 1993 (the Education Reform Act of 1993) provides that the chief executive officer of a city or town, or the chairman of the board of selectmen where there is no town manager or town administrator in a town, shall participate and vote in collective bargaining as a member of the school committee. Section 62, which took effect on June 18, 1993, requires the Board of Education to promulgate regulations for the election of one municipal chief executive officer to participate and vote in the collective bargaining negotiations of regional school districts. In view of the immediate need to establish such an election process so that ongoing collective bargaining negotiations in regional school districts may be concluded, the Board hereby finds that the issuance of emergency regulations pursuant to Section 2 of Chapter 30A of the General Laws is in the public interest and adopts the following emergency regulation.

OK

(b) Purpose and Intent. This regulation is promulgated by the Board of Education, pursuant to Section 1 of Chapter 150E of the General Laws (as amended by St. 1993, c. 71, s. 62) to establish a process for the election of one chief executive officer or chairman of the board of selectmen to participate and vote in regional school district collective bargaining. The process is intended to provide sufficient notice to chief executive officers and, where necessary, chairmen of boards of selectmen, without unduly delaying collective bargaining negotiations.

SEP 28 '93 01:38PM DOE 617 778 7604

P.3

(2) Selection of Municipal Representative in Regional School Districts.

- (a) No less than 14 days before collective bargaining negotiations commence in a regional school district, the superintendent of the district shall send a notice to all chief executive officers of the member cities and towns of the district, or, if there is no town manager or town administrator in a member town, to the chairman of the board of selectmen in that town, indicating the time, place and date of a meeting to be held by the regional school district at which the chief executive officers or chairmen of boards of selectmen shall elect one of their number to represent them pursuant to Section 1 of Chapter 150B of the General Laws (as amended by St. 1993, c. 71, s. 62) during Fiscal Year 1994. The meeting shall be held no later than seven days before commencement of collective bargaining negotiations in the regional school district, and shall comply with the open meeting law. Chief executive officers or chairmen of boards of selectmen may designate representatives to attend the meeting and to vote in their place.
- (b) If the meeting of chief executive officers or chairmen of boards of selectmen does not result in the designation of a representative, the superintendent shall notify the commissioner of education, who shall randomly select one representative from among the chief executive officers or chairmen of boards of selectmen. Failure of the meeting of chief executive officers or chairmen of boards of selectmen to elect a representative shall not delay or otherwise impede the collective bargaining process.
- (c) Any regional school district which selected a representative of the chief executive officers or chairmen of boards of selectmen of its member cities and towns for the purposes of collective bargaining negotiations completed prior to, or in process at the time of, the promulgation of these emergency regulations shall be deemed in compliance with these regulations, and need not

Meeting called by  
Superintendent

7 day window

Random  
Selection

SEP 28 '93 01:59PM DOE 617 778 7584

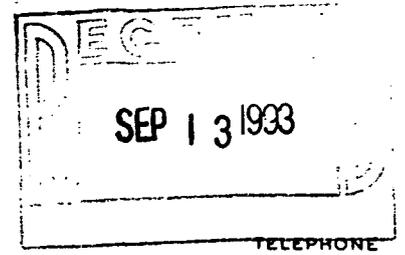
P.4

convene the meeting described above for the purposes of said collective bargaining.

REGULATORY AUTHORITY

603 CMR 42.01: M.G.L. c.69, §1B; M.G.L. c.150E, §1

ec BOS + Cable Comm.



LAW OFFICES  
SMITHWICK & BELENDIUK, P. C.

1990 M STREET, N.W.  
SUITE 510  
WASHINGTON, D.C. 20036

TELECOPIER  
(202) 785-2804

TELEPHONE  
(202) 785-2800

September 7, 1993

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

Re: FCC FILING DEADLINE COMMENCED SEPTEMBER 1, 1993

Dear Mr. Johnson:

As you are aware from our previous correspondence and perhaps the article we wrote for the May issue of American City and County magazine (enclosed) in order to protect the CATV subscribers in your community you must act by certain deadlines.

September 1, 1993 was the first effective date of cable rate regulation. Between September 1, 1993 and February 28, 1994 the FCC will accept retroactive complaints requesting refunds for unreasonable cable programming rates. Complaints filed after February 28, 1994 may only address changes in rates for service filed within 45 days of the rate increase. The FCC has exclusive jurisdiction over complaints for excessive rates for cable programming services. Local franchising authorities, if FCC certified, may regulate rates for basic cable service.

The period for computing any refund commences on the date the FCC receives the complaint. Thus, every day after September 1, 1993 you put off filing the Complaint you lose a day for recovery of reasonable rates. The FCC will process Complaints in the order they were filed. In a short period of time you may find that, by waiting, your complaint is behind hundreds, if not thousands of previously filed complaints.

Certification by a local franchising authority that it proposes to regulate rates for basic CATV service may be filed any time after September 1, 1993. However, within 120 days of that filing you must adopt regulations establishing the procedures for such local regulation.

If you wish to file a complaint or would like our firm to assist you in the preparation of regulations which comply with the FCC's rules, please give us a call.

Sincerely,

Arthur V. Belendiuk

AVB/lpd.0823A  
Enclosure

ty grants a non-exclusive or exclusive franchise, it is imperative that the scope of the franchise be carefully defined.

• *Scope of Franchise.* The franchise agreement should define the scope of services to be provided. A franchisee will likely seek authority to provide all forms of "telecommunication," a broad term that may include entertainment services currently being offered by cable television companies. If a fiber-optic franchisee has the right to transmit entertainment programming, it should be clear that this right does not interfere with any existing cable television franchise. It is therefore sensible to define the type of services a particular system will provide and to define the

customer base. By limiting the fiber-optic franchisee's customer base to corporations for example, a municipality preserves its right to negotiate other franchises that may serve the residential, educational, governmental and non-profit markets. Preserving competition and creating a competitive environment should be among the most important considerations in structuring the franchise.

• *Franchise Fees.* Most municipalities require a fiber-optic network operator to pay a franchise fee that reflects both the costs associated with the public administration of the franchise and the reasonable rental value of the operator's use of the public right-of-way. While franchise fees based upon sys-

tem revenues represent the most common form of public/private revenue sharing, municipalities should realize that ad valorem taxation or a local sales tax may be used in place of, or to supplement a franchise fee.

Franchise fees are variable and have ranged anywhere from 3 percent to 10 percent of the system's gross revenues. In some instances, the fee is made up of components. For example, a municipality may receive 10 percent of the revenue from telecommunication services and 5 percent of the revenue generated by equipment leasing or through the sale of hardware.

As a backup measure, municipalities may consider having the franchisee pay a guaranteed minimum fee.

## Cable Act Requires Municipalities To Take Charge

The history of cable television (CATV) is a series of revolutionary changes. In the 1960s, CATV offered only improved reception of local television stations. Then with microwave, CATV offered distant TV signals as well. By 1966, to protect "free off-the-air" TV, the FCC adopted a series of protectionist rules. The introduction of satellites changed the CATV industry from a TV signal improver to a provider of non-broadcast video signals, such as CNN and HBO. By 1984, to encourage new services the Congress largely deregulated CATV. Freed of its fetters and having a monopoly to provide a service that the public demanded, many CATV operators abused their power with higher rates and poorer service. The result was the passage of the Cable Act of 1992, which restored the power people had lost over the control of CATV systems.

In the act, Congress decreed that CATV systems are to be treated as a quasi-public utility that could be regulated in a similar manner to telephone companies.

If a CATV system was regulated by the FCC in the same manner as a telephone company only the actual cost of constructing the CATV system, minus depreciation (net plant) would be the "rate base" on which it was allowed to make a "reasonable rate of return." In proceedings to determine what is a reasonable rate of return for telephone service, the FCC held that it is a rate that will provide an 11.25 percent return on the "rate base," after deduction of operating expenses. Recently, a major CATV system that cost \$240 million to acquire and improve sold for \$494 million or \$2,888 per subscriber.

The Cable Act decreed that the charge to subscribers for basic service reception of local stations must be reasonable, and for "cable programming services" (such as CNN) the charges cannot be unreasonable. The Cable Act defines a franchising authority as any governmental entity empowered by law to grant a CATV franchise. While the Cable Act defines a franchising authority and the FCC the right to determine whether a CATV charge for basic TV service is reasonable, only the FCC can adjudicate if the charge for "cable programming service" is unreasonable. Therefore, a CATV operator seeking to increase its rates must now give prior notice to the franchising authority, and if challenged, justify the increase.

In regulating CATV systems and rate increases, the Cable Act gives the franchising authority the right to request the FCC to certify that it can regulate rates for basic service and conduct local hearings or alternatively, to file a

complaint with the FCC that the charge for basic service is not reasonable.

Most importantly, if the franchising authority believes that current rates for cable programming services are "unreasonable," it only has until Oct. 1, 1993, to file a complaint with the FCC seeking a rollback of rates and a refund of excessive charges. If a complaint is not filed by that date, the existing rate may become the standard of what is reasonable. This is why so many CATV operators recently imposed substantial rate increases in the hope that these rates would become the benchmark to determine whether future increases are unreasonable.

The Cable Act also gives the franchising authority the right to deny renewal of the franchise if the CATV operator has not substantially complied with all material terms of the agreement and has provided a poor quality of service. Six months prior to the expiration of its agreement, the CATV operator can request that the franchise be renewed. The franchising authority can then determine whether renewal is warranted. Before denial, the franchising authority must notify the CATV operator why its franchise renewal will be denied and give the CATV operator a reasonable opportunity to cure any defect in its operation.

The FCC has already issued rules governing the type and quality of service cable companies must provide. The new rules span a broad range of consumer services such as how long it should take to perform installation and repairs to how many seconds the cable company can let the phone ring before it is answered. The new rules also require that CATV operators provide their customers with itemized bills and begin repairs within 24 hours of service outage. The local franchising authority, not the FCC, is charged with enforcing these rules. In fact, the local franchising authority may establish even stricter rules, if they so desire, and enforce them in the local courts.

The FCC has requested funds from Congress for additional staff to administer the new responsibilities. The request has been denied, leaving it to each franchising authority to assure that the CATV subscribers in its community are given the rights provided by the Cable Act. □

*This article was written by Robert Healy, counsel to the communications law firm of Smithwick & Belenduk, Washington, D.C.*

cc. BOS



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION I

J.F. KENNEDY FEDERAL BUILDING, BOSTON, MASSACHUSETTS 02203-2211

September 16, 1993

Mr. David E. Kronenberg  
Manager of Environmental Affairs  
Polyfibron Division  
W.R. Grace & Co.  
55 Hayden Avenue  
Lexington, MA 02173

Re: Soil Evaluation Sampling and Analysis Plan for the Battery Separator Lagoons, Boiler Lagoon and Tank Car Area (April 1993)

Dear Mr. Kronenberg:

The U.S. Environmental Protection Agency (EPA) and the Massachusetts Department of Environmental Protection (MADEP) (collectively the Government Parties) have completed our review of the Soil Evaluation Sampling and Analysis Plan for the Battery Separator Lagoons, Boiler Lagoon and Tank Car Area developed by Camp Dresser and McKee and submitted on April 30, 1993 (the Sampling & Analysis Plan). Based on discussions with you and Bruce Conklin of CDM, the Government Parties understand that Grace would like to initiate some work this fall at the Battery Separator Lagoons, Boiler Lagoon and Tank Car Area. The remedy for these areas as specified in the ROD is as follows:

"the contents of the Battery Separator Lagoons, the Boiler Lagoon, and the Tank car area will be excavated to a depth of at least five feet. These materials will be placed on the landfill above the stabilized materials to create a surface grade suitable for cap construction. Although site investigations indicate that the waste materials from these areas contain low levels of contaminants that would not require stabilization prior to placement under the cap, the contaminants levels of all excavated materials from this area will be analyzed prior to placement on the landfill. Should analytical results show that a portion of excavated materials is contaminated at unexpected levels that indicate the unstabilized materials may present implementation problems or impact the effectiveness or protectiveness of the landfill remedy, then those materials would be stabilized prior to placement on the landfill or would be disposed off-site."



To continue making progress towards remediation, you have proposed to excavate these areas and place them on the landfill this fall. To determine if the materials can be placed on the landfill unstabilized, you have proposed to sample and analyze these areas according to the Sampling and Analysis Plan prior to excavating the material. Based on our understanding of your proposal and our review of the Sampling & Analysis Plan, the Government Parties have the following comments:

1. The random sampling program does not provide sufficient information to verify that the material will not present implementation problems or impact the effectiveness or protectiveness of the landfill remedy. Specifically, random sampling may not characterize areas which have the highest probability of being contaminated at elevated concentrations. Random sampling results in several of the deep samples being collected around the perimeter of the lagoons rather than at the center or near the discharge locations. In addition, the majority of the samples (67%) are taken at a depth of 6" to 3'. Since the contaminants are highly volatile, samples from this depth are less likely to still contain contamination. This observation has also been verified during the installation of the Other Source Area wells. To address this issue, the Government Parties suggest the following approach.
  - o Three split spoon samples, taken at two foot intervals, shall be collected at each location currently proposed in the Sampling and Analysis Plan.
  - o Head space analysis shall be conducted on each sample for the five compounds listed in Table 2-2.
  - o One sample from each location (with the highest total VOC headspace concentration) will be sent to the laboratory for confirmatory analysis.

This approach does not increase the number of samples requiring laboratory analysis yet provides improved information on the vertical extent of contamination in each lagoon.

2. Since the VFL equipment will not be onsite until the spring, it is not clear what will happen if the sampling and analysis indicates that the materials present implementation problems or impact the effectiveness or protectiveness of the landfill remedy and therefore will need to be solidified. Will the material be excavated and stored or will the material be left in place until the VFL process is operational? The Sampling & Analysis Plan also states that

"any soils which have a sludge like consistency which makes them unsuitable for direct placement and compaction on the landfill will be sent through the VFL process prior to landfilling." If this is the case, how will the material be stored and will such storage meet ARARs?

3. Table 2-2 presents screening criteria for evaluating the results obtained from the Sampling & Analysis Plan. Please be advised that the Government Parties' decision on placement of the waste without stabilization will be based not only on the contaminant levels but also on the volume of contaminated waste. In addition, the ROD establishes different cleanup levels for each source area. Therefore, it may be necessary to evaluate the results from each source area independently to decide whether stabilization is necessary.
4. The units in Table 2-2 (mg/kg) and Table 2-3 (ug/mg and ug/kg) are not consistent, please correct.
5. The Sampling & Analysis Plan states that "the extent of elevated contamination around a sample exceeding any of the screening levels may be determined by a second sampling round." Please be advised that Government Party approval of plans for additional sampling is required.

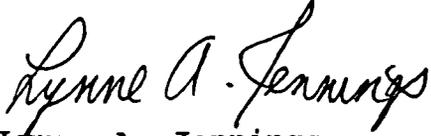
In order to receive Government Party approval of the Sampling & Analysis Plan, these comments must be addressed. In addition, prior to implementing this proposal, W.R. Grace must receive Government Party approval of the following items as presented in our September 3, 1993 conditional approval of the Revised 100% Design:

1. Government Party Approval of the Air Monitoring and Emissions Control Plan
2. Government Party Approval of the Complete Schedule
3. Government Party Approval of the Data Validation Procedures and Analytical Detection Limits for Demonstrating that the Soil Cleanup Levels have been achieved.

To facilitate work this fall, the Government Parties are willing to review the Air Monitoring and Emissions Control Plan in two phases. The first review would cover work not requiring solidification, the second review would cover the remaining work at the site.

If you have any questions, please contact me at  
(617) 573-9634 or Michael Leblanc at (508) 792-7653.

Sincerely,

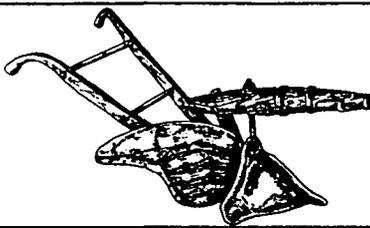


Lynne A. Jennings  
Remedial Project Manager  
Waste Management Division  
U.S. EPA

cc: Richard Boynton, EPA  
Gretchen Muench, EPA  
Bill Pencola, Ebasco  
Michael Leblanc, MADEP  
Charles Tuttle, MADEP  
Mark Stoller, W.R. Grace  
Bruce Conklin, CDM  
William Cheeseman, Foley, Hoag & Elliot  
Don Johnson, Town of Acton  
Doug Halley, Town of Acton (3)  
Paul Reiter, GZA (2)  
Steven D. Anderson, Anderson & Kreiger  
B. Leach, Town of Concord  
Robert Eisengrein, ACES  
John Swallow, Pine & Swallow Associates, Inc.

TOWN OF ACTON

MUNICIPAL



QUARTERLY

VOLUME 1 NUMBER 2

OCTOBER 1993

ACTON, MASSACHUSETTS

RETIREMENTS

Mary Larson

Mary Larson, retired in August after 26 years of service to the Town, nine of them served as Town Accountant. A Boxborough native, Mary helped bring the Town's financial operations out of the adding machine era and into the computer age. Mary, who was honored at a retirement party on September 24, looks forward to spending more time with her six grandchildren and possibly community service work.

Stewart Kennedy

Stewart Kennedy retired in July after 50 years of service to the Town, seventeen of them as Cemetery Superintendent. Stewart is the last of a long line of family members who served in Acton's cemeteries, which included his father, grandfather, and great-grandfather. The family amassed over 150 years of service in 97 consecutive years. In addition to his town duties, Stewart also served as President of both the Massachusetts Cemetery Association and the New England Cemetery Association. Stewart, who will be honored at a retirement party on October 22, looks forward to spending more time with his grandchildren, travel, and catching up on home projects.

WOOD STOVES

Wood stove permits can be obtained from the Building Department at 264-9632 for \$20.00. Inspections are performed Monday through Friday, 8:00 A.M. to 5:00 P.M.. It is very important that wood stoves be properly installed from both an insurance and safety point of view.

WAVPC

The West Acton Village Planning Committee has issued a draft of the West Acton Village Plan for public review and comment. Copies of the draft plan are available at the Citizen's Library, Memorial Library, Nashoba Valley Travel Service, the Town Clerk's Office and the Acton Planning Department.

To enable them to complete the Plan this Fall, the Committee will hold a public hearing on proposed amendments to the Zoning Bylaw in mid September and two additional public meetings during the month of October. Plan to join the members of the West Acton Village Planning Committee on October 13, 1993 at 7:30 PM in the West Acton Baptist Church to learn more about the West Acton Village Plan. For more information call the Planning Department at 264-9636.

SIDEWALKS

Sidewalks are being constructed this year on Pope Road and on Arlington Street by developers, at no cost to the Town, according to the terms of their project approvals.

For both residential and commercial projects, the Town's development regulations require that, in addition to any internal sidewalks required, new sidewalks be built along any public street that the project has frontage on. In some cases, the limits are extended beyond the immediate project area, through negotiation, in order to make logical connections to the existing sidewalk network and/or avoid particularly difficult construction problems. Eventually isolated sections of sidewalk will be connected into a logical network.

## HIGHWAY

The Highway Department has snow stakes available to residents who wish to mark the frontage of their property during the snow season. These stakes are available at the D.P.W. garage, on Forest Road. Due to a limited supply these stakes are on a first come first serve basis. Also there are approximately 40 sand barrels placed around Town, to be used by the townspeople. There is also a mixture of salt and sand available to the residents of Acton, at the D.P.W. garage, for use on residential driveways and sidewalks. For more information call the Highway Department at 264-9624.

## STREET LIGHTS

The Town of Acton paid \$105,978 to Boston Edison Company in Fiscal Year 93 for our 756 street lights on town roads. A flat fee is paid for each light, regardless of whether it is working or not. If you notice a broken light, please report it to the Municipal Properties Department at 264-9629, with a location and pole number.

## TOWN HALL OFFICE HOURS

Over the past few years there have been significant staff cuts at the Town Hall due to the fiscal constraints of Proposition 2½; these cuts have resulted in most departments being short staffed, and occasionally an office has to be closed for a period of time due to lack of personnel.

Generally, the Finance Department Offices (Tax Collector, Assessor, Accountant and Town Clerk) have sufficient staff to handle any questions that arise. But for those departments that are heavily involved with inspections, field work, or off-site meetings (Town Manager, Conservation, Municipal Properties, Building, Health, Planning and Engineering), it is suggested that you call first for an appointment. The best time to come in without an appointment is from 8:00 to 9:00 A.M. and from 4:00 to 5:00 P.M.

## FLOODING

The Federal Emergency Management Agency (FEMA) has issued a set of "Flood Insurance Rate Maps" for the Town of Acton. These maps show flood prone areas ('A' zones) where flood insurance is recommended and required if the property is mortgaged with a federally regulated financial institution. These maps are available for viewing at the Engineering Department Office in the Town Hall. The Town has also plotted these zones on the Town Atlas maps which helps in locating the flood zones relative to individual properties. For more information call the Engineering Department at 264-9628.

## E-911

The Town of Acton Police Department will soon be implementing the Enhanced 911 telephone system which shows computerized location information for any emergency calls received from anywhere in town. All citizens are strongly encouraged to mark their residences with large house numbers in order to enable public safety personnel to quickly find their house in an emergency. E-911 service will be an important addition to the Police and Fire Departments, improving on response times in emergencies. Questions should be directed to Municipal E-911 Coordinator Lt. Frank Widmayer, Acton Police Department at 264-9638.

## HUNTING

In Acton, hunting is permitted on Town owned lands only in those very rare cases that a permit is obtained from both the Board of Selectmen and the Conservation Commission. Due to the heavy recreational use of our public lands, safety concerns dictate that, generally, hunting is prohibited. However, it is strongly recommended that hikers wear bright, orange clothing and keep dogs leashed when out in the woods from October 1 until January 1. If you see anyone hunting on Town owned land, please report it to the Acton Police Department at 264-9638.



cc: BOS

BERNARD F. LYNCH  
TOWN MANAGER

OFFICE OF THE TOWN MANAGER  
TOWN OFFICES  
50 BILLERICA ROAD  
CHELMSFORD, MASS. 01824-2777

SEP 22 1993

TEL. 250-5201  
FAX. 250-5252

To: Area Town Managers  
From: Bernard Lynch, Town Manager *ML*  
Re: Ambulance Service  
Date: September 16, 1993

Thank you for participating in our survey regarding ambulance service. I have enclosed a copy of our Ambulance Study Committees Preliminary Report for your review.

Thanks again for taking time out of your busy schedules to provide data for our survey.

BFL/mc

Enc: 1

To: Board of Selectman and Town Manager

From: Ambulance Study Committee:  
Ed Marshall, Chairman, John Harrington,  
Shawn Kraft, Tom Moran and Barbara Skaar

Subject:: Preliminary Report

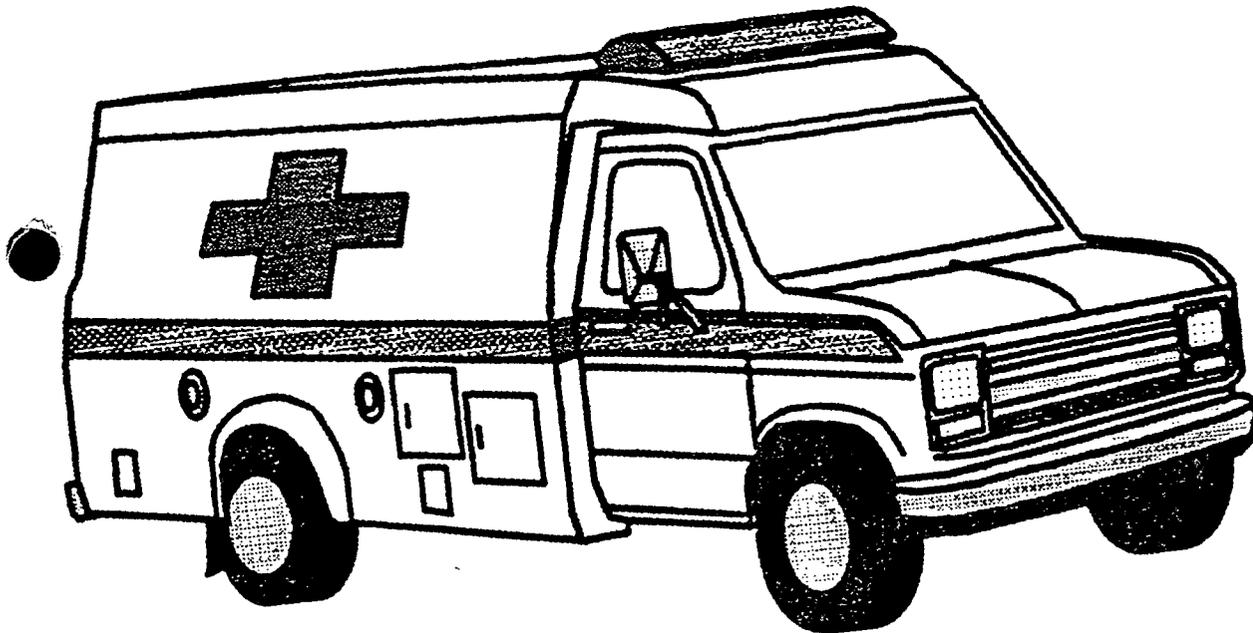
Date: September 7, 1993

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For reasons given in the attached report we think it unwise to try to finalize our recommendations at this time. The attached is a detailed preliminary report. The Committee is willing to continue its efforts when new leadership is in place in the fire and police departments.

The committee is scheduled to address the Board on October 25, 1993, and will be prepared to answer any questions at that time.

**Town of Chelmsford  
Ambulance Study Committee  
Preliminary Report**



**Submitted September 7, 1993**

## Ambulance Study Committee

### Preliminary Report

- I. Accomplishments
  - A. Evaluation of Present System
  - B. Examination of In-House Systems in Other Communities
  - C. Formulation of Alternative Systems
  - D. Preliminary Evaluation of Alternative Systems
  
- II. Preliminary Findings
  - A. Present System
    - 1. Service
    - 2. Costs
  - B. In-House Models
    - 1. Description
    - 2. Advantages and Disadvantages
    - 3. Costs
    - 4. Preliminary Conclusion
  
- III. Present Situation - Recommendations
  - A. Recent Administrative Changes
  - B. New Leadership
  - C. New Personnel
  - D. Need for Training
  - E. Installation of In-House System by 1994
  
- IV. Request for Bids - Recommendations
  - A. Request for Bids
    - 1. "Dedicated" ambulance
    - 2. Renewable
  - B. Evaluate and Award Bid
  - C. Monitor Performance of Provider
  - D. Continue Evaluation of In-House Systems under New Leadership
  - E. Improvement of First Response Policy

**I. Accomplishments**

**A. Evaluation of Present System**

The ambulance service in the Town of Chelmsford ("Town") is provided by a private vendor, Frontline Ambulance ("Frontline").

A dispatcher is currently located in the Police Department to request necessary ambulance service. Citizens of the Town may also call the ambulance service directly in emergency or non-emergency situations. Figures for the last year in which data is available indicate that the current response time is nine minutes.

The contract between the Town and Frontline (formerly Care Ambulance Service) commenced no later than February 1, 1991 until December 31, 1991, with two subsequent option periods of one year each. Both options were exercised by the Town Manager and the current contract expires after December 31, 1993.

Under the terms of the contract the Town is obligated to pay one dollar (\$1.00) per year to Frontline. In exchange, Frontline agreed to provide ambulance service to the Town in compliance with the terms of the contract. Frontline bills citizens of the Town or their insurance company for ambulance transport and retains all monies collected.

The contract requires that Frontline "...shall base [a] Primary Class I Ambulance at a location of their choosing with such location being within six minutes of the Center of Chelmsford." It should be noted that prior to the commencement of this study Frontline did not comply with that requirement. Recently, Frontline leased space in North Chelmsford and an ambulance has been stationed in or near the center of Town more regularly.

In addition, Frontline is required to provide certain information to the Town Manager each month. Despite requests made by the Town Manager, Frontline has failed to comply with this provision. Attempts by this committee to obtain requested information from Frontline have been ignored or met with delays.

- B. Examination of In-House Systems in Other Communities  
In order to evaluate to efficiency of the current ambulance service, the committee conducted comparisons with several other communities. These towns were selected for various reasons including, but not limited to, similarity in size to the Town, proximity to the Town, and the reputation of their ambulance service.

Visits were made to the towns of Andover, Billerica, Burlington, Concord, Lexington, Natick, and Westford. Each of these communities provides ambulance service "in-house" either within the fire department or as a separate department.

- C. Formulation of Alternative Systems  
Based on the ambulance service provided by the surveyed communities, the committee formulated four alternative systems (referred to as "Models"). These models provide an overview of the possible types of "in-house" ambulance service the Town might adopt.

## **II. Preliminary Findings**

- A. Present System

The ambulance service currently used by the Town is provided by a private vendor. There are several advantages and disadvantages to this arrangement which will be addressed in this section.

1. Service

Under the terms of the existing contract, Frontline is to respond to emergency calls within the Town. In order to facilitate an immediate response the contract requires that the provider be stationed within six minutes of the center of the Town. This condition has only recently been met with any semblance of conformity.

One advantage of an "in-house" ambulance service is the certainty that it will be stationed at its designated location in Town.

In addition to the obvious stresses of the job, those employed by private vendors are generally low-paid. As a result there is a high turnover rate personnel and new personnel often do not have adequate familiarity with the streets in Town.

With respect to the use of a private vendor, it was noted by public safety officials in this Town and in other communities that the high turnover rate of private ambulance personnel does not lend itself to an efficient service.

2. Costs

Under the existing contract, the cost of the ambulance service to the Town is one dollar (\$1.00) per year. Because Frontline has failed to provide requested revenue information, it is not possible to determine whether there is an opportunity cost in granting Frontline the right to retain all revenue collected. There is a possibility that the Town could convert to an "in-house" service and operate at a profit.

B. In-House Models

1. Description

Model #1 is based on the ambulance service in Andover. The service is located within the Fire Department. The Primary Ambulance is staffed by eight EMT-trained firefighters. The back-up ambulance is provided through mutual aid agreements with surrounding communities.

Model #2 is based on the ambulance service provided by the Town of Lexington. As with Model #1, the primary ambulance is staffed by eight EMT-trained firefighters. In addition, there is second ambulance which is staffed by the ladder truck crew members who receive a stipend for ambulance duty. In the rare instance when the ladder truck and a second ambulance are needed, the Town relies on mutual aid agreements with surrounding communities for ladder truck service.

Model #3 is based on the ambulance service found in the Town of Billerica. Unlike the other models, a separate ambulance department is responsible for its operation. This model allows for the employment of experienced and dedicated EMTs and avoids certain potential staffing conflicts which might occur. The possibility also exists that those employed in this department would not be part of the fire or police bargaining units, allowing for additional scheduling flexibility. Mutual aid agreements with surrounding communities supply a second ambulance when necessary.

Model #4 is based on the Ambulance service provided in the Town of Burlington. Like Models #1 and #2, the ambulance service is located within the fire department. Unlike the other models, the ambulance shares staff with the ladder truck. In situations where either the ladder truck or a second ambulance is needed, the Town relies on mutual aid agreements to provide coverage.

2. Advantages and Disadvantages

While each of these models may work well in the respective communities which employ them, there are advantages and disadvantages in using them in Chelmsford.

The obvious advantage to "in-house" service in general is that it provides a dedicated ambulance which is staffed by well-trained employees of the Town. And, as is evidenced by the preceding models, there are several ways to incorporate an "in-house" ambulance service within the Town. Furthermore, it may be possible to operate the service so that it provides additional revenue to the Town as evidenced by Model #4 which requires no additional staff but does require additional training by the ladder crew.

However, there are certain disadvantages which must be considered. First, the cost of the current system used by the Town is minimal and there would be significant expenses in establishing an ambulance service in Town. Each of the models requires that the Town purchase at least one ambulance (Model #2 requires two ambulances). See **Table of Costs**, page 7.

Another consideration, which could also be viewed as an advantage, is that additional training would be required of some if not all personnel. This is most evident in the models located in the fire department. It was brought to the attention of the committee that some members of the fire department, especially those with the most seniority, may not be as able or dedicated ambulance personnel as those specifically hired and trained for that purpose.

3. Costs

The projected costs of each model vary. The table below outlines the estimated costs of the current system and the four models previously discussed.

**Table of Costs**

<b>Method</b>	<b>Users Cost</b>	<b>Taxpayers Cost</b>	<b>Total Costs</b>
Present	\$204,644.00	\$1.00	\$204,645.00
Model #1	\$150,000.00	\$288,400.00	\$438,400.00
Model #2	\$150,000.00	\$304,400.00	\$454,400.00
Model #3	\$150,000.00	\$288,400.00	\$438,400.00
Model #4	\$150,000.00	(\$114,800.00)	\$35,200.00

### **III. Present Situation - Recommendations**

Among those who decided to take advantage of the early retirement program recently offered by the Town are the Fire Chief and the Police Chief as well as other senior officers in both departments. The Town Manager has voiced his preference that the departments be joined under an umbrella "Public Safety Department". There is opposition to this suggestion by some members of the community.

#### **A. New Leadership**

Regardless of whether the Town retains the current separate department system or changes to a single Public Safety Department, there is an opportunity to strengthen the relationship between the two factions. In selecting new leadership within the organizations, the emphasis should be placed on unity rather than competition. The current "First Response Policy" is not followed by either department and as a result inefficiency exists in the system. This policy should be reviewed by incoming administration.

#### **B. New Personnel**

In addition to the high-level openings, there are several new hires projected for the fire department. It is recommended by this committee that all new hires be EMT-trained within a designated period after hire and be required to maintain EMT certification. In addition, it is recommended that all public safety personnel, police and fire, be EMT-trained. This is a requirement in many other communities and is a positive objective which the Town should insist upon.

C. Installation of In-House System by 1994

Realistically, it is not feasible that an "in-house" ambulance service be instituted before January 1, 1994. As such, it is the recommendation of this committee that the Town proceed with the bidding process from private vendors.

**IV. Request for Bids - Recommendations**

In proceeding with the Request for Bids, this committee recommends that the Town seek bids based on two different models for private ambulance service.

A. Request for Bids

1. "Dedicated" ambulance

The Request for Bids should be based on the existing system which places an ambulance within six minutes of the center of Town. While this system may not be the most effective, it is likely the most cost efficient.

Beyond the minimum bid criteria, any comparative criteria should contain incentive for bidders to provide an ambulance which is dedicated to the Town. This ambulance should be centrally located in the Town and is for the exclusive use of the Town. Because this is not contained in the minimum criteria it should not raise the cost to the Town if a prospective provider agrees to comply.

2. Renewable

It should be required that each proposal contain option provisions. This is to allow the Town sufficient time to plan for the implementation of "in-house" service if it is determined feasible.

B. Evaluate and Award Bid

It is the recommendation of the committee that the bid be awarded to that service which, beyond the minimum criteria, will best serve the needs of the community at the lowest cost. Ideally, this will result in substantially the same cost to the Town as in recent years as well as a dedicated ambulance and improved cooperation.

C. Monitor Performance of Provider

It is the recommendation of this committee that the Town Manager establish a committee to review the performance of the provider on a monthly basis. This committee should be composed of at least one member the community, an employee from the Fire Department, and an employee from the Police Department.

D. Continue Evaluation of In-House Systems under New Leadership

Regardless of the structural form adopted to provide public safety, it is the recommendation of this committee that the new leadership be required to continue evaluation of a possible "in-house" ambulance service.

E. First Response

The current First Response policy in the Town must be revised. There has been a failure by the leadership in both the Fire and Police Departments to adequately implement the existing policy. Each department seems to adhere to its own separate policy without cooperation between departments. There appears to be a competitive rather than cooperative attitude between the departments.

Representatives from each department met with the committee and it is evident that their dedication to the subject of First Response is genuine and enthusiastic. However, the new leadership must be directed to cooperate in revising and instituting a joint First Response policy to better serve the needs of the community.



# The Commonwealth of Massachusetts Department of Education

CC: BOS

350 Main Street, Malden, Massachusetts 02148-5023 • (617) 388-3300

## M E M O R A N D U M

To: Municipal Officials with School Districts  
Spending Over their Foundation Budget

From: Robert V. Antonucci *RVA*  
Commissioner of Education

Date: September 17, 1993

RE: Local Spending Waivers

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Section 128 of Chapter 151 of the Acts of 1993 (enclosed) allows communities with school districts spending above their foundation budget to apply for a waiver of their required minimum local contribution. The maximum value of the waiver will be equivalent to the difference between your districts' minimum contribution and this year's minimum state aid.

This statute gives my office the authority to grant such waivers and directs me to utilize the following criteria to render a decision:

- a determination that a full array of educational programs and support services are being offered;
- whether pupils are charged to participate in programs and activities; and
- whether there exists a significantly high level of student performance as determined by state assessment instruments.

Because of the procedural time frame required to promulgate the regulations, the Department will distribute specific standards for the above criteria in anticipation of the regulations. Emergency regulations detailing these standards will be promulgated at the September 28 meeting of the Board of Education and distributed to immediately following the meeting.

Although your district is eligible to apply for a waiver under this statute, I want to make it clear from the outset that my decision to grant waivers will be based on a district's ability to meet the high standards called for in the Education Reform Act.

SECTION 128. Notwithstanding the provisions of chapter seventy of the General Laws or any other general or special law to the contrary, any municipality whose expenditures for fiscal year nineteen hundred and ninety-three are in excess of its foundation budget for the school districts for which it belongs, may apply to the commissioner of education for a reduction in its preliminary local contribution so that the increase in said preliminary local contribution is no less than the amount of minimum aid received by the municipality in any fiscal year. The commissioner may grant said waiver to municipalities upon determining that the municipality is offering a full array of educational programs and support services. The commissioner's consideration shall include whether pupils are charged to participate in programs and activities and whether there exists a significantly high level of student performance as determined by state assessment instruments; provided, that the commissioner shall draft regulations stipulating criteria for said waiver; and, provided further, that said regulations shall be filed with the joint committee on education, arts and humanities at least forty-five days prior to the effective date of said regulations.

TOWN OF ACTON POLICE DEPARTMENT  
INTER-DEPARTMENTAL COMMUNICATION

cc: BOS

TO: Chief George W. Robinson      DATE: September 23, 1993  
OM: Detective Todd Fenniman  
SUBJ: Bias Crime Training

**Town Manager  
Information**

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On September 20 through September 22 I had the privilege of attending National Bias Crime Training at the Massachusetts Criminal Justice Training Council in Burlington. This training was a pilot curriculum developed by the United States Department of Justice-Office for Victims of Crime, the Educational Development Center, Inc., and the Massachusetts Criminal Justice Training Council. The course was two and one-half days of instruction ranging from the history of civil rights to protocol and procedures for civil rights investigations. Instructors were from the Boston Police Community Disorders Unit, Attorney General's Office, Department of the Prosecuting Attorney of Maui, Hawaii, Northeastern University, and an Associate Justice of the Massachusetts Superior Court, to name few. The final day included presentations from Sally Greenberg of the Anti-Defamation League, Kevin Burke of the Essex County District Attorney's Office, and Commissioner William Bratton of the Boston police Department.

I was asked by the Council to evaluate the course from a police officer's point of view while a representative of the Victim-Witness section evaluated from theirs. I was advised I was chosen to do this because I was one of the very few designated Civil Rights Officers to be in attendance and that I was appointed to this position prior to a State Wide letter being issued to all Police Departments urging them to appoint an officer for such duties. The Council felt this was extremely progressive and worthwhile of notice. The evaluations were going to be used to work out the bugs in the curriculum and to receive feedback from participants. The completed curriculum is then going to be taught nationally starting with the FBI in Quantico, Virginia.

An agenda of the course is attached for your review. It was a

TOWN OF ACTON POLICE DEPARTMENT  
INTER-DEPARTMENTAL COMMUNICATION

most worthwhile training and very beneficial to my position as Human  
Rights Officer for the Town.

**NATIONAL BIAS CRIME TRAINING  
FOR  
LAW ENFORCEMENT AND VICTIM SERVICES PROFESSIONALS**

**MASSACHUSETTS PILOT TRAINING  
AGENDA  
Day 1  
September 20, 1993**

- 9:00      **Introduction and Overview of Bias Crimes: Defining the Challenge**  
Brian Daley, Policy Analyst, Mass. Criminal Justice Training Council  
Karen McLaughlin, Project Director, Bias Crime Project, Education  
Development Center  
William Johnston, Deputy Superintendent, Boston Police Department
- 9:45      **Defining the Challenge: An Overview of the Civil Rights Movement  
and Its Impact on the Roles of Law Enforcement and Victim  
Assistance Professionals**  
Richard Cole, Esquire, Assistant Attorney General, Chief, Civil Rights  
Division  
Chief Edward Flynn, Chelsea Police Department  
Karen McLaughlin, Project Director, Bias Crime Project, Education  
Development Center
- 10:45      **Break**
- 11:00      **Building a Common Language: Defining Bias Crime Terminology**  
Jack McDevitt, Professor, Northeastern University, Center for Applied  
Social Research
- 11:30      **Identifying the Crime: Bias Crime Indicators**  
Deputy Superintendent William Johnston, Boston Police Department
- 12:15      **Lunch**
- 1:15      **Legal Issues, Legislation, and Statutes**  
Judge Maria I. Lopez, Associate Justice of the Mass. Superior Court  
Richard Cole, Esquire, Assistant Attorney General, Chief, Civil Rights  
Division
- 2:15      **The Case of Steven Thompkins and Henry Briggs**  
William Johnston, Deputy Superintendent, Boston Police Department
- 2:45      **Break**

- 3:00 **Offender Typology and Victim Trauma**  
Jack McDevitt, Professor, Northeastern University, Center for Applied  
Social Research  
Dr. Brian Kenji Ogawa, Coordinator, Department of the Prosecuting  
Attorney, Maui, Hawaii
- 4:45 **Closing and Evaluation**  
Karen McLaughlin, Project Director, Bias Crime Project, EDC  
Brian Daley, Policy Analyst, Mass. Criminal Justice Training Council
- 5:00 **Adjourn**

AGENDA

Day 2  
September 21, 1993

- 9:00 Introduction
- 9:15 Cultural Considerations  
Dr. Brian Kenji Ogawa, Coordinator, Department of the Prosecuting Attorney, Maui, Hawaii
- 10:15 Professional Development (Concurrent Sessions)
- For Law Enforcement Professionals:*  
Documenting the incident; interviewing witnesses; interrogating suspects; investigation techniques; and proactive strategies  
Sgt. Brian Flynn, Community Disorders Unit  
Boston Police Department  
William Johnston, Deputy Superintendent, Boston Police Department
- For Victim Services Professionals:*  
Counseling; advocacy; and outreach  
Dr. Brian Kenji Ogawa, Coordinator, Department of the Prosecuting Attorney, Maui, Hawaii
- 10:45 Break
- 11:00 Professional Development (Continued)
- Sgt. Brian Flynn, Community Disorders Unit  
Boston Police Department  
Dr. Brian Kenji Ogawa, Coordinator, Department of the Prosecuting Attorney, County of Maui, Hawaii
- 12:30 Lunch
- 2:00 Protocol, Policies and Procedures: Guidelines for an Effective Response  
Deputy Superintendent William Johnston, Boston Police Department
- 2:45 Break
- 3:00 An Expert Panel Discussion  
Richard Cole, Esquire, Assistant Attorney General, Chief, Civil Rights Division  
William Johnston, Deputy Superintendent, Boston Police Department  
Robert E. Weirnerman, Community Advocate

4:30

**Closing and Evaluation**

Karen McLaughlin, Project Director, Bias Crime Project, EDC

Brian Daley, Policy Analyst, Mass. Criminal Justice Training Council

5:00

**Adjourn**

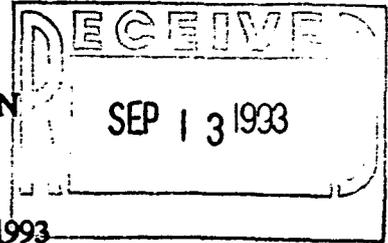
## AGENDA

Day 3  
September 22, 1993

- 9:00      **Introduction**
- 9:15      **Exemplary Practices**  
Chief Robert P. Anthony, Provincetown Police Department  
Sgt. John K. Henderson, Civil Rights Officer, Provincetown P.D.  
Alice M. Foley, Director of Human Services and Public Health, Town  
of Provincetown
- 10:15     **Break**
- 10:30     **Action Planning**  
William Baker, Executive Director, Mass Criminal Justice Training  
Council
- 11:15     **Community Strategies: Community Policing and Community Outreach**
- Community Involvement and Prevention  
Sally Greenberg, Civil Rights Counsel, Anti-Defamation League  
of B'Nai Brith
  - Community Policing  
Commissioner William J. Bratton, Boston Police Department
  - Community Outreach  
Kevin M. Burke, District Attorney, Essex County
- 12:00     **Participant Discussion**
- 12:30     **Closing and Evaluation**  
Karen McLaughlin, Project Director, Bias Crime Project, EDC  
Brian Daley, Policy Analyst, Mass. Criminal Justice Training Council
- 1:00      **Adjourn**

cc: BOS

**TOWN OF ACTON**  
**INTERDEPARTMENTAL COMMUNICATION**



September 13, 1993

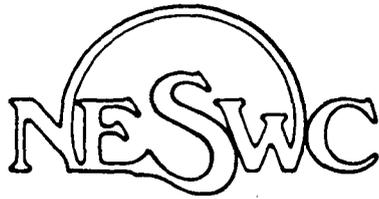
**TO:** Don P. Johnson, Town Manager  
**FROM:** Dean A. Charter, Municipal Properties Director *PAC*  
**SUBJECT:** Development of Woodlawn Cemetery Section 14

This is to inform you that I plan to begin the expansion of Woodlawn Cemetery, Section 14 (the area between the service building and the soccer field) this fall. I have contacted our original land clearing bidder, who informs me that he will honor his old quote, and we hope to have the area cut, stumped, and rough graded by freeze up. As you know, the funds to undertake this development were transferred from the Cemetery Land Fund at the 1993 Annual Town Meeting.

I have done some further investigation about double depth interments, and discussed the matter with the Cemetery Commissioners. Although the possibility of doubling our inventory is enticing, experience from other Cemeteries leads me to believe that this option should be an absolute last choice, and will not be further considered for Section 14.

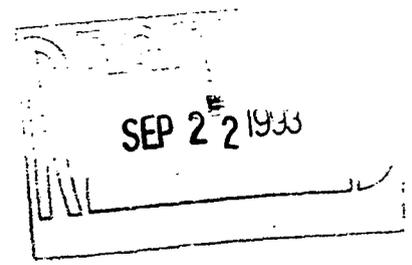
cc.: Cemetery Commissioners

DAC/118



## NORTH EAST SOLID WASTE COMMITTEE

cc: Dick Howe



### Board of Directors Meeting Agenda

September 29, 1993 - 1:30 p.m.  
Arlington Community Safety Building

1. Approval of Minutes August 17, 1993 meeting
2. Peter Terris and Ruth Fetch Palmer & Dodge - Buy Down Legal Strategies (Executive Session)
3. Electricity Contract Review - Analysis from Citizens Power & Light (Executive Session)
4. Pencor Project Update
5. September 14th Marketing Seminar - Summary Report
6. Sludge Test Burn - GLSD Update
7. "Phantom Tons"
8. DEP Meeting - Summary Report
9. Potential Entrepreneurial System
10. HHV Test Data Analysis - CDM Report
11. Update on Financial Officers November Meeting
12. Peabody Landfill Update
13. Update on Community Meetings
14. Investment Report
15. DEP Waste Ban (brush)
16. New Business

cc: BOS

# Water Supply District of Acton

693 MASSACHUSETTS AVENUE  
P.O. BOX 953  
ACTON, MASSACHUSETTS 01720

SEP 22 1993

TELEPHONE (508) 263-9107

FAX (508) 264-0145

WATER SUPPLY DISTRICT OF ACTON  
HARLAN TUTTLE BUILDING  
693 MASSACHUSETTS AVENUE  
ACTON, MA 01720

SEPTEMBER 27, 1993

AGENDA:

- 7:30 P.M. CALL TO ORDER
- 7:31 P.M. COMMENTS FROM CITIZENS AND OPEN DISCUSSION
- ACCEPT MINUTES OF MEETING SEPTEMBER 13, 1993

NEW BUSINESS

WARRANTS & COMMUNICATIONS

INTERVIEW R.F.P. FIRMS FOR NEW BUILDING

THE CARELL GROUP: 7:30PM

CSS ARCHITECTS, INC: 8:15PM

~~DUFRESNE-HENRY INC~~ : 9:00PM

JOB CLASSIFICATIONS & DISTRICT POLICIES

OLD BUSINESS

R.F.P. ON GRACE INVESTMENT ACCOUNT

CONANT SITE #2

LAWN SPRINKLERS - UNDERGROUND TYPE

BOTTLED WATER

ACORN PARK

SPECIAL DISTRICT MEETING

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

*9/28  
Special MR*

John Murray  
Assistant Town Manager

---

September 22, 1993

Mr. Mitchell Adams  
Commissioner  
Massachusetts Department of Revenue  
PO Box 9655  
Boston, MA 02114-9655

Mr. Adams,

The Town of Acton consumed \$1,456,564 of Free Cash to supplement reoccurring revenues in order to balance its fiscal year 1993 budget. Working jointly, municipal and school financial officials are attempting to understand all the financial definitions and implications of the Educational Reform Law. Unfortunately, these officials currently do not believe they have a complete appreciation of the interrelationships of the Reform Act in order to determine if the Town needs to submit a waiver request. Therefore, at a joint meeting of the Acton Board of Selectmen, The Acton Public School Committee, and the Acton Boxborough Regional School Committee on September 21, 1993, these elected officials unanimously approved a motion to request an extension of the October 1, 1993 deadline for submission of an application to adjust the local contribution amount required by the Educational Reform Act of 1993. Further, it was the direction of these officials that the Town seek permission to submit the application no earlier than November 1, 1993.

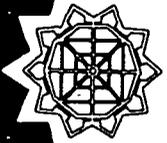
The financial officials and the elected board members are fully cognizant of the burden the emergency preamble has placed upon your department, and all of us find the published IGRs and Bulletins a great deal of help in our attempt to construct our budgets correctly for fiscal year 1994. If possible, we would like to request the services of Roger Hatch to assist us in our quest. Mr. Hatch has earned the respect of both the municipal and school sides of the house in prior interactions. Therefore, it is our belief that his obvious integrity, knowledge and the goodwill that he has built up in prior meetings is crucial to an expedient decision to submit an adjustment request.

Thank you for your time and consideration, and if I may be of any additional assistance to your decision process, please feel free to call.

Sincerely Yours,

John Murray

# MMA Action



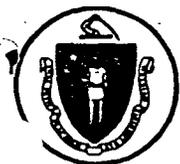
## **ASK LEGISLATORS TO OVERRIDE OVERLAY VETO**

The legislature returns from its summer recess this week. Please call your legislators today and ask them to override the governor's veto of the overlay provisions (Section 115 of the fiscal year 1994 budget.)

For the third year in a row the legislature has wisely included exempting the overlay from the levy limit in its budget, only to have the governor veto this section. When you speak with your legislators please remind them of the following points:

- It is entirely a local option provision -- local elected officials, not legislators, must decide whether or not to exclude the overlay account from the levy limit -- it merely allows communities to make this decision, acting through their Mayor/City Council or Selectmen/Town Meeting form of government;
- Passage of this provision would not result in a statewide \$140 million property tax increase -- not every community would vote to use the overlay exemption and not every community would use the full amount, so the true statewide impact would be just a fraction of this "estimate" -- the opponents of this section are using wildly unrealistic and exaggerated numbers;
- The overlay account is not used for municipal spending, rather it is money set aside each year in each municipality to cover the cost of tax abatements; in essence, the overlay account is used to reimburse taxpayers for money the community should not have collected in the first place;
- Even if every community used the maximum amount allowed this would still be less than the total amount of unfunded mandates contained in the new education law; if the state is unwilling to adhere the anti-mandate provisions of Proposition 2 1/2 then the state should at least allow communities the local option decision to exempt the overlay account to help pay for some of this new mandated spending; and
- Cities and towns have suffered a serious erosion in their revenue base over the past 5 years; municipal budgets have been slashed to the bone because of unprecedented cuts in local aid, the deep recession, and costly unfunded mandates; without this reasonable change in treatment of the overlay account, many communities will be forced to reduce basic services, particularly police and fire protection, to dangerous and unacceptable levels.

The MMA staff is in the process of doing a head count on the overlay override. Please call David Baier or Marie Johnson (800-882-1498) as soon as you get your legislators' position on voting to override the overlay veto (yes, no, or undecided). Thank you very much.



The Commonwealth of Massachusetts  
Department of Education

SEP 28 1993

350 Main Street, Malden, Massachusetts 02148-5023

Robert V. Antonucci  
Commissioner

MEMORANDUM

**TO:** Chief Municipal Officers and School Superintendents  
**FROM:** Robert V. Antonucci, Commissioner of Education *RVA*  
**DATE:** September 24, 1993  
**RE:** Education Reform Act Fiscal Information Meetings

I am pleased to announce that as a follow-up to the Education Reform Act Information Sessions in August, the Department of Education, with the cooperation of the Department of Revenue and the Executive Office of Education, has scheduled two **Fiscal Information Meetings** for additional consultation. The meetings will take place on:

Tuesday, October 19	Massachusetts Archives Building Morrissey Boulevard, Dorchester
Wednesday, October 20	Dean Vocational Technical High School 1045 Main Street, Holyoke

Meetings will be scheduled throughout each day for school district and/or municipal officials needing additional fiscal information. If you still have questions or need clarification about school finance, I encourage you to form a team and schedule an appointment. **Meetings are by appointment only**, and may be scheduled on a first come, first serve basis, beginning on September 27:

From 8:30 a.m. to 1:00 p.m. call:  
Patricia Malloy at 617 - 388-3300, extension 220

From 1:00 p.m. to 5:30 p.m. call:  
Marion Gillon at 617 - 388-3300, extension 218

If you have any questions remaining about Education Reform Act provisions related to school finance, I hope that you will take this opportunity to receive direct technical assistance from state fiscal specialists. Attached is a list of finance-related topics in which you may need clarification. Answers to these and other questions will be provided in individualized 30-minute meetings.

BVA/mas

## SUGGESTED AREAS OF DISCUSSION

1. Clarification of eligible municipal expenditures under state aid regulations.
2. Explanation of Equity Aid and its application to regional school assessments.
3. Explanation of Chapter 70 aid transferred from town to regional school district and its application to regional school assessments.
4. Explanation of Section 11 of Chapter 70 allowing a 5% carry over of the funds budgeted for net school spending.
5. Review of formula as it applies to individual districts.
6. Waiver process for towns spending above the foundation.
7. How is municipal revenue growth factor calculated.
8. How to analyze current spending vis a vis required spending
9. Definition of maintenance versus capital costs.
10. How to estimate FY95 spending.

# DIRECTIONS TO THE MASSACHUSETTS ARCHIVES FACILITY

*& Commonwealth Museum*

## BY CAR:

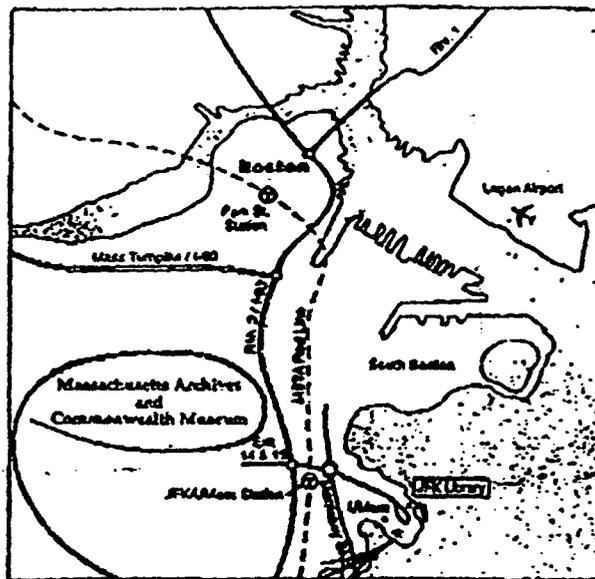
**FROM THE NORTH: ROUTE 3/I-93 TO EXIT 15 (MORRISSEY BLVD, JFK LIBRARY). FOLLOW SIGNS FOR UMASS BOSTON/JFK LIBRARY.**

**FROM THE WEST: RTE I-90 TO RTE I-93 SOUTH. FOLLOW SIGNS FOR UMASS BOSTON/JFK LIBRARY.**

**FROM THE SOUTH: RTE 3/I-93 TO EXIT 14 (MORRISSEY BLVD, JFK LIBRARY). FOLLOW SIGNS FOR UMASS BOSTON/JFK LIBRARY.**

**FREE AMPLE PARKING.**

**BY MBTA: TAKE THE RED LINE TO JFK/UMASS STATION. THEN BOARD FREE SHUTTLE BUS IN THE PARKING LOT TO JFK LIBRARY (THEY RUN EVERY HOUR AND EVERY 20 MINUTES AFTER), OR UMASS BOSTON BUSES RUN EVERY FIVE MINUTES; THE MASSACHUSETTS ARCHIVES FACILITY IS A SHORT WALK FROM THE CAMPUS.**



## HOW TO GET HERE

Located next to the John F. Kennedy Library, the museum is easily accessible by private and public transportation and provides ample free parking.

**WM. J. DEAN TECHNICAL  
HIGH SCHOOL**  
1045 MAIN ST.

FROM HOLYOKE CTR. & RTE. 391



Holyoke

MASS PIKE  
EXIT 4

WEST SPFLD.  
RIVERDALE ST  
NORTH

HOLYOKE MALL  
INGLESIDE ST

PROVIDENCE HOSPITAL

90

MASS.

West  
Springfield

EXIT 13A  
RIVERDALE ST  
NORTH

RTE. 91

RIVERDALE

CONNECTICUT

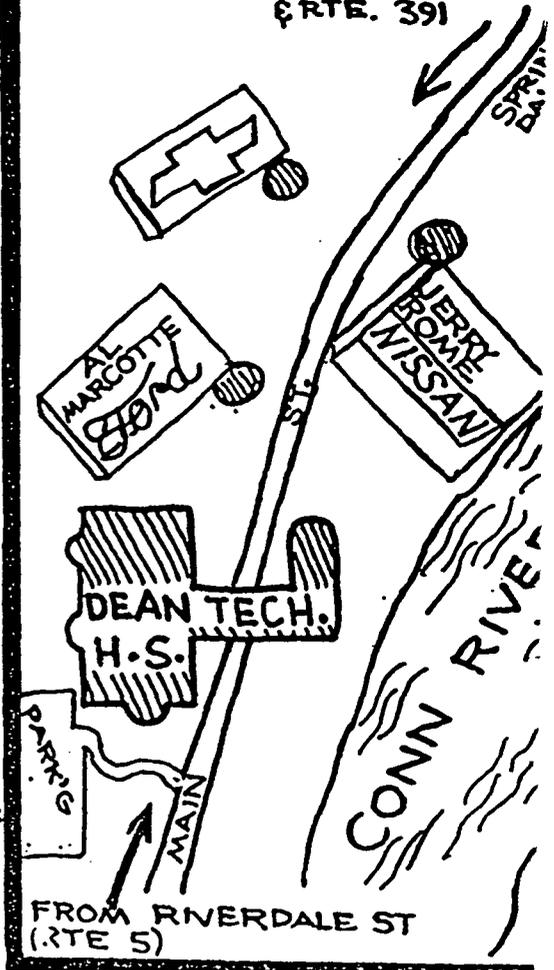
391

Chicopee

91

5

Springfield



**FROM MASS PIKE: (EAST OR WEST)**

- 1 TAKE EXIT 4, ENTER RAMP SYSTEM AFTER TOLL BOOTH. LOOK FOR WEST SPRINGFIELD SIGN
- 2 TAKE RIVERDALE ST. NORTH RIVERDALE ST
- 3 PROCEED NORTH ON RIVERDALE ST TO MAIN ST. AS INDICATED IN THE DIRECTIONS BELOW (-FROM RTE. 91)

**FROM RTE 91: (NORTH FROM SPFLD)**

- 1 TAKE EXIT 13A, RIVERDALE ST-NORTH (RTE 5). TRAVEL APPROX 2.20 MILES (PAST PROVIDENCE HOSPITAL) ON RTE 5. BEAR RIGHT ON MAIN ST. AT SIGN. HOLYOKE CTR
- 2 DEAN TECH H.S. IS .7 MILE ON LEFT.

**FROM RTE 391**

- 1 TAKE MAIN ST. EXIT 5
- 2 TURN LEFT AT TRAFFIC LIGHT AT END OF RAMP (MAIN ST.) DEAN TECH H.S. IS 1.5 MILES ON RIGHT.

9/21/93 (7)



Commissioner  
Mitchell Adams  
Deputy Commissioner  
Leslie A. Kirwan

Massachusetts Department of Revenue  
Division of Local Services

**BULLETIN**

September 9, 1993

TO: Mayors, Selectmen, Town Councils, School Superintendents,  
Town Accountants, Finance Committees and Assessors

FROM: Leslie Kirwan, Deputy Commissioner  
Division of Local Services *Leslie A. Kirwan*

SUBJECT: Education Reform - Setting FY94 Tax Rates & Recalculating  
Required Local Contributions to Schools

As you are no doubt aware, the new Education Reform law (Ch. 71 of the Acts of 1993) establishes certain minimum spending requirements for schools, and provides that in certain circumstances where a municipality does not meet such requirements, the Department of Revenue cannot approve a tax rate for that municipality.

**ADJUSTING REQUIRED LOCAL CONTRIBUTIONS FOR FY94**

Outside sections of recent budget acts have authorized the Commissioner of Revenue to adjust cities' and towns' required local contributions to fund education for fiscal year 1994 on account of (1) the use of non-recurring revenues or available funds to finance the town's FY93 budget, and (2) the need to raise an extraordinary expense in FY94, such as court judgments or snow and ice deficits. No adjustment can be made to a municipality's required contribution to a regional school district under these sections.

Municipalities seeking such adjustments <sup>↑</sup> must apply in writing to the Department of Revenue by October 1, 1993. The application should identify the extraordinary revenues or expenses, and show the corresponding amounts of such such revenues or expenses included in the budgets for fiscal years 1991 - 1994. In the case of an adjustment on account of the extraordinary use of available funds in the FY93 budget, the application should also show the balance of such funds available for appropriation in FY94.

*The Division of Local Services is responsible for oversight of and assistance to cities and towns in achieving equitable property taxation and efficient fiscal management.*

*The Division regularly publishes IGRs (Informational Guideline Releases detailing legal and administrative procedures) and the Bulletin (announcements and useful information) for local officials and others interested in municipal finance.*

Division of Local Services, PO Box 9655, Boston, MA 02114 - 9655 (617) 727-2300

## TAX RATE SETTING

For a town whose appropriations for its local schools do not meet the spending levels required by the new law but which have sufficient state aid or available funds to provide the additional appropriations required, and which would not otherwise need to have a town meeting before setting its tax rate, we have agreed with the Department of Education that we will approve the town's actual or preliminary tax rate if the chairmen of the board of selectmen, school committee and finance committee together with the school superintendent jointly enter into a memorandum of understanding that sets out how the town will meet its school funding obligations.

## ACTUAL TAX RATES

A number of towns, in approving their local school budget for FY94, appropriated enough money to meet the required local contribution under the new law, but failed to appropriate a big enough total budget, either because they have received additional unanticipated education aid or because they assumed that certain parts of their education aid such as the per-pupil and EEO grants could be spent by the schools without appropriation, which was the case in FY93.

Towns in these circumstances will be permitted to set an actual FY94 tax rate if they execute a memorandum of understanding (1) to reserve the unanticipated or "excess" education aid to fund a supplemental school appropriation sufficient to bring the community into compliance with the new law, and (2) to seek such an appropriation from the reserved education aid at the next town meeting, which could be as late as a special town meeting within the 1994 annual town meeting. See the attached sample Memorandum of Understanding for setting actual tax rates. The school department would be authorized to spend at the level required in anticipation of the supplemental appropriation.

## PRELIMINARY TAX RATES

If a town has not appropriated sufficient local funds to meet its local contribution, we will not certify an actual tax rate. We will however approve a preliminary tax rate under G.L. Ch. 59 §23D. provided the town has sufficient available funds such as free cash or unanticipated local aid in excess of the amount of such aid used in the town's budget to provide for the additional local spending necessary to meet its obligations under the new law. The school department will be able to spend at the minimum level required by the new law upon execution of the Memorandum of Understanding. See the attached sample Memorandum of Understanding for setting preliminary tax rates.

These options with respect to setting tax rates are available only to towns. Because of the greater flexibility of their budgeting process, cities should be able to resolve school funding issues under the new law in a timely manner.

**TOWNS THAT HAVE ADEQUATE APPROPRIATIONS FOR EDUCATION**

If a town has appropriated sufficient funds to comply with the new law, but is receiving more state aid than it had anticipated, the town will be permitted to set an actual tax rate and reserve the excess state aid for subsequent appropriation to the schools or to any other municipal purpose. However, schools in such towns will not be able to spend any more than their appropriations on account of such reserved state aid unless and until additional funds are appropriated to the schools.

Applications for adjustments to the required local contribution as well as memoranda of understanding should be submitted to:

Leslie Kirwan, Deputy Commissioner  
Division of Local Services  
P.O. Box 9655  
Boston, MA 02114-9655

A community that has questions about any of these issues or about the calculation of its municipal revenue growth factor should contact its respective Bureau of Accounts field representative as soon as possible to minimize delays in resolving budgetary problems and in setting its tax rate.

**MEMORANDUM OF UNDERSTANDING  
FOR TOWNS SETTING ACTUAL TAX RATES**

Whereas the town of \_\_\_\_\_ has not appropriated sufficient funds for local school spending to meet the requirements of Chapter 70 of the General Laws, and

Whereas the amount by which the local school spending must be increased to comply with Chapter 70 is \$ \_\_\_\_\_, and

Whereas the town in budgeting for its fiscal year 1994 local school system committed enough of its own revenues to fund the preliminary local contribution required by Chapter 70, and

Whereas the town's failure to meet the spending requirements of Chapter 70 resulted solely from the town's failure to make appropriations to the local school budget on account of education aid under Chapter 70, which is either additional education aid or which represents education aid that could be spent by the school department without appropriation in fiscal year 1993, and

Whereas the town of \_\_\_\_\_ wishes to set its fiscal year 1994 tax rate promptly,

It is hereby agreed by the undersigned Chairmen of the board of selectmen, finance committee, the school committee and by the school superintendent of the town of \_\_\_\_\_ and the Division of Local Services of the Department of Revenue

That \$ \_\_\_\_\_ (the amount of the town's state education aid in excess of the amount of such aid used in the town's budget) will be reserved for appropriation at the next town meeting,

That the selectmen will put an article on the warrant for the next town meeting to appropriate for fiscal year 1994 school spending in the school department budget and elsewhere in the town budget at least the amount of additional spending required to comply with Chapter 70, and

That until the town meeting the town will be allowed to spend for school purposes in fiscal year 1994, including expenditures funded outside the school budget, at the level of expenditure implied by its required net school spending under Chapter 70.

\_\_\_\_\_  
Chair, Board of Selectmen

\_\_\_\_\_  
Chair, School Committee

\_\_\_\_\_  
Chair, Finance Committee

\_\_\_\_\_  
School Superintendent

\_\_\_\_\_  
Leslie Kirwan, Deputy Commissioner  
Division of Local Services

**MEMORANDUM OF UNDERSTANDING  
FOR TOWNS SETTING PRELIMINARY TAX RATES**

Whereas the town of \_\_\_\_\_ has not appropriated sufficient funds for local school spending to meet the requirements of Chapter 70 of the General Laws, and

Whereas the amount by which the local school spending must be increased to comply with Chapter 70 is \$ \_\_\_\_\_, and

Whereas the town of \_\_\_\_\_ wishes to set its preliminary fiscal year 1994 tax rate promptly,

Whereas the town has sufficient available funds to provide the additional appropriation of \$ \_\_\_\_\_ needed to comply with Chapter 70,

It is hereby agreed by the undersigned Chairmen of the board of selectmen, finance committee, the school committee and by the school superintendent of the town of \_\_\_\_\_ and the Division of Local Services of the Department of Revenue

That \$ \_\_\_\_\_ (the amount by which the local school appropriation must be increased to comply with Chapter 70) of the town's available funds will be reserved for appropriation at the next town meeting,

That the selectmen will put an article on the warrant for the next town meeting to appropriate for fiscal year 1994 school spending in the school department budget and elsewhere in the town budget at least the amount of additional spending required to comply with Chapter 70, and

That until the town meeting the town will be allowed to spend for school purposes in fiscal year 1994, including expenditures funded outside the school budget, at the level of expenditure implied by its required net school spending under Chapter 70.

\_\_\_\_\_  
Chair, Board of Selectmen

\_\_\_\_\_  
Chair, School Committee

\_\_\_\_\_  
Chair, Finance Committee

\_\_\_\_\_  
School Superintendent

\_\_\_\_\_  
Leslie Kirwan, Deputy Commissioner  
Division of Local Services

9/7/93

**CONFIDENTIAL**

September 2, 1993

I am able to verify the attached letter facts. I processed assistance paperwork for the Wardens when their income was very low and also located food sources for them. I believe Mrs. Warden was a substitute school bus driver during the time of her husband's lay off. There are also one or two school age children in this family. They are in need.



Carol Lake  
Council On Aging

Varnum Tuttle Fund: \$100

Payable to: Rebecca Warden  
55 Wood Lane  
Acton 01720

Rebecca Warden  
55 Wood Lane  
Acton, MA 635-0620

Aug 31<sup>st</sup>  
~~Sept 1~~, 1993

Dear Town of Acton Selectmen,

I am writing to you hoping that you can help with my problem. What do people do with their garbage if they can't afford a dump sticker, or roadside removal?

My husband was laid-off in September of 1992 until March of 1993, and I struggled just to keep food on the table and bills paid. We are lucky we have a kind landlord who is letting us pay our arrearage in rent as quick as we can. We do not have rubbish removal as part of the deal. We have lived here 7 years, and have always had a dump sticker, but this year cannot afford this large lump sum all at once.

Right now we go to the dump and pay the \$10.00 load fee, and let our trash build-up to justify this. Can you please help?

Thank you  
Rebecca N Warden

TOWN OF ACTON  
INTERDEPARTMENTAL COMMUNICATION  
TOWN MANAGER'S OFFICE

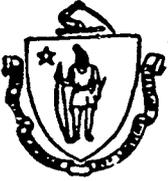
\*\*\*\*\*

DATE: 9/10/93

TO: The Board of Selectmen  
FROM: John Murray   
SUBJECT: Mill Corner

I was able to obtain an extension of the decision date for Mill Corner to October 20, 1993. When I return from vacation, I will notify Kevin Sweeney of the Board's intention to hold a public hearing.

In my absence next week, Garry Rhodes and Christine will fulfill the Manager's role.



# The Commonwealth of Massachusetts

## Department of Education

cc: BOS  
Staff  
Meeting

350 Main Street, Malden, Massachusetts 02148-5023 • (617) 388-3300

SEP - 7 1993

### MEMORANDUM

**TO:** School Superintendents, Mayors, Board of Selectmen

**FROM:** Robert V. Antonucci *RA*  
Commissioner of Education

**DATE:** September 2, 1993

**RE:** Required School Spending in FY94

In accordance with section 6 of Chapter 70, I am reporting the amounts of local and state funds necessary to maintain each municipality's and regional school district's compliance with the Act to Reform Education.

The enclosed report explains the educational costs associated with the foundation budget program and the amount of local and state funds required to be appropriated in FY 1994.

These reports were distributed at the Department of Education's four workshops when we provided individual consultation with local officials. If you have any questions about the report please contact:

Massachusetts Department of Education  
Information and Outreach  
350 Main Street  
Malden, MA 02148  
(617) 388-3300, ext. 553

cc: BOS

Please see last pgs.

Valuation Per Pupil Ratio

Overburden Aid

- |                |                          |                             |
|----------------|--------------------------|-----------------------------|
| 1) below 95%   | of the statewide average | 100% of the FY94 gap        |
| 2) 95% to 120% | of the statewide average | 100% to 75% of the FY94 gap |
| 3) above 120%  | of the statewide average | No Overburden Aid           |

7. New Regional Aid increases aid so that the FY 1993 Chapter 71 component of base aid is at least 76% of the entitlement under the old formula.
8. New Choice Aid is paid to those sending communities spending below the foundation budget, and will equal the amount of school choice tuition paid in FY 1993.
9. FY 1994 Net School Spending

In FY 1994, each district must spend on items included in the Net School Spending calculation, at a minimum, the sum of its required local contribution, less any equity aid, plus all of its Chapter 70 aid. In addition, the district must make any necessary appropriations for transportation, debt service, capital outlay and other programs not included in Net School Spending. It must also appropriate Federal Impact Aid.

Members of regional school districts will also be required to appropriate the minimum contribution to each of their regions for the expenditures supported by the foundation program. They will also be required to appropriate an additional assessment for transportation, debt service, capital outlay and other programs not included in Net School Spending.

## INFORMATION ON FUNDING CALCULATIONS

### I. FY 1993 Net School Spending

In FY 1994, each school district's Chapter 70 aid and required local effort will depend upon the FY 1993 net school spending. The enclosed report shows the calculation of this spending from information in the FY 1992 End-Of-Year Pupil and Financial Report.

The spending on lines 1 through 10, columns A and B, is taken from Schedule 19, FY 1993 budget, and shows the FY 1993 school committee appropriations and estimated expenditures by the municipality for school purposes. A sample Schedule 19 is attached. Column C shows the actual expenditures from federal impact aid in FY 1992 as reported on Schedule 10, which we are using as estimates of the comparable FY 1993 amounts.

Line 12, column A, shows the actual general fund revenues in FY 1992 as reported on Schedule 1, lines 30, 40, 50, 80, 90 and 100 which we are using as estimates of the comparable FY 1993 amounts. A sample Schedule 1 is Attached

Line 13, Column D is the net school spending in FY 1993, and will be used to calculate each district's school reform aid and local effort.

Line 14 shows other school spending not included in the definition of net school spending.

Other school spending consists of:

- 3300 - Pupil Transportation
- 3400-05 - Food for School Food Programs
- 6000 - Community Services
- 6900 - Non Public School Transportation
- 7000 - Fixed Assets
- 8000 - Debt Service
- 9500 - Regional School Assessments

The costs of Occupational Evening, Adult Evening Practical Arts, Adult Education and Other Regular Programs are also excluded and a portion of the Administration (1000), Maintenance (4000) and Fixed Charges (5000) have been allocated to these programs on the basis of their share of the instructional costs in Schedule 19, line 7010, columns 1 through 8.

Line 15 is the total of net school spending and other school spending.

### II. FY 1994 Foundation Program

#### 1. FY 1994 Minimum Local Contribution

Each school district will have a required level of school spending in FY 1994 for costs included in the definition of net school spending that must be raised from local sources. If the district is below the standard of effort, it must increase its local contribution by any amount not covered by overburden aid. (See #6). Regarding this obligation, districts fall into three categories:

- (a) districts at the level of effort need not increase the local contribution.

- (b) districts at the level of effort and above the foundation budget may decrease their local contribution to the point at which net school spending equals the foundation budget.
- (c) districts below the foundation budget and below the level of effort must increase their local contribution in four ways:
  - 1) a rate equivalent to a 2.5% increase in the tax levy.
  - 2) the increase in general municipal revenues.
  - 3) a three year average rate of increase in the tax levy for new growth.
  - 4) the standard of effort amount not covered by overburden aid.

It is important not to confuse a district's "local contribution" with its "net school spending." The latter term refers to the sum of state and local revenues for schools while the local contribution (net school spending minus state aid) is the amount that is subject to the required increase.

## 2. FY 1993 Base Aid

Local aid received in FY 1993 as Chapter 70, Regional School Aid, Equal Educational Opportunity and the \$100 Per Pupil Grant will be combined as "Base Aid" and will continue as school aid to each district.

The EEO and Per Pupil programs will no longer be considered grants and will not be deposited into a special fund to be spent by school committees without appropriation.

## FY 1994 New Local Aid

The new Chapter 70 Foundation program will provide aid in six categories:

3. Minimum Aid is the amount required to guarantee each district an allocation of at least \$50 per pupil. If a district also receives Foundation Aid in an amount equivalent to \$50 per pupil, it will receive no Minimum Aid. If a district's Foundation Aid is less than \$50 per pupil, its Minimum Aid will be reduced until the sum of the Minimum and Foundation Aid equals \$50 per pupil.
4. Foundation Aid reduces the gap between a district's foundation budget and its net school spending. This gap is reduced by a portion of the amount by which a district falls below the standard of effort. In FY 1994, the Chapter 70 appropriation will support 20% of the foundation gap.
5. Equity Aid is awarded to those districts where the local contribution exceeds the standard of effort. The Equity Aid portion of Chapter 70 Aid may be used to reduce the local contribution and provide tax relief.
6. Overburden Aid reduces a portion of the gap between a district's local contribution and the standard of effort. Communities are divided into three categories, according to their adjusted equalized valuation per pupil. In FY 1994, 20% of the effort gap is targeted to be closed.









MASSACHUSETTS DEPARTMENT OF EDUCATION  
INFORMATION AND OUTREACH SERVICES

93F82MHG  
07/30/93

FY 1993 NET SCHOOL SPENDING

PAGE 002

02 ACTON	SCHOOL COMMITTEE (A)	CITY OR TOWN (B)	P.L. 874 (C)	TOTAL (D)
1. ADMINISTRATION (1000)	319,863	168,804		488,667
2. INSTRUCTION (2000)	6,105,593			6,105,593
3. ATTENDANCE-HEALTH (3100 3200)	67,147			67,147
4. FOOD SERVICES (3400)				
5. STUDENT BODY ACTIVITIES (3510 3520)	1,464			1,464
6. MAINTENANCE (4000)	730,730	221,867		952,597
7. EMPLOYEE BENEFITS (5100)	831,216	466,803		1,298,019
8. INSURANCE (5200)	2,900	249,751		252,651
9. RENTAL & OTH FIXED CHRG (5300 5500)				
0. TUITION (9000)	518,492			518,492
1. TOTAL SCHOOL SPENDING	8,577,405	1,107,225		9,684,630
2. REVENUES	200,463			200,463
3. NET SCHOOL SPENDING	8,376,942	1,107,225		9,484,167
4. OTHER SCHOOL SPENDING	571,888	8,147,202		8,719,090
5. TOTAL SCHOOL SPENDING	8,948,830	9,254,427		18,203,257

OTE: "NET SCHOOL SPENDING" FOR THE PURPOSE OF THESE CALCULATIONS WILL NOT INCLUDE ANY NECESSARY APPROPRIATIONS FOR TRANSPORTATION, COMMUNITY SERVICES, FIXED ASSETS, DEBT SERVICE AND REGIONAL SCHOOL ASSESSMENTS. ANY P.L.874 FEDERAL IMPACT AID MUST ALSO BE APPROPRIATED IN ADDITION TO THE REQUIRED NET SCHOOL SPENDING IN FY 94.

FY 94 FOUNDATION PROGRAM

02 ACTON	(1) MINIMUM CONTRIBUTION	(2) BASE AID	(3) MINIMUM AID	(4) FOUNDATION AID	(5) EQUITY AID	(6) OVERBURDEN AID	(7) NEW REGIONAL AID	(8) NEW CHOICE AID	(9) NET SCHOOL SPENDING
02 ACTON	8,931,463	661,047	88,440	0	0	0	0	0	9,680,950
00 ACTON BOXBOROUGH	7,953,253	1,429,501	68,280	0	0	0	0	0	9,451,034
00 MINUTEMAN	669,995	206,614	2,445	0	0	0	802	0	879,856
02 TOTAL	17,554,711	2,297,162	159,165	0	0	0	802	0	20,011,840

or

17,554,711	}	Appropriation
661,047		
88,440		
18,304,198		

plus debt + transportation

20,011,840 ?

ARTICLE 10  
REVISED APRIL 12, 1993

ARTICLE 10 **OMNIBUS BUDGET ("B" 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.

	<u>Fiscal</u> <u>Year</u> <u>1992</u>	<u>Fiscal</u> <u>Year</u> <u>1993</u>	<u>Fiscal</u> <u>Year</u> <u>1994</u>	<u>%change</u> <u>93/94</u>	<u>Average</u> <u>Annual</u> <u>%Change</u> <u>92/93</u>
<b>Town Government</b>					
Operations (Includes Town & Local School Debt Service)	10,573,804	10,988,705	10,944,410	-0.4	1.75
<b>Education:</b>					
Acton Public Schools	8,524,151	9,076,443	9,160,034	0.40	3.72
A/B Reg. School	7,167,824	7,555,461	7,566,675	0.14	2.78
Minuteman Tech.	559,000	602,000	648,321	7.69	7.99
<b>Total Education</b>	<u>16,250,975</u>	<u>17,233,904</u>	<u>17,375,030</u>	<u>0.76</u>	<u>3.45</u>
<b>Total Appropriation</b>	<u>26,824,779</u>	<u>28,222,609</u>	<u>28,319,440</u>	<u>0.34</u>	<u>2.78</u>

**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. The standard motion for the Town budget appropriation under this article includes the transfer of monies from the following special funds: Cemetery Trust Fund, County Dog Fund, and Wetland Filing Fees.

**MOTION**

Mrs. Tavernier Moves that the Town Budget for the period July 1, 1993 to June 30, 1994, in the amount of \$28,319,440.00 be raised and appropriated in its entirety as follows, except that \$71,410.00 be transferred from Cemetery Trust Funds for Cemetery use, and the \$5,000.00

be transferred from the County Dog Fund for library use, and that \$12,000.00 be transferred from Wetland filing fees for the Conservation Department, and that \$72,850 be transferred from School Choice Fund for the Acton Public Schools, and authorize the Town Manager to sell, trade, or dispose of vehicles being replaced.

A. Municipal Services	\$10,944,410.00
B. Acton Public Schools as follows:	
Operating Expense	\$ 9,122,263.00
Out-of-State Travel	\$ 3,000.00
Blanchard Auditorium	\$ 34,771.00
C. Acton-Boxborough Regional School District as follows:	
Operating Expense	\$7,248,912.00
Net Maturing Debt and Interest	\$ 317,763.00
D. Minuteman Technical School District	\$ 648,321.00

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

- (S) Recommended
- (F) Recommendation Deferred

File

TOWN OF ACTON  
INTER-DEPARTMENTAL COMMUNICATION

DATE: 9/10/93

TO: John Murray, Assistant Town Manager  
FROM: Donna Jacobs, Assistant Planner *D. Jacobs*  
SUBJECT: COMMUNITY ACTION STATEMENT  
Revisions

As per our conversation of this morning, I have attached 9 copies of the revised pages (pp. 5, 15, 17, 33, 46 and 47) of the Community Action Statement. These revisions are based on the direction we received from the Board of Selectmen at their meeting of September 7, 1993, and your comments on an earlier draft of the revised "Needs" (page 47).

Belle Choate and I have discussed the need to emphasize the Acton Master Plan in the Community Action Statement. We recommend adding the following statement to the goals and objectives sections on pages 6, 15, 24, 31, and 39 of the CAS:

See attached Action Plan of the Town of Acton Master Plan, 1991, and Executive Summary for listings of Town-wide goals and objectives and Implementation Program.

It is important to note that we have singled out these sections because they are the most relevant to the Master Plan. The other sections have either already adequately covered their goals and objectives, or do not have relevant goals identified by the Master Plan.

Please advise whether the Board supports the inclusion of this statement as suggested, and whether the Master Plan's Executive Summary and Action Plan should be included as part of the Community Action Statement. We also await your advice on when the Board wishes to file the final document with EOCD.

*September 9, 1993 Community Action Statement – Town of Acton*

**MAGIC – Needs (cont.):**

**Joint Services:** – Funding to establish an electronic bulletin board for inter-community job and equipment sharing.

–Fort Devens CAC - through MAGIC (a regional representative sits on the CAC)

–Rt. 2 CAC – Acton, Concord, Lincoln - significant access and safety improvement needs.

–Fort Devens Task Force – appointed by Board of Selectmen (looks at impacts of reuse on Acton)

–Hanscom Field Advisory Commission (HFAC) –Acton, Bedford, Carlisle, Concord., Lexington and Lincoln. Acton has a representative and an alternate.

–Acton Community Housing Corporation had a Share a Partnership Planner with the towns of Westford, Groton, and Acton. Funding is needed to re-establish this position. It would be a resource for the regional communities providing information on setting up and operating non-profit Affordable Housing Partnerships.

–The Acton Housing Authority formally meets with 11 local Housing Authorities (Maynard, Stow, Sudbury, Wayland, Littleton, Concord, Bedford, Groton, Lunenburg, Hudson) monthly to discuss mutual concerns. There have been several area workshops for staff and board members on Breaking the Poverty Cycle and working in cooperation with State Legislators on regional housing needs.

–Acton Memorial Library is a member of the EASTERN MASSACHUSETTS REGIONAL LIBRARY SYSTEM and the Minuteman Library Network. Participation in the Network provides the library with an opportunity to share resources with other members and increase patrons' access to materials. In September 1993 the Network will be on Internet which will provide professional staff with many additional resources to help patrons locate information of all types. Membership in the Region is the basis for inter-library loan activity beyond the Network and also provides in-service training and support. Both the Region and the Network will play significant roles when the strategic plan for library services and resource sharing are implemented.

–Regional Household Hazardous Waste Collection Days – Board of Health in the past has participated with neighboring towns. Need funding to expand the volume of waste that can be collected. Demand exceeds the what can now be funded.

–Rabies Vaccination of dogs & cats– Board of Health in the past has participated with neighboring towns.

–The Town of Maynard has been approached in regards to sharing their Sewer Treatment Plant.

–NESWC – Northeast Solid Waste Committee – Acton is a contractual member of NESWC, which operates a regional refuse disposal site in N. Andover.

–The Acton Fire Department is actively involved in regional activities in a group comprised of the following cities and towns: Acton, Ashland, Boxborough, Concord, Carlisle, Framingham, Holliston, Hopkinton, Hudson, Lincoln, Marlborough, Maynard, Milford, Natick, Northborough, Sherborn, Southborough, Stow, Sudbury, Wayland, Westborough.

These communities are engaged in activities involving Communications, Mutual-Aid Dispatching, Dive Team., Hazardous Materials Response Team, Training, Shared Resources and Collective Bid/Purchasing. Increased needs relative to these specific areas may be anticipated.

–LRTA - Lowell Regional Transit Authority.

**Specific information on government operations in the area of public works.**

(Since these functions are assigned in a variety of ways by different municipalities, please divide pages 15 through 22 as is appropriate in your community.)

Roads, sidewalks **Information provided by: Dennis Ring, Engineering Asst.**

**Richard Howe, Highway Supt.**

Miles of paved roadway maintained by the municipality 99.8

Miles of unpaved roadway maintained by the municipality 1.0 +/-

Linear feet of sidewalk maintained by the municipality 22 miles (116,160 L.F.)

Check off the following statements that apply to your municipality

There are roadways maintained by the Commonwealth or privately owned

Municipality has inventory of roads and their condition

Municipality has inventory of sidewalks and their condition

Pavement management system in use  by hand  automated

Municipality shares public works equipment with another municipality

Municipality has consolidated the following public works functions (list)  
Please describe the consolidation and the responsibilities which have been included. Attach additional pages as needed.

Some departments may have set short and long term goals and objectives, others may just have specific projects in place for the next several years. If your department has, please describe in general terms the goals, objectives, or plans the municipality has set for the next 3 years in the areas of highway, maintenance, and engineering. Attach additional sheets if necessary. You will be asked to translate this information to specific needs on page 18. If no such goals, objectives, or plans are in place, leave this answer blank. You must complete page 18.

See attached **Action Plan of the Town of Acton Master Plan 1991, and Executive Summary** for listings of Town-wide goals and objectives.

Transportation segment of the **Master Plan** establishes priority for improvements.

**Sidewalk Master Plan** establishes priority areas for sidewalk extensions.

Engineering Check off those that apply Information provided by: Dennis Ring, Engineering Asst.

- In house City/Town Engineer or engineering department (Staffed by R.P.L.S.)
- Purchase services on town/city wide contract (As needed by specific projects)
- Contracted out by department, as needed

Solid Waste and Recycling Information provided by: Richard Howe, Highway Supt.

Please describe the municipalities activity in the area of solid waste and recycling

9000 ton per year NESWC 1993-1994.

The Town operates a transfer station, residents purchase stickers to offset the costs. At the transfer station site there is a Recycling Center that is available to residents and non-residents for a fee. The Town has a contract with BFI for recycling, and approximately 21% of the waste stream is recycled.

If the municipality goes out to bid for the services, how many responses did you receive to your last RFP for services? n/a

Some departments may have set short and long term goals and objectives, others may just have specific projects in place for the next several years. If your department has, please describe in general terms the goals, objectives, or plans the municipality has set for the next 3 years in the areas of solid waste and recycling. Attach additional sheets if necessary. You will be asked to translate this information to specific needs on page 18. If no such goals, objectives, or plans are in place, leave this answer blank. Be sure to complete page 18.

#### Recycling Master Plan – June 1993

**Goals** The Town should commit to the maximum achievable rate of recycling in accord with local finding limitations, the NESWC guaranteed annual tonnage requirements, and current state regulations regarding recycling materials.

The Town should recycle and compost all appropriate components of the waste stream and provide a facility or collection site which is designed to accept recyclables from residents, for consolidation and transportation to processors.

The Town should encourage the development and reinforcement of recycling habits in the community through education.

The Town should recognize the following benefits of recycling to society:

- Conservation of raw materials
- Extending the life of disposal facilities
- Economic and environmental benefits related to lower energy consumption required to manufacture recycled products
- Mitigation of health and environmental disadvantages related to solid waste disposal facilities

Information provided by: John Murray, Assistant Town Manager

DESCRIBE THE NEED(S)	WHAT FACTORS CONTRIBUTE TO THE NEED(S)	POTENTIAL WAYS FOR MEETING THE NEED(S)
1. Update the wastewater disposal system of the Town	a) 60% of the Town would not be in compliance with the proposed 1993 wastewater standards. b) 98% of drinking water is obtained from groundwater sources.	Sewer the Town.
2. Traffic mitigation	a) All of the major feeder roads are functioning approximately 25% over capacity. b) Rt. 2 as a divided highway bisects the Town into 2 distinct sections.	a) Full traffic study of the Town b) A local bus line serving the community c) Parallel local "service" roads to Rt. 2 d) Bury Rt. 2 or provide at the minimum 3 additional crossovers. e) Extend double commuter rail tracks to Rt. 495 and create a ;large regional parking facility. f) Upgrade bridges for truck traffic.
3. Lack of corporate knowledge of Acton	No PR program	a) Fund a complete market analysis and subsequent marketing plan of action. b) Fund an economic development office.
4. Revitalize existing commercial centers of Acton.	Age of businesses	Provide below market rate loans to local business, in order to provide a face lift and parking.

*Community Action Strategy: This is a summary of the table of organization, specific information, and identification of needs sections. Please complete those sections first and then develop the strategy. Use this section to list the 3 to 5 greatest needs which the community faces. The needs should be drawn from the information compiled in the earlier sections. Describe the methods and resources the community expects to use to address those needs. The discussion may include identification of resources within the community or external to it which could be considered to help address the needs. When the community anticipates applying to EOCD for grant funds, this strategy must specify that approach. The strategy should include short and longer term considerations. Large needs could be addressed by a strategy phased over 1 to 3 years. Add additional sheets if necessary.*

**Need I: There is a long term need for a Town-wide, overall economic development plan. The plan would require the hiring of consultants to compile the necessary data on employment, business and manufacturing in the Town. Currently the Town has no such data available. EOCD funding for this study is a possibility.**

**In the short term the existing commercial areas of South Acton, West Acton and Kelly's Corner need to be revitalized. The Town currently has an on-going community planning effort underway developing plans for West and South Acton. EOCD funding would be a possible source for a portion of the funds required to help implement some of the needed improvements to revitalize these two areas.**

**The major limiting factor in the existing area of South Acton is wastewater treatment (see Need II).**

**In the short term, Kelly's Corner is the next existing area to be addressed in the planning effort. In this case a request for grant funds both for the planning and implementation stages are possible.**

**The long term need is to begin planning the development of East Acton and North Acton Villages. This would require funding from EOCD for experts in economic and commercial development planning to assure the long term viability of the areas.**

**Need II: In both the long and short term the Town is in need of infrastructure improvements and this need is an integral part of Need I, and would need to be addressed simultaneously. The Town has existing conditions relative to wastewater treatment that have hampered economic and commercial viability in the old existing section of South Acton, causing this area to decline. In South and West Acton parking has been a limiting factor to commercial activity. The existing need for wastewater treatment in Kelly's Corner is a limiting factor to secure its future economic viability.**

**The South Acton Area is most critical at this time both because of the state of decline and the current opportunity that exists to solve a portion of the problem in the core area through the use of a private development's on-site wastewater treatment capacity, including the donation of funds toward the total cost. EOCD would be looked to, for possible funding in this effort.**

**Parking in this area is the other immediate need to make any commercial revitalization possible. A parcel of land has been made available for use by the Town, funds will be needed to construct it. This would be part of a possible EOCD grant package.**

**In the short term the Town's older roads are badly in need of rebuilding, and the Town's sidewalks need to be rebuilt to meet ADA standards. A number of the major intersections need safety and design improvements.**

**In the long term the Town needs to develop an Impact Fee bylaw to insure that all future projects provide a means to address the incremental infrastructure needs that they require in a fair and equitable manner. This would be part of a EOCD grant application.**

**Need III: An integrated Town-wide computer system is a short term need to facilitate the long term needs of the community in all areas. The financial management needs updated computerization for better tracking. Part of this is the creation of a pilot program allowing a municipality to keep only a GAAP set of books. EOCD funding would be sought.**

**A GIS system is needed to tie all the land based data into one single format for use by planning, engineering, assessing, health department; and for the parcel by parcel tracking of hazardous materials use and storage. This requires the hiring of a qualified assistant to convert existing maps to the GIS format and update the database. This could possibly be part of an EOCD grant package.**

**Need IV: The Town needs to expand its social service programs. A variety of services are currently offered through the Acton Housing Authority's Family Self-Sufficiency Program, The Public Health Nursing Service and the Council on Aging. The need exists to expand these services to a wider age range (including Youth Services); especially to persons of low to moderate income, and to persons with disabilities.**

**Short term needs include expanded van transportation to allow more mobility for work and social opportunities for low to moderate income persons, for the elderly and for those with disabilities. The need exists for van trips to Boston for medical appointments, as well as expanded weekend hours to eliminate isolation.**

**Another immediate need is to provide mental health services to low and moderate income members of the community; including, but not limited to, the funding for a full-time case manager for the Family Self-Sufficiency Program which has been established under the Acton Housing Authority to help to break the poverty cycle.**

**The Town is currently setting up a new Senior Center. A portion of that needs to be established as an emergency shelter for town-wide use. Currently the Town has no such shelter and wind/winter storms frequently cause power outages adversely affecting the elderly and disabled.**

**The new Senior Center is adjacent to Conservation land and safe walking trails are needed to provide alternative forms of recreation to the clientele.**

**All of the above needs would potentially be part of an EOCD grant package.**

**Need V: Accessibility is a major need in the community, as identified by the Needs Assessment Survey of the Commission on Disabilities. A wide range of specific problems exist, from sidewalks to access to commercial areas, recreation and transportation, including increased accessibility to library facilities among other areas.**

**There is a need for barrier-free housing.**

**The enactment of the Americans with Disabilities Act (ADA) makes this a major high priority need. An EOCD grant proposal would include addressing these issues.**

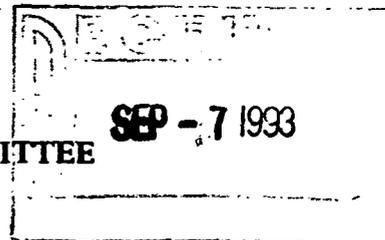
**COORDINATING COMMITTEE  
FY94-1**

**AGENDA**

**September 13, 1993 (Monday) 7:15 A.M.  
ROOM 114 Jr. High School**

- 1) DISCUSSION OF ISSUES AND STRATEGIES FOR  
THE CREATION OF A SUCCESSOR ENTITY.**
  
- 2) DETERMINING THE COMPOSITION OF THE SUCCESSOR ENTITY**

cc 'BOS



ACTON-BOXBOROUGH REGIONAL SCHOOL COMMITTEE  
MINUTES

Library  
Junior High School

August 3, 1993

*Members Present:* Pam Harting-Barrat, Steve Aronson, Jean Butler, Rick Sawyer, Lees Stuntz, Donald Wheeler, Micki Williams

*Also Present:* Isa Zimmerman, Mac Reid, Bill Ryan, Dan Leclerc, citizens and press.

The meeting was called to order at 7:45 p.m. by Pam Harting-Barrat, Chairperson.

**EXECUTIVE SESSION:** At 7:46 p.m., it was moved, seconded and unanimously

**VOTED:** To go into executive session to discuss strategies relative to collective bargaining under Chapter 39, Section 23B, paragraph 3. Each member was polled individually and each voted in the affirmative to go into executive session for the stated purpose.

The Committee returned to open session at 8:25 p.m.

The minutes of July 15, 1993, were approved as written. Micki Williams asked if Steve Aronson intended to respond to Senator Durand's letter. Steve said he would be glad to draft a response on behalf of the Committee. Jean Butler asked if we had advertised for Choice students. Dr. Zimmerman said we have, and there are some additional enrollments.

Warrant #94-002 in the amount of \$462,173.45, warrant #94-003 in the amount of \$0, warrant #94-004 in the amount of \$132,646.04, warrant #93-005 in the amount of \$208,521.45, warrant #93-101 in the amount of \$19,232.43 and payroll warrants totaling \$334,036.84 were signed by the Chairperson and circulated to other members of the Committee.

**PUBLIC PARTICIPATION:** Ernie Feasel, citizen, asked if activities' fees were on the agenda. Pam Harting-Barrat said they would be discussed later in the meeting.

**OLD BUSINESS**

It was moved, seconded and unanimously

**VOTED:** To approve the administration's recommendation that the CASE West Transportation Budget for FY'93 be adjusted to \$774,534.

Don Wheeler asked how we had overrun these accounts. Bill Ryan said we had 15% more students, resulting in more and longer routes, increased gasoline expenditures, additional employees' salaries, and benefits. Lees pointed out that

this is not an appropriated budget item, but rather a separate business the school runs to keep our costs down.

It was moved, seconded and unanimously

VOTED: To approve the administration's recommendation that any student participating in an interscholastic athletic activity be assessed a fee of \$50.00 per sport and that there be a family maximum of \$200.00 per year. A second reading of the policy and procedure will be brought before the Committee at the September meeting.

Discussion: Dr. Zimmerman explained the proposed three stage policy and procedure. Approved above is the first stage (athletics). A second stage, to be proposed in the fall, will address fees for clubs, performance groups, academic teams and intramural sports. The third stage concerning academic activities which go beyond the base level of service we can offer will be proposed in the spring.

ABSAF's generous donation of \$100,000 has made it possible to charge a \$50 fee vs. \$125. Concern regarding how this policy will affect ABSAF fundraising was expressed by Tom Wachtell, ABSAF President. Dr. Zimmerman suggested that ABSAF might become an umbrella under which sub-groups would focus on areas of interest that support the school system. No one is happy to be instituting these fees, but it is necessary if the programs are to continue. Our community is one of a few in the area not to have a fee system in place.

Pam Harting-Barrat suggested a wording change in the "Participation" statement to clarify that payment of the fee does not automatically guarantee a place on a team. Rick Sawyer asked that several statistics to be gathered from the Junior and Senior High Schools and presented at the next meeting as to: 1) how many multiples? - students participating in more than one sport; 2) how many freshman participate in sports - freshman, JV, Varsity levels; 3) how many different students participate in non-athletic activities; 4) is it worth having a credit card payment option, and 5) a break down by gender of extra-curricular activities.

Ernie Feasel asked several questions about the validity of the fee system, and a specific question about a change in the open pool (swim) hours (Community Ed.). Bill Ryan said that some program/hour changes will be made in the fall to better utilize the pool.

Steve cautioned the committee regarding the activity fee system, and suggested that it might be better to call it a pilot program. Dr. Zimmerman agreed that there will inevitably be problems, but we must look at the greater good, and attempt to solve the money problem. Steve asked Bill to consider what our financial intent is, i.e., to fill a minor gap or to earn extra money beyond the basics.

Pam Harting-Barrat asked for an update on the new concession stand/building at the high school football field. There seems to be a misconception that the School Committee pledged an additional \$10,000 to the \$10,000 gift for this purpose.

Additional funds were not considered by the School Committee. Approximately \$6-8,000 has been pledged from other community sources.

NEW BUSINESS:

It was moved, seconded and unanimously

VOTED: To award the school lunch program bread bid to Bouyea-Fassetts, Inc.

It was moved, seconded and unanimously

VOTED: To award the school lunch program milk bid to West Lynn Creamery.

FOR YOUR INFORMATION

- Dr. Zimmerman noted that the school print shop is now financially self-sufficient.
- Dr. Zimmerman referred to the letter sent to the ABSAF Board from Tom Wachtell, President.
- Regarding fall sports coaches, Lees pointed out that Pippa Jolie, soccer coach, is to be paid from appropriated budget funds, and Freshman Field Hockey should be an "activity fee" sport. Two coaches have volunteered their services, and Bill Ryan said, regarding liability issues, we will make sure the contractual issues are satisfied.
- Regarding Steve Donovan's memo (Att. E, "For School Committee Only"): senior "prom" should be changed to senior "banquet".
- Dr. Zimmerman recognized the appointment of Bunny Lawton to the position of Secretary to the Superintendent and School Committees.
- Karen Dauphinais has been hired to teach Earth Science at the High School for 93-94.
- Isa Zimmerman, Fran Leiboff, Bill Ryan and Dan Leclerc attended a very informative session at Ropes and Grey on the new Education Reform Bill.
- Micki Williams asked about the high school student parking fee issue and the results of the senior privilege pilot program last spring. Dr. Zimmerman has asked Steve Donovan to look at the parking issue again with the Student Council. He will give a report on the senior privilege program at the next school committee meeting.

WARRANT DISCUSSION : One question was answered by Bill Ryan.

CONCERNS OF THE COMMITTEE:

Steve Aronson asked if copies of the School Committee meeting minutes were distributed to the selectman. Jean Butler said that they were. Steve also expressed his concern about the way in which the decision was made to give Evelyn Smith, School Committee secretary, a school chair upon her retirement. Don Wheeler agreed, and was concerned that communication seems to have lapsed. Rick Sawyer suggested that dues and fees for organization memberships for School Committee be reviewed for next year's budget.

NEXT MEETING - September 2, 1993, 7:30 p.m., JH Library.

EXECUTIVE SESSION - At 10:00 p.m., the Committee returned to executive session to complete the suspended session. The public was informed that the Committee would return to open session only to adjourn.

The Committee returned to open session at 10:32 p.m. and adjourned.

Respectfully submitted,  
Sarah T. Lawton, Secretary

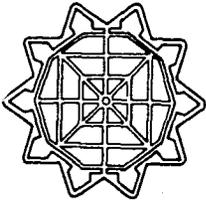
## ACTON SCHOOL COMMITTEE

Library  
Jr. High School

For September 9, 1993 Meeting  
7:30 p.m.

### AGENDA

- I. CALL TO ORDER
- II. APPROVAL OF MINUTES OF AUGUST 3 and SEPTEMBER 3, 1993, and STATEMENT OF WARRANT
- III. PUBLIC PARTICIPATION
- IV. OLD BUSINESS
  1. Regional Action requiring Acton Approval
    - a. Approval of Mission/Vision Statement (revised)
- V. NEW BUSINESS
  1. Merriam School Council
- VI. FOR YOUR INFORMATION
  1. Personnel Items
  2. APS Lunch Program Report
  3. List of Grants Received to Date
  4. Merriam School Community News
  5. Education Reform Financial Issues (material to be brought)
  6. Douglas School Handbook
  7. Report on the Opening of School (oral)
  8. Copy of Memorandum from Chair, BOS
- VII. WARRANT DISCUSSION
- VIII. CONCERNS OF THE SCHOOL COMMITTEE
- IX. NEXT MEETING - September 19, 4:30-8:30 p.m. Workshop, Room 114, JH  
- October 14, 7:30 p.m, Junior High Library
- X. EXECUTIVE SESSION
- XI. ADJOURNMENT



**Massachusetts  
Municipal  
Association**

Sixty Temple Place (800) 882-1498  
Boston, Massachusetts 02111 (617) 426-7272 FAX (617) 695-1314

cc: BOS

SEP - 7 1993

**MMA Board of Directors Meeting  
Tuesday, September 14, 1993  
10:00 a.m. to 2:00 p.m.  
Offices of the Boston Bar Association  
16 Beacon Street, Boston, MA**

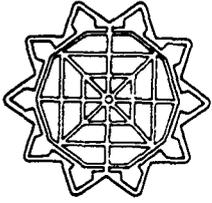
To: MMA Board Members and Friends  
From: Geoff Beckwith, Executive Director *Geoff*  
Re: Agendas for September 14, 1993 Board of Directors and LGAC Meetings  
Date: September 2, 1993

Summer is almost over, and that means a return to regular MMA Board and LGAC meetings. This mailing is intended to outline the agenda for our Board of Directors meeting on Tuesday, September 14th, and the topics for discussion at our LGAC meeting with Governor Weld at 2:00 p.m. later that day.

As you can see, we have a number of key items to discuss, including the on-going education reform saga, the Governor's proposed tax cut, and the potential impact of new state gambling programs on cities and towns. The agenda is as follows:

1. Meeting Called to Order (B. Bullock) 10:00 a.m.
2. Approval of Minutes from July Meeting (Bullock) 10:10 a.m.
3. Executive Director's Report (G. Beckwith) 10:15 a.m.
4. Policy Discussions (Beckwith)
  - Education Reform Update (J. Robertson) 10:30 a.m.
  - Gambling and the Lottery (S. Davis) 11:00 a.m.
  - Governor's Proposed Tax Cut (S. Davis) 11:30 a.m.
5. Lunch (speaker to be announced) 12:00 p.m.
6. LGAC Preparation (Beckwith) 1:00 p.m.
7. Adjourn 1:50 p.m.

*The LGAC meeting with Governor Weld will convene at 2:00 p.m. in the Executive Council Chamber at the State House.*



**Massachusetts  
Municipal  
Association**

Sixty Temple Place

(800) 882-1498

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

**MINUTES**

**MASSACHUSETTS MUNICIPAL ASSOCIATION  
BOARD OF DIRECTORS**

**Tuesday, July 13, 1993  
10:00 am  
16 Beacon Street  
Boston, Massachusetts**

**Members Present:**

G. Beckwith, B. Bullock, M. Browne, W. Delaney, E. Dlott, B. Foley, M. Hogan, D. Humphrey, B. Keene, M. Kleckner, S. Kulik, D. Owen, T. Pelosi, D. Radway, E. Reilly, J. Robbins, R. White, A. Wolf, P. Torigian

**Members Absent:**

D. Alves, L. Angelo, J. Barrett, R. Crosbie, S. Davis, F. Doyle, L. Gonsalves, N. Gravel, N. Harrington, R. Lyons, T. Mann, W. Marquis, N. Schwinn, B. Stapczynski, M. Witek

**Others Present:**

M. Basque, J. Bean, C. Blais, M. Crowley, S. DeBard, B. DelCastilho, P. DiDelloRusso, A. Elkort, W. Francis, D. Hawkes, K. Holstrom, W. Kennedy, S. Ledoux, D. MacGregor, D. Marquis, J. Marr, C. Monahan, M. O'Sullivan, S. Rollins, W. Rutherford, P. Schaffer, R. Smith

**CALL TO ORDER**

MMA President Stephen Kulik called the July 13 meeting of the MMA Board of Directors to order at 10:00 am.

**MINUTES**

D. Humphrey moved, seconded by B. Foley, to accept the minutes of the June 8 meeting of the MMA Board of Directors. The motion was adopted.

**PRESIDENT'S  
REPORT**

S. Kulik announced that several members received letters from the governor's administration asking them to be formally sworn-in as members of LGAC. He reminded the group that Lt. Gov. Cellucci administered the oath during the first LGAC meeting this year. Kulik instructed the staff to investigate the issue.

**EXECUTIVE  
DIRECTOR'S REPORT**

He reported that the association held a press conference in June at the State House to focus on funding lottery aid. The conference was covered by major media sources, and it helped to kick off a lobbying effort by local officials on the lottery issue.

MMA Executive Director G. Beckwith reported that the conference committee reported out the FY '94 budget. Under the proposal, communities would receive an additional \$20 million in lottery aid this year, and that this amount has been exempted from use for funding the education reform law.

He thanked the staff for their efforts during the budget season.

He explained that there may be a shifting in the board's schedule for the fall. He suggested that the October meeting be a regular board meeting where the legislative program will be finalized, and that the November meeting be the board retreat. He also reported that he hopes to schedule a meeting of the policy committee chairs during the last week of July.

Beckwith noted that there have been several staff changes since the last board meeting. Three employees had left or would be leaving this summer: Barrie Stahl, Patrick Marquis, and Jill Hyland. He introduced the MMA's new editorial assistant, Debbie Eagan. He told the group that the Membership Services Division would be re-established and separated from the Legislative and Member Services Division.

## LEGISLATIVE UPDATE

### *Education Aid*

Fiscal Policy Analyst John Robertson described aspects of the Fiscal 1994 state budget as reported by the conference committee. He noted that an additional \$175 million was included in the budget to fund education reform. He reported that in the numbers that were distributed to the board, "Chapter 70 school aid" included FY93 base aid amounts, EEOC funds, \$100/student aid, and new school aid. He noted that "equity aid" would be distributed to regional school districts instead of member communities. The funds marked "municipal stabilization amount" were a one-time distribution of the \$20 million in lottery aid.

### *Chapter 90*

Robertson reported that there was no additional Chapter 90 funds included in the budget, and that communities would have to use the bond funds made available earlier in the year.

### *Cherry Sheets*

He reported that the Dept. of Revenue intends to distribute this year's cherry sheets by August 6. In addition, the department would administer \$30 million in new sewer rate mitigation grants for communities.

### *Health Care*

Deputy Director of Legislative Services M. Johnson reported on a section in the budget establishing a local option provision for coalition bargaining for health care, advocated by the MMA for several years. She also called attention to a section which would expand the provision of benefits for employees opting out of health care benefits; the MMA will ask the governor to veto this section.

### *Miscellaneous*

J. Robertson reported that the budget contains a waiver provision so that a community can request the state to re-calculate its "local contribution" towards education. Another section would allow some communities to tax private profit-making enterprises on state-owned land. He reported that under another section, communities could shift some water/sewer costs to the property tax so that residents could deduct these costs from federal income taxes.

### *Landfills/Public Duty*

Director of Legislative Services D. Baier describe the new landfill closure procedures to be regulated by DEP. He also describe the recent SJC decision on the "public duty rule" that could potentially increase liability for Massachusetts municipalities unless the legislature acts.

### *Overlay Account*

G. Beckwith reported that a section of the budget allows communities to exempt the overlay account from the limits of Proposition 2 1/2, and that this provision could raise approximately \$140 million in new revenue. He reported that the governor is expected to veto this section and that the House of Representatives leadership may bring the issue up for an override.

After discussing the issue, E. Reilly moved, seconded by B. Foley, to reaffirm the association's position to support the local option overlay provision. The motion was adopted on a vote taken by voice.

### *Ponds & Waterways*

D. Hawkes updated the group on Section 285 of the conference committee report which would extend an amnesty of 2 years before DEP promulgates new regulations on ponds and waterways.

## LUNCHEON SPEAKER

Attorney Peter Epstein updated the group on new FCC regulations established by the Cable Act of 1992. He noted that communities would be able to regulate its own rates. W. Rutherford suggested that the MMA staff send out information regarding these recent changes. Legislative Analyst J. Deschenes indicated that the MMA is preparing a survey on this issue.

## FISCAL POLICY RECOMMENDATION

J. Robertson reported on a recommendation to the board offered by the Fiscal Policy Committee. The committee recommends that any expansion of state sponsored gambling be put before the voters for approval. The board agreed to take this recommendation up for consideration at the next board meeting.

**PUBLIC WORKS AND  
TRANSPORTATION  
RECOMMENDATION**

J. Deschenes reported on a recommendation from the Public Works & Transportation Policy Committee. The committee recommends that the MMA endorse the concept of a ballot question initiative offer by Construction Industries of Massachusetts to remove gas tax revenues from the the highway fund, but reserve their right to commit to the project until language is developed. B. Foley moved, seconded by D. Humphrey, to endorse the committee's recommendation. The motion was adopted.

**LGAC PREPARATION**

The group prepared for their discussions by assigning members to make presentations at the LGAC meeting.

**EDUCATION REFORM  
IMPLEMENTATION**

D. Marquis suggested that the MMA hold workshops on collective bargaining for school teachers.

**ADJOURNMENT**

S. Kulik adjourned the meeting at 1:45 pm.

# *Local Government Advisory Committee*

Sixty Temple Place  
Boston, Massachusetts 02111  
617/426-7272  
800/882-1498

**Local Government Advisory Committee  
Tuesday, September 14, 1993  
2:00 to 3:00 p.m.  
Executive Council Chamber  
State House, Boston, MA**

## **Tentative Agenda**

1. Call to Order and Introductions (B. Bullock) 2:00 p.m.
2. Education Reform Update 2:05 p.m.
3. Gambling and the Lottery 2:30 p.m.
4. Discussion of Proposed State Tax Cut 2:45 p.m.
5. Agenda for Next Meeting 2:55 p.m.
6. Adjourn 3:00 p.m.

**MEMO**

TO: MMA Board of Directors

FR: MMA Staff

RE: Governor Weld's Proposed Tax Cut Package  
Should the MMA take a position on it?

DT: September 3, 1993

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As a response to the tax increases in the federal economic recovery and deficit reduction package signed into law by President Clinton last week, Governor Weld has proposed a package of state tax reductions that would cost \$124 million in fiscal 1994 and \$207 million on an annualized basis. Weld has characterized his tax cut plan as an attempt to protect the fragile Massachusetts economy from the new "job-killing" federal taxes.

The fiscal 1994 state budget assumes state tax collections of \$10.56 billion, an increase of \$620 million over the \$9.94 billion collected last year. The Massachusetts Taxpayers Foundation has recently revised downward its own tax collection projections and now projects that state collections will grow only by \$500 million this year.

The Weld proposal [House 5383] includes the following tax provisions:

1. a reduction in the tax rate on Part B or "earned" personal income [mostly wages and salaries] to 5.85 percent from 5.95 percent--the rate on Part A or "unearned" income would remain unchanged at 12.0 percent;
2. a reduction in the gas tax rate by 4.3 cents to 16.7 cents from 21 cents;
3. an increase in the personal income tax No Tax Status threshold to \$13,500 from 12,000 for married filers and to \$9,000 from \$8,000 for single filers;
4. an increase in the personal income tax exemption for interest earned from Massachusetts banks by elderly taxpayers to \$2,400 from \$200 for married filers and to \$1,200 from \$100 for single filers.

CC: BOS

Town of Acton

Planning Department

472 Main Street Acton, Massachusetts 01720

(508) 264-9636

INTERDEPARTMENTAL COMMUNICATION

SEP - 7 1993

TO: John Murray, Asst. Town Manager DATE: September 3, 1993

FROM: Roland Bartl, Town Planner *R. B.*

SUBJECT: Haartz Corporation

I have been approached by the Haartz Corporation on Hayward Road concerning future expansion plans. This morning Mr. Hatfield of Haartz, Garry Rhodes and I had a meeting. The following is a summary of that meeting:

Haartz is seeking to expand its facility to respond to changes in product demands. Haartz owns approximately 48 acres, 33.5 acres represent industrially zone land (26.5 acres developable), the remaining 14.5 acres are in a Residence 2 zoning district. All of the Haartz facility is within the industrial district zone, the residential district area is vacant and wooded and serves as a buffer to abutting residences. The existing FAR is at 0.22, already exceeding the limit of 0.20.

We discussed the following scenario under which the expansion of the Haartz facility might be acceptable to the Town: Haartz would be allowed to count the developable portion of its entire land holding (including the residential portion) towards its building floor area. This would allow Haartz to add approximately 90000 s.f. of floor space, all of which would remain in the industrially zoned portion. The residentially zoned portion would be deed restricted limiting its future to passive land uses. Haartz thereby would trade in as much as 31 house lots in order to be permitted to build its expansion. The buffer to the abutting residences would remain in tact.

30 houses would add approximately 300 daily trips to the local street network. Based on preliminary figures, the proposed expansion would involve trips by 15-20 additional employees and some increase in truck traffic. The Haartz site is one of the few industrial locations which are zoned for industrial uses and at the same time are outside of any areas where contamination of public wells might be a concern (it is in zone 4 of the GPD district).

The most likely approach to be taken by Haartz to pursue this matter will be a zoning variance, although seeking Town Meeting zoning action would remain a possibility. Given the circumstances and Haartz's approach in this matter such an arrangement would not seem inconsistent with the Master Plan. It would allow one of Acton's major employers and manufacturers to remain and to grow in Acton without any apparent harm or detriment to the Town or the neighborhood.

One issue of concern might be the intersection of Main and Hayward. It is along the truck access route for Haartz. Despite geometric improvements we seem to have continued problems with trucks at that location. Another concern has been odors.

Mr. Hatfield reports that no complaints have been received by Haartz for a long time, but a complaint was recently received by the Fire Department. It appears that, although efforts to control the situation are ongoing, odors cannot be completely eliminated. None of the odors should be harmful according to Haartz.

Mr. Hatfield was advised that the Town Manager, the Board of Selectmen and the Planning Board will be briefed on this matter.

xc: Board of Selectmen ✓  
Planning Board  
Garry Rhodes  
Dick Hatfield

[RHB.IDC.93\*30]

HISTORIC DISTRICT COMMISSION MINUTES Aug. 2, 1993

*Not Yet*  
*Approved*  
*Approved as amended*  
*8/30/93*

Members present: Whit Mowry, Sandy Schmidt, Mike Lynch, Tom Peterman, Michaela Moran.

The meeting came to order at 7:50 PM in room 46. Minutes of 7/26/93 were approved as amended.

**ANNOUNCEMENTS: CERTIFICATE OF HARDSHIP for APPLICATION #9308 issued. Letters were sent to Robert Skillen, APPLICATION 9311 and Elizabeth Donegan/ Robert Ganong about shutter application.** **SEP - 7 1993**

**APPLICATION #9303** <sup>CARPENTER</sup> Moodz 556 Mass. Ave. Karen LaRoche brought sign maker, Rex, for questions. Karen went over letter Ann had sent her detailing the items of violation. Karen stated she had plans to camouflage the lights with plants. She also would like to forgo lettering on awning in exchange for the additional letters on sign. Rex stated the sign surface can not be changed but post color could be. She questioned whether taking away a color in border would help. The additional wording is a problem for us.

We thanked her for coming and continued. It was in agreement that because there seemed to be a misunderstanding on the term sandblasting we should let her leave the background. It is noted that this will not happen in the future.

The following proposal was made: Submit landscaping design for screening of lights by Sept. 20, with work done by Oct. 18th. Posts and cross bars to be painted the originally approved off-white color (exactly as background). As a compromise we would eliminate colors on border eliminating the aqua and making it green and yellow and if "for men and women" must stay they should be black. In consideration of allowing extra letters on previously approved sign the Commission has agreed to accept the applicants proposal of no lettering on proposed awning above door. The alternative to this proposal is to remove un-approved letters and color. Mike will draw up a letter stating the above and send to Karen.

It is noted that the Commission has bent over backwards in allowing these changes to accommodate this new business owner.

**APPLICATION 9309** 105 School St. **APPLICATION FOR NON-APPLICABILITY** Michaela moved to accept application as written and issue **CERTIFICATE OF NON APPLICABILITY. MOTION ACCEPTED UNANIMOUSLY.**

**APPLICATION 9311** Robert Skillen sign at 562 Mass. Ave. Applicant could not come so postponed until next meeting.

**APPLICATION 9310** Town of Acton Application for removal of kiosk from library lawn. It was moved that this was in our jurisdiction and that a public hearing was not needed **VOTED ON UNANIMOUSLY** It was moved we grant a

**CERTIFICATE OF APPROPRIATENESS** to remove the kiosk from front lawn of the Acton Library. It was agreed it is a non-contributing structure. **MOTION ACCEPTED UNANIMOUSLY.** Abutters notices will be sent out.

Discussion on proposed parking: Concerned we do not open door to additional parking going east so that the appearance of the Common will not be dramatically altered.

**IN PRINCIPLE PARKING SHOULD BE BANNED FROM THE TOWN COMMON, IT IS A DEROGATION TO THE ACTON CENTER DISTRICT AND IS A POTENTIAL SAFETY HAZARD.**

Meeting adjourned at 10:25 PM

Respectfully submitted,

Sandy Schmidt

Justice  
FBI

cc: DAS  
FBI

SEP - 7 1993

Sept 7, 1993

Acton Police Dept.

Residents of Stonymede  
Way are planning a block  
party on Sept 11, 1993, starting  
at 2:30pm thru the evening.  
Thank you.

Mrs. John L. Baker  
49 Stonymede Way  
263-0182

NO MAIN DATE

OK  
FIVE NOTIFIED

OK  
9/7/93



# REX Lumber Company

cc: BOS  
D. Abbott 7/10

840 Main Street • Acton, Massachusetts

September 3, 1993

FILE

SEP 19 1993

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

Dear Mr. Johnson:

It is my understanding that the Army Corp of Engineers has approved the plans for the Recreation Area Project. Being an abutter who will be affected by this project, I have several concerns regarding the design:

- a) Is a berm still included in the design? This might have a negative effect on air flow in our air drying field.
- b) Are security fences included in the design plan?
- c) Has the access road been relocated as discussed in a preliminary meeting with Bruce Stamski in March, 1993?

I would like an opportunity to discuss these and other concerns with you and Bruce Stamski at your earliest convenience. I look forward to your prompt response.

Very truly yours,

Al Baird  
Yard Manager  
Rex Lumber Company

AB/lc

### BRANCHES

**Main Office**  
840 Main Street  
Acton, MA 01720-5804  
(508) 263-0055  
FAX (508) 263-9806

P.O. Drawer N  
So. Windsor, CT 06074  
(203) 289-5441  
FAX (203) 289-7138

P.O. Box 1776  
Englishtown, NJ 07726  
(908) 446-4200  
FAX (908) 446-5036

1405 Valley Road  
Richmond, VA 23222  
(804) 329-7391  
FAX (804) 329-7584



W: BOS

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

John Murray  
Assistant Town Manager

---

September 7, 1993

Roy Trafton, Chairman  
Acton Council of Aging  
Acton Town Hall  
472 Main St.  
Acton, MA 01720

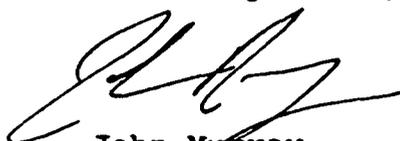
Dear Roy,

The Acton Board of Selectmen have asked me to assure you that they fully recognize the extraordinary effort that staff, Council members and their friends have expended in making Acton's Senior Center a reality. Your dedication to serving the needs of Acton's senior citizen community in a new building is to be commended.

In recognition of your outstanding effort, the Board of Selectmen is willing to compromise on the issue of snow removal. However, the municipal side of Town Government is experiencing a severe financial crisis (Please see Dore' Hunter's memo, which is attached) at this time. Consequently, the Town may not be able to clear your lot and sidewalks immediately, and activities may need to be cancelled or delayed in some circumstances. If the Town's restricted ability to remove snow is acceptable to the Council on Aging, the Town will contact Roy Smith to finalize the lease and insure that the punch list items are corrected.

Again, the Board of Selectmen wish to thank all that have toiled tirelessly for their efforts.

Sincerely Yours,



John Murray  
Assistant Town Manager

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

John Murray  
Assistant Town Manager

---

September 9, 1993

Mr. Earl Nadeau  
54 Pope Road  
Acton, MA 01720

Dear Mr. Nadeau,

The Acton Board of Selectmen at their September 7th meeting Proclaimed September 26, 1993 the 219th anniversary of Crown Resistance Day. Enclosed you will find the official documentation.

The Board of Selectmen wish to thank the Acton Minuteman for their tireless effort in ensuring that the community of Acton remembers it's proud heritage. In order to heighten visibility of your public events, the Selectmen would like to suggest that you use the Town Common. They realize that it may not be possible for Crown Resistance Day, but if the Town can be any assistance in arranging the use of the Town Common please call Dean Charter at 264-9629.

Thank you once again for your efforts.

cc: BOS

Sincerely Yours,

John Murray

cc: BOS



# Metropolitan Area Planning Council

60 Temple Place, Boston, Mass. 02111 617/451-2770 Fax 617/482-7185

*Serving 101 cities and towns in metropolitan Boston*

SEP - 7 1993

Mr. John Murray, Assistant Town Manager  
Town of Acton  
472 Main Street  
Acton, MA 01720

Dear Mr. Murray:

Thank you for your letter of August 26, 1993 regarding amendments to the FY 94 - 95 TIP. Your letter has been forwarded to the Joint Regional Transportation Committee and will be discussed further at the MAPC MPO Liaison Committee meeting on September 14, 1993.

Should you have any questions or further concerns, please feel free to contact the new transportation planner at MAPC, Christopher Skelly, who is in charge of the TIP.

Thank you again for your letter. MAPC will make every effort to resolve your TIP project concerns.

Sincerely,

David C. Soule  
Executive Director

DCS/ccs

cc: Karen Pearson, EOTC  
Christopher C. Skelly, MAPC

cc: BOS



# Minuteman Tech

Minuteman Regional Vocational  
Technical School District  
758 Marrett Road  
Lexington, MA 02173-7398  
Telephone (617) 861-6500

Science-Technology High School  
and Adult Career Center



Fax 617-863-1747

RECEIVED  
SEP - 9 1993

September 7, 1993

To: \_\_\_\_\_ School Committee Members  
 Other Interested Parties

## REPORT ON ASSESSMENT PROBLEM

1. By this date, we have received supporting waiver letters from only 4 towns\*. One of these sent its letter to DOR rather than just to me. DOR reacted with a telephoned denial of the waiver request I had not yet sent and suggested we deal with the Dept. of Education (DOE).
2. I have now filed a waiver request with DOE and am awaiting a response.
3. If that request is denied, I'll propose an alternate solution at your September meeting.
4. In the absence of clear understanding of and support for late-filed legislation to correct the problem, we have asked Representative Resor to switch to filing our legislation for the next session of the General Court when more people understand and are ready to help with solving the problem.
5. Feel free to call me with any questions.

Ron Fitzgerald  
Superintendent-Director

\* List -- Acton  
Carlisle  
Stow  
Sudbury

cc: BOS



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

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

SEP - 9 1993

OFFICE OF THE SUPERINTENDENT  
William L. Ryan  
Director of Business and Community Education

DATE: September 8, 1993

TO: Isa Zimmerman

FROM: Bill Ryan

RE: F.Y.'94 "Net School Spending Calculations"

I met with Acton Town Accountant, Roy Wetherby, on Wednesday, September 8, 1993 to review F.Y.'93 Town of Acton municipal expenditures for educational purposes (ie. insurance, workers compensation, pension etc.) for the local schools. Roy will send me accurate numbers that we can then forward to Phyllis Rogers at the Department of Education. Once these corrections are submitted to the Department of Education they will (hopefully) run a new "Net School Spending" calculation for the local schools. We will then be able to make accurate comparisons for net school spending requirements for this fiscal year.

CC: Roy Wetherby  
Don Johnson ✓

# Water Supply District of Acton

693 MASSACHUSETTS AVENUE  
P.O. BOX 953  
ACTON, MASSACHUSETTS 01720

TELEPHONE (508) 263-9107

FAX (508) 264-0148

WATER SUPPLY DISTRICT OF ACTON  
HARLAN TUTTLE BUILDING  
693 MASSACHUSETTS AVENUE  
ACTON, MA 01720

SEPTEMBER 13, 1993

AGENDA:

7:30 P.M. CALL TO ORDER  
7:31 P.M. COMMENTS FROM CITIZENS AND OPEN DISCUSSION  
ACCEPT MINUTES OF MEETING AUGUST 16, 1993

NEW BUSINESS

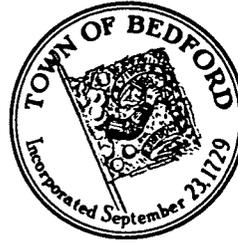
WARRANTS & COMMUNICATIONS  
REVIEW R.F.P. ON NEW BUILDING  
R.F.P. ON GRACE INVESTMENT ACCOUNT

OLD BUSINESS

CONANT SITE #2  
LAWN SPRINKLERS  
BOTTLED WATER  
ACORN PARK  
SPECIAL DISTRICT MEETING

# SELECTMEN OF BEDFORD

---



SEP - 7 1993

John McCulloch, *Chairman*  
Betsey J. Anderson      William L. King  
Val V. Asbedian      Joseph R. Piantedosi

TOWN HALL  
10 MUDGE WAY  
BEDFORD, MASSACHUSETTS 01730  
617-275-1111

September 3, 1993

Board of Selectmen  
472 Main Street  
Acton, MA 01720

*cc: BOS*

Dear Members of the Board:

Recently the Massachusetts Aeronautical Commission issued the final version of the Strategic Assessment Report. The purpose of this report was to study high speed inter-city transportation demand markets currently served by Logan International Airport principally including central and eastern Massachusetts. The report looks at two specific time frames being the years 2010 and 2030.

The Town of Bedford is concerned about the results of this study to date. The Board of Selectmen has asked me to forward a copy of our recent comments on this study to you so that you may be aware of the issues being discussed.

Your assistance in helping to address the Town's concerns would be greatly appreciated. If you or any of your staff members would like to discuss the Town of Bedford's concerns, please do not hesitate to contact me.

Thank you very much for your interest in this matter.

Sincerely,

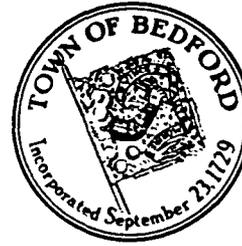
Richard T. Reed  
Town Administrator

RTR:jc

Attachments (2)

# ELECTMEN OF BEDFORD

---



John McCulloch, *Chairman*  
Betsey J. Anderson      William L. King  
Val V. Asbedian        Joseph R. Piantedosi

TOWN HALL  
10 MUDGE WAY  
BEDFORD, MASSACHUSETTS 01730  
617-275-1111

August 31, 1993

Mr. Robert Jenney, Executive Director  
Massachusetts Aeronautics Commission  
10 Park Plaza, Room 6620  
Boston, MA 02116

Dear Mr. Jenney:

The Selectmen of Bedford appreciate the opportunity to express, on behalf of the Town of Bedford, its grave concerns regarding the recently released Strategic Assessment Report (SAR) prepared by Arthur D. Little, Inc. for the Massachusetts Aeronautics Commission. While we recognize that our community may receive some benefit from the expansion of Hanscom Field, we also know that the almost inevitable increase in activity which such expansion would bring will cause us to suffer significant stress. Furthermore, we believe that the spotlighting of Hanscom by the Report as a likely facility for conversion into a large regional/reliever airport (LRRRA) deserving "... special consideration ... due to its proximity to the demand...." is both premature and inappropriate.

You have received and will continue to receive an ever growing mountain of evidence regarding the environmental and socioeconomic disruptions which such a conversion would entail, as well as the ground transportation nightmare that such a facility would create. We provided an initial response (Comments on the Final SAR) which was forwarded to you via the Hanscom Area Towns Committee (HATS). In it, we identified a significant number of specific and important issues that should have been addressed prior to the release of any study which could be interpreted as a policy statement or used as the basis for long range planning. These all underscore the obvious inappropriateness of attempting to force fit an LRRRA into the ecologically sensitive and historically significant Hanscom four-Town intersection. It is simply preposterous to seriously consider establishing an airport like Cleveland, Cincinnati or Baltimore-Washington International Airports (at the 4 to 5 million passengers per year low-end demand forecasts) or like Philadelphia or Washington National Airports (at the 8 million per year high end) without completely destroying both the human and natural habitats which currently surround Hanscom Field. It is at best careless, and at worst disingenuous, in an important policy shaping report such as the SAR to dismiss these as "Social Capacity" issues which "...may merit further analysis."

Equally disturbing to us is the fact that the spotlight placed on Hanscom Field distracts from what otherwise should have been a timely, objective and fruitful economic development, land use and transportation system planning endeavor for our entire New England region. By focusing attention and energy on Hanscom Field and its marginal ability to keep Logan International Airport from crumbling in the near term under the weight of its part of the growing demand for high-speed intercity transportation, we may well miss the opportunity to solve the real problem which is to build an intermodal transportation system that serves the whole of the future demand for adequate transportation for the Commonwealth, if not for all of New England. Land which is now obtainable - and options which are now open - - will soon be closed. Band-Aid solutions for Logan's reaching the end of its capacity limits are absorbing the money and the energy needed to implement measures which will serve the greater need for integrated transportation well beyond the year 2030.

The SAR states that Hanscom Field's attractiveness is "based solely on market attractiveness". The SAR further states that the area demand is based on 1990 census data and that this "distribution was maintained for all forecast years". If the Commonwealth desires economic growth in the coming decades, the Town of Bedford contends that the area demand distribution will change significantly and that Hanscom Field may not be the ideal location for LRRRA in the year 2010 or 2030.

The original purpose of the SAR was to address the various forms of transportation that could stimulate the economic growth of the Commonwealth. It is specifically stated that no attempt to recommend a specific course of action will be made. After reviewing the SAR, the Town of Bedford is concerned that relieving the congestion at Logan International Airport has become a main focus of the report and that while Hanscom as a LRRRA was not "analyzed to the level of detail of the original" scenarios, the SAR is indeed making a recommendation for Hanscom Field's use. The Town feels that many details were skipped and to state that the "...Hanscom Field analysis... puts all the necessary information in the decision-makers' hands..." is grossly in error.

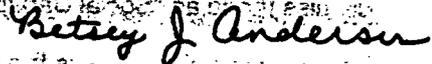
It has been said that the "results" of the SAR are going to be incorporated in the coming update to the Transportation Plan for the Boston Region. We urge you to remove the implication that Hanscom Field can provide anything more than a minor increase to the needed capacity for intermodal transportation in the region. We further urge you to look beyond 2030. Political, fiscal and engineering lead times make 2030 a close-in time frame upon which to base decisions whose impacts will be felt well beyond. And, finally, we urge you to rephrase the questions to be answered in this important planning endeavor. Do not ask how to satisfy the demand created by the last forty years' growth of the region. Ask how to satisfy the demand that will be created by the next forty years of development. It is probable that the design for future airports utilizing the next generation of aircraft will require that we consider visions unencumbered by the capabilities of current scenarios. It would not surprise us to learn that the solution to that question is that Logan International Airport is the regional LRRRA.

The Selectmen of the Town of Bedford, supported by numerous citizens and members of our many Boards, Committees and Commissions, want to participate actively with you in planning for and implementing the changes which are required to assure the continue viability of our Town and our Commonwealth. We look forward to an opportunity to do so in a way which serves both the technical and the social interests of the region.

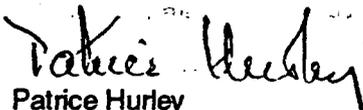
Sincerely,



John McCulloch  
Chairman Board of Selectmen



Betsey Anderson  
Bedford's HATS Selectman



Patrice Hurley  
Bedford SAR Roundtable Member

## **Town of Bedford Comments on Final Strategic Assessment Report**

On behalf of the Bedford Selectmen, I am submitting the Town of Bedford's preliminary comments on the Strategic Assessment Report (SAR) through the Hanscom Area Towns Committee (HATS). Additional comments may be forthcoming as the Town of Bedford continues its review of the SAR.

We would like to divide our comments into three categories: first, the process and content of the SAR; second, issues specific to the scenarios incorporating the increase of air traffic at Hanscom Airfield; and third, our recommendations for future study.

### **SAR Process and Content**

It seems as though the SAR's outcome was pre-determined by the design of the study. The SAR attempts to show how demands for long distance travel in the area may be met in the future. The definition of the market demand is the population area that is currently being served by Logan. If other factors are considered in conjunction with the demand, a scenario may appear which argues less for a primarily demand-driven solution. The SAR as written does not give adequate consideration to all factors, such as environmental, noise, need for infrastructure, safety and economic impacts but rather implies that demand be the predominant factor considered.

The public participation process in the SAR has fallen short of what would be expected in a study of this significance. The issuance of the final report has come in the middle of the summer at a time when many people who have an interest in this subject are out-of-state and unable to contribute comments. There have been no opportunities for the general public to receive a presentation of the study other than through the Roundtable participants. Similarly, the public has not had an adequate opportunity to give comment on the study. In addition, the initial deadline for public comment (which was modestly extended only after public demonstration of frustration) was totally inappropriate given the importance of the study.

The final report of the SAR identifies a much greater role for Hanscom Airfield in satisfying the region's travel demands than had been suggested in the earlier stages of the study. This was not explained by the study's consultant nor anticipated by Roundtable participants. In the past,

Massport, an SAR sponsor and participant, has indicated to our communities that it does not have any desire to operate Hanscom as a major airport. If Hanscom were to be used as a Large Regional/Reliever Airport (LRRRA), the passenger volume is suggested to be as much as 4.1 million/year by 2010. The original scenarios involving Hanscom identified in the earlier stages of the study had volumes no more than 700,000 passengers/year by 2010. To have the focus on Hanscom change so significantly at the end of the study was a disservice to all those who participated with an interest in Hanscom.

There is a lack of clarity in the SAR to the extent that one cannot determine where the data exists to support the finding in each scenario. Because of this, it is hard to determine whether the findings are based on data or subjective information. The final report does not specify how its results will be utilized by others. We have great concerns that the report will be utilized as the basis for making other transportation decisions for the metropolitan area. In this regard, the July 30, 1993 Draft of the Transportation Plan for the Boston Region states on page 6-12 that "the results of this study (SAR) will be incorporated into the Transportation Plan as they become available". The Transportation Plan "specifies the goals and policies for the regional transportation system" (pg. 1-5 thereof) and is required by federal law. The SAR as is, should not be considered as a policy document for the Commonwealth of Massachusetts since it has not been subjected to the level of scrutiny appropriate to an issue of such importance to the entire New England region.

### Hanscom Airfield Issues

The SAR recognizes on page 6-10 the need to study Hanscom Airfield in much more depth if it is to be considered for use as a regional airport or an LRRRA. In fact, the study states that surface improvements would need to be assessed, which, in effect, acknowledges the difficulty that will be encountered in expanding the capacity of Hanscom Airfield.

Previous SAR submittals by the Town of Bedford outline many of the issues that would have to be addressed in any proposed expansion of Hanscom. The following environmental concerns exist:

1. Proximity of wetlands to the airfield.
2. Protection of Bedford water supplies.
3. Protection of Shawsheen River water quality.

4. Protection of Concord River (presently being considered for designation as a Wild & Scenic River.)
5. Protection of Great Meadows National Wildlife Refuge.
6. Mitigation of noise impacts to surrounding densely settled residential areas in both immediately adjacent residential communities as well as any communities affected by flight paths of more frequent large jet traffic.
7. Adjacent conservation and Town forest lands.
8. Proximity of sensitive receptors such as the Bedford V.A. Hospital, Carlton Willard Village Retirement Community, Middlesex Community College and various public schools.
9. Maintenance of air quality in area.

The following concerns exist with respect to the historical and cultural aspects of the area:

1. Proximity to Minuteman National Park and preservation of this national treasure.
2. Proximity of historically significant private properties; in Bedford, there are seven (7) privately owned houses built before 1700 and forty-two (42) houses built more than 200 years ago.
3. Proximity to the Bedford National Register District and the Bedford Historic District.
4. Proximity to the historic inland landmark, the Brothers' Rocks discovered over 350 years ago.
5. Proximity to other historic properties in the Hanscom area, including the Concord properties which play a significant role in the literary development of our country.

The SAR acknowledges on pg. 4-52 that surface access issues would have to be addressed but it does not properly assess the significance of these issues. As a result, the following transportation concerns exist:

1. Capacity of Rt. 128 - This roadway is presently beyond its capacity to effectively handle traffic in peak hours; will Rt. 128 be able to be expanded enough to meet the demands that would result from Hanscom expansion? Environmentally sensitive areas such as the Tophet Swamp and the Cambridge Reservoir near

Hanscom and adjacent to Rt. 128 may not allow for expansion to meet required capacities.

2. Capacity of Rt. 2 and Rt. 3 - Are current or future roadway improvements for each of these roads capable of meeting the increased demand that will result from expansion of Hanscom? If not, will the capacity of these roadways be able to be increased even more?
3. Access from major highways to Hanscom - The present access points to Hanscom from both Rt. 4/225 and Rt. 2A are already encumbered with local traffic demands and will not be capable of sustaining the additional traffic from any proposed Hanscom expansion; development of new access points will be difficult, if not impossible, because of the many environmental and historical issues mentioned above.
4. Development of mass transit services to provide access to Hanscom - It is presumed that this would be necessary, but the SAR does not address how it would be provided.
5. Capacity of local road networks - the SAR does not address how the local road systems will be affected by Hanscom expansion.
6. Transport of Hazardous Materials - expansion would necessitate increased deliveries of jet fuel and other hazardous materials through heavily congested areas.

### **Future Study Recommendations**

Providing for the region's future needs for increased very high speed travel capacity will be a complex task requiring the involvement of many affected parties. We believe that such efforts must be fair, comprehensive and provide appropriate opportunity for public participation and comment. The process should be an open one considering a broad range of options. To this end, we recommend the following:

1. The Commonwealth must identify for the public the process which will be utilized to reach final decisions on these matters. The public deserves to know who the decision makers will be and what opportunities will be given for public comment.
2. The Commonwealth should not restrict its thinking that solutions to these needs must be provided only within Massachusetts. Logan is used by passengers from the other New England states. Solutions to providing passenger capacity from

New Hampshire, Rhode Island, Maine and Connecticut should be explored. The Commonwealth's officials should cooperate with officials from these states.

3. The Commonwealth should ascertain the air travel industry's views on these matters to determine their willingness to invest in the expansion of regional airports in Massachusetts.
4. We recommend that the Commonwealth continue to explore the development of very high speed rail service connecting the Northeastern Corridor in order to determine the realistic contribution such service can make to satisfying future travel demands. Since the technology to implement it has not yet been developed, the expected contribution should not be overstated.
5. It is recommended that additional emphasis be given to the utilization of Runway 14-32 at Logan. Special consideration should be given to using this runway in a unidirectional approach so as to provide the least possible impact to surrounding communities.
6. The Commonwealth should recognize the inherent difficulties that may make expansion of Hanscom Airfield impossible. Thorough environmental review of any proposal to expand Hanscom Airfield usage should be completed before the state incorporates this option into regional transportation plans.
7. Local communities must be provided with the means to obtain technical assistance to participate in the consideration of airport expansion. Should expansion occur, these communities will realize major impacts to community services, property values, environmental resources and quality of life. Thus, it is proper that each community be provided with the assistance it needs in working with officials to arrive at sound decisions.

We thank you for the opportunity to supply these comments to you and we trust that you will incorporate them as part of the official compilation of public comment to the SAR.

Prepared and submitted by:

Richard T. Reed  
Town Administrator  
Town of Bedford

8/9/93

SEPTEMBER 17, 1993

*File*

TO: Board of Selectmen  
FROM: ANNE FANTON, Vice Chairman  
SUBJECT: SELECTMEN'S REPORT

#####

AGENDA

ROOM 204

7:30 P.M.

SEPTEMBER 21, 1993

I. CITIZEN'S CONCERNS

II. PUBLIC HEARINGS & APPOINTMENTS

1. 7:31 BOSTON GAS - AGAWAM ROAD to SANDAS TRAIL - Enclosed please find the notice and staff comments for Board action.
2. 7:45 FORT DEVENS TASK FORCE - The task force will be in to update the Board and discuss their charge. Also please find Marilyn Wolfsens' Citizen Resource Sheet for possible appointment as an Alternate to Hanscom Field Advisory Commission for Board action.
3. 8:00 Lt. WIDMAYER - Lt. Widmayer will update the Board regarding the status of E911.
4. 8:15 BREWSTER CONANT - Enclosed please find Mr. Conant's Citizen Resource Sheet and recommendation from VCC for appointment as a Cemetery Commissioner for a three year term for Board review.
5. 8:25 LINDA MCELROY - Enclosed please find Ms. McElroy's Citizen Resource Sheet and VCC recommendation for appointment as a full Member of the Conservation Commission for a three year term for Board review.
6. 8:30 RICHARD CROSWELL - Enclosed please find Mr. Croswell's Citizen Resource Sheet and VCC recommendation for appointment as an Associate member of the Planning Board for a one year term for Board review.
7. 8:45 EDUCATIONAL REFORM ACT - The School Committee will be present to discuss application of the Waiver from the local contribution requirement of the Educational Reform legislation. John Robertson will be present representing MMA in the discussion.

### III. SELECTMEN'S BUSINESS

8. COMMUNITY ACTION STATEMENT - The Board shall make a final determination on the content of the Statement. (note changes included in last week's packet)
9. PUD - Enclosed please find Selectmen Fanton's memo and staff comment regarding PUD for Board discussion.
10. DEC RT. 2 FACILITY - Enclosed please find staff comments regarding DEC facility at Rt. 2/Piper for Board discussion.
11. MUNICIPAL FORUM - Enclosed please find a Report on the Sept. 13th meeting for Board discussion.

### IV. CONSENT AGENDA

12. ACCEPT MINUTES - Enclosed please find minutes from August 10, 1993 for Board approval.
13. CML BOND - Enclosed please find staff request for approval to release a cash security on Site Plan 7/24/92-336 for Board action.
14. W. R. GRACE - Enclosed please find a request from the Town's Attorney asking the Board to accept the \$100,000 Grant pursuant to the Settlement Agreement.
15. ACCEPT GIFT - Enclosed please find a request from the Police Chief for Board acceptance of a donation of \$100.00 received from a resident of Acton. The Chief asks that this donation be used in cases where victims are in need of temporary shelter.
16. EMERGENCY HOOK-UP - Enclosed please find a request for emergency hook up for a home on Castle Drive prior to public hearing for Board action.
17. VARNUM TUTTLE FUND - Enclosed please find a request for funds from the Tuttle Fund for Board action.

### V. TOWN MANAGER'S REPORT

### VI. EXECUTIVE SESSION

#### MEETINGS

September 23, 1993 - Reception for Dr. Zimmerman, 7:30 Jr. High Library.

#### ADDITIONAL INFORMATION

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

## **FUTURE AGENDAS**

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

Oct. 5            Boston Edison (3 hearings)  
                  Scott Motors - Class II  
                  Memorial Library  
                  (Possible discussion on commuter lot)

805 acs

9/21/93 (1)

TOWN OF ACTON  
NOTICE OF HEARING

PETITION OF BOSTON GAS COMPANY FOR GAS MAIN LOCATIONS

The Boston Gas Company respectfully requests your consent to the locations of mains as hereinafter described for the transmission and distribution of gas in and under the following public streets, lanes, highways and place of the Town of Acton and of the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and accomplish the objects of said Company; and the digging up and opening the ground to lay or place same:

Approximately 5 feet, more or less, of 2 inch gas main in Agawam Road, Acton. From the existing 2 inch gas main in Agawam Road Easterly to the proposed Sandas Trail.

The hearing will be held on Tuesday, September 21, 1993 in the Town Hall at 7:31 P.M. Plans may be inspected in the Selectmen's Office during normal working hours.

BOARD OF SELECTMEN

TOWN OF ACTON  
INTER-DEPARTMENTAL COMMUNICATION

DATE: 9/9/93

TO: Board of Selectmen  
FROM: Dennis Ring, Engineering Assistant *D.R.*  
SUBJECT: Boston Gas Petition  
Agawam Road @ Sandas Trail

We have reviewed the petition from Boston Gas Co. for the above referenced area and we have the following comments.

This petition is for the installation of a gas main from an existing main in Agawam Road to Sandas Trail, a private way serving three residences. Approximately 5 feet of the proposed gas main will be located in the right-of-way of Agawam Road. We do not foresee any problems with granting this petition. The gas company will apply for a standard permit to construct within a public way at the time of installation.

If you have any questions or need additional information regarding this matter, please feel free to contact me.

.94\*55

PETITION OF BOSTON GAS COMPANY FOR GAS MAIN LOCATIONS

To the Board of Selectmen of the Town of Acton, MA:

The Boston Gas Company hereby respectfully requests your consent to the locations of mains as hereinafter described for the transmission and distribution of gas in and under the following public streets, lanes, highways, and places of

Town of Acton and of the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and accomplish the objects of said Company; and the digging up and opening the ground to lay or place same:

approximately 5 feet, more or less, of 2 inch gas main in Agawam Road, Acton from the existing 2 inch gas main in Agawam Road easterly to the proposed Sandas Trail. Submitted is a set of plans of said gas mains.

DATE August 31, 1993

BY Francis X. O'Leary  
Francis X. O'Leary

.....  
ORDER FOR GAS MAIN LOCATION

\_\_\_\_\_ of the Town of \_\_\_\_\_, MA.

IT IS HEREBY ORDERED that the locations of the mains of the Boston Gas Company for the transmission and distribution of gas in and under the public streets, lanes, highways, and places of the Town of \_\_\_\_\_ substantially as described in the petition dated \_\_\_\_\_, 19 \_\_\_\_\_, attached hereto and hereby made a part hereof, and of the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and/or accomplish the objects of said Company, and the digging up and opening the ground to lay or place same, are hereby consented to and approved.

The said Boston Gas Company shall comply with all applicable provisions of law and ordinances of the Town of \_\_\_\_\_ applicable to the enjoyment of said locations and rights.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

I hereby certify that the foregoing order was duly adopted by the \_\_\_\_\_  
\_\_\_\_\_ of the Town of \_\_\_\_\_, MA on the \_\_\_\_\_ day of

\_\_\_\_\_ 19 \_\_\_\_\_. BY \_\_\_\_\_  
\_\_\_\_\_  
Title

\_\_\_\_\_  
Street  
MN#

RETURN ORIGINAL TO THE PERMIT SECTION  
BOSTON GAS COMPANY  
201 RIVERMOOR STREET, BOSTON, MA 02132

FORM #1444 Rev. 90

RETAIN DUPLICATE FOR YOUR RECORDS

TOWN OF ACTON

INTER-DEPARTMENTAL COMMUNICATION

~~7/11~~ (Keep in  
files f  
w/eq  
Debra  
ctt)

~~9/21/93~~

(13)

9/21/93 (2)

DATE : 19 May 1993  
TO : Board of Selectmen  
FROM : Volunteer Coordinating Committee  
SUBJECT : Recommendation for Appointments

At its meeting of March 8, 1993, the VCC voted to recommend Marilyn M. WOLFSON to full member of the Ft. Devens Second Airport Task Force upon verification of the resignation of Fred Rudolph. Having received this confirmation, we so recommend Dr. Wolfson's appointment from Associate to Member, term expiring upon disbanding of the Task Force.

At its meeting of May 17, 1993, the VCC voted to recommend Stephen K. CROCKETT to be appointed Member Board of Appeals. He will replace Matt Mleziva whose term expires 6/30/93. Stephen will serve a three-year term expiring 6/30/96.

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At the same meeting, the VCC voted to recommend Richard M. CROSWELL to Associate Member to the Planning Board for a one-year term expiring 6/30/94. Mr. Croswell is a structural engineer. He has been encouraged to apply by Trey Shupert, a current member, who has pointed out the time committment which did not deter Mr. Croswell.

rec'd  
4-23-92

### 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: April 21, 1992



Wolfson

Marilyn

M.

Last Name

First Name

Middle Initial

10 Pond View Drive

(508) 635-0551

(617) 981-3409

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) Task Force, Airport - Ft. Devens
- 2) Hanscom Field Advisory Commission *conflict*
- 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? Work 8:30 - 5 pm, Mon - Fri

How long have you lived in Acton? 4 years in Massachusetts? 12 years

Are you a US citizen? Yes

Present occupation and employer (optional - attach resume) \_\_\_\_\_

Research Meteorologist - MIT Lincoln Laboratory (resume attached)

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 Resume attached

**Marilyn Mitchell Wolfson**

MIT Lincoln Laboratory, Room 29HW-115  
P.O. Box 73  
Lexington, MA 02173  
(617) 981-3409

*Current Position*

MIT Lincoln Laboratory, Staff Member, Weather Sensing Group

*Education*

- Ph.D.** 1990 Meteorology, Massachusetts Institute of Technology.  
*Thesis: Understanding and Predicting Microbursts*  
*Advisor: Professor Kerry A. Emanuel*
- S.M.** 1983 Meteorology, Massachusetts Institute of Technology.  
*Thesis: Doppler Radar Observations of an Oklahoma Downburst*  
*Advisor: Professor Kerry A. Emanuel*
- B.S.** 1979 Atmospheric Science, University of Michigan, College of Engineering,  
Magna Cum Laude.

*Professional Experience*

- 1983 to present **Staff Member (with Dr. James Evans, Melvin Stone, and Dr. Mark Weber)**  
MIT Lincoln Laboratory Weather Sensing Group
- Meteorological studies related to aviation avoidance of hazardous weather
  - Research on thunderstorm phenomenology for microburst prediction
  - Primary meteorologist on FAA low-altitude wind shear detection program (using Lincoln-built prototype Terminal Doppler Weather Radar)
  - Software Coordinator for staff developing radar and meteorological utilities
- 1982 to 1983 **Research Assistant (with Dr. Kerry Emanuel and Dr. Peter Ray, NSSL)**  
MIT Department of Meteorology and Physical Oceanography
- Case study using Doppler radar data of an Oklahoma downburst
- 1980 **Research Assistant (with Dr. Sushil Atreya)**  
University of Michigan Department of Atmospheric and Oceanic Sciences
- Thermodynamic study of Jovian atmosphere
- 1979 **Summer Fellow (with Dr. Wei-Chyung Wang and Dr. William Rossow)**  
NASA Goddard Institute for Space Studies in conjunction with Columbia University
- Climate sensitivity of 1-D radiative-convective climate model with cloud feedback

### *Honors and Awards*

MIT Lincoln Laboratory Staff Associate Ph.D. Program, 1985-1990  
Ida M. Green Fellow, MIT, 1980-1981  
National Science Foundation Graduate Fellowship, Honorable mention, 1980  
NASA Goddard Institute for Space Studies Summer Fellowship  
Planetary Atmospheres and Climate Program, 1979  
Outstanding Achievement Award, Undergraduate in Atmospheric Science  
University of Michigan, 1979

### *Honorary and Professional Societies*

American Meteorological Society, Member  
Sigma Xi, scientific honor society, Associate member, 1983; Full Member, 1988  
Tau Beta Pi, Member, 1979

### *Other Positions*

National Research Council Committee on Meteorological Analysis, Prediction, and Research (CMAPR), 1991 - 1994  
Associate Editor, *Monthly Weather Review*, 1991 - present  
Lincoln Laboratory Global Climate Change Committee, Member, 1990 - 1991  
Invited Speaker, 16th Conference on Severe Local Storms, 1990  
American Meteorological Society Committee on Severe Local Storms, Member  
3 year term beginning January, 1988  
  
Session Chairman, 25th International Conference on Radar Meteorology, 1991  
Invited Session Chairman, 16th Conference on Severe Local Storms, 1990  
Session Chairman, 24th Conference on Radar Meteorology, 1989  
Session Chairman, 14th Conference on Severe Local Storms, 1985

## **PUBLICATIONS**

### *Ph.D. Thesis*

Wolfson, M.M., 1990: *Understanding and Predicting Microbursts*. Massachusetts Institute of Technology, 303 pp.

### *Journal Articles*

Wolfson, M.M., 1989: The FLOWS automatic weather station network. *J. Atmos. Ocean. Technol.*, 6, 307-326.  
Wolfson, M.M., and T.T. Fujita, 1989: Correcting wind speed measurements for site obstructions. *J. Atmos. Ocean. Technol.* 6, 343-352.

*Journal Articles (cont.)*

- Wolfson, M.M., 1988: Characteristics of microbursts in the continental United States. *The Lincoln Laboratory Journal*, 1, 47-72.
- Klinge, D.K., D.R. Smith, and M.M. Wolfson, 1987: Gust front characteristics as detected by Doppler radar. *Mon. Wea. Rev.*, 115, 905-918.
- Wang, W.C., W.B. Rossow, M.S. Yao, and M.M. Wolfson, 1981: Climate sensitivity of a one-dimensional radiative-convective model with cloud feedback. *J. Atmos. Sci.*, 38, 1167-1178.

*Conference Papers*

- DeLaura, R, M.M. Wolfson, and P.S. Ray, 1991: Errors in Cartesian windfield synthesis techniques using triple Doppler radar networks, *25th International Conference on Radar Meteorology*, Paris, 630-633.
- Weber, M.E., Wolfson, M.M., D. Clark, S. Troxel, A. Madiwale, and J. Andrews, 1991: Weather information requirements for terminal air traffic control automation. *4th International Conference on Aviation Weather Systems*, Paris, 208-211.
- Wolfson, M.M., J.R. Anderson, and L. Orf, 1991: A new hypothesis for the meteorological events surrounding the Delta 191 accident at DFW on August 2, 1985. *4th International Conference on Aviation Weather Systems*, Paris, speech presented.
- Wolfson, M.M., and R. Hallowell, 1991: Characteristics of microbursts. *4th International Conference on Aviation Weather Systems*, Paris, speech presented.
- Wolfson, M.M., D. Klinge-Wilson, M. Donovan, J. Cullen, D. Neilley, M. Liepins, R. Hallowell, J. DiStefano, D. Clark, M. Isaminger, P. Biron, and B. Forman, 1990: Characteristics of thunderstorm-generated low altitude wind shear: A survey based on nationwide Terminal Doppler Weather Radar testbed measurements. *Preprints, 29th IEEE Conference on Decision and Control*, Hawaii, 682-688.
- Wolfson, M.M., 1990: Understanding and predicting microbursts. *Preprints, 16th Conference on Severe Local Storms*, Banff, Amer. Meteor. Soc., 340-351.
- Cullen, J.A., and M.M. Wolfson, 1990: Predicting summer microburst hazard from thunderstorm day statistics. *Preprints, 16th Conference on Severe Local Storms*, Banff, Amer. Meteor. Soc., 383-387.
- Liepins, M.C., M.M. Wolfson, D.A. Clark, and B.E. Forman, 1990: A comparison of anemometer and Doppler radar winds during wind shear events. *Preprints, 16th Conference on Severe Local Storms*, Banff, Amer. Meteor. Soc., 356-361.
- Wolfson, M.M., 1988: Characteristics of microbursts observed in the continental U.S. *Preprints, 15th Conference on Severe Local Storms*, Baltimore, Amer. Meteor. Soc., 372-379.
- Wolfson, M.M., 1987: The FLOWS automatic weather station network. *Preprints, 6th Symposium on Meteorological Observations and Instrumentation*, New Orleans, Amer. Meteor. Soc., 294-299.
- Wolfson, M.M., and T.T. Fujita, 1987: Correcting wind speed measurements for site obstructions. *Preprints, 6th Symposium on Meteorological Observations and Instrumentation*, New Orleans, Amer. Meteor. Soc., 358-363.

*Conference Papers (cont.)*

- Wolfson, M.M., J.T. DiStefano, and T.T. Fujita, 1985: Low-altitude wind shear characteristics in the Memphis, TN area based on mesonet and LLWAS data. *Preprints, 14th Conference on Severe Local Storms*, Indianapolis, Amer. Meteor. Soc., 322-327.
- Wolfson, M.M., and M.W. Merritt, 1985: Automatic microburst detection using Doppler weather radar data. *Presented at International Geoscience and Remote Sensing Symposium (IGARSS '85)*, Amherst, MA, Jointly sponsored by IEEE Geoscience and Remote Sensing Society and USNC/URSI - Commission F.
- Wolfson, M.M., 1983: Doppler radar observations of an Oklahoma downburst. *Preprints, 21st Conference on Radar Meteorology*, Edmonton, Amer. Meteor. Soc., 590-595.

*Lincoln Laboratory Project Reports*

- Wolfson, M.M., ed., 1990: Contributions to the American Meteorological Society 16th Conference on Severe Local Storms. *Project Report ATC-173*, MIT/Lincoln Laboratory, FAA Report No. DOT/FAA/NR-90/3, 56 pp.
- Donovan, M.F., and M.M. Wolfson, 1988: Selected Dual Doppler wind shear events during the 1987 Operational Test and Evaluation of the Enhanced LLWAS system at Stapleton International Airport. *Project Report ATC-158*, MIT/Lincoln Laboratory, FAA Report No. DOT/FAA/PS-88-9, 146 pp.
- Wolfson, M.M. and M.J. Iacono, 1987: A comparison of PAM-II and FLOWS mesonet data during COHMEX. *Project Report ATC-154*, MIT/Lincoln Laboratory, FAA Report No. DOT/FAA/PM-87-36, 47 pp. (NTIS No. AD-A 190 227)
- Rinehart, R.E., J.T. DiStefano, and M.M. Wolfson, 1987: Preliminary Memphis FAA/Lincoln Laboratory Operational Weather Studies Results. *Project Report ATC-141*, MIT/Lincoln Laboratory, FAA Report No. DOT/FAA/PM-86-40, 198 pp.
- Wolfson, M.M., J.T. DiStefano, and B.E. Forman, 1986: The FLOWS automatic weather station network in operation. *Project Report ATC-134*, MIT/Lincoln Laboratory, FAA Report No. DOT/FAA/PM-85-27, 266 pp. (NTIS No. AD-A 194 552)
- Wolfson, M.M., J.T. DiStefano, and D.L. Klinge, 1984: An automatic weather station network for low-altitude wind shear investigations. *Project Report ATC-128*, MIT/Lincoln Laboratory, FAA Report No. DOT/FAA/PM-84-13, 58 pp. (NTIS No. AD-A 148 139)

TOWN OF ACTON  
INTER-DEPARTMENTAL COMMUNICATION

9/211 (4)

DATE : 2 July 1993  
TO : Board of Selectmen  
FROM : Volunteer Coordinating Committee  
SUBJECT : Recommendations for Appointment

At its meeting of 28 June 1993, the Volunteer Coordinating Committee voted to recommend the following appointments:

CONANT, Brewster to full membership on the Cemetery Commission for a three-year term expiring 30 June 1996. Brewster is a long time resident of the Town and has served on various Boards and Commissions. He will bring fiscal expertise which will be useful to the Cemetery Commission.

SILVA, Anthony L. to Associate Membership on the Conservation Commission for a one-year term expiring 30 June 1994. Although he has only recently become a resident of Acton, his training and work experience should make a contribution to the Conservation Commission.

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: July 19, 1975

Mr / Mrs  
Ms / Dr

Mr.

Conant

Brewster

Last Name

First Name

Middle Initial

562 Main Street

263-2090

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) Cemetary Commissioner

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):

Acton Conservation Comm. (1968-86)

Library Trustee 1967-present

1975 Celebrations Comm 1970-75

Do you have any time restrictions? Few

How long have you lived in Acton? 25 yrs in Massachusetts? 64

Are you a US citizen? Yes

Present occupation and employer (optional - attach resume) (s) / (s)

Do you or your employer have any current or potential business relationship with the Town of Acton that could create a conflict of interest? None

Education or special training

TOWN OF ACTON  
INTER-DEPARTMENTAL COMMUNICATION

9/21/93  
⑤

DATE : 22 July 1993  
TO : Board of Selectmen  
FROM : Volunteer Coordinating Committee  
SUBJECT : Recommendations for Appointments

At its meeting on 19 July 1993, the VCC made the following recommendations for your consideration:

VAILLANCOURT, R. Peter to become a Full Member of the Board of Health filling the unexpired term resulting from the resignation James Barbato. His term would expire on 6/30/94. This is supported by the Board of Health.

PATTON, Cindy A. to be Associate Member of the Board of Health for a one-year term expiring on 6/30/98 if the above action is favorably acted on. While we gave consideration to Cindy being recommended for the Commission on Disability, we concluded that her training and experience would equally be valuable to the Board of Health.

~~MCCELROY, Linda S.~~ to be moved up from Associate Member to Full Member of the Conservation Commission for a three-year term expiring 30 June 1996. This action has the support of the Conservation Commission.

PARKER, James L. to be a Member of the Council on Aging for a one-year term expiring on 6/30/94. He has extensive training and experience in the problems of the elderly and can provide expertise in Medicare and Medicaid.

CONN, Angelene L. to be a member of the Council on Aging for a one-year term expiring 6/30/94. While only a relatively recent resident of Acton, she is anxious to become involved in Town activities and feels she can make a contribution to the Council.

HARTUNG, Kay B. to be a Member of the Acton/Boxborough Arts Council for a two-year term expiring 6/30/95. She has attended meetings of the Council and was active for some six years on the Somerville Arts Council.

8/12  
7 P.M.

### 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: August 1, 1991

Mr /  Mrs  
 Ms /  Dr McELROY Last Name LINDA First Name S. Middle Initial  
8 VALLEY ROAD Street Address 263-1579 Home Phone SAME 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) CONSERVATION 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):

NONE IN ACTON. BOARD MEMBER SINCE 1985 OF NEARA (NEW ENGLAND ANTIQUITE RESEARCH ASSOC.), A NEW HAMPSHIRE BASED, NON-PROFIT ORGANIZATION DEVOTED TO RESEARCH, EDUCATION AND PRESERVATION OF NEW ENGLAND'S ANCIENT STONE STRUCTURES.

Do you have any time restrictions? TIME IS FLEXIBLE. EVENINGS BEST.

How long have you lived in Acton? 16 YEARS in Massachusetts? 58 YEARS

Are you a US citizen? YES

Present occupation and employer (optional - attach resume) \_\_\_\_\_  
SELF-EMPLOYED SOFTWARE DESIGNER AND COMPUTER CONSULTANT

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.S. in SOCIAL SCIENCES, SIMMONS COLLEGE, 1955

TRAINING AND CONSIDERABLE EXPERIENCE IN RESEARCH TECHNIQUES AND COMPUTER SCIENCE RELATING BOTH TO RESEARCH IN PSYCHOLOGY AND 2-06-90, CK THE DESIGN AND IMPLEMENTATION OF DATABASE over> SYSTEMS FOR MICROCOMPUTERS.

TOWN OF ACTON

INTER-DEPARTMENTAL COMMUNICATION

9/21/ (6)

DATE : 19 May 1993  
TO : Board of Selectmen  
FROM : Volunteer Coordinating Committee  
SUBJECT : Recommendation for Appointments

At its meeting of March 8, 1993, the VCC voted to recommend Marilyn M. WOLFSON to full member of the Ft. Devens Second Airport Task Force upon verification of the resignation of Fred Rudolph. Having received this confirmation, we so recommend Dr. Wolfson's appointment from Associate to Member, term expiring upon disbanding of the Task Force.

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original

picked up 4-5-83

# 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: 3/31/93

Mr. Mrs. Ms/Dr Last Name CROSWELL First Name RICHARD Middle Initial M

Street Address 15 MOHAWK DRIVE Home Phone 263-9576 Business Phone (617) 547-5400

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) PLANNING BOARD
- 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 (I HAVE ASSISTED IN ONE OF THE PUBLIC FORUMS FOR THE WEST ACTON PLANNING COMMISSION)

Do you have any time restrictions? NOT AVAILABLE FOR MORNING MEETINGS (EVENINGS ONLY)

How long have you lived in Acton? 4 1/2 YEARS in Massachusetts? 5 YEARS

Are you a US citizen? YES

Present occupation and employer (optional - attach resume) MANAGER OF THE STRUCTURAL ENGINEERING DEPT. AND SENIOR ASSOCIATE: SYMMES, MAINI & MCGEE ASSOCIATES, INC. 1000 MASS. AVE. CAMBRIDGE, MA. 02138

Do you or your employer have any current or potential business relationship with the Town of Acton that could create a conflict of interest? I WORK FOR AN ARCHITECTURAL/ENGINEERING FIRM - THERE IS THE POTENTIAL THAT SOMEDAY, MY FIRM COULD DESIGN A PROJECT TO BE BUILT IN ACTON.

Education or special training PRINCETON UNIVERSITY - BSE CIVIL ENGINEERING  
UNIVERSITY OF HOUSTON - MBA

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 interest/hobbies, etc.

I AM A REGISTERED STRUCTURAL ENGINEER AND A MEMBER OF AMERICAN CONCRETE INSTITUTE, AMERICAN INSTITUTE OF STEEL CONSTRUCTION, AMERICAN SOCIETY OF CIVIL ENGINEERS, PRECAST/PRESTRESSED CONCRETE INSTITUTE, BOSTON SOCIETY OF CIVIL ENGINEERS.

I RECENTLY DESIGNED A PROJECT WHICH WON THE 1993 ENGINEERING EXCELLENCE AWARD FROM THE AMERICAN CONSULTING ENGINEERS COUNCIL OF NEW ENGLAND.

cc: BOS

9/21/93 (7)

**FAX SENT**

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

**John Murray**  
Assistant Town Manager

---

September 8, 1993

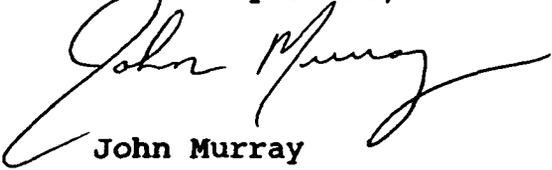
Isa Zimmerman, Superintendent  
Acton Public Schools & A-B Regional Schools  
Central Office  
Acton, MA 01720

Dear Isa,

On behalf of the Acton Board of Selectmen, I would like to invite you, the Local School Committee, and the Regional School Committee to the Board of Selectmen's meeting at 8:45 P.M. on September 21, 1993. The Board will be discussing the availability and advisability of applying for a waiver from the local contribution requirement of the Educational Reform legislation for FY94.

Thank you for your time and consideration

Sincerely Yours,

  
John Murray

9/21/93 (7)



Massachusetts Department of Revenue

Division of Local Services

Commissioner  
Mitchell Adams  
Deputy Commissioner  
Leslie A. Kirwan

# BULLETIN

September 9, 1993

TO: Mayors, Selectmen, Town Councils, School Superintendents,  
Town Accountants, Finance Committees and Assessors

FROM: Leslie Kirwan, Deputy Commissioner  
Division of Local Services *Leslie A. Kirwan*

SUBJECT: Education Reform - Setting FY94 Tax Rates & Recalculating  
Required Local Contributions to Schools

As you are no doubt aware, the new Education Reform law (Ch. 71 of the Acts of 1993) establishes certain minimum spending requirements for schools, and provides that in certain circumstances where a municipality does not meet such requirements, the Department of Revenue cannot approve a tax rate for that municipality.

### ADJUSTING REQUIRED LOCAL CONTRIBUTIONS FOR FY94

Outside sections of recent budget acts have authorized the Commissioner of Revenue to adjust cities' and towns' required local contributions to fund education for fiscal year 1994 on account of (1) the use of non-recurring revenues or available funds to finance the town's FY93 budget, and (2) the need to raise an extraordinary expense in FY94, such as court judgments or snow and ice deficits. No adjustment can be made to a municipality's required contribution to a regional school district under these sections.

Municipalities seeking such adjustments must apply in writing to the Department of Revenue by October 1, 1993. The application should identify the extraordinary revenues or expenses, and show the corresponding amounts of such such revenues or expenses included in the budgets for fiscal years 1991 - 1994. In the case of an adjustment on account of the extraordinary use of available funds in the FY93 budget, the application should also show the balance of such funds available for appropriation in FY94.

*The Division of Local Services is responsible for oversight of and assistance to cities and towns in achieving equitable property taxation and efficient fiscal management.*

*The Division regularly publishes IGRs (Informational Guideline Releases detailing legal and administrative procedures) and the Bulletin (announcements and useful information) for local officials and others interested in municipal finance.*

Division of Local Services, PO Box 9655, Boston, MA 02114 - 9655 (617) 727-2300

## TAX RATE SETTING

For a town whose appropriations for its local schools do not meet the spending levels required by the new law but which have sufficient state aid or available funds to provide the additional appropriations required, and which would not otherwise need to have a town meeting before setting its tax rate, we have agreed with the Department of Education that we will approve the town's actual or preliminary tax rate if the chairmen of the board of selectmen, school committee and finance committee together with the school superintendent jointly enter into a memorandum of understanding that sets out how the town will meet its school funding obligations.

## ACTUAL TAX RATES

A number of towns, in approving their local school budget for FY94, appropriated enough money to meet the required local contribution under the new law, but failed to appropriate a big enough total budget, either because they have received additional unanticipated education aid or because they assumed that certain parts of their education aid such as the per-pupil and EEO grants could be spent by the schools without appropriation, which was the case in FY93.

Towns in these circumstances will be permitted to set an actual FY94 tax rate if they execute a memorandum of understanding (1) to reserve the unanticipated or "excess" education aid to fund a supplemental school appropriation sufficient to bring the community into compliance with the new law, and (2) to seek such an appropriation from the reserved education aid at the next town meeting, which could be as late as a special town meeting within the 1994 annual town meeting. See the attached sample Memorandum of Understanding for setting actual tax rates. The school department would be authorized to spend at the level required in anticipation of the supplemental appropriation.

## PRELIMINARY TAX RATES

If a town has not appropriated sufficient local funds to meet its local contribution, we will not certify an actual tax rate. We will however approve a preliminary tax rate under G.L. Ch. 59 §23D. provided the town has sufficient available funds such as free cash or unanticipated local aid in excess of the amount of such aid used in the town's budget to provide for the additional local spending necessary to meet its obligations under the new law. The school department will be able to spend at the minimum level required by the new law upon execution of the Memorandum of Understanding. See the attached sample Memorandum of Understanding for setting preliminary tax rates.

These options with respect to setting tax rates are available only to towns. Because of the greater flexibility of their budgeting process, cities should be able to resolve school funding issues under the new law in a timely manner.

**TOWNS THAT HAVE ADEQUATE APPROPRIATIONS FOR EDUCATION**

If a town has appropriated sufficient funds to comply with the new law, but is receiving more state aid than it had anticipated, the town will be permitted to set an actual tax rate and reserve the excess state aid for subsequent appropriation to the schools or to any other municipal purpose. However, schools in such towns will not be able to spend any more than their appropriations on account of such reserved state aid unless and until additional funds are appropriated to the schools.

Applications for adjustments to the required local contribution as well as memoranda of understanding should be submitted to:

Leslie Kirwan, Deputy Commissioner  
Division of Local Services  
P.O. Box 9655  
Boston, MA 02114-9655

A community that has questions about any of these issues or about the calculation of its municipal revenue growth factor should contact its respective Bureau of Accounts field representative as soon as possible to minimize delays in resolving budgetary problems and in setting its tax rate.

**MEMORANDUM OF UNDERSTANDING  
FOR TOWNS SETTING ACTUAL TAX RATES**

Whereas the town of \_\_\_\_\_ has not appropriated sufficient funds for local school spending to meet the requirements of Chapter 70 of the General Laws, and

Whereas the amount by which the local school spending must be increased to comply with Chapter 70 is \$ \_\_\_\_\_, and

Whereas the town in budgeting for its fiscal year 1994 local school system committed enough of its own revenues to fund the preliminary local contribution required by Chapter 70, and

Whereas the town's failure to meet the spending requirements of Chapter 70 resulted solely from the town's failure to make appropriations to the local school budget on account of education aid under Chapter 70, which is either additional education aid or which represents education aid that could be spent by the school department without appropriation in fiscal year 1993, and

Whereas the town of \_\_\_\_\_ wishes to set its fiscal year 1994 tax rate promptly,

It is hereby agreed by the undersigned Chairmen of the board of selectmen, finance committee, the school committee and by the school superintendent of the town of \_\_\_\_\_ and the Division of Local Services of the Department of Revenue

That \$ \_\_\_\_\_ (the amount of the town's state education aid in excess of the amount of such aid used in the town's budget) will be reserved for appropriation at the next town meeting,

That the selectmen will put an article on the warrant for the next town meeting to appropriate for fiscal year 1994 school spending in the school department budget and elsewhere in the town budget at least the amount of additional spending required to comply with Chapter 70, and

That until the town meeting the town will be allowed to spend for school purposes in fiscal year 1994, including expenditures funded outside the school budget, at the level of expenditure implied by its required net school spending under Chapter 70.

\_\_\_\_\_  
Chair, Board of Selectmen

\_\_\_\_\_  
Chair, School Committee

\_\_\_\_\_  
Chair, Finance Committee

\_\_\_\_\_  
School Superintendent

\_\_\_\_\_  
Leslie Kirwan, Deputy Commissioner  
Division of Local Services

MEMORANDUM OF UNDERSTANDING  
FOR TOWNS SETTING PRELIMINARY TAX RATES

Whereas the town of \_\_\_\_\_ has not appropriated sufficient funds for local school spending to meet the requirements of Chapter 70 of the General Laws, and

Whereas the amount by which the local school spending must be increased to comply with Chapter 70 is \$ \_\_\_\_\_, and

Whereas the town of \_\_\_\_\_ wishes to set its preliminary fiscal year 1994 tax rate promptly,

Whereas the town has sufficient available funds to provide the additional appropriation of \$ \_\_\_\_\_ needed to comply with Chapter 70,

It is hereby agreed by the undersigned Chairmen of the board of selectmen, finance committee, the school committee and by the school superintendent of the town of \_\_\_\_\_ and the Division of Local Services of the Department of Revenue

That \$ \_\_\_\_\_ (the amount by which the local school appropriation must be increased to comply with Chapter 70) of the town's available funds will be reserved for appropriation at the next town meeting,

That the selectmen will put an article on the warrant for the next town meeting to appropriate for fiscal year 1994 school spending in the school department budget and elsewhere in the town budget at least the amount of additional spending required to comply with Chapter 70, and

That until the town meeting the town will be allowed to spend for school purposes in fiscal year 1994, including expenditures funded outside the school budget, at the level of expenditure implied by its required net school spending under Chapter 70.

\_\_\_\_\_  
Chair, Board of Selectmen

\_\_\_\_\_  
Chair, School Committee

\_\_\_\_\_  
Chair, Finance Committee

\_\_\_\_\_  
School Superintendent

\_\_\_\_\_  
Leslie Kirwan, Deputy Commissioner  
Division of Local Services

August 26, 1993

9/21/93 (9)

TO: Don Johnson, John Murray and Board of Selectmen  
FROM: Anne Fanton  
SUBJECT: PUD (Planned Unit Development)

As I mentioned earlier, I am proposing for your and the Planning Board's consideration the removal of Section 9A in the Zoning Bylaw, which provides for Planned Unit Development, at this Fall's Town Meeting (on the basis that this is a "Living Master Plan.") In short, I am concerned because the rezoning that was done in 1990 was carefully designed to bring down the commercial build-out potential and direct as much of it as possible to growth areas without increasing the residential build-out potential in the then existing bylaw. (By the way, I hope that you read the article in MMA's Summer 1993 Municipal Advocate about the cost/revenue comparisons for residential, commercial and open space. Perhaps we should consider purchasing 61A lands?)

The only potential for increasing the residential build-out figure that was built into the new zoning changes were: 1) the affordable housing overlay districts, which were a preferred alternative to comprehensive permits, and 2) PUD's. While I am pleased that the PUD provision has provided a viable economic alternative for the owner of Acorn Park, the radical shift in the market since 1990 has lowered the demand for commercial space and increased housing development. This could shift again in the future, but I do not feel I am being short-sighted. The PUD provision was added to provide more flexibility in our bylaw. Perhaps we would prefer not to have it there.

I am very concerned that we could lose more of our prime commercial (office park) sites, through mergers or acquisitions, to housing development which, as we knew at the time and has been confirmed in the Municipal Advocate article, comes out at the bottom when costs are weighed against revenues.

My plan is to have an initial discussion take place at the Master Plan Coordinating Committee meeting scheduled for September 24. It could be scheduled sooner if necessary. I am aware that Planning staff may wish to suggest alternative amendments, or oppose any change. I want to allow time for a good discussion but do not want to put this discussion off until Spring.

Could staff please inform me as to the time requirements, assuming a Town Meeting in early-mid November (?), since public notice and a public hearing are required for zoning changes? I would also welcome your comments at our 9/7 meeting.

cc. Planning Board ✓

Anne

Extra Info  
9/21/93

Town of Acton

Planning Department

472 Main Street Acton, Massachusetts 01720

(508) 264-9636

INTERDEPARTMENTAL COMMUNICATION

TO: MPCC DATE: September 3, 1993  
FROM: Roland Bartl, Town Planner RB  
SUBJECT: PUDs

At the 9/24 meeting the MPCC is scheduled to discuss PUDs.

In general, PUDs work as flexible zoning provisions for mixed use developments. While certain outside parameters such as overall build-out would be predetermined, the layout, design and specific mix of uses would be flexible and could be subject to negotiation if so desired. The most important advantage of a mixed use development is seen in the opportunity to offer a place of residence, employment, commerce and even recreation in close proximity.

In Acton, the provision for PUD exists since 1990. A PUD can be developed on any piece of land larger than 15 acres and located in a nonresidential zoning district. Allowed uses in a PUD are all types of residential uses, government uses, religious uses, other institutional uses, most general commercial uses (retail, office, etc.), warehouses and light manufacturing. As a general rule, at least 40% of the total net floor area must be residential; not more than 30% of the total net floor area can be industrial; if the industrial component contains warehousing, the residential component may be reduced to 25%. The overall maximum project build-out figure is FAR 0.30, and the overall project trip generation maximum is at 1.8 trip ends per day per 1000 s.f. of developable site area.

The principal concern with PUD today is that its existence could lead to loss of prime commercial and industrial land. I share this concern and the Town should take corrective action. The trouble with Acton's PUD provision is that it potentially allows the entire project to go residential rather than mixed use. When the PUD provision was drafted and adopted no maximum was established for the residential component. Perhaps, the boom years of the '80s made us believe too much that commercial development, where allowed, would always prevail over residential development. In any case, we did not anticipate the possibility that building homes might some day be more profitable than developing commercial space, or that the commercial real estate market would be so slow that building homes might become the preferred economic choice for a land owner or developer. It appears that we are now finding ourselves in just such a situation.

I recommend to change the PUD provision to establish a maximum for the residential component and to make such other changes as may be necessary to facilitate the use of PUDs. The PUD provision with its mixed use components and its internal design flexibility has lots of advantages over the strict separate-use-zoning. These are advantages for the developer, for the future user and tenant, and for the Town. We should not abandon, but improve it.

xc: Planning Board  
John Murray

9/21/93  
⑨/⑩

INTERDEPARTMENTAL COMMUNICATION

TO: John Murray, Asst. Town Manager      DATE: August 31, 1993  
FROM: Roland Bartl, Town Planner *R.B.*  
SUBJECT: 1. PUD  
          2. DEC facility at Rt.2/Piper.

The following is in response to your request for a primer on PUD regulations in Acton and for a build-out estimate on DEC's property at Rt.2 and Piper Road.

1. PUD

In general, PUDs work as flexible zoning provisions for mixed use developments. While certain outside parameters such as overall build-out would be predetermined, the layout, design and specific mix of uses would be flexible and could be subject to negotiation if so desired. The most important advantage of a mixed use development is seen in the opportunity to offer a place of residence, employment, commerce and even recreation in close proximity.

In Acton: The provision for PUD exists since 1990. A PUD can be developed on any piece of land larger than 15 acres and located in a nonresidential zoning district. Allowed uses in a PUD are all types of residential uses, government uses, religious uses, other institutional uses, most general commercial uses (retail, office, etc.), warehouses and light manufacturing. As a general rule, at least 40% of the total net floor area must be residential; not more than 30% of the total net floor area can be industrial; if the industrial component contains warehousing, the residential component may be reduced to 25%. The overall maximum project build-out figure is FAR 0.30, and the overall project trip generation maximum is at 1.8 trip ends per day per 1000 s.f. of developable site area.

2. DEC property

The property is located in the OP-2 zoning district. It consists of 3 parcels, two of which are contiguous. The two contiguous parcels are G-3/70 and G-3/71-2 as labelled in the Town Atlas. Their total combined land area is 11.67 acres. The gross floor area of the existing building is shown in the assessor's records with 104713 s.f.. Assuming that 90% of that is net floor area (94242 s.f.), the existing FAR as determined under zoning is ~0.19. The remaining additional building potential amounts to ~5000 s.f. of net floor area as the maximum FAR in the OP-2 district is 0.20.

The third parcel (G-3/71-1) lies separately between Discovery Way and Rt.2, and is subject to an agreement with (or site plan condition of) the Board of Selectmen that it will not be built upon. It's land area is 2.48 acres. If the building restriction is

removed, an additional ~21600 s.f. of building net floor area could be supported by that parcel.

[RHB.IDC.93\*27]

cc: BOS

9/21/93  
10

INTER-DEPARTMENTAL MEMO

TO: John Murray  
FROM: Brian McMullen *BM*  
SUBJECT: 97 Piper Road use change from R & D facility  
to nursing home facility.  
DATE: September 1, 1993

The property at 97 Piper Road is owned by Digital Equipment Corporation and was used as an R & D facility but is presently vacant. The current assessment is \$3,996,800 or \$38.17 per square foot with 104,713 square feet of gross building area. In comparing this property to a local nursing home facility at 17 Bayberry Road (Suburban Manor Nursing Home) with an assessed value of \$3,624,900 or \$90.34 per square foot with a total building area of 40,126 square feet. We can assume that nursing home facilities appear to demand a higher per square foot value for total building area which would result in an increased assessment and more taxes paid to the town. However, there are many other assumptions made at this time such as gross building area to the number of beds ratio, gross potential income, vacancy rate and expenses. To properly assess the property at 97 Piper Road, as a nursing home facility, at its full and fair cash value I would need the long term care facilities report (RSC-1) used by the rate setting commission which accurately reflects the financial condition of the institution. At this time I can only estimate the net income to be capitalized for an assessed value which would not be a true reflection of its full and fair cash value.

If you have any questions, regarding the above matter, please do not hesitate to speak with me.

9/21/93 (11)

Sept. 14, 1993

TO: Board of Selectmen  
FROM: Nancy Tavernier  
SUBJECT: Report on Municipal Forum

Dore' has asked that I report to the Board on the last Coordinating Committee meeting and first Municipal Forum which took place on Monday, Sept. 13 at 7:15AM. As you know, the School and Town staffs had been meeting since July to develop a new format for the Coordinating Committee and had reached agreement in August on the purpose, name and membership composition of the new committee. The agreed upon procedure was to take the proposal to the Coordinating Committee for endorsement, and the Board members would then take it to their respective boards for approval. However, the School Committee deliberated prematurely on the proposal, made a significant change to the membership composition, and then voted to adopt the proposal. The membership change added a third School Committee representative from Boxboro, and added a third member of the Finance Committee. It was with this background that Coordinating Committee convened to tackle two agenda items: 1. Change of Name and 2. Membership composition.

**CHANGE OF NAME:** Consensus was reached easily on the change of the name from Coordinating Committee to Municipal Forum and **we would recommend that the Board of Selectmen adopt this change.**

**MEMBERSHIP COMPOSITION:** Consensus was reached also on the membership composition, although there was a fair amount of discussion. Concerns expressed, both pro and con, were: the size of the group (14) would be too cumbersome to operate as a discussion group; Boxboro feels shut out from financial decisions that affect their budget; it would be inappropriate for anyone from Boxboro to comment on Acton Town affairs, as was done last year; the representative from Minuteman Tech School Committee should be included.

Dore' made a counterproposal of a Chairmen only group with one each of staff. Nancy proposed giving a separate and independent seat to "a Boxboro person", not necessarily a member of the School Committee, and preferably not. This person would have a seat at the table, just like Minuteman Tech, and would be expected to participate on regional issues. This representative would be selected by the Boxboro Selectmen, Finance Committee and School Committees. The Acton Finance Committee representatives stated their preference for 2 members only from the

Finance Committee. School and Town Staff was also proposed to be limited to 2 members. The composition would therefore be: 2 each from the School Committee, the Finance Committee, the Board of Selectmen, the School staff, the Town staff, and one each from the Town of Boxboro and Minuteman Tech School Committee. Consensus was reached on this proposal and **we would recommend that the Board of Selectmen adopt this change.**

**RULES OF OPERATIONS:** The Town and School staffs will meet to develop set of guidelines for the operation of the Municipal Forum. Such subjects to be covered will be: what if no consensus is reached; one town commenting on another; participation of non-members; publicity and public notification. These guidelines will come back to the Municipal Forum for discussion.

**MEETING TIMES:** There was consensus on the preference for continuing to meet at 7:15AM on Monday mornings since attendance has been consistently good. From time to time, there will be evening meetings when such issues arise that would benefit from a more public exposure. At that time, the Beacon will be notified and the agenda items and meeting will be advertised.

**MINUTES:** Because the Municipal Forum is a subcommittee established by three government bodies, it must comply with the Open Meeting Law. To that end, minutes will be taken at all meetings with the assignment rotating among the Board unless someone from the League of Women Voters might volunteer to be record keeper. These minutes will be available to the public through the Town Clerk's office and the Library.

**FACILITATOR:** There was consensus on the need to have a professional or qualified facilitator (pro bono) run the Municipal Forum. Members are looking for volunteers. Those suggested were: Bea Perkins, Matt Mleziva, Anne Ridley, (NOTE: Art Harrigan attended the meeting as an observer and later offered his services to me as facilitator). We would appreciate any feed-back or suggestions from the Board of Selectmen. I am not totally convinced that having a facilitator is essential to the operation of the Municipal Forum because the effect of School Reform on next year's budget, essentially removes local discretion over school spending and I don't think there will be much to debate.

Attached is a copy of the proposal for the Municipal Forum, that **we recommend the Board of Selectmen adopt with the amended membership composition.**

# 21  
9/7/93

Acton Public Schools  
Acton-Boxborough Regional Schools

To: Don Johnson and John Murray

From: Isa Zimmerman

On: 9/3/93

Re: Proposal for MUNICIPAL FORUM

The School Committee approved the proposal with a revision incorporated below in italics. Let's discuss next steps.

*There is a need to maintain a regular opportunity for decision-makers in the Town to communicate with each other, discuss problems and challenges, explore ideas and propose possible solutions, that is, prevent surprises from derailing consensus building and progress. The goal is to ensure that the entire Town is well served.*

*Thus, there should be a Committee, called the Municipal Forum, determined proportionally and thus made up of a total of three members of the School Committee, one from Boxborough, two members of the Selectmen, three members of the Finance Committee, the Town Manager and Assistant, the Superintendent of Schools and the Directors of Business and Personnel.*

] Amend

*Members of the MF have a responsibility to present to the Boards they represent an objective report of the consensus reached by the MF. Each Board will vote on adopting the consensus position of the MF and report these results to the next meeting of the MF. There shall be no official vote taken at any MF meetings.*

*Meeting leadership should be provided by a professional facilitator on a pro bono basis so all members of the MF will be able to participate and contribute substantively.*

*The agenda as well as a plan of concepts to be addressed at each meeting will be the joint responsibility of the Town Manager and Superintendent of Schools.*

*The MF will meet twice a month on a Monday from 7:15 to 8:30 a.m. according to the following schedule.*

SEP 17 1993

## The Municipal Forum

Minutes of the Meeting, 9/13/93

Present were: Steve Aronson, **Lees Stuntz**, Paul Kohout, Art Harrigan, Bob Wiltsie, Nancy Tavernier, **F. Dore Hunter**, Sidney Johnson, Pam Harting-Barrat, Bill Ryan, Jean Butler, **Mary Donald**, Ann Chang, **Isa Zimmerman** (names in bold are members of the MF).

It was agreed to convene the Municipal Forum twice a month from 7:15 a.m. until 8:30 a.m. for the purpose of discussing issues of financial and civic importance to the Towns. It was the consensus that there would be formal representation as follows:

- 2 members of the Board of Selectmen
- 2 members of the School Committee
- 2 members of the Finance Committee
- 1 member from Boxborough
- 1 member from Minuteman Vocational School
- 2 Town staff members
- 2 School staff members

An agenda will be prepared by the Superintendent of Schools and the Town Manager, distributed and posted in advance in accordance with the Open Meeting Law. Minutes will be recorded, taken in rotation by each Board. We will attempt to get the agenda in the Beacon calendar.

While no votes will be taken by the Municipal Forum, issues will be discussed until an agreement is reached or a decision is made not to reach an agreement. The members of the MF will bring back to their respective Boards a fair and objective report of the sense of the meeting so that each Board can take its own vote.

The issue of whether to meet in the morning or in the evening, every other meeting, will be reviewed in November.

A facilitator will be sought. Suggestions can be sent to the Superintendent.

A set of guidelines will be developed by the staff for consideration by the MF at its next meeting. Examples of guidelines are:

1. Any staff presentations will be made in writing in advance, and orally with a ten minute limitation.
2. Minutes will go out with the next agenda and be approved by exception.
3. All MF correspondence will be addressed to the chair of each Board.

Next Meeting: September 27 at 7:15 a.m., #114, Junior High.

*JS*

9/21/12

**SELECTMEN'S MEETING**

**AUGUST 10, 1993**

The Board of Selectmen held their regular meeting on Tuesday, August 10, 1993 Present were Dore' Hunter, Anne Fanton, William Mullin (until 9:00), Norm Lake, and Assistant Town Manager Murray  
{Representatives from cable were present to broadcast meeting}

**CITIZENS' CONCERNS**

None expressed

**PUBLIC HEARINGS AND APPOINTMENTS**

**SCUPPER JACKS'**

**AUTOMATED AMUSEMENT AND BILLIARD TABLES**

Jack Mendosa, owner, explained he would like to add to his existing license to include two additional machines and a billiard table. He sees the trend toward this type of activity with a decrease in alcohol sales. Patrons have asked for this type of amusement. He feels that this would add to the relaxed environment and might evolve into league activities in the future.

NORM LAKE - Moved to approve - ANNE FANTON - Second. Motion passed. BILL MULLIN ABSTAINING.

**SIDEWALK PRESENTATION MAIN STREET**

Dean Charter outlined the final plan to install the sidewalk in front of the library. They have taken into consideration the current parking situation and habits. He said that the plan would legitimize an already established parking area used by library patrons. Most vehicles are parked for a minimal time, usually 5-10 minutes at a time. Dore' felt the Historic District comments were surprising, as the changes are to be at grade level. Anne asked about the curb reveal and the possibility of adding planting. Dean felt it would not be in harmony with what is presently on the common and would move the sidewalk further back. Dore' agreed and felt it would require a certificate of appropriateness if any above grade improvements were made. Anne was concerned that the HDC had submitted their comments at the last minute. Dean expressed his dismay at the tenor of the comments. He had felt a totally different response at their meeting.

Bill Mullin noted the lateness of the HDC comments. Dore' reviewed John Murray's alternative plan and felt that it could be addressed at a later time and thanked him for his thoughts regarding the walkway and monument plan. Anne asked about the handicapped parking spaces. Dean felt that the parking for handicapped would remain in the circle at town hall, as it would be unsafe to unload onto Main Street. He did however, feel that the addition of these spaces would be a great help to those who

have experienced difficulty using the graded ramp walkway from the parking lot. Anne questioned Dean about whether all the new painting would be white. Dean replied it would be white.

Dennis Ahern, representative from the Library Trustees spoke in favor of the proposed plan and urged acceptance.

NORM LAKE - Moved to approve the Plan as presented. BILL MULLIN - Second. UNANIMOUS VOTE.

#### WEST ACTON VILLAGE STUDY COMMITTEE

Trey Shupert discussed the plan and said they will ask for comments from staff and citizens. The Planning Board is planning on presenting the associated zoning changes to fall town meeting. Dore' said they probably could plan on a Fall Town Meeting at this time. Norm asked about the moving of the crosswalk on Windsor Ave. They felt that it would be safer if it were moved. Dore' commented on the train stopping in West Acton and while there is not parking, he felt it would be a valuable addition.

Anne commented on signage suggesting it be added to the goals, and the all night store openings aspect in the village. She asked for clarification on page 11 of off street parking. She wanted to know if any areas have been located for parking. She commented on the tax incentive and felt the Town Manager should comment on this. Anne further asked that the Board receive comments from the business community before the article is presented to Town Meeting in the fall. Bill commented that his view is from a user standpoint. He would have liked to see a pub or some sort in the area of the village and reminded the Board he also liked the convenience of the 24 hours sales. Bill wanted to know what effect the zoning changes will have on the current property owners and whether they have been notified of the proposed changes. Trey said under current zoning, the potential loss of housing units is 70. People like the mix and the proposal will change the "legs" of the district to compress the core district and mixes of usage.

The Board thanked them for the thorough job and the work that went into preparing the report.

#### REPRESENTATIVE PAMELA RESOR

Representative Resor outlined the Educational Reform Act and its requirements. She said they are very stringent and geared toward helping the lower funded communities. She noted that Acton will be required to allocate additional funds even though Acton is at the foundation level. Acton can try to get a variance from this but she feels they might not be successful. Dore' felt that now overrides will be for municipal services. He is unclear as to the formula and feared the percentage of the increment. He asked what effect she felt the Chief Executive Officer being involved with bargaining would have with a limited Region such as Acton's. Dore' also asked if the legislature was going to come up with the funding to implement these changes.

Pam felt that she wanted to see more changes to 2 1/2. She wanted to see the lottery funds returned and support for a Local Government Reform Act. Bill asked if it solved the law suit - she felt it has helped to equalize education, to set standards and try to get schools to pull themselves up. Bill asked how she voted for the Educational Reform Act. She said she voted in favor of it for many reasons. Anne asked for clarification of the formula that requires us to allocate additional funds even though we are at the foundation level. John commented the formula is very complicated and we fail at the growth issue in the formula. Dore' thanked Pam for coming in to update the board.

Dore' noted he is inclined to indicate to the Schools that we are willing to wait to hammer out the Chief Executive Officer issue and in the meantime ask the schools to provide information as to the status of their labor negotiations.

#### **PIZZA HUT - CHANGE OF OFFICERS**

Pizza Hut of America has requested a Change of Corporate Officers. There will be no change at the local level. ANNE FANTON - Moved to approve the Change of Officers for Pizza Hut. NORM LAKE - Second. UNANIMOUS VOTE.

#### **UNDERGROUND STORAGE PERMIT SUNOCO OIL - Main Street**

This vote will rectify a paperwork problem. The original permit was approved in conjunction with their special permit but not signed by the Board in 1989-90. NORM LAKE - Moved to approve. ANNE FANTON - Second. UNANIMOUS VOTE.

#### **CONSENT CALENDAR**

NORM LAKE - Moved to accept the consent calendar as printed with the Added Emergency Hookup request for Massachusetts Ave. and Item 20 held. ANNE FANTON - Second. UNANIMOUS VOTE

Item 20 - West Acton Car Wash SP Amendment - ANNE FANTON - Moved to approve with added modification to restrict the height of the building. NORM LAKE - Second. UNANIMOUS VOTE

#### **SELECTMEN'S BUSINESS**

MOBIL OIL - Dore' excused himself for the discussion. Anne outlined the preliminary decision. The Board decision will need to be made at the Sept. 7 meeting. Anne further explained the changes to the entrances and thought two decisions would be written for Board review. One would incorporate the radius changes and one a denial. Bill and Norm were willing to accept the decision with radius changes.

Appointment of Town Accountant - The Board briefly discussed the appointment of Roy Wetherby as Accountant to replace Mary Larson. NORM LAKE - Moved to appoint Roy Wetherby as Town

Accountant. ANNE FANTON - Second. UNANIMOUS VOTE. The Board asked that Mary Larson be sent a letter of congratulations for her completion of 26 years of service to the Town. The Board also asked that she and Stewart Kennedy be honored in the Town Report of 1993.

BUDGET FORMAT - Dore' feels it is necessary to open up the process and hold firm to a bottom line budget. There are value choices to be made and his revised thinking is to work with Don and John toward a program format. Anne felt the Weld approach was too non-specific and wanted to approach it as a list. She had indications from voters that they want to know what we have/what do we cut.

Norm felt that the Board was in the best seat to judge what funds should be allocated to what but felt that the shopping list approach wouldn't be acceptable. Norm was not in favor of moving away from bottom line.

SAWYER DOG ISSUE - The board is inclined to take action against Mr. Sawyer and order the Dogs out of town. Staff was asked to draft a letter to Mr. Sawyer.

Zoning - The Board wants more comment from planning on the Kirk Ware zoning issue concerning ramifications if the appeal is granted.

CAS - No deadline; they will come back in September for Board review. Anne noted a problem with John's comments.

#### TOWN MANAGER'S CONCERNS

DIGITAL ZONING - The Board has previously discussed the request from Digital regarding re-zoning. ANNE FANTON - Moved not to support Digital's request for a zoning change. NORM LAKE - Second. UNANIMOUS VOTE.

STAFFING LEVELS - John discussed his memo regarding staffing shortages and asked for Board direction. The Board felt that we might have to restrict the hours for inspections. Dore' felt we should have specific hours in which the citizenry could have access to the office. They suggested a poster and notification through the press.

The Board adjourned at 10:45 P.M.

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Date

\_\_\_\_\_  
Christine Joyce  
Recording Secty.  
cmjW11-(415)

9/21/93  
13

TOWN OF ACTON  
INTERDEPARTMENTAL COMMUNICATION

DATE: September 14, 1993

TO: Don P. Johnson, Town Manager  
FROM: Garry Rhodes, Building Commissioner *GR*  
SUBJECT: Bond release CML Group 524 Main Street

The Board of Selectmen on May 25, 1993 allowed the Building Department to issue a temporary occupancy permit pryor to completion of the site landscaping. To ensure completion of site plan #7/24/92-336 the Board of Selectmen required the petitioner to post a cash security in the sum of \$10,000 with the Town Treasurer. The landscaping has now been completed to the satisfaction of both the Municipal Properties Director and myself. I do not have an objection if the Board votes to release the security.

9/14/93 (14)

**ANDERSON & KREIGER**

ATTORNEYS AT LAW

The Bullfinch Building  
47 Thorndike Street  
Cambridge, MA 02141  
(617) 252-6575  
FAX (617) 252-6899

Western Mass. Office:

20 Federal Street, Suite 1  
Greenfield, MA 01301  
(415) 774-5392  
FAX (415) 774-2845

STEPHEN D. ANDERSON  
(Also Admitted in CT)

ARTHUR P. KREIGER  
(Also Admitted in NY)

GEORGE A. HALL, JR.

ALLAN R. FIERCE  
(Also Admitted in ID)

CYNTHIA HESLEN  
(Also Admitted in VT)

September 14, 1993

BY FAX

John Murray  
Assistant Acton Town Manager  
742 Main Street  
Acton, MA

Re: Town of Acton v. W.R. Grace & Co.--Conn.  
Civil Action No. 90-12356K

Dear John:

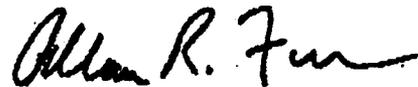
Today I received from Bill Cheeseman (1) Grace's check in the amount of \$100,000 payable to the Town of Acton and (2) one counterpart of the Settlement Agreement executed by Grace and the Town.

Bill and I have agreed that I will hold the check here until the Selectmen vote to accept the \$100,000 grant being made by Grace pursuant to the Settlement Agreement. I understand that your intention is to have the Selectmen vote to accept the grant at the meeting next Tuesday, September 21, 1993.

Once the acceptance is confirmed, I will forward the check to you and file a Stipulation of Dismissal with the Court.

I hope all of this can take place before Friday, September 21, when we are scheduled for a conference with Judge Keaton.

Sincerely,



Allan R. Fierce

ARF/jec  
Enclosure

cc: Acheson H. Callaghan, Jr., Esq.

ACT/COST/339/Murray.004

9/21/15



George W. Robinson  
Chief of Police



Acton Police Department

P. O. Box 2212

Acton, Massachusetts 01720

Telephone 263-2911

Ms. Louise A. Dean  
12 E. Wampus Avenue  
Acton, Massachusetts 01720

September 7, 1993

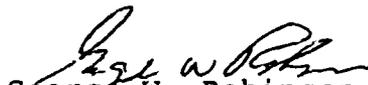
Dear Ms. Dean:

I am more than pleased to receive your letter citing the professionalism of the officers that assisted you in an occurrence that I am sure was most trying. The Department has been striving over the recent years to demonstrate a true compassion while dealing with the citizens we serve.

I will furnish the officers involved a copy of your letter. The Board of Selectmen will be asked to accept your generous contribution. I will recommend that the money be placed in a special fund for cases where victims are in need of temporary shelter.

Thank you once again.

Very truly yours,

  
George W. Robinson  
Chief of Police

cc. Town Manager  
Officers

LOUISE A. DEAN  
12 E. WAMPUS AVE.  
ACTON, MA 01720

235

September 3 1993

53-451/113

PAY TO THE ORDER OF Acton Police Department \$ 100.00  
one hundred & 00/100 DOLLARS



HUDSON NATIONAL BANK  
ACTON • BOXBORO • CONCORD • HUDSON • STOW • MARLBORO

MEMO \_\_\_\_\_

⑆011304517⑆ 078 221 1⑈ 0235

*Louise A. Dean*

Wampus Ave.  
MA 01720

September 3, 1993

Chief George W. Robinson  
Acton Police Department  
P.O. Box 2212  
Acton, MA 01720

Dear Chief Robinson:

One year ago, I had the misfortune of being threatened by an ex-boyfriend. The Acton Police Department and the Massachusetts Court System protected and helped me through the nightmare.

Detectives Parisi, Browne and Grey, and Inspector Wally Harrison (among countless others) were always available with their expertise and compassion to see that the right thing was always done in following the law and protecting my safety.

After several court appearances and finally a term in jail, the "ex" finally ceased bothering me. I have not heard from him since the beginning of his jail term.

This past year has brought a full range of emotion to my life. I've learned an awful lot through this ordeal, one of the most important things being the dedication of the Acton Police force to protect and serve. As I stated to you by letter last year, I have the utmost respect for the department. They helped save my life and I will be eternally grateful for everyone who was involved in my case.

Please accept this small donation to the Acton Police Department as my way of saying "Thank you." It is the very least I can do.

Most Sincerely,

*Louise Dean*

Louise Dean

9/21/93

(16)

Sonya E. Keene  
John T. Moy  
8 Castle Drive  
Acton, MA 01720  
September 15, 1993

Selectmen  
and Town Manager  
Town of Acton  
Acton, MA 01720

Dear Town Manager and Board of Selectmen,

This letter is a request for an emergency approval for Boston Electric to change our electric service from overhead service to buried underground service.

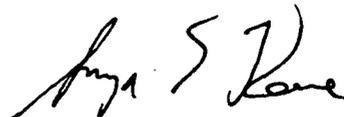
The reason we need this approval immediately is that we are building an addition on our home, and work on the addition cannot proceed until the electric switchover has occurred. Currently, the electric service comes into the addition, and prevents our builder from being able to complete the blueboard and the plastering.

We are the homeowners, and we are expecting twins to join our family very soon! Therefore, we have compelling personal reasons for needing this addition to be completed as soon as possible.

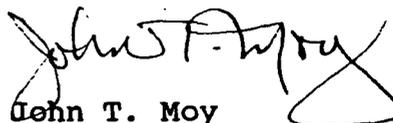
Please consider this request at your meeting on Tuesday, September 21.

Thank you very much.

Sincerely,



Sonya E. Keene and  
John T. Moy



John T. Moy

9/21/93 (17)

September 16, 1993

**CONFIDENTIAL**

Susan Bemis, 7-J Bayberry Road, is a single parent of two children, one of whom is handicapped. Susan has been working since leaving the AFDC program many months ago. Very recent net paychecks have totaled \$60 per week. Her rental payment is \$159; she is an Acton Housing Authority client.

Susan has had a rocky life but seems to have now stabilized herself over a period of time. The children are well cared for. I have checked these facts with Acton Housing. The family does not have a car nor phone. Susan walks to her retail clerk's job. There is immediate hope for more hours/work.

The following have made contributions to keep this family housed: Salvation Army, Acton Unit: \$100, Acton Congregational Church Missions: \$200. Balanced due is \$426.14. The landlord will renew the lease if back paid.

**CONFIDENTIAL**

Varnum Tuttle Fund: \$ 426.14

Remit to: Bayberry Realty Trust

# Bayberry Realty Trust

198 Great Road  
Acton, MA 01720

Susan Bemis  
7-J Bayberry Road  
Acton, MA 01720

August 25, 1993

Dear Susan,

This letter serves as your 60-day notice for non-renewal of your lease on November 1, 1993. My decision not to renew your lease is based upon considerable review of your obligations to Bayberry Realty Trust dating back to April 4, 1991.

Aside from a poor payment history and current outstanding balance of \$726.14, you have consistently failed to meet any arrangements, verbal or signed, that I have made with you in order to bring your account current. In addition, I made it clear to you during a recent telephone conversation that if this obligation was not met I would not renew your lease.

Our records indicate your last attempt to pay back rent was in February 1993. While we have received little response from you regarding this obligation, it is interesting to note the abundance of response we have received from you regarding repairs. Your recent letter outlining a list of jobs we need to accomplish is being addressed by order of importance, especially since it constitutes repairs we should have been informed of long before now.

If you have any questions, please call me during business hours.

Sincerely,



Beverly A. Woodard  
Office Manager

**CONFIDENTIAL**

cc: Robert Moran  
Acton Housing Authority

**(508) 263-0504**

Robert R. Moran, Trustee  
Beverly A. Woodard, Office Manager

SELECTMEN'S MEETING  
SEPTEMBER 7, 1993

DRAFT

The Board of Selectmen held their regular meeting on Tuesday, September 7, 1993. Present were Dore' Hunter, Anne Fanton, William Mullin, Norm Lake, Nancy Tavernier and Assistant Town Manager Murray.  
(Representatives from cable were present to broadcast meeting)

CITIZENS' CONCERNS

None expressed

Chairman Hunter read a prepared statement which outlined the current situation and ramifications to Acton due to the enactment of the Educational Reform Act. Chairman Hunter asked staff to forward copies of the statement to the legislators and Editor of the Beacon.

PUBLIC HEARINGS AND APPOINTMENTS

BOSTON EDISON

MASSACHUSETTS AVE. SOUTHERLY OF PROSPECT

NANCY TAVERNIER - Moved to approve the Hookup (previously approved as emergency on 8/10 on Massachusetts Ave.) NORM LAKE - Second. UNANIMOUS VOTE.

CHILDREN'S PLAYGROUND

Cindy Berlied, Ms. Golden updated the Board on the construction phase. They asked the Board to accept Phase I. Dore' expressed his appreciation for the effort that has been ut forth and is very impressed with the plan and thanked them for their volunteerism. NANCY TAVERNIER - Moved to accept the gift of Phase I of the Children's Playground with great thanks. NORM LAKE - Second. UNANIMOUS VOTE.

TRIPLE A MARKET

BEER AND WINE PACKAGE STORE LICENSE  
GREAT ROAD, ACTON

Chairman Hunter read the legal notice and noted that the hearing was being held because ABCC had remanded the Board's original decision to deny back for further consideration.

Henry Dane spoke for his client Mr. Steinberg and urged the Board not to reopen the hearing and to decide without hearing or considering any further argument. Chairman Hunter opened the hearing to allow the applicant to present further facts.

Julian D'Agostine representing Triple A Market presented petitions of support for the issuance of this license from customers of Triple A. Dore' Hunter noted for the record that the first and last signatures were from customers from Gencord

and Amherst. Triple A proposes to have no one under 21 on the liquor registers. Atty. D'Agostine presented samples of the signage that would be displayed along with pictures of the front-end of the store for board review. They also presented the copy of the liquor sales rules which each employee will be required to sign.

The proposed Manager will be Mr. Tom Accounia. Mr. Accounia has been the store manager for 22 years. They realized that this would be a new step for Acton if the license were granted and were willing to agree to any conditions that the board would impose. Attorney D'Agostine reiterated that the business is family owned and operated and urged that the Board reconsider its vote and approve the license.

Henry Dane again reminded the Board that ABCC just asked for a clear reason for denial not necessarily an approval, and expressed concern again for the security.

A letter from Notar's was received in opposition to the issuance of this license.

Anne Panton outlined her reasons why she felt that the issuance of this license was not in the public interests of the Town. She read a prepared statement which noted the approval would be not be in the public interest based on the fact that Acton schools, with municipal support and parental involvement have developed a strong and consistent policy on alcohol and drug awareness and programs to strictly support prevention of alcohol and drug sales and use by minors. She noted the use of checkers doing both sales of grocery items and alcohol and she feels that grocery stores simply cannot provide the security required for alcohol sales. She further noted that it would be hard for the Police Dept. to monitor/observe sales and make it difficult for enforcement to be effective. She again felt that the submission of a customer petition supporting such sales cannot in any way substitute for or represent the general public good or interest. She felt it is the Board's responsibility as the licensing authority to restrict sales of alcohol only to facilities where the tightest possible control of sales can be provided.

Bill Mullin explained why he voted no the first time. He felt this has a impact on public good.

Dore felt that the cost to litigate a denial was more than we could afford now.

NANCY TAVERNIER - Moved to approve the granting of a Beer and Wine Package Store license to Triple A Market. NORM LAKE - Second. 4-1 Anne Panton voting to Deny.

TRAFFIC RULES AND ORDERS AMENDMENT  
MAPLE STREET

John Murray explained that it appeared that the Maple Street parking issues had been resolved with the installation of the temporary signage. Approval of the Amendment to the Traffic Rules and Orders would make the change enforceable and cause permanent signs to be installed. Mr. Peterson of Maple Street thanked the board for their attention to this matter and said that the temporary signage had solved the problem of commuters parking. A Boxborough resident complained about the lack of space for non-residents. Another non-resident felt that we should encourage cycling and walking to the station and urge the "T" to get going with the construction of the Littleton facility.

NANCY TAVERNIER - Moved to approve the No Parking on Maple Street between 6-9 A.M. Monday through Friday amendment to the Traffic Rules and Orders. NORM LAKE - Second. UNANIMOUS VOTE.

Bill Mullin felt that the reallocation of spaces to non-residents be left to the Town Manager's discretion after final review of the count of resident usage. Anne wanted to see it back before the Board for their input.

CLASS I LICENSE ACTON FORD INC.  
POWDERMILL ROAD

Leo Bertolami reviewed his proposed plan for the vacant Anderson Ford building. He will be opening a Ford dealership if all goes well with the outcome of the determination of the potential 21E site on the property. In order for him to move ahead he must have a valid Class I License for Ford's corporate headquarters. If they get on site and find that the site is not viable due to the outcome of the 21E investigation he will turn the license back. He is optimistic that the site will be manageable and will remove the gasoline tanks, and has discussed this with the Fire Dept. NANCY TAVERNIER - Moved to approve the request for a Class I license to Acton Ford Inc. ANNE FANTON - Second. 4-1 (Bill Mullin excused himself and abstained as he is a former employee of Recoll Management)

COMMUNITY ACTION STATEMENT

Belle Choate and Donna Jacobs were present to answer questions and make revisions to the CAS.

Anne asked that the inconsistency be cleared up. John explained that the comments and changes will be made before the document is turned in.

Bill asked who choose, and how the 5 needs were chosen. Donna said that they were chosen by funding opportunities as possible Small Cities grants and by the Planning Board. Bill felt the taking of agricultural land was not appropriate at this time.

Dore' asked about consensus of the 5 items chosen. 1. everyone agreed. 2. Agreed. 3. Agreed. 4. Bill felt last line was not a sentence. 5. Anne wanted needs on 5 expanded to elderly and handicapped transportation, broader need of social services, affordable housing, transportation needs of low income who may not be elderly or disabled. Anne wanted more information on the number of people served by the COA Van.

Nancy felt that the youth officers should be addressed under item 5. Dore' felt they could re-draft and come back next meeting and asked for revisions in the Friday packet. Dore' asked that it be put on the agenda for action when the revisions were made.

#### COMMITTEE INTERVIEW

#### ROLAND VAILLANCOURT -- BOARD OF HEALTH

Mr. Vaillencourt has been a non-voting member for a year. He wants to get more involved. Dore' asked what the most pending issue before the Board of Health was. He replied soil and sewage. Norm asked about any connections to food/business issues. He noted he has not owned his business for some time now. Nancy asked his opinion on the Nursing Service. He felt they should be separate from the Town. Anne asked about his involvement in sewage issues. He is concerned but realizes that there have been many roadblocks.

NANCY TAVERNIER - Moved to appoint Roland Vaillencourt as a full member of the Board of Health to fill the unexpired term.  
NORM LAKE - Second. UNANIMOUS VOTE.

#### COMMITTEE INTERVIEW

#### NICHOLAS MILLER - ASSOCIATE MEMBER BOARD OF APPEALS

Dore' asked why he wanted to volunteer. Mr. Miller said he wanted to give back to the community. He understands the issues and felt he could balance business with citizen issues. He is a regular Town Meeting member and member of the LWV. The board will take this appointment under consideration.

#### COMMITTEE INTERVIEW

#### PETER BERRY - ASSOCIATE MEMBER BOARD OF APPEALS

Dore's asked Mr. Berry why he had chosen ZBA as a committee he wanted to serve on. He said that he is interested in public policy issues. Has been in Acton for 5 years. Has worked with ACHC and Housing Authority. He works in the private sector presently on labor issues. Prior to that he worked in the public sector on housing issues. Dore' asked about his personal philosophy regarding sitting on cases. He felt he could use his legal training to ensure people get and perceive they got a fair shake.

Anne asked if he would continue to serve on the other two board positions he holds. He replied he would and any conflicts could be handled by excusing himself.

He has attended Town Meeting and voted on the Master Plan and is familiar with the zoning bylaws.

Bill Mullin noted the caliber of the candidates. Nancy felt in view of the turnover that should appoint both candidates. She said she had reviewed it and could not find a number limitation on associates to the ZBA. NANCY TAVERNIER - Moved to appoint Nichols Miller and Peter Berry as Associate Members to the ZBA with term to expire 1996. NORM LAKE - Second. UNANIMOUS VOTE.

#### COMMITTEE INTERVIEW

#### STEPHEN CROCKETT - FULL MEMBER BOARD OF APPEALS

Chairman Hunter thanked him for his volunteering. Bill asked about any conflicts he might have. Mr. Crockett said he has experienced none. Nancy asked about the findings and which ones have interested him. He said he had no problem making decisions. NANCY TAVERNIER - Moved to appoint Mr. Crockett to a term to expire 1996 as a full member of the Board of Appeals. ANNE FANTON - Second. UNANIMOUS VOTE.

#### ROY SMITH

#### SENIOR CENTER DISCUSSION

Mr. Smith noted that the only item left to discuss is the snow plowing. He said he was confused as to how a lease entered into the issue since he considered the center a gift. He said the building was a gift that was accepted at town meeting. He then said that with all of properties he leases out the tenants of the building are responsible for the plowing. John Murray responded that the Master Documents have contained the lease as proposed by Mr. Smith with states maintenance will be provided by the landlord and stipulates the rent of \$1/year for 99 years.

Ed Richter spoke about the vote to accept the building at Town Meeting. The Condo Association is objecting to the liability issue of 3rd party suits.

It was also noted by Nancy Tavernier that the building offered and voted by Town meeting had been torn down and no longer existed.

Dore stated we can not afford the obligation in the current fiscal condition. He too noted the lease has been included in the Condo documents for years.

Mr. Harrigan of Audubon Hill conceded they have to face the issues involved with the lease of the building but feels the plowing is a custodial issue and should be handled by the tenant of the building because in the lease it says the tenant is responsible for routine custodial duties associated with the operation of the building of which he feels snow removal is classified.

## CONSENT CALENDAR

NANCY TAVERNIER - Moved to accept the consent calendar as printed with Items 18, 19 and 20 held for further discussion.

NORM LAKE - Second. UNANIMOUS VOTE

Item 18) It was approved that staff is to suggest that the ceremony be held on the common instead of the Minuteman Building.

Item 19) BILL MULLIN - Move to approve one year extension - ANNE FANTON - Second. UNANIMOUS. It was noted that the lead time to review the request was appreciated.

Item 20) Norm felt the sticker should be issued by Highway and the funds stay in the Account to be used for items we have no control over. Anne felt she was not comfortable with just waiving the fee. NORM LAKE - Move to instruct the Highway Supt. to issue a sticker to the party in question. Motion failed no second. ANNE FANTON - Moved to approve the \$100.00 expenditure from the Varnum Fund as presented. Bill Mullin - Second. 4-2 - Norm and Dore' No.

## SELECTMEN'S BUSINESS

MOBIL OIL - Dore' excused himself for the discussion. Anne outlined the three options before the Board. Option B is the choice that she suggests the Board approve. Nancy asked how far the driveway has been moved out of the radius. Nancy's main concern was no to shut the doors on any future intersection improvements. Anne said that staff felt that modifications could be made latter. However, the design discussed two years ago would not be possible. The pumps would not be moved and the canopy was smaller in option 2. Bill felt comfortable with option B if staff approved. NORM LAKE - Moved to approve option B of the Mobil Oil Special Permit. BILL MULLIN - Second. 4-1 Dore' Hunter abstaining.

ROUTE 2 CAC - Anne asked that any suggestions or changes be noted. Dore' said that the consensus was that it was find. Anne asked that any changes be brought to her attention before the 14th. Bill was noted some confusion with the objectives and goals.

BUDGET UPDATE - John reported that the money that would be needed under the Education Reform Act would be around 1 million. Dore discussed the waiver process and felt we would be denied because of the new user fee at the school. Dore' asked what we should be doing right now to anticipate the shortfall, i.e.. overtime cuts, not filling positions voted at Town Meeting. Dore' asked for any suggestions for reduction. Nancy felt we should pursue the waiver process due by October 1st. She said the region has an additional \$600,00 to spend, \$55,000 use fees, 184 local and \$100,00 = \$979,000 that appears no where in the

formulation and the calculations need to reflect these sources of revenue. She will no support buckling and to ignore the act and pay the consequences when and if they occur.

Dore' asked if we ignore or deal with the crunch, clearly we cannot provide a level of service as voted at the Annual Meeting. Anne asked how many town's were in Acton's situation.

Norm felt we should put a hiring freeze in place. Nancy disagreed. John suggested we fill on an as needed basis and limit overtime to emergency situations, working on an as needed basis. NANCY TAVERNIER - Moved to hire on an as needed basis - a partial hiring freeze, limit overtime as described by Town Manager and apply for a waiver. To put the issue on the next agenda to discuss the application for the waiver. NORM LAKE - Second. UNANIMOUS VOTE.

#### TOWN MANAGER'S CONCERNS

MAIN STREET CULVERT - The project should take four days to complete and it is an emergency repair. The repair will require Brook street as detour. Anne felt that the Saturday repairs would impact traffic more and suggested not doing work on Saturday. She suggested staff check the numbers in the 2A area are high and should be reviewed. Bill asked the cost. It is anticipated to cost \$10-15,000 the money will come from positions that have not been filled. Anne felt this work should be done during the day to minimize overtime expenditures. It was felt that the issue should come to Town Meeting as a Free Cash item, for Emergency Repairs and felt it is a great example of uses for Free Cash. NANCY TAVERNIER - Moved to make the repair in the most cost effective manner. NORM LAKE - Second. UNANIMOUS VOTE.

HIGHWAY SUPT CAR - The car is totally unrepairable. John asked the Board to authorize the procurement of a new vehicle. They plan to strip any usable parts for use on the Town Manager's celebrity. Bill suggested this was another item for Free Cash at the Fall Town Meeting. NANCY TAVERNIER - Moved to approve procurement in the most cost efficient manner and the disposal of the old vehicle as surplus. NORM LAKE - Second. UNANIMOUS VOTE.

POPE ROAD - The plan is prepared and reviewed by eight people. This will be constructed with gift monies.

MUNICIPAL FORUM - John wanted to add three items. There is a misconception that it is a shadow government, it is used just for overrides. He felt by changing the name it would help to address this misconceptions.

Staff feels Boxboro should not be part of the municipal forum. Anne feels the committee should have a 2-2-2 formula and let them choose if they want to put in one member for representation from Boxboro as one of their 2 and agreed with Dore' to maintain the 2-2-2 makeup. Staff was asked to put out

an agenda for the Monday meeting.

**EXECUTIVE SESSION**

**BILL MULLIN - MOVED to go into executive session for the purpose of discussing negotiations and strategy development.**

**ANNE FANTON- Second. UNANIMOUS VOTE.**

**Roll call taken, all ayes.**

**The Board adjourned at 11:45 P.M.**

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Date

\_\_\_\_\_  
Christine Joyce  
Recording Secty.  
cmjW11-(420)

EXECUTIVE SESSION  
SEPTEMBER 21, 1993

DRAFT

AUDUBON HILL

The Board discussed the impasse of the snow plowing issue. The Board felt that we should just deal with the issue and move forward. It was the consensus of the Board that the plowing would be done by the town on a non-emergency basis. If the snow was not removed then the center would not be open. The Board instructed staff to notify Roy Smith and COA of their decision and that it was made solely to get the COA in the Building since they have worked so hard to resolve the outstanding issues and to penalize them would be unfair.

MILL CORNER

John reported that Kevin Sweeney is unable to get a letter of credit. Bill noted with surprise since the cost is around \$3,000. The Board discussed whether or not this meant that we should opt for the affordable housing units in lieu of the sewerage option. Anne felt it is another Audubon Hill. Dore felt we should opt for affordable housing. Nancy is concerned that the neighborhood would be greatly impacted. John asked for guidance. Anne suggested he get an extension until the October Meeting. John will pull the plug on expenditures investigating the sewerage option at this time.

John was asked to attempt to get an extension and to advertise the date the Board will review and invite the public. If the extension is denied then opt for the affordable housing.

The Board adjourned at 12:10 P.M.

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Date

Christine Joyce  
Recording Secty.  
cmjW11-(420)

SEPTEMBER 2, 1993

TO: Board of Selectmen  
FROM: F. DORE HUNTER, Chairman  
SUBJECT: SELECTMEN'S REPORT

#####

AGENDA

ROOM 204

7:30 P.M.

SEPTEMBER 7, 1993

I. CITIZEN'S CONCERNS

II. PUBLIC HEARINGS & APPOINTMENTS

1. 7:31 BOSTON EDISON - MASSACHUSETTS AVE. - Please find the notice and staff comments. This request was granted on 8/10 as an emergency hookup, this formalizes the approval.
2. 7:45 CHILDREN'S PLAYGROUND COMMITTEE - The Committee will be present to provide the Board with an update and ask the Board to accept the gift of phase 1.
3. 8:00 TRIPLE A MARKET - BEER AND WINE LICENSE - Enclosed please find materials and application regarding the remanding of the decision back to the Board for re-hearing and action.
4. 8:15 MAPLE STREET - AMENDMENT TO TRAFFIC RULES AND ORDERS - Enclosed please find information regarding the installation of No Parking Signs on Maple Street.
5. 8:30 ACTON FORD SALES - Enclosed please find an application from Leo Bertolami d/b/a Acton Ford Sales for a Class I license at Powdermill Road for Board action.
6. 8:45 COMMUNITY ACTION STATEMENT - The Board shall make a final determination on the content of the Statement.
7. 9:00 MR. VAILLANCOURT - COMMITTEE INTERVIEW - Enclosed please find Mr. Vaillancourt's Citizen Resource Sheet with VCC recommendation to appoint him as a full member of the Board of Health.

8. 9:10 MR. MILLER - COMMITTEE INTERVIEW - Enclosed please find Mr. Miller's Citizen Resource Sheet, with VCC recommendation to appoint him as alternate member of the Board of Appeals.

9. 9:20 MR. BERRY - COMMITTEE INTERVIEW - Enclosed please find Mr. Berry's Citizen Resource Sheet, with VCC recommendation to appoint him as an alternate on the Board of Appeals.

10. 9:30 MR. CROCKETT - COMMITTEE INTERVIEW - Enclosed please find Mr. Crockett's Citizen Resource sheet, with VCC recommendation to appoint him as a full member of the Board of Appeals (may not be able to attend because of concurrent Board of Appeals Hearing).

11. 9:45 ROY SMITH - SENIOR CITIZEN CENTER - Mr. Smith will be in to discuss the lease for the Senior Citizen Center.

### III. SELECTMEN'S BUSINESS

12. MOBIL OIL SITE PLAN DECISION - Enclosed please find three possible draft decisions concerning the Main St. Mobil Gas Station. The Board may accept any one of these decisions or craft it's own.

12A. ROUTE 2 ADVISORY COMMITTEE COMMENTS - Enclosed please find a memo submitted by Selectwoman Fanton for Board discussion.

### IV. CONSENT AGENDA

13. ACCEPT MINUTES - Enclosed please find minutes from July 13, 1993 for Board approval.

14. ELECTION WORKERS - Enclosed please find a request from the Town Clerk to approve Elections Workers for 1993-94

15. RELEASE OF INTEREST - WILLOW STREET "Old Bottle Dump" - Enclosed please find a request for signature from the Town Engineer. This will complete the project as authorized by Article 26 of the 1993 ATM.

16. ACCEPT GIFT - Enclosed please find a \$35.00 gift request from Redstone Town House Condominium to Civil Defense.

17. ACCEPT GIFT - Enclosed please accept a gift of \$2,500 form New England Telephone.

18. CROWN RESISTANCE DAY PROCLAMATION - Enclosed please find a request

from the Acton Minuteman for a proclamation designating Crown Resistance Day.

19. SITE PLAN EXTENSION REQUEST - Le LYONNAIS - Enclosed please find a request for an extension of this site plan.

20. VARNUM FUND REQUEST - Enclosed please find a Varnum Fund request for an Acton Resident.

V. TOWN MANAGER'S REPORT

22. Main St. Culvert - Emergency Repair.

23. Highway Superintendents Vehicle

24. Pope Road Sidewalk

25. Municipal Forum

VI. EXECUTIVE SESSION

25. Negotiation Strategy Development for Mill Corner, The Senior Center.

MEETINGS

ADDITIONAL INFORMATION

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

FUTURE AGENDAS

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

Sept. 21. Ft. Bevens Task Force

Lt. Widmayer - E911

Brewster Conant - Interview Cemetery Comm.

**MASTER PLAN COORDINATING COMMITTEE**

John  
cc: BOB

**AGENDA**

**BEPT 22, 1993 (WED.) 7:30 P.M.  
ROOM 126, TOWN HALL**

- 1) Review and approval of May 26 Minutes (Available at Meeting)
- 2) Announcements
- 3) Clarification of Outstanding Issues before MPCC (Enclosure)
- 4) Discussion of Issue 1. (I): Sign Bylaw in Historic Districts \*
  - Comparisons: costs and review procedures for historic districts vs. East and North Acton Village Districts
- 5) Discussion/Evaluation of PUD option in ZBL given current market conditions. (Review Section 9A in ZBL before the meeting.)
- 6) Other Business:
  - Discussion of West Acton Village Planning Committee recommendations; comments to Planning Board?
  - Other?
- 7) Next Meeting Date (As needed)

\* Agenda is being sent to Anne Forbes, HDC, and Anita Dodson, Historical Commission.

**Enclosures:** July 6 Update: List of Issues before the MPCC  
June 14 memo re. "Master Plan Action Items Matrix"

July 6, 1993

**TO:** Master Plan Coordinating Committee  
**FROM:** Anne Fanton  
**SUBJECT:** Issues before the Committee

Issue

Status

**1. Sign Bylaw**

- A. Light on Dark in Villages
- B. Size limit in East Acton Village
- C. Variance/S Permit requirements
- D. Filing fees/impacts
- E. Signs in public way/organizations
- F. Governmental signs
- G. Plastic in Villages
- H. Clarify Section 7.12.1.5 (colors by SP)
- I. Coordination with HDC

**1. As Noted:**

- A. Decision, 3/24/92
- B. Decision, 4/29/92
- C. Discussion, 4/29/92  
and 9/1/92; ZBL amended.  
Outstanding issues?
- D. Related to C. above
- E. Decision, 4/29/92
- F. Voluntary compliance
- G. Decision, 4/29/92
- H. Clarified on 3/24/92
- I. Resolved by Planning &  
HDC

**2. Definition of Consistency**

**2. Discussed but unresolved**

**3. Transfer of Development Rights**

**3. Discussed on 9/1/92 and 10/27/92;  
Recommendations developed for  
future action by Planning with  
Chamber's assistance.**

**4. Transportation Plan**

**4. Plan updated on 5/6/92**

**5. Village Districts**

**5. Issues need to be clarified for  
discussion**

**6. Timing of the Review and Approval Process**

**6. Discussion and resolution on  
1/26/91 and 2/25/92**

**7. Clarity of Zoning Bylaw Requirements**

**7. As Noted:**

**A. Development Guide**

**A. Completed; available for  
distribution, 8/92**

**B. Annotations**

**B. On Hold**

**8. FAR as relates to Parking Requirements**

**8. To be discussed**

**9. Responsibility for Master Plan Actions**

**9. Matrix completed, 5/93**

**TOWN OF ACTON**  
Master Plan Coordinating Committee  
c/o Town Manager's Office  
Acton Town Hall  
472 Main Street  
Acton, MA 01720

June 14, 1993

**TO:** Acton Housing Authority, Board of Appeals, Building Commissioner, Conservation Commission and Conservation Administrator, Engineering Department, Historic Commission, Historic District Commission, Board of Health and Health Director, Municipal Properties Director, Acton Nursing Services, Planning Board, Recycling Committee, Acton School Committee, Board of Selectmen, Town Manager

**FROM:** Anne Fanton, for the Master Plan Coordinating Committee (MPCC)

**RE:** Master Plan Action Items Matrix

We would like to express our appreciation for the detailed and thoughtful responses to our request for comments on the list of Master Plan actions that we sent to you last summer. We would also like to apologize for the length of time it has taken to express our appreciation!

Due to the fact that the Master Plan Coordinating Committee is made up of boards and staff members with already full agendas, it has taken some time for us to compile all the information that you sent us (and to follow up with those of you we had not heard from.) Because of the length of the completed matrix, I am enclosing just one copy for each of the boards or staff members listed above, for your information.

The primary purpose for this matrix is to help the MPCC carry out its responsibilities to the Board of Selectmen, as follows:

- Communicate with town boards, committees and departments to clarify areas of responsibility under the Master Plan.
- Where problems and difficulties arise, try to reach consensus on resolutions and recommend changes to the plan if appropriate.
- Consult with boards, committees and departments to determine progress in the implementation of the Master Plan, identify and discuss problems and facilitate solutions.
- Report annually to the Board of Selectmen on the status of the Master Plan implementation by the town's boards, committees and departments.

The MPCC agreed to recommend that the Board of Selectmen use the matrix during its annual oversight meetings with town boards and committees. In some cases, boards have asked questions for clarification of their responsibilities or direction from the Board of Selectmen. In other cases, boards have expressed an interest in working with other boards on an item, or they have suggested that another board should take action. This information will be shared. In still others, recommended actions are questioned. These should be discussed. The MPCC has already

discussed some issues arising out of the Master Plan and has recommended changes which have been adopted by the appropriate boards or Town Meeting.

Finally, it is reassuring that of the 155 actions recommended in the Master Plan, all but 17 are addressed in the matrix by at least one board or department. There were no conflicts, or boards working at cross-purposes, although as noted, some actions need to be evaluated further to see whether they are appropriate.

The MPCC is continuing to consider uses for this matrix and ways to disseminate its information more effectively. We welcome your comments. In any case, please accept our long-overdue thank you for your participation.

cc: Board of Assessors, Council on Aging, Chamber of Commerce, Civic Groups, Finance Committee, Commission on Disability, Memorial Library, Recreation Commission, Water District

TOWN OF ACTON

INTERDEPARTMENTAL COMMUNICATION

TOWN MANAGER'S OFFICE

\*\*\*\*\*

CONFIDENTIAL

DATE: 9/13/93

TO: THE BOARD OF SELECTMEN  
FROM: John Murray   
SUBJECT: Overtime Reductions.

Attached are the plans/rational for overtime spending for Police, Fire, Cemetery, and Municipal Properties. I will complete Highway, Transfer Station and Memorial Library upon my return.

TOWN OF ACTON POLICE DEPARTMENT  
INTER-DEPARTMENTAL COMMUNICATION

TO: All Personnel

DATE: September 8, 1993

FROM: Chief

SUBJ: Temporary Staffing and Overtime Policy

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GENERAL STATEMENT

Please find attached a statement that BOS Chairman Hunter read at the beginning of last night's Selectmen's meeting. It is most disturbing and deserves your utmost attention and thought. All municipal departments are about to take a major hit because of passage of the School Reform Act. This is going to affect how Town services are delivered and at what level, as well as employees financially. As far as this department is concerned it is my primary function to make sure police services are provided to the citizens utilizing the resources available. This will require me to take a more active hands on roll in that process. I am sure many of you will be angered and hurt by what must follow. I ask you to try to understand the position the Department finds itself in through no fault of its own.

THE FOLLOWING ARE TEMPORARY MEASURES

The Selectmen have directed no new hires Town wide. They have also directed no overtime Town wide. I will follow this direction as best I can. Realistically there must be expenditures for court and emergencies. The prosecutor will determine the need for court attendance. I will be consulted first for all other overtime. If I am not available (use the pager) one of the Lieutenants must be consulted. No one else is to authorize overtime, it will not be paid. Outside paid details will not be affected by the following policy.

TEMPORARY POLICY FOR OVERTIME AND STAFFING

All shift vacancies will be posted with an indication of "No Fill". We will go down to a complement of four people per shift including

TOWN OF ACTON POLICE DEPARTMENT

INTER-DEPARTMENTAL COMMUNICATION

dispatcher before any filling occurs. If a Sergeant is absent and an OIC not already working, the vacancy will be filled by a Sergeant/OIC. If there is an OIC working we will go down to the compliment of four before a Sergeant/OIC fills the shift. All vacation (including single days), holidays, personal days, funeral days, and other time off will be handled as in the past but must have authorization from the Chief or in his absence a Lieutenant. (See below for multiple holidays/vacation days.) When directed by the Chief or a Lieutenant detectives already working will fill in for patrol. Emergency call back of Detectives must be authorized by the Chief or a Lieutenant. Shift supervisors will ensure that when important calls occur requiring follow up by that particular patrol officer on his next tour of duty he is not scheduled for his days off, if he is another officer not scheduled for his days off will be assigned to take the original call in order to maintain continuity, i.e. a serious accident. This may require the Shift Supervisor to change precinct assignments at the time the incident occurs.

MULTIPLE HOLIDAYS/VACATION DAYS

With the goal of minimizing the expenditure of overtime by not filling shifts all employees must submit their multiple day vacation and multiple day holiday time off requests by September 29 to Lieutenant Widmayer for the Chief's review. Seniority will have preference until that date then it will be first come first served. Detectives must have there requests into Sgt Parisi by that date for the Chief's review. Employees requesting multiple days off will be given preference over those requesting single days off. As a general rule a limit of two weeks of vacation and holidays can be taken at one time.

ACTON FIRE DEPARTMENT

**DEPARTMENT NOTICE**

Date 9/10/93

To: All Personnel  
From: Fire Chief  
Subject: Temporary Staffing and Overtime Policy

Please be advised that the following is a synopsis and clarification of the details of a departmental meeting held on the morning of September 9, 1993. Discussed was the potential impact to the Town and this department as a result of the Education Reform Act recently enacted by the Commonwealth. I have attached a copy of a memo from F. Doré Hunter, Chairman, Board of Selectmen, which more specifically details the consequences to the Town relative to the Education Reform Act and its funding implications.

Simply stated, the State Legislature has enacted an act which mandates that all communities must spend a certain level of funding for the purposes of Educational Reform. Unfortunately, they have provided little in the way of funding for this process. Having already passed our municipal budget and being required to meet this mandate may result in a shortfall of some \$500,000 to one million dollars or more of our municipal budget. This may have grave results on the municipal side of Town government including potentially the layoff of personnel. At the very least, it will have an impact on level of service, response times, staffing levels, training opportunities and mutual aid.

In addition, at this point there are many questions that remain unanswered dealing with the amount of the appropriation, the ability to seek relief through a waiver process and what the ultimate impact on municipal government may be. The Board of Selectmen has determined and the Town Manager's Office has directed that at this time we will take immediate precautionary measures on a Town-wide basis. These measures including a hiring freeze, curtailment of overtime spending, and postponement of capital projects.

It is with great difficulty that I find myself once again having to employ alternative staffing measures to react to a potential economic problem which the town may incur through no fault of its own. My main concerns remain the safety of personnel and our ability to deliver services to the public which we serve. I realize that undoubtedly you will share my concerns and great frustration at the measures which I am forced to employ. I ask for your cooperation and understanding as we all attempt to deal with this situation. I stress the fact that we all must keep foremost in our minds the basic mission

Date Posted

Date Filed

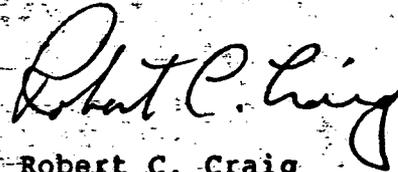
of the fire service and of this department.

Following then in more detail are the specific temporary measures that will be instituted effective immediately. Consistent with Town administration policy, the vacant firefighter's position will remain unfilled. This will be taken into consideration with Group 1 when authorizing any scheduled vacancies. Along with this, the vacant Lieutenant's position and the promotional process involved will proceed forthwith to select an individual for promotion as soon as possible.

On the subject of scheduled shift cover vacancies, a policy of one person off on a shift on a scheduled basis will be strictly adhered to except for the shift cover vacancies that have been scheduled and authorized as of this date. In addition a second person off on a shift may be authorized on a segment basis. Such vacancies will be authorized only by the Deputy Fire Chief or myself.

Relative to the curtailment of overtime, with the exception of emergencies, all overtime spending for outside staff functions such as fire alarm, training, EMS training, etc., will be authorized only on an as needed emergency basis with specific authorization by the Deputy Fire Chief or myself. Required Hazardous Material Training and Team commitment for FF E. Lyons will continue to be authorized. Coverage and overtime pay for any outside training activities will not be authorized for any fire suppression courses and will only be authorized for necessary EMS training courses with the specific preapproval of the EMS Coordinator and either the Deputy Fire Chief or myself.

Temporary Staffing (Effective 9/13/93): In order to accommodate shift cover vacancies, either unscheduled or scheduled, and meet the administrative mandate of curtailment of overtime except for emergency situations, the attached staffing policy will be utilized effective immediately.



Robert C. Craig  
Fire Chief

READ AND INITIAL

Notice Number: 93-9/

TEMPORARY STAFFING PLAN

(Effective 9/13/93)

<u>PERSONNEL</u>	<u>STATION 1</u>	<u>STATION 2</u>	<u>STATION 3</u>
Full	4 (eng. & amb.)	2 (eng. or ladder)	2 + Disp. + Shift Com
1 Out	3 (eng. or amb.)*	2 (eng. or ladder)	2 + Disp. + Shift Com.
2 Out	2 (eng. or amb.)	2 (eng. or ladder)	2 + Disp. + Shift Com.
3 OUT	3 (eng. or amb.)*	2 (eng. only)	(Disp. & Shift Com.) STATION CLOSED**
4 Out	2 (eng. or amb.)	2 (eng. only)	(Disp. & Shift Com.) STATION CLOSED**
5 Out	Call back to 4 out level.		

Notes: \*Call back 1 firefighter for engine coverage with normal C-33 transport at Shift Commander's discretion.

\*\*Station 3 closed and no ladder coverage at 3 out level. No special service calls will be authorized at this level of manning unless the Shift Commander determines that life or property may be in jeopardy (i.e., motor vehicle lock-in with a child).

Rescue Truck out of service for initial response to motor vehicle accident. Lukas Tool will be moved to Station 2 engine.

### BOE Chairman's "Welcome Back" Statement

Summer has ended, school is back in session, the Selectmen have returned to a bi-weekly meeting schedule, and the Town political season has begun once again. Normally at this point the Selectmen would be conducting our normal day to day business and just beginning to look up the road that stretches out in front of us toward the preparation of a budget for fiscal year 1995 and the Annual Town Meeting in April. You will indeed see us handling some of our routine business during the first part of this evening's meeting, but other things are far from normal. Later in the evening we will turn to a discussion of what might become a municipal catastrophe. Rather than beginning to look toward fiscal '95, we must dig municipal government, or what will survive of it, out from under the debris of the earthquake which was the passage of the so-called Education Reform Act.

The Great and General Court undertook the commendable and worthwhile task of improving the delivery of primary and secondary educatory services across the state. Although there is much that is praise-worthy in their Act, the legislature, from a municipal finance perspective, truly gave meaning to the old saying that no man is safe while the legislature is in session. The Great and General Court decided more money was needed for education, it has quite reasonably appropriated some additional aid from existing state revenues. But, with its usual muddleheadedness and downright callous disregard for municipal finance and functions, the legislature has returned a form of fiscal autonomy to the schools with the enactment of a fiscal formula effectively designed to dismember and cannibalize local municipal government. It will do so by requiring additional local real estate tax money be made available for school spending, whether needed or not, pursuant to an arcane formula that none of the legislators understand. Even worse the formula is in effect for this current fiscal year, despite the fact that the Town already has a voted budget against which expenditures are being made. None of the planning, arguments, or votes of last spring are any longer effective for the Town.

We do not have all the facts as yet, but the municipality could be forced by the new law, about a quarter of the way through this fiscal year, to appropriate very roughly a million extra dollars for the use of the three school systems that Acton supports. There are some provisions for a waiver this year only for high performing, well funded school systems. But from what I have heard so far it may be that Acton is disqualified from seeking a waiver, since a student activity fee was recently implemented in the schools. If Acton is unable to get a waiver, I think we can safely assume there is absolutely no possibility that the voters would approve a Proposition 2 1/2 override for any part of that sum, especially since there is no established need. Given then that no additional taxes can be raised, I see

## TOWN OF ACTON

### INTERDEPARTMENTAL COMMUNICATION

September 9, 1993

TO: John Murray, Assistant Town Manager

FROM: Dean A. Charter, Municipal Properties Director

SUBJECT: Cemetery Expenditures

I wanted to update you on our spending plans in light of our present financial uncertainties.

#### SATURDAY INTERMENTS

I have reviewed our costs of operations for Saturday interments in relation to our new rate schedule which became effective September 1. An analysis of costs done in January showed that the average cost of a weekday interment was \$212.77 for labor (this includes 40% for benefits) and \$213.00 for equipment. The new rates for a weekday is \$450.00, which covers all costs. If we multiply the labor cost by 150% for overtime, we have a new labor cost of \$319.15 plus the \$213.00 for equipment, for a total cost of \$532.15 for Saturdays, for which we charge \$600.00, thus covering all costs.

I discussed this issue with the Commissioners last night, and they felt very strongly that we should be able to continue Saturday interments, especially in light of our long standing policy of no Sunday interments. I agree with the Commissioners in this issue, and I feel we should be very conscious of the many complications, emotional and otherwise, that the bereaved might face with delaying the burial too long.

#### CHAPEL OVERTIME

As you know, from time to time we rent out Woodlawn Chapel for weddings, most of which are held on Saturdays. Our rate for Chapel use is \$275.00 per event, which is sufficient to pay our highest paid employee for nine hours at overtime rate, although the average rehearsal and ceremony usually results in less than six hours of overtime. We do not open the Chapel during the winter for weddings, but we may be taking reservations for spring ceremonies, and we would like to continue doing so.

#### MOUNT HOPE DEVELOPMENT COSTS

This fall we hope to expand some of the existing shrub beds at Mount Hope to enable us to sell more two grave lots, for which there is great demand presently. The shrubs will probably run over \$3000.00, with funding coming from the Jenks Fund, which is a dedicated trust fund from a private donor for the enhancement of Mount Hope Cemetery. We hope that the purchase order for these shrubs will be approved, considering that the funds are not from tax revenues.

### **WOODLAWN DEVELOPMENT COSTS**

The Annual Town Meeting approved the transfer of funds from the Cemetery Land Fund to allow the development of Section 14. We are rapidly depleting our inventory of spaces at Woodlawn, and this development is necessary in the immediate future. Again considering that the work will be done with dedicated funds that cannot be used for any other purpose, I am hopeful that the purchase orders will be approved.

### **FERTILIZER PURCHASE**

Each Fall we purchase a large quantity of fertilizer for use at the Cemeteries, with the cost being allocated to several dedicated trust funds. This year we will be combining that purchase with the fertilizer to be used at the recreation areas, which will be paid for from the Recreation Revolving Fund. Total purchase price will be in the neighborhood of \$2000.00, and we hope to place the order within the next week.

I would be happy to discuss these proposed expenditures with you at your convenience.

cc.: Cemetery Commissioners

DAC/359

**TOWN OF ACTON**

**INTERDEPARTMENTAL COMMUNICATION**

September 10, 1993

**TO:** John Murray, Assistant Town Manager

**FROM:** Dean A. Charter, Municipal Properties Director *DA*

**SUBJECT:** Municipal Properties Overtime

This is to confirm today's conversation dealing with expenditure of overtime money in light of the possible impacts of the Education Reform Act.

The most routine use of overtime in this Department is for the Mosquito Control program; fortunately the program was discontinued on September 1, as was our original plan. Due to the drought situation, we only completed three and a half foggings of the Town rather than the five we had budgeted for. I do not foresee any additional overtime for this program until around May 20 of next year.

The next most frequent use of overtime is for storm damage, which, obviously, is impossible to predict. We are now in hurricane season, which will be closely followed by ice storm season, followed by blizzard season. As has always been the case in the past, isolated instances of storm damage are reported to me, and I attempt to remedy them as best I can alone, or assisted by any police officers who happen to be standing by. As an "As Required" employee, my time is not reflected on the overtime budget. When such conditions arise, I will try to hold off ordering in people as long as possible, but we must keep the roadways open for emergency vehicles. Clean-up will be done after the fact on straight time, as has usually has been the case in the past.

Finally, overtime for custodial projects (such as rug cleaning) generally is not essential and those projects will be delayed. Building Maintenance workers will only be called in when there is an immediate need, such as clearing snow from walkways or urgent, critical building repairs.

DAC/360



Association for Public Transportation, Inc.  
95 Berkeley Street, Suite 633  
Boston, Massachusetts 02116  
(617) 482-0282

SEP 17 1993

September 13, 1993.

Board of Selectmen of the Town of Acton  
Town Hall  
Acton, MA 01720.

Ladies and Gentlemen:

I much appreciated the chance to address the September 7 Board of Selectmen Meeting and would like to offer you my appreciation for your flexible approach to the parking situation at South Acton MBTA Station. This appreciation comes also from a variety of people I have talked to who live in Stow, Boxborough, Maynard, and elsewhere who have felt excluded from the discussion of this issue until now.

I understand that while parking will rightly be restricted near private residences in the neighborhood of the station, the issue of distribution of the available parking spaces at the station will be taken under advisement and if the opportunity or need becomes evident to open more spaces to non-residents of Acton that the Assistant Town Manager has that responsibility.

The idea aired at the meeting of selling non-resident unmetered spaces for \$200 annually bears examination; these spaces would presumably be the next row to the present metered spaces, and if left vacant after 9 a.m. would be open to Acton residents. In fact, any metered space left vacant after 9 a.m. could also be open to an Acton resident anyway if police supervision of meters ends at 9 a.m. The discussion of the no-parking areas along Maple Street suggests that all commuters are safely on their way before 9 a.m.

My view is that the Town of Acton would find it fiscally worthwhile to investigate methods of encouraging commuting via South Acton that do not require driving to the station. If just a few more people felt motivated to walk, bicycle, or car pool to the station extra parking spaces would not be required for commuters and would therefore be open to occasional users.

++ A handful of my fellow Maynard residents presently bicycle to the T, and more would do so if a safe bicycle lane or footpath existed alongside Route 27. The Rails to Trails Conservancy, based in Washington, DC, would be glad to supply advice to the towns of Maynard and Acton on how to work jointly to convert the former railroad right-of-way to serve this purpose, in similar fashion to the improvements being made in the Lexington area. The Boston Area Bicycle Coalition advocates the provision of bicycle racks at T stations, another cost-effective measure which could open up parking spaces.

++ The Massachusetts organization Caravan for Commuters can supply information on how to encourage car and van pools, which could lead to a modest reduction in demand for parking at South Acton station.

++ The MBTA has proposed to construct a parking area at the Littleton station which would allow commuters from further out to park there at no charge. This would free up spaces at the South Acton station for nearby residents of Stow and Maynard. I will ask the MBTA about the current status of this project.

At the present time it is generally true that the attractiveness of commuter rail depends heavily on the availability of parking in the vicinity of the stations, and APT supports the expansion of parking where not precluded by amenity or traffic considerations. The Town of Acton is doing its share to provide parking at reasonable cost to residents of other towns and free to its own residents. More can always be done, and the sharing of information will allow for ideas to circulate regarding cost-effective alternatives.

Many thanks.

Sincerely,



Ian C. Palmer  
APT Board Member

cc: Assistant Town Manager of the Town of Acton  
Mr. Peter Weiler, Stow, Mass.  
Boston Area Bicycle Coalition, P.O. Box 1015,  
Cambridge, MA 02142  
Caravan for Commuters, Ten Park Plaza, Boston, MA 02116  
Rails for Trails Conservancy, 1400 Sixteenth Street, NW,  
Suite 300, Washington, DC 20036  
Town of Maynard

Volunteer Coordinating Committee Minutes  
19 July 1993

SEP 17 1993

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

Meeting was called to order at 7:30 pm at Town Hall.

Minutes of 28 June 1993 were approved as corrected.

Interviews:

**Cindy Patton:** Board of Health, Commission on Disability or Recreation Commission. Cindy holds a BS in Biology and a M. ED in Health Education. She is presently teaching physical science at the Acton-Boxboro Junior High School. With the exception of a few years in Stow, she has lived in Acton since 1969 and in Massachusetts for 35 years. She indicated that she wants to serve in the community and would like to apply her education background in health. In addition to her education she is a CPR instructor and a certified National Youth Sports Coach. Although her first choice is to serve on the Board of Health she indicated that she would be willing to serve on the Commission on Disability if needed.

**Mark Lionetta:** Mark indicated that he would like to apply for the Alternate Position on the Board of Assessors. He has a B.A. in Economics, has a Massachusetts Licence in Real Estate Sales and is a Massachusetts License Construction Supervisor. He is in Real Estate Management and Development and is currently with the Nagog Development Company in Acton. He has lived in Acton for seven years and in Massachusetts for 34 years. During the discussions the topic of conflict of interest was raised. He is currently in real estate and is developing properties in Acton and operating a properties management facility in Nagog Park. In addition he owns Acorn Park in North Acton off of Route 2A. He indicated that if appointed to the Board of Assessors he would try to avoid conflicts of interest by not participating in actions involved with his companies interest. He also indicated that he wished to serve the town and if the Board of Assessors position was unavailable he would be willing to consider other positions.

**Kay Rosenberg (Hartung):** Acton-Boxborough Arts Council. She has a BFA from the Philadelphia College of Art and a MFA from Syracuse University. Kay moved to Acton 10 months ago and has been a resident of Massachusetts for the past 14 years. She is an artist, and a senior lecturer at Bradford College. Prior to moving to Acton she was a very active member of the Somerville Arts Council. She presented an extensive resume covering the the grants and awards, collections and commissions, profession activities, and selected exhibitions that she has been involved in. She is applying for a position on the AB Arts Council and has recently attended some of their meetings. She believes her background and experience would be helpful to the AB Arts Council.

**James Parker:** Applied for a position with the Council on Aging. He has lived in Acton for 32 years and in Massachusetts for 38 years. He has a BA from George Washington University and a MA from Tufts University. Until his recent retirement he was a health care administrator at a large hospital. He has served Acton over the years on several Town Committees, most recently as a member of the Acton Library Board of Directors from 1966 to 1982. He wants to serve on the Council on Aging as he is familiar with some of the health problems associated with this age group and feels that he can contribute to the councils program based on his background and experience in the health administration field.

**Board of Selectmen Actions:**

There were no appointments made by the Board of Selectmen or Town Manager during the period between VCC meetings. No action has been taken to date on the reappointments list.

**Recommendations:**

A letter was received from the Chairman of the Board of Health indicating James Barbato has resigned. The Board of Health would like to move R. P. Vaillancourt from an associate position to full member to fill that position. A motion was made to forward Mr. Vaillancourt's name to the Board of Selectmen as a candidate for appointment as a full member of the Board of Health. This position will complete an unexpired term and will be valid to 6/30/94. The motion was carried by a unanimous vote.

A letter was received from the Chairman of Conservation Commission requesting that Linda McElroy be moved from the position of Associate to Full Member. A motion was made to forward Linda McElroy's name to the Board of Selectmen as a candidate for appointment as a full member of the Conservation Commission. The term of this position will run to 6/30/96. The motion was carried by a unanimous vote.

A letter was received from the Board of Appeals indicating the need for another full member. They requested that Stephen Crockett be appointed as a full member with a term expiring 6/30/96. A motion was made to forward Mr. Crockett's name to the Board of Selectmen as a candidate for appointment as a full member to the Board of Appeals. The motion was carried by a unanimous vote.

A motion was made to forward James Parker's name to the Board of Selectmen as a candidate for appointment to the Council on Aging. The motion was carried by a unanimous vote.

A motion was made to forward Angelene Conn's name to the Board of Selectmen as a candidate for appointment to the Council on Aging. The motion was carried by a unanimous vote.

A motion was made to forward Cindy Patton's name to the Board of Selectmen as a candidate for appointment as an Associate to the Board of Health. This is a one year term with an expiration date of 6/30/94. The motion was carried by a unanimous vote.

A motion was made to forward Kay Rosenberg's name to the Board of Selectmen as a candidate for membership to the Acton-Boxborough Arts Council. This is for a two year term with an expiration date of 6/30/95. The motion was carried by a unanimous vote.

**Sworn In:**

During this period the following people were sworn in:

**Cable Advisory Commission**

Laura Hirsch Sworn In 6/20/93  
James Shelton Sworn in 6/25/93

**Commission on Disability**

**Donna W. Whalen Sworn in 7/9/93**

**Historical District Commission**

**Michel Lynch Sworn in 7/12/93**

**The meeting was adjourned at 9:55 pm with the next meeting scheduled at Town Hall, in room 46, on the 13th of September 1993.**

**Respectfully Submitted,**

A handwritten signature in black ink, appearing to read "Charles R. Husbands", written over a circular stamp or seal.

**Charles R. Husbands  
cc: Board of Selectmen, Town Clerk**



## Minuteman Advisory Group on Interlocal Coordination

Acton  
Boxborough  
Carlisle  
Concord  
Hudson



Littleton  
Marlborough  
Maynard  
Sudbury

c/o MAPC, 60 Temple Place, Boston, MA 02111 617/451-2770

MINUTEMAN ADVISORY GROUP  
ON INTERLOCAL COORDINATION

A Subgroup of Metropolitan Area Planning Council

**TO:** The Metropolitan Area Planning Organization  
**FROM:** Donna Jacobs, MAGIC Chairperson  
**SUBJECT:** The Transportation Plan for the Metropolitan Boston Region  
**DATE:** August 19, 1993

**Comments:** The Minuteman Advisory Group on Interlocal Coordination (MAGIC) is a subregion of the Metropolitan Area Planning Council (MAPC). It consists of local elected officials from ten communities northwest of Boston (Acton, Boxborough, Carlisle, Concord, Hudson, Littleton, Maynard, Marlborough, Stow and Sudbury) who meet monthly to address subregional planning issues.

Among our activities is an annual review of the Transportation Improvement Program (TIP) during which we agree on regional transportation priorities, and appointed representation to the Fort Devens Citizens Advisory Committee, which reviews reuse plans for the north base facility. MAGIC reviews development projects with regional impacts and is active in regional land use and development planning. It is on the basis of these activities that we are offering comments on the Transportation Plan for the Boston Region.

**1. MAGIC's Transportation Priorities:** Since MAGIC's formation, our top transportation improvement priorities have included improvements to Route 2 which increase safety, maintain crosstown access in Concord and increase it in Acton; and encourage through traffic to use this highway rather than Route 117 to the south and Routes 2A, 225 and Lowell Rd. to the north. Toward these ends, MAGIC facilitated the establishment of a Route 2 Corridor Advisory Committee through which the Towns of Acton, Concord and Lincoln are working with MHD and Highway District 4 to bring about such improvements. We feel it is essential to our region that these improvements, between Bedford Rd. in Lincoln and Route 27 in Acton, be designed, funded and fully constructed within the next decade.

Also high among our priorities is attracting more commuters to the Fitchburg commuter rail line by constructing a regional parking facility near the intersection of Routes 495 and Route 2, and extending the second rail to this point so that more of the commuter runs can operate to this parking facility. Ridership on the Fitchburg line is now severely constrained by the lack of sufficient parking facilities in Acton and Concord, which are the "end of the line" for most trips.

Finally, MAGIC has supported ongoing plans for the widening of Route 3, and urged reconstruction of the deteriorated railroad bridges on Route 27 in Acton and Route 119 in Littleton. We request that you clarify "bridge modifications to allow for double stacking" on page 8-10 of the Draft Transportation Plan because we are concerned that reconstruction of these railroad bridges not be delayed. In addition, our member towns of Littleton, Acton and Concord need to receive some written information about plans for increased freight use of the rail line and doublestacking so that they can be aware of and inform their citizens of the impacts. Most of their railroad/highway crossings are at grade level.

2. MAGIC's representation on the Fort Devens CAC has reflected our support for meaningful economic redevelopment of the facility without overburdening our existing roadways, particularly the east-west highways noted above, or requiring major expansions. MAGIC communities are predominately rural and suburban and our north-south and east-west roadway capacities very constrained, with the exception of Route 495. We will continue to work cooperatively with MAPC in the further development of Metroplan 2000 and are cognizant of the strong links between transportation and land use. We urge the MPO to combine these two issues in future Transportation Plans and to further define your policy statements so that we can comment more specifically on them.

cc. **MAGIC Communities**  
**Daniel Fortier, MAPC**  
**Representative Pamela Resor**  
**Representative Patricia Walrath**  
**Representative Hasty Evans**  
**Senator Robert Durand**

# MAGIC

Acton  
Essex  
Carlisle  
Concord  
Hudson



Littleton  
Marblehead  
Maynard  
New  
Bedford

## Minuteman Advisory Group on Interlocal Coordination

60 Temple Place, Boston, MA 02111 617/451-2770

MINUTEMAN ADVISORY GROUP  
ON INTERLOCAL COORDINATION

A Subgroup of Metropolitan Area Planning Council

### MEETING NOTES

(For list of participants, see attached.)

July 8, 1993

#### DRI Committee

The DRI Committee -- John Pavan (Acton), Anne Fanton (Acton), Paul Smith (Littleton), Donna Jacobs (Stow), Dick Downey (Maynard) -- met to consider Acton's Acorn Park, a mixed use project of predominantly single-family homes with commercial, office, and potentially some retail. This is a change from an earlier, approved 566,000 sq. ft. office park. The group recommended that MAGIC comment to MEPA on the traffic impacts on Littleton and to DEP on the impacts of the package treatment plant on Nagog Pond, Concord's water supply. (See attached DRI Report.)

#### MAGIC MEETING

##### Updates and Briefings

Donna Jacobs opened the meeting. Anne Fanton noted that last month's minutes incorrectly listed Donna as representing Acton rather than Stow. John Pavan presented the DRI report on Acorn Park; members agreed with the committee's conclusions. John also reported on the public hearing on Westford's retail development. Feelings were strong, but it appears that the town's by-laws present no barrier to approval. Donna reminded people to urge their boards to approve participation in the housing task force and designate members.

Judy Allard reported on the July Ft. Devens CAC meeting. The legislation proposing the "Enterprise Commission" (formerly EDDC, or Ft. Devens Development Corporation) is expected in late August. As currently envisioned, the nine commission members will all be appointed by the Governor. MAGIC will not get to appoint a member, as was requested, nor will there necessarily be a regional planning presence. There was lengthy discussion on whether MAGIC should seek to change the proposed legislation or consider it a foregone conclusion; the role of MAPC, the RPAs, and MAGIC; and how to ensure representation. The group decided to send a letter to Secretary Tocco asking that Donna be appointed.

*the level of effort this step would require. Donna's participation is appropriate if appropriate*

##### Subregional Questionnaire

There was a brief discussion of the questionnaire. Most people felt it was too long. Members suggested that the survey ask about the local responsibility of members and about spin-off groups such as MAGIC's proposed housing task force.

*Agreed it was our only chance of receiving an appointment.*

*If Donna is appointed, it would be reassessed pending time involved*

##### Regional Transportation Plan

Ed Bates described the modeling being done to analyze the impacts of various scenarios on future transportation demand. To date, MetroPlan scenarios indicate significant reductions in future travel and

*(which could be substantial) and an alternate proposed if appropriate A.F.*

emissions. Scenarios emphasize transit inside Rt. 128 and limit growth to areas with sewer capacity. Findings raise interesting questions, ranging from tax base sharing to the fate of the rail extension to Worcester. MAPC is putting together a list of actions needed to implement the scenarios.

Dick Downey asked whether DEP's minimum acreage requirement for new housing "works at cross purposes" with policies to promote affordable housing. He also warned that plans should not overregulate business to the point where it is forced out of Massachusetts, citing the need for talent and the fear of losing a critical mass. Anne noted that no major projects in MAGIC appear on the list yet. Paul Smith asked if there would be a written draft of a plan in time for August's public hearings.

There is some question as to whether the plan will actually be project specific and include a financial feasibility analysis, as required by law, or whether this will wait for a "second iteration" after the October 1993 deadline. The Program for Mass Transit (PMT), which is being done simultaneously, includes specific projects, numbers, and costs. According to Anne, there is as yet no discussion of regional bus service from MAGIC towns to big employment nodes on Rt. 128, nor is there recognition that inadequate parking at commuter rail stations on the Fitchburg line may well be the reason for its low ridership. Anne raised concerns that policy makers will fail to fund improvements on the line because it performs poorly on most indices, thus the failure to recognize the parking constraint might inappropriately penalize the line. Dick Downey asked why there is such an emphasis on commuter rail instead of buses, which are less expensive and more flexible. Anne plans to attend one of the hearings and will raise MAGIC's concerns.

#### Sudbury Annex

Dick reported that, according to Cong. Meehan's office, the Annex will go through the same excessing process as the main portion of Ft. Devens. He asked whether there was interest in a meeting of the boards of the four towns of the Annex. Hudson and Stow expressed interest; Sudbury was not represented. Dick will take the initiative to set up a meeting. He also noted that the GSA is looking for 5-15 sites for a general accounting center and that the Digital building in Maynard may be a possibility.

#### Next Meeting

The next meeting will be held September 9 in Hudson.

DATE: July 8, 1993

NAME	ADDRESS (Please print legibly)	AFFILIATION & PHONE
Paul E. Smith	189 Whitcomb Avenue Littleton, MA 01460	Rep. of Selectman (508) 486-4592
Lee Wood	70 Potter Street Concord	Selectman (508) 369-4183
Donna Jacobs	456 Gleasondale Road Stow, MA 01775	(508) 562-6725 (home)
Ed Bates	MAPC	451-2770
John Pavan	235 Brown Bear Crossing Acton, MA 01718	Planning Board (508) 264-4370 (home)
Anne Fanton	43 Fort Pond Road Acton, MA	Selectmen (508) 263-4989
Rosemary Marini	42 Church Street Hudson, MA 01749	Planning Board (508) 562-2507
Dick Downey	21 Howard Road Maynard, MA	Selectman 897-8871
Judith Alland	MAPC	451-2770

# Is Land Conservation Bad for the Tax Base?

Traditionally, conservation land is seen as a fiscal problem. Many citizens and local officials alike believe that having conservation land on the tax rolls transfers the local tax burden to other properties and ties up land that should be taxable. In contrast, speakers at a recent Lincoln Institute course gave some nontraditional answers to the question, "Does Land Conservation Pay?" Faculty from the private, public, non-profit, and academic sectors all agreed that emerging data on the real fiscal impacts of all types of land uses need further attention.

According to Jay Espy of the Maine Coast Heritage Trust, com-

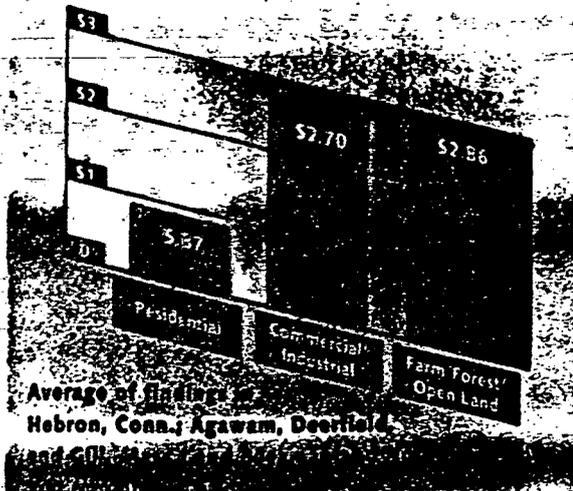
munities currently collect some revenues from most types of conservation land. Many nonprofit organizations as well as federal agencies make payments in lieu of taxes or share their land-based revenues with their host communities. Conservation easements, as well as productive farmland and forestland are taxed as well. Together, these total only a small percentage of local revenues, however.

Robert Burchell, professor at Rutgers University's Center for Urban Policy Research, is an expert in fiscal impact analysis, a technique that tries to determine whether a proposed development will demand more from a local government in new infrastructure or services than it will pay that government in taxes, fees, and transfers. Burchell notes that while conservation land provides little revenue to localities, it also

demand few services. Thus, in a hierarchy of different land uses ranked from those that provide the greatest net revenue to those that demand the greatest net expenditures by local government, conservation land falls in the middle, just above the break even point from the government's point of view. Based on Burchell's hierarchy, open space is fiscally better than retail facilities and most forms of residential development, which usually have higher public costs than revenues.

Organizations and communities are applying a wide range of techniques to assess the costs and benefits of conservation land. The American Farmland Trust has conducted six studies in northeastern U.S. communities to apportion the current costs of local services among existing land use types. When AFT averaged the findings of the six studies, explains Julia Freedgood, the ratio of costs to services for the working landscape (farm, forest, and open land) was very similar to the ratio for commercial,

Local Revenue Received per Dollar of Services Provided



industrial lands (see figure). Freedgood says this result should come as no surprise. Farm and forestland are commercial land uses; they are just resource based.

Deborah Brighton of Ad Hoc Associates in Vermont has studied the relationship between the tax bases and tax bills of communities in that state. Contrary to common thinking, residents of towns with the most commercial and industrial development are actually paying the largest tax bills. Brighton suggests that communities competing to attract "childless" growth—to obtain tax revenues without associated school costs—should think

again. Beyond the numbers, communities need to develop a concrete vision of what they want to look like in the future, and then tailor land use and capital plans to achieve that vision.

In the end-of-day panel discussion, others agreed. If fiscal impact analysis is included in the planning process, then local officials can avoid conflicts over whether to develop or preserve important conservation lands. Future fiscal analyses might also be improved, to measure the full value of open space to the community, not just immediate tax revenues. Studies of land value near greenbelts, historic areas, and golf courses, for example are starting to appear. Such broader fiscal analysis is a technique waiting to be born, and participants in this course are eager to greet it.

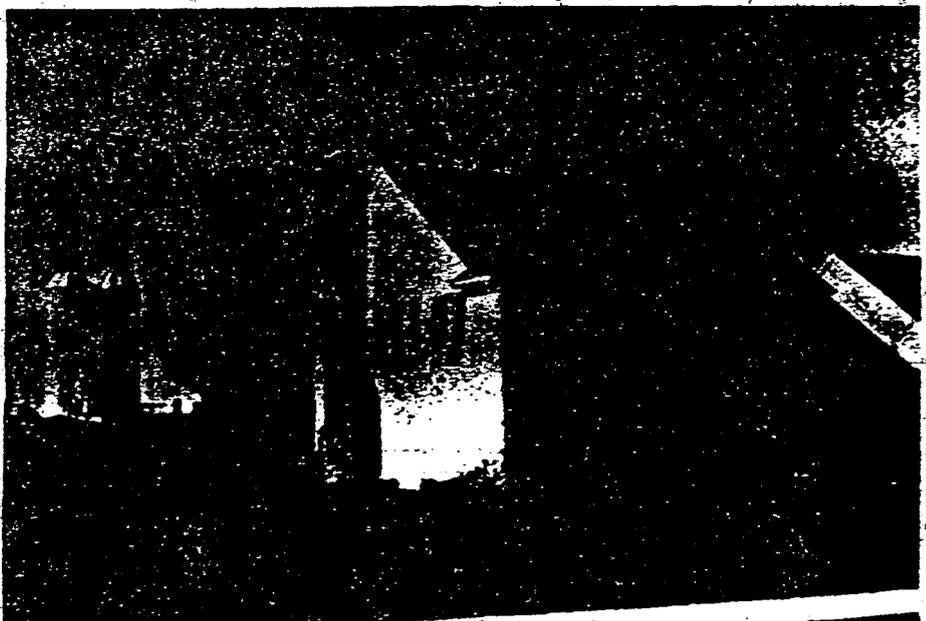


Photo courtesy of Lancaster County Planning Commission

Protecting both prime agricultural land and the Amish culture from burgeoning residential growth are two goals of the fiscal impact studies done for Lancaster County, Pennsylvania by Tischler Associates. Paul Tischler explained these studies to course attendees.



# TREASURER JOE MALONE'S QUARTERLY LUNCHEON SERIES

**Treasurer Joseph D. Malone**

*Cordially invites you to attend a*

*Luncheon Presentation*

## **RESHAPING AMERICAN EDUCATION**

*Featured speaker*

**Benno C. Schmidt, Jr.**

**President of The Edison Project**

*Former President of Yale University*

*Former Dean of Columbia University Law School*

*Wednesday, September 29, 1993*

*12 noon to 1:30 pm*

*The Sheraton Boston Hotel & Towers*

*39 Dalton Street (adjacent to the Prudential Center)*

*Boston, Massachusetts*

**Please RSVP by September 22, 1993**

**Claire Fagan**

**617-242-8052**

**(Reply Form Enclosed)**

**\$20 per person**

**\$160 per table of eight**

**Reservations Required**

# TREASURER JOE MALONE'S QUARTERLY LUNCHEON SERIES

## RESHAPING AMERICAN EDUCATION

Wednesday, September 29, 1993

### BENNO C. SCHMIDT, JR.

Benno C. Schmidt, Jr., who served as Yale University's 20th president and as dean of Columbia Law School, is best known nationally for his outspoken defense of freedom of expression and the academic value of a liberal education. He is now the President of The Edison Project.

The Edison Project's goal is to create a national network of world-class schools serving a diverse population of American students. The first of these schools is expected to begin operation by the fall of 1995, a year earlier than initially announced. In addition to operating its own tuition-supported private schools, Edison plans to enter into public school partnerships with participating school systems around the country.

During his tenure at Yale, which began in 1986, Schmidt presided over one of the largest building programs in Yale's history; he was the most successful fundraiser in the University's history; he fashioned a model partnership between Yale and New Haven; and he helped build a number of new interdisciplinary programs, especially in environmental sciences and policy and international studies. During his presidency, Yale's endowment grew from \$1.7 billion to \$3 billion, the highest rate of growth among the major endowed private universities.

As president, Schmidt oversaw Yale College and 11 graduate and professional schools, approximately 2,000 faculty members, 7,000 staff members, some 11,000 students, and operating and capital budgets of about \$500 million.

Before joining Yale, Schmidt was the Dean of the Columbia University Law School where in 1973 he became one of the youngest tenured professors in Columbia's history. He is a legal scholar who specializes in constitutional law, the history of the U.S. Supreme Court, the law of freedom of expression, and the history of race relations in American law. Schmidt served as law clerk to Supreme Court Chief Justice Earl Warren.

Schmidt is married to Helen Cutting Whitney, director of feature films and television documentaries. He has three children.



# TREASURER JOE MALONE'S QUARTERLY LUNCHEON SERIES

## Reply Form

- Yes, I/we look forward to attending Treasurer Joe Malone's Quarterly Lunch with Benno C. Schmidt on "RESHAPING AMERICAN EDUCATION" to be held Wednesday, September 29, 1993, at the Sheraton Boston Hotel & Towers from 12 noon to 1:30 p.m.

Enclosed is a check made payable to the Sheraton Boston Hotel and Towers in the amount of \$ \_\_\_\_\_ for \_\_\_\_\_ person(s). (\$20 each or \$160 for a table of eight).

Name \_\_\_\_\_ Telephone: \_\_\_\_\_

Company \_\_\_\_\_

Address \_\_\_\_\_

If Reserving a Table, Please List Additional Names Below:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_

**PLEASE MAKE CHECKS PAYABLE TO THE  
SHERATON BOSTON HOTEL AND TOWERS**

*Please RSVP by September 22, 1993*

*Claire Fagan*

*617-242-8052*

***Reservations Required***

*Mail Replies to:*

*Treasurer's Luncheon Series*

*Treasurer Joseph D. Malone*

*One Ashburton Place, 12th Floor*

*Boston, MA 02108*



OFFICE OF THE

BOARD OF SELECTMEN

TOWN BUILDING

MAYNARD, MASSACHUSETTS 01754

897-1001

SEP 17 1993

September 14, 1993

Mass Highway Department  
District III  
403 Belmont St.  
Worcester, MA 01604

Dear Sirs,

At last evening's Board of Selectmen's meeting, it was unanimously voted to send this correspondence imploring the Mass Highway Department to restore the reconstruction of the Route 27 South Acton bridge to the 1994 construction schedule. It is our understanding that the construction schedule has been pushed out to now have this bridge rebuilt in 1995.

The Selectmen in Maynard are deeply concerned that the year delay in repairing this vital road way bridge will result in a negative impact on the business community in Maynard at a time when business and industry are in crisis. Also, the Selectmen are concerned over the fact that the delay in the bridge repair negatively impacts fire protection in South Acton and Maynard. We are fearful of any further delay in that Maynard will have to continue to provide coverage to South Acton due to weight limits on the bridge and more importantly the potential delay in Acton mutual aid to an emergency in Maynard.

The Board of Selectmen respectfully requests all due consideration to the repair of the Route 27 bridge in South Acton proceeding as originally scheduled in 1994.

For the Board of Selectmen,

*Michael J. Gianotis*  
Michael J. Gianotis  
Town Administrator

cc: Governor Weld  
Lt. Governor Celiucci  
State Senator Durand  
State Rep. Evans  
State Rep. Resor  
MAPC  
Town of Acton



DEPARTMENT OF THE ARMY  
NEW ENGLAND DIVISION, CORPS OF ENGINEERS  
424 TRAPELO ROAD  
WALTHAM, MASSACHUSETTS 02254-9149

cc: BOS  
Ft Devens  
Tom Tooman  
✓

REPLY TO  
ATTENTION OF

August 25, 1993

Planning Directorate  
Impact Analysis Division

Nancy Tavinier  
Acton Town Hall

Acton, MA 01720

Dear Concerned Citizen:

On June 9, 1993, an Environmental Resources Workshop was held to discuss the information on baseline environmental resources collected by the U.S. Army Corps of Engineers for the Fort Devens Disposal and Reuse Environmental Impact Statement (EIS). The purpose of the workshop was to obtain community input on the data collected to date and the sources, methodologies, and approaches used to obtain the information.

After a brief overview of the Federal EIS process, there were presentations on the technical areas being addressed in the EIS. Since the purpose of the workshop was to obtain input from the public, the rest of the evening was spent in group discussion and review of the information in each technical area, including the overall process for obtaining input from the community.

We have compiled the results of the workshop in a report which is available at the Base Reuse Office at Fort Devens and local libraries.

For those of you who attended the workshop, thank you for your input. If you would like to provide additional comments regarding baseline data collection, please contact the EIS project manager, Ms. Susan E. Brown, at (617) 647-8536.

Sincerely,

Brink P. Miller  
Colonel, Corps of Engineers  
Division Engineer

TOWN OF ACTON  
473 Main Street  
Acton, Massachusetts 01720  
Telephone (508) 254-2632  
Fax (508) 254-9630

F. Dore Hunter, Chairman  
Board of Selectmen

To:  
CHRISTINE

September 13, 1993

Mr. Harold Gordinier  
4 Pinalen Street  
Acton, MA 01720

for  
File copy  
*[Signature]*

Dear Harold:

The Board of Selectmen was disappointed to learn that you will be leaving Acton, but we send our very best wishes for your future in your new home in South Carolina. Your many contributions to our Town's government have been greatly appreciated.

You have served the Town in several capacities, most recently as a member of the Board of Assessors and the Prison Advisory Committee. You also served as an Associate member of the Planning Council, helping in the final stages of developing Acton's Master Plan. Thank you for these contributions to our community. We will miss you, as we also miss Sally, who served our community in a variety of ways through her activities in the League of Women Voters.

Again, our best wishes for your happiness in a warmer climate. We know that you will continue to make a positive contribution wherever you go.

Sincerely,

*[Signature]*  
F. Dore Hunter  
Chairman

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

F. Dore Hunter, Chairman  
Board of Selectmen

September 21, 1993

Stewart Kennedy  
Liberty Square Road  
Boxboro, MA 01719

Dear Stewart:

It is truly heart warming and reassuring to note that you have quietly and effectively served the Town of Acton for fifty years, continuing your family tradition of such service extending back more than one hundred and fifty years. In a world which seems daily more overwhelmed by change occurring at an ever faster pace, your steadfast dedication and constant, painstaking attention to duty provide a necessary counterpoint. The Board of Selectmen wishes to express to you its appreciation and gratitude for your fifty years of faithful service that you have rendered to the Town of Acton, developing and maintaining its cemeteries as the cherished resting places for our ancestors.

You have truly excelled at work that has required long hours of exacting attention to detail and procedure. Your success in these endeavors can be measured by the quiet beauty and serenity of the Woodlawn and Mount Hope cemeteries.

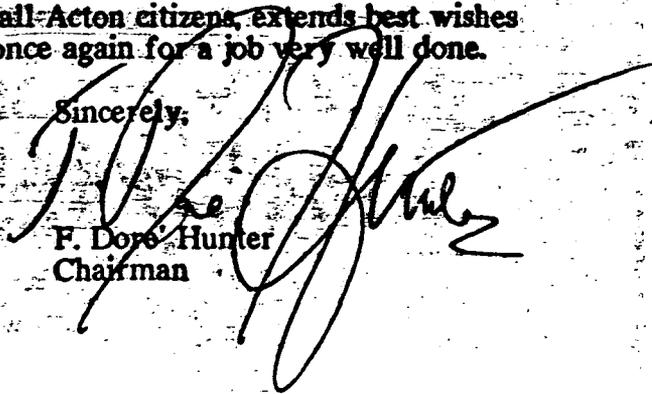
When we look back over your many years of service we cannot help but notice and be most impressed by the countless times that you have gone beyond the amount of effort minimally required for the tasks which you undertook, and the frequency with which you worked beyond the normal workday and workweek.

Thank you.

The Town will be a very different place without you. You have indeed set a very high standard for others to attempt to emulate.

The Board of Selectmen, on behalf of all Acton citizens, extends best wishes for your retirement years, and thank you once again for a job very well done.

Sincerely,

  
F. Dore Hunter  
Chairman

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

F. Dore Hunter, Chairman  
Board of Selectmen

September 21, 1993

Mary E. Larson  
Hill Road  
Boxboro, MA 01719

Dear Mary:

The Board of Selectmen wishes to express to you its appreciation and gratitude for the more than twenty-six years of faithful service that you have rendered to the Town of Acton, serving in its Accounting Division and as its Accountant. You have truly excelled at municipal tasks that have required long hours of exacting attention to detail and procedure, and at functions, which while not in the public eye, are most important to the well-being of the Town. Your success in these endeavors can be measured by the successive years of clean audits and the Town's good credit rating.

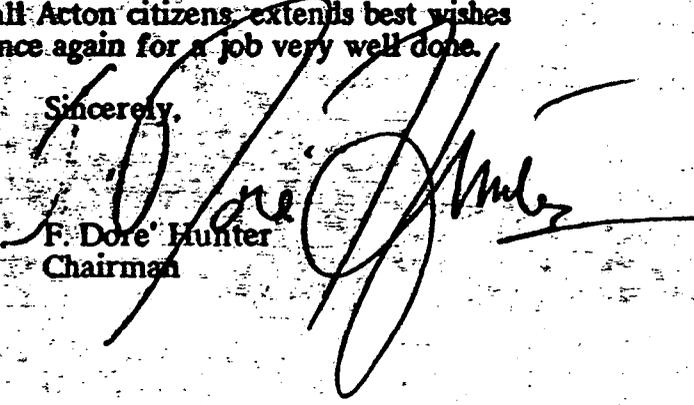
When we look back over your many years of service we cannot help but notice and be most impressed by the countless times that you have gone beyond the amount of effort minimally required for the tasks which you undertook, and the frequency with which you worked beyond the normal workday and workweek.

Thank you.

Town Hall, and the Finance Division, will be a very different place without you. You have indeed set a very high standard for others to attempt to emulate.

The Board of Selectmen, on behalf of all Acton citizens, extends best wishes for your retirement years, and thank you once again for a job very well done.

Sincerely,

  
F. Dore Hunter  
Chairman

**ACTON SCHOOL COMMITTEE**  
**ACTON-BOXBOROUGH REGIONAL SCHOOL COMMITTEE**

SEP 16 1993

Conference Room  
Jr. High School

For September 19, 1993 Meeting  
4:30-8:30 p.m.

**AGENDA**

**I. CALL TO ORDER**

**II. DISCUSSION OF WAIVER - re: Acton BOS invitation**

**III. APPOINTMENT OF DELEGATES TO ATTEND COLLOQUIA**

**IV. EXECUTIVE SESSION**

**V. WORKSHOP CONTINUATION - from August 25 session**

**VI. ADJOURNMENT - 8:30 p.m.**

# THREE DAY WORKSHOP

For Labor  
& Management  
Professionals

BALTIMORE, MD  
OCTOBER 13-15, 1993

DENVER, CO  
OCTOBER 25-27, 1993

BOSTON, MA  
NOVEMBER 8-10, 1993

SAN DIEGO, CA  
JANUARY 26-28, 1994

CC: BOS I would  
like to  
attend??  
*[Signature]*



# COLLECTIVE BARGAINING INSTITUTE NEGOTIATION SKILLS FOR THE 90's



The Department of Education and Training  
AMERICAN ARBITRATION ASSOCIATION

# Collective Bargaining Institute

## Program Description

What is the key to successful negotiations? Let our three day Collective Bargaining Institute demonstrate how to get more out of your bargaining experiences. Experienced union and management negotiators will show you how to prepare for negotiations, and how to conduct yourself at the table. Learn how to formulate realistic bargaining proposals and objectives, and discover what tactics will move you towards achieving negotiation goals. Discuss the advantages of positional versus needs-based bargaining in the economic climate of the '90s. On the third day of the Institute, you will participate in a realistic negotiation simulation designed to develop and reinforce tactical and interpersonal negotiation skills.

## Workshop Features

- Learn Strategies and Tactics for Effective Bargaining;
- Participate in Exercises and Role Plays Designed to Develop Negotiation Skills;
- Interact with Your Bargaining Counterparts;
- Receive Constructive Feedback from Experienced Negotiators.

**ENHANCE YOUR TABLE SKILLS -- SIGN UP NOW!**

## Program Agenda

### DAY ONE

- 8:30 a.m. Registration
- 9:00 a.m. Welcome and Introductions
- 9:30 a.m. Introduction to Collective Bargaining
- The Scope of Bargaining;
  - Legal Aspects of Collective Bargaining;
  - Impact of the Global Economy on Bargaining;
  - The Political Climate and Bargaining;
  - Key Bargaining Issues for the '90s.
- 10:30 a.m. Break
- 10:45 a.m. Preparing For Negotiations
- Assembling Data and Information;
  - Putting the Team Together;
  - Internal Team Procedures and Discipline;
  - Developing Bargaining Proposals and Goals;
  - Anticipating the Other Side's Issues;
  - Establishing Bargaining Priorities.
- 12:00 p.m. Lunch
- 1:00 p.m. Costing the Contract
- What Do You Need to Know?
  - Gathering Needed Information;
  - The Composition of the Economic Package: Wages and Fringe Benefits.
- 1:45 p.m. Methods of Costing the Contract
- Faculty will review basic formulas for costing an economic package.
- 2:45 p.m. Break
- 3:00 p.m. Costing-Out Workshop
- Participants will be divided into small groups to work on some basic costing problems. Faculty and participants will evaluate the results of the exercise.
- 5:00 p.m. Adjourn

### DAY TWO

- 8:30 a.m. Drafting Contract Language
- When Should Language be Drafted, and by Whom?
  - Impact of Language on Contract Administration;
  - Practical Guidelines for Drafting Clear and Precise Language.
- 9:30 a.m. Drafting Language Workshop
- Working in small groups, participants will practice drafting contract provisions. Faculty will assist in critiquing the drafted clauses.

### DAY TWO, Continued

- 11:00 a.m. The Negotiation Process I
- Setting the Bargaining Climate;
  - Determining Bargaining Strategies and Tactics;
  - Handling Power Imbalances;
  - Utilizing Effective Communication Skills;
  - Addressing Issues Not Personalities.
- 12:30 p.m. Lunch
- 1:30 p.m. The Negotiation Process II
- The Stages in Bargaining;
  - Timing: A Key Factor in Negotiations;
  - Striving for Agreement;
  - Moving from Positional to Needs-Based Bargaining;
  - Techniques for Resolving Impasse;
  - Bringing the Process to a Conclusion.
- 2:45 p.m. Break
- 3:00 p.m. Collective Bargaining Clinic
- Workshop participants will begin preparation for the negotiation simulation. Participants, divided into bargaining teams, will determine team roles and assignments, prioritize bargaining proposals, and develop strategy and tactics. Expert advocates will assist participants with negotiations preparation.
- 5:00 p.m. Adjourn

### DAY THREE

- 8:30 a.m. Final Preparations
- Participants will resume preparing for the bargaining exercise assisted by experienced advocates.
- 9:30 a.m. Negotiation Simulation
- The mock negotiations begin. Advocates will be assigned to each team as facilitators.
- 12:30 p.m. Lunch
- 1:30 p.m. Bargaining Continues
- 3:00 p.m. Evaluating the Negotiations
- Faculty will provide constructive feedback on team members' negotiation skills. Participants will be expected to take an active part in the critiquing process.
- 3:30 p.m. Program Review and Evaluation
- 4:00 p.m. Adjourn

# Maximize Your Effectiveness

## Who Should Attend

- Labor Relations Specialists
- Human Resources Personnel
- In-House Counsel
- Negotiators
- Shop Stewards
- Staff Representatives
- Union Officers

## CLE Credits

CLE Credits (Continuing Legal Education), are available at the workshop. Please contact AAA's Department of Education & Training for more specific information regarding accredited workshops.

Certificates of Achievement are awarded by the Department of Education & Training (DET) to participants who attend three AAA labor-management workshops.

## Upcoming Programs Fall-Winter 1993

- Advanced Arbitration Advocacy and Analysis
- Arbitration Case Preparation & Presentation
- Discipline & Discharge Issues Workshop
- Grievance Processing and Grievance Mediation

## FACULTY AND STAFF

### BALTIMORE October 13-15, 1993

**Hugh J. Beins, Esq.**  
Beins, Axelrod, Osborne,  
Mooney & Green  
**Carey Butsavage, Esq.**  
Butsavage & Associates  
Washington, D.C.  
**Patricia A. Casey, Esq.**  
Akin, Gump, Strauss, Haver  
Feld, L.L.P.  
Washington, D.C.  
**Jerry M. Cutler, Esq.**  
Abato, Rubenstein, & Abato  
Baltimore, MD  
**Hessie L. Harris, Esq.**  
Staff Attorney for Association of  
Flight Attendants  
Washington, DC  
**Robert S. Hillman, Esq.**  
Whiteford, Taylor & Preston  
Baltimore, MD  
**James J. Kelley, Esq.**  
Morgan, Lewis & Bockius  
Washington, DC  
**Harriet Lipkin, Esq.**  
Pantaleo & Lipkin, P.C.  
Washington, DC  
**Edward Pfeiffer**  
Manager, Employee &  
Labor Relations  
Mass Transit Administration  
Baltimore, MD  
**Seymour Strongin**  
Arbitrator-NAA  
Chevy Chase, MD  
**Lawrence S. Wescott, Esq.**  
Venable, Baetjer & Howard  
Towson, MD  
**Kenneth Eggar**  
AAA Regional Vice President  
Philadelphia, PA  
**Angela de Souza**  
AAA-DET Training Specialist  
New York, NY

### DENVER October 25-27, 1993

**Bruce Boyens, Esq.**  
Consultant  
Lexington, KY  
**Raymond M. Deeny, Esq.**  
Sherman & Howard  
Colorado Springs, CO  
**Ernest L. Duran, Jr., Esq.**  
President, UFCW Local 7  
Wheatridge, CO  
**David Goodman**  
Arbitrator-NAA  
Boulder, CO  
**Katherine S. Larkin, Esq.**  
Jackson & Kelley  
Denver, CO  
**Melvin L. Mickelsen**  
Director of Bargaining  
Colorado Education Association  
Aurora, CO  
**Richard Rosenblatt, Esq.**  
Boyle, Tyburski, Toll &  
Rosenblatt  
Englewood, CO  
**Ron Schwab**  
President, Local 17, IBT  
Denver, CO  
**Dominic N. Verrastro**  
Consultant  
Denver, CO  
**Mark Appel**  
AAA Regional Vice President  
Denver, CO  
**Ray Robison**  
Arbitrator  
Schererville, IN

### BOSTON November 8-10, 1993

**Tim Bornstein**  
Arbitrator-NAA  
Westport, MA  
**Richard W. Coleman, Esq.**  
Segal, Roitman & Coleman  
Boston, MA

**James P. Dillon, Esq.**  
Director of Employee Relations  
Boston Edison Company  
Boston, MA  
**Matthew E. Dwyer, Esq.**  
Grady and Dwyer  
Boston, MA  
**Murray S. Freeman, Esq.**  
Nutter, McClennan & Fish  
Boston, MA  
**Mark Kaplan, Esq.**  
Kaplan and Lenow  
Newton, MA  
**Ellen C. Kearns, Esq.**  
Kearns & Rubin  
Boston, MA  
**Carol Knox**  
Subregional Director  
UAW-Region 9-A  
Dedham, MA  
**Paul V. Lyons, Esq.**  
Foley, Hoag & Eliot  
Boston, MA  
**Warren H. Pyle, Esq.**  
Angoff, Goldman, Manning,  
Pyle, Wanger & Hiatt  
Boston, MA  
**Edward T. Sullivan, Jr.**  
Business Manager/Sec't-Treasurer  
Local 254, SEIU  
Boston, MA  
**Jerome N. Weinstein, Esq.**  
Palmer & Dodge  
Boston, MA  
**Richard M. Reilly**  
AAA Regional Vice President  
Boston, MA  
**Angela de Souza**  
AAA/DET Training Specialist  
New York, NY

### SAN DIEGO January 26-28, 1994

**J.D. "Jack" Bates**  
Commissioner  
FMCS  
San Diego, CA

**Douglas A. Brown**  
Executive Director  
School Employers' Association  
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**John D. Collins, Esq.**  
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& Hampton  
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San Diego Teachers' Assoc.  
San Diego, CA  
**Jennifer T. Messersmith, Esq.**  
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**Michael Posner, Esq.**  
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**Ray Robison**  
Arbitrator  
Schererville, IN  
**Kenneth J. Rose, Esq.**  
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cc: BOS

REGION I

J.F. KENNEDY FEDERAL BUILDING, BOSTON, MASSACHUSETTS 02203-2211

September 3, 1993

David Kronenberg  
Manager of Environmental Affairs  
Polyfibron Division  
W.R. Grace & Co. - Conn.  
55 Hayden Avenue  
Lexington, MA 02173

Re: Conditional Approval of Revisions to the 100% Design dated August 16, 1993

Dear Mr. Kronenberg:

The U.S. Environmental Protection Agency and the Massachusetts Department of Environmental Protection (the Government Parties) have reviewed your memorandum dated August 5, 1993 and the 100% Design submitted by Camp Dresser and McKee (CDM) on August 16, 1993. Based on our review of these documents, the Government Parties are providing conditional approval of the August 16, 1993 100% Design.

The Government Parties still have significant concerns regarding the operation of the VFL process and the monitoring and emission controls that will be employed during construction. The August 16, 1993 100% Design does not contain enough information for the Government Parties to provide final approval of the 100% Design as currently presented. CDM's responses to many of the Government Parties' comments indicated that additional information will be forthcoming from the construction contractor. Therefore, the Government Parties' approval of the August 16, 1993 Design is contingent on the following:

- 1) Government Party Approval of the Solidification Operations Plan including Chemical Quality Management Plan/ Sampling Plan and Laboratory Quality Management Plan.

Within 60 days from receipt of this letter, W.R. Grace must submit the Solidification Operations Plan including Chemical Quality Management Plan/ Sampling Plan and Laboratory Quality Management Plan. W.R. Grace must receive Government Party approval of this plan prior to initiating any field work affected by this plan. This plan must address all Government Party comments on this work as set forth in previous comment letters.



Please note that CDM's response to comments contains an outline of the Operations Plan. However, the specification (Section 13740 Part 1.06) which sets out the content of the Operations Plan only contains a subset of the information provided in CDM's outline. Therefore, the specification should be modified or the Contractor should be supplied with a copy of the outline of the Operations Plan as presented in the response to comments. In addition, information such as the methods of calibration for the feeders, weigh belts, etc. and startup procedures should be included in Section 3 of the Plan.

2) Government Party Approval of the Air Monitoring and Emissions Control Plan

Within 60 days from receipt of this letter, W.R. Grace must submit the Air Monitoring and Emissions Control Plan. W.R. Grace must receive Government Party approval of this plan prior to initiating field work affected by this plan. This plan must address all Government Party comments on this work as set forth in previous comment letters.

This plan must specifically describe all air monitoring and emissions controls and the relationships between the action levels and subsequent upgrades of emission controls. In addition to monitoring near the source areas and exclusion zones, this plan shall include particulate and VOC monitoring at the site property line. The location of such monitoring should be dependent on meteorological conditions, as well as the proximity to receptors. Finally, the results of the BACT analysis for the VFL process and the waste curing piles must be submitted with this plan.

3) Government Party Approval of Section 02575, Paving and Guard Rails, of the Specifications

Within 14 days from receipt of this letter, W.R. Grace must submit a revision to Section 02575, Paving and Guard Rails, of the Specifications. W.R. Grace must receive Government Party approval of the revised specification prior to initiating any field work included in this section. Section 02575 must be revised to state that construction of the drainage swales shall be as designed, or, if changes are proposed, the combination of layers comprising the swales must have a permeability of  $1 \times 10^{-7}$  cm/sec or less.

4) Government Party Approval of the Complete Schedule

The schedule included in the 100% Design Package is not complete. Within 14 days from receipt of this letter, W.R. Grace must

submit the complete schedule which identifies the schedule for awarding the construction contract, the schedule for submission and approval of all deliverables required prior to construction and the schedule for completing the soil evaluation activities for the Battery Separator Lagoons, the Boiler Lagoons and the Tank Car Area. W.R. Grace must receive Government Party approval of the Complete Schedule prior to initiating any field work included in the schedule.

- 5) Government Party Approval of the Data Validation Procedures and Analytical Detection Limits for Demonstrating that the Soil Cleanup Levels have been achieved.

CDM's responses to comments no. 9 and 10 on the Post Excavation Sampling and Analysis Plan need clarification. Specifically, the following issues need clarification:

- a) Response to Comment No. 9

The response and the revised plan state that dilutions will be necessary for samples with greater than 500 ppb of ethylbenzene, and that the reporting limit for benzene will be increased accordingly. Therefore, if samples require dilution, the low concentration cleanup levels of benzene (<5ppb) will not be achievable. In addition, it is unclear how the rejection of the data and resampling the same location, as proposed, will achieve more satisfactory results.

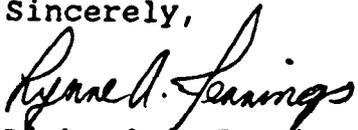
- b) Response to Comment No. 10

It is not clear how the results of the validated data (10%) will be extrapolated to the remainder of the data set, and thus it is not possible to discern if validation of 10% is acceptable.

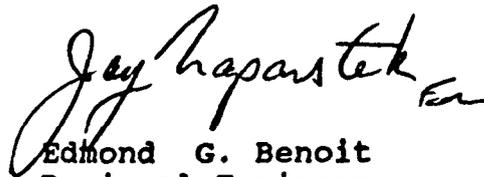
Within 14 days from receipt of this letter, W.R. Grace must provide clarification of these responses. W.R. Grace must receive Government Party approval of these responses prior to initiating field work affected by this plan. The Government Parties suggest that a meeting be conducted to discuss these issues as soon as possible.

Please be advised that if the conditions in this letter are not met, the Government Parties conditional approval of the 100% Design will be revoked. If you have any questions, please contact Lynne Jennings at (617) 573-9634 or Michael Leblanc at (508) 792-7653.

Sincerely,



FOR Richard C. Boynton, Chief  
Rhode Island Superfund Section  
U.S. EPA



Edmond G. Benoit  
Regional Engineer  
Bureau of Waste Site Cleanup  
Massachusetts DEP

cc: Lynne Jennings, EPA  
James Brown, EPA  
Gretchen Muench, EPA  
Bill Pencola, Ebasco  
Michael Leblanc, MADEP  
Charles Tuttle, MADEP  
Mark Stoller, W.R. Grace  
Bruce Conklin, CDM  
William Cheeseman, Foley, Hoag & Elliot  
Don Johnson, Town of Acton ✓  
Doug Halley, Town of Acton (3)  
Paul Reiter, GZA (2)  
Steven D. Anderson, Anderson & Kreiger  
B. Leach, Town of Concord  
Robert Eisengrein, ACES  
John Swallow, Pine & Swallow Associates, Inc.

cc: BOB

ACTON-BOXBOROUGH REGIONAL SCHOOL COMMITTEE  
MINUTES

TOWN OF ACTON  
93 SEP -8 AM 9: 39

Library  
Junior High School

August 3, 1993

*Members Present:* Pam Harting-Barrat, Steve Aronson, Jean Butler, Rick Sawyer, Lees Stuntz, Donald Wheeler, Micki Williams

*Also Present:* Isa Zimmerman, Mac Reid, Bill Ryan, Dan Leclerc, citizens and press.

The meeting was called to order at 7:45 p.m. by Pam Harting-Barrat, Chairperson.

EXECUTIVE SESSION: At 7:46 p.m., it was moved, seconded and unanimously

VOTED: To go into executive session to discuss strategies relative to collective bargaining under Chapter 39, Section 23B, paragraph 3. Each member was polled individually and each voted in the affirmative to go into executive session for the stated purpose.

The Committee returned to open session at 8:25 p.m.

The minutes of July 15, 1993, were approved as written. Micki Williams asked if Steve Aronson intended to respond to Senator Durand's letter. Steve said he would be glad to draft a response on behalf of the Committee. Jean Butler asked if we had advertised for Choice students. Dr. Zimmerman said we have, and there are some additional enrollments.

Warrant #94-002 in the amount of \$462,173.45, warrant #94-003 in the amount of \$0, warrant #94-004 in the amount of \$132,646.04, warrant #93-005 in the amount of \$208,521.45, warrant #93-101 in the amount of \$19,232.43 and payroll warrants totaling \$334,036.84 were signed by the Chairperson and circulated to other members of the Committee.

PUBLIC PARTICIPATION: Ernie Feasel, citizen, asked if activities' fees were on the agenda. Pam Harting-Barrat said they would be discussed later in the meeting.

OLD BUSINESS:

It was moved, seconded and unanimously

VOTED: To approve the administration's recommendation that the CASE West Transportation Budget for FY'93 be adjusted to \$774,534.

Don Wheeler asked how we had overrun these accounts. Bill Ryan said we had 15% more students, resulting in more and longer routes, increased gasoline expenditures, additional employees' salaries, and benefits. Lees pointed out that

this is not an appropriated budget item, but rather a separate business the school runs to keep our costs down.

It was moved, seconded and unanimously

**VOTED:** To approve the administration's recommendation that any student participating in an interscholastic athletic activity be assessed a fee of \$50.00 per sport and that there be a family maximum of \$200.00 per year. A second reading of the policy and procedure will be brought before the Committee at the September meeting.

Discussion: Dr. Zimmerman explained the proposed three stage policy and procedure. Approved above is the first stage (athletics). A second stage, to be proposed in the fall, will address fees for clubs, performance groups, academic teams and intramural sports. The third stage concerning academic activities which go beyond the base level of service we can offer will be proposed in the spring.

ABSAs generous donation of \$100,000 has made it possible to charge a \$50 fee vs. \$125. Concern regarding how this policy will affect ABSA fundraising was expressed by Tom Wachtell, ABSA President. Dr. Zimmerman suggested that ABSA might become an umbrella under which sub-groups would focus on areas of interest that support the school system. No one is happy to be instituting these fees, but it is necessary if the programs are to continue. Our community is one of a few in the area not to have a fee system in place.

Pam Harting-Barrat suggested a wording change in the "Participation" statement to clarify that payment of the fee does not automatically guarantee a place on a team. Rick Sawyer asked that several statistics to be gathered from the Junior and Senior High Schools and presented at the next meeting as to: 1) how many multiples? - students participating in more than one sport; 2) how many freshman participate in sports - freshman, JV, Varsity levels; 3) how many different students participate in non-athletic activities; 4) is it worth having a credit card payment option, and 5) a break down by gender of extra-curricular activities.

Ernie Feasel asked several questions about the validity of the fee system, and a specific question about a change in the open pool (swim) hours (Community Ed.). Bill Ryan said that some program/hour changes will be made in the fall to better utilize the pool.

Steve cautioned the committee regarding the activity fee system, and suggested that it might be better to call it a pilot program. Dr. Zimmerman agreed that there will inevitably be problems, but we must look at the greater good, and attempt to solve the money problem. Steve asked Bill to consider what our financial intent is, i.e., to fill a minor gap or to earn extra money beyond the basics.

Pam Harting-Barrat asked for an update on the new concession stand/building at the high school football field. There seems to be a misconception that the School Committee pledged an additional \$10,000 to the \$10,000 gift for this purpose.

Additional funds were not considered by the School Committee. Approximately \$6-8,000 has been pledged from other community sources.

NEW BUSINESS:

It was moved, seconded and unanimously

VOTED: To award the school lunch program bread bid to Bouyea-Fassetts, Inc.

It was moved, seconded and unanimously

VOTED: To award the school lunch program milk bid to West Lynn Creamery.

FOR YOUR INFORMATION

- Dr. Zimmerman noted that the school print shop is now financially self-sufficient.
- Dr. Zimmerman referred to the letter sent to the ABSAF Board from Tom Wachtell, President.
- Regarding fall sports coaches, Lees pointed out that Pippa Jolie, soccer coach, is to be paid from appropriated budget funds, and Freshman Field Hockey should be an "activity fee" sport. Two coaches have volunteered their services, and Bill Ryan said, regarding liability issues, we will make sure the contractual issues are satisfied.
- Regarding Steve Donovan's memo (Att. E, "For School Committee Only"): senior "prom" should be changed to senior "banquet".
- Dr. Zimmerman recognized the appointment of Bunny Lawton to the position of Secretary to the Superintendent and School Committees.
- Karen Dauphinais has been hired to teach Earth Science at the High School for 93-94.
- Isa Zimmerman, Fran Leiboff, Bill Ryan and Dan Leclerc attended a very informative session at Ropes and Grey on the new Education Reform Bill.
- Micki Williams asked about the high school student parking fee issue and the results of the senior privilege pilot program last spring. Dr. Zimmerman has asked Steve Donovan to look at the parking issue again with the Student Council. He will give a report on the senior privilege program at the next school committee meeting.

WARRANT DISCUSSION : One question was answered by Bill Ryan.

CONCERNS OF THE COMMITTEE:

Steve Aronson asked if copies of the School Committee meeting minutes were distributed to the selectman. Jean Butler said that they were. Steve also expressed his concern about the way in which the decision was made to give Evelyn Smith, School Committee secretary, a school chair upon her retirement. Don Wheeler agreed, and was concerned that communication seems to have lapsed. Rick Sawyer suggested that dues and fees for organization memberships for School Committee be reviewed for next year's budget.

NEXT MEETING - September 2, 1993, 7:30 p.m., JH Library.

**EXECUTIVE SESSION** - At 10:00 p.m., the Committee returned to executive session to complete the suspended session. The public was informed that the Committee would return to open session only to adjourn.

The Committee returned to open session at 10:32 p.m. and adjourned.

Respectfully submitted,  
Sarah T. Lawton, Secretary

**ACTON SCHOOL COMMITTEE  
MINUTES**

Library  
Junior High School

August 3, 1993

*Members Present:* Lees Stuntz, Steve Aronson, Pam Harting-Barrat, Jean Butler, Rick Sawyer, Micki Williams

*Also Present:* Isa Zimmerman, Mac Reid, Bill Ryan, Dan Leclerc, citizens and press

The meeting was called to order at 7:00 p.m. by Lees Stuntz, Chairperson.

Warrant #93-101 in the amount of \$20,378.09 and warrant #94-001 in the amount of \$50,130.80 were signed by the Chairperson and circulated to other members of the Committee.

PUBLIC PARTICIPATION: Micki Williams noted that this meeting is being shown on cable TV for the first time. She thanked Don Gilberti for his efforts in making this possible. She encouraged community members to tune in. Lees added that it is nice to have an audience, and the Committee would love to have the public attend the meetings.

OLD BUSINESS: None.

NEW BUSINESS:

It was moved, seconded and unanimously

VOTED: To approve the administration's recommendation that the schools' lunch program bread bid be awarded to Bouyea-Fassetts, Inc.

It was moved, seconded and unanimously

VOTED: To approve the administration's recommendation that the schools' lunch program milk bid be awarded to West Lynn Creamery.

It was moved, seconded and

VOTED: To approve the administration's recommendation to accept \$2,000 from the Conant PTO for aide support for a combined 4/5 class for the 1993-94 school year. This is for one year only without prejudice. The funds must be available before the aide is hired.

The motion was approved by a vote of 5 to 1, Steve Aronson dissenting.

Steve Aronson reiterated his concern on this issue (and the next item on the agenda), i.e., that it creates a precedent for inequality between schools. Jean Butler was glad to see how the extra money was directly and positively affecting the students. Lees complimented Conant on the use of funds for aides at just the right times. The school was provident and creative in the solution to their problem.

It was moved, seconded and

**VOTED:** To accept the sum of \$5,800 from the Douglas School PTO to be used as follows: \$2,000 for a computer specialist, \$800 for a SPED assistant, \$300 for a secretarial assistant, and \$2,700 for classroom assistants in large primary classes. This is for one year only without prejudice. The funds must be available before any personnel is hired.

The motion was approved by a vote of 5-1, Steve Aronson dissenting.

It was moved, seconded and

**VOTED:** To accept the sum of \$1,700 from the Douglas School parent community to be used to pay a teaching assistant. This is for one year only without prejudice. The funds must be available before any personnel is hired.

The motion was approved by a vote of 5-1, Steve Aronson dissenting.

Jean asked Dr. Zimmerman to look with Dr. Kaplowitz, Douglas principal, at the final enrollment figures and place the aides in the most appropriate classes. She also expressed concern about the \$800 earmarked for the SPED assistant; no other school has asked to reinstate a "B Budget" cut position. Dr. Zimmerman responded that we have given no guidelines this year; fundraising guidelines will be established for the future so that the results are fair and equitable to all.

**FOR YOUR INFORMATION:** Dr. Zimmerman referred to three items: 1) the Merriam School Newsletter; 2) the inclusion of the Acton Selectmen's minutes in the packet; and 3) staff appointments for the 1993-94 school year.

**CONCERNS OF THE COMMITTEE:** Lees recognized the appointment of Bunny Lawton to the position of Secretary to the Superintendent and School Committees, effective immediately. Steve Aronson voiced his concern that he was not contacted prior to the decision to give Evelyn Smith a school chair upon her retirement. He said it in no way reflected on Evelyn, but did not agree with the way it was handled. Lees apologized for this oversight.

**WARRANT DISCUSSION:** One question was answered by Bill Ryan regarding annual dues membership in MASC. It was suggested that memberships in various organizations should be discussed again at budget time.

**EXECUTIVE SESSION:** No need for one.

**NEXT MEETING:** Thursday, September 9, 1993, 7:30 p.m., JH Library

The meeting was adjourned at 7:37 p.m.

Respectfully submitted,

Sarah T. Lawton  
Secretary pro tempore

ACTON SCHOOL COMMITTEE  
MINUTES

Library  
Junior High School

September 2, 1993

*Members Present:* Lees Stuntz, Steve Aronson, Pam Harting-Barrat, Jean Butler, Rick Sawyer, Micki Williams

*Also Present:* Isa Zimmerman, Mac Reid, Bill Ryan, Dan Leclerc, Fran Leiboff

The meeting was called to order at 12 midnight by Lees Stuntz, Chairperson.

NEW BUSINESS

It was moved, seconded and unanimously

VOTED: To approve the application for a certification waiver for the 1993-94 school year from the Department of Education for Karen Walker, Staff Leader of the Merriam School. She is taking courses towards certification as a elementary school principal.

NEXT MEETING: September 9, 7:30 p.m., JH Library

The meeting was adjourned at 12:05 a.m.

Respectfully submitted

Sarah T. Lawton,  
Secretary pro tempore