

OFFICIAL PROGRAM - Acton
217th ANNIVERSARY CELEBRATION

File 4/17
14 April 1992
Page 1

PROGRAM

PATRIOTS DAY - 19 & 20 APRIL 1992

Sunday 19 April 1992

7:30 A.M.

Dawn Musket Salute by Minutemen Companies, at Butterick Mansion, Concord.

5:30 P.M. -

Arrival of Dr. Samuel Prescott at the site of Captain Robbins' House, Old Concord Road, Acton (near intersection of Route 2A).

5:40 P.M.

Arrival of John Robbins at the Captain Isaac Davis House.

6:00 P.M.

Arrival of Dr. Prescott at Colonel Faulkner's House.

6:15 P.M.

Arrival of Dr. Prescott and John Robbins at the Captain Simon Hunt House (Liberty Tree House), Liberty Street, South Acton.

Riders are: Amy and Michael Leonardo.

Monday 20 April 1992

6:30 A.M. - 10:00 A.M.

Pancake Festival at the Junior High School Cafeteria, on Mass. Ave., by the Acton Rotary Club. All are invited. \$4.00 donation (Adults), \$3.00 (children), \$3.00 (Sr. Citizens), \$12.00 (Maximum for family).

6:00 A.M.

Memorial Service at the Isaac Davis Homestead, Hayward Road

Invocation

Flag Raising - Campfire Girls, Boy Scouts, Girl Scouts

The Star Spangled Banner

Placement of wreath in honor of Captain Isaac Davis by Acton Minutemen

Flintlock Musket Salute, The Acton Minutemen

Greetings, Mr. Richmond Miller, Jr., Chairman, Public Ceremonies and Celebration Committee.

Introduction of Guests and Remarks

Benediction

6:30 A.M.

Retracing the Line of March of the Acton Minutemen from Acton to Concord. We will be led by the Acton Minutemen and the Davis Blues, of the Acton Minutemen, who will play the original Colonial Air, "The White Cockade".

The Boxborough Minutemen, marching in memory of Luther Blanchard, will join us for the march to Concord in Acton Center.

6:45 A.M. (Approximate Time)

Placement of the wreath on the Isaac Davis Monument, Acton Center.

Flintlock Musket Salute, Acton Minutemen

Continue the Line of March of the Minutemen to the tune of "The White Cockade"

The Line of March is via Main Street, across the Conant land to Strawberry Hill Road, to Barrett's Mill Road, to Barnes Hill Road, to the intersection of Liberty Street, adjacent to the North Bridge area of the Minuteman National Historical Park.

IMPORTANT NOTES

In case of severe inclement weather, the outdoor ceremonies on Monday at the Davis House will be abbreviated, and the March will pass through Acton Center approximately 6:30 A.M.

Concord Program

The Acton Minutemen will place a wreath in the memory of Captain Isaac Davis, Abner Hosmer, and James Hayward at the Minuteman Statue by the Old North Bridge at approximately 9:00 A.M. and the Minutemen will fire a musket volley. The Concord Parade will pass through the Hillside Areas of the National Park at approximately 9:30 to 10:00 A.M.

Scrolls

The Acton Historical Society will have scroll cards available along the Line of March. Walking citizens may return the cards to Acton and receive a copy of the D.A.R. Scroll for a donation of \$.25 at the Hosmer House from 12:00 - 4:00 P.M.

ALSO:

The Boy Scouts at the Isaac Davis Camporee on Wetherbee Street will walk to Concord on Sunday, 26 April , leaving the Davis House about 7:00 A.M.

Bus Transportation

Available ONLY at the Monument Street Parking lot at the North Bridge area of the Park, after the parade passes through (approximately 10:00 A.M.). Buses will run until all are picked up.

Please observe the instruction of the Committee and the Police Officers while boarding buses Buses will return citizens to the Junior High, Senior High or Acton Center.

PLEASE REMEMBER TO BRING YOUR MONEY FOR BUS

ACTON OPEN HOUSE

Monday 20 April 1992

12:00 - 4:00 P.M.

Hosmer House, Main Street (opposite the Post Office) is being restored by the Acton Historical Society as a museum of Acton history.

2

1:00 - 5:00 P.M.

Faulkner House - This house, built in 1707, is the oldest house in Acton, and is now owned and opened to the public by the Iron Work Farm in Acton, Inc., located on High Street, just off Main Street (south of the railroad bridge in South Acton); it was the home of Acton's distinguished Revolutionary figure, Colonel Francis Faulkner. His militia company mustered here before marching to the Concord Fight on 19 April 1775. Revolutionary relics and early Acton furnishings are on exhibit.

Questions?

Please contact Richmond P. Miller, Jr.
Acton Public Ceremonies Committee,
Acton (home) 508-263-5995 or
Sudbury (office) 508-440-2396

cc: BOS

Acton MA
April 10, 1992

APR 15 1992

Dear members of the Board of Selectmen

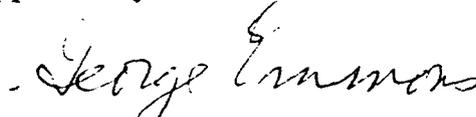
I hereby resign from the Board of Health. I have enjoyed my five years on the Board because they have given me a sense of accomplishment and provided a variety of interesting challenges. I have been fortunate to serve with a number of dedicated, talented people, and I especially enjoyed working with all of the members of a year or so ago, and with Doug Halley, who is certainly one of the Town's best employees.

Due to a hectic travel schedule at work, I have not attended Board meetings with any regularity since the first of the year, for which I apologize to the Board and the Town, and consequently, I do not want to receive any volunteer's stipend for 1992.

In leaving, I want to observe that the Board of Health needs a strong technical/ engineering component. And I think that this could be further strengthened by appointing to the Board Ira Grossman, who is now serving as an Associate. In the limited experience that I have had to observe him I have been impressed by his thoughtful application of his technical knowledge.

Finally, I want to thank the Board of Selectmen for appointing me and for thoughtfully considering suggestions that I have offered over the years since I was appointed. I especially want to thank Dore Hunter - who suggested that I apply for the Board of Health.

Thank you again for the opportunity to serve.



George H. Emmons



PLANNING BOARD • Town of Acton

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

April 15, 1992

Mr. Kevin Sweeney
Lunn and Sweeney Corporation
One Hotel Place
P.O. Box 280
Pepperell, MA 01463

Dear Mr. Sweeney,

The Board received your letter of April 13th concerning the proposed PCRC at Great Hill. At our regularly scheduled meeting of April 12th, the Board was asked to hear comments about the proposal and was presented with a petition of 250 signatures as well as several individual letters expressing concern about the future of this parcel of land.

Quite frankly, the Board was impressed with the number (over 35) of townspeople, which included a number of prominent long time residents, that came to the meeting and it presented an opportunity for the Board to gather opinions, not solely concerning your proposal, but about the spirit of how the PCRC bylaw is applied to all projects submitted under its guidelines. We thought it would be useful to communicate these ideas to you early in the engineering process, potentially saving the costs of changes and revisions later.

Naturally, there were some at the meeting that supported the "New View" position, but there were others that kept their comments general in nature concerning the intent of the PCRC bylaw. Throughout these comments and in the letters and the petition, the theme was concern for a development that will blend with the surrounding village. They expressed a desire for a development that will withstand the "test of time", to become an additional asset to South Acton Village rather than "just another suburban development".

The Board shares these concerns. As you know, one purpose of the PCRC bylaw is to, "encourage the maintenance of Acton's New England town character..", "while encouraging a greater mixture of housing types..". The Board wishes to take a responsible role in a cooperative planning process to ensure the final result meets these criteria.

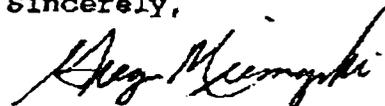
With this in mind, the Board urges you to consider the counsel given to you by our Town Planner regarding design and layouts of individual homes should you choose to pursue the PCRC concept with 25 single family homes.

It is our understanding that be presented to you a number of design considerations such as, short setbacks of houses to the street, open front porches, placement of garages to the rear and gables along with entrances facing the street which would foster the compatibility of this neighborhood with the existing village. These suggestions along with the photographs taken of various homes in South Acton provide you with the appearance and layouts that predominate this area but please note that no one expects replicas or recreations of these homes.

In closing, the Board wishes to make it clear that we have not singled out your proposal, in fact we have raised similar concerns about New View's conceptual plan. But, as yours is only the second conceptual plan presented to us since the PCRC bylaw was amended by Town Meeting (taking away the review of the town and rezoning requirements) the Board must carefully evaluate each application with regard to the special permit process and Section 10.3.5 of the zoning bylaws.

We hope that our suggestions will be helpful to you in preparing a successful development proposal and will be reflected in any preliminary plan you might submit for review.

Sincerely,



Greg Niemyski, Chairman
Acton Planning Board

Acton Planning Board
Town Planner
Board of Selectmen

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

Don P. Johnson
Town Manager

April 15, 1992

Laurinda T. Bedingfield, District Highway Engineer
Massachusetts Highway Department
519 Appleton Street
Arlington, MA 02174

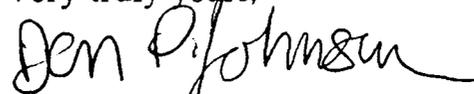
re: South Acton Railroad Bridges
A-2-4 & A-2-5

Dear Ms. Bedingfield:

I am sure that you are aware of the extent of the Selectmen's concern for the condition of the South Acton railroad bridges and the progress being made for their replacement. At a recent meeting the Board of Selectmen indicated a desire for regular updates on both the condition of the existing bridges, plus the current status of the replacement bridge design project. Any information you have in this regard would be appreciated.

The Town is very anxious that this project proceed in a timely manner. At this point, the Town would be pleased to extend whatever assistance is needed to resolve any lingering design issues and move the project closer to construction.

Very truly yours,



Don P. Johnson
Town Manager

DPJ/dmj
cc: Selectmen
D. Abbt, Engineering Administrator

cc: BOS

~~Disc: Please contact~~
~~reg. as~~
~~of bridge project~~

TOWN OF ACTON

INTER-DEPARTMENTAL COMMUNICATION

TO: John Murray, Assistant Town Manager
DATE: 4/15/92
FROM: David F. Abbt, Engineering Administrator *D. Abbt*
SUBJECT: Route 2 Bridges

I spoke with Mike O'Dowd, the resident bridge engineer on the Route 2 project, today and he says the "big push" is on to finish up Hayward Road in about 6 weeks. After that, the Arlington Street bridge will be started and a pedestrian crossing will be kept open during construction.

Enclosed is the letter of 12/28/89 outlining the Town's agreement with the MDPW concerning these bridges and the Selectmen's acceptance. The MDPW has shown every intention to comply with these conditions.

If you have any further questions, please call.



The Commonwealth of Massachusetts
Department of Public Works

DISTRICT #4 OFFICE
519 APPLETON STREET, ARLINGTON 02174
TELEPHONE No. 648-6100

December 28, 1989

JUN - 4 1990

Acton - Route 2 Traffic
Management for Acton Bridges.

Don P. Johnson, Town Manager
Town of Acton
Town Hall
Acton, MA. 01720

Dear Sir:

This letter is a follow-up to the meeting held in Acton on December 12, 1989 regarding the subject project in conjunction with deck replacements of three bridges and their required respective traffic detours.

It is understood that the Board of Selectmen at their meeting of December 19, 1989 endorsed the following construction and detour plans for each of the respective bridges.

Bridge A-2-29, Massachusetts Avenue over Route 2

The plans call for the re-decking of this bridge in two phases, one half at a time. The bridge is currently two lanes wide and carries one way traffic. One lane of traffic will be maintained throughout the bridge reconstruction project.

The other detour of concern in this area had to do with work on the main project on Route 2 and the detour of traffic through Kelley's Corner. This detour would only be for a maximum of five (5) nights with the detour in affect from 10:00 PM to 6:00 AM.

Bridge A-2-36, Hayward Street over Route 2

With regards to detour plans for the re-decking of this bridge, we concur with the Town and will recommend to the FHWA that one half of this bridge remain open at all times with two way traffic controlled by traffic control signals.

Bridge A-2-35, Arlington Street over Route 2

This bridge will be closed during reconstruction and the Traffic Management Plans as shown on the construction drawings will be in effect. The existing sidewalk will be replaced under the bridge reconstruction project and pedestrian flows will be accommodated during reconstruction.

The work on all bridges will be done in sequential sequence in order that only one bridge at a time will be fully or partially closed.

If the Town concurs with the above detour plans, please advise this office in order that the Department can direct the consultant to make the required changes and that we can receive the required approvals from FHWA.

Sincerely yours,


Peter J. Donohue
District Highway Engineer

ADL/tvd.
cc: RHJ
MT
DH



DON P. JOHNSON
TOWN MANAGER

TOWN OF ACTON
TOWN HALL
472 MAIN STREET
ACTON, MASSACHUSETTS 01720
TELEPHONE (508) 264-9612

BOARD OF SELECTMEN
NANCY E. TAVERNIER, CHAIRMAN
F. DORE HUNTER, VICE-CHAIRMAN
DONALD R. GILBERTI, CLERK
WILLIAM F. WEEKS
NORMAN D. LAKE

January 5, 1990

Mr. Peter Donohue
District Highway Engineer
519 Appleton Street
Arlington, MA 02174

J.A.

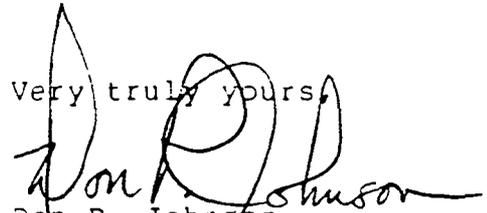
Acton- Route 2 Traffic Management for Acton Bridges

Dear Mr. Donohue:

I am in receipt of your letter of December 28, 1989 in the subject regard. Please be advised that the Board of Selectmen concur with the management plan as you have described it.

On behalf of the Board and myself I wish to express our appreciation for the cooperation of the Massachusetts Department of Public Works in this matter.

Very truly yours,


Don P. Johnson
Town Manager

cc: Board of Selectmen
David Abbt



Commonwealth of Massachusetts
Executive Office of Environmental Affairs

**Department of
Environmental Protection**
Central Regional Office

CC: BOS

William F. Weld
Governor

Daniel S. Greenbaum
Commissioner

David Kronenberg
Assistant Vice President
Polyfibron Division
W. R. Grace & Co. - Conn.
55 Hayden Avenue
Lexington, MA 02173

April 9, 1992

RE: W.R. Grace, Acton
Site No. 2-0010
Blowdown Pit
Preconstruction
Investigation of Hot
Zone.

Dear Mr. Kronenberg:

The Department of Environmental Protection (the Department) has reviewed the above referenced predraft document submitted by CDM on behalf of W.R. Grace & Co. The Government Parties are sending predraft comments independently of each other to better enable Grace to submit a final document in a timely manner. Where comments are duplicated or overlap please incorporate responses accordingly. Final approval/disapproval will be issued in a dual signature letter by the Government Parties.

- Page 1; 2.1
- Submit calculations for sludge volume estimates.
 - When were tanks removed?
 - Regrading of the Blowdown Pit was done without approval of the Government Parties. It is not clear how much fill was added or if existing material was moved from one location to another. A boundary delineation of the Blowdown Pit will be required prior to delineation of the Hot Zone. All materials used in the regrading will be considered "hazardous materials" and will be treated (solidified or incinerated) along with the sludges and two (2) feet of underlying soils as specified in the ROD and RPA.
- Page 3; 2.2
- Composite sampling of the Blowdown Pit is not conclusive in fully characterizing the contamination present.

April 9, 1992

- Page 3; 2.2 • The last statement states "The evidence indicates100 ppm of VDC." is not supported by the current data. Due to significant data gaps no conclusion can be reached at this time until confirmatory sampling is performed.
- Page 9; 2.3 • How was the volume of ninety pounds (90) of VDC calculated and how was the remaining site volume calculated?
- Page 10; 3.1 • "The previous investigation....BDP-2 and BDP-3." The statement is based on limited data and should be qualified as such. BD-1 was drilled 11/16/81 and BD-3 was drilled 5/20/85. Split spoon sampling was not continuous, advances of the split spoon were 12-24 inches without justification as to why.
- The Department is also concerned that due to regrading of the site previous boring locations may not be accurately determined due to the limited references identified in siting the proposed borings.
- Supplementing the previous borings does not appear feasible due to the incomplete data sets used to characterize sludges present in the Blowdown Pit. A new grid and borings should be utilized for the characterization of sludges in the Blowdown Pit and Hot Zone.
- Page 10; 3.2 • A soil boring should be placed directly under the former above ground tank.
- Page 13; 3.3 • Were initial boring locations surveyed in?
- Split spoon samples should be taken until the 100 ppm VOC limit has been determined to enable accurate volume calculation of sludges to be incinerated.
- Page 15; 3.4 • Please explain further why a field G.C. is not being considered for head space analysis. Although head space readings may require diluting, preliminary screening might be considered prior to additional field G.C. confirmation as determined necessary.

W.R.Grace
Blowdown Pit Preconstruction
Page 3

April 9, 1992

Please call Michael LeBlanc or Charles Tuttle of the Department if you should have any question or comments regarding the above mentioned report, telephone (508)792-7653 or (617)292-5903 respectively.

Sincerely

Edmond G. Benoit
Regional Engineer
Bureau of Waste Site Cleanup

cc: Richard C. Boynton, U.S. EPA, Region 1
Steve Anderson, Esq., Anderson & Kreiger
Don P. Johnson, Acton Town Manager
Robert Eisengrein, TAG Project Manager
William J. Cheesman, Esq., Foley, Hoag, & Eliot
Bruce Conklin, CDM
Public Repository, Acton Library



Commonwealth of Massachusetts
Executive Office of Environmental Affairs

**Department of
Environmental Protection**
Central Regional Office

William F. Weld
Governor

Daniel S. Greenbaum
Commissioner

cc: BOS

David Kronenberg
Assistant Vice President
Polyfibron Division
W. R. Grace & Co. - Conn.
55 Hayden Avenue
Lexington, MA 02173

April 9, 1992

RE: W.R. Grace, Acton
Site No. 2-0010
Soil Gas Investigation
at the Landfill Pre-
Draft Report.

Dear Mr. Kronenberg:

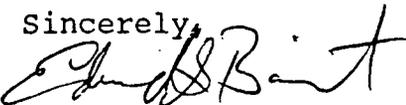
The Department of Environmental Protection (the Department) has reviewed the above referenced predraft document submitted by CDM on behalf of W.R. Grace & Co. The Government Parties are sending predraft comments independently of each other to better enable Grace to submit a final document in a timely manner. Where comments are duplicated or overlap please incorporate responses accordingly. Final approval/disapproval will be issued in a dual signature letter by the Government Parties.

- Page 3; 1.2 • What is the source of the back filled sands which are reported to be mixed in with the wastes?
- Page 4; 1.3 • Vents placed in the existing Landfill material will NOT be vented to the atmosphere as stated. Section 3.e. of the R.O.D. states "To attain Massachusetts ARARs found in Massachusetts Regulation 310 CMR 19.00 (Solid Waste Regulations) and in 310 CMR 7.00 (Air Quality Control Regulation), emissions from the Industrial Landfill vents will be controlled utilizing best available control technology (BACT)."
- The intent of the soil gas survey is to identify landfill vent locations. The appropriate emission control technology for the landfill vent emissions shall be determined in the design of the Industrial Landfill as specified in the RPA, section E,11,a-d inclusive.

April 9, 1992

- Page 10; 3.2 • How was the three minute evacuation time for the soil gas probes determined?
- Page 8; 3.1 • It is stated that "...reconstruction of the sampling grids will be possible by using the well reference points." Will the grid be left in place and this statement is included for a contingency, or is the grid to be removed after the survey?
- Page 8; 3.2 • Is the soil gas probe methodology proposed an approved methodology?
- Please include the qualifications of the chemist operating the field G.C.
- Page 12; 4.0 • What is the criteria for determining which soil gas samples will be held for laboratory analysis?

Please call Michael LeBlanc or Charles Tuttle of the Department if you should have any question or comments regarding the above mentioned report, telephone (508)792-7653 or (617)292-5903 respectively.

Sincerely,

Edmond G. Benoit
Regional Engineer
Bureau of Waste Site Cleanup

cc: Richard C. Boynton, U.S. EPA, Region 1
Steve Anderson, Esq., Anderson & Kreiger
Don P. Johnson, Acton Town Manager
Robert Eisengrein, TAG Project Manager
William J. Cheesman, Esq., Foley, Hoag, & Eliot
Bruce Conklin, CDM
Public Repository, Acton Library

cc: BOS



Commonwealth of Massachusetts
Executive Office of Environmental Affairs

**Department of
Environmental Protection**
Central Regional Office

William F. Weld
Governor

Daniel S. Greenbaum
Commissioner

APR 15 1992

April 8, 1992

Mobil Oil Corporation
Westford Technology Park
1 Technology Park Drive
Westford, MA 01886

RE: CRWSC - Site # 2-0253
Mobil Station
44 Great Road
East Acton, MA

Attention: Frank Maglio

Short Term Measure
M.G.L. Chapter 21E
310 CMR 40.000

Dear Mr. Maglio:

The Department of Environmental Protection, Bureau of Waste Site Cleanup (the "Department"), received a letter dated April 2, 1992 requesting an extension of 30 days for system start-up of the Short Term Measure (STM). The STM is being performed pursuant to the Massachusetts Contingency Plan (MCP), Section 40.542. The request for the extension to May 22, 1992 is hereby granted by the Department.

If you have any questions or need further assistance regarding this correspondence, please contact Radesha Thuraisingham of my staff at (508) 792-7653.

Very truly yours,


Daniel J. Hannon
Section Chief
Waste Site Cleanup

DH/RT/rt
Mobil-STM

cc: Acton Board of Health
Acton Board of Selectmen
Data Entry, CRO, DEP
Division of Response and Remediation, Boston
Rebecca Cutting - OGC, Boston
Mailing list



Urban
Beverly
Lynn
Lynn
Hudson



Littleton
Marblehead
Mansfield
New
Bedford

Minuteman Advisory Group on Interlocal Coordination

c/o MAPC 60 Temple Place, Boston, Massachusetts 02111 (617)-451-2770

MINUTEMAN ADVISORY GROUP
ON INTERLOCAL COORDINATION

April 10, 1992

cc: BOS 1st page J
Send to Rolene
APR 14 1992

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

Dear Mr. Lake:

MAGIC is pleased to announce the initiation of its new "DRI" process - the process for subregional review of developments of regional impact. We are pleased that you have agreed to participate, and we appreciate your support and input. Our original procedures have been revised somewhat to reflect the thoughtful suggestions of all participating communities, and, thanks to your help, we are ready to begin.

We are enclosing a packet of materials to help you get started. The packet includes a description of DRI procedures and several copies of the Notification Form. Please forward these to the appropriate official in your town and return to us the form below to let us know who your local contact person is.

We appreciate your assistance in this important matter and look forward to a productive and cooperative planning effort. If you have any questions, please call Judith Alland, MAGIC Coordinator, at MAPC [(617) 451-2770].

Sincerely,

Harold S. Sauer
Harold S. Sauer (JA)
MAGIC Chair

Donna Jacobs
Donna Jacobs (JA)
DRI Chair

cc: Acton Planning Board
Donald Gilberti, MAPC Rep.

Tear off and return

TOWN: _____
LOCAL CONTACT PERSON: _____
TITLE: _____ PHONE: _____

SIGNATURE: _____
(Chairman)

Please return to Judith Alland, MAPC, 60 Temple Place, Boston, MA 02111



The Commonwealth of Massachusetts

Department of Public Utilities

Leverett Saltonstall Building, Government Center

100 Cambridge Street, Boston 02202

APR 13 1992

ROBERT C. YARDLEY, JR.
CHAIRMAN

727-3500

April 8, 1992

Martha M. Walz, Esq.
Palmer & Dodge
One Beacon Street
Boston, Massachusetts 02108

Dear Ms. Walz;

Included in the discussion last Monday in Representative Paul Caron's office, when I met with you, Representative Pamela Resor, and Ms. Tavernia and Mr. Rhodes from Acton, was a request to review and comment on House Bill No. 3428. House No. 3428, filed by Representative Resor, proposes to exempt from whistling by locomotives all highway-rail grade crossings equipped with certain, enumerated warning devices.

First, let me clear up the misconception in House No. 3428. Lines 4, 5, and 6 imply that G.L. c. 160, § 139 gives the Department of Public Utilities (Department) the authority to require that whistles sound at crossings. Based on that misconception, House No. 3428 would restrain the Department from promulgating a regulation or issuing an Order requiring that whistles sound at crossings equipped with the enumerated devices. This is not correct.

Section 139 only allows the Department to react to an existing condition. Specifically § 139 provides that the Department, "upon petition...and a public hearing (such as was afforded the Town of Acton in D.P.U. 89-160)...may, for good cause shown,... by written order forbid...the sounding of whistles...at any specified grade crossing...with [a] public way".

The requirement that whistles sound at highway-rail grade crossings is not a Department requirement. The sounding of whistles is a continuing statutory obligation on the railroads.

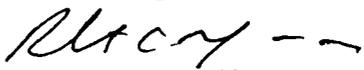
The directive to sound is given to locomotive engineers as Rule 14L of the Association of American Railroads' Operating Rules. The Federal Railroad Administration's (FRA) safety regulations, promulgated under the Federal Railroad Safety Act of 1970, require that locomotives be equipped with whistles that can produce a minimum sound level, and further provides that the sound level is specifically exempt under the FRA's noise emission standards.

Lines 7 through 16 of House No. 3428 list the warning devices currently in place at all updated highway-rail grade crossings in Massachusetts. It is the understanding of the Department that these devices are considered "state of the art", and the Department knows of no warning devices or signals in addition to those listed that might mitigate against the dangers that exist at highway-rail grade crossings.

Finally, House No. 3428 makes no provision for an examination of those site specific conditions which make each highway-rail grade crossing unique. It is the practice of the Department to investigate the specific conditions at each crossing and to explain the conclusions it reaches because of those conditions in its Orders. House No. 3428 makes no provision for evaluating these conditions which the Department believes, based on its experience, affect safety at highway-rail grade crossings. In our view, this is a fundamental flaw that needs to be addressed.

I hope these comments on House No. 3428 are helpful to you.

Yours truly,


Robert C. Yardley, Jr.
Chairman

c.c. Representative Paul Caron
Representative Pamela Resor
Ms. Nancy Tavernia, Board of Selectmen, Town of Acton
Gary Rhodes, Building Commissioner, Town of Acton



The Commonwealth of Massachusetts
Executive Office of Transportation and Construction
Department of Public Works
Office of the Commissioner
Ten Park Plaza, Boston, MA 02116-3973

APR 13 1992

WILLIAM F. WELD
GOVERNOR

ARGEO PAUL CELLUCCI
LIEUTENANT GOVERNOR

RICHARD L. TAYLOR
SECRETARY

JAMES J. KERASIOTES
COMMISSIONER

(617) 973-7800

April 9, 1992

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

Dear Mr. Lake:

This is in response to the March 23, 1992 letter from the Chairs of the Acton, Concord, and Lincoln Boards of Selectmen regarding the formation of a Route 2 Corridor Advisory Committee (CAC). The MHD supports the formation of a CAC for this corridor to foster communication between the concerned parties. Laurinda Bedingfield, District Highway Engineer for our District 4 office, will be responsible for forming and chairing the CAC. Please contact her at (617) 648-6100 with any questions you may have about this proposed CAC.

Sincerely,

James J. Kerasiotes
Commissioner

- cc: P. Moynihan, Deputy Commissioner
- L. Bedingfield, DHE, District 4
- T. McLoughlin, Director, DHCP
- B. Steffens, Director, BTP&D
- H. Sauer, Chairman, MAGIC

cc: BOS



SCOTT HARSHBARGER
ATTORNEY GENERAL

(617) 727-2200

The Commonwealth of Massachusetts
Office of the Attorney General
One Ashburton Place,
Boston, MA 02108-1698

April 8, 1992

Dear Local Official:

I would like to personally invite you to participate in this year's Municipal Forum. The program, co-sponsored by the Massachusetts Municipal Association and the Association of City Solicitors and Town Counsel, will be held on Tuesday, April 21, 1992, from 7:30 a.m. to 1:00 p.m. at the Best Western Royal Plaza Hotel in Marlborough.

The Forum will feature presentations by the new Inspector General, Robert Cerasoli, and Andrew Crane, Executive Director of the State Ethics Commission. Assistant Attorneys General will give presentations on the Americans with Disabilities Act, Local Legislation and the Open Meeting Law; and David Baier, Massachusetts Municipal Association, will discuss Funding for Local Services.

These programs have proven to be extremely valuable since they afford an opportunity to be briefed by experts on subjects of importance to municipal officials. They also provide an opportunity to meet and exchange ideas with your counterparts from all over the state.

I am extremely excited about this year's agenda and encourage you to take advantage of this opportunity. I look forward to seeing you on April 21.

Sincerely,

A handwritten signature in black ink, appearing to be "Scott Harshbarger".

Scott Harshbarger

Enclosures

Scott Harshbarger Attorney General

In Cooperation With
Massachusetts Municipal Association
Association of City Solicitors
Town Counsel
Cordially Invite You To Attend A

MUNICIPAL FORUM

DATE: Tuesday, April 21, 1992

TIME: 7:30 a.m. - 1:00 p.m.

LOCATION: Best Western Royal Plaza Hotel
Marlborough, MA

PRICE: \$30.00 per person
(Includes full breakfast &
reference materials)

PRESENTATIONS:

- Inspector General's Priorities & Perspectives
- Americans with Disabilities Act
- Open Meeting Law
- Local Legislation
- Funding Local Services
- Conflict of Interest & Public Corruption

REGISTRATION:

Please register by completing the attached registration form. If you have questions, call Nicole Payne at the Office of the Attorney General at (617) 727-2200.

MUNICIPAL FORUM

REGISTRATION FORM

Please register ____ person(s) for the **MUNICIPAL FORUM** on Tuesday, April 21, 1992 at the Best Western Royal Plaza Hotel in Marlborough.

Enclosed is my check for \$_____ at \$30.00 per person. Make checks payable to: **Commonwealth of Massachusetts.**

NAME: _____

NAME: _____

TITLE: _____

TITLE: _____

AFFILIATION: _____

AFFILIATION: _____

TELEPHONE: () _____

PLEASE SUPPLY ABOVE INFORMATION FOR EACH REGISTRANT

Please complete form and mail to:

Nicole Payne
Office of the Attorney General
One Ashburton Place
Boston, MA 02108
(617) 727-2200

Selectmen

cc: BOS

RECEIVED & FILED

DATE *April 9, 1992*

Barbara Brown
TOWN CLERK, ACTON

WEST ACTON VILLAGE PLANNING COMMITTEE

Minutes of Meeting

March 18, 1992

West Acton Village Planning Committee (WAVPC) members-- Chairman William (Trey) Shupart, Dennis Ahern, Howard Canning, Rosalie DeQuattro, Denise Glaser, Ron Issacs, Anne Jackson, and Marvin Norman--were all in attendance as well as Assistant Planner Donna Jacobs.

I. Approval of Minutes

The minutes of the March 4, 1992, Committee meeting were approved by unanimous vote.

II. WAV Master Plan Contents (Subjects)

The eleven subjects comprising the contents of Acton's Master Plan, listed by Donna Jacobs, were reviewed.

- a. Marvin Norman expressed concern for the parking of Dee school buses behind Sal's Garage on Central Street. As such, it was decided to include "Pollution Potential" as a subhead under the subject: "Growth-Related Factors."
- b. In this connection, the boundary defining the Village area that was drafted at the March 4th meeting was expanded to include the wetlands behind the Dee parking area.
- c. Donna, who has been listing particulars for each parcel comprising the Village, found that 180 parcels lie within the designated area, 5-10% of which are vacant. She also noted that zoning activity for the Village has been "stable."
- d. Trey informed the Committee that at the next meeting the members will be asked to research and describe one or two subjects for the draft plan. He volunteered to handle those subjects that are not selected by other Committee members.

The Contents for the WAV Master Plan, as amended, were accepted unanimously.

III. Establish Timeline

The timeline prepared by Trey as a guide for Committee work to achieve presentation of the plan at the fall 1993 Town Meeting must be adhered to if the desired deadline is to be met, according to Donna. The Committee agreed to pursue the schedule, but take whatever time was necessary to achieve a good, effective, and workable plan.

IV. Develop Survey Forms

A review of sample survey forms established the use of the following forms and contact methods:

<u>Form</u>	<u>Method of Contact</u>
a. Business	In-person with manager. Leave form, if necessary, and pick up later
b. Property Owners	Mail
c. Tenants/Occupants	Mail
d. Intercept	On-the-street interview

Questions to be added to the business form were:

- a. How much time does the average customer spend in your shop?
- b. What is your estimate of "foot" vs. "vehicular" traffic to your shop?
- c. What is the percentage of "repeat" customers to your shop?
- d. In your opinion, what is/are the most important problem(s) facing West Acton Village?
- e. What zoning factors (e.g., no parking on Massachusetts Ave., Windsor Ave., and Central St.) would impact your business favorably or unfavorably?

Trey volunteered to draft copies of survey forms to be sent to property owners and tenants as well as a one-page intercept survey.

V. Trey will work with Donna to prepare a "kickoff" publicity story announcing to townspeople the existence of the Committee and its objectives.

VI. Second Airport Update

Donna learned from a staff member from the State Executive Office on Communities and Development^{ment} that the military will use all but the North Fort at Fort Devens, and that a final decision on the use of the site as a possible second airport will not be known until about one year hence.

The meeting was adjourned at 9:25 p.m.

MINUTES FORM

Please send a copy after each meeting to Town Hall

MINUTES OF ___ Meeting of Cemetery Commissioners _____

Meeting posted: yes, noDate: February 11, 1992 Time: 7:30p.m. Place: Cemetery Office, Woodlawn CemeteryMembers present: W. Mowry, C. Putnam, E. Bailey, W. George
also present: S. Kennedy, D. Charter, N. Howell

-
1. Minutes of January 14, 1992 meeting were unanimously accepted as presented.
 2. At yesterday's budget meeting with J. Murray, D. Charter & S. Kennedy
J. Murray questioned the \$2,600.00 cut in fund appropriation for cemetery salaries. S. Kennedy explained the reasons for this cut and that this \$2,600.00 along with an additional \$1,800.00 will be applied towards the cemetery's half of the lease purchase price of a new dump truck to replace truck 16.

D. Charter feels that there is a good chance for the truck to pass this year. He agrees that truck 16 needs to be replaced.

Trust fund money applied toward salaries is being used only for actual work done outside, on the lots or cemetery grounds.

Can some of S. Kennedy's and N. Howell's salary come out of funds? As a result of the commotion that came about at the last audit, the Commissioners are not eager to apply any money towards administrative or clerical expenses for the lots.

In order to spend more of the annual interest earned by the trust funds, we would have to go through Probate Court. Is this really the appropriate time to do this?

Wetherbee fund - has grown from the original \$10,000.00 to over \$52,000.00 in accrued interest. S. K. to write letter to Board of Selectmen, to be signed by the Commissioners re: more liberalized use of annual income earned after all obligations to the lots mentioned have been met.
 3. The insurance adjuster from AMICA looked at the gate at Mt. Hope yesterday. His estimate for repair is \$1,310.00.
 4. Our crew and Dean's will be burning brush at Mt. Hope tomorrow.
 5. Next area to be developed at Woodlawn is the section between the circle in front of the office and the field, known as section 14.
The Commissioners had the lot plan drawn up for this section a few years ago, because it is the least expensive area to develop next.
D. Charter suggests putting the whole area out to bid to be clear cut.
If Engineering can't lay out the area, Dean suggests we try Stamsky or Dunphy, who has a CAD-CAM system.
 6. Wejman Lot - we have added a three-grave annex to this lot. Mr. Wejman understands that a water pipe separates one grave space from the rest of the lot.
 7. Budget - Salaries portion of the budget hasn't come from the Town Hall yet.
 8. We will have Don Ward in to look over the next areas to be developed
 9. Next meeting: March 10, 1992 Meeting adjourned at 9:00 p.m.

cc: BOS

RECEIVED & FILED

DATE April 10, 1992

Barbara Brown
TOWN CLERK, ACTON

Town of Acton

Planning Department

472 Main Street Acton, Massachusetts 01720

(508) 264-9636

South Acton Village Planning Committee

Minutes for Meeting of:

March 25, 1992

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

Also present: Roland Bartl (Town Planner), Mark House (Student Intern).

Minutes of 3/11/1992 meeting were approved.

Residence Survey: The survey was discussed and some final changes were made to the draft, including a reference to historic character/resources/ district. The font size should be increased in the final survey form. There will be a press release announcing the survey and public meetings.

There will be a pre-survey announcement mailed to all survey recipients in an effort to increase return rate. Residents within the previously established planning area will receive a survey form, if possible surveys will also be sent to residents in the Stow/Liberty/Robbins Streets area and further south along Main Street. The total number of surveys mailed will not exceed ± 200 . If return is low the committee will arrange for follow up by telephone or otherwise.

Business Survey: The survey was reviewed and some final changes were made, including questions on what attracted to South Acton initially, whether the condition that attracted the business has improved or deteriorated, and related questions. The font size should also be larger. The business survey will be hand delivered and preferably conducted in form of a person to person interview using the form as a guide. The committee members will split the responsibility to contact businesses, a list of businesses will be developed by staff for the next meeting.

Public Meetings: It was agreed to have one "kick-off" meeting in May or early June to solicit community input. The committee would prefer the South Acton Congregational Church as a public meeting place, provided that there is room to split a larger meeting crowd into smaller working groups. Roland will make contact with church. Target dates are 5/27/92 or 6/10/92.

Once input has been received from community through the meeting and survey and the committee has developed preliminary plans and recommendations, it will be appropriate to meet again with citizens. A smaller meeting format, possibly several meetings in various people's homes, would be ideal. This will likely happen in the Fall of 1992.

Other: David Hill announced that he spoke with Duncan Wood, an engineer and hydrogeologist with Goldberg, Zoino & Ass., Inc.. He is a resident of Acton who had been involved in the past with the South Acton sewer issue. He would be willing to help fill the committee in on some history. The committee welcomed this

cc: BOS



ENGINEERING DEPARTMENT
472 MAIN STREET
ACTON, MA 01720

April 14, 1992

Mr. Ralph Barberio, Expediting
Massachusetts Highway Dept.
10 Park Plaza
Boston, MA 02116

re: Safety Improvement Project
Massachusetts Avenue/Central Street
Project HES-5292(001)
Acton, MA

Dear Mr. Barberio:

Enclosed are the four signed, attested and certified traffic control agreements for the Massachusetts Avenue/Central Street project. I understand that you will now have the commissioners sign these documents and one will be returned to the Town for our files. Please send this document to my attention.

If you have any questions, please call me at 508-264-9628.

Very truly yours,

David F. Abbt, P.L.S.
Engineering Administrator

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



ENGINEERING DEPARTMENT

472 MAIN STREET
ACTON, MA 01720

April 14, 1992

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

re: Castelline Land

Dear Norm:

The enclosed deed is for yet more low value swamp land being donated to the Town. Also enclosed is a copy of the deed reference and some correspondence showing the name of the Castelline's attorney, if you choose to contact him directly.

I have verified the description of the land so you will only need to review the deed for proper legal form.

If you have any questions, please call me at 508-264-9628.

Very truly yours,

David F. Abbt, P.L.S.
Engineering Administrator

DFA/dmj

cc: Don P. Johson, Town Manager ✓
D. Charter, Municipal Properties Director

cc: BOS



Minuteman Advisory Group on Interlocal Coordination

60 Temple Place, Boston, MA 02111 617 / 451-2770

**MINUTEMAN ADVISORY GROUP
ON INTERLOCAL COORDINATION**
A Subregion of Metropolitan Area Planning Council

MEETING NOTICE

**April 23, 1992
7:30 p.m.**

APR 14 1992

[NOTE: This is the fourth Thursday in April.]

Maynard Town Hall
Main Street
Maynard

Updates and Briefings

DRI Status
Rt. 2 CAC
Land Bank
Other

Election of Officers

Brief Preview of FY 1993

Issues Survey
Date for May meeting (May 21 OK?)

Ft. Devens: Planning for Forum

Discussion of agenda, possible speakers, and arrangements for forum on Ft. Devens reuse, including but not limited to the proposed airport.

MetroPlan 2000: Update Presentation by David Soule

Update on MetroPlan 2000, including Housing, Land Resources, and Transportation Elements. This will be an opportunity to revisit and clarify the CDC issues and questions raised at the March meeting.

WHO SHOULD ATTEND?

Do you know the what, when, how and where of 1990 census product availability?

you need to anticipate how changes in student enrollments will match existing classroom space?

Are you interested in how a health maintenance organization plans for new facilities and service demands?

Do you need to schedule local pavement improvements with the location and opening of new commercial and residential developments?

Do you wonder how political figures take the public pulse to help shape policy?

1990 census data illustrate who we are, how and where we live, how we are housed and what demographic changes have recently taken place. This conference will provide the novice as well as the seasoned user with helpful information and advice on applications for 1990 census data. You will learn what information is available, when, in what format and how to gain access to it. You will receive a generous supply of free census publications.

Census data can also be joined with survey or other data to increase its richness or timeliness. The afternoon workshops will highlight the creative application of data in program design and implementation in the areas of health care, transportation, affordable housing, education and political strategizing.

CONFERENCE AGENDA

Morning Sessions

8:30 - 9:00 AM Registration
9:00 - 9:15 AM Opening Remarks
9:15 - 10:45 AM Census Geography: Data Products Overview and Availability
10:45 - 11:00 AM Coffee Break
11:00 - 11:45 AM Information Access: State Data Network, MISER, Metropolitan Data Center, MAPC
12:00 - 1:00 PM Buffet Luncheon

Afternoon Sessions

1:15 PM - 2:15 PM Developing Census Profiles using CD-ROM Technology
2:15 PM - 3:15 PM Concurrent Applications Workshops

First Workshop: Health Care.

"Estimating the Future Demand for Health Care Services with Census and Health Data," Harvard Community Health Plan, Ralph Halprin, Strategic Planning, and John Reed, Health Forecasting

Second Workshop: Municipalities.

"Local Pavement Management: Linking Road Conditions with New Development," Metropolitan Area Planning Council, Ariane Oberling, Cartographer
"Assessing City and Neighborhood Affordable Housing Needs," City of Cambridge, Randy Wilson, Data Manager
"Fitting Future School Enrollments to Available Classroom Space," City of Newton School Department, Katie Spinos, Assistant Superintendent, Planning and Operations

Third Workshop: Politics.

"Political Strategies Development Using Census and Survey Data," Opinion Dynamics, John Gorman, President
"Taking the Public Pulse in Political Campaigns," Bannon Research, Brad Bannon, President

BOSTON AREA 1990 CENSUS USERS CONFERENCE

REGISTRATION FORM

THURSDAY, MAY 14, 1992

The conference cost is \$30. Please make your check payable to "MAPC," detach this form and mail to:

 Metropolitan Data Center
Metropolitan Area Planning Council
60 Temple Place
Boston, MA 02111

TELEPHONE (617) 451-2770

\$30 Conference Fee includes Luncheon Buffet.

Please Print

NAME _____

TITLE _____

ORGANIZATION _____

ADDRESS _____

CITY/STATE/ZIP _____

DAYTIME PHONE _____

Pre-registration is required. The deadline for registration is Friday, May 1st.



"CLIMATE FOR FREEDOM"
Concord-Carlisle Human Rights Council, Inc.

cc:BS

April 3, 1992

Dear Community Leader,

On behalf of the Concord Board of Selectmen, we would like to invite you to the twelfth annual Holocaust Memorial Observance, to be held Sunday, May 3rd, at 7:30 p.m., in the Town House.

The Holocaust Memorial is an occasion for our community to come together to honor the victims of Hitler's genocide and to raise our awareness of anti-Semitism. The evening will include the reminiscences and commentary of Max Michelson, a retired Raytheon engineer and the only survivor of his Latvian family, as well as the haunting music of Rosalie Gerut. Ms. Gerut is the cantor for Kerem Shalom and the daughter of survivors. There will be time for questions and discussion after the program and refreshments will be available. Admission is free.

Won't you join us for this evening of remembrance and renewal - remembrance of the individual lives destroyed by the Holocaust and renewal of our commitment to forge a future where the human rights of all are safeguarded. We hope to see you on May 3rd.

Yours truly,

Polly Attwood

Polly Attwood, President
Concord-Carlisle Human Rights Council

CC: BOS

**The Executive Office of Communities and Development
Massachusetts Housing Partnership Fund and
Massachusetts Bankers Association**

Invite you to a workshop

APR 13 1992

on

The Soft Second Loan Program

Please join us on Wednesday, May 6th, at Shawmut Bank in Boston, for a half-day workshop on the Soft Second Loan Program. This workshop will provide bankers and community representatives the information they need to establish programs in their own communities and begin helping low and moderate income homebuyers break into the private real estate market.

AGENDA

- 9:30 **Welcome -** Clark L. Ziegler, Executive Director, MHP Fund
Richard Driscoll, President, Massachusetts Bankers Association, or designee
Secretary Mary L. Padula, Executive Office of Communities & Development
- 10:00 **Slide Presentation on Soft Second Loan Program**
- 10:30 **Availability of State Funding -** Assistant Secretary Mark Slotnick, EOCD
- 10:45-12:00 **Working Group Sessions**
 - A. Community Resources for the Soft Second Loan Program**
Presenters will walk through the steps of developing a Soft Second Loan Program including:
 - * Identifying sources of public subsidy
 - * Negotiating with local banks
 - * Establishing a program
 Presenters: Rita Farrell, MHP Fund, *Moderator*
Ed Allard, Cape Cod Commission
Tom Callahan, Director, Mass. Affordable Housing Alliance
Veronica Collins, Planner, City of Quincy
Emily Morris, Public Facilities Department, City of Boston
 - B. The Mechanics of Servicing the Soft Second Loan Program**
Bankers currently participating in the Soft Second Loan Program will discuss the program's mechanics including:
 - * Underwriting policy
 - * Using Mortgage Credit Certificates
 - * Portfolio loans vs. selling to secondary market
 Presenters: Carl White, MHP Fund, *Moderator*
Linda Bullard and Kathy Jones, Shawmut Mortgage Company
Janet Rich, The Cooperative Bank of Concord
Marian Sullivan, Bank of Boston Mortgage Company
Martha Hoye, Baybank Mortgage Company
Maureen Morrison, Boston Safe Deposit

Wednesday, May 6, 1992
Shawmut Bank, 8th Floor
1 Federal Street, Boston
9:30 a.m. - 12:00 p.m.
R.S.V.P. to MHP Fund at (617) 338-7868
by May 4th

4/16/92

Heel
May and

BOS

Hi Don -

F4I From Garry.
the second Horse shoe is
to you with any comments.

set monitor
back

Val

April 13, 1992

Dear Garry,

This is just to say, first of all, thank you for your courtesy and patience in discussing the Strongmeade problem with me. I do truly appreciate your kindness.

The first show on Saturday was certainly no problem.

If the second, when hopefully the weather is better, goes as smoothly we shall all be happy. There was absolutely no noise, and the traffic was well controlled.

Again, thanks.

Sincerely,

Barbara Sims

GRACE

April 14, 1992

Polyfibron Division

W. R. Grace & Co.-Conn.
55 Hayden Avenue
Lexington, Mass. 02173

(617) 861-6600

APR 15 1992

Mr. Doug Halley
Director, Acton Board of Health
472 Main Street
Acton, MA 01720

Re: **Oil Recovery Program**
51 Independence Road

Dear Mr. Halley:

Attached please find the March quarterly monitoring report for the Oil Recovery Operation. During the first quarter of 1992 iron fouling of the recharge gallery was cleaned out. Following cleaning, the water table decompression pump was found to be inoperable. The pump and motor were subsequently replaced.

Also included is a summary of monthly oil recovery from the system (att. 2).

If you have any questions or require additional information, do not hesitate to contact me at (617) 861-6600 ext. 2849.

Sincerely,

Paula F. Fischetti
Environmental Engineer

att. (2)

cc: E. Benoit, DEP Worcester
Chief Craig, Acton Fire Department
D. Johnson, Acton Town Hall ✓
D. Kronenberg, Grace Lexington

pf/304



cc: B03

CONCORD FAMILY SERVICE

Community Agencies Building, Concord, Massachusetts 01742
(508) 369-4909/(617) 259-8556

April 8, 1992

Main Street
Maynard, MA 01754

Foster Street
Littleton, MA 01460

Henry S. Russell, Jr.
President

Arthur N. Milliken
1st Vice President

Chelsey C. Remington
2nd Vice President

Elmore P. Pillsbury
Secretary

Brewster Conant
Treasurer

Barbara A. Haring
Assistant Treasurer

Peter S. Alling
Janet Beyer
Denise R. Bienfang
Sharon L. Corbin
Frances Gardella
H. Gould
A. Heimberg
Aren L. Johnson
Francis W. Love
Denise C. Moore
Christine K. O'Connor
Constance E. Putnam
Kenneth L. Ritchie
Judith A. Shanley
Lloyd F. Simon
Barbara H. Solakian
Jeanine Swaim
John H. Valentine
Barbara A. Whitcomb
Larry K. Wolff

William E.G. Batty, III, MSW
Executive Director

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

Dear Mr. Johnson,

I am writing on behalf of the Board and staff of Concord Family Service to express our sincere appreciation to the Town of Acton and the Board of Selectmen in Acton for the recent allocation of \$750 to CFS for work with youth at the Raymond Grey Junior High School and their families. The stress on families is great today. This is especially so for adolescents who are struggling with developmental crises such as autonomy from parents, identity and peer relationships. We look forward to working with the school officials and youth of Acton in the months ahead.

I would also like to take this opportunity to tell you about another program that CFS offers to the community. Our Employee Assistance Programs are designed to assist businesses and organizations to address organizational development and personnel related issues. I've enclosed a packet of information that describes this service which I hope you will review at your convenience. If possible I would like to arrange a meeting with you to discuss the implementation of such a program for the Town employees in Acton. CFS currently provides EAP services to a number of local companies or organizations including: the Haartz Corporation of Acton and the Town of Concord. I will call you within a few days to see if we can meet to discuss this matter further.

Sincerely yours,

William E. G. Batty, III, MSW
Executive Director

WEGB/nl

Enclosures



The Commonwealth of Massachusetts
 Executive Office of Environmental Affairs
 100 Cambridge Street, Boston, 02202

WILLIAM F. WELD
 GOVERNOR

ARGEO PAUL CELLUCCI
 LIEUTENANT GOVERNOR

SUSAN F. TIERNEY
 SECRETARY

(617) 727-9800

MEETING NOTICE

TO: Distribution
FROM: Nancy Baker, Associate Environmentalist
DATE: April 8, 1992
SUBJECT: North Acton Recreation Area
EOEA #9014

 An Environmental Notification Form has been submitted for this project. According to MGL Chapter 30, Section 62, the Secretary of Environmental Affairs must issue a determination regarding the significance of the potential environmental impacts of this project, and must determine whether an Environmental Impact Report should be required to document these impacts and all feasible means to reduce damage to the environment.

Therefore, a consultation meeting will be held to receive advice and comment from agencies, officials, and citizens regarding which environmental issues, if any, are significant for this project. Opinions as to the extent of significance of possible environmental impact will be welcome.

The meeting is scheduled as follows:

DATE: April 28, 1992

TIME: 10 AM

LOCATION: on site, Quarry Road, Acton

The meeting will include a brief presentation of the project by the proponent, with periods for questions, answers, and open comment. Additional comments will be welcome in writing prior to April 27, 1992.

Questions on the meeting may be answered by contacting Nancy Baker of the MEPA staff at (617) 727-5830 x301.

NOTE 4-16-92
ANYONE PLEASE TO ATTEND
SHOW UP AT 9:30 AM
701

VOLUNTEER COORDINATING COMMITTEE MEETING 4/13/92

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

Called to order 7:30PM at Town Hall. Minutes of 3/23/92 read
and approved.

INTERVIEWS:

GEORGE NEAGLE for Second Airport/ Ft. Devens Reuse Task Force
Lives at 66 Summer St. 42 yrs. Acton, whole life Ma. Has
formerly served on Building Committee and School Committee.
Is Pres. of Retired Airforce Assoc. Is familiar with the lay
out of Ft. Devens. Is interested and concerned re transpor-
tion which may go through Acton should a second airport at
Devens come to be.

LAWRENCE ROSTETTER for new Airport/ Devens Task Force.
Lives at 21 Stoneymeade Way. Acton 8 yrs. MA 8 yrs.
Recently moved back to Acton. Works for PRIME COMP. B.S. in
Biology. MBA. Has traveled frequently. Feels he has familiar
ity with airports and airtraffic control systems technology.
Has a perspective of the growth airports can bring. Would be
willing to serve where needed.

JAMES MACDONALD for Airport Devens Task Force.
Lives at 415 Main St. 15 yrs. Acton. 15 yrs. MA. Went to Am-
ory Riddle College in FL. Left when an airline customer ser-
vice job opened. Has worked for three airlines. Is now fin-
ishing school through Lowell Univ. Is interested in issues
that a second airport would entail. Would also be willing to
serve where needed.

One person to be interviewed did not show.

Resignations: George Emmons from B O Health and Doug Miller.
Appointment: Thomas Farley for 2 yrs. Fair Housing, til 6/94
Sworn in: Susan Miller. B O Assessors on 3/31/92.

Husbands will phone some not yet placed who may want Friends
of the Disabled. just for their information.

Peggy Snook gave us her letter of resignation. We had some
cider and snacks and an opportunity to wish Peg well in her
new home in Westford...1 Bradley Lane. Westford 01886. Peg
you did so much for our committee. THANK YOU ! We will miss
you and try to keep up with your good work. Keep in touch.

Next meeting 4/27/92 at Town Hall. Remember to make those
calls to committee chairpersons.

Respectfully submitted,
Nancy A. Whitcomb, VCC Sec't.

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

Don P. Johnson
Town Manager

April 17, 1992

Boxborough Board of Selectmen
Town Hall
29 Middle Road
Boxborough, MA 01719

Dear Board Members:

The Acton Board of Selectmen is in receipt of your letter regarding various issues concerning the School Choice program. We would be happy to meet with you to discuss School Choice, as well as other issues of mutual interest to the two towns.

We recognize that you are currently involved in preparations for an Election and Town Meeting so perhaps this is not the most opportune time to meet. We would suggest that you contact Town Manager Don Johnson, at 264-9612, to schedule a joint meeting after the completion of your Town Meeting. Our board meets on alternate Tuesday nights and the members are generally available most evenings.

We look forward to meeting with you.

Sincerely,

Nancy E. Tavernier
Nancy E. Tavernier
Chairman
ACTON BOARD OF SELECTMEN

cc: Acton Boxborough Regional School Committee

BOS > 4/17

DRAFT

BOS: Please review.

April 16, 1992

I will ask for
comments at our
4/28 meeting.

Editor
Assabey Valley Beacon (Acton Edition)
20 Main Street
Acton, MA 01720

Anne

To the Editor:

Recent discussions among candidates for the Board of Selectmen highlighted the need for up to date information on Acton's Master Plan, its interpretation and implementation. Also, as the Selectmen's representative to the Master Plan Coordinating Committee, I have been asked by the committee to provide public information on our activities and progress.

In the Spring of 1991, the Board of Selectmen formed the Master Plan Coordinating Committee (MPCC) consisting of representatives of several town boards and departments, the Chamber of Commerce and a "citizen-at-large." The MPCC meets monthly to discuss issues and resolve conflicts concerning the Master Plan and the zoning changes adopted by Town Meeting, and to ensure that there is on-going evaluation and implementation of the plan's recommendations. MPCC meetings are posted in Town Hall, usually held the last Tuesday evening of each month, and the public is welcome to attend.

The Board of Selectmen and the Planning Board, with the help of the MPCC and other boards and committees, are committed to ensuring that the Master Plan is a "living document," continuously evaluating and updating its recommendations while maintaining the new direction it set for Acton. The plan was developed over a period of three years and represents goals expressed at close to 50 public meetings involving residents, town boards and community organizations. The Goals and Objectives and the land use changes (all the zoning changes) were approved by over two-thirds of the voters at Spring and Fall Town Meetings in 1990. The document, or the plan itself, was adopted by the Board of Selectmen and the Planning Board in 1991. In addition to the sections that were voted at Town Meetings, the Master Plan contains the following: 1) data and information collected that formed the basis for its recommendations, and 2) additional recommended actions to implement the Goals and Objectives. Many of these actions have already been implemented (eg. Historic Districts.) Others will be evaluated by town boards to determine their feasibility. In this regard, the plan is a "road map" for Acton's future.

While the MPCC is charged with resolving conflicts and monitoring plan implementation, the Planning Board is charged with the five-year updates (the first in 1995) and with implementing planning-related actions. Currently, the Planning Board is studying the South Acton and West Acton Village Districts, and will develop detailed village plans aimed at preserving their character while revitalizing and/or maintaining their economic viability. They will look at ways to attract businesses to these centers, later expanding their focus to

Kelley's Corner and the new villages to encourage their success as future growth centers. The Planning Board is also encouraging use of incentives that were approved by Town Meeting to cluster new residential development, to preserve as much open space as possible when land is sold for development.

All of the above activities are moving forward in a spirit of cooperation between town government and the business community. The Chamber of Commerce participates actively in the MPCC and business representatives sit on the Village Planning Committees. The challenge to date has been, not to find areas for discussion, but to find enough time to discuss all of them. The dialogue is mutually beneficial, and its benefits are extending well beyond Master Plan.

Sincerely,

Anne Fanton
Board of Selectmen

File
4/6/92

APRIL 3, 1992

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

#####

AGENDA

Faculty Dining Room

6:45 P.M.

APRIL 6, 1992

I. 6:45: WARRANT DISCUSSION

II. PUBLIC HEARINGS & APPOINTMENTS

NONE

III. CONSENT AGENDA

NO ITEMS

IV. SELECTMEN'S CONCERNS

1 MMA RESOLUTION - Enclosed please find a copy of a Resolution from MMA asking for adoption at Town Meeting for Board action.

V. TOWN MANAGER'S REPORT

VI. EXECUTIVE SESSION

VII. MEETINGS

VIII. ADDITIONAL INFORMATION

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

IX. FUTURE AGENDAS

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

- April 14, 1992 - Boston Edison, Interviews Pavan and Peterman
- April 28, 1992
- May 12, 1992
- May 26, 1992



**Massachusetts
Selectmen's
Association**

Sixty Temple Place
Boston, MA 02111
617/426-7272
800/882-1498

4/6/92
①

March 31, 1992

Dear Selectmen:

At its most recent meeting, members of the Massachusetts Selectmen's Association's Executive Board suggested sending a proposed resolution to each member town to be adopted at town meeting. The resolution's intent is to call for the Commonwealth to distribute the full amount of the municipal share of the state gas tax collections in the highway fund. Suggested language reads as follows:

RESOLVED:

That the Town of _____ calls upon the Legislature to annually appropriate and fully distribute the legally required 15% of gas tax receipts to cities and towns, for the construction, maintenance, and policing of local roads.

I hope that you are able to use the proposed resolution and that you have a successful and productive town meeting. If you have any questions, please contact Jill Hyland at the MMA; (617) 426-7272.

Sincerely,

Avril Elkort

Avril Elkort
Canton Selectman and
President, Mass. Selectmen's Association

INTERDEPARTMENTAL COMMUNICATION

TOWN MANAGER'S OFFICE

DATE: 3/30/92

TO: Town Clerk

FROM: Christine Joyce

SUBJECT: Special Board Meeting

The Board of Selectmen will meet at 6:45 P.M. on Monday April 6, 1992 in the Faculty Dining Room, located of the Common Area of the Senior High School. The purpose of this meeting is to discuss items concerning Town Meeting. If Town Meeting is continued to April 7, the Board will again meet at that time and place as noted for the Meeting of the 6th.

)

cc: 805

PALMER & DODGE

One Beacon Street
Boston, Massachusetts 02108

MAR 27

Telephone: (617) 573-0100

Facsimile: (617) 227-4420
Telex: 951104

March 24, 1992

Mr. John Murray
Town of Acton
472 Main Street
Acton, MA 01720

Dear John: (Santiago Claim)

Connie Huber sent me a copy of a demand letter on behalf of Estela Santiago dated March 4, 1992. She alleges an injury arising out of a street defect. Your insurer should be notified, and the incident investigated. I note that the case involves a street defect, so the recovery is limited to \$5,000 under G.L. c. 84, § 15, and the plaintiff cannot recover if her injury was caused by ice and snow. See § 17.

No defect found

Very truly yours,



Acheson H. Callaghan

AHC/dcb

Selectmen
FYI

PRESS RELEASE

4/2/92

WEST ACTON and SOUTH ACTON VILLAGE PLANS

The Acton Planning Board has announced the formation of two Village Planning Committees: the West Acton Village Planning Committee; and the South Acton Village Planning Committee. Each committee is responsible for preparing a Village Plan to guide the future development of the two village areas.

Represented by residents and business owners living or working in West Acton and South Acton, the Village Planning Committees have been meeting since the beginning of January. The South Acton Village Committee meetings are held on the second and fourth Wednesdays of each month. The West Acton Village Planning Committee meetings are held on the first and third Wednesday of each month. Both committees meet at the Acton Town Hall and welcome members of the public to attend their meetings.

Informational surveys have been prepared by the two Village Planning Committees and will be distributed by mail during the second week in April to all residents of West Acton and South Acton. In addition, the Village Planning Committee members will be conducting intercept surveys of village patrons and surveying local businesses during the month of April. The Committee encourages all recipients to complete the survey and return it to the Acton Planning Department, 472 Main St., Acton, MA 01720 on or before April 27th.

The Village Planning Committees are planning to sponsor public meetings for all people interested in providing input and suggestions into the development of the Village Plans. These informational meetings are tentatively scheduled to be held in late May and early June. Dates will be announced in the near future. Please plan to respond to the survey and attend the public meetings so that your voice can be heard in the development of the South Acton and West Acton Village Plans.

cc: BOS

ACTON PUBLIC SCHOOLS
ACTON-BOXBOROUGH REGIONAL SCHOOL DISTRICT

Conference Room
Junior High School

April 15, 1991
7:00 p.m.

LOCAL ALCOHOL AND OTHER DRUG ABUSE ADVISORY COUNCIL

AGENDA

- I. 7:00 CALL TO ORDER

- II. 7:01
 - 1. Chemical Health Policy Review - S. Donovan
 - 2. Booklet Review - Joe Marashio and Kathy Bowen
 - 3. Peer Leaders and Freshmen Class Meeting
 - 4. Required Extra Curricular Meeting
 - 5. Elementary Ed Review - Eileen Sullivan,
Richard Bergeron
 - 6. Coach MacLeod
 - 7. Police Reports, Acton and Boxborough Youth
Officers

- III. 8:30 ADJOURNMENT

Next Meeting: - June 10, 1992 (?)

cc: BOS

ACTON SCHOOL COMMITTEE

Conference Room
Junior High School
8:15

For April 2, 1992 Meeting

AGENDA

8:15 I. CALL TO ORDER

8:16 II. APPROVAL OF MINUTES OF MARCH 12 AND STATEMENT OF WARRANT

8:20 III. PERIOD OF PUBLIC PARTICIPATION

8:30 IV. SUPERINTENDENT'S REPORT FOR THE MONTH OF APRIL
Robert Kessler

RECOMMENDATIONS

1. Non-Reappointment of Non-Tenured Staff
2. Recommendation for Reappointment of Supervisors of Extra Duties - Schedule B
3. Recommendation for Location of McCarthy-Towne Sixth Grades

9:15 V. FOR YOUR INFORMATION

1. Monthly Report from McCarthy-Towne
2. March News from McCarthy-Towne
3. Gates News

9:20 VI. WARRANT DISCUSSION

9:30 VII. CONCERNS OF THE BOARD

9:45 VIII. NEXT MEETING - MAY 14, Room #114, Junior High School - 7:30 p.m.

9:45 IX. ADJOURNMENT

ACTON-BOXBOROUGH REGIONAL SCHOOL COMMITTEE

cc: BOS

Conference Room
Junior High School
6:30 P.M.

April 2, 1992

AGENDA

MAR 31 1992

- 6:30 I. CALL TO ORDER
- 6:31 II. APPROVAL OF MINUTES OF MARCH 5, 1992 AND STATEMENT OF WARRANT
- 6:35 III. PUBLIC PARTICIPATION
- 7:00 IV. SUPERINTENDENT'S REPORT FOR THE MONTH OF APRIL - Robert Kessler

RECOMMENDATIONS

- 1. Appointment of High School Principal
- 2. Requests for Extended Leaves of Absence
- 3. Spring Coaching Appointments
- 4. Non Reappointment of Non-Tenured Staff
- 5. Recommendation for Reappointment of Supervisors of Extra Duties - Schedule B
- 6. Florida Trip - Baseball Team
- 7. Resignation
- 8. Freshman Lacrosse

- 7:45 V. FOR YOUR INFORMATION
 - 1. Concert Choir
 - 2. Computer Equipment Donations
 - 3. High School News
 - 4. Jr. High News
 - 5. Community Education Spring Interaction
 - 6. Long-Term Sub Appointment
- 7:55 VI. WARRANT DISCUSSION
- 8:00 VII. CONCERNS OF THE BOARD
- 8:05 VIII. NEXT MEETING: MAY 7TH (Junior High School Conference Room - 7:30 p.m.)
- 8:05 IX. ADJOURNMENT

5. Rosemary Lundberg passed out copies of a draft article on recycling which she planned to submit to the Beacon. The group made various changes and clarifications and approved of the article, which listed items which can be recycled in Acton and urged residents to recognize the importance of recycling in light of state bans.

6. The Chairman announced that a Public Forum on Regional Recycling Initiatives for NESWC communities, was going to be held on Tuesday evening, March 10th, in Burlington. Jim McIver, Plant Manager of the North Andover Incinerator, was going to speak on plans for an MRI recycling facility in the Lawrence area to be made available to NESWC communities. Nancy said she planned to attend and would report back to the group.

7. Peggy Mikkola reported that, on February 25th, she attended a League of Women Voters-sponsored panel discussion on Co-composting Municipal Solid Waste, and it was very interesting. Co-composting is a shredding and bacterial degradation process yielding a beneficial soil-like product which can be used in many ways. Recyclables are removed from solid waste first. A Nantucket facility will start operation in 1992, and Franklin County is planning a regional facility serving 20 or more communities. Peggy said she will be writing an article about it for the LWV newsletter.

8. Members asked the Chairman what became of John Murray and Dick Howe's idea of mining the landfill. Nancy reported that John and Dick did not attend a November workshop in Florida on the subject (which Task Force members had been asked to find funding for at the time). But the possibility of mining the landfill is under serious consideration, not only to increase NESWC tonnage, but to address an alleged landfill leak which may be polluting a nearby water source.

The meeting adjourned at 10:40 am.

The group agreed to meet again on Tuesday, March 31, at 9:00 am.

Respectfully submitted,



Maya Spies, Clerk

cc Town Clerk
Board of Selectmen

BOS

ACTON-BOXBOROUGH REGIONAL SCHOOL COMMITTEE

Conference Room
Junior High School

March 5, 1992

Members Present: Sally Campbell, Stephen Aronson, Pam Harting-Barrat, Jean Butler, Patrick Cataldo, Harry Hersh, Lees Stuntz, Mary Anne Vogel, Donald Wheeler

Also Present: Robert Kessler, Bill Ryan, Mac Reid, Fran Leiboff, Jim Chace, Steve Desy, Steve Donovan, Cliff Card, Jill Colpak, Mary Beth Fincke, Joyce Koop, student representatives: Elaine Fingerman, Emily Hersh, Meighan McCrea, Lisa Napoli and Colin Brannen; citizens and press.

The meeting was called to order at 7:40 p.m. by Sally Campbell, Chairperson.

Minutes of February 6 and 20, 1992, were approved as written.

Warrant #92-032 in the amount of \$137,241.57, warrant #92-033 in the amount of \$205,940.02, warrant #92-034 in the amount of \$6,027.29, warrant #92-035 in the amount of \$326,217.53, warrant #91-108 in the amount of \$3,568.64 and payroll warrants totaling \$701,719.05 were signed by the chairperson and circulated to other members of the committee.

PUBLIC PARTICIPATION: Discussion of senior privileges was postponed until the April 2, 1992, School Committee meeting. Sally Campbell appointed Lisa Napoli as the student School Committee representative to the high school principal interviewing committee. (The two other student reps to the committee are Shawn Milleric and B.J. Rogers.) Carol Mackey asked why Sally herself was on the committee, as she will be going off the School Committee in April. Sally responded that she sees her function on the committee as a completion of her many years on the School Committee and added that Don Wheeler, the other School Committee representative, will lend the continuity which Carol suggested was needed. Zaffar Haque, a junior at the high school, congratulated the committee on the recent article in Boston Magazine, which names Acton-Boxborough as one of the ten best high schools in the area. He went on to express his concern with the rank in class statistics, which he feels have unfairly represented his academic ability, and ultimately his chances of acceptance by a good college. The Committee and Dr. Kessler appreciated his views and said that this has always been an issue. The usefulness of the class rank system will be re-evaluated.

EDUCATION REPORT: *Library Automation Proposal*

Jim Chace, Coordinator of Computer Services, introduced the school librarians: Jill Colpak (High School), Mary Beth Fincke (Junior High), and Joyce Koop (Elementary). Joyce commented on the library automation proposal, which will convert our present card catalog records to a computer database and our present circulation system to one using bar codes. These changes will better serve our students and make more efficient use of library staff. Digital Equipment Corporation has donated ten PC's as start-off software for the project. Kim Fusco, representative from the Winnebago Software Company, demonstrated how the on-line card catalog program worked. This software has been chosen for our schools, after comparing several systems for clarity and ease of use. Sally thanked the librarians for their informative report.

SUPERINTENDENT'S RECOMMENDATIONS FOR MARCH

It was moved, seconded and unanimously

VOTED: To approve the Administration's request to petition the state for a waiver for Fran Leiboff in her SPED Administrator status. (She has applied for certification.)

It was moved, seconded and unanimously

VOTED: To approve the appointment of Jennifer Bixby to the position of ESL teacher (.2 FTE) at the Junior and Senior High Schools for the remainder of the 1991-92 school year.

It was moved, seconded and unanimously

VOTED: To approve the following extra-curricular appointments:

Mark Toporoff - Advisor to the Junior High Environmental Club
Larry Spiller - JV Baseball Coach
Todd Hadley - JV Boys' Lacrosse Coach

It was moved, seconded and unanimously

VOTED: To approve the administration's recommendation of the 1992-93 maximum school choice student limits as follows:

7th grade - 25
8th grade - 40
9th grade - 55
10th grade - 50
11th grade - 30
12th grade - 20

It was moved, seconded and unanimously

VOTED To approve the administration's recommendation that the total appropriation for the Acton-Boxborough Regional School District for the fiscal year July 1, 1992 through June 30, 1993, be set at \$11,805,340 and that member towns be assessed in accordance with the terms of the Agreement and amendments, thereto as follows: Acton \$7,755,461; Boxborough \$1,548,353; remainder to be accounted for by the Anticipated Regional School Aid, Chapter 71, Section 16D in the amount of \$814,347; Anticipated Aid, Chapter 70, in the amount of \$733,675; Transportation Aid, Chapter 71, Sec. 16C in the amount of \$347,644; Special Education Transportation Aid in the amount of \$49,262; Anticipated Aid, Construction of School Projects in the amount of \$293,598; School Choice Revenue in the amount of \$450,000; Federal Aid, P.L. 81-874

in the amount of \$1,000; and the Revenue from Local Sources in the amount of \$12,000.

It was moved, seconded and unanimously

VOTED To accept the gift of \$932.36 from Garelick Farms as proceeds from their Back to School project.

FOR YOUR INFORMATION: Dr. Kessler referred to the packet summary regarding the state reform legislation. He also commented on the Boston Magazine article previously mentioned. He remarked on the newspaper articles praising the high school jazz bands. The spring concert will be held March 11 at 7:30 p.m. at the high school. Norman Kunc will be speaking at the high school auditorium on March 23, 7:30 p.m., and Dr. Kessler urged everyone to attend.

CONCERNS OF THE BOARD: Meighan McCrea reported on her trip to Washington, DC to receive an award from the U.S. Senate Youth Program. One of the student reps was concerned that the high school nurse was unavailable when she went to see her. Steve Donovan responded that the nurse is a member of the student assistance committee and is therefore not in her office at all times. She will put a sign on her door as to where she can be reached. One of the students asked how teachers were assigned honors classes. Steve Donovan said that teaching assignments for all courses are recommended by the department chairs, and then discussed with the principal. It is done on a yearly basis. Mrs. McCrea commented on the rank in class situation and her belief that there is some discrimination on the basis of sex in college board tests, etc. School Committee members were invited to attend the high school semi-formal on March 13 at the Boxborough Host Hotel, and the state play on March 14 at the Bromfield School in Harvard. Regarding the appointment of a new high school principal, Steve Aronson said that, in spite of Steve Donovan's excellent job of handling of the high school this year, he felt it was unwise to automatically appoint him a finalist, it is in our best interest to get the three best candidates, whoever they may be. Dr. Kessler said that Steve had already asked that he be treated as all the other candidates in the selection process. Concerning the MASC meetings that Jean Butler has attended, Steve commented on their appalling attitude towards our school district and others like us who opted for choice. Steve felt we should respond. He also asked if there was any interest in writing a position paper regarding the three educational referenda that are being proposed, as they will impact the way in which our school district is run. Steve complimented Bill Noeth for offering summer school courses in math, giving choice students the opportunity to prepare for higher level courses in the fall. Steve referred to the fact that we have not responded to the Aston Finance Committee's request for an RFP for legal services. The sense of the committee was that this is not a suitable time to do an RFP, and a letter to this effect will be written to the Finance Committee. Jean reported on her meeting last week at the MASC legislative liaison committee. She commented on their disagreement with the state about how to handle schools which have participated in choice. Steve and Jean will work on a statement regarding the reform issues to send to the MASC Committee. Bill Weeks suggested that a forum be held to inform the community about these reform issues. Lees suggested that the League of Women Voters would be an appropriate group to sponsor a forum. Jean noted that the high school student newspaper mentioned smoking in bathrooms again.

cc: BOS

ACTON SCHOOL COMMITTEE

Conference Room
Junior High School

March 12, 1992

Members Present: Patrick Cataldo, Stephen Aronson, Pam Harting-Barrat, Jean Butler,
Sally Campbell

Also Present: Robert Kessler, Mac Reid, Bill Ryan, Fran Leiboff, Parker Damon and
citizens.

The meeting was called to order at 7:30 p.m. by Pat Cataldo, Chairperson.

The minutes of February 13 and 20, 1992, were approved as written.

Warrant #92-019 in the amount of \$61,072.95 and warrant #91-116 in the amount of \$843.47
were signed by the Chairperson and circulated to other members of the Committee.

PUBLIC PARTICIPATION: None.

SUPERINTENDENT'S RECOMMENDATIONS FOR MARCH

It was moved, seconded and unanimously

VOTED: To approve the Administration's request to petition the state for a waiver for
Fran Leiboff in her SPED Administrator status. (She has applied for
certification.)

It was moved, seconded and unanimously

VOTED: To approve the Administration's recommendation of the 1992-93 maximum
limits for choice students in the following grades as follows:

K - 11	4 - 12
1 - 0	5 - 11
2 - 0	6 - 4
3 - 0	

A draft of School Choice Guidelines for 1992-93 was presented and discussed. Guidelines will
be discussed further at the next School Committee meeting.

It was moved, seconded and unanimously

VOTED: To approve the Administration's recommendation that the total budget for
the Acton Public Schools for the fiscal year July 1, 1992 through June 30,

cc: BOS

NESWC

NEWS

A Newsletter of the North East Solid Waste Committee

Acton; Andover; Arlington; Bedford; Belmont; Boxborough; Burlington; Carlisle; Dracut; Hamilton; Lexington; Lincoln; Manchester; North Andover; North Reading; Peabody; Tewksbury; Watertown; Wenham; Westford; West Newbury; Wilmington; and Winchester.

Francis J. Hopcroft, Executive Director

VOLUME 1 • NUMBER 6

MARCH 1992

BOND FINANCING MOVES FORWARD

Cost Savings In Excess of \$30M for NESWC Communities

The bonds issued to finance the North Andover Resource Recovery Facility in 1983 included \$160,000,000 in tax exempt bonds and \$37,000,000 in taxable bonds. The tax-exempt bonds, which carry an interest rate of 10 1/8%, can be "called", or paid off early on March 1, 1993. The law provides that a refunding bond issue can actually be sold as early as December 1, 1992.

Given the historically low interest rates on tax-exempt bonds sold today, NESWC is actively studying the best method for refinancing the tax-exempt project bonds. Cost savings in excess of \$30,000,000 could be realized over the remaining life of the NESWC Service Agreement if a refinancing at today's rates could be done.

To develop the most cost effective refinancing plan, NESWC has hired the Philadelphia firm of Public

Financial Management, Inc. (PFM), to assist. PFM has already determined the issues which need to be resolved, set in motion actions to resolve those issues, and begun to develop a refinancing strategy to most effectively allow refinancing as early as December.

Town Meetings and City Councils must address the refinancing this Spring if a new bond issue is to be sold. A letter was recently sent to all member communities enclosing a suggested Town Meeting Warrant Article to authorize the local Selectman or Councilors to take actions necessary to allow the refinancing to move forward.

Further developments will be reported in future issues of NESWC News.

TIPPING FEES HAVE BEEN ADJUSTED

On December 12, 1991, the Executive Committee voted to implement changes in the way the NESWC communities use the Community Stabilization Fund (CSF). The changes should not cause an increase in the total refuse budget for any community which budgeted the \$66 per ton recommended to it this fiscal year for full GAT.

The Community Stabilization Fund (CSF) was created by the NESWC communities through a 1985 Supplemental Trust Indenture to stabilize annual tipping fees. It provides a mechanism whereby communities could pay a flat rate monthly tipping fee, instead of the highly variable monthly tipping fees produced by the Service Agreement. This allows the
(continued Page 3)

NOBODY ASKED, BUT ...

The ash residue from the North Andover Resource Recovery Facility is not hazardous.

NESWC believes that the ash from the NESWC plant is not hazardous according to EPA standards. Others may disagree.

To properly evaluate this issue, it is necessary to define "hazardous". The US EPA has used a variety of definitions over the years in a variety of different regulations for a variety of different purposes. The definition most often cited by those who believe that ash is hazardous is a definition contained in the Resource Conservation and Recovery Act (RCRA), the act which controls the disposal of all solid waste in the country, whether hazardous or not.

RCRA actually contains a number of different definitions of the term "hazardous". The definition most often cited as applicable is one which defines as hazardous, any solid waste which fails to pass a special leaching test, called the "Extraction Procedure Toxicity (EP Tox) Test. That procedure, however, has been shown to be inapplicable to resource recovery facility ash disposed in a separate land fill because the test was designed for a totally different purpose. EPA has recently adopted a new test called the "Toxicity Characteristic Leaching Procedure Test", (TCLP Test) to replace the EP Tox test.

The EP Tox test was designed to demonstrate the effects of mixing normal municipal solid waste (MSW) with ash residues. In that case, the decomposition of the MSW would generate organic acids which would leach metals and other contaminants out of the ash and carry them into the groundwater.

Ash residue does not contain any significant amounts of decomposable organic materials, however. Thus, there can be no generation of organic acids in the ash and there can be no resultant leaching of metals or contaminants out of the ash.

With respect to ash residue from the North Andover

facility, there may be components present which could be hazardous. However, there is no pathway of exposure to individuals unless the landfill liner fails. In addition, even if the liner does fail, there is no mechanism present through which the potentially hazardous substances can be leached from the ash in sufficient quantities to yield an adverse health effect on any potentially exposed persons. Therefore, NESWC believes that the ash from the North Andover facility is not a hazardous substance.

Finally, it is important to note that the ash is not hazardous because RCRA specifically excludes the ash from an MSW combustor from the definitions of hazardous waste.

LEGISLATIVE UPDATE

NESWC LAND TRANSFER BILL BECOMES LAW

In the waning hours of the 1991 Legislative Session the legislature voted in favor of legislation which transfers the land in North Andover on which the resource recovery facility now sits from the Commonwealth to the NESWC Communities. Governor Weld signed the measure into law early this year. Communication with DEP and DCOP are ongoing to finalize the transfer.

MARZILLI AMENDMENT TO RECYCLING BILL CAPS TIPPING FEES

Representative Jim Marzilli (D-Arlington), at the request of NESWC, was successful at adding a key amendment to the recycling bill which was being debated at the end of the 1991 session. The amendment would have capped tipping fees charged to municipalities in the Commonwealth. The cap would have been equal to the tipping fee which would be charged if the facility were operating at its maximum throughput capacity. If the facility is operating at a lesser capacity, the Operator of the facility must absorb any extra costs associated with that unused capacity.

The amendment was supported by most of the NESWC legislators. The bill did not survive the 1991 session, but Rep. Marzilli introduced his amendment as a stand-alone bill for the 1992 session.

1992 WASTE BAN MATERIALS

The Commonwealth of Massachusetts has banned the disposal of certain municipal solid waste stream components from landfills and combustion facilities. Those already banned include automotive batteries, leaves, and white goods.

Additions to the list of banned materials are made each year in accordance with a regulatory schedule. Effective December 31, 1992, the following materials are added to the list of materials banned from disposal at municipal solid waste combustion facilities. These materials will, therefore, not be allowed to go to the NESWC facility in North Andover after that date.

- Other Yard Waste (which includes grass clippings, weeds, hedge clippings, garden materials and brush)
- Metal or Glass Containers
- Aluminum Containers

It is important that communities begin planning early for the banning of these materials. It is expected that early in the next calendar year, MRI will be doing inspections of incoming waste. Any load found to contain significant quantities of banned materials may legitimately be rejected by MRI at that time. Continued attempts to dispose unacceptable materials may cause hauler vehicles to be permanently barred from the facility.

The NESWC staff has recently prepared a memorandum for all member communities outlining some of the options available for recycling the banned materials. NESWC has already made a decision not to develop a regional recycling option. Therefore, each individual community must address this problem on its own.

NESWC is particularly sensitive to the impact of the forced recycling on the Guaranteed Annual Tonnage commitments made by member communities under the NESWC contract. We are continuing efforts to find a way to allow communities to reduce GAT by more than is contractually allowed at present, in order to implement recycling programs. Those efforts are encouraging at the moment and may soon produce the desired results.

(Tipping Fees continued from Page 1)

communities to better plan cash flow for the year.

The concept of the CSF is that the NESWC communities pay a flat fee rate tipping fee set to be slightly higher than the estimated average tipping fee for the year calculated under the Service Agreement. The flat rate is set higher than the estimated average rate in order to ensure that enough money is available in the early months of the fiscal year to cover unusual expenses and estimates which turn out to be too low. Without the CSF to absorb the difference, that would cause annual community refuse disposal budgets to be exceeded.

The concept has worked very well, surpluses accumulated in each of the CSF balances which, upon approval of the Executive Committee, were used to cover certain capital expenses, such as defense of the MRI claim and payment for construction of the landfill liner.

The effects of the economy and the effects of recycling efforts have had a major effect on the NESWC communities tonnage and many communities are delivering below their GAT. When communities deliver below their GAT, the CSF balance for that community absorbed the excess costs. However, some communities are delivering so far below their GAT that their community CSF balance will fall to zero. If the CSF fund runs out of money, the communities would have to pay bills based on highly variable amounts on a monthly basis. That would play havoc with municipal budgets.

The changes voted by the Executive Committee Include:

- Flat rate billing will be applied to the greater of GAT or delivered tons on a monthly basis, beginning December 1991.
- Any community with a balance in the CSF below zero will make up that balance on a monthly basis.
- Recalculate what would have been paid into the CSF if the flat rate had been implemented on July 1, 1991, subtract payments made and pay the difference in seven equal installments over the current fiscal year.

RECYCLED MATERIAL PRICES GUIDE JANUARY 1992

All prices in dollars per ton

	<u>Processor/Dealer</u>	<u>End User/Mill</u>
Newspaper	(-40) - (-10)	(loose)
	0-5	(baled)
Corrugated	(-20) - (-10)	10-20 (baled)
	5 - 15	(loose)
White ledger	30 - 50	(baled)
Mixed office paper	(-40) - (-0)	20-25 (baled)
Aluminum cans	460 - 560	75-90 (baled)
Clear glass	0 - 10	0-5 (baled)
Brown glass	0 - 10	800-840
Green glass	0	43-50
Clear PET	120 - 140	20-25
HDPE	120 - 140	0-15
Mixed PET/HDPE	80 - 100	
White goods	(-700) - 0	
Steel cans	0 - 10	65-70

Prices shown based on data published by Recycling Times Newsletter

NORTH EAST SOLID WASTE COMMITTEE

109/123 Main Street
North Andover, MA 01845
(508) 686-6234



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

This document is printed on recycled paper

cc: BOS



March 26, 1992

Mr. Dore Hunter, Chairman
Board of Selectmen
Town of Acton
472 Main Street
Acton, MA 01720

Dear Chairman Hunter:

The rising cost of doing business the past year has increased our operating costs. As a result, A-R Cable Services, Inc., d/b/a Cablevision, will adjust the monthly rates on its cable services in the Town of Acton.

Effective in the May bill, the monthly rate for Family Cable service, our most popular service, will be adjusted by \$1.00 from \$21.95 to \$22.95. The Grandfathered Basic Cable will increase from \$19.95 to \$21.95, and SportsChannel will be added to this package. Basic service will increase by \$1.00 from \$9.95 to \$10.95. Our optional packages and Family Plus packages will increase by \$2.00 from \$34.95 to \$36.95 for Family Plus, \$41.95 to \$43.95 for Rainbow, and \$51.95 to \$53.95 for Rainbow Gold.

Premium services will also increase \$1.00 from \$9.95 to \$10.95. This is the first increase in these services in over three years. New England Sports Network and The Playboy Channel, when purchased with any other premium service, will increase by \$1.00 from \$6.00 to \$7.00 each.

There is no increase in the charges for additional outlets or remote controls. The Senior Citizen discount on Family Cable service remains at \$2.00, and we are maintaining the rate of \$9.95 for Family Cable that we charge Medicaid recipients.

We have also maintained our rate for one-time charges, except for standard installation, which is adjusted from \$40.00 to \$50.00.

We have worked hard to hold the line on rates. As you may know, cable has two major elements of cost, operations and programming. We deal with operational costs directly, and we do our best to control them. Most programming costs, however, are set nationally by producers such as CNN and ESPN, and therefore are less predictable. CNN's dramatic coverage of the Persian Gulf War was the most watched programming in television history.



Metropolitan Area Planning Council
60 Temple Place, Boston, MA 02111
617/451-2770

Town/City Horton
Phone (508) 264-9636
Completed By Roland Bartle
Date 3/25/92

Inventory of Regional Facilities*

Facility Type	Size Estimate	Facility Name / Address
Public Works/Utilities		
Solid Waste/ Active Landfills # acres/tons per day	_____ / _____	<u>John-F YI</u>
Transfer Stations Vehicle trips per day/tons per day	_____ / _____	
Hazardous Waste Facilities # acres/tons per day	_____ / _____	
Incinerators (non hazardous) # acres/tons per day	_____ / _____	<u>CC: BOS</u>
Junk Yards # acres	_____ / _____	
MRFs, Regional Recycling Vehicle trips per day/tons per day	_____ / _____	
Regional Transportation Centers (stations, railroad marshalling yards) # parking spaces	_____ <u>228</u> _____	<u>South Horton Commuter Lot, 6 Central St.</u>
Airports # flights per day/# parking spaces	_____ / _____	
Sewerage Treatment Plants # acres/gallons per day	_____ / _____	
Septage Lagoons # acres	_____ / _____	
Electric Power Plants # acres/kilowatts per day	<u>1.6 a / ? Kw</u>	<u>W&D Hydro, Inc. 309 High Street</u>
Transmission Towers # acres/height	<u>- ? acres / 190 ft</u> <u>- 0.08 acres / 100 ft</u>	<u>Celestial One, Planning Stage</u> <u>Nynex Mobile Com, 211 Main Street</u>
Fuel Storage Facilities (tank farms, LNG tanks) # acres/trips per day	_____ / _____	
Recreational		
Parks (amusement, active recreational) # acres/# parking spaces	<u>5 miles /</u> _____	<u>Lowell - Sudbury Bikeway</u> <u>Planning Stage - B&M railroad</u>
Public Beaches crowd capacity/# parking spaces	_____ / _____	
Marinas slips and moorings/# parking spaces	_____ / _____	

* If you have more than one facility of each type, please list on a separate sheet of paper.

Designated Ports
docks/# parking spaces

_____/_____

Race Tracks
(dog, horse, car)
acres/# parking spaces

Large Entertainment Centers
(stadiums, amphitheaters)
acres/# parking spaces

_____/_____

Military Installations

Federal Bases
acres/population

_____/_____

National Guard Bases
acres/# buildings/# parking spaces

_____/_____/_____

Social Services

Colleges/Universities
acres/# parking spaces

_____/_____

Hospitals
(general, VA, mental, specialized)
of beds/# parking spaces

_____/_____

Prisons and Jails
beds/# parking spaces

_____/_____

Mental Health Treatment or
Training Centers
Bldg. sq. ft./# parking spaces

_____/_____

Drug Treatment Centers
Bldg. sq. ft.

Half-Way Houses
(10 beds or more)
beds

10-12

Eliot House, 27 Concord Road
(East Mental Health Ctr.)

15

Acton ICFs - In foster care, on state
land between Morris & School St., along Rt. -

Abortion Clinics

Other Facilities

Regional Schools

Acton-Boxborough Regional School
District, 16 Charter Rd., Juniors & Senior H.S.
1665 students (1990)

State Police

Horsebarn & Training Ctr., Wetherbee St.

Water Supply, surface

Nagog Pond yield 0.3-1.07 mgd, serving Town of Concord
and Acton, owned and operated by
Town of Concord; location Rt. 2A -
Littleton Line.

Return to:
by April 10, 1992

Thank You!



CLIBOS Selectmen
PLANNING BOARD • Town of Acton

472 MAIN STREET ACTON, MASSACHUSETTS 01720 TELEPHONE (508) 264-9636 ^{MAR 27 1992}

RECEIVED & FILED
DATE March 27 1992
Conceal O. Huber
TOWN CLERK, ACTON

ACTON PLANNING BOARD

Minutes of Meeting

February 10, 1992

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

I. Consent Agenda

The Minutes of the 1/27/92 Board meeting were called off the Consent Agenda by Greg Niemyski. Greg requested that a sentence be added to the minutes of the public hearing stating that the hearing was closed by the Board. Trey Shupert moved that the Board vote to approve the minutes as revised. His motion was seconded by Doug Carnahan and carried by unanimous vote.

II. Gregory Lane - Bond Calculation & Lot Release

Board members reviewed the memo from Town Planner Roland Bartl. Roland updated the Board by reporting on his 2/10/92 meeting with Scott Green and Engineering Administrator David Abbt concerning the bond calculation for Gregory Lane. Scott Green disagreed with some of the figures included in the bond calculation and said that he could provide copies of his estimates and a proposal for completion of certain items of work which represent lower dollar amounts than those shown in the bond calculation. Scott Green had asked David Abbt to re-inspect the site prior to the Board meeting to determine if re-evaluation of the calculation is appropriate.

Roland Bartl advised the Board that David Abbt has re-inspected the site as requested by Scott Green and recommends the following changes: 1) decrease item #1 to \$3649; and 2) consider reduction of item #8 from \$10,000, although the material on site requires sifting and may result in only 50% of the required material.

Scott Green provided the Board with the following: photographs of the site taken today; a comparison of the bond calculation figures to the quotes he has received from the Foland Corporation of 63 Nashua Road in Pepperell, MA;

and a copy of the sidewalk easement granted to the Town. Scott explained that he has arranged for the sale of the final lot on Friday, February 14th, and has arranged to set aside the money required to complete the unfinished work and a construction schedule with a proposed schedule of partial releases.

John Pavan expressed concern about the Town's right to access the loam on the site if the Town has to complete the project. Roland Bartl said that the Town would need to require assurances that it can utilize the loam on site. Trey Shupert stated that he paid \$13/cubic yard for loam last year and Mark Foland reported that loam is currently selling for \$13/cubic yard. Trey suggested that the Board use the Engineering Department's estimate on the amount of loam needed, but recalculate the sum based on a \$15/yd. cost which would decrease the dollar amount by \$2500.

Scott Green distributed copies of the sidewalk easement he has granted to the Town and asked that the \$1500 sum in the bond calculation be deleted because this requirement has been met.

Board members discussed the sum allocated to project administration. Roland Bartl reported that this cost usually runs 10-20% of the total job cost. John Pavan substantiated this and said that the fee for smaller jobs is usually the higher percentage.

After further discussion, Greg Niemyski moved that the Board vote to take the following action: establish a bond amount of \$36,850; require the bond to be a cash deposit with the Treasurer of the Town; require that a construction schedule for completion of the work be incorporated into the bond; limit the number of bond releases to two partial releases prior to final release; and authorize Roland Bartl to approve the terms and conditions of the bond and execute the Lot Release. Greg's motion was seconded by Trey Shupert and was passed by the unanimous vote of the Board members present.

III. Village Planning Report

Trey Shupert reported that the West Acton Village Planning Committee has met twice and established an aggressive time line for completion of the village plan. The WAV Planning Committee is striving to develop a rough draft of the plan by late May or June.

Roland Bartl advised the Board that the South Acton Village Planning Committee will be meeting on February 12, 1992 for the first time.

IV. Acorn Park Restrictive Covenant

Kirk Ware, developer of Acorn Park, met with the Board to discuss his requested changes in the Restrictive Covenant for Acorn Park. Kirk believes that provision #9 of the covenant is unduly restrictive in today's real estate marketplace and presented substitute language to Planning staff for their consideration. Staff had reviewed the proposed language and determined that

it may change the intent of the provision and referred it to the Board for its consideration.

After discussing the proposed language and the reasons for the change, Board members suggested that Planning staff submit the proposed substitute to Town Counsel for his recommendation and advise Kirk Ware accordingly.

V. Master Plan Action Items

Board members discussed the list of Master Plan Actions Items that the Planning Board is responsible for implementing. Jim Lee said that many of the action items have already been completed and several others are currently being addressed by the two village planning committees. Jim suggested that the three most important items remaining incomplete are: 1) increasing traffic capacity; 2) developing a regional business center at Kelley's Corner; and 3) environmental protection through increased protection of aquifers and acquisition of aquifer lands. Greg Niemyski asked staff to check on the status of any bills pending in the legislature which address aquifer protection. Donna Jacobs reported that she believes the Quabbin reservoir bill due for vote last week. Staff will check on the Quabbin bill and the River Protection Act.

Board members agreed to continue working on this project. Greg Niemyski advised the Board that he will provide a list of remaining items for the next Board meeting.

VI. Unbuilt Subdivisions

Board members reviewed the memo from Planning staff regarding old subdivisions located on Stoney Street, Brucewood Road, Hillcrest Drive and Squirrel Hill Road that were approved in excess of 10 years ago and were not constructed.

Squirrel Hill Road - Planning staff reported that Kevin Sweeney has met with them and has indicated that he will seek to modify the approval of this subdivision. Board members decided not to take action on this subdivision due to the anticipated actions of the developer.

Stoney Street - The majority of these lots are owned by the Town of Acton as conservation land. However, there are 6 lots in private ownership that appear to have some development potential. Board members asked staff to research the ownership of the subdivision roadway before making a decision on this subdivision.

Hillcrest Drive - Planning staff reported that the ownership of these lots is divided between D&B Home Builders and Emilio DiBiase. Because all of these lots are located in wetlands and the Finance Department advises that the lots are in Tax Title proceedings, the Board agreed to take no action on this subdivision.

Brucewood Road - These lots are also in wetlands/floodplain areas and have very limited development potential. All but two of these lots are owned by Tremarche Realty Trust which would enable the Board to take action on this subdivision more easily than those previously discussed. However, the Engineering Department has informed staff that there have been inquiries by representatives of the owners recently and it appears that the owner may wish to reconfigure these lots. Therefore, the Board decided to postpone action on this subdivision.

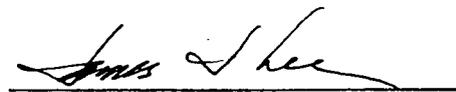
- VII. Discussion: Facilitate Construction of Pope Road Sidewalk - Board members discussed this requirement of the Stoneymeade subdivision approval. It was agreed that the Board would ask staff to request that plans be developed during 1992 for the sidewalk to be constructed along the Stoneymeade subdivision frontage of Pope Road and that construction commence in the Spring of 1993 to be sure that the project is completed before the time limit on the donated funds expires.

Other Business

Doug Carnahan moved that the Board vote to recommend for adoption at Annual Town Meeting all of the Articles discussed at the January 27, 1992 public hearing. His motion was seconded by Jim Lee and passed by unanimous vote.

Trey Shupert moved that the Board meeting be adjourned at 9:40 PM. His motion was seconded by Jim Lee and passed by unanimous vote.

Respectfully submitted,



James Lee, Clerk

cc: B&S Selectmen



PLANNING BOARD • Town of Acton

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

RECEIVED & FILED
DATE March 27 1992
Cornelia O. Huber
TOWN CLERK ACTON

ACTON PLANNING BOARD

Minutes of Meeting

February 24, 1992

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

I. Consent Agenda

The Minutes of the 2/10/92 Board meeting were called off the Consent Agenda by Greg Niemyski. Greg requested that a sentence be added to the section of the minutes on facilitation of the construction of the sidewalk along the Stoneymeade frontage of Pope Road to reflect the Board's wish for the development of an engineered plan in 1992 and commencement of construction in spring of 1993. Doug Carnahan moved that the Board vote to approve the minutes as revised. His motion was seconded by Trey Shupert and carried by unanimous vote.

II. Acorn Park Restrictive Covenant

Town Counsel advised the Board to leave provision #9 of the Restrictive Covenant as is because it is a restatement of state law. Trey Shupert moved that the Board vote to allow the requested changes in the Restrictive Covenant except for provision #9, and to notify Kirk Ware of its decision. Mary Giorgio seconded the motion which was passed by unanimous vote.

III. Village Planning Report

Trey Shupert reported on the progress of the West Acton Village Planning Committee which has established an aggressive time line for completion of the village plan. WAV Planning Committee members share similar likes and dislikes of the village district and have expressed concern about the lack of zoning set-back requirements within the village. Committee members have recognized the need for improvements with regard to transportation, parking and landscaping. The next committee meeting is scheduled for March 4th at

7:30 PM.

The South Acton Village Planning Committee held its first meeting on February 12th and is scheduled to meet again on February 26, 1992.

IV. Public Hearing - Sign Special Permit

Greg Niemyski opened the public hearing on Carlson Real Estate's application for a Sign Special Permit by reading the legal notice as it appeared in the Beacon. Greg informed the Board that the applicant has requested continuation of the hearing to allow time for the ZBA to issue its decision. Mr. Kenneth Sundberg of Carlson Real Estate requested that the Board continue the public hearing until April 13 at 8:00 PM to allow the ZBA to file its decision on his variance request within the allotted time. Mr. Sundberg agreed to grant the Board an extension of the time for filing its decision equal to the continuation time and signed a prepared statement to that effect. It was moved and seconded that the hearing be continued until April 13th at 8:00 PM. No members of the public were in attendance at the hearing.

V. Public Hearing - Groundwater Protection District Rules

Greg Niemyski opened the public hearing by reading the legal notice as it appeared in the Beacon. Board members reviewed the memo from the Planning staff and discussed the changes proposed for these rules and regulations. Mary Giorgio moved that the Board vote to amend the Groundwater Protection District Special permit Rules and Regulations as rendered. The motion was seconded by Doug Carnahan and passed by unanimous vote. Jim Lee moved that the Board vote to close the public hearing on the proposed amendments. His motion was seconded by Trey Shupert and passed by unanimous vote. No members of the public attended the hearing.

VI. Discussion - Master Plan Implementation

Board members discussed the list of Master Plan Actions Items that the Planning Board is responsible for implementing. Doug Carnahan and John Pavan prepared and submitted first drafts of their prioritized lists of action items. Greg Niemyski reported that the Master Plan Coordinating Committee meeting scheduled for 2/25/92 includes an agenda item on assigning responsibility for implementation of the Master Plan's Action Items. Greg will give his report on the outcome of that meeting at the next Board meeting.

VII. Discussion - Street Acceptance for Access Drive to Commuter Lot

Board members reviewed and discussed the memos concerning the proposed acceptance of the access drive to the Commuter Parking Lot as a Town way.

Jim Lee moved that the Board vote to recommend acceptance of the access drive to the Board of Selectmen. His motion was seconded by Mary Giorgio and passed by unanimous vote.

Other Business

Audubon Hill - Amendment to PCRC Special Permit

Board members reviewed and discussed the proposed amendment to the Audubon Hill PCRC Special Permit decision. It was agreed that Exhibit 2.12 referred to the draft copy of a document and that elimination of this reference is not significant to the public interest nor inconsistent with the purpose and intent of the Zoning Bylaw or with the terms of the original decision. Therefore, the Board agreed that no public hearing would be necessary to amend the decision as proposed. Trey Shupert moved that the Board vote to amend the original decision by deleting Exhibit 2.12 in its entirety. His motion was seconded by Doug Carnahan and passed by unanimous vote.

Mary Giorgio moved that the Board meeting be adjourned at 8:45 PM. Her motion was seconded by Trey Shupert and passed by unanimous vote.

Respectfully submitted,



James Lee, Clerk

**Town of Acton
Municipal Budget Packet**



**Annual Town Meeting
April 6, 1992**

**OPEN MESSAGE
FROM
THE BOARD OF SELECTMEN
TO
THE VOTERS OF ACTON**

The Budget that is attached to this message is slightly different from previous budgets that the Board has brought to Town Meeting in past years. The difference is that all Capital Expenditures are now included in the number printed in Article 10 for Total Municipal Appropriation. Previously, Capital Expenditures were each listed separately and voted individually as warrant articles. The driving force for this change is the requirement to keep the Total Municipal Appropriation (including Capital items) within the guidelines established by the Coordinating Committee. The proposed budget represents an increase of 3.9% over the current year. Almost 60% of this increase represents a modest increase in compensation for municipal employees who went without any pay increase last year including steps, costs of living, or merit pay. The bulk of the remaining increase is proposed to start to address the infrastructure repairs and equipment replacement that have been postponed during recent years.

The proposed budget does not require an override, even though the level of State funding has once again been reduced. This is due to the funds raised by School Choice, Teacher Pay Deferral, and continued aggressive collection of delinquent taxes. The budget contains no new positions and hopefully no layoffs if we can achieve agreements with our employees through the collective bargaining process.

We are well aware of the increase in most residential tax bills as a result of the recent reassessment, conducted after three years as required by the state. While most residential values fell significantly, the decrease in commercial, industrial, and condominium values was even steeper and resulted in a shift of the tax levy toward residential property. We are also residents and we share in the pain of such increases. The Town continues to tax businesses at a higher rate than residences. There are some positive signs that the recession has bottomed out but the period of recovery is uncertain at best. The Coordinating Committee's plan for future years is very conservative in terms of anticipated revenue which is certainly the proper course for the Town to follow at this point in time.

We urge your support of this budget which retains services at existing levels and addresses deferred infrastructure repairs. With your continued support we can maintain the quality of life we have come to expect in Acton.

Norm Lake, Chairperson
Nancy Tavernier

F. Dore' Hunter
Anne Fanton

MESSAGE OF THE TOWN MANAGER 1992 ANNUAL TOWN MEETING

For the first time in a long while we are cautiously optimistic as we recommend the budget for next year. After three consecutive years of Overrides, we are able to give the taxpayers of Acton some well deserved relief by avoiding an Override for FY93.

We have long proclaimed that if the State would provide the necessary financial tools we would fend for ourselves. In the last two years the Legislature has

b e g u n t o
r e s p o n d t o t h a t
c h a l l e n g e .
P r o g r a m s s u c h
a s Q u a r t e r l y T a x
B i l l s , S c h o o l
C h o i c e a n d
D e f e r r a l h a v e
b e e n o f f e r e d
a n d A c t o n ,
u n l i k e m a n y
c o m m u n i t i e s ,
h a s t a k e n
a d v a n t a g e o f
e a c h o f t h e s e
o f f e r i n g s .
F i g u r e 1 d e p i c t s

t h e e n o r m o u s

v a l u e o f t h e s e f i n a n c i a l t o o l s i n t h e T o w n ' s R e v e n u e P l a n .

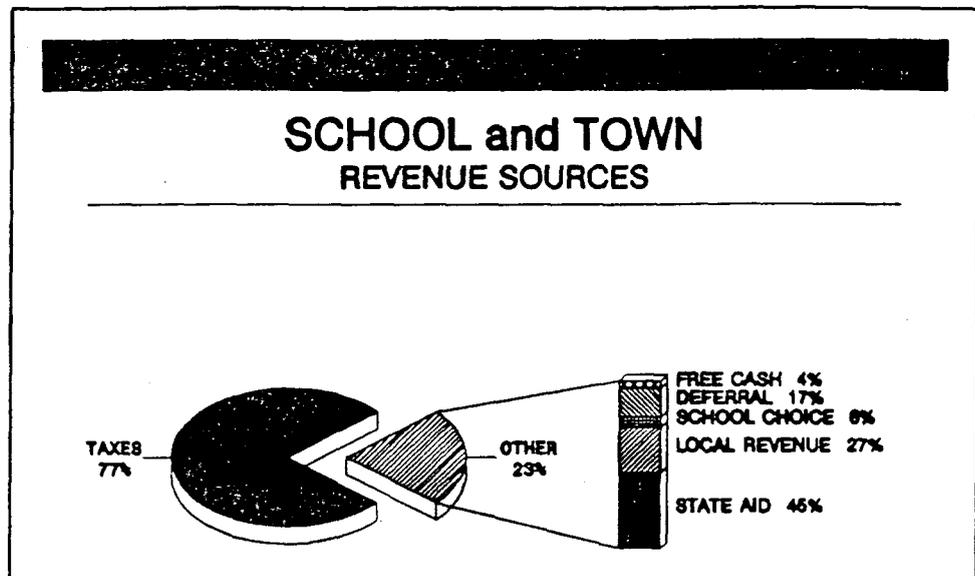


Figure 1

This type of entrepreneurial courage and foresight has distinguished Acton in the past and now provides us the occasion to reward the loyalty and support of our voters by providing some override relief. Our theme throughout the last three years has been to maximize services and minimize costs. This translates into giving you, the voter, the most we can while keeping taxes as low as reasonably possible. By taking full advantage of the available tools, we have achieved that delicate balance again this year ... this time, without an Override.

Given the possibility of avoiding an Override, if Municipal Officials had not availed themselves of the opportunity, we would have failed in our collective responsibility. Worse, we would have betrayed your trust, the very trust we have worked so hard to gain.

The FY93 Budget proposes a total Municipal expenditure of \$10,988,250 and represents an increase of only 3.9% over the FY92 appropriation. This is a realistic budget that responds to the programmatic requirements of the community while acknowledging the fiscal and political realities that currently exist.

For over 10 years the provisions of Prop. 2 1/2 have artificially limited growth in the Tax Levy while inflation continues to run far above that level. This limitation has a negative influence on our ability to purchase goods and services. Figure 2 compares these influences.

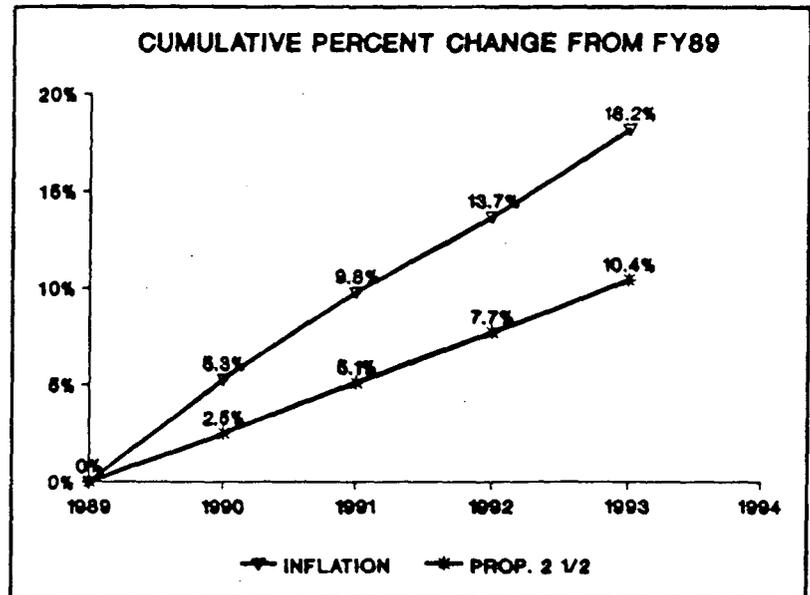


Figure 2

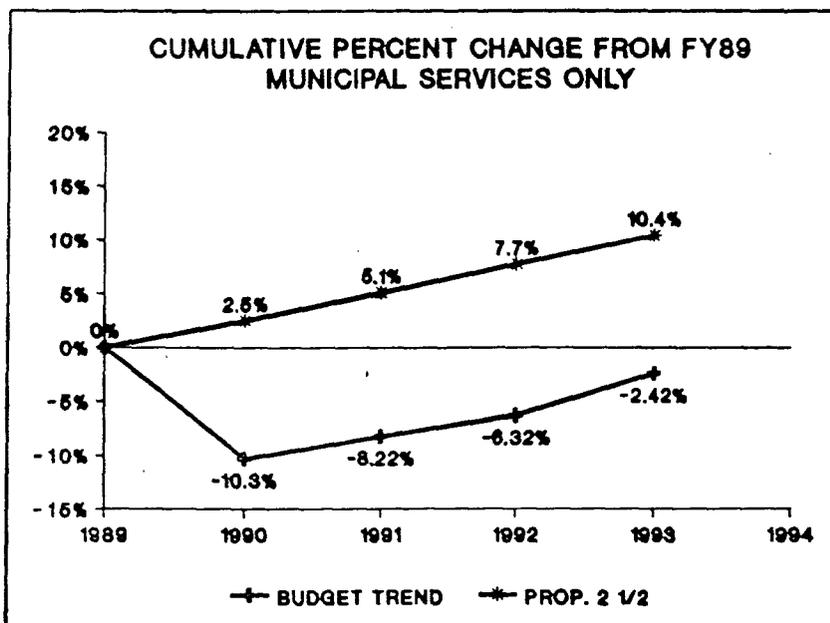


Figure 3

Prior to inception of the Coordinating Committee, total annual expenditures of the Town and Schools kept pace with (and often exceeded) the rate of inflation. The impact of the Coordinating Committee Process on the Municipal Budget is shown in Figure 3.

One measure of the value of your Town Government is gained by comparing the cost of various services in Acton with similar services in other communities. The Department of Revenue compiles state-wide information using several indices. Figure 4 provides some interesting excerpts from the State's most current data base of 351 communities. The percentage devoted to Town Government is an overall indicator.

STATE-WIDE RANKING (out of 351 communities)			
	ACTON FY90	STATE AVERAGE	ACTON'S RANK
TOTAL SPENDING			
% DEVOTED TO TOWN GOVT	24.60%	30.30%	277th
COST PER -CAPITA			
POLICE	\$79.57	\$80.82	176th
FIRE	\$86.29	\$58.58	103rd
HEALTH & WELFARE	\$11.00	\$22.00	204th
DPW (PER ROAD MILE)	\$14,357	\$24,044	181st

Figure 4

We are attempting to reestablish a minimal Capital Program in FY93. This budget realigns and reduces various expenditures, within the Municipal allocation, to respond to the Town's most urgent Capital and Infrastructure Repair/Replacement needs. During the budget crunch of the last three years we were forced to eliminate nearly all of our Capital Equipment and Infrastructure Repair and Replacement programs. The proposed budget provides approximately \$400,000 dedicated to such programs for FY93.

Even so, this investment falls far short of satisfying the Capital and Infrastructure needs of the Town that, in total, exceed \$1,800,000 this year (not including sewers). We have, I believe, been able to pull together a reasonable program that represents a good start toward reinvesting in this important area.

Figure 5 gives a historic view of these programs over the last 4 years. Compare this with any given year in the mid '80's when expenditures of this nature would have typically been in excess of one million dollars. Clearly, we are losing important ground that must be regained in the future.

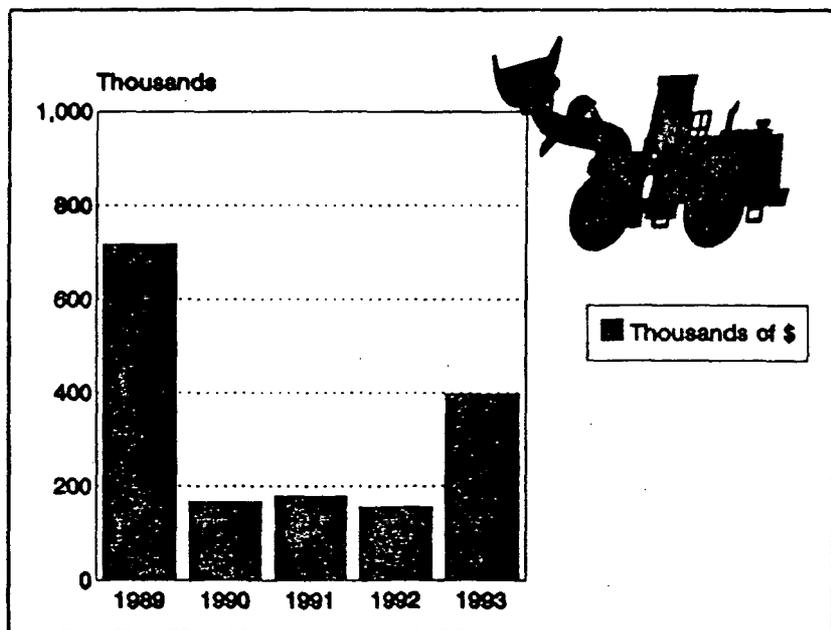


Figure 5

Capital and Infrastructure Repair/Replacement Programs that have been funded from internal budget reallocations and incorporated in this recommendation include:

- a. Replace Street Sweeper
- b. Replace Catchbasin Truck
- c. Replace two (2) Additional Police Cruisers. Last year, the cruiser rotation program required the replacement of two (2) cruisers out of the Police Budget. This year, the normal rotational program requires four (4) replacements; therefore, two(2) additional cruisers have been funded in the Police Budget.
- d. 1/2 of the Lease-Purchase price of a Replacement Dump Truck for the Cemetery Division of the Municipal Properties Department has been included in the budget. The other 1/2 will come from Trust Funds.
- e. Repair of Concord Road Bridge at Ice House Pond. This structure has been on our list for several years and was further damaged during Hurricane Bob. The project includes a widening to provide a sidewalk on the bridge for pedestrian safety.
- f. Replacement of the concrete sidewalk on Main Street in Acton Center, between Concord Road and Taylor Road.
- g. \$50,000 commitment to road repairs and resurfacing,town-wide.
- h. Replace culvert on Barker Road.
- i. Replace culvert on Stow Street.
- j. Remove in-ground oil tank at Memorial Library and convert to gas heat.

I have previously indicated that this budget fits into a fiscal plan that can be achieved without the need for an Override in FY93. This positive note has been achieved primarily due to the Town's adoption of Quarterly Tax Bills, School Choice, Deferral (at both the Local and Regional School levels) and our continued aggressive tax collection program. A key element in all of these programs that we often fail to emphasize adequately has been the extraordinary cooperation and problem solving skills of our employees. They make it work. If not for their daily efforts, the success that we all boast would surely have been failure and Acton would be like any other town, caught up in the recession, with no plan or hope of surviving ... much less, increasing emphasis on capital and infrastructure.

Respectfully Submitted,

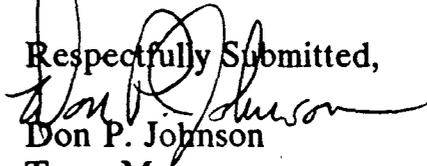

Don P. Johnson
Town Manager

TABLE 3
MUNICIPAL OBJECT BUDGET
ARTICLE 10

	<u>EXPENDED</u> 1990	<u>EXPENDED</u> 1991	APPROPRIATED <u>1992</u>	PROPOSED BUDGET <u>1993</u>
LABOR COST WITH BENEFITS	\$6,549,407	\$6,779,370	7,290,202	\$7,744,688
UTILITIES	315,602	257,608	359,581	281,050
EQUIPMENT REPAIR/REPLACE	160,209	202,407	196,737	395,296
INSURANCE NON EMPLOYEE	196,968	177,632	232,050	239,012
LEGAL SERVICES	225,733	215,243	235,000	227,000
SNOW REMOVAL	139,766	106,872	107,000	123,050
INFRASTRUCTURE REPAIR	64,709	119,383	113,730	261,991
SUPPLIES, GENERAL	104,492	301,564	155,761	99,548
GAS & DIESEL FUEL	57,952	79,583	87,750	92,655
EXPENSES, OTHER	56,981	92,097	116,205	117,812
BUILDING & GROUNDS MAINTENANCE	64,727	67,295	45,960	60,660
LIBRARY BOOKS	61,702	57,468	58,893	60,983
PRINTING & DISTRIBUTION	39,720	51,438	54,540	61,010
SOCIAL SERVICES	39,015	2,389	2,225	13,225
M.I.S./REPAIRS CONTRACTS	60,037	105,556	103,297	95,737
EXTERNAL EXPERT ADVICE	29,634	21,560	10,480	10,955
AUDIT	400	36,500	25,000	25,750
ADVERTISING EXPENSE	6,238	11,917	11,500	7,650
TRAVEL, LOCAL	1,663	1,989	3,443	2,363
PUBLIC RELATIONS	785	934	1,050	1,550
TRAVEL, OUT OF STATE	16	221	2,000	2,000
DEBT REGISTRATION	4,802	1,057	2,000	2,000
VETERAN'S BENEFITS	11,370	14,172	10,400	18,720
RESERVE FUND	<u>-0-</u>	<u>-0-</u>	<u>50,000</u>	<u>35,000</u>
TOTAL	\$8,191,928	\$8,704,255	\$9,274,804	\$9,979,705

**TABLE 3
MUNICIPAL OBJECT BUDGET
ARTICLE 10**

	<u>EXPENDED 1990</u>	<u>EXPENDED 1991</u>	<u>APPROPRIATED 1992</u>	<u>PROPOSED BUDGET 1993</u>
LABOR COSTS WITH BENEFITS*				
MODERATOR	100	100	200	200
MANAGER/SELECTMEN	182,347	166,575	194,285	231,456
ACCOUNTANT	58,249	62,599	88,086	98,312
FINANCE	1,602,351	1,824,380	1,418,294	1,341,673
CIVIL DEFENSE	661	591	700	700
ASSESSOR	92,950	91,365	104,703	113,463
VETERANS SERVICES	1,933	547	2,031	2,031
CLERK	64,775	67,917	75,020	87,661
ENGINEERING	107,367	94,440	109,695	124,548
COLLECTOR	70,159	39,508	43,941	49,177
ELECTION	3,626	10,784	7,940	7,940
PLANNING	104,900	63,103	102,295	125,155
CONSERVATION	29,853	31,857	38,005	41,727
MUNICIPAL PROPERTY	210,043	199,974	252,592	267,861
POLICE	1,190,677	1,377,064	1,589,270	1,740,993
FIRE	1,562,968	1,588,149	1,854,844	2,009,704
DOG OFFICER	7,247	4,500	9,300	9,300
HEALTH	130,793	116,508	131,867	147,797
COUNCIL ON AGING	37,840	41,410	46,325	52,453
BUILDING	95,710	101,410	115,464	128,547
HIGHWAY	538,324	452,650	587,804	600,512
LIBRARY, MEMORIAL	298,476	283,341	323,164	354,505
LIBRARY, W. ACTON	16,363	15,882	20,752	20,320
CEMETERIES	141,695	144,716	173,625	188,653
SUB-TOTAL	6,549,407	6,779,370	7,290,202	7,744,688

UTILITIES

ALL DEPARTMENTS	<u>315,602</u>	<u>257,608</u>	<u>359,581</u>	<u>281,050</u>
SUB-TOTAL	315,602	257,608	359,581	281,050

* HEALTH BENEFITS COST FOR 1992 AND 1993 HAVE BEEN ALLOCATED TO USER DEPARTMENTS, WHICH WERE PREVIOUSLY CONSOLIDATED IN FINANCE.

TABLE 3
MUNICIPAL OBJECT BUDGET
ARTICLE 10

	EXPENDED <u>1990</u>	EXPENDED <u>1991</u>	APPROPRIATED <u>1992</u>	PROPOSED BUDGET <u>1993</u>
EQUIPMENT, REPAIR AND REPLACE				
MANAGER/SELECTMEN	16,497	41,350	15,100	15,100
FINANCE	4,802	4,347	3,500	4,000
CIVIL DEFENSE	1,210	1,468	1,650	1,769
ASSESSOR	-0-	-0-	-0-	-0-
ENGINEERING	4,901	6,079	1,500	1,500
ELECTION	1,503	2,561	3,760	2,800
MUNICIPAL PROPERTY	3,407	8,036	1,467	2,467
POLICE	6,163	5,352	38,884	72,384
FIRE	9,567	23,583	25,500	27,450
HEALTH	26	578	175	200
HIGHWAY	111,431	99,047	97,200	255,600
LIBRARY, MEMORIAL	255	255	2,995	2,995
LIBRARY, W. ACTON	412	55	75	75
CEMETERIES	<u>35</u>	<u>9,696</u>	<u>4,931</u>	<u>8,956</u>
SUB-TOTAL	160,209	202,407	196,737	395,296
INSURANCE, NON EMPLOYEE				
FINANCE	<u>196,968</u>	<u>177,632</u>	<u>232,050</u>	<u>239,012</u>
UB-TOTAL	196,968	177,632	232,050	239,012
LEGAL SERVICES				
MANAGER, SELECTMEN	<u>225,733</u>	<u>215,243</u>	<u>235,000</u>	<u>227,000</u>
SUB-TOTAL	225,733	215,243	235,000	227,000
SNOW REMOVAL				
HIGHWAY	<u>139,766</u>	<u>106,872</u>	<u>107,000</u>	<u>123,050</u>
SUB-TOTAL	139,766	106,872	107,000	123,050
INFRASTRUCTURE REPAIR				
HIGHWAY	<u>64,709</u>	<u>119,383</u>	<u>113,730</u>	<u>261,991</u>
SUB-TOTAL	64,709	119,383	113,730	261,991

**TABLE 3
MUNICIPAL OBJECT BUDGET
ARTICLE 10**

	<u>EXPENDED</u> 1990	<u>EXPENDED</u> 1991	<u>APPROPRIATED</u> 1992	<u>PROPOSED</u> <u>BUDGET</u> 1993
SUPPLIES, GENERAL				
MODERATOR	-0-	-0-	20	20
MANAGER/SELECTMEN	2,524	11,898	6,750	6,750
ACCOUNTANT	2,006	2,999	2,113	2,176
FINANCE	5,788	8,954	3,000	3,000
CIVIL DEFENSE	1,734	1,267	830	830
ASSESSOR	785	844	1,035	1,490
VETERANS SERVICE	35	45	100	403
CLERK	1,235	4,836	5,010	5,010
TREASURER	-0-	-0-	57,187	-0-
ENGINEERING	2,503	2,481	3,300	3,150
COLLECTOR	8,814	9,155	4,450	4,678
ELECTION	617	1,833	1,760	1,960
PLANNING	1,672	34,391	3,871	4,721
CONSERVATION	3,797	752	1,850	3,000
MUNICIPAL PROPERTY	20,043	24,527	18,500	18,500
POLICE	21,049	23,110	14,525	15,025
FIRE	10,271	9,728	9,825	11,025
COMMISSION, YOUTH	-0-	-0-	-0-	-0-
HEALTH	370	417	275	300
COUNCIL ON AGING	1,400	330	450	450
BUILDING	3,637	51,663	2,500	2,500
HIGHWAY	8,142	105,697	12,200	8,300
LIBRARY, MEMORIAL	5,620	3,960	4,225	4,225
LIBRARY, W. ACTON	533	200	195	195
CEMETERIES	<u>1,917</u>	<u>2,477</u>	<u>1,790</u>	<u>1,840</u>
SUB-TOTAL	104,492	301,564	155,761	99,548

GAS & DIESEL FUEL

FIRE	-0-	5,000	-0-	-0-
HIGHWAY	57,835	73,067	87,600	92,480
CEMETERIES	<u>117</u>	<u>1,516</u>	<u>150</u>	<u>175</u>
SUB-TOTAL	57,952	79,583	87,750	92,655

TABLE 3
MUNICIPAL OBJECT BUDGET
ARTICLE 10

	<u>EXPENDED</u> <u>1990</u>	<u>EXPENDED</u> <u>1991</u>	<u>APPROPRIATED</u> <u>1992</u>	<u>PROPOSED</u> <u>BUDGET</u> <u>1993</u>
EXPENSES, OTHER				
MANAGER/SELECTMEN	2,000	8,341	27,020	26,020
ACCOUNTANT	-0-	55	55	55
FINANCE	-0-	1,605	440	3,247
CIVIL DEFENSE	-0-	172	400	400
ASSESSOR	259	18,619	965	1,000
CLERK	436	100	70	145
COMMISSION, HANDICAPPED	1,514	1,352	1,450	1,500
PUBLIC CEREMONIES	2,205	2,386	2,520	2,520
ENGINEERING	-0-	165	200	200
ELECTION	242	-0-	1,125	-0-
PLANNING	1,009	570	925	925
ZONING BOARD OF APPEALS	1,351	2,665	2,850	2,950
CONSERVATION COMMISSION	-0-	237	-0-	300
MUNICIPAL PROPERTY	4,999	3,673	4,350	4,450
POLICE	2,398	8,151	11,550	11,550
FIRE	1,228	6,314	8,600	7,300
DOG OFFICER	-0-	100	1,000	1,025
HEALTH	14,571	12,007	14,040	14,340
COMMISSION, HISTORICAL	582	291	525	545
COUNCIL ON AGING	-0-	64	75	75
BUILDING	23,914	23,692	36,375	37,475
HIGHWAY	-0-	832	900	900
LIBRARY, MEMORIAL	-0-	190	170	240
CEMETERIES	<u>273</u>	<u>516</u>	<u>600</u>	<u>650</u>
SUB-TOTAL	56,981	92,097	116,205	117,812
BUILDING & GROUNDS MAINTENANCE				
MUNICIPAL PROPERTY	59,590	62,537	41,350	56,050
COUNCIL ON AGING	3,600	3,600	3,600	3,600
CEMETERIES	<u>1,537</u>	<u>1,158</u>	<u>1,010</u>	<u>1,010</u>
SUB-TOTAL	64,727	67,295	45,960	60,660
LIBRARY BOOKS				
LIBRARY, MEMORIAL	58,572	54,743	56,066	58,056
LIBRARY, W. ACTON	<u>3,130</u>	<u>2,725</u>	<u>2,827</u>	<u>2,927</u>
SUB-TOTAL	61,702	57,468	58,893	60,983

**TABLE 3
MUNICIPAL OBJECT BUDGET
ARTICLE 10**

	<u>EXPENDED 1990</u>	<u>EXPENDED 1991</u>	<u>APPROPRIATED 1992</u>	<u>PROPOSED BUDGET 1993</u>
PRINTING AND DISTRIBUTION				
MANAGER/SELECTMEN	9,289	7,204	15,000	10,500
FINANCE	20,080	32,996	26,850	35,450
ASSESSOR	209	58	200	300
ELECTION	1,897	1,821	2,180	4,325
PLANNING	2,000	2,500	2,500	2,000
CONSERVATION	104	-0-	-0-	250
HEALTH	2,178	2,496	2,050	2,100
COUNCIL ON AGING	3,048	3,787	4,190	4,515
LIBRARY, MEMORIAL	889	541	1,550	1,550
LIBRARY, W. ACTON	<u>26</u>	<u>35</u>	<u>20</u>	<u>20</u>
SUB-TOTAL	39,720	51,438	54,540	61,010
SOCIAL SERVICES				
MANAGER/SELECTMEN	33,575	-0-	-0-	11,000
COUNCIL ON AGING	<u>5,440</u>	<u>2,389</u>	<u>2,225</u>	<u>2,225</u>
SUB-TOTAL	39,015	2,389	2,225	13,225
M.I.S./REPAIR CONTRACTS				
MANAGER/SELECTMEN	-0-	1,389	2,000	2,000
FINANCE	29,349	85,160	83,520	75,520
LIBRARY, MEMORIAL	<u>30,688</u>	<u>19,007</u>	<u>17,777</u>	<u>18,217</u>
SUB-TOTAL	60,037	105,556	103,297	95,737
EXTERNAL EXPERT ADVICE				
FINANCE	-0-	1,071	3,355	3,355
ASSESSOR	21,062	-0-	-0-	-0-
ENGINEERING	4,600	2,659	3,125	3,600
COLLECTOR	2,922	16,830	3,000	3,000
POLICE	<u>1,050</u>	<u>1,000</u>	<u>1,000</u>	<u>1,000</u>
SUB-TOTAL	29,634	21,560	10,480	10,955

**TABLE 3
MUNICIPAL OBJECT BUDGET
ARTICLE 10**

	<u>EXPENDED 1990</u>	<u>EXPENDED 1991</u>	<u>APPROPRIATED 1992</u>	<u>PROPOSED BUDGET 1993</u>
		AUDIT		
FINANCE	400	36,500	25,000	25,750
SUB-TOTAL	400	36,500	25,000	25,750

ADVERTISING EXPENSE

MANAGER/SELECTMEN	5,440	5,974	10,000	6,000
FINANCE	-0-	-0-	-0-	-0-
COLLECTOR	282	5,114	400	400
PLANNING	241	218	450	400
CONSERVATION	139	211	-0-	200
HEALTH	<u>136</u>	<u>400</u>	<u>650</u>	<u>650</u>
SUB-TOTAL	6,238	11,917	11,500	7,650

TRAVEL, LOCAL

MANAGER/SELECTMEN	126	170	100	100
ACCOUNTANT	99	20	33	33
FINANCE	77	10	200	100
ASSESSOR	180	602	800	400
CLERK	4	-0-	50	50
ENGINEERING	-0-	-0-	50	20
LECTOR	34	-0-	-0-	-0-
PLANNING	-0-	41	100	50
POLICE	180	226	1,000	1,000
FIRE	447	145	500	-0-
HEALTH	14	5	50	50
COUNCIL ON AGING	-0-	-0-	-0-	-0-
BUILDING	130	130	50	50
HIGHWAY	5	22	50	50
LIBRARY, MEMORIAL	342	612	450	450
LIBRARY, W. ACTON	<u>25</u>	<u>6</u>	<u>10</u>	<u>10</u>
SUB-TOTAL	1,663	1,989	3,443	2,363

PUBLIC RELATIONS

MANAGER/SELECTMEN	260	724	300	800
LIBRARY, MEMORIAL	124	210	750	750
RECREATION	<u>401</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
SUB-TOTAL	785	934	1,050	1,550

TABLE 3
MUNICIPAL OBJECT BUDGET
ARTICLE 10

	<u>EXPENDED 1990</u>	<u>EXPENDED 1991</u>	<u>APPROPRIATED 1992</u>	<u>PROPOSED BUDGET 1993</u>
TRAVEL, OUT OF STATE				
ALL DEPARTMENTS	<u>16</u>	<u>221</u>	<u>2,000</u>	<u>2,000</u>
SUB-TOTAL	16	221	2,000	2,000
DEBT REGISTRATION				
FINANCE	<u>4,802</u>	<u>1,057</u>	<u>2,000</u>	<u>2,000</u>
SUB-TOTAL	4,802	1,057	2,000	2,000
VETERAN'S BENEFITS				
VETERANS SERVICE	<u>11,370</u>	<u>14,172</u>	<u>10,400</u>	<u>18,720</u>
SUB-TOTAL	11,370	14,172	10,400	18,720
RESERVE FUND				
FINANCE COMMITTEE	<u>-0-</u>	<u>-0-</u>	<u>50,000</u>	<u>35,000</u>
SUB-TOTAL	<u>-0-</u>	<u>-0-</u>	<u>50,000</u>	35,000
GRAND TOTAL	\$8,191,928	\$8,704,255	\$9,274,804	\$9,979,705
LESS FUND TRANSFER:				74,100
CEMETERY TRUST FUNDS				65,400
CONSERVATION RESERVE				3,700
COUNTY DOG FUNDS				5,000
TAX LEVY APPROPRIATION				\$9,905,605

ADMINISTRATION

- Carries out the policies of Town Meeting and Selectmen.
- Administers the day-to-day operation of the Town.
- Issues licenses for alcoholic beverages, common victualers, Class I and Class II car dealers.
- Administers employees and outside consultants.
- Negotiates collective bargaining on behalf of the Town.
- Coordinates Town policies with State & Federal agencies.
- Coordinates Town, School, and Water District activities and issues.
- Prepares Town budget, Town Meeting warrants, and Town Report.
- Awards all bids and contracts.
- Handles comments and criticism from citizens.
- Coordinates activities of volunteer boards, committees, and commissions.
- Collects parking fines and issues railroad parking lot stickers.

FINANCE DEPARTMENT

- Responsible for all Town's cash assets.
- Assists Town Manager to compile municipal operating budget.
- Invests and plans the utilization of cash.
- Plans and monitors Town's cash flow.
- Arranges for temporary borrowing and bonding of funds as needed.
- Custodian of all Town trustee funds with responsibility for their investment strategy.
- Issues and collects all real, personal, and excise tax bills for the Town.
- Administers risk management planning and strategy.

TOWN ACCOUNTANT'S OFFICE

- Maintains accounting records for Town.
- Records Town appropriations, expenditures, receipts, commitments, and abatements.
- Prepares Town payroll and all related payroll reports.
- Administers health and life insurance programs for Town employees and retirees.
- Compiles statistical data for Town, State, and Federal agencies as well as internal use.

ASSESSORS' OFFICE

- Conducts fiscal evaluations of real estate in town.
- Measures, values, lists, and reports new growth as well as existing properties.
- Maintains files on real estate sales.
- Conducts abatement hearings on property tax bills.
- Distributes and hears requests for abatement or adjustment of motor vehicle excise tax bills.

TOWN CLERK'S OFFICE

- Conducts elections, annual Town census, and maintains related records.
- Manages and records all Town meeting actions.
- Maintains vital records: births, deaths, and marriages.
- Issues marriage, dog, and fish & game licenses; business certificates; storage permits; raffle & bazaar permits; lists of voters, residents, and businesses.
- Records special permits, site plans, Planning Board and Board of Appeals decisions, chattel mortgages, cemetery deeds, utility pole locations, Town committee and commission minutes and agenda.
- Maintains Town calendar and acts as major information and referral source.

POLICE DEPARTMENT

- Provides crime prevention, deterrence and investigation.
- Prosecutes at trials, arraignments and hearings.
- Responds to all accidents, medical and other emergencies.
- Maintains logs of all incidents.
- Checks unoccupied houses.
- Responds to business and residential alarms.
- Conducts training for commercial and residential crime resistance and child safety.
- Offers juvenile programs in the elementary school for drug prevention, videotaping and fingerprinting of children for identification.

FIRE DEPARTMENT

- Provides fire prevention and suppression with full-time firefighters.
- Provides Town-wide ambulance service and rescue operations with certified Emergency Medical Technicians and a water/dive rescue team.
- Responds to all medical emergencies and motor vehicle accidents.
- Administers Town, State, and Federal hazardous material and right-to-know programs.
- Maintains three fire stations, their apparatus and equipment.
- Inspects and enforces fire alarm codes.
- Issues permits for underground tanks, burning, storage of flammable liquids & gases, gunpowder, blasting, and fireworks.
- Maintains municipal fire alarm system.
- Provides classes in CPR, fire prevention and fire safety for children and adults.

HEALTH DEPARTMENT

- Inspects and licenses or permits sewage treatment plants; septage disposal and new or repaired septic systems; septage haulers, installers, and inspectors; Town transfer station; commercial dumpsters and trash haulers; hazardous waste and material storage; semi-public swimming pools; food businesses; and massage establishments.
- Observes soil perc tests.
- Responds to health nuisance complaints and performs housing inspections.
- Conducts Hazardous Waste Day, hazardous material seminars.
- Records septic tank pumpings, communicable diseases.
- Supervises Public Health Nursing Service.
- Monitors groundwater testing, mosquito spraying program.
- Sealer of Weights and Measures, Animal Inspector.
- Regulates work within aquifer and work with genetic material.

PUBLIC HEALTH NURSING SERVICE

- Provides health care assistance by making home visits to the elderly or chronically ill.
- Provides physical, occupational, and speech therapies, and health or nutrition counseling and education.
- Conducts screening clinics for blood pressure, lead poisoning, and cholesterol.
- Offers well child and flu clinics.
- Inspects and licenses nursery schools and day care centers.

COUNCIL ON AGING

- Provides information and referral services for senior citizens and handicapped persons.
- Provides transportation, Meals on Wheels, entertainment programs and day classes, bus trips, surplus food distribution, fuel assistance programs + wa friendly visitor program, in-home visits and telephone reassurance calls, hearing and podiatry clinics and a newsletter.
- Assists with tax preparation, social agency interaction, and health insurance forms.
- Loans medical equipment for home use.

BUILDING DEPARTMENT

- Reviews renovation and new building permit applications and issues permits.
- Enforces and interprets the Zoning Bylaw.
- Coordinates Site Plan permitting process.
- Enforces state Handicapped Access code.
- Issues electrical, gas and plumbing permits and inspects all aspects of construction.
- Conducts safety inspections of day care centers and restaurants.
- Enforces Sign Bylaw.

PLANNING DEPARTMENT

- Reviews permits applications for new development under the State Zoning Act, the Acton Zoning Bylaw, and the Subdivision Control Law.
- Develops amendments to Zoning Bylaw.
- Provides planning services to other Town boards and committees regarding land use issues.

ENGINEERING DEPARTMENT

- Maintains up-to-date Town Atlas and data by street location.
- Records and makes available lot plans and deeds, flood plain information, and benchmark and road layout data.
- Reviews and inspects site plans, subdivision plans, special permit plans and construction.
- Regulates construction within public ways.
- Provides engineering and survey assistance to other departments.
- Design, surveys, and stakes out public works projects.
- Administers public works projects by outside contractors.

MUNICIPAL PROPERTIES DEPARTMENT

- Maintains Town buildings, Conservation and Recreation areas.
- Provides custodial services and repairs, awards bids and supervises contractors for major renovations, and supervises energy conservation and utilities management for all Town buildings.
- Conducts mosquito control; street tree planting, pruning, and removal programs; line trimming inspection; poison ivy and roadside brush control.
- Reviews and approves landscape design for Site Plans and Subdivisions.

CONSERVATION DEPARTMENT

- Supervises 1500 acres conservation land, community gardens, and the Acton Arboretum.
- Enforces Wetlands Protection Act through inspections, public hearings and review of building permits.
- Provides environmental projects for Scouts, including supervising Eagle Scout Projects.
- Conducts a Community Education natural history program.
- Initiates Habitat Enhancement projects and Rare and Endangered Species Reintroduction programs.

CEMETERY DEPARTMENT

- Maintains 157.5 acres of cemetery land at three cemeteries.
- Records all interments, lots, and deeds.
- Disburses Perpetual Care funds.
- Repairs and maintains equipment.
- Administers and maintains Woodlawn Chapel for services and weddings.

HIGHWAY DEPARTMENT

- Paves, maintains, prepares for paving by outside contractors, sweeps, seals cracks, stone seals 120 miles of town roads.
- Plows snow and sands all town roads and sidewalks; places sand barrels, snow stakes, and fences; cleans up and removes snow from corners and village areas.
- Installs, maintains, and repairs catchbasins and roadside drainage.
- Provides State inspection, repairs, and maintains all Town vehicles.
- Records maintenance and operations expenses for Town vehicles.
- Maintains and administers solid waste Transfer Station and recycling center.
- Hauls trash to North Andover incinerator.
- Supervises guardrail repair and replacement.
- Provides labor and materials for other construction and maintenance on Town properties.
- Records, erects, and maintains street and traffic signs.
- Paints lines on roads and public parking lots.

MEMORIAL LIBRARY

- Lending and reference library.
- Collection of 61,000 items.
- Circulates 200,000+ items annually.
- Member of Minuteman Library Network and Eastern Massachusetts Regional Library System.
- Provides book talks, library skills workshops for adults and children, summer reading program, story hours, craft programs, adult book discussion group.
- Maintains local history and genealogical collections.

WEST ACTON CITIZENS' LIBRARY

- Lending library with reference material for children.
- Collection of 10,000 volumes.
- Circulates 20,000 items annually.
- Member of Eastern Regional Library and Bookmobile Systems.
- Loans and delivers books to shut-ins, Windsor Green, and Suburban Manor.

File

APRIL 10, 1992

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

#####

AGENDA

ROOM 204

7:30 P.M.

APRIL 14, 1992

I. CITIZEN'S CONCERNS

II. PUBLIC HEARINGS & APPOINTMENTS

1. 7:30 BOSTON EDISON - ESTABROOK ROAD - CONDUIT INSTALLATION
2. 7:35 COMMITTEE INTERVIEW - TOM PETERMAN - Enclosed please find Mr. Peterman's Citizen Resource Sheet and recommendation from VCC to appoint him as an Alternate Member of the Historic District Commission.
3. 7:45 COMMITTEE INTERVIEW - JOHN PAVAN - Enclosed please find Mr. Pavan's Citizen Resource Sheet and recommendation from VCC to appoint him as a full member of the Planning Board.

III. CONSENT AGENDA

4. SELECTMEN'S MINUTES - Enclosed find Minutes of March 17, 1992 Regular and Executive Session for Board approval.
5. SUN REFINING AND MARKETING - SPECIAL PERMIT #2/7/90-324 - Enclosed please find a request for extension and staff recommendation for Board action.
6. G&S AUTO SALES CLASS II LICENSE - Enclosed please find a request to change the name on this license to DJS AUTOMOTIVE for Board action.

IV. SELECTMEN'S CONCERNS

7. Board Reorganization
8. Input on Mandate Relief for Cities/Towns.

V. TOWN MANAGER'S REPORT

9. Woodlawn Cemetery

VI. EXECUTIVE SESSION

VII. MEETINGS

VIII. ADDITIONAL INFORMATION

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

IX. FUTURE AGENDAS

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

April 28, 1992

May 12, 1992

May 26, 1992

Boston Edison
Conduit and Manholes Installation

4/14/92 (1)

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 14th day of April 1992, at 7:30 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:

Estabrook Road - Southerly approximately 62 feet southeast of Strawberry Hill Road.

A Distance of about 6 feet - Conduit.

BOARD OF SELECTMEN

BY Chris Myjag
Clerk

Form 518D
648ACS

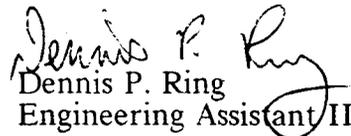
TOWN OF ACTON

INTER-DEPARTMENTAL COMMUNICATION

DATE: 3/12/92

TO: Board of Selectmen
FROM: Engineering Department
SUBJECT: Boston Edison Petition
Lot 4 Esterbrook Road

This is a petition to install a conduit to provide underground electrical service to a newly constructed residence on Esterbrook Road. We do not foresee any problem with the proposed construction.


Dennis P. Ring
Engineering Assistant II

[188]

@ 7:35

4/14/az

②

TOWN OF ACTON

INTER-GOVERNMENTAL COMMUNICATION

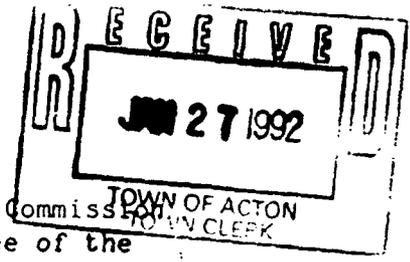
Date : 12 Feb 1992
To : Board of Selectmen
From : Volunteer Coordinating Committee
Subject : Recommendation for appointment

At its 2-10-92 meeting, the VCC voted to recommend Thomas C. Peterman for Alternate Membership on the Historical District Commission. His training and professional experience fully qualify him to participate in architectural review.

In addition, Tom has taken the initiative of attending meetings of the Historical District Commission and the Commission has sent us an endorsement of his appointment to alternate membership.

term: 6/30/94

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.

1 27/12

(Please print or type)

Date: January 15, 1992

Mr / Mrs

Ms / Dr

Peterman
Last Name

Thomas
First Name

Charles
Middle Initial

16 Hosmer Street, Acton, Ma.
Street Address

508 264 4686
Home Phone

617 491 3067
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) Historic District Commision
- 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):

Do you have any time restrictions ? Available weeday evenings only

How long have you lived in Acton? since 6/91 in Massachusetts? since 8/80

Are you a US citizen ? yes

Present occupation and employer (optional - attach resume) _____

Architect, 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 see resume attached

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:

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 2/5/92

scheduled date / time 2/10/92 8:30PM

VCC RECOMMENDATION: date 2/10/92

Board(s) HDC Member / Alt / Assoc

_____ Member / Alt / Assoc

_____ Member / Alt / Assoc

Date VCC recommendation sent to

BOS / TMgr / TMod 2-12-92

APPOINTING BODY: BOS / TMgr / TMod

Interview date _____

Appointed: Date _____

to: Board _____

Term _____

NOTIFICATION OF APPOINTMENT

Date received by VCC _____

Date appointee & committee notified

by VCC _____

THOMAS CHARLES PETERMAN

16 Hosmer Street, Acton, Massachusetts 01720

H: (508) 264 4686 B: (617) 491 3067

Registered Architect - Massachusetts # 6297

EDUCATION:

Harvard University, Graduate School of Design, Cambridge, Massachusetts
Masters of Architecture 1983, with Honors

Miami University, Oxford, Ohio
Bachelor of Environmental Design 1980, Magna Cum Laude

Architecture Association, London, England
Exchange student 1979

San Francisco Center for Architecture and Urban Studies, San Francisco, California
Exchange student 1978

Pennsylvania Governor's School for the Arts, Lewisburg, Pennsylvania
full scholarship for painting/drawing 1975

PROFESSIONAL EXPERIENCE:

5/90 to present Tsoi/Kobus & Associates, Inc., Cambridge, Massachusetts
Project Architect/Designer: Olmsted Plaza Research Lab, Boston; HCI-Hellas Medical Center, Athens, Greece; Brigham & Women's Hospital: Chemo- Infusion/Transfusion Center, Surgical Oncology Dept., Dental Faculty Offices, Masterplan studies for Hospital Expansion, Boston; Huntington Plaza Biomedical Research Labs Proposal, Boston

9/85 to 5/90 Peterman/Braht Architects Inc., Boston, Massachusetts
Principal/Project Architect: numerous residential and commercial projects
(refer to attached project list)

10/83 to 9/85 Carol Fippin, Inc., Cambridge, Massachusetts
Project Designer: for the Codex Corporation World Headquarters interiors

1/83 to 10/83 Koetter/Kim and Associates, Boston, Massachusetts
Designer: Codex Corporation World Headquarters, Center Plaza renovation, winning entry to the Lafayette Square housing competition, St. Louis

6/81 to 9/81 The Architects Collaborative, Cambridge, Massachusetts
6/82 to 9/82 Designer/draftsman: Shorja Square, Maidan Square Transportation Center, both Bagdad, Iraq; Project Designer: Ft. Lauderdale Civic Center competition

HONORS:

Soling Competition award winner, 1983
Skidmore, Owing, and Merrill Foundation National Traveling Fellowship Competition Finalist 1982
Design Studio Honors, Harvard GSD, 1980-83
Miami University Departmental Honors: Outstanding Graduate of the Class of 1980
Miami University Alumni Merit Scholarship Recipient, 1978-80

PUBLICATIONS:

Soling Competition Entry : *Architectural Record*, April 1983; *Architectural Studio* [Australia], Summer 1983; *The Tall Building Artistically Reconsidered: The Search for a Skyscraper Style*, by Ada Louise Huxtable, 1984; and *The Soling Competition Catalogue*, Syracuse University, 1985
Backbay Apartment Renovation: *Boston Magazine* June 1985
Urban Roof Terrace: *Boston Magazine* April 1986
Willmore Residence Renovation: *Boston Magazine* April 1988

TEACHING EXPERIENCE:

Boston Architectural Center: Design Studio Instructor and Thesis Advisor, 1980-1985
Harvard University Graduate School of Design, and Rhode Island School of Design,
Visiting Design Critic, 1983-84

TOWN OF ACTON
INTER-GOVERNMENTAL COMMUNICATION

4/14/92
③

Date : 12 Feb 1992
To : Board of Selectmen
From : Volunteer Coordinating Committee
Subject : Recommendation for appointment

At its 2-10-92 meeting, the VCC voted to recommend John A. Pavan for full membership on the Planning Board. This action was taken at the request of the Planning Board who have had the opportunity of working with John Pavan in his capacity of Associate Member since he was sworn in on June 10, 1991.

Term: 6/30/96

5/21/91 - (3)

126
128
130

TOWN OF ACTON
INTER-DEPARTMENTAL COMMUNICATION

Date : 19-Jan-91
To : Board of Selectmen
From : Volunteer Coordinating Committee
Subject : Recommendation for appointment

At its 1-14-91 meeting, the VCC voted to recommend John A. Pavan for an associate membership on the Planning Board. Mr. Pavan has a professional and educational background in planning and design related to real estate, and is familiar with the work of volunteer boards. He has lived in Acton for five years and feels that he has now become sufficiently familiar with the Town to be an effective volunteer.

He is employed by The Codman Company and works primarily on projects to "recover" distressed real estate developments. There are no current or anticipated such projects in Acton; he is well aware of the potential conflict which could arise, and is prepared to abstain from participation in any Planning Board action should his company be involved.

Mr. Pavan is enthusiastic and knowledgeable, and the VCC feels that he would make a valuable contribution to our Planning Board.

TOWN OF ACTON VOLUNTEER APPLICATION

8:00 slot @ 7:45
4/14/90 C

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

(Please print or type)

Date: December 19, 1990

Mr / Mrs
Ms / Dr Pavan John M
Last Name First Name Middle Initial
235 Brown Bear Crossing 264-4370 617-423-6500
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) Planning Board
2) Board of Appeals
3) Conservation Comm.

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

I have not served on such a Board or Committee but have a thorough working knowledge of their jurisdiction through professional interaction.

Do you have any time restrictions? I would not expect time restrictions to interfere.

How long have you lived in Acton? Since Nov, 1985 in Massachusetts? Since Oct, 1984

Are you a US citizen? Yes, by birth.

Present occupation and employer (optional - attach resume) The Codman Company, Inc. Boston: Real Estate Consulting and Development Services. Also see attached Personal Information Sheet.

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 I am aware of.

Education or special training Refer to attached Personal Information Sheet.

TOWN OF ACTON VOLUNTEER APPLICATION — page 2

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:

Please refer to attached Personal Information Sheet.

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

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 1/11
 scheduled date / time 1/14 8³⁰

VCC RECOMMENDATION: date 2/18/92

Board(s) PLB (Member / Alt / Assoc
 _____ Member / Alt / Assoc
 _____ Member / Alt / Assoc

Date VCC recommendation sent to

BOS / TMgr / TMod 2-12-92

APPOINTING BODY: BOS / TMgr / TMod

Interview date _____

Appointed: Date _____

to: Board _____

NOTIFICATION

Date received by _____

Date appointee & c. _____

by VCC _____

Do you have Education or
 with the Bd. Pre-91 notified

December 19, 1990

JOHN M. PAVAN

Personal Information Sheet to Accompany
Town of Acton Volunteer Application

Through professional dealings with volunteer boards, commissions and committees of all types in communities of all sizes, I've gained an excellent perspective in the scope and mechanics of municipal governments. I've seen these groups address issues in many innovative ways.

Generally, I believe Acton can benefit in progress through controlled and planned growth. However, I also believe that our current goals should address planning and controls to both get today's Acton where we would like it and to allow for a responsible future Acton. I am not necessarily pro-development, but rather believe there are growth opportunities that exist which should only be implemented when they fit within an accepted and achievable plan. I am very sensitive to and knowledgeable in environmental issues, i.e. solid waste, disposal, recycling, sewerage, water supply, zoning, transportation and open/recreational spaces.

CURRENT EMPLOYMENT

The Codman Company, Inc., Boston, MA
Vice President, Asset Recovery and Development Services - Project management of real estate developments in Eastern Massachusetts (residential, commercial, and industrial) through planning, design, permitting, construction, and lease/sale. Currently, this includes recovering distressed developments on behalf of lenders.

PRIOR EMPLOYMENT

Vanasse Hangen Brustlin, Inc., Boston, MA
Senior Project Manager, Civil/Site Planning Department - Project management, planning, engineering, and permitting for land development projects throughout New England as a consultant.

O'Brien & Gere Engineers, Inc., Manhattan and White Plains, NY
Project Engineer, Environmental Division - Planning and design of solid/hazardous waste disposal facilities and municipal sewer and water works. Much of this work was for large municipalities, including the City of New York.

John M. Pavan
Page 2

EDUCATION/REGISTRATION

Clarkson University, Postdam, NY
Bachelor of Science, Civil and Environmental Engineering

Registered Professional Engineer (Civil) - Massachusetts, New
Hampshire, Maine

PERSONAL

Raised in a New York City suburb, Yorktown Heights.
Married, Carol, for seven years.
One child, Kendall, age 5, currently in Acton Public School
System (McCarthy-Towne).

SELECTMEN'S MEETING
MARCH 17, 1992

4/14/92
④

The Board of Selectmen held their regular meeting on Tuesday, March 17, 1992. Present were Norm Lake, Dore' Hunter, Nancy Tavernier, Anne Fanton and Asst. Town Manager John Murray

CITIZENS' CONCERNS

None Expressed

PUBLIC HEARINGS AND APPOINTMENTS

COMMITTEE INTERVIEW
HAROLD GORDINIER- ALTERNATE ASSESSOR

Mr. Gordinier outlined his background and desire to serve the town now that he has more time. He foresees no problem with scheduling as he could adjust his travel schedule and would be willing to accept a full appointment if the occasion arose. He was willing to attend the required training course offered by DOR. Dore' said he would like to see the Board of Assessors become more pro-active and educate the taxpayers during their contacts with them. NANCY TAVERNIER - Moved to appoint Mr. Gordinier as Alternate Member to Board of Assessors for a term of two years to expire June 30, 1994. DORE HUNTER - Second - UNANIMOUS VOTE.

ARBORETUM COMMITTEE

Harry Donahue gave the Board an update on the progress to date made at the Arboretum by the Friends. He then gave a brief slide presentation of the site. They have had many volunteers help with manual as well as materials to make the Arboretum what it is today. He asked the Board of Selectmen to accept a plaque given to the Friends of the Arboretum to be placed in Town hall. NANCY TAVERNIER - Moved to accept and place the Plaque in Town Hall. DORE HUNTER - Second. UNANIMOUS.

Nancy further thanked Tom Tidman for his involvement with the many groups that have helped especially the Eagle Scouts that he has supervised during the process.

STREET ACCEPTANCE
COMMUTER DRIVE - STATION WAY

DORE' HUNTER - Moved to accept Commuter Drive. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

DORE' HUNTER - Moved to change the Name of Commuter Drive to Station Way. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

STONEYMEADE FARM RIDING ARENA

Dr. Von Brombsen asked permission to hold two shows. One on April 11 and the other on May 9. She explained that the shows last year were with Arabians and that type event required music and other loudspeaker use. The show she has planned requires concentration for the rider and horse, therefore, no music would be used and a bull horn type device would be used to announce. She has anticipated and limited the show to 50 entrants thus minimizing traffic and parking problems. She has agreed to have No Parking signs and a detail Police officer direct traffic in and out of the farm. She anticipates only four events like this per year two in the spring and two in the fall. She does not anticipate a problem with the proposed "Clinics" as they attract a minimum number of people and would not require traffic direction.

The Board discussed the licensing of these events and decided that the fee would be set a \$50.00 per show and if after review of the two shows no impact to the surrounding streets and neighborhood, the fee paid could be applied toward an annual license fee to be determined by the Board. NANCY TAVERNIER - Moved to approve the shows of April 11 and May 9 with a fee set at \$50.00 per event with the conditions listed in Staff memo requiring Police Detail and signs posted on both sides of the street, No music or loud speakers to be used. DORE' HUNTER - Second. UNANIMOUS VOTE.

RETIREE'S COMMITTEE HEALTH CARE BENEFITS

Bill Sparks and Bill Soar asked the Board for clarification of the proposed Town Meeting Article which would require the Retirees to sign up for Medicare if eligible. The Board assured them that it was not an attempt to reduce benefits, only a way to provide an equal or more beneficial program to its retirees who were eligible for this benefit which they contributed to during their service in the private sector. The committee was concerned that those ineligible for Medicare would be slighted. The Board again assured them they are exploring every issue and asked their help in getting the questionnaires returned promptly so that the evaluation could be complete prior to Town Meeting.

CONSENT CALENDAR

The Board approved the Consent Calendar as submitted. DORE' HUNTER- Moved to accept. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

SELECTMEN'S CONCERNS

JENKS FUND - Anne and Norm volunteered to review the requests and make recommendation to the board on March 31st.

ACES Letter - The Board authorized the Chairman to sign the revised letter to ACES regarding the Bioredmediation Test.

LEGAL RFP - The Board briefly discussed the recent responses to the RFP for Legal Services. Dore' discussed the review of the RFP's memo which concluded, in his opinion, that we are in a good situation presently with Palmer & Dodge, being a large downtown firm that has been employed by the Town for years. Anderson & Krieiger does our W. R. Grace work as a spin off from Palmer & Dodge but he felt we could start to broaden their scope of service. He felt however we should retain P&D as our primary counsel and have Anderson and Kreiger handle Grace with additional hand off to them at a lesser cost which could create internal competition. The Board asked staff to have Anderson and Kreiger handle the NESWC litigation since P&D represents the 23 Communities. The Board decided to review this further at the meeting of March 31st after review of the staff questionnaire which is currently being processed by Departments.

TOWN MANAGER'S CONCERNS

FORT DEVENS/Second Major Airport - John asked the Board for direction regarding the memo from VCC. The Board instructed staff to notify VCC to interview and make recommendations to the Board. The Board however, wishes to meet with the Task Force prior to them starting their work. They further chose the name for the group, Fort Devens/Second Airport Task Force.

DORE' HUNTER - moved to go into executive session for the purpose of discussing Collective Bargaining, negotiations, land use.

Dore' took Roll call - all Ayes.

The Board adjourned into executive session at 9:35 P.M.

Clerk

Date

Christine Joyce
Recording Secty.
cmjW11-(219)

EXECUTIVE SESSION

MARCH 17, 1992

AUDUBON HILL - John updated the Board on the recent discussion he has had with Eric Smith. When the project was discussed Roy Smith assured John and Don that the project would be done for 240,000 and the additional 60,000 for the extra's. The Bank capped the project at 300,000. Now the Smith's have called to say that they cannot do the project for under 320,000 with the extras. John said Garry Rhodes will review the figures and prepare a list of questions for Smith to provide answers to. Nancy felt that it was strange that now that we have the conflict of what to do with the \$130,000 all of a sudden the project comes up short that amount. It was agreed to have staff follow-up and get back to the Board at a later date.

TECHNOLOGY PARK - The installation of the traffic light required under the CondoTec site plan is a year overdue. The only real recourse we have since they are probably bankrupt is to pull the Post Office's occupancy Permit. Nancy felt we should either force the issue on the installation of the light, or remove the condition from the site plan approval.

WEST ACTON MOBIL - It has come to the attention of the Board that they are violating the 24 hour permit condition as voted by the Board by selling milk and other products in table/grocery store size vs. the "snack" consumable for the car. The Board asked staff to contact their attorney and to ask that they be removed.

LAND OFFER - The Asst. Town Manager received a call regarding a parcel of land on upper Main Street between Sommerville Lumber and PAMET Systems. The Board discussed the parcel and offer to purchase at a price of 50,000 to \$75,000 and asked staff to decline the offer.

BUCK LEGAL CASE - The Board instructed staff to take whatever legal action appropriate to bring the site into compliance and to have the bulldozer create the path on the right of way.

The Board adjourned out of Executive Session at 10:40 P.M.

Clerk

Date

Christine Joyce
Recording Secty.
cmjW11-(219)

TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION

4/14/92
5

DATE: April 6, 1992

TO: Don P. Johnson, Town Manager
FROM: Garry A. Rhodes, Building Commissioner *GAR*
SUBJECT: Requested Extension of SP#2/7/90-324 (Lake) \ *BOS*
421 Massachusetts Avenue

The Site Plan Special Permit allows the Board of Selectmen to grant the requested time extension. While considering whether to grant the extension, the Board must decide if the delay in construction was justified by good cause.

For the past two years Sun Refining and Marketing Co. has pursued getting necessary permits from D.E.P. It appears that they may have overcome that obstacle. This was required as part of their Special Permit.

I do not have an objection if the Board grants this extension.

(782)

CHARLES G. KADISON, JR.
Attorney at Law

cc: BOS *consent document*

*Very Please have
comments ready for*
3/30 4/14

MAR 27 1992

179 Great Road
Acton, Massachusetts 01720
Acton - (508) 264-4886
Lexington - (617) 861-6662
Telecopier - (508) 264-0320

March 24, 1992

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

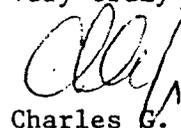
Re: Sun Refining and Marketing Co.
Site Plan Special Permit #2/7/90-324
Property: 421 Massachusetts Avenue
Our File No. 1532-00Z

Dear Board Members:

The above referenced site plan special permit will by its terms lapse on May 29, 1992 if a substantial use thereof has not sooner commenced except for good cause. Construction of the site has been delayed because the Massachusetts Department of Environmental Protection denied a variance to allow the reconstruction and improvement of the existing septic system for use with the new construction although the variance was granted for use with the existing building. After prolonged court proceedings, preliminary approval for the septic system design has been given.

On behalf of my client, Sun Refining and Marketing Co., I hereby request an extension of the site plan special permit to May 29, 1994.

Very truly yours,



Charles G. Kadison, Jr.

CGK:clg

cc: Sun Refining and Marketing Co.

DJS AUTOMOTIVE
317 Central Street
Acton, MA 01720
(508) 264-9444

4/14/92 (6)

April 7, 1992

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

To whom it may concern,

Per a telephone conversation with Christine of your office this day, I am writing to request a name change for G & S Auto Sales.

Due to one of the partners leaving the company, we would like to request that G & S Auto Sales be changed to the name of DJS Automotive. DJS Automotive is located at the same location as G & S Auto Sales.

Please contact our office at your earliest convenience in reply to our request.

We look forward to hearing from you.

Sincerely,

DJS AUTOMOTIVE



David J. Spellman
Owner

TO: THE BOARD OF SELECTMEN
FROM: JOHN MURRAY, ASSISTANT TOWN MANAGER
DATE: April 10, 1992
SUBJ: Woodlawm Cemetery

9 for April 14, 1992

Attached you will find two alternatives for expanding the cemetery.

OPTION 1

The area of expansion is located between the soccer field and the Administration Building. The advantages of expanding in this area are:

1. The Cemetery Superintendent and Commissioners favor this sight.
2. An engineered development plan exists.
3. There is a higher timber value. Therefore, less out of pocket costs.
4. The terrain is relatively flat. Therefore, less grading is required.

The disadvantage is:

1. A high impact on the neighborhood, and the Morrison property.

OPTION 2

The area of expansion is located behind the newest section. The advantage of this location is:

1. Low/No impact on the neighborhood.

The disadvantages of this location are as follows:

1. No plan exists for development.
2. Terrain will require slightly more grading.
3. Less timber value.

I will seek direction from the Board as to their preference.

TOWN OF ACTON
INTERDEPARTMENTAL COMMUNICATION

April 10, 1992

TO: John Murray, Assistant Town Manager
FROM: Dean A. Charter, Director of Municipal Properties 4725
SUBJECT: Proposed land clearing at Woodlawn Cemetery

At a Cemetery Commission meeting several months ago it was suggested that we consider proceeding with land clearing and development of additional areas around Woodlawn Cemetery, with the Superintendent and Commissioners preferring the development of the area between the office and the soccer field, and my suggestion that we also obtain proposals for clearing an area of similar size at the rear of the developed area, as a possible addition or alternative. Quotes have been obtained from three logging companies, and we are now ready to proceed with the work. The most advantageous quote would allow us to clear the land, dispose of the slash, and pull some of the stumps, with no cost to the Town nor any revenue generated (the cost of chipping the slash, which is not done in a routine logging operation, eats up any potential revenue, yet it relieves us of a huge amount of work that would have to be done in house). The clearing operation will have considerable visual impact, at least initially, so I felt it would be best to ask for your endorsement of the plan. You might wish to consider the following points:

1. In 1988 the Selectmen and the Commissioners agreed to keep the existing soccer field in recreation use for ten years, and in return the Cemetery could proceed with developing the area between the field and the office.
2. The front lot could be developed and would not encroach upon the field, but it would have a visual impact upon the field and on Concord Road.
3. The front lot has been designed, and would provide space for around 1000 interments. This area is also quite flat, so a minimum of regrading would be required.
4. The rear lot is also heavily treed presently, but is not visible from Concord Rd. There are some slopes, so a moderate amount of regrading would have to be done, or the slopes could be incorporated into the design.
5. There is no design for the rear lot at this time, but it is about the same size as the front lot, and should also yield space for around 1000 interments.

6. There are a number of vacant plots scattered around Woodlawn, but Section 9, which is adjacent to the rear area, and which has the most vacant plots, presently has 186 vacant grave lots, of various capacities, available. A total of 43 lots were sold in Woodlawn in 1991.
7. In 1991 there were approximately 50 interments at Woodlawn.
8. There are hundreds of vacant plots at Mt. Hope Cemetery, but Woodlawn is the more popular area at this point, and gets the most activity, with only around a dozen lot sales in 1991.
9. It has been Cemetery practice for many years to provide both residents and non-residents with a variety of options as to interment areas, so any new area will probably receive some interments while there are still vacant plots in the older sections.
10. At present rates of fill, either of the areas under discussion should provide ample space for at least 10-20 years beyond present capacity.
11. In the past it has taken 3-5 years to bring an area from rough forest to a fully landscaped, usable area, so it is worthwhile to plan ahead. A faster rate of development is possible, but not without bringing in outside contractors or tying up Town staff and equipment to a greater degree. Cemetery staff estimate that at present rates of sales, all of the monumented lots, which are the most popular, will be sold in Woodlawn section nine in 3-4 years.
12. No matter what decision is reached at this time, it is important to remember that the area used for recreation was purchased for cemetery use, and will eventually be developed along those lines.
13. The legitimate desires of the Cemetery Commissioners to develop the front area at this time, rather than the rear area, need to be balanced against the impact such development might have on the recreational use and the neighbors on Concord Rd.
14. The two areas have been staked out, and the attached map, showing a portion of Woodlawn, should help define the issue.



ALLARD
MANAGEMENT
CORPORATION

3 - 2558
Executive Session

Re: ELDERLY CENTER - AUDUBON HILL

April 2, 1992

		<u>Savings</u>
Site work - proposed contract	\$38,000	
Less: alternate septic system	- 3,000	
Less: trench natural gas	- 4,200	
Less: transport surplus material	- <u>3,400</u>	
	\$27,400	\$10,600

*Note: Additional costs

Boston Gas \$1,200-\$1,500
plus town trenches, gas lines,
sand and backfill

Paving - \$22,000 ±
possible savings with town bidding ?

HVAC

- no ac, no rough-in cooling line	5,850
- no ac, but rough-in cooling lines	5,050
- ac office, no rough-in cooling lines	4,000
- ac office, but rough-in cooling lines	3,400

Tile

Ceramic tile	\$6,375	
VCT @ \$1.70/s.f. @ 800 = \$1,360 (vinyl composite tile)		5,015
Building Permit - (return of fee)		1,300
Demo Dumpster - if unnecessary (\$4,000-\$1,000)		3,000

Cost Analysis Forms

COST ANALYSIS

SHEET NO. _____

PROJECT _____

ESTIMATE NO. _____

ARCHITECT _____

DATE 4-9-92

TAKE OFF BY: _____

QUANTITIES BY: _____

PRICES BY: _____

EXTENSIONS BY: _____

CHECKED BY: _____

GENERAL REQUIREMENTS:																				
	ARCHITECT																			18500
	ENGINEERING																			5000
	SUPERVISION																			15000
	LABOR																			6000
	DUMPSTER																			5000
SITE WORK:																				
	EXCAVATION/SITE																			38000
	MATERIALS																			5000
	SEPTIC TANK, PIPE, ECT.																			2100
	WATER SERVICE																			3000
	PAVING																			22000
	STRIPE PARKING + SIGNS																			600
	LANDSCAPE																			4700
	LOAM																			4500
CONCRETE:																				
	ALL MATERIALS + LABOR																			22000
CARPENTRY																				
	FRAME, SIDE, ROOF (LABOR ONLY)																			16000
	FINISH																			2330
	LUMBER MATERIALS																			41400
MOISTURE & THERMAL																				
	INSULATION (all walls)																			4270
	GUTTERS																			1195
	2" RIGID INSULATION & FOUNDATION																			1040
	WINDOWS																			7000
	DOOR H.W + LOCKS																			600
FINISHES																				
	DRYWALL																			6150
	TILE																			6375
	CARPET																			6000
	COVE BASE																			880
	PAINTING																			7500



ALLARD
MANAGEMENT
CO., INC.

cc: BOS

April 1, 1992

John Murray
Assistant Town Manager
Town Hall
Acton, MA 01720

Dear John,

I felt it was necessary to write to you regarding the Elderly Center at Audubon Hill.

As you know, the construction of the Elderly Center and the timing of the construction affects our ability to close on any unit after the 38th unit in the south phase.

Although we had many conversations in the past, our first official meeting regarding the construction of the Elderly Center occurred on March 18, 1992 at which time I presented preliminary cost figures based on the information and specifications I had. At the end of this meeting, it was agreed that I could not proceed much further without more details and specifications of changes from the town and C. O. A. With that in mind, I would like to stress that my ability to perform is directly affected by the town.

I received my demolition permit yesterday and was scheduled to start tearing down the building on April 2, 1992 but will wait an additional week because of the renewed talks with the fire department by the town for the controlled burn of the building. As you know, I have been talking to Bob Craig at the fire department about a controlled burn for the last two months.

I appreciate the town's effort in helping to get the building burned down so as to try to lower construction costs. I will be submitting the foundation plans with a permit application sometime today or tomorrow. There are a number of possible changes that you and Gary Rhodes brought to my attention that the town and C. O. A. may want to make but that do not affect the current foundation plans.

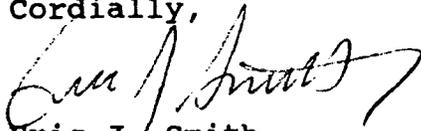
We need to meet and finalize these loose items as soon as possible so I can have the plans finished and adjust the job costs. In the three to four weeks it will take to do the site and foundation work, we need to work out the details so I can have the framing start when the foundation is completed.

I am working off a 15 week schedule, so delays are not only costly but also delay my ability to commence work on the north phase.

Lastly, the lender has guaranteed a maximum of \$300,000 for the construction of the center. With the wish list of C. O. A. possibly growing, the funding of these extra items must be resolved immediately.

I will appreciate your diligence in this matter.

Cordially,



Eric J. Smith

TOWN OF BOXBOROUGH
MASSACHUSETTS



29 MIDDLE ROAD
BOXBOROUGH, MASSACHUSETTS 01719
508 - 263-1116

March 30, 1992

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

Dear Board Members:

The Boxborough Board of Selectmen respectfully request your opinion regarding the use of School Choice reimbursements made by the Commonwealth to the Acton Boxborough Regional School System.

It is this Board's unanimous opinion that these reimbursements should not be used for new programs or added to the E & D Account. Rather, we believe that each community's assessment should be reduced since these students are tuition students.

We do not believe that the reimbursement can be fairly utilized when it is not subject to Town Meeting approval before further expenditure.

Our Board Members have discussed the possibility of asking for legislation which would return the apportioned reimbursements back to each community. Has your Board discussed these issues?

We will gladly meet with you at an agreeable time if you wish to discuss this matter with us.

Please contact our Executive Administrator Judith Jacobs if you wish further clarification of this Board's position or to schedule a meeting.

Sincerely,

Richard W. Golden

David Birt

Jeanne Garrison

cc: A/B Regional School Comm.
Town Manager Don Johnson

American Arbitration Association

133 Federal Street, Boston, MA 02110-1703

Telephone: (617) 451-6600 • Fax: (617) 451-0763

cc: Bos



March 31, 1992

Re: 11 390 02568 91
I.A.F.F., Local 904
and
Town of Acton

RICHARD M. KELLY
Regional Vice President

CHRISTINE L. NEWHALL
Director of Regional Administration

Grievance: Article 20; contractual step increases

Shailah Stewart, Esq.
Angoff, Goldman, Manning, Pyle, et al.
Atty for I.A.F.F., Local 904
24 School Street, 3rd Floor
Boston, MA 02108

Mark Shuttlesworth, Esq.
Palmer & Dodge
Atty for Town of Acton
One Beacon Street
Boston, MA 02108

To The Parties:

This will confirm that the hearing scheduled for April 15, 1992 has been postponed at the request of the parties.

Please be advised that this matter will be held in abeyance until further notice.

Thank you for your cooperation.

Very truly yours,

Cynthia M. Troidle
Case Administrator

*Now
Totally Withdrawn
[Signature]*

cc: James Young, Pres.
Don Johnson, Town Manager
Tim Bornstein, Esq.

ARBITRATION • MEDIATION • ELECTION SERVICES • ALTERNATIVE DISPUTE RESOLUTION • SEMINARS

Offices: Atlanta • Boston • Charlotte • Chicago • Cincinnati • Cleveland • Dallas • Denver • Garden City, NY • Hartford • Honolulu • Houston • Irvine, CA
Kansas City, MO • Los Angeles • Miami • Minneapolis • Nashville • New Orleans • New York • Orlando • Philadelphia • Phoenix • Pittsburgh • Providence
St. Louis • Salt Lake City • San Diego • San Francisco • Seattle • Somerset, NJ • Southfield, MI • Syracuse • Washington, DC • White Plains, NY

Headquarters: 140 West 51st Street, New York, NY 10020-1203

Don

This was received along with their fee

Nancy

TOWN OF ACTON
BUILDING DEPARTMENT

472 Main Street Acton, Massachusetts 01720

cc: BOS

RECEIVED

201 - 01992

ACTON BUILDING INSPECTOR
GARRY A. RHODES
BUILDING COMMISSIONER

(508)263-9632

APR - 9 1992

March 12, 1992

GALLANT & BROCK
199 Great Road
Acton, MA 01720

Subject: Sign License Renewal for a FREESTANDING Sign, #1952

Location: 199 Great Road

To whom it may concern:

As a result of the Board of Selectmen's concern over maintaining signs in the Town of Acton in good order, a monthly review of sign licenses is conducted. It has been determined that your sign meets all the requirements of Section 7 of the Town of Acton Protective Zoning Bylaw, "Signs and Advertising Devices"; however, your sign license has expired (or is about to), and if not renewed must be removed within thirty days of expiration.

Please complete the enclosed sign renewal (applications) and return the application(s) to the Acton Building Department, 472 Main Street, Acton, MA 01720. A fee of \$25.00 (each) must be received with your renewal application(s). Your renewed license, which will be sent to you promptly, will expire three (3) years from the date of renewal.

If I may be of assistance, please call 264-9632, between 8:00 A.M. and 5:00 P.M., Monday through Friday.

Garry A. Rhodes
Building Commissioner

#211

3-16-92

Dear Garry,

I know you don't make the rules, but I will register my complaint through your office. It seems to me that business in Acton is already paying a significantly higher tax rate than individuals. Although \$25 not going to make or break our business, \$25 x 100 of these petty charges that are heaped upon business establishments in a time of recession is difficult. Let's hope that 1992 and beyond is significantly better than the past several years. Thanks for the time, Sincerely, [Signature]

April 3, 1992

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

Dear Selectmen:

Several years ago, a developer proposed to develop the Great Hill property at the intersection of Main Street (Route 27) and School Street, behind the Exchange Hall. The property was cleared and utilities installed. The real estate market then collapsed, and the plan left us merely an unsightly gash in what was formerly a lovely slope of woodland.

Now, a local developer has proposed to build on the site. Unfortunately, the proposal presents a textbook example of unimaginative, uninteresting, overcrowded development which will only prove detrimental to a historic section of our town. It consists of box like detached condos on tiny lots, strung out in three straight lines along two streets. Although this may be the most cost efficient way to build, it is not the best way to structure the future of our village. It is completely insensitive to its surroundings, which include the historic Exchange Hall, Faulkner House and Jones Tavern, and the Great Hill conservation area, from which much of it will be visible.

Technically, the proposed development may satisfy the requirements of the new PCRC guidelines. However, it does so by using as "open space" the steep slope adjoining Main Street, the septic system leaching area and reserve area, and several angular portions along the periphery of the lot. This type of shoe horn development is not what town meeting voters meant to encourage by adopting the new regulations. Our planners must use the new PCRC provisions to stimulate imaginative development which will enhance our community. This proposal does not fill the bill.

I do not oppose development of the property; it is too late for that. Nor do I write as a proponent of the alternative, cooperative housing proposal for the site, although from what I have heard it sounds much more promising as an addition to South Acton. Instead I write to urge the citizens of the town, the Board of Selectmen and the Planning Board to assure that this lovely parcel is developed appropriately.

Very truly yours,

Joseph W. Glannon

copy to Board of Selectmen

cc: BOS

Pamela Kelly
77 Maple Street
Acton, Ma. 01720

April 4, 1992

To the Beacon:

As a resident of South Acton, I was deeply dismayed to hear that the developer who is holding an option on the Great Hill area, Kevin Sweeney, had, in essence, undercut the plans for the co-housing group that was preparing to build on Great Hill. Several of us in the South Acton community had been meeting with the co-housing group. They are a delightful group of families and individuals bringing a deep interest in very human values--family, friendship and community, which would be a great addition to South Acton. I believe that the sense of community that has thrived here is a big part of the character of this area and it would be greatly enhanced by the addition of this co-housing group. Besides that, their clustered houses, community center club house, and south-facing solar housing sounds appealing. I think we are all particularly dismayed to hear that the builders alternative plan was for 25 little houses spread out all over that south facing hill. We just managed to pass the PCRC through the last town meeting which would permit clustering the homes, attaching dwellings and leaving quite a bit of garden space and green space on what is presently a terribly scarred site. I hope that there is something that the Board of Selectmen or the Planning Board can do to discourage the builders' new plan. Why should "developers" have the right to build whatever they want to build on a piece of land in order to make money, and neglect the voices and values of those who already live in the neighborhood? I would ask other citizens of the town of Acton to stand by those of us who hope to encourage the sense of community values in Acton by sending a note to the Board of Selectmen, the Planning Board or the developer to voice your concern.

Signed:


Pamela Kelly
263-0493
(day) 617-497-1553



The Commonwealth of Massachusetts
Department of Public Works cc: BOS

DISTRICT #4 OFFICE
519 APPLETON STREET, ARLINGTON 02174
TELEPHONE No. 648-6100
Fax No. (617) 643-0477

APRIL 6 1992

Subject: CONSTRUCTION
ACTON ROUTE 2A (GREAT RD.) & ROUTE 27 (MAIN ST.)
CONTRACT NO 92427

Federal Aid No. F-000S(052)

Gentlemen;

A Pre-Construction Conference for the subject project has been scheduled for Tuesday April 21 1992 at the District 4 Administrative office 519 Appleton Street, Arlington Ma. at 10:30 A.M.

Very truly yours

A handwritten signature in cursive script, appearing to read "Laurinda T. Bedingfield".

Laurinda T. Bedingfield
District Highway Engineer



S E A Consultants Inc.
Engineers/Architects

April 6, 1992

cc: BOS
1st page only
rest of it in RF

Don

Mr. Doug Halley, Health Director
Board of Health
472 Main Street
Acton, MA 01720

APR - 9 1992

Re: Project Evaluation Form
Ref. No. 90095.2J

Dear Doug:

As requested, we have completed the Project Evaluation Form for the proposed wastewater collection system projects in Acton and have submitted them to the DEP to retain the Town's position on the DEP's Priority List. To insure the forms were received by the DEP prior to the April 10, 1992 deadline, we submitted the document without your signature. Therefore, we have enclosed a duplicate PEF and request that you add your signature and forward two copies to Leo Andronico and one copy to Alan Slater at the DEP. If you have any questions or comments, please feel free to call.

Very truly yours,

S E A CONSULTANTS INC.

Peter D. DeFronzo

Peter D. DeFronzo, P.E.

PDD\pdd:acton\tofw003.ltr

cc: Mark J. Thompson, S E A
Anthony J. Zuena, S E A

485 Massachusetts Avenue
Cambridge, MA 02139-4018
TEL: 497-7800
FAX: (617) 497-7709

Glastonbury, CT
Londonderry, NH

APR 7 1992

ACTON BOARD OF HEALTH

cc: BOS

**ROBERT L. CHAMPAGNE
SELECTMAN,
TOWN OF CLINTON**

April 1, 1992

Board of Selectmen
Acton, MA

Dear Fellow Selectmen:

A group of legislators from the Boston area have filed Senate Bill No. 978 to establish a Clinton - Lancaster Wastewater District.

Last year the MWRA had Governor Weld believing that the ownership of the Wastewater Treatment facility should be transferred to the Town of Clinton until he heard the truth from residents of central Massachusetts and officially scrapped this plan. The MWRA has the people of greater Boston believing that the high costs of their water is the fault of Clinton. The new Director of the MWRA, Douglas MacDonald, is now proposing that all 351 cities and towns in Massachusetts pay a tax or fee to help in the Boston harbor cleanup. The story goes on and on.

Prior to the MWRA taking over the Wastewater Treatment plant in Clinton, it was owned and operated by the Metropolitan District Commission (MDC). It was suggested to the Governor last year that this is a viable option that would work to the satisfaction of all. This is tantamount to what legislators from the Boston area have been saying as Rep. William Cass blames the State for the problem and says that the state should be paying for Clinton's costs. The MWRA will not stop until they have succeeded in the transfer of ownership to the Town of Clinton even though it is a regional facility.

During the last 94 years, Clinton has lost millions of dollars in tax revenue by having 40 % of its land submerged for the benefit of the 43 cities and towns around the greater Boston metropolitan area. The MWRA states that the legislation is not clear as to free sewer service in perpetuity. The provision as recorded on March 24, 1898 states that "the maintenance of the same until the population of Clinton exceeds 20,000 people." The population of Clinton today is less than 14,000. This is all covered in Chapter 557 of the Acts of 1889.

It is also documented that the Town of Clinton asked for Compensation in 1889 and it was denied. Clinton was told it was to receive free water and sewer instead. Now, Sen. Paul White makes a statement that it is a good idea to look at a 94 year old agreement. Clinton has a wonderful deal. If this is the way that the 351 cities and towns of the Commonwealth can look to their future - that a law is not a law -, then I would say that this great Commonwealth of Massachusetts is facing a lack of credibility and that we are not the only town that should be looking over their shoulder.

The court history without exception backs Clinton. In 1923 the MDC tried to transfer the responsibility for the plant to the Town of Clinton. Clinton took the MDC to court and won. In 1969, the MDC again tried to divest itself from responsibility for the Clinton plant. Clinton brought the issue before the Attorney - General. He found for Clinton.

I believe it to also be in the interest of every city and town to take a vote and let the Legislative Committee know that you back Clinton in their case before the Commonwealth. Please read this letter to your boards and any support you can give would be greatly appreciated. If you have any questions, do not hesitate to contact me or any member of the Board Selectmen in Clinton.

Sincerely,

Robert L. Champagne



ENGINEERING DEPARTMENT
472 MAIN STREET
ACTON, MA 01720

April 6, 1992

Haartz Auto Fabric Co.
c/o Eric Haartz
87 Hayward Road
Acton, MA 01720

APR - 9 1992

re: Charter Road Sidewalk

Dear Eric:

We have discussed several times the matter of the Town constructing a sidewalk along the portion of Charter Road adjacent to the Haartz property. You have indicated your willingness to donate either an easement or fee ownership in a narrow strip of land that will give the Town sufficient shoulder width for the new sidewalk, provided Haartz Auto does not inadvertently or otherwise assume any liability for the design, construction or maintenance of the sidewalk and Haartz will continue to have access across the donated land for future residential driveways. In order to accomplish this, I would suggest the following procedure:

- 1) Haartz offers to donate the necessary land subject to the two essential conditions outlined above.
- 2) The Town (via the Board of Selectmen) votes to accept the gift subject to these conditions.
- 3) The Town, upon completion of the sidewalk and the deeding of the land to the Town by Haartz, proceeds to layout Charter Road under the authority of MGL Ch.82 over said donated land, thus incorporating the donated land into the public way and assuring access over it to Haartz as the abutter.

In my opinion, at least, this procedure would satisfy your concerns and avoid the time consuming and potentially costly process of an eminent domain taking under Ch. 79 of the General Laws. The layout under Ch. 82 of the General Laws would have the additional benefit of limiting the Town's liability for injuries on the sidewalk to \$5000. (Ch. 84, S. 15), but would unfortunately preclude the use of the donated land for calculating zoning compliance, however, you have indicated that this would not be a problem for you. If you concur, please let me know and we can get the ball rolling.

Very truly yours,

David F. Abbt
Engineering Administrator

DFA/dmj

cc: D. Johnson, Town Manager
A. Callaghan, Palmer & Dodge
G. Rhodes, Building Commissioner

cc: BOS



ENGINEERING DEPARTMENT
472 MAIN STREET
ACTON, MA 01720

April 2, 1992

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

re: Burgess Easement
Charter Road

Dear Norm:

Enclosed is the fully executed grant of a sidewalk easement from Gerald R. Burgess, et ux to the Town of Acton. This easement is located at 86 Charter Road and is part of the Charter Road sidewalk project. Included with this grant is the plan of the easement suitable for recording with the Land Court, showing, as required, an original surveyor's seal and signature.

We have also borrowed the Burgess' Original Certificate of Title (No.90479, Book 582, Page 129) and sent this along so the Land Court can make the necessary entry on the "Memoranda of Encumbrance" page and then return this document to Gerald R. Burgess at 86 Charter Road, Acton, MA 01720.

The acceptance of this easement will be voted as Article 20 at the 1992 Annual Town Meeting.

Please review these documents for proper legal form and then record them with the Land Court section of the Middlesex South District Registry of Deeds in Cambridge, and kindly let me know when this recording has been completed.

Very truly yours,

David F. Abbt
Engineering Administrator

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



ENGINEERING DEPARTMENT

472 MAIN STREET
ACTON, MA 01720

April 2, 1992

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

re: Traffic Control Agreement
Massachusetts Avenue/Central Street
Federal Aid Project No. HES-5292(001)

Dear Norm:

The Town of Acton has been working for many years on an "urban systems project" to signalize the intersection of Massachusetts Avenue and Central Street. The Town has funded the design work and the state and federal government will fund the actual construction work.

In connection with concluding the design phase of the project the Town must enter into a "traffic control agreement" with the Massachusetts Highway Department. The selectmen reviewed, approved and signed this agreement on March 31, 1992. The four enclosed copies of the agreement now need Town Counsel certification (see middle of last page). The required amendments to the "Traffic Rules and Orders" are currently in progress.

Once you have looked this over please call me at 508-264-9628 if you have any questions.

Very truly yours,

David F. Abbt, P.L.S.
Engineering Administrator

DFA/dmj

cc: Don P. Johnson, Town Manager ✓

APR - 9 1992

Town of Acton

Planning Department

472 Main Street Acton, Massachusetts 01720

(508) 264-9636

INTERDEPARTMENTAL COMMUNICATION

TO: Planning Board

DATE: April 9, 1992

FROM: Roland Bartl *R.B.*

SUBJECT: ZBL - Section 7, Signs

The Master Plan Coordinating Committee (MPCC) at its last meeting has voted to recommend the elimination of the requirement that "letters, logos, symbols and drawings on signs in the Village Districts shall be kept in one light color on one dark background color,". The MPCC asks the Planning Board to consider this recommendation in its preparation of zoning articles for the next available Town Meeting.

Attachment

xc: Don P. Johnson ✓
Hist. Dist. Comm.

INTERDEPARTMENTAL COMMUNICATION

TO: MPCC DATE: March 16, 1992
FROM: Roland Bartl, Town Planner *R.B.*
SUBJECT: Sign Issues

Here are some thoughts regarding the issues on signs raised in previous MPCC meetings, in the order as they appear in the minutes for the 1/24/92 meeting:

1. LIGHT COLOR ON DARK BACKGROUND.

Light colored letters, logos etc. on dark colored background is required for signs in all village districts. This design requirement has the following reasons:

- To enhance coordination and compatibility of signs within village districts, where existing or potential future density is higher than in other areas.
- Further, signs following this pattern are generally more legible from farther away than signs displaying the reverse shading arrangement. This becomes obvious when one tries out a reversal with just black and white, using the same letters, and it is emphasized during night illumination. At night, white and illuminated background surfaces can be seen from far away, but they tend to create glare that makes difficult to read the words. White, illuminated letters on dark background can be seen and read from great distance. With signs more restricted in size, this becomes an increasingly important consideration.
- Often, signs drawn light on dark background convey a more "classy", at times "historic", image that would enhance a village character, particularly in the long established village areas of South and West Acton.

In my judgement, this requirement is so far the most contentious since it conflicts with trademark issues and concerns for name recognition. The litigation potential seems to be higher than originally anticipated and a reassessment of the current regulatory approach seems appropriate. Here are four alternatives:

- a) Allow trademarks, recognized company names, logos, or anything else which does not meet this criteria as inserts into the sign. Require that it be incorporated into a sign that otherwise conforms, limit its size, including background, to a percentage - say 25% of the entire sign display area, and require that it be framed on all sides by the dark background. Examples: 1) The freestanding Mobil sign in West Acton may be 16 square feet in display area, at least half of which is to be used for fuel pricing information. 25% of that sign would provide 4 square feet for "Mobil" on a white background with

enforce it.

3. GENERAL CLARIFICATIONS

The question on clarification is difficult to answer without knowing specifics. General clarifications are probably most appropriate in form of annotations and as a brochure similar to the proposed development guide.

4. FEES

I cannot speak to the filing fees for variances in relation to actual staff time spent. With respect to special permits for signs where the filing fee is \$250.00, we kept the fee actually below the average cost we estimate will be incurred by the Town. The numbers are based on our experience with special permit applications and the estimate was done prior to the establishment of the fee:

prepare newspaper advertisement	0.5 hrs clerical	\$ 14.00
application review (4 departments)	2.0 hrs professional	\$ 102.00
	2.0 hrs professional	\$ 73.00
hearing & hearing preparation	1.0 hrs clerical	\$ 28.00
decision draft	0.5 hrs professional	\$ 26.00
decision distribution	1.0 hrs clerical	\$ 28.00
mailing and copies		<u>\$ 20.00</u>
Total		\$ 291.00

There is no charge for informal pre-application consultations, and even a one-time formal pre-application review is free of charge. Also, simple hearing continuations will not cost extra, but if there is new or additional material to be evaluated the Planning Board can require an additional \$100.00 fee.

In conclusion, the current fee does not cover the cost. In light of the Town's fiscal situation, a fee of approximately \$300.00 should be considered.

5. SIGNS IN PUBLIC WAYS / NEEDS OF COMMUNITY ORGANIZATIONS

I am working with Garry Rhodes on framing the questions, issues and possibilities. We will then present those to the Selectmen for further guidance in drafting a policy.

6. GOVERNMENTAL SIGNS / "LEVEL PLAYING FIELD"

No comment.

7. PLASTIC IN VILLAGE DISTRICTS

Many standard signs are made of materials, typically plastics or sheet metal, which more appropriately fit into a highway commercial strip or in an industrial park. Even there a more discriminate choice of material and design could dramatically change an areas appearance to the better. In a village setting they are



RECEIVED & FILED

DATE April 8, 1992

Arthur TOWN CLERK, ACTON

MASSACHUSETTS

BOARD OF APPEALS

APR - 9 1992

Decision on the Petition of Kenneth A. Sundberg Decision #92-2

A public hearing of the Board of Appeals was held in Town Hall, Room 126, Acton, MA on Monday February 3, 1992 at 8:00 p.m. on the petition of Kenneth A. Sundberg, 83 Great Road, Acton for a variance from the requirements of Section 7.4.1.3 and 7.7.5 of the Zoning Bylaw to allow a projecting sign at 83 Great Road with a color scheme different than that permitted by the Zoning Bylaw.

Board members present were Matt Mleziva, Chairman; Malcolm Burdine, Clerk; Duncan Wood, Member; Alternates Janet Clark, Stephen Crockett, and Beatrice Perkins; and Valerie Sipprelle, Board of Appeals Secretary. Also present were Garry Rhodes, Building Commissioner; Kenneth Sundberg; and Craig and Cynthia Surprise of 32 Pope Road.

Mr. Mleziva read the petition, noted the file contents and explained the hearing procedures.

The Board of Appeals, after considering the materials submitted with the petition, together with the information developed at the hearing, finds that:

- 1) The building housing the petitioner's business is in the East Acton Village District.
- 2) The East Acton Village District is a recent addition to the Acton Zoning Bylaw intended to change a section of "strip zoned" highway to a "village" atmosphere.
- 3) The petitioner moved his business into the building well after the creation of the East Acton Village District Zone and the associated sign limitations.
- 4) As this area is in transition, the speed of the traffic is still more like a thoroughfare and not yet like a village.
- 5) The sign(s) that identifies the business must be able to be noticed by traffic moving at thoroughfare speed from both directions. The petitioner has requested a single sign, larger than permitted by right, hanging in front of the building and consisting of a color scheme not permitted by the Zoning Bylaw for the District. The sign color scheme requested is the standard corporate sign color scheme for the business.
- 6) The fact that many corporate logos do not meet the requirements of the Zoning Bylaw for the District was specifically addressed by the drafters of the Zoning Bylaw.
- 7) The petitioner is permitted by right to place a wall sign of at least 6 square feet on each wall facing oncoming traffic (see sections 7.7.4 and 7.7.7).

8) The petitioner's requests are not consistent with the Town of Acton's Master Plan, specifically high priority Action 57.

Based upon the above findings, the Board of Appeals concludes that:

- 1) The request to permit a projecting sign to extend 5 feet from the building is not required to provide a sign of sufficient size to be seen by traffic going in both directions on the adjacent highway at thoroughfare speeds. The placement of permitted wall signs on both walls facing oncoming traffic would serve the same purpose.
- 2) The request to use the standard, corporate colors on the sign conflicts with the express intent of the Master Plan and the companion Zoning Bylaw with regard to the establishment of a Village District. The request substantially derogates from the intent and purpose of the Bylaws and is not consistent with the Master Plan.

Based upon the above findings and conclusions, the Board of Appeals voted unanimously to DENY the requested variances.

Any person aggrieved by this decision may appeal pursuant to Massachusetts General Laws Chapter 40A, Section 17, within 20 days after this decision is filed with the Acton Town Clerk.

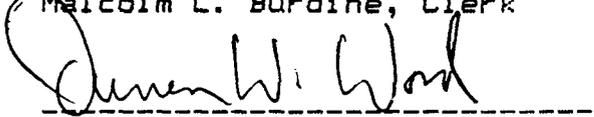
Town of Acton Board of Appeals



Matt L. Mleziva, Chairman

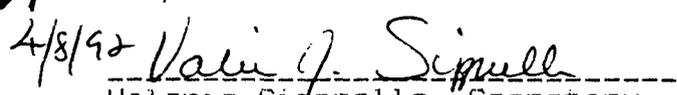


Malcolm L. Burdine, Clerk



Duncan Wood, Member

I certify that copies of this decision have been filed with the Acton Town Clerk and Planning Board on April 8, 1992

4/8/92 

Valerie Sippelle, Secretary
Board of Appeals

Walden Earthnet

P.O. Box 33 • 9 Main Street • Concord, MA 01742
(508) 369-4252 FAX (508) 369-8609

*"If you would learn the secrets of nature,
you must practice more humanity than others."
- Henry David Thoreau*

Remaining packet in Reading file

Executive Director
Margaret K. Goud

Board of Directors

Chairman
David W. Shapiro

Treasurer
Edgar Klugman

Clerk
Sandy Lower

Geoffrey Beckwith
Paul Bureau
William Constable
Chandler Gifford, Jr.
Margaret K. Goud
Richard Herring
Michael Kellett
Edgar Klugman
Terry R. Lawson
George Lemos
Fred J. Lima
Krishna Mallick
Jane Moosbrucker
Richard R. Niebuhr
Pamela Resor
David Shapiro
Nancy Strader

March 31, 1992

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

Dear Mr. Lake:

I am writing to invite you or a representative from the Acton Board of Selectmen to participate in Walden Earthnet's May 1 Seminar on Energy, Values and the Dynamics of Change.

The attached prospectus will give you the details of this program. We believe this is a valuable format for sharing current concerns, individual solutions, and ultimately joint action which could lead toward possible solutions to one of the crucial environmental problems facing us today.

It would be wonderful if the local communities could work together to become models for the New England region in terms of energy efficiency and conservation.

If you have any questions, please call.

Sincerely yours,

Margaret K. Goud

Margaret K. Goud
Executive Director

enc.



The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC UTILITIES

April 1, 1992

D.P.U. 92-91

Investigation by the Department on its own motion regarding a revision of the present regulation 220 CMR 7.07 which relates to the notification of the Residential and Commercial Energy Conservation Service Program conducted by gas and electric utility companies.

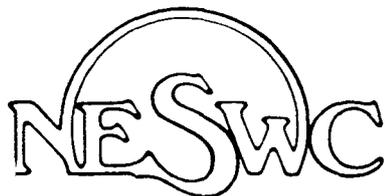
A copy of the proposed regulations may be obtained upon request from Mary L. Cottrell, Secretary, Department of Public Utilities, 100 Cambridge Street, Boston, Massachusetts 02202 (617) 712-3500.

The Department will hold a public hearing to receive oral comments on the proposed regulations on Monday, April 27, 1992 at 10:00 a.m., at the Department's hearing room, Room 1210, Leverett Saltonstall Building, 100 Cambridge Street, Boston, Massachusetts.

Written comments on the proposed regulations will be received by the Secretary to the Department. Those wishing to comment at the public hearing are encouraged to submit preliminary written comments by April 17, 1992. Final written comments are due fourteen (14) days after the close of public hearings.

By Order of the Department,


MARY L. COTTRELL, SECRETARY



NORTH EAST SOLID WASTE COMMITTEE

April 1, 1992

Dear Member:

A meeting of the NESWC Financial Affairs Subcommittee is scheduled for Thursday, April 9, 1992 at 12:30 pm in Room 111, Town Hall, Lexington, MA.

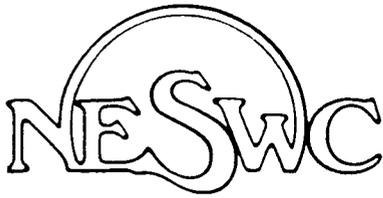
The agenda is as follows:

1. Minutes of the meeting of March 12, 1992
2. FY93 Budget Proposals
3. Monthly Status Report
5. Other business

Sincerely yours,
NESWC

A handwritten signature in cursive script, which appears to read 'Francis J. Hopcroft'.

Francis J. Hopcroft
Executive Director



NORTH EAST SOLID WASTE COMMITTEE

MINUTES
of the
FINANCIAL AFFAIRS SUBCOMMITTEE
MEETING
of
March 25, 1992

This meeting of the Financial Affairs Subcommittee was called to order at 8:30 am by Chairman Henry Rugo. Those present were:

Henry J. Rugo (Lincoln)	Robert Moroney (Manchester)
Richard Spiers (Lexington)	Peter Buhler (Fin. Advisor)
Francis Hopcroft (Exc. Director)	

The minutes of the February 12, 1992 meeting were offered for consideration. There being no objection, it was MOVED (Moroney), SECONDED (Spiers), and VOTED (Unanimous) to: accept the minutes as presented.

Mr. Hopcroft then offered a memorandum requested by the FAS at their February meeting outlining the current practices regarding approval and control over large expenditures. After a brief discussion, it was MOVED (Moroney), SECONDED (Spiers), and VOTED (Unanimous) to require two signatures on any certificate which would transfer more than \$5000 to any account other than an existing NESWC checking account and to retain the \$1000 limit on all checks written against the NESWC expenses account.

Discussion on the proposed FY 93 budget was tabled to the end of the meeting in anticipation of a member of the Personnel Subcommittee being present to discuss it.

Mr. Buhler then went over the monthly status report on the state of NESWC investments. The monthly report had been previously distributed to the members.

Mr. Hopcroft updated the members on the status of the bond refinancing initiative and discussed the status of the tipping fee and cash flow models being developed with Mr. Buhler.

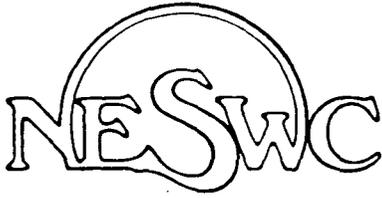
Discussion then returned to the proposed FY 93 budgets without the Personnel Subcommittee Representative. A discussion of the type of computer upgrade required and desired was entered with general agreement that planning for the foreseeable future is best and that a unit with larger capabilities than may be

needed today is better than one which might be obsolete within a couple of years. Discussion also centered on whether the estimate for legal fees is adequate. Mr. Hopcroft indicated that controls on legal costs recently initiated have been effective and that the proposed budget should be adequate barring any unforeseen problems.

It was then MOVED (Moroney), SECONDED (Spiers) and VOTED (Unanimous) to: recommend the expenses and consultant budgets to the Executive Committee, but to hold a recommendation on the personnel budget until after hearing from the Personnel Subcommittee. Mr. Spiers will contact the Subcommittee members to encourage more strongly the desire of the FAS to have the Subcommittee's input to the budget decisions. They will be asked to attend the next FAS meeting set for April 9, 1992 at 12:30 pm in Lexington.

The members then reviewed the proposed FY 93 Capital Budget. After a brief discussion it was MOVED (Moroney), SECONDED (Spiers) and VOTED (Unanimous) to: recommend the Capital Budget to the Executive Committee as presented.

There being no further business to come before the members, the meeting was adjourned at 9:50 am.



NORTH EAST SOLID WASTE COMMITTEE

April 1, 1992

Dear Member:

A meeting of the NESWC Executive Committee is scheduled for Thursday, April 16, 1992 at 1:30 pm in the Selectmen's Room, Lexington Town Hall.

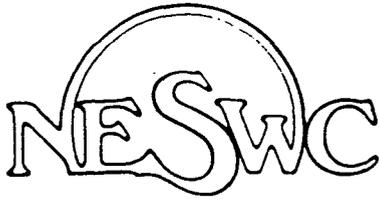
The agenda is as follows:

1. Minutes of the March 25, 1992 meeting
2. RFP Reviews
 - a. General Counsel
 - b. Communications
3. Feasibility Engineer proposals
4. FY93 Budget Proposals
 - a. Operating Budget
 - b. Capital Budget
5. FAS Report
6. Goals & Actions Report
 - a. Second Supplemental Trust Indenture
 - b. Waiver of 5%/2% limitations
7. Other business

Sincerely yours,
NESWC

A handwritten signature in dark ink, appearing to read 'Francis J. Hopcroft', is written over the typed name.

Francis J. Hopcroft
Executive Director



NORTH EAST SOLID WASTE COMMITTEE

MINUTES
of the
EXECUTIVE COMMITTEE MEETING
of
MARCH 4, 1992

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

Robert Moroney (Manchester)	Edward Barker (Winchester)
John Seites (Peabody)	Robert McQuade (Andover)
Henry Rugo (Lincoln)	Stephen Casazza (N. Reading)
John Graham (N. Andover)	Donald Marquis (Arlington)
Richard Bowler (Arlington)	Mel Kleckner (Belmont)
Peter Castanino (Belmont)	John Murray (Acton)
Francis Hopcroft (Exc. Director)	Peter Buhler (Financial Advisor)
June Matte (Consultant)	

The minutes of the meeting of February 11, 1992, were offered for consideration. There being no objection, it was MOVED (Rugo), SECONDED (Graham), and VOTED (Unanimous) to: accept the minutes as offered.

Mr. Hopcroft then updated the members on the status of the Dearborn parcel permit applications. He recommended that NESWC continue to pursue the state permits required, in full anticipation that they will be rejected, and to delay the Corps of Engineer permit applications on the grounds that they will not be needed if the state permits are denied. Moreover, the cost to pursue the Corps permits is high relative to the cost for the state permits since NESWC has been granted exemption from the state permit fees.

Discussion centered on whether payment of the application fees would expedite resolution of the issue. After a brief debate, it was agreed that the state permits would be filed, the Corps permits would be delayed, and the issue would be revisited at a later meeting of the Executive Committee.

Mr. Hopcroft reported that a final settlement offer had been made in 1990 to the bonding company which took over completion of the Roadway Swale Liner project at the landfill after the contractor went bankrupt. The company had claimed that NESWC owed it over \$120,000 and NESWC claimed that the company owed NESWC over \$32,000. Discussions held at that time, with the consent of the Executive Committee, resulted in an offer to the bonding company to settle the matter for a payment of \$60,000 by NESWC. The company had not acted on that offer until January of this year when it renewed interest in settling the claim.

NESWC had agreed, subject to ratification by the Executive Committee, to reinstate the offer but that payment would not be made until FY 93 (July, 1992), and that no interest, claimed by the company, was to be paid. The company had accepted that arrangement after lengthy discussions with the Executive Director. Mr. Hopcroft asked for ratification of the settlement by the Executive Committee. There being no objection, it was MOVED (McQuade), SECONDED (Rugo), and VOTED (Unanimous) to: accept the settlement recommended by the Executive Director and to place the \$60,000 amount on the FY93 Capital Expense Budget for NESWC.

The CSF reporting format proposed by the Executive Director and presented at the prior Executive Committee meeting were raised for comment. There were no comments on the format and it was agreed that the Executive Director should proceed with the format as previously presented unless and until directed otherwise by the Executive Committee.

Mr. White then reviewed the proposed landfill operating agreement negotiated by Mr. White for the Executive Committee with the Mayor of Peabody. A lengthy discussion ensued regarding the value of the benefits relative to the costs. Of particular concern were the ability of NESWC to monitor what was going on at the landfill to protect the interests of NESWC, the ability of NESWC to limit liability or control the cost of compliance with future changes in law, and the ability of NESWC to be indemnified against future losses caused by the negligence or fault of the City. Of equal concern was the requirement that the deal be signed prior to March 18, 1992, given that the City had not yet submitted a draft contract, as it had agreed to do, and that the Executive Committee could not approve a final agreement without a final contract.

It was ultimately MOVED (Rugo), SECONDED (McQuade), and VOTED, on a roll-call vote, (7 for, Marquis against, and Seites present) to Authorize the Executive Director to sign the Memorandum of Understanding subject to ratification of contract language by the Executive Committee regarding monitoring, control and indemnification, as discussed above, expeditious processing of the contract document by both sides, and a delay in the March 18 date as necessary to effect the contract signing. Mr. White then checked with Mayor Torigian and later reported that the Mayor had agreed to the terms approved by the Executive Committee.

The Goals and Actions report for the month was reviewed. The Executive Director recommended deleting several items from future reports. It was agreed that item 3b would be retained until resolution of the landfill operating agreement was in place. Mr. McQuade reported that officials from the Town of Andover were to meet the following week with Commissioner Greenbaum of the DEP to discuss the negative impact of recycling on the budgets of individual communities and the lack of state aid to deal with the problem. After a brief further discussion, it was MOVED (Marquis), SECONDED (Graham), and VOTED (Unanimous) to: support the Town of Andover in that action and to authorize the Town to speak for the Executive Committee of NESWC on that issue.

Mr. Hopcroft then introduced Ms. June Matte, representing Public Financial Management, Inc., the Refinancing Consultants retained by NESWC. Ms. Matte updated the members on the status of the refinancing to date and explained the reasons driving a recommendation that NESWC focus on a current refunding in December of 1992, rather than on a forward commitment. After a brief discussion of the issues, it was agreed that the decision to proceed with a current refunding was the only one which was achievable and that efforts ought to be focussed on that objective. It was agreed that the Committee would accept Ms. Matte's report and recommendations.

Mr. Hopcroft distributed copies of a letter received from a Washington law firm retained to file an "amicus" brief in support of an appeal by the City of Chicago from an adverse ruling by the Seventh Circuit Court of Appeals that found municipal solid waste combustion ash to be a hazardous material. He reported that if the Seventh Circuit finding remains in place, and if adopted by other circuits, the disposal of ash at the NESWC ash landfill will nearly double due to the extensive additional lining systems required and the additional monitoring and testing programs required. The letter requested support from NESWC and up to \$1500 to help cover the legal fees involved.

After a brief discussion, it was MOVED (Marquis), SECONDED (Murray), and DEFEATED (Marquis and Murray for, 5 against) to: not support the preparation of the brief.

It was then MOVED (Kleckner), SECONDED (McQuade), and VOTED (Marquis and Murray opposed) to: support the brief subject to Palmer & Dodge review of the qualifications of the law firm and subject to a limit of \$1500 on NESWC's contribution to the legal fees.

Mr. Rugo then distributed the usual monthly summary of the status of NESWC investments and reviewed the data with the members. There being no questions or discussions, it was agreed that the report was accepted as presented.

Mr. Hopcroft then recommended that certain service contracts be put out to competitive procurement for FY93. They included legal services, accounting services and communications/lobbying services. After a brief discussion, it was agreed that changing auditors during the development of a new bond issue was not wise and that certain limits on what would be included or excluded from the legal services contract needed to be further refined. It was agreed that the Executive Director would prepare draft RFPs for legal services and for communications/lobbying services in advance of the next Executive Committee meeting. The members would decide at that time whether to issue the RFPs as drafted, as modified, or at all.

There being no further business to come before the members, the meeting was adjourned at 4:15 pm.



Shell Oil Company

March 27, 1992

MASSACHUSETTS DEP - CENTRAL REGION
75 GROVE STREET
WORCESTER, MA 01605

P.O. Box 1703
Atlanta, Georgia 30371

320 Interstate North Parkway
Atlanta, Georgia 30339

Dear Mr. Benoit:

SUBJECT: RESPONSE TO DEP REQUEST FOR INFORMATION
SITE NUMBER: 2-0848
Shell service station
341 Great Road
Acton, MA 01720

This letter is in response to your request for information on the above subject. Shell Oil Company will attempt to answer or address all of the questions raised in your January 15, 1992 letter. For reading ease, I will follow the points/questions raised in your letter in the order they appear.

Concern: 3500 ppb BTEX and 3200 ppb MTBE groundwater sample test results may indicate an uncontrolled gasoline and or oil exists at the site.

Response: The BTEX value in well GT-103 and MTBE value in well GT-2 are taken from monitoring wells without any directly upgradient information. It is a possibility that these values were indicative of another source. In addition, the most recent BTEX reading for GT-103 was 990 ppb (10/9/91) and the most recent MTBE reading in GT-2 was 83 ppb (3/7/91). In either case an uncontrolled gasoline condition at this site would have an MBTE reading in the 60,000 -100,000 ppb range.

Concern: The report is incomplete in that the source of the petroleum release has not been identified. Elevated levels of BTEX and MTBE indicate its probable that one of the UST's has leaked.

Response: As with some of the older gasoline stations, most of the existing low level BTEX and MTBE can be attributed to past activities which include: dispenser filter changes, leak detector maintenance, and over spills by both customers and delivery trucks.

An indication of an ongoing release would be separate phase product with elevated BTEX and MBTE values in the 60,000 - 100,000 ppb range. The data does not support the theory that any line or tank is currently leaking.

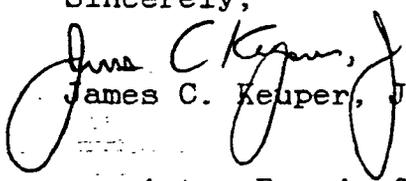
Shell feels strongly that there is no need to test the tanks as requested by the NOR (as explained in the previous paragraph). But since we are required by other regulations to test this tank annually, we will copy you on the results of a tank test which is currently being scheduled.

Request for information:

- 1) All test data is attached. You should find tests for: '89 tank & line; '90 line; '91 tank and '92 line. The 1989 line test was a result of a suspected leak in the SU 2000 line - all of the lines passed. All other tests were performed on a routine basis.
- 2) none identified
- 3) none identified
- 4) answer stated at top of page
- 5) The dealer has been contacted and asked whether or not he would feel comfortable with the DEP dropping in to inspect his inventory records. You have an open invitation to call the dealer at (508) 263-9137 to arrange a meeting to look at his inventory records. I have been told the inventory records are in excellent shape.
- 6) none identified
- 7) This information was identified in the Phase I report.
- 8) In an ongoing stage II vapor recovery piping installation program, approximately 15 yards of soil has been stockpiled. Analytical tests are being run on the soil, and the engineers in Shell's Westwood, MA office will be handling the disposal of the soil in accordance with applicable regulations.

I hope this letter addresses the concerns listed within your January 15, 1992 letter. I appreciate the opportunity to provide you some input as to the condition of this site.

Sincerely,


James C. Keuper, Jr.

cc: Acton Board of Health
Acton Board of Selectmen
Acton Fire Department
Groundwater Technology, Inc.
Shell Oil Company



TOWN OF ACTON
DEPARTMENT OF MUNICIPAL PROPERTIES
472 MAIN STREET
ACTON, MASS. 01720

FILE COPY

DEAN A. CHARTER, M.C.A.
DIRECTOR
508-264-9629

TOM TIDMAN
CONSERVATION ADMINISTRATOR
508-264-9631

April 7, 1992

Mr. Joseph Cataldo
Clover Realty Corporation
P.O. Box 397
Littleton, Ma., 01460

Dear Mr. Cataldo:

I am writing to you regarding my concern that you have not begun the repairs to the Conservation land adjacent to the lot you are developing at Stoneymeade (lot 14). As you will no doubt recall, several Town Staff members met with you on site on January 14, 1992, to discuss the damage you had done to Town property, and how you planned to correct the problem. The verbal agreement we reached at that meeting and in subsequent conversations is outlined in the attached memo, dated March 2, 1992. My concern at this point is that you have not gotten back to us with the formal bonds, as you had promised.

The Town could have initiated court action against you for vehicular trespass, as well as a civil suit for negligence as a result of your actions. The Town also could have left the stop work order on the project until you had actually posted the bond amounts or restored the area to our satisfaction. In fact, town staff accepted your word that you would very quickly formalize the promises you made, and you were allowed to continue with construction. It has now been several months since our meetings, and you have not posted the bonds, nor have you begun restoration of our property; in fact, when I inspected the site last week I noticed that you have continued to allow construction vehicles to cross over our property. It appears to me that you have not been dealing with us in good faith, despite the fact that the staff has given you unprecedented latitude to continue your project. With bud break rapidly approaching, I am very concerned that the trees you negligently filled around will die, despite your assurances to the contrary.

Through your apparent attempt to ignore your obligation to the Town, and your recent history of commencing projects without proper permits or clearly defined boundaries, you have pretty much exhausted the goodwill of this department. If I do not have properly executed bonds, as noted in my March 2, 1992 memo, in my possession by April 24, I am prepared to take whatever actions are necessary to compel your compliance, either through the permitting process, through physically blocking the driveway you still have on our property, or through legal action.

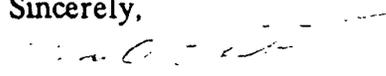
Mr. Cataldo

-2-

April 7, 1992

I trust that you will give this matter the prompt attention that it deserves, and which you promised, and avoid some potentially costly consequences.

Sincerely,


Dean A. Charter
Municipal Properties Director

encl.

cc:

Tom Tidman
Garry Rhodes
David Abbt
Don P. Johnson

DAC/28

Don - FYI

cc: BAS

MASTER PLAN COORDINATING COMMITTEE

MINUTES FOR MEETING ON

MARCH 24, 1992

Attendance: Anne Fanton, Board of Selectmen
Nicholas Miller, Citizen at Large
Bill Lawrence, Chamber of Commerce
Christopher Devaney, Chamber of Commerce
Matt Mleziva, Board of Appeals
Garry Rhodes, Building Department
Roland Bartl, Planning Department
David Abbt, Engineering Department

Anne opened the meeting at 7:30 PM as the Acting Chairman

The February 25 minutes were approved as written

It was agreed to create an "Issue Status" which will be kept current and distributed with the minutes

Bill announced that a "Membership Alert" would be going out with material provided by David, Garry, and Roland

Roland announced that Development Guideline comment had been received and that Martin Graetz had volunteered to edit the product to a shorter version

The remainder of the meeting was spent discussing the Sign Issues on the agenda. The objective of the discussion was to determine whether we should recommend any changes in the Sign ByLaw to the Planning Board. The results of the discussion is as follows:

#1. Roland distributed a memo explaining the rationale for the Light Color on Dark Background requirement and then presented a "chalk talk" on the alternatives. The group discussed the pros and cons of the alternatives and concluded by voting unanimously (with one absention) to recommend to the Planning Board that:

.Delete the requirement entirely (no overriding reason to require light on dark - impacts Corporate Logos without sufficient benefits)
.or, as a second alternative; Allow trademarks, recognized company names, logos or other items which do not meet the "light on dark" criteria as inserts into an otherwise compliant sign.

#2. Roland made a presentation on the Size limits subject, which the group then discussed. The group agreed to resume discussion after individual members had done a "drive by" data collection to understand the alternatives.

#5. Skipping to Sign topic number 5 (Signs in Public Ways), Roland and Garry made a presentation. That was followed by a review and comment on the 24 March Bartl letter and the 5 Dec Charter letter. The group agreed to review the Roland/Garry draft policy at the next meeting. The recommendation would then go to the Selectmen for adoption as a policy on Signs in Public Ways.

The group discussed a suggestion to track an active application through the process, but did not feel strongly enough to commission another such effort (one such case study having been done in retrospect).

The next meeting will continue with the sign issues.

The future meeting dates set were 21 April and 30 Jun.

Minutes prepared by Matt Mleziva

cc: Conservation Comm., Finance Comm., Recreation Comm., Comm. on Disabilities, Historic District Comm., Board of Health, Municipal Properties, Housing Authority, Council on Aging, Board of Selectmen

SELECTMEN
cc: BOS

ACTON HISTORICAL DISTRICT COMMISSION

MINUTES
REGULAR MEETING

Meeting Date: 3/23/92
Present: Ann Forbes, Joan Gates, Michaela Moran,
Sandy Schmidt; observing, Tom Peterman, and Betty Howard.

Minutes of 3/9/92 were accepted as amended.

Announcements: Ann was informed that our budget has to be approved by Town Meeting before we can be operational. Demolition hearing on 41 Stow St. will be April 28th. Demolition of portions (the porte cochere) requested at 65 Great Rd. was approved.

Great Hill in So. Acton- problems with co-housing. Kevin Sweeney has P&S on property and is pursuing sub-division plan.

Annual Historic Preservation Conference will be May 8th and "Walk for Waldon" on April 12th.

We now have our file cabinet in Selectmen's office upstairs. John Murray mentioned to Ann that they would like to replace shutters on Town Hall with fiberglass shutters. We have to think about how we handle this one.

Old Business : Ann checked on status of updating property lists. She will get new listing to Sandy for revisions, Joan and Michaela were still working on theirs. Michaela agreed to do a quick check from realtors. listing on ownership changes before we do mailings.

Michaela would like more time on flow chart revisions concerning procedural steps.

New Business: Report on conference with John Murray - Ann submitted budget request of \$1200 which was put into Town Warrant. They discussed Commission business; postage meter can be used and would save us a little, it would be billed to our account, photo-copying was not discussed. We do need the tax exempt number for supplies. Ann has this on file.

Stationary samples were shown, and limited to a couple. Tom suggested his wife play around with it and he will bring to next meeting were we will give final vote. We agreed paper and envelopes should match, with both having town seal. One price for envelopes from Murphy and Snyders was \$91 per 1500, about \$.06 each.

Report on conference with Alice on accounting and purchasing- Ann was given a list of town vendors to use for supplies, a purchase order and vendor number must be used. Anyone wishing to purchase something should call Ann for information and how to.

April 13th meeting in question, it was decided to change to April 2nd.

Discussion on warrants for Town Meeting followed.

Article 21 shouldn't be a problem, we have questions on 22, as far as who should be designated as enforcing officer. Ann will check if we can have the Commission designated and we will vote at next meeting. Everyone should try to attend Town Meeting on April 6th.

Revised Certificate was handed out and all agreed this would be the final draft. *A revised waiver was handed out & approved.* Comments of Town Council-- Discussed all comments of Town Council, he questioned our repetition of some things. We have considered all comments and Ann will make revisions for us to vote on at next meeting. He also answered our question on "arbitration".

Meeting was adjourned at 10:05.

Next meeting April 2nd-- 7:30pm

Respectfully Submitted

Sandra Schmidt

EXECUTIVE
OFFICE OF
COMMUNITIES &
DEVELOPMENT

MAR 27 1992



William F. Weld, Governor
Mary L. Padula, Secretary

March 18, 1992

Chairperson
Board of Selectmen
Town Hall
Acton, MA 01720

Dear Chairperson:

On January 27, 1992, Governor Weld and Lt. Governor Cellucci submitted to the legislature an Act that will authorize the creation of Economic Opportunity Areas (EOAs). Attached is a brief description for your review. This legislation will effectively augment your ability to generate jobs in distressed areas by providing you with the economic development tools that are necessary for economic revitalization. As the lead agency for the EOA's program, EOCD is ready to provide you with the necessary technical assistance to facilitate the effective utilization of the various features of this dynamic new approach to community economic development.

Although the EOA's legislation has not yet been enacted, portions of the program are presently available to you through existing statutes. Chapters 121a, 121c, and 40D provide you with the ability to structure a package of incentives that will help to lure new business activity into your area.

In today's challenging economic climate, it is essential for state and local governments to work together to develop approaches that focus on community development and jobs creation. I am convinced that Massachusetts' economic recovery will begin at the local community level. We at EOCD are eager to work in partnership with you to forge a strategy that will focus on attracting new business activity, as well as retaining the existing businesses in your community.

Please call David Rodriguez-Pinzon at (617) 727-7765 for further information on EOAs and how this exciting approach to community economic development can work in your area.

Sincerely,

A handwritten signature in cursive script that reads "Mary L. Padula". The signature is fluid and connected, with a large initial "M" and a long, sweeping underline.

Mary L. Padula
Secretary

MLP/DRP/ca

ATTACHMENTS

1. Synopsis of Economic Opportunity Areas (EOA's)
2. EOA Chart
3. Description and comparison of Chapters 121A and 121C
4. Summary of Revenue Bond Issuing Powers of an IDFA (Chapter 40D)
5. Industrial Development Financing Authority (IDFA)
6. IDFA financing flow chart
7. House Bill 1995

EXECUTIVE OFFICE OF COMMUNITIES & DEVELOPMENT



William F. Weld, Governor
A. Paul Cellucci, Lt. Governor
Mary L. Padula, Secretary

ECONOMIC OPPORTUNITY AREAS (House Bill 1995)

Governor Weld and Lt. Governor Cellucci have filed legislation that will create "Economic Opportunity Areas" or EOA's. EOA's will provide municipalities with a series of incentives that will attract new business activity to distressed areas of the Commonwealth.

EOA's will offer a combination of local, state, and targeted incentives including, but not limited to: property tax relief, excise, export, and building re-utilization credits.

This concept draws from the best features of enterprise and foreign trade zone initiatives that have been effective in other states and countries. In fact, a version of the EOA legislation is now before Congress. If passed, it will provide an additional layer of federal incentives that will augment the scope of the EOA legislation at the state level.

Pending enactment of the EOA legislation, it is important to note that municipalities which currently have specific community economic development projects on their drawing boards can take advantage of existing statutes which have been underutilized in the past. Chapters 121A (Urban Development Corporations), 121C (Economic Development and Industrial Corporations), and 40D (Industrial Development Finance Authorities) are effective incentives to business development. For example, the city of Boston used these incentives to convince the Genzyme Corporation to locate its new plant in Allston.

We at EOCD are interested in discussing this new program with you in order to more effectively support your current and future community economic revitalization efforts. EOCD will also provide you with the necessary technical assistance in order to help you structure these resources in an effective and expeditious manner.

For further assistance, contact David Rodriguez-Pinzon at (617) 727-7765.

Economic Opportunity Areas

Existing
Functions

Urban
Development
Corp

EDIC

IDFA

EOA's
Economic Opportunity Areas

New Growth
Incentives

Job
Credit

Re-Utilization
Deduction

Export
Credit

Loss Carry-
Forward

One-stop
Licensing

Credit for
Investment

Property
Tax Relief

EXECUTIVE OFFICE OF COMMUNITIES & DEVELOPMENT



William F. Weld, Governor
A. Paul Cellucci, Lt. Governor
Mary L. Padula, Secretary

DATE: February 1, 1992
TO: Local Officials
FROM: Mary L. Padula, Secretary
SUBJECT: Economic Development Programs Available Through the
Executive Office of Communities and Development

The following are brief descriptions of economic development vehicles available through the Executive Office of Communities and Development:

- I. Chapter 121A Payments in Lieu of Taxes. Chapter 121A of the Massachusetts General Laws allows for the creation of a single-purpose, project specific Urban Development Corporation (UDC) which is exempt from the traditional means of paying real estate taxes. UDC's are different from other economic development models in that they are not "entities" which perform a development mission, but are instead mechanisms that allow cities and towns to provide tax exemptions as incentives to private developers. By allowing tax exemptions, 121A's can serve as catalysts for development in urban areas that have high property tax rates, or in areas that are minimally marketable as locations for private investment. These 121A's were created with the objective of providing a predictable and affordable structure of tax payments. Primarily for housing projects, 121A's have also been utilized in some locations for commercial and industrial purposes as well.

Key Features:

- A. A duration of 15 to 40 years.
- B. While Urban Development Corporations are exempt from real property taxes, they must make substitute payments, of which there are three types:

Minimum Statutory Payment: The minimum statutory payment to the State Department of Revenue is a mandatory payment equal to 1% of the assessed value of the property plus 5% of the gross income of the project from all sources. This money, collected by the state, is returned to the municipality's general fund.

Excess Income Payment: Chapter 121A entities are limited dividend corporations and, as such, may earn no more than an 8% return on investment. Any excess profits, after all eligible deductions have been accounted for, must be returned to the municipality (up to the level of tax that would have been assessed if the project were a non-121A entity).

Negotiated Payment: Under the statute, a municipality has the right to negotiate a payment above the minimum statutory payment. This payment is determined on a project by project basis by the municipality and developer and is made directly to the municipality.

- C. Administration of Program: For all cities, except Boston, EOCD is responsible for administration of the 121A program. Each 121A entity must be approved by the municipality in which the proposed project is located and EOCD.
- D. Range of Activities: Urban Development Corporations are authorized to:
- o Acquire, sell and hold land, including the taking of land through eminent domain (If eminent domain is required, it must be specifically requested in the application)
 - o Manage property
 - o Construct and improve facilities
 - o Issue bonds
 - o Receive exemption from real estate property tax

II. An Economic Development and Industrial Corporation (EDIC) under Chapter 121C of the Massachusetts General Laws.

Key Features:

A. Payments in Lieu of Taxes (PILOTS).

There are important differences between a PILOT under 121C and a PILOT under 121A. For example, a 121C PILOT does not have a minimum statutory payment. Therefore 121C PILOT payments can be structured more aggressively without the constraints of the 121A formulae.

B. The EDIC (121C) must own the land on which a particular project is developed. It then leases the land to the prospective company.

C. EDIC (121C) projects must be "Industrial or Manufacturing" concerns.

D. 121C EDIC's, as per statute, require a seven (7) member board of directors; four (4) are appointed by the municipality. The names of the other three (3) members shall be submitted by the regional or local community action agency. Where there is no such agency, the members will be named from a list submitted by the Executive Office of Communities and Development.

E. In comparing 121C (EDIC) with 121A (UDC), it is evident that, although 121C's cannot finance or provide PILOTS for housing development purposes, they (121C's) provide the highest level of flexibility in the negotiation of PILOTS for industrial and manufacturing projects. It should also be noted that like 121c, they have eminent domain powers, and can issue bonds in the same manner as 121a.

III. Industrial Development Financing Authorities (IDFA) under Chapter 40D

A summary of IDFA powers is attached.

EXECUTIVE OFFICE OF COMMUNITIES & DEVELOPMENT



William F. Weld, Governor
A. Paul Cellucci, Lt. Governor
Mary L. Padula, Secretary

SUMMARY OF REVENUE BOND ISSUING POWERS OF AN IDFA

I. Projects for which IDFA May Issue Revenue Bonds under Federal and State Law:

A. Tax-Exempt Bonds

- (1) Bonds for manufacturing facilities. Section 1 (1) of M.G.L., c. 40 D (the "Act") and Section 144 of Internal Revenue Code of 1986, as amended (the "Code").
- (2) Construction, renovation and equipping of a medical diagnostic imaging facility which has been granted a certificate of need, if used by a 501(c) (3) corporation. Section 1(1) of the Act and Section 145 of the Code and Attachment 1.
- (3) Nursing or convalescent homes licensed under M.G.L., c.111 and owned by 501(c) (3) corporations. Section 1 (1) of the Act and Section 145 of the Code.
- (4) Research and development facilities used by 501(c) (3) corporations. Section 1(1) of the Act and Section 145 of the Code.
- (5) Facilities for the local furnishing of electric energy or gas by means of co-generation facilities or small power production facilities. Section 1 (1) of the Act and Attachment 2 and Section 142 of the Code.
- (6) Continuing care facilities owned by 501(c) (3) corporations. Sections 1(1) and (1) and (1) (u) of the Act and Section 145 of the Code.
- (7) Solid waste disposal facilities. Section 1(v) of the Act and Section 142 of the Code.

B. Taxable Bonds

(1) Bonds for facilities for any "industrial enterprise" permitted under Section 1(e) of the Act, other than facilities for governmental and non-profit entities (which may be financed only in a commercial area revitalization district).

(i) Bonds for commercial enterprises that are not governmental or non-profit entities (e.g., hotels, shopping centers, retail stores, etc.) may be financed outside a commercial area revitalization district for federal tax law purposes. Absent is a special rule in the Code, interest on such bonds would be taxable for federal income tax purposes.

(ii) Also see exceptions under III (2) below, to the extent such exceptions are not "qualified exempt facility bonds" under Section 142 of the Code.

II. Projects for which IDFA May Issue Revenue Bonds under State Law in a Commercial Area Revitalization District (CARD):

(1) Facilities for governmental or non-profit entities, to the extent not already permitted.

(2) To issue federally tax-exempt bonds in a CARD, non-profit entities must be 501(c) (3) organizations. Examples: colleges, hospitals, private secondary schools, cultural organizations.

(3) Facilities for non-profit entities that are not 501(c) (3) organizations can be financed in a CARD through taxable bonds.

III. Projects for which IDFA May NOT Issue Revenue Bonds under State Law:

(1) Rental housing, other than residential housing operated in connection with a continuing care facility and facilities to be rented primarily to transient guests.

(2) Plants for the manufacture or distribution of gas or electricity except:

(i) back-up power generating or distribution facilities or other facilities for the supply of gas or electricity to occupants of an industrial development project financed under the Act; or

- (ii) pollution control facilities; or
- (iii) solid waste disposal facilities; or
- (iv) small power production facilities (see M.G.L., c. 164 Section 1).

dated: January 10, 1990

EXECUTIVE OFFICE OF COMMUNITIES & DEVELOPMENT



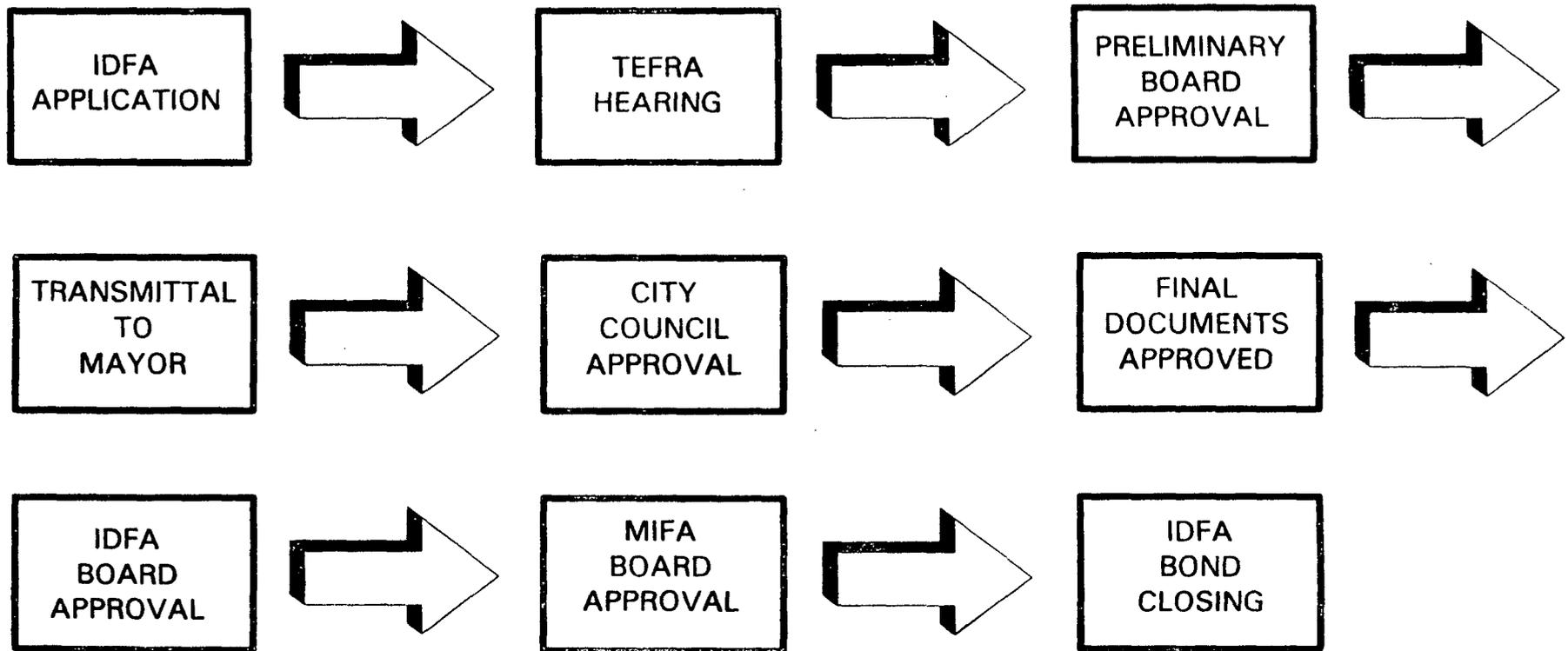
William F. Weld, Governor
A. Paul Cellucci, Lt. Governor
Mary L. Padula, Secretary

INDUSTRIAL DEVELOPMENT FINANCING AUTHORITY BOND FINANCING PROCESS

1. IDFA Application
 - Project Review Statement submitted, examined by bond counsel. MOU regarding Local Labor signed.
 - Determine eligibility and public purpose.
2. TEFRA Public Hearing
 - Notification published at least 14 days prior to hearing date.
 - Interested parties notified.
 - Summary of hearing and Mayor's Certificate prepared.
3. Preliminary Approval
 - Borrower attends meeting of IDFA Board of Directors to describe proposed project.
 - Board takes Initial Action; votes to pass Resolution after determination of eligibility and public purpose.
4. Transmittal to Mayor
 - IDFA recommends favorable actions to public purpose and eligibility.
5. City Council Approval
 - Mayor recommends favorable action to Council.
 - Council may refer to committee, which holds public hearings. Committee makes recommendation to full Council. Council then votes on project.
6. Final Documents Approved
 - Official Statement, Trust Indenture, Bond Purchase Agreement, Letter of Credit and Reimbursement and all other relevant financing documents reviewed by IDFA counsel and staff.

7. IDFA Board Approval
 - Approval of financing structure and terms by Board.
8. MIFA Board Approval
 - Approval of terms as per Application.
9. IDFA Bond Closing
 - IDFA Chairman/Vice Chairman sign documents.

INDUSTRIAL DEVELOPMENT FINANCING AUTHORITY BOND FINANCING PROCESS



HOUSE No. 1995

The Commonwealth of Massachusetts



THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT
STATE HOUSE • BOSTON 02133

WILLIAM F. WELD
GOVERNOR

ARGEO PAUL CELLUCCI
LIEUTENANT GOVERNOR

January 17, 1992

To the Honorable Senate and House of Representatives:

We are filing for your consideration "An Act Authorizing The Creation Of Economic Opportunity Areas." This legislation enables cities and towns to designate, subject to state approval, distressed sites or sections within their jurisdiction as "Economic Opportunity Areas." Economic Opportunity Areas would function to encourage new business activity, create new jobs and serve as a catalyst for economic revitalization by attracting employers and investors to those areas of the Commonwealth hardest hit by the recession and largely bypassed during the flourishing economy of the last decade.

State and local governments would open the window of economic renewal by providing tax relief and inducements to qualified businesses located and operating within such Economic Opportunity Areas. State tax incentives include a loss carry-forward provision and credits for exports, jobs, investments and the renovation of underutilized or abandoned business property. Local tax abatement includes a six year phase-in of property taxes. Additionally, state and local regulatory and statutory business procedures and services would be coordinated and streamlined for corporations within Economic Opportunity Areas.

Economic Opportunity Areas offer a strong package of incentives to cities and towns seeking to attract new business development to their communities. This legislation provides the environment in which such development can occur and we therefore urge its swift passage.

Respectfully submitted,

William F. Weld

William F. Weld
Governor

Argeo Paul Cellucci

Argeo Paul Cellucci
Lieutenant Governor

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Two.

AN ACT AUTHORIZING THE CREATION OF OPPORTUNITY AREAS.

1 *Whereas*, The deferred operation of this act would tend to
2 defeat its purpose, which is to encourage economic revitalization
3 through job creation, community development, and the
4 elimination of blighted urban areas, therefore it is hereby declared
5 to be an emergency law, necessary for the immediate preservation
6 of the public convenience.

*Be it enacted by the Senate and House of Representatives in General
Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. DEFINITIONS

2 In this act, the following words shall have the following
3 meanings:

4 (a) "Incidence of Poverty" shall mean the poverty rate, as
5 defined by the Bureau of the Census, using the most recent census
6 data available, for purposes of identifying poverty areas.

7 (b) "Office" shall mean the Executive Office of Communities
8 and Development.

9 (c) "Secretary" shall mean the Secretary of Communities and
10 Development.

11 (d) "Economic Opportunity Area" shall mean any area which
12 meets the criteria of this act, which is nominated by one or more
13 local governments in which it is located for designation as an
14 "Economic Opportunity Area", and which the Secretary, in
15 cooperation with the Secretary of Economic Affairs, and after
16 consultation with the Secretary of Administration and the
17 Secretary of Labor, designates as an Economic Opportunity Area.

18 (e) "Related Persons" shall mean persons who are engaged in
19 Economic Opportunity Area Businesses under common control.

20 (f) "Economic Opportunity Area Business" shall mean a corpo-
21 ration conducting an active trade or business within an Economic

22 Opportunity Area, which has been approved by the Secretary as
23 an Economic Opportunity Area Business, and in which:

24 (1) at least 80 percent of its gross income in each calendar year
25 is attributable to the active conduct of trade or business within
26 the Economic Opportunity Area; and

27 (2) less than 10 percent of the property constitutes stocks
28 securities, or property held for use by customers; and

29 (3) less than 10 percent of the property constitutes collectibles
30 unless such collectibles constitute property held primarily for sale
31 to customers in the ordinary course of the active trade or business;
32 and

33 (4) a substantial amount of the property, whether owned,
34 leased, or rented, is located within the Economic Opportunity
35 Area in which the business is located; and

36 (5) a substantial number of its employees work within the
37 Economic Opportunity Area.

38 A trade or business shall cease to be an Economic Opportunity
39 Area Business if:

40 (i) the designation of the Economic Opportunity Area in which
41 the trade or business is conducted is revoked, or

42 (ii) more than 50 percent of the trade's or business' property
43 is owned or services are performed by Related Persons other than
44 Economic Opportunity Area Businesses or corporations
45 organized under Chapter 121A.

46 No business facility shall be eligible to receive the benefits
47 provided for a facility located in an Economic Opportunity Area
48 if such facility has relocated from another city or town within the
49 commonwealth unless the Secretary finds that the relocation of
50 the business facility will represent a net expansion of business
51 operations and employment. For the purposes of subpara-
52 graph (f), relocation shall mean the transferring of personnel or
53 employment positions from one or more existing locations to
54 another location.

55 (g) "Economic Opportunity Area Employee" shall mean an
56 individual:

57 (1) who is employed by an Economic Opportunity Area
58 Business; and

59 (2) who is performing services during the taxable year that are
60 related directly to the conduct of an Economic Opportunity Area
61 Business; and

62 (3) who is performing a substantial amount of his or her
63 services within an Economic Opportunity Area; and

64 (4) whose employer is not the federal, state, or local govern-
65 ment, or any political subdivision thereof.

66 (h) "Economic Opportunity Area Property" shall mean any
67 tangible personal or real property located within an Economic
68 Opportunity Area and used by the person responsible for paying
69 the taxes of an Economic Opportunity Area Business. In no event
70 shall any financial property or intangible interest in property be
71 treated as constituting Economic Opportunity Area Property,
72 whether or not such property is used in the active conduct of an
73 Economic Opportunity Area Business.

74 The treatment of property as Economic Opportunity Area
75 Property shall terminate immediately upon the first sale or
76 exchange of such property. Thereafter, the local government of
77 the area where the Economic Opportunity Area is located may
78 redesignate property as Economic Opportunity Area Property.

79 (i) "Economic Development Plan" shall mean a detailed plan,
80 as may be approved from time to time by a municipality, as
81 provided in Chapter 121C, for one or more economic development
82 projects within an Economic Opportunity Area. The plan shall
83 be consistent with local objectives respecting appropriate land
84 uses and shall be sufficiently complete to indicate the boundaries
85 of the area. It shall identify such land acquisition, such demolition,
86 removal and rehabilitation of structures, and such development,
87 redevelopment and general public improvements as may be
88 proposed to be carried out within such area, including zoning and
89 planning changes, if any, proposed land uses, maximum densities
90 and building requirements. However, no Economic Development
91 Plan shall propose zoning changes to or from business or
92 residential uses or provide for any office building other than one
93 wholly incidental to a manufacturing or industrial use within the
94 Economic Opportunity Area without the specific approval of the
95 city or town within which the Economic Development Project lies.

96 (j) "Economic Development Project" shall mean:

97 (1) a project to be undertaken in accordance with an Economic
98 Development Plan for acquisition of land and the improvements
99 thereon, if any, within an Economic Opportunity Area and for
100 clearance and development of the land so acquired; or

101 (2) a project for the rehabilitation or conservation of an
102 Economic Opportunity Area, or for the demolition, removal, or
103 rehabilitation of improvements on land within an Economic
104 Opportunity Area whenever necessary to eliminate unhealthful,
105 unsanitary or unsafe conditions, lessen density, mitigate or
106 eliminate traffic congestion, reduce traffic hazards, or eliminate
107 obsolete or other uses detrimental to the public welfare; or

108 (3) a project involving any combination of the foregoing types
109 of projects.

110 An Economic Development Project may include improvements
111 necessary for carrying out the objectives of the Economic
112 Development Project, together with such site improvements as are
113 necessary for the preparation of any site for uses in accordance
114 with the Economic Development Plan, and making any land or
115 improvements acquired in the area of the project available for
116 redevelopment or rehabilitation by private enterprise, including
117 sale, initial leasing or retention for industrial or manufacturing
118 uses in accordance with the Economic Development Plan. An
119 Economic Development Project may also include the construction
120 of any of the buildings, structures, or other facilities for industrial
121 or manufacturing uses contemplated by the Economic Develop-
122 ment Plan and the repair, removal or rehabilitation of any of the
123 buildings, structures or other facilities located in the area covered
124 by the Economic Development Plan which, under such plan, are
125 to be repaired, moved or rehabilitated.

126 (k) "Economic Opportunity Area Loss" shall mean any loss
127 incurred by an Economic Opportunity Area Business as a result
128 of the operation of a trade or business within an Economic
129 Opportunity Area.

1 SECTION 2. ADMINISTRATION OF THE ACT

2 The Secretary, in cooperation with the Secretary of Economic
3 Affairs, after consultation with the Secretary of Administration
4 and the Secretary of Labor, shall exercise the following powers
5 and duties:

(a) to promulgate rules and regulations and to prescribe procedures to effectuate the purposes of this act; and

(b) to establish additional criteria for determining what areas qualify as Economic Opportunity Areas; and

(c) to review applications submitted by the cities and towns under this act and to designate qualified areas as Economic Opportunity Areas.

The Secretary, in cooperation with the Secretary of Economic Affairs, shall have the following powers and duties:

(a) To assist cities and towns in implementing this act and in obtaining the waiver or modification of state and federal rules within Economic Opportunity Areas;

(b) To assist cities and towns in obtaining state and federal resources and assistance for Economic Opportunity Areas and for qualified businesses operating within Economic Opportunity Areas;

(c) to provide appropriate coordination with other state programs, agencies, authorities and public instrumentalities, including, but not limited to, the Massachusetts Industrial Finance Agency, the Massachusetts Port Authority, and the Massachusetts Technology Development Corporation, to enable activity within Economic Opportunity Areas to be more effectively promoted by the commonwealth;

(d) to monitor the implementation and operation of this act;

(e) to conduct a continuing evaluation of Economic Opportunity Areas and Economic Opportunity Area Businesses; and

(f) to submit reports to the Legislature evaluating the effectiveness of this act and making suggestions for improvements, which may include legislative recommendations, by March 1 of each calendar year for as long as this act remains in effect.

SECTION 3. NOMINATION OF ECONOMIC OPPORTUNITY AREAS

Any city or town may nominate any area within that city or town to be designated an Economic Opportunity Area, provided that the nominated area meets the following requirements:

(a) the area is within the jurisdiction of the government of the city or town; and

8 (b) the boundaries of the area are contiguous; and

9 (c) the nominated area contains vacant land and/or unused or
10 underutilized industrial facilities; and

11 (d) the nominated area meets such other requirements as may
12 be established by regulations promulgated by the Secretary, in
13 cooperation with the Secretary of Economic Affairs, after
14 consultation with the Secretary of Administration and the
15 Secretary of Labor. If more than one government seeks to
16 nominate an area as an Economic Opportunity Area, any
17 reference to, or requirement of, this section shall apply to all such
18 governments.

19 (e) the nominated area meets at least one of the following four
20 specific criteria:

21 (1) an unemployment rate that is 125% higher than the average
22 unemployment rate in the commonwealth during the prior
23 calendar year; or

24 (2) the loss of at least 10% of its population during the ten year
25 period from 1980 to 1990; or

26 (3) an Incidence of Poverty 125% higher than the average
27 Incidence of Poverty in the commonwealth; or

28 (4) a loss of at least 2,000 jobs over the previous four years.

1 SECTION 4. APPLICATION FOR AREA DESIGNATION

2 Any city, by vote of the city council and approval by the mayor,
3 or town, by vote at the town meeting, may adopt an ordinance
4 or by-law authorizing such city or town to prepare and submit
5 an application to the Secretary for designation as an Economic
6 Opportunity Area. Such application shall be prepared in a manner
7 and form prescribed by regulations promulgated by the Secretary
8 and shall contain the following:

9 (a) a map of the area comprising the proposed Economic
10 Opportunity Area, which identifies the nominated area and
11 indicates existing streets, highways, waterways, natural
12 boundaries and other physical features;

13 (b) a plan by which the city or town will provide property tax
14 relief to an Economic Opportunity Area Business at least in the
15 following amounts:

16 Year 1: 100% reduction in assessed value
 17 Year 2: 80% reduction in assessed value
 18 Year 3: 60% reduction in assessed value
 19 Year 4: 40% reduction in assessed value
 20 Year 5: 20% reduction in assessed value
 21 Year 6: 0% reduction in assessed value
 22 (c) a plan, for approval by the Secretary, or such other person
 23 as the Secretary shall designate, which provides for streamlined
 24 zoning and licensing procedures for Economic Opportunity Area
 25 Businesses within the designated area;
 26 (d) a plan, for approval by the Secretary, or such other person
 27 as the Secretary shall designate, which demonstrates infrastruc-
 28 ture support for Economic Opportunity Area Businesses and
 29 Economic Opportunity Area Property, including the provision of
 30 transportation access and egress, water and sewer hook-ups, and
 31 lighting and other utilities;
 32 (e) a plan, for approval by the Secretary, or such other person
 33 as the Secretary shall designate, which describes training
 34 programs that will be made available to employees performing
 35 services for an Economic Opportunity Area Business within the
 36 nominated area;
 37 (f) a plan which provides for an increase in the level of efficiency
 38 of local services delivered within the Economic Opportunity Area;
 39 (g) a plan for involvement by private entities and community
 40 development organizations in the economic revitalization of the
 41 nominated area, including a commitment from private entities to
 42 provide jobs and job training for employees and residents who
 43 work, or will work, in the Economic Opportunity Area Business
 44 within the nominated area; and
 45 (h) either an Economic Development Plan for utilizing the
 46 economic development tools provided by one or more of Chap-
 47 ters 121A, 121C and 40D of the General Laws in order to
 48 implement an Economic Development Project or, if no plan is
 49 provided, an explanation for its omission.

1 SECTION 5. DESIGNATION OF ECONOMIC OPPOR-
 2 TUNITY AREAS

3 The Secretary, in cooperation with the Secretary of Economic
 4 Affairs, shall have the authority to designate an unlimited number

5 of Economic Opportunity Areas within the commonwealth,
 6 provided that the Secretary shall not make any designation under
 7 this act unless:
 8 (a) the local government nominates such area as an Economic
 9 Opportunity Area in accordance with the requirements of this act;
 10 (b) the area meets the requirements set forth in this act; and
 11 (c) the state and local governments of the jurisdiction in which
 12 the area is located agree in writing that during the period in which
 13 the nominated area is designated as an Economic Opportunity
 14 Area, such governments will follow a specified course of action
 15 designed to reduce burdens borne by employers and employees
 16 in such area, provide the benefits specified in section 2 and ensure
 17 that the intent of this act is fulfilled.
 18 The Office must evaluate and either grant or deny an appli-
 19 cation submitted by a city or town nominating an area for
 20 designation as an Economic Opportunity Area within 60 days of
 21 the date the application is received by the Office. If a nomination
 22 is accepted, the nominated area that is the subject of the appli-
 23 cation shall be designated an Economic Opportunity Area.
 24 An Economic Opportunity Area shall retain its designation for
 25 fifteen years from the date it is designated, unless such designation
 26 is revoked prior to the expiration of fifteen years. If a city or town
 27 wishes to request the revocation of an Economic Opportunity
 28 Area's designation, the city or town may submit notice of that
 29 fact to the Office together with justification for its request. The
 30 Secretary, in consultation with the Secretary of Administration
 31 and the Secretary of Labor, and after obtaining the advice and
 32 consent of the Secretary of Economic Affairs, may revoke the
 33 designation of an Economic Opportunity Area if the Secretary
 34 determines that a local government in which the area is located
 35 is not complying substantially with the agreed course of action
 36 for the area.
 37 After evaluation and review, the Office shall have the authority,
 38 with the recommendation of the city or town within which the
 39 area is located, to renew the designation of an area as an Economic
 40 Opportunity Area on or before the date such designation has
 41 expired.

1 SECTION 6. PROVISION OF STATE TAX INCENTIVES
 2 Any Economic Opportunity Area Business may deduct
 3 Economic Opportunity Area Losses under Chapter 63 of the
 4 General Laws at any time during the ten years following the loss,
 5 but in no event may a corporation deduct Economic Opportunity
 6 Area Losses later than ten years following the expiration or
 7 revocation of the designation as an Economic Opportunity Area.

8 Any Economic Opportunity Area Business shall be entitled to
 9 a tax credit under Chapter 63 equal to three percent (3%) of the
 0 value of products manufactured by an Economic Opportunity
 1 Area Business within an Economic Opportunity Area and
 2 exported out of the United States.

3 Any Economic Opportunity Area Business shall be allowed a
 4 credit as hereinafter provided against the excise tax due under
 5 Chapter 63. The amount of the credit shall be determined by
 6 multiplying one thousand dollars by the increase in the number
 7 of full-time Economic Opportunity Area Employees employed by
 8 the Economic Opportunity Area Business during a taxable year,
 9 computed in accordance with the definitions set forth in
 0 Section 31C of Chapter 63.

1 Any Economic Opportunity Area Business shall be entitled to
 2 a credit of five percent (5%) against the tax imposed on corpo-
 3 rations under Chapter 63. Such credit shall be based on the total
 4 amount of investment made in Economic Opportunity Area
 5 Property. Such credit may be applied each year such business
 6 operates within an Economic Opportunity Area. The common-
 7 wealth shall not be required to refund any money to any Economic
 8 Opportunity Area Business in the event that the credit allowed
 9 under this section exceeds the total amount of tax owed by such
 0 Economic Opportunity Area Business.

1 Any Economic Opportunity Area Business is entitled to a one-
 2 time deduction under Chapter 63 of ten percent (10%) of the total
 3 cost of renovations made to a previously underutilized or
 4 abandoned building within an Economic Opportunity Area, if the
 5 Economic Opportunity Area Business occupies, or will occupy,
 6 such building and the building has been renovated by the Massa-
 7 chusetts Government Land Bank.

1 SECTION 7. FOREIGN TRADE ZONE

2 Any part of a city or town which has been designated an
 3 Economic Opportunity Area in accordance with this act is hereby
 4 authorized to make application to the foreign trade zone board
 5 established by an act of Congress entitled "An act to provide for
 6 the establishment, cooperation and maintenance of foreign trade
 7 zones in ports of entry of the United States to expedite and
 8 encourage foreign commerce, and for other purposes", for a grant
 9 to said city or town for the privilege of establishing, operating and
 10 maintaining a foreign trade zone within its Economic Opportunity
 11 Area.

1 SECTION 8. OTHER PROVISIONS

2 Each department of state government in the commonwealth
 3 shall endeavor to provide coordinated one-stop licensing for all
 4 businesses located within an Economic Opportunity Area in order
 5 to expedite the process of obtaining commonwealth licenses,
 6 permits, certificates, approvals, registrations, charters and other
 7 requirements of law.

8 Upon the written request of any city or town which nominated
 9 an Economic Opportunity Area, a state agency is authorized, in
 10 order to further job creation, community development or
 11 economic revitalization objectives within the Economic
 12 Opportunity Area, to waive or modify all or part of any rule it
 13 has authority to promulgate, as such rule pertains to the carrying
 14 out of projects, activities or undertakings within the Economic
 15 Opportunity Area.

16 In considering a request under this section, the agency shall
 17 weigh the extent to which the proposed waiver or modification
 18 is likely to further job creation, community development, or
 19 economic revitalization within the Economic Opportunity Area
 20 against the effect the change is likely to have on the underlying
 21 purposes of the applicable rule in the geographic area which would
 22 be affected. The agency shall approve the request whenever it
 23 finds, in its discretion, that the public interest which the proposed
 24 waiver or modification would serve in furthering such job
 25 creation, community development, or economic revitalization
 26 outweighs the public interest in maintaining the rule unchanged.

27 The agency shall not approve any request to waive or modify a
28 rule if that waiver or modification would:

29 (1) violate a statutory requirement, or

30 (2) be likely to present a significant risk to the public health,
31 including environmental or occupational health or safety or envi-
32 ronmental pollution.

33 Agencies shall discharge their responsibilities under this
34 subsection in an expeditious manner and shall make a determi-
35 nation on requests not later than 90 days after their receipt.

36 To facilitate reaching its decision on any requested waiver or
37 modification, the agency may seek the views of interested parties,
38 determine how such views are to be obtained, and determine to
39 what extent, if any, such views should be taken into account in
40 considering the request.

41 No waiver or modification of a rule under this section shall
42 remain in effect with respect to an Economic Opportunity Area
43 after the Economic Opportunity Area designation has expired or
44 has been revoked.

1 SECTION 9. The provisions of this act are severable and if any
2 of its provisions shall be held unconstitutional by any court of
3 competent jurisdiction, the decision of such court shall not affect
4 or impair any of the remaining provisions.

**REGIONAL FIRE/EMS
DISPATCH CENTER**

MARCH 1992

The Fire Chiefs of Acton, Boxborough, Maynard, Stow, and Sudbury propose the attached Draft Budget and Dispatch Agreement. The purpose of this proposal is to provide the best possible Fire/EMS Emergency Dispatch for the above Communities in the most professional, efficient and economical method available. This proposal in no manner is intended to diminish the dispatch services presently offered nor eliminate personnel presently dispatching. Rather to provide a higher level of service and use the present personnel to augment the present response force and lessen costs. The proposal was developed with the known fact that the Dispatcher and communications are the key to a successful Public Safety emergency response.

Chief Robert C. Craig
Acton Fire Department

Chief Gary T. Morse
Boxborough Fire Department

Chief Ronald T. Cassidy
Maynard Fire Department

Chief Douglas V. Trefry
Stow Fire Department

Deputy Chief William Clayton
Stow Fire Department

Chief Michael C. Dunne
Sudbury Fire Department

REGIONAL DISPATCH COVERAGE
FACTS

AREA COVERAGE - 79 SQ MI (5 TOWNS)
54 SQ MI (4 TOWNS)

POPULATION - 54,000 (5 TOWNS)
38,000 (4 TOWNS)

EMERGENCY CALLS - 6,000 (5 TOWNS)
4,750 (4 TOWNS)

FIRE STATIONS - 9 STATIONS (5 TOWNS)
6 STATIONS (4 TOWNS)

FIREFIGHTING
PERSONNEL - 231 CAREER AND CALL FIREFIGHTERS

(full morning not sleep)

APPARATUS -
ENGINE COMPANIES - 23
AERIAL LADDERS - 4
AMBULANCES - 5
RESCUES - 3
TANKERS - 2
BRUSH TRUCKS - 4
HOSE WAGONS - 1
BOATS - 5
FIRE ALARM - 2
CARS - 7

56 PIECES FIRE/EMS EQUIPMENT

REGIONAL DISPATCH ASSOCIATION

DRAFT BUDGET

MARCH, 1992

ASSESSMENT FORMULA:

TOWN POPULATION + TOWN RUNS = % ASSESSMENT
 TOTAL POPULATION TOTAL RUNS

PROPOSED ASSESSMENT BY TOWN

FIVE TOWNS

	<u>Population</u>	<u>Runs</u>	<u>% Assessment</u>
Acton	17,800	2,234	41%
Boxborough	3,273	420	8%
Maynard	10,325	1,110	20%
Stow	5,540	553	10%
Sudbury	<u>15,800</u>	<u>1,125</u>	21%
	52,648	5,442	

FOUR TOWNS

Acton	17,800	2,234	51%
Boxborough	3,273	420	10%
Maynard	10,325	1,110	26%
Stow	<u>5,540</u>	<u>553</u>	13%
	36,848	4,317	

*Capital Expenditures to be assessed at equal share of participating Towns.

TOTAL DRAFT BUDGET

FULL & PARTIME PERSONNEL

SALARIES	\$218,714.00
EXPENSES	<u>\$25,000.00</u>
	\$248,714.00

CAPITAL EXPENDITURES

RADIO EQUIPMENT	- \$40,000.00
CABLING	- \$60,000.00
COMPUTER (SOFT&HARDWARE)	- \$50,000.00
TELEPHONE	- \$10,000.00
FACILITIES	- \$30,000.00
E-911 EQUIPMENT	- \$50,000.00
RECORDER	- \$20,000.00
MISC	- <u>\$10,000.00</u>

TOTAL \$270,000.00

Need to be redone!

ASSESSMENT/ TOWN OVER 5 YEARS AT 7% INTEREST	5 TOWNS	4 TOWNS
	\$10,700.00	\$13,375.00

765 30 7.10

PROJECTED TOWN ASSESSMENTS FOR ANNUAL OPERATION

	5 TOWNS	4 TOWNS
ACTON	41% - \$101,972.74	51% - \$126,844.14
BOXBOROUGH	8% - \$19,897.12	10% - \$24,871.40
MAYNARD	20% - \$49,742.80	26% - \$64,665.64
STOW	10% - \$24,871.40	13% - \$32,332.82
SUDBURY	21% - \$52,229.94	

PROJECTED TOWN ASSESSMENTS FOR ANNUAL OPERATION PLUS CAPITAL OUTLAY

CAPITAL ASSESSMENT FIRST YEAR

	\$10,700.00	\$13,375.00
ACTON	\$112,672.74	\$140,219.40
BOXBOROUGH	\$30,597.12	\$38,246.40
MAYNARD	\$60,442.80	\$78,040.64
STOW	\$35,571.40	\$45,707.82
SUDBURY	\$62,929.94	

DRAFT FEBRUARY 1992

AGREEMENT

REGIONAL DISPATCH ASSOCIATION

ARTICLE 1
NAME

The name of the Association shall be the " Regional
Emergency Dispatch Association" and referred to herein after as
Association.

ARTICLE 2

PURPOSE

The Association shall have the following purposes:

1. To establish a central dispatching service for fire, rescue, and medical emergency vehicles serving the member municipalities.

2. To coordinate, implement and operate an emergency fire, rescue, and emergency medical dispatch center for the area member municipalities.

3. To acquire, obtain or receive by way of gift, grant or otherwise, to hold, lease, manage, disburse, assign, transfer or convey, such real property, monies and/or credits of any kind whatsoever, either within or outside the Commonwealth of Massachusetts, as may be convenient or necessary for carrying out of the Association's activities and the attainment of its purpose.

4. To enter into and perform contracts and agreement of every kind and description pursuant to the operation of a dispatch center.

5. In addition to the powers and authority herein stated for the accomplishment of its objectives and powers, the association shall have any and all of the powers and authority provided for in the General Laws of the Commonwealth of Massachusetts, and any amendments thereto.

6. To conduct any other activities which may seem directly or indirectly to facilitate any of the aforesaid objectives and purposes, wheresoever such activities may be transacted or its property may be located.

7. The Association is not organized for pecuniary profit or financial gain. No part of the assets, income, or net earnings of the Association shall insure to the benefit of or be distributed to its members, directors, officers or private persons, except that the Association shall be authorized and empowered to pay reasonable compensation in furtherance of the purposes set forth above.

ARTICLE 3

MEMBERSHIP

Section 1. Other Towns of the Commonwealth of Massachusetts may be admitted to the Emergency Dispatch Association by amendment of this Agreement adopted by each member town in accordance with Article 12 and upon acceptance of this Agreement as so amended by proposed member in accordance with Section 4A of Chapter 40 of the General Laws.

Section 2. Any town admitted to membership under the preceding section shall thereupon pay to the Association such proportional share of the Association's capital equipment costs and current operating expenses, and shall there after pay such reapportioned annual assessment, as determined by the Board of Directors.

Section 3. Any member may withdraw from the Association at the end of any fiscal year if such withdrawal is authorized by town meeting vote of the withdrawing member, provided that no such vote shall effect withdrawal sooner then the close of the fiscal year next following the fiscal year in which such a vote is taken. A member which is considering withdrawal from the Association shall so notify the Board of Directors of that fact not less than ninety days prior to said member's town meeting vote on the matter.

Section 4. Any member which fails to pay any assessment in accordance with Section 5, Article 8 may be expelled from the Association by a two-thirds vote of the Board of Directors, a quorum being present, after notice in writing mailed by certified mail to the Chief of the member Fire Department involved and to the Selectmen and Town Clerk, and after such has had a reasonable opportunity for a hearing before the Board of Directors.

Section 5. No further Dispatch Center service shall be offered to the member which has been expelled or has withdrawn its membership. The withdrawing or expelled member shall pay the Association all monies that may have been due at the time of such events on account of the current operating costs of the Association within thirty (30) days after such amount shall have been determined by the Board of Directors and notification given. Each withdrawing or expelled member shall continue to pay its share of any assessment for capital costs that may have been outstanding at the time of such event until such assessment shall have been paid in full. 7

ARTICLE 4

BOARD OF DIRECTORS

Section 1. The Board of Directors shall be the governing body of the Association. It shall have the power to employ and fix compensation of such agents and employees as it shall deem necessary and delegate said authority. It shall have full and complete authority over all affairs of the Association and may delegate any part of that authority. By adoption of this agreement it shall have delegated to the officers the power provided for in this agreement.

Section 2. The Board of Directors shall consist of the Fire Chief or his designee of each member town. In addition, the Board of Directors may, by a majority vote at a meeting, a quorum being present, appoint other persons to subcommittees as they may deem appropriate.

Section 3. Each member of the Board of Directors shall serve until his/her successor be duly appointed or named, except in the case of his/her death or his/her resignation or removal.

Section 4. Any member of the Board of Directors may resign therefrom by resignation in writing to the Board of Directors. The Board of Directors will notify the authority that appointed that member of the resignation.

Section 5. Vacancies shall be filled in the same manner as original appointment.

Section 6. Except as otherwise expressly provided herein, all resolutions, appointments, appropriations, directions or other acts of the Board of Directors shall be by a majority of those present and constituting a quorum at any meeting.

Section 7. The Board of Directors shall meet at least once during each quarter of the fiscal year. On his motion or at the request of at least three (3) members of the Board of Directors, the Chairperson of the Board of Directors may call special meetings. Meetings shall be held at such times and at such places as the Board may decide. A majority of all the Directors shall constitute a quorum. An annual meeting will be held in June of every year. All meetings of the Board of Directors shall comply with the Open Meeting Laws of the Commonwealth of Massachusetts. The Chairperson shall give forty-eight (48) hours notice to all members for all meetings.

ARTICLE 5

THE OFFICERS

Section 1. The officers of the Board of Directors of the Association shall be a Chairperson, a Vice-Chairperson and a Secretary/Treasurer.

Section 2. Officers shall be elected annually by ballot by a majority vote of the members of the Board of Directors present and constituting a quorum at the June meeting. Each officer so elected shall take office on July 1 following the election. Each officer so elected shall serve for one year or until his/her successor is duly elected and qualified at the next march meeting, except in the case of earlier death, resignation or removal.

Section 3. The Board of Directors will fill any vacancies among the officers by a majority vote of the Directors present and constituting a quorum at a regular meeting or at a special meeting duly called for the purpose. the newly elected officer shall continue in office until the following July.

Section 4. All officers, whether elected or appointed, may be removed at any time by order of the Board of Directors for just cause after a hearing.

Section 5. Any officer may resign by resignation in writing filed with the Secretary.

Section 6. The Chairperson of the Board of Directors shall preside at all meetings of the Board of Directors and Operations Committee. The Chairperson shall perform such other duties as the Board of Directors may provide.

Section 7. The Vice-Chairperson shall in the absence of the Chairperson, fulfill all the duties of the office of the Chairperson and such other duties as the Chairperson or the Board of Directors may designate.

Section 8. The Secretary shall keep a true and accurate record of all meetings of the Directors and the Operations Committee. He/she shall perform such other duties as the Chairperson or the Board of Directors may designate. Minutes of each meeting shall be submitted to the Chairman of the Board of Selectmen with a copy to the Town Clerk.

Section 9. No employee of the Association shall be a member of the Board of Directors or the Operations Committee.

ARTICLE 6

OPERATIONS COMMITTEE

Section 1. The Operations Committee shall consist of the operating head of the Fire Department of each member municipality, excluding a public safety director.

Section 2. The Operations Committee shall:

- No way to improve
hell*
- a. appoint the supervisor and all employees of the Emergency Dispatch Center, with the approval of the Board of Directors.
 - b. subject to the approval of the Board of Directors, designate the location, duties, and powers of the employees connected therewith and establish procedures with respect to the operation thereof.
 - c. prepare and submit to the Board of Directors for their approval the annual operating budget of the Dispatch Center on or before.
 - d. be responsible for the discipline and efficiency of all employees of the Emergency Dispatch Center.
 - 1) They shall require that all laws, by-laws, orders, rules and regulations which the Board of Directors has authority to execute are strictly enforced.
 - e. prepare manuals when required, and arrange for the training of all employees of the Emergency Dispatch Center in the reception of all emergency alarms and the dispatching of emergency apparatus.
 - f. promulgate General and Special Orders to employees relative to their duties not inconsistent with the rules and regulations, and all employees shall observe and obey them.
 - g. keep, or cause to be kept, accurate personnel records of all employees.
 - h. have direct supervision of all buildings, tools, equipment, appliances and appurtenances in the custody of the Emergency Dispatch Center and shall keep accurate records of this property.
 - i. keep, or cause to be kept, accurate records of all emergency alarms received and the responses thereto.
 - j. approve and sign all payroll warrants and bill warrants.
 - k. report annually, or when so directed by the Board of Directors, to the Board of Directors, on the facilities, equipment, operations and personnel of the Emergency Dispatch Center, and such other matters as the Board may from time to time request.

ARTICLE 7

THE DISPATCH CENTER

Section 1. The Board of Directors shall appoint a Chief Dispatcher and such other employees as they may deem necessary, who shall serve at the pleasure of the Board of Directors and who shall have such powers and duties and shall be compensated as provided for in the annual budget of the Association. The Chief Dispatcher shall prepare an annual budget for the Association which shall be submitted to the Board of Directors for its review and recommendations during the month of September, each year for their approval and subsequent submission to each town member no later than November 30 each year. In addition, the Chief Dispatcher shall perform such other duties as the Board of Directors may, from time to time, require.

Section 2. The Chief Dispatcher will screen potential employees and make recommendations of certain persons to the Board of Directors for the Board's approval or disapproval.

Section 3. All members of the Board of Directors and all employees of the Center, whether acting singly or jointly with respect to any function of the Dispatch Center or in response to any request for assistance by any members, shall be deemed for all purposes to be employees of the Association and entitled to all rights, privileges and immunities provided by law.

Section 4. The Chief Dispatcher shall supervise the activities of the Dispatch Center and its employees. He shall supervise the preparation of all plans and procedures and coordinate the execution thereof.

ARTICLE 8

ASSESSMENTS

Section 1. ~~Each member through its Fire Department appropriation shall be assessed annually for its proportionate share of the annual cost of the Association as determined by the Board of Directors by applying the average percentage of the following two factors to the total annual budget approved by the Board of Directors:~~ *No way*

1. Percentage of member's total population to the total population of all members as determined by annual local census.
2. Percentage of member's total number of fire, emergency and medical responses of all members. *why?*

Section 2. Special assessments may be levied by a majority vote of the total membership of the Board of Directors to provide for unforeseen expenses arising out of an emergency.

Section 3. On or before December 1 of each year, the Board shall submit to the Board of Selectmen of each member, a copy of the capital and operating budget proposed for the Association to cover their estimate of the costs anticipated during the next fiscal year and the amount of each member's assessment to be assessed for the next fiscal year.

Section 4. The Board of Selectmen shall acknowledge receipt of said budget and notify the Board of Directors of the amount of money that it will include in its total budget submission to it for the next fiscal year on account of said proposed budget and assessment.

Section 5. Each member shall deposit in the Association's account its share of the annual assessment during the first¹⁰¹ month of the new year.

ARTICLE 9

INSURANCE

Section 1. The Association shall purchase and maintain policies of insurance providing for the payment of compensation and the furnishing of other benefits to all persons employed and public liability and property damage insurance covering liability for the members, their employees, agents, or contractors for injury to persons, including death, resulting from the act or failure to act of the Board or their successors, their employees, agents or contractors in the operation of the Association. The cost of such insurance shall be included in the operating budget each year.

Section 2. All damages, costs, charges, judgments, expenses, as well as the cost of investigating and defending claims against the Members, or the Board of Directors, or employees, including attorneys' fees and expenses, that the Member may incur by reason of any alleged act, neglect[?], omission, or default on its part or that of its employees, agents, or contractors in any way arising out of the construction and/or operations undertaken by the Association, shall be at the expense of the Association to the extent that such expense shall not be covered by insurance.

ARTICLE 10

FISCAL YEAR

The fiscal year for the operation of the Association shall commence on July 1 of each year.

ARTICLE 11

The Board of Directors, acting through its Chairman, shall submit a written report each year to the governing body of each member for inclusion in their Annual Reports containing detailed financial statements concerning the operation of the Association and a statement showing the methods that were used to compute the annual charges apportioned to each member. Such annual report shall be submitted not later than the earliest date required by any member for inclusion in its Annual Report.

ARTICLE 12

AMENDMENT OF AGREEMENT

This Agreement may be amended in any manner approved by a majority vote of those present and voting on the question at an Annual Meeting or a Special Meeting called for the purpose in each of the member towns, provided that no such amendment shall adversely affect any obligation previously contracted by the Association or affect in any adverse manner the liability of the Association or of the respective member towns on or with respect to the payment of principal of or interest on any bonds or other evidences of indebtedness issued by the Association, provided that this provision shall not prevent the admission of new towns to the Association and the reapportionment accordingly of that part of any cost of construction represented by bonds or notes of the Association then outstanding and of interest thereon.

A proposal for amendment may be initiated by the Board of Selectmen of a member town, the Board of Directors of the Association, or by a signed petition bearing the signatures of five hundred (500) registered voters of members of the Association, provided the petition shall contain the signatures of at least one hundred (100) registered voters from each member town. Said petition shall also contain, at the end thereof, a certification by the Town Clerks of the respective member towns as to the number of signatures on the petition which appear to be names of registered voters from that town. Any such proposal for amendment shall be presented to the Secretary of the Board of Directors who shall mail or deliver a notice in writing to the Board of

Selectmen of each of the member towns that a proposal to amend this Agreement has been received and shall enclose a copy of such proposal (without the signatures in the case of proposal by petition). The Selectmen in each member town shall include in the warrant for the next Annual Town Meeting or for a Special Town Meeting called for the purpose, an article stating the proposal or the substance thereof. Any vote to adopt or reject the proposal shall be by a written ballot. When a majority of those present and voting upon the question in each of the member towns shall have approved a proposal for amendment, said amendment shall be adopted thereby and thereupon become a part of this Agreement.

<u>NAME</u>	<u>TOWN</u>	<u>POSITION</u>
Michael Dunne	Sudbury	Fire Chief
William Clayton	Stow	Deput Fire Chief
Douglas V. Trefry	Stow	Fire Chief
Catherine Desmond	Stow	Administrative Assistant
Tom Ruggiero	Stow	Selectmen
David Birt	Boxborough	Selectmen
Ronald T. Cassidy	Maynard	Fire Chief
Michael Gianotis	Maynard	Town Administrator
Robert P. Gilligan	Maynard	Selectmen
Dick Golden	Boxborough	Selectmen
Gary T. Morse	Boxborough	Fire Chief
David Hillman	Maynard	Firefighter
George Williams	Acton	Lieutenant
Judith Jacobs	Boxborough	Executive Administrator
Kevin Jobsky	Stow Villager	

NAME	TOWN	TITLE
Robert Gilligan	Maynard	Selectmen
Michael Gianotis	Maynard	Town Administrator
Arner Tibbits	Maynard	Police Chief
Dick Golden	Boxborough	Selectmen
Mike Dunne	Sudbury	Chief
Robert Craig	Acton	Acting Fire Chief
John Murray	Acton	Asst. Town Manager
Frank Widmayer	Acton	Police Lieutenant
Bill Morrison	Boxborough	Police Chief
David Birt	Boxborough	Selectmen
R.E. Thompson	Sudbury	Executive Secretary
Tom Ruggiero	Stow	Selectmen
Catherine Desmond	Stow	Administrative Asst.
Douglas Trefry	Stow	Fire
William Clayton	Stow	Fire
Charles Mayo	Stow	Police
Ronald T. Cassidy	Maynard	Fire Chief
Judith Jacobs	Boxborough	Executive Admin.
Gary Morse	Boxborough	Fire Chief
David Hillman	Maynard	Firefighter



OFFICE OF THE
BOARD OF HEALTH
TOWN HALL 472 MAIN STREET
ACTON, MASSACHUSETTS 01720
TEL: 264-9634

April 10, 1992

Dr. Robert Stern
Eliot Community Mental Health Center
Community Agencies Building
Concord, MA 10742

Dear Dr. Stern:

The Town of Acton has received your invoice, dated April 3, 1992, for services rendered under the provisions of the contract mutually signed by yourself and the Town in November and December of 1991. The Town is unable to submit payment for this invoice until all conditions of the contract have been met, as was described in my letter to you, dated January 8, 1992.

In particular, as was established in Section 4 of the contract, the Town has not received guidelines on quantitative/objective items for the sliding fee scale. It has not been indicated, by your agency, how many "free visits" to non-insured patients for assessments will be done, nor has the Town approved any number. The sliding fee scale has not been adjusted so that any person above the median income for Acton will not be eligible for Town funds. No provisions have been made for the number of dependents each applicant has. These issues must be resolved prior to any payment being made.

Once these items have been addressed invoices can be submitted as described in Section 3 of the contract. The invoices shall be itemized indicating "cost" and any pro-rated "fixed fee" requested. They shall be submitted on a monthly basis and no bill shall exceed one sixth of the fiscal year appropriation. Any invoice meeting these specifications will receive prompt payment from the Town as required in Section 3 of the contract.

Should you have any questions regarding the specifics of this letter or any of the contractual arrangements between your agency and the Town, please contact me at 264-9634.

Sincerely,

Doug Halley
Health Director

Extra
Consent 4/14

CHEZ CLAUDE RESTAURANT
5 Strawberry Hill Rd.
Acton, Ma. 01720

April 13th, 1992.

BOARD OF SELECTMEN
TOWN OF ACTON

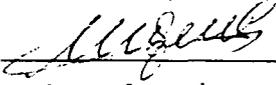
Gentlemen:

We are requesting your authorization to sell
alcoholic beverages on Mother's Day, Sunday May 10.

Thank you in advance for your attention.

Truly yours

Chez Claude Restaurant

By: 

Claude Miquel

File
4/28/92

APRIL 24, 1992

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

#####

AGENDA
ROOM 204
7:30 P.M.
APRIL 28, 1992

I. CITIZEN'S CONCERNS

II. PUBLIC HEARINGS & APPOINTMENTS

NONE SCHEDULED

III. CONSENT AGENDA

1. SELECTMEN'S MINUTES - Enclosed find Minutes of March 31, 1992. Regular and Executive Session for Board approval.
2. ARBORETUM GIFT - Please find a request for Board acceptance of plantings from the "Friends".

IV. SELECTMEN'S CONCERNS

3. Board Assignments - Enclosed is information regarding board assignments for the coming year.
4. EAGLE SCOUT - Enclosed please find two requests for representation for board assignment.
5. Cemetery Land Use

V. TOWN MANAGER'S REPORT

VI. EXECUTIVE SESSION

VII. MEETINGS

VIII. ADDITIONAL INFORMATION

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

IX. FUTURE AGENDAS

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

May 12, 1992

May 26, 1992

738 acs

4/28/92 - ①

**SELECTMEN'S MEETING
MARCH 31, 1992**

The Board of Selectmen held their regular meeting on Tuesday, March 31, 1992, beginning at 8:00 due to the Election. Present were Norm Lake, Dore' Hunter, Nancy Tavernier, Anne Fanton and Asst. Town Manager John Murray

CITIZENS' CONCERNS

None Expressed

PUBLIC HEARINGS AND APPOINTMENTS

CIVIL WAR ENCAMPMENT PRESENTATION

Dennis Ahern, Library Trustee presented the Board with the proposed plans for the Civil War Encampment. Norm Lake asked that one side of Taylor Road be posted No Parking. The New Hampshire 5th made a presentation on the weapons used during the Civil War and what they plan to do while in Acton relative to demonstrations and drills. They asked the Board for permission to discharge firearms in conjunction with this encampment. They stressed that safety is a high priority with them. The Board asked if they had received any neighborhood complaints. Dennis has received none, in fact he has received compliments on the weekend last year. He thanked the town staff and committees for their support. NANCY TAVERNIER - Moved to approved the request to Discharge Fire arms and to endorse the encampment. DORE HUNTER- Second. UNANIMOUS VOTE.

**TRAFFIC RULES AND ORDERS
MASSACHUSETTS AVE. at CENTRAL STREET**

DORE' HUNTER - Moved to approve the amendment to the Traffic Rules and Orders. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

WARRANT DISCUSSION

Article 26 - Continuation of Previous Appropriation - NORM LAKE - Moved to Recommend - NANCY TAVERNIER - Second.

Article 27 - Budget Transfer - NANCY TAVERNIER - Moved to Take No Action. - DORE' HUNTER - Second. UNANIMOUS VOTE.

Article 13 - Retirees Health Care - The Board discussed the most recent information received and analysis by staff regarding the number of employees on Medicare and eligible for the other programs. The Board wanted to ensure that no one was ill

affected if they voted to recommend this article which would save thousands of dollars for the Town and the retiree's also. DORE' HUNTER - Moved to Recommend this article if the result was cost savings to retirees and the Town. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

Article 17 - Parking requirements - The Board discussed the most recent information from staff. Anne felt comfortable recommending if sections a,e, and f were deleted. DORE' HUNTER - Moved to Recommend with sections A, E and F deleted and added provision of parking stall size. ANNE FANTON - Second. UNANIMOUS VOTE. The Board will support this article, but should the Planning board disapprove of the section deletions, the Board will move to delete them at Town Meeting.

CONSENT CALENDAR

The Board approved the Consent Calendar as submitted. DORE' HUNTER- Moved to accept. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

SELECTMEN'S CONCERNS

Eagle Scout - Nancy will represent the Board at Oliver Will's Court of Honor.

Boy Scout Encampment - Nancy volunteered to represent the Board at the Camp fire ceremonies.

LEGAL RFP - The Board briefly discussed the recent responses to the staff questionnaire. Anne Fanton thought that the responses were very helpful and the two issues she had raised on Land Use Experience and hourly costs had been addressed to her satisfaction. She asked that the questionnaires be put with the RFP's for Boards to review. She wanted the communication delays addressed with counsel as that was an item mentioned in the responses. Dore' thought that we should put together a draft of what our expectations are and a set of instructions to Palmer & Dodge. This would give us something to compare when we review the issue again. Dore' felt we should send Palmer and Dodge a copy of the answers to the questionnaire. He also suggested that the Town Manager's office continue to serve as the "funnel" for Town Counsel services.

DORE' HUNTER - Moved to continue with Palmer & Dodge for FY1993 as General Counsel, to continue with Anderson & Kreiger with the intent as appropriate, authorize the Town Manager to utilize Anderson and Kreiger for discrete issues as they arise. NANCY TAVERNIER- Second. UNANIMOUS VOTE.

Master Plan Coordinating Committee - Anne will draft a short letter to the Editor to update the public on the progress of the Committee.

Boston Edison - Norm expressed displeasure with Boston Edison's response to our request for information regarding the latest outage.

Boston Edison - The Board discussed the staff memo from Dean Charter regarding High Pressure lights. It was suggested that before agreeing to their use, that residents' input be gathered and that they be notified of the locations where they are currently in use.

TOWN MANAGER'S CONCERNS

Superior Trading - DORE' HUNTER - Moved to Extend the Class II license for an additional month. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

MAPC - Don Johnson wanted to review the Letter and re-draft it. NANCY TAVERNIER - Moved to authorize the Town Manager to look into the details, and to sign the letter dependent upon information acquired. NORM LAKE - Second. UNANIMOUS VOTE.

ACS - The Bioremediation bids were received, only one bid was received at \$16,000.00

DORE' HUNTER - moved to go into executive session for the purpose of discussing Collective Bargaining negotiations.

Dore' took Roll call - all Ayes.

The Board adjourned into executive session at 10:35 P.M.

Clerk

Date

Christine Joyce
Recording Secty.
cmjW11-(226)

EXECUTIVE SESSION

MARCH 31, 1992

AUDUBON HILL - Don and John asked the Board for direction regarding the Town bidding for projects at the Senior center. What were would be doing is actually becoming contractors and would have to get easements to go on private property. They wanted the Board Direction. Dore' felt we should bid and then review the project to see if we could do it. Norm was angry we had been jerked around with this project once again. Dore' felt that we had trusted them on their past performance, but unfortunately this had fallen apart.

DON JOHNSON - Don updated the Board on his personal issues. The Board felt that should he need time off in the future that they would have no problem with him adjusting his work schedule to accommodate his needs.

The Board adjourned out of Executive Session at 10:50 P.M.

Clerk

Date

Christine Joyce
Recording Secty.
cmjW11-(226)

4/28/92 -
②

FRIENDS OF THE ACTON ARBORETUM, INC.
P.O. Box 2607
Acton, MA 01720

April 24, 1992

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

Dear Board Members,

The Friends of The Acton Arboretum cordially invite the Board of Selectmen to attend "Arboretum Day" which is to be celebrated on May 17, 1992 from 12:00 noon to 4:00 p.m at the Arboretum (see attached schedule).

In addition, we request that the board accept the following donations.

Sweetgum, Golden Rain, Sourwood and Clump Birch trees for implementation of the 1992 "Action Plan" (\$450 value).

Chinese Chestnut, Turkish Filbert and American Filbert trees for the "John M. Whittier Memorial" nut tree collection (\$130 value)

Twenty two various Azalea/Rhododendron for plant maintenance in the "Swale" garden area (\$400 value).

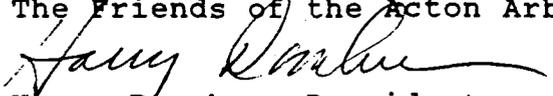
Fourteen various fruiting apple, pear and cherry trees for restoration of the "Orchard" area (\$150 value).

Various annuals, perennials and shrubs for the new "Butterfly" garden (\$500 value).

Six mahogany benches for installation adjacent to the handicapped accessible trail (\$1100 value). *** Friends of the Acton Disabled contribution from the "Spooner Fair Concert" ***.

Implementation of the above program is slated to begin immediately. We are having a "work day" on May 2, 1992 from 9:00 am until the work is done. You are all welcome to attend with gloves, shovels and a smile.

Very truly yours,
The Friends of the Acton Arboretum, Inc.


Harry Donahue, President

FRIENDS OF THE ACTON ARBORETUM
P.O. Box 2607 Acton, MA 01720

ARBORETUM DAY
MAY 17, 1992
SCHEDULE

- 12:00 - 12:30 Opening ceremonies. Stone Award presentation. etc...
- 12:30 - 2:00 Children's nature walk (parents welcome)
Tom Tidman. Conservation Administrator
- 12:45 - 1:30 Arboretum upper area tour
Sandy Bayne. Friends of the Acton Arboretum
- 1:45 - 2:30 Proper pruning techniques demonstration
Dean Charter. Municipal Properties Director
- 2:30 - 4:00 Spring Arboretum walk (children welcome)
Dr. Richard Howard. Friends of the Acton Arboretum
- 3:00 - 4:00 Herb Garden Tour
Sue Beveridge. Friends of the Acton Arboretum.
Acton Garden Club

Other events and children's activities on an on-going basis.

4/28/92 (3)

April 22, 1992

TO: Board of Selectmen, Town Manager

FROM: Nancy

SUBJECT: Board assignments

Attached to this memo are two items, an Action Agenda and Board Assignments for the next year.

I am proposing the Action Agenda to help facilitate the resolution of the listed issues. If there are any issues that you want to add, bring them to the 4/28 meeting, with a description of the proposed task.

The Board Assignment list draws your attention to current assignments, it will be at those member's discretion whether to continue in that capacity or not.

The Board Liaison list is an attempt to reactivate a previous function, assigning specific Selectmen to be the contact person for specific boards and committees. I would envision the role to be: notifying the committee chairman of your assignment, scheduling an oversight meeting in the next year, leading the discussion at the oversight meeting, interacting with the VCC for specific membership issues on that committee, and being the contact person for any problems that may arise that should be brought to the Selectmen's attention. Any contact with the board and committee staff should continue to be coordinated through the Town Manager's office.

Please be prepared to volunteer in those areas that you feel most comfortable and have a completion date in mind for the action agenda items. There are 22 committees for Liaison, so check 4 or 5 that would interest you. We will attempt to make the assignments at the 4/28 meeting.

**ACTON BOARD OF SELECTMEN
ACTION AGENDA 1992-3**

<u>Task & Description</u>	<u>Lead Selectman</u>	<u>Present to BOS Date</u>	<u>BOS Vote Date</u>
<u>Commuter Lot</u> Become knowledgeable about use, need, cost of parking lot. Meet with staff to gather info on all alternatives to current system of no user fees. Assess options and present to Board in tandem with staff recommendations.			
<u>Long range capital plan</u> Work with staff to compile list of capital improvements and equipment needs for next 5 years. Develop strategy for funding needs. Include Fincom member when appropriate.			
<u>Legal Services Policy</u> Fine-tune existing Legal Services Policy to include operating procedures, reporting requirements, periodic review.			

<u>Task & Description</u>	<u>Lead Selectman</u>	<u>Present to BOS Date</u>	<u>BOS Vote Date</u>
-------------------------------	-----------------------	--------------------------------	--------------------------

Retirees Health Insur.

Develop information, with staff help, that could lead to more beneficial insurance plan for retirees, at lower cost to town and retiree. If Town Meeting action required, be prepared to recommend to Board.

Audubon Hill

Be prepared to make recommendations to the Board on the issues surrounding the construction of Senior Center, the use of the \$130,000 gift money, and other related issues.

School Choice Money

Make recommendations to the BOS members of the Coord. Comm. on guidelines for use of School Choice money as pooled revenues and issues of accountability. Include FinCom member.

<u>Task & Description</u>	<u>Lead Selectman</u>	<u>Present to BOS Date</u>	<u>BOS Vote Date</u>
<u>Legislative Mandates</u>			
Compile list of mandate relief legislation, interact with legislators, follow legislation, and report to Board	Nancy	4/14/92	4/14/92
<u>Regionalization of Municipal Services</u>			
Work with staff to develop a list of reasonable services to explore for regionalization, determine obstacles, propose solutions			
<u>Permitting Signs in Public Way for Non-profit groups</u>			
Issue currently assigned to MPCC, Board input needs to be made and recommended action taken.			
<u>Trash fees for residents and non-residents</u>			
Determine fees for FY93 for trash, recycling, both resident and non-resident. Establish	Nancy	5/12/92	5/12/92(?)

<u>Task & Description</u>	<u>Lead Selectman</u>	<u>Present to BOS Date</u>	<u>BOS Vote Date</u>
-------------------------------	-----------------------	--------------------------------	--------------------------

plans to market our service
to nonresidents, current residents
using private haulers, approach
other towns for joint disposal.

South Acton Bridge

Become the Board "expert" on the
status of the Bridge reconstruction,
recommend action to Board when
appropriate.

**ACTON BOARD OF SELECTMEN
COMMITTEE ASSIGNMENTS
April 1992-April 1993**

<u>COMMITTEE</u>	<u>CURRENT</u>	<u>NEW</u>
Middlesex County Adv. Coordinating Committee	Norm Nancy, Dore'	
Recycling Task Force	Nancy	
Master Plan Coord. Comm.	Anne	
61A Committee	Anne	
MAGIC	Anne	

BOARD AND COMMITTEE LIAISON

<u>BOARD</u>	<u>SELECTMAN LIAISON</u>
A-B Arts Council	
Bd. of Appeals	
Bd. of Assessors	
Bd. of Health	
Cemetery Comm.	
Commun. Hsg. Corp.	Nancy
Conserv. Comm.	
Council on Aging	
Fair Housing	
Hanscom Advisory	
Historic Dist. Comm.	
Historical Comm.	
Lowell Reg. Trans. Auth.	
MAPC	
Minuteman Home Care	
Planning Bd.	

BOARD AND COMMITTEE LIAISON

BOARD

SELECTMAN LIAISON

Prison Advisory

Recreation Comm.

Volunteer Coord. Comm.

South Acton Revit. Comm.

Finance Committee

Minuteman Voke Tech S. C

4/28/92
④

BOY SCOUTS OF AMERICA

TROOP # 32
ACTON, MA

22 Putnam Road
Acton, MA 01720
April 15, 1992

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

Attn: Secretary

Dear Sir/Madam:

It is with great pleasure that I invite a Town Selectman to a Court of Honor being given for Daniel A. Shapiro on June 6, 1992 at 7:30 PM at St. Elizabeth of Hungary Church, 89 Arlington Street, Acton, MA. Daniel will be receiving the highest honor Boy Scouting can give, the rank of Eagle Scout.

Daniel is presently a Senior at Acton Boxborough High School and has been involved in Scouting for over five years. During his tenure he has earned the badges necessary for advancement, but more importantly has shown the qualities of leadership which are so important in today's society.

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

Please R.S.V.P. to:

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

Sincerely,


John J. Millerick
Chairman, Eagle Scout Advancement

4/28/92 (4)

BOY SCOUTS OF AMERICA

TROOP # 32
ACTON, MA

22 Putnam Road
Acton, MA 01720
April 15, 1992

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

Attn: Secretary

Dear Sir/Madam:

It is with great pleasure that I invite a Town Selectman to a Court of Honor being given for Patrick J. Neschleba on May 23, 1992 at 7:30 PM at St. Elizabeth of Hungary Church, 89 Arlington Street, Acton, MA. Patrick will be receiving the highest honor Boy Scouting can give, the rank of Eagle Scout.

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

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

Please R.S.V.P. to:

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

Sincerely,


John J. Millerick
Chairman, Eagle Scout Advancement

5

TOWN OF ACTON
Inter-Departmental Communication

DATE: April 17, 1992

TO: John Murray, Assistant Town Manager
FROM: Stewart Kennedy, Cemetery Superintendent
SUBJECT: Requested Information

Cemetery Department Schedule of Rates

On page 2 of this memo, you will find a copy of the Town of Acton Cemetery Department, Schedule of Rates. For the most part, the space required for a single full size burial costs \$450.00. Of this amount, 20% or \$90.00 is deposited into the Cemetery Land Fund and 80% or \$360.00 is deposited into the Perpetual Care Fund.

"They [Towns] may sell and convey to any person, resident or non-resident, the exclusive right of burial and of erecting tombs and cenotaphs upon any lot and of ornamenting the same, upon such terms and conditions and subject to such regulations as they shall prescribe. The proceeds of such sales shall be paid into the town treasuries, be kept separate from other funds, and be appropriated to reimburse the towns for the cost of the land, its care, improvement and embellishment, or the enlargement of the cemetery." (from page 3 of this memo)

Cemetery Land Fund

This is the portion of the Sales of lots which is used for the improvement of the cemetery and its avenues, paths, and and structures therein.

As of February 1992, the balance in this fund was \$63,522.35. (figure confirmed by Town Accountant)

Perpetual Care Fund

This is the portion of the Sales of lots, the income from which is used for maintenance, permanent care and improvement. As stated above, these monies are to be kept separate from other funds.

You will find a copy of the Old Perpetual Care agreement (page 4 of this memo) and a copy of the New Perpetual agreement (page 5 of this memo) attached.

As of June 30, 1991, the interest income earned on the principal and accrued interest, as reported in the 1991 Town Report, was as follows:

Old Perpetual Care Fund	\$29,481.50.*
New Perpetual Care Fund	\$26,346.06.*

* Figures from 1991 Town Report

At the present time, the fee for making a weekday interment is \$350.00. Pages 6 of this memo show how we arrived at this rate.

TOWN OF ACTON CEMETERY DEPARTMENT

SCHEDULE OF RATES
Effective September 1, 1989

<u>RESIDENT</u>	<u>SEC. 7 & 7A*</u>	<u>ALL OTHER SECTIONS*</u>
Baby Grave Space	\$120.	\$ 120.
Single-Grave Space	350.	450.
Two-Grave Lot		900.
Three-Grave Lot		1,350.
Four-Grave Lot		1,800.
 <u>NON-RESIDENT</u>		
Baby Grave Space	\$120.	\$ 120.
Single-Grave Space	400.	500.
Two-Grave Lot		1,000.
Three-Grave Lot		1,500.
Four-Grave Lot		2,000.

*Add \$10.00 Town Clerk's fee for recording the deed

INTERMENTS

Full Interment - Weekdays	\$ 350.
Full Interment - Saturdays, Holidays and Monday Morning	450.
Cremation Interment - Weekdays	100.
Cremation Interment - Saturdays, Holidays and Monday Morning	150.
Stillborn/Infant Interment	50.

MONUMENTS & MARKERS

Monument Foundations	\$ 40./sq.ft.
Installation of Flush Marker - Small	20.
Medium	25.
Large	30.
Veteran's Government Marker	No Charge

FLOWERS & SHRUBS

Perpetual Flower Fund	\$ 500.
Planting Shrubs (to be purchased by lot owner)	15. ea.
Perpetual Care of Shrubs (doesn't include replacement of shrubs)	50. ea.

CHAPEL

Memorial Service - burial in Acton	\$ 25.
Memorial Service - burial out-of-town	75.
Wedding Ceremony (includes rehearsal time)	200.

§ 10A. Unclaimed graves; taking by towns. Any town may take over the ownership of a grave in a cemetery established under section ten provided that such grave has not been used for a period of fifty years and that the ownership thereof cannot be ascertained. If such ownership is ascertained after such taking the town shall pay the fair value of such grave at the time of the taking to the owner thereof. Added by St.1977, c.272. 1977 Enactment, St.1977, c.272, was approved June 9, 1977.

§ 11. Taking of land for burial purposes; application to county commissioners. If there is necessity for a new cemetery in a town, or for the enlargement of an existing cemetery in and belonging to a town, and the owner or any person interested in the land needed for either purpose refuses to sell the same, or demands therefor a price which the selectmen consider unreasonable, or is unable to convey it, the selectmen may, with the approval of the town, make application therefor by written petition to the county commissioners of the county where the land lies.

§ 12. Taking of land for burial places; hearing notice. The commissioners shall appoint a time and place for a hearing, and shall cause notice thereof and a copy of the petition to be served personally upon the owner, if known, or left at his place of abode, fourteen days at least before the time appointed for the hearing. If the land is held in trust or by a corporation, or if the ownership is uncertain, the commissioners shall also give notice by public advertisement or otherwise.

§ 13. Adjudication by commissioners; taking. The commissioners shall hear the parties at the time and place appointed or at an adjournment thereof, shall adjudicate upon the necessity of such taking, upon the quantity and boundaries of any land adjudged necessary to be taken, and may take in fee under chapter seventy-nine on behalf of the town such land as is adjudged necessary.

§ 14. Compensation of commissioners acting under petition to take land for burial place. Each commissioner shall be paid by the town three dollars a day for each day spent in acting under the petition, and five cents a mile for travel to and from the place of hearing.

§ 15. Appropriation for enclosing and improving cemetery; sale of burial rights; disposition of proceeds. Towns may appropriate money for enclosing any cemetery lawfully provided by them or for constructing paths and avenues and embellishing the grounds therein, and may establish all necessary rules relative thereto consistent with law. They may lay out such cemetery into lots, and shall set apart a suitable portion as a public burial place for the use of the inhabitants, free of charge. They may sell and convey to any person, resident or non-resident, the exclusive right of burial and of erecting tombs and cenotaphs upon any lot and of ornamenting the same, upon such terms and conditions and subject to such regulations as they shall prescribe. The proceeds of such sales shall be paid into the town treasuries, be kept separate from other funds, and be appropriated to reimburse the towns for the cost of the land, its care, improvement and embellishment, or the enlargement of the cemetery.

§ 16. Appropriation for and care of cemeteries. Any town may annually appropriate and raise by taxation such sums as may be necessary to care for and keep in good order and to protect by proper fences any or all burial grounds within the town in which ten or more bodies are interred and which are not properly cared for by the owners, and the care and protection of such burial grounds shall be in charge of the cemetery commissioners, if the town has such officers, otherwise in charge of the selectmen.

Abstract of the Proceeding of the Annual Town Meeting, March 25, 1901

Article 6: To see if the town will rescind all action taken on Articles 21 and 22 in the warrant of April 3, 1899, and accept ordinance in relation to burials and Cemetery Trust Funds or act anything thereon.

Voted, To adopt the following ordinance relative to funds deposited with the town for the care of lots in cemeteries.

Town of Acton, in the Year 1901, an Ordinance in Relation to Burials.

Section 1. The Town of Acton, Mass., will receive of any person any sum of money not less than Fifty Dollars nor more than Five Hundred Dollars, the interest thereof to be applied to the annual care of such lot in the public burial grounds of the Town of Acton as the person paying the money shall designate. Such deposit may be made perpetual if so desired by the person depositing the same.

Section 2. The Town Treasurer shall receive all sums of money paid in accordance with the provisions of the preceding section, giving a proper receipt of the town therefor, and shall annually at such time as the Cemetery Committee of the public burial grounds of said town shall request, pay over to said Committee interest at the rate of three and a half per cent. per annum upon all sums so paid to and received for by him, with a statement of the several lots in the public burial grounds of said town, upon which the interest so paid is to be expended. All of said amounts shall be judiciously and economically expended on each of the variously specified lots, and in addition to keeping the grass cut as many flowers as the money will permit shall be planted, watered and cared for on these lots, also once in every five years the monuments, markers, corner stones and curbinges shall be properly cleaned and repaired, the expense of same to be deducted from the income, if sufficient, of the funds of the lot, so cleaned, should the town neglect to faithfully carry out the provisions of this act, the money so deposited shall revert to the heirs of the person so depositing it.

Section 3. Said Cemetery Committee shall receipt for and faithfully apply all sums of interest so received by it in accordance with the statement so made by the Town Treasurer, and report its doing in the premises annually to the Town. But no part of said sums shall be used in paying for the official duties of said Committee.

Voted, That the following form of receipt shall be given in behalf of the town by its Treasurer to persons depositing money.

" Received of (A. B.) dollars as a perpetual fund, the income of which is to be used to pay the expense of keeping in repair and good order lots in the cemeteries of Acton, Mass., as follows: (Description of lots.) This money is received in accordance with an ordinance of the town passed March 25th, 1901

Town of Acton, by Treasurer

TOWN ORDINANCE (PERPETUAL CARE) March 25th., 1901 and amended March 7, 1921

Article 23: To see if the Town will increase the rate of interest allowed on money deposited with the town for the perpetual care of cemetery lots.

Voted, That the full amount of income received from funds deposited with the town for the care of cemetery lots be credited to the several funds so deposited.

July 2, 1957 Fred S. Kennedy, Supt.



TOWN CLERK

EXCERPT OF THE PROCEEDINGS OF THE
SPECIAL TOWN MEETING NOVEMBER 28, 1977

Article 3. Voted: To adopt the following by-law with respect to funds deposited with the Town for the care of cemeteries and lots therein:

Perpetual
Care By-
LawSection 1

The Town will accept from any person a sum of money, not less than \$100.00, the income therefrom to be used for the annual care and maintenance of such lot or lots in a public cemetery of the Town as the person shall designate, and for the care, maintenance and improvement of the cemetery in which such lot or lots are located. Such deposit shall be a perpetual fund and will be pooled with other deposits of a similar nature that are received to comprise the Acton Cemetery Perpetual Care Fund.

Section 2

The Town Treasurer shall receive all sums of money paid in accordance with the preceding section and shall give a proper receipt of the Town therefor. He shall keep the Cemetery Commissioners regularly informed as to the cemetery lots for which perpetual care funds have been established. He shall annually, at such time as the Cemetery Commissioners request, pay over to said Commissioners all income earned on such sums. Such income shall be judiciously and economically expended by the Cemetery Commissioners, first, for the care and maintenance of the lot or lots, including the monuments and markers thereon, designated by the donor and second, for the care, maintenance and improvement of the cemetery in which such lot or lots are located.

Section 3

Said Cemetery Commissioners shall faithfully apply all amounts received by them in accordance with the provisions of this by-law.

Section 4

The following form of receipt shall be given in behalf of the Town by its Treasurer to persons depositing money under the provisions of this by-law.

"The Town of Acton" acknowledges receipt of \$_____ from (A.B.) as a perpetual fund, the income of which is to be used for the maintenance and repair of the following lots in the cemeteries and for the maintenance, care and improvement of the cemetery in which such lots are located. (Insert description of lots.) This money is received and shall be applied in accordance with a by-law of the Town adopted November 28, 1977".



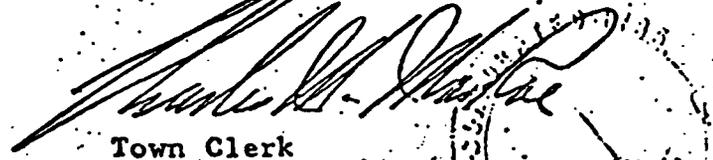
TOWN CLERK

Article 3. (Continued)

Section 5 *

This by-law shall apply to all sums deposited with the Town for the perpetual care of new cemetery lots after its adoption. The provisions of the by-law adopted March 25, 1901, as amended, shall continue to apply to all sums previously deposited with the Town under its provisions.

A true copy, Attest:


Town Clerk



TOWN OF ACTON
Inter-Departmental Communication

DATE: October 10, 1991

TO: Dean Charter, Director of Municipal Property

FROM: Stewart Kennedy, Cemetery Superintendent

SUBJECT: Interment costs

Our rates are based on the following rates and costs

Employee	Hourly Rate + 40% for Benefits
Stewart Kennedy	24.62
Nancy Howell	15.41
David Lee	18.31
Steve Gray	15.81
Jim Audette	14.67

Average time per funeral:

Clerical	1 hr.	15.41
Superintendent	1 hr.	24.62
Crew Leader	3.33 hrs.	60.97
Maint. Man #1	3.33 hrs.	52.65
Maint. Man #2	3.33 hrs	48.85
	Sub Total	\$202.50

Equipment costs:

Dump Truck @ \$15./hr.	3 hrs.	45.00
Backhoe @ \$40./hr.	2.5 hrs.	100.00
	Sub Total	\$145.00
	Total	\$347.50

TOWN OF ACTON
Inter-Departmental Communication

DATE: April 23, 1992

TO: Dean Charter, Director of Municipal Property

FROM: Stewart Kennedy, Cemetery Superintendent

SUBJECT: Interment costs

Our rates are based on the following rates and costs

Employee	Hourly Rate	Hours	Cost
S. Kennedy	17.723	2 hrs. 5 min.	\$37.50
N. Howell	11.01	1 hr. 50 min.	19.80
D. Lee	13.08	3 hrs. 20 min.	44.00
S. Gray	11.29	3 hrs. 20 min.	38.00
J. Audette	10.48	3 hrs. 20 min.	36.00
Sub Total			175.30
Fringe Benefits - - 30%			52.59

Equipment costs:

Dump Truck @	\$20.00/hr.	3. hrs.	60.00
Backhoe @	\$40.00/hr.	2.5 hrs.	100.00
Pick-up Truck @	\$8.30/hr.	.5	4.15
Sub Total			164.15
10% General Overhead			39.20
Total			431.24



MAPC News

May 1992

Metropolitan Area Planning Council 60 Temple Place Boston, MA 02111 (617)451-2770

Open Space Funds Available

The Executive Office of Environmental Affairs has announced that preliminary applications are due June 1, 1992 for the next round of federal open space funds. Approximately \$1.3 million from the Federal Land and Water Conservation Fund will be available for grants to communities for acquisition, development or renovation of parks, recreation and conservation land. One of the priorities of the state is projects of regional or statewide importance. MAPC encourages communities to develop project applications which are consistent with the regional objectives of the Land Resources Protection Element of MetroPlan. For more information or an application, contact the state Division of Conservation Services at (617) 727-1552, Ext. 282.

MAPC Contact: Joan Blaustein

Recycling Resource Book

Local governments nationwide are using recycling to create jobs and to bring new business to their communities. A just published resource book, *Capturing the Local Economic Benefit of Recycling: A Strategy Manual for Local Governments*, details 43 different measures to use recycling as an economic development tool. A separate 16-page *Policymakers Summary* is also available.

Contact: The Local Government Commission (Sacramento) (916)448-1198

TIP Review Imminent

The FY 1993 Transportation Improvement Program will be distributed to local community TIP contacts on about May 13. The local comment period will run from May 13th to June 3rd. It is important that all comments are received by noon time on June 3rd. A final TIP and an air quality assessment of the TIP will be submitted to the MAPC Transportation Policy Committee and Executive Committee in July. A final, fully endorsed TIP must be submitted to the federal highway and transit administrations by August 15th. If the region does not achieve this deadline, we risk being in non-compliance with the Clean Air Act.

Contact: Dan Fortier

"On April 20th we all belong to one race"

-Boston Bill Board

Zoning Notices

Massachusetts General Laws, Ch. 40A, S. 5 requires all communities to send public hearing notices for proposed zoning amendments to the appropriate regional planning agency. MAPC regularly receives copies of notices from most member communities; however, some may not mail notices to MAPC on a regular basis. This article serves as a reminder that hearing notices should be forwarded to MAPC.

Contact: Paul DeCoste

MBTA Activities - March/April 1992

T staff are busy with, among other things, planning and implementation of new electronic fareboxes for the T. Also, the comprehensive fare policy is in development. Planning staff completed a draft summary report on the impact of various fare structure options being reviewed under the Comprehensive Fare Policy Statement.

Contact: Rachel Kuropatwa

Route 128 Study

MAPC has completed buildouts for 17 communities in the Route 128 corridor showing the potential for 1/4 billion square feet of commercial and industrial space near the highway. Data collection for an additional nine communities are completed or underway, and the corridor-wide buildout will be finished soon.

The buildout corridor is comprised of parcels new Route 128 that are zoned for commercial and/or industrial development. Development of these parcels are, in the opinions of MAPC staff and local officials, likely to rely on the highway to convey customers, goods, or employees. Buildout itself measures development potential based on existing zoning and current parcel configurations.

To date, the buildout area includes 2,104 parcels and over 60 million square feet of office, retail and industrial development. Existing development is one-quarter of what is allowed by existing zoning, which carries the potential of 245 million square feet on the same parcels.

Contact: Steve Landau

Annual Meeting

Plans are underway for the Annual Meeting scheduled Wednesday, May 27 at the Radisson Inn in Marlborough. A number of important actions are scheduled for the afternoon session beginning at 3:30. Your attendance is crucial!

Contact: RSVP Elaine Thomas

Vertical Flight

FAA has granted MAPC \$110,000 to continue work in the Boston region to plan for vertical flight facilities. Last years' work showed significant potential for tiltrotor service if concentrated development and multi-modal transportation centers could be synthesized for economic and environmental benefits. This grant will strive to define criteria which local officials can use to locate such developments. The Mass Aeronautics Commission will be contributing helicopter time in order to allow business people and local officials to evaluate these criteria.

Contact: Carol Blair

Bedford Adopts Mixed-Use-By-Law

By an overwhelming vote, Bedford's Town Meeting adopted a mixed-use-by-law to allow commercial, retail, and residential uses by right in downtown buildings. The by-law includes provisions to ensure harmony of uses and allows only small housing units. Initiated by a Planning Board subcommittee, the by-law had the support of the Housing Partnership and the Chamber of Commerce. Housing interests see it as a way to provide small-scale, more affordable housing, while business interests hope it will utilize currently vacant space and revitalize the downtown.

Downtown mixed-use, pre-existing in many communities, is often not allowed under present zoning. MetroPlan 2000 encourages mixed use to maximize existing infrastructure by concentrating development. MAPC is collecting information on mixed use by-laws, especially those which include design guidelines to help blend uses. If your community has such a by-law or is considering one, please let us know. Contact: Judith Alland

SHARP • 1

License Plate

Mobility Assistance Program

Below is a list of the applications MAPC has received for the Mobility Assistance Program (along with the cities/towns served) funded through EOTC. As you know this program is to purchase elderly/handicapped vehicles and equipment.

SCM Community Transportation Corporation:

Somerville, Cambridge, Waltham, Belmont, Watertown, Medford, Everett, Malden, Stoneham, Melrose, Wakefield, Reading, North Reading, Wilmington, Burlington, Woburn, Winchester, Chelsea, Revere, Winthrop

Saugus Council of Aging:

Saugus

South Shore Elder Services, Inc.:

Braintree, Cohasset, Hingham, Holbrook, Hull, Milton, Norwell, Quincy, Randolph, Scituate, Weymouth

Town of Framingham:

Framingham, Natick

Vinfen Corporation:

Brookline, Boston

Busy Bee Transportation, Inc.:

Framingham, Ashland, Natick, Holliston, Hopkinton, Marlborough, Hudson, Northboro, Westboro, Southboro, Sudbury, Wayland, Weston, Wellesley, Waltham, Newton, Needham, Brookline, Dover, Sherborn, Harvard

Town of Marshfield Council on Aging:

Marshfield

Southwest Boston Senior Services, Inc.:

Boston and Metropolitan Boston

Town of Franklin - Human Services

Department:
Franklin

Town of Norwell, Council on Aging

Department:
Norwell

Friends of Framingham, Inc.

DBA Charlotte House Pre-Release Center
Dorchester

Town of Framingham, Council on Aging:

Framingham

Federated Dorchester Neighborhood

Houses, Inc., Kit Clark Senior House
Boston

City of Boston/Commission on Affairs of the Elderly:

Boston

North Shore Elder Services, Inc.:

Danvers, Marblehead, Peabody, Salem, Middleton

Lead Paint Loans

"Get the Lead Out" is a new program of low-interest loans to help low- and moderate-income families reduce the risk of lead paint poisoning in their homes. Sponsored by MHFA in cooperation with EOCD and local housing rehabilitation agencies, the program provides loans of up to \$15,000 to owner-occupants of 1 to 4 family homes. Most loans will be made at 5% interest, with set-asides for high-risk groups. Some loans will be available at 8.5% for higher income households with serious lead problems and at 0% on a deferred payment basis for emergency situations.

Loans are initiated through participating local rehabilitation agencies and some regional non-profits. For more information, call your local rehab office or MHFA's Office of Single Family Programs at (617) 451-2766.

"HOME" Program

The state and many localities will soon be receiving housing funds under the new "HOME" Program. They must set aside at least 15% of the monies for use by certain kinds of non-profits, who will play a central role in implementation.

Citizens Housing and Planning Association (CHAPA) is conducting training to help non-profits learn how to qualify for funds and how to work with local officials to make the most effective use of the HOME dollars. While the training is geared toward non-profits, local government officials and housing partnerships are invited to learn about working with non-profits and about HOME regulations, eligible activities, and technical assistance resources. The training will be held on April 27, 1992, from 8:30 a.m. to 4:30 p.m. at the Shawmut Bank in Boston. To register, call CHAPA at (617) 742-0820. Contact: *Judith Alland*

Environmental Reviews

MAPC recently reviewed and distributed the following ENFs and EIRs:

Koch Membrane Industrial Building Addition, Wilmington;
Rehabilitation of East Boston Low Level Sewer, Boston;
Essex Village, Peabody;
Middle School West, Milford;
Land Acquisition/Preserve Open Space on Airfield, Stow;
Sewer System, Waterman Road, Canton;
Rte. 125 at Andover St. Intersection Improvement, Wilmington
South Shore Hospital Improvements, Weymouth;
Phase 1 Airport Improvement Program, Beverly;
Old Colony Railroad Rehabilitation, South Shore;
141-153 Andover Street, Danvers;
GCR Landfill Expansion, Peabody;
New Federal Courthouse, Boston;

Contact: *Kent Stasiowski*



New Data Center Products!

New Social, Economic, Housing Data Emerges from the 1990 Census

Sample data from the Census' long form questionnaire containing information on social, labor force and commuting, and housing characteristics, as well as income and poverty status has recently been released by the U.S. Census in an area "portraits" format. Social characteristics show such things as our educational attainment, language spoken at home, and ancestry. Labor force and commuting data include labor force size and unemployment rates by sex, average time it takes to get to work, and employment by occupation and industry. Income and poverty status data describe changes in incomes and poverty status for family and non-family households, and income by type. Housing data reveal the age of our housing stock, monthly owner costs or rent, and these costs as a percent of income.

The Metropolitan Data Center will distribute these data to community officials sometime in May.

May Calendar

1	9:30 a.m.	Finance Committee
	11:00 a.m.	Legislative Committee
	12:00 p.m.	Officers
5	10:00 a.m.	Inner Core
6	9:30 a.m.	Housing Policy Committee
7	12:00 p.m.	Economic Development Policy Comm.
12	10:00 a.m.	Transportation Policy Comm.
13	9:15 a.m.	CDC Committee
	7:30 p.m.	MetroWest
14	8:30 a.m.	Census Users Conference
20	9:00 a.m.	Executive Committee
	4:00 p.m.	Three Rivers
21	8:30 a.m.	North Shore Task Force
	3:00 a.m.	SWAP
	7:30 p.m.	South Shore Coalition
25		Holiday
27	8:00 a.m.	North Suburban
	3:30 p.m.	Council Meeting

Please call ahead to confirm time and place.

cc: BOS

MMA Action



April 17, 1992/Alert #3

FY93 Revenue Sharing Alert

With the March 1st deadline missed by the state for sending out FY93 Cherry Sheets, The MMA Board of Directors voted last week to renew the push for a legislative **Local Aid Resolution** and Cherry Sheets based on real numbers. MMA staff is already at work at the State House to gain the support of legislative leaders and members of the House and Senate for a Cherry Sheet next month.

The MMA has adopted a two-part approach to revenue sharing. First, we need a **Local Aid Resolution** that sets a minimum level of aid before the House Committee on Ways and Means reports out a full state budget in early May. Second, we are calling on the Legislature to include two additional items in its FY93 budget plan: elimination of the "diversion" or "capping" of Lottery proceeds; and restoration of a specific line item appropriation for Chapter 90 gas tax funds.

What We Need From You:

Press Your Legislators For A Local Aid Resolution

Call or write to your legislators and ask them to vote for a FY93 **Local Aid Resolution** by next month.

Ask House members to urge Speaker of the House Charles Flaherty and Chairman of the House Ways and Means Committee Thomas Finneran to support an FY93 **Local Aid Resolution**. Ask Senate members to speak to Senate President William Bulger and Senate Ways and Means Chairman Patricia McGovern.

Ask them to use the \$2.02 billion local aid amount proposed by the Governor in his FY93 local aid resolution message [House Bill 5350]. These are the proposed local aid amounts which the MMA notified each city and towns of in March [please refer to March 12, 1992 MMA Action Alert #3 entitled *Important FY93 Budget Update*].

Tell legislators that the Governor's numbers should be a minimum level of local aid for FY93.

Inform lawmakers that we have two additional revenue sharing priorities that we want the Legislature to include when considering the FY93 state budget after the **Local Aid Resolution** is passed. First, "uncap" the Lottery for FY93 and distribute to cities and towns the amount required in the General Laws. Second, appropriate the full 15 percent local share of gas tax collections for distribution in FY93 to cities and towns as set forth in the General Laws. This should be done by reestablishing a budget item for Chapter 90 that would ensure a statutory distribution of gas tax monies.

Let the MMA know what your legislators say. Call us or send us a copy of any correspondence.

- over -

Talking Points With Your Legislators

1. Calculate how much the *Local Aid Resolution* would guarantee your community in FY93, and let your legislators know of this amount. You may wish to compare this number to your FY92 local aid amount.

2. Let your legislators know that Lottery proceeds for cities and towns were "capped" in FY92 at \$306 million and that the Governor has proposed to cap them again at this level in FY93 even though Lottery proceeds can be expected to exceed this amount by about \$100 million. This diversion of Lottery revenues, estimated at \$50 million in FY92, contradicts the original purpose of the Lottery which is to provide local not state government with revenues for essential services. Uncapping the Lottery is one way for the state to start making up for the more than \$600 million in revenue sharing cuts that municipalities have borne since FY89.

3. Tell your legislators of the continuing problems with Chapter 90 reimbursements. If your municipality has been forced to incur interest costs, or has lost interest income, as the result of late [more than 30 days] Chapter 90 reimbursements by the state, you may wish to calculate this amount and let your legislators know of it. The current bond-based Chapter 90 program can be replaced with an up-front appropriation without impacting other state programs because there are sufficient gas tax revenues on hand in the separate Highway Fund. Urge your legislators to support a reinstatement of the Chapter 90 appropriation. We estimate it at about \$42 million.

4. Tell legislators that in order to achieve at least true "level funding" and to keep Cherry Sheet aid from shrinking again as a share of the state budget, the base of aid set in the *Local Aid Resolution* must be built upon with the Lottery and Highway Fund revenues.

PALMER & DODGE

One Beacon Street
Boston, Massachusetts 02108

Telephone: (617) 573 0100

Facsimile: (617) 227-4420
Telex: 951104

March 30, 1992

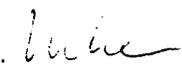
Mr. Don Johnson
Town Manager
P.O. Box 236
Acton, MA 01720

Dear Don:

I enclose our bill for services through February 28,
1992.

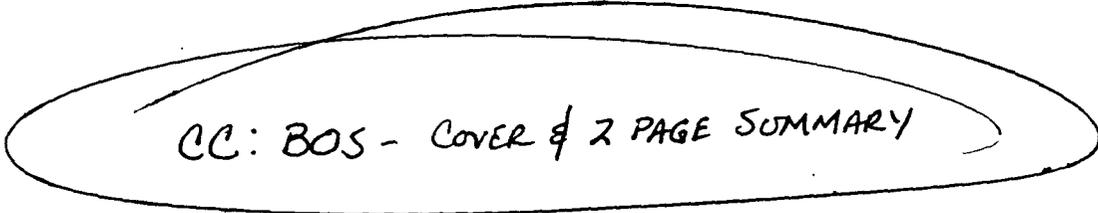
If you have any questions, please let me know.

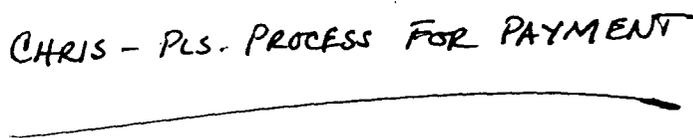
Very truly yours,


Acheson H. Callaghan

AHC/dcb

Enclosure


CC: BOS - COVER & 2 PAGE SUMMARY


CHRIS - PLS. PROCESS FOR PAYMENT

Town of Acton
P.O. Box 236
Acton, MA 01720

PALMER & DODGE

One Beacon Street
Boston, Massachusetts 02108-3190
Telephone: (617) 573-0100

FEDERAL I.D. NUMBER 04-217078B

March 30, 1992

For professional services through February 28, 1992, as follows:

General

Advice, attendance at conferences, drafting and other services in connection with Audubon Hill development;	\$ 2,700.00
Review and advice concerning contract for dredging pond in exchange for gravel removal;	2,200.00
Review, advice and drafting of annual town meeting warrants;	800.00
Advice on miscellaneous zoning issues;	300.00
Advice concerning legislation and attendance at hearing on legislation regarding train whistles;	825.00
Advice and services on miscellaneous other matters as shown on the enclosed summary of time.	150.00
Services in connection with tax abatement cases;	500.00
Collective Bargaining and labor relations matters;	1,900.00
Review and preparation of hearing record in <u>Cooperative Bank of Concord v. Conservation Commission</u> ;	350.00
Services in connection with <u>Mobil Oil v. Acton</u> .	<u>100.00</u>
TOTAL SERVICES	\$ 9,825.00

EXPENSES INCURRED BUT NOT POSTED PRIOR TO THE BILLING DATE WILL APPEAR ON A SUBSEQUENT STATEMENT.

DUE AND PAYABLE WITHIN THIRTY DAYS

DISBURSEMENTS:

Computer Research	\$ 402.81
Duplication	83.00
Express Delivery	21.00
Telecopier	37.00
Telephone	100.29
Travel & Related Expenses	<u>22.50</u>

TOTAL DISBURSEMENTS 666.60

AMOUNT DUE \$ 10,491.60

**SELECTMEN'S MEETING
APRIL 14, 1992**

Draft

The Board of Selectmen held their regular meeting on Tuesday, April 14, 1992, present were Norm Lake, Dore' Hunter, Nancy Tavernier, Anne Fanton, William Mullin, and Asst. Town Manager John Murray

CITIZENS' CONCERNS

None Expressed

PUBLIC HEARINGS AND APPOINTMENTS

**BOSTON EDISON
ESTABROOK ROAD - CONDUIT INSTALLATION**

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

COMMITTEE INTERVIEW

THOMAS PETERMAN - ALTERNATE MEMBER HISTORIC DISTRICT COMMISSION

Dore' asked several questions about his views on alterations to historic buildings in the districts. Mr. Peterman felt that if additional renovations were made that they should be encouraged to restore rather than further update. Nancy asked about his work and our Bylaws as it compared to other communities he was familiar with. He indicated it was a good bylaw, that is had preservation in mind and his major concern was with preservation of these sites. He choose HDC because of his background and experience. DORE' HUNTER - MOVED to appoint Mr. Peterman as an Alternate Member for a term to expire June 30, 1994. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

COMMITTEE INTERVIEW

JOHN PAVAN - PLANNING BOARD

Mr. Pavan was asked about any possible business conflicts with his involvement with the Codman Company. He has reviewed his companies plans and sees two possible conflicts, North Acton Woods and a retail mall on 2A, both he feels will probably not come to reality. He assured the Board he would step aside however, if the occasion arose. Three important issues he foresees in Planning are the Great Hill redevelopment, Planning of the village district, and refinement of the bylaw. Anne asked about his views of the Master Plan. He discussed incentive and discentives to development. He felt that the Master Plan had not anticipated these issues. Nancy noted he had good attendance at the Planning Board along with his involvement with MAGIC. He outlined MAGIC's progress and highlights since his involvement as being the formation of CAC, METRO 2000, Landbank research. He felt a regional approach to planning would be helpful. Dore'

noted he was pleased Mr. Pavan had revised he views on sidewalks. DORE' HUNTER - MOVED to appoint Mr. Pavan as a full member of the Planning Board with a term to expire June 30, 1996. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

CONSENT CALENDAR

The Board approved the Consent Calendar as submitted with the Additional item, One Day Liquor License. DORE' HUNTER-Moved to accept. NANCY TAVERNIER - Second. UNANIMOUS VOTE.

SELECTMEN'S CONCERNS

Mandate Relief - Nancy outlined what was of importance to Acton and wanted these sent to Representative Resor and Senator Durand for them to address. These issues would give Acton the tools needed to address the current situation. Dore' thought it was an excellent response and thanked Nancy for her work. Noting his lack of familiarity with the issues and their impact, Bill Mullin wanted to review them further and would abstain from voting on this issue at present. DORE' HUNTER - Moved to accept the recommendations in Nancy's memo and instruct the Town Manager to write Durand and Resor expressing the sentiments outlined in subject memo. ANNE FANTON - Second. 4-1 Bill Mullin Abstained.

Stop Sign Lawsbrook Road/School Street. Dore' expressed interest in the status of changing the stop sign at this location. After discussion it was noted that the intersection should be signed in both directions prior to changing the sign to School Street.

ROUTE 2A/27 INTERSECTION. Anne wanted to know if the Town was going to have a representative at the Route 2A/27 meeting. John Murray said that at least 5 people would be in attendance. He also briefly updated the Board on negotiations with the contractor chosen for the site.

SOUTH ACTON BRIDGE - Dore' felt we should "Pulse" the system with regard to the bridge situation on a regular basis to see what response was given and to let them know the problem is significant and has not gone away.

BOXBORO SELECTMEN - The Board reviewed the letter from the Board in Boxboro. Nancy offered to meet with them to discuss regional issues as well as the one mentioned in their letter. Norm wanted a meeting after their election. It was decided to have the post-reorgnization chairman draft a letter to Boxboro agreeing to meet with them to discuss matters of regional importance, meeting to be hosted by Boxboro.

61/61A. Task force - Anne asked that the task force be reactivated in order to review potential parcels so that the ground work could be done in order to address the tight time constraints associated with these issues. NANCY TAVERNIER -

Moved to appoint Anne Fanton to head up the 61/61A Task force with her constituting the Board composition. DORE' HUNTER - Second. UNANIMOUS VOTE.

Reorganization - Norm Lake moved to nominate Nancy Tavernier as Chair. Dore' Hunter Second. Unanimous

Nancy Tavernier moved to nominate Dore' Hunter as Vice-chair. Norm Lake Second. Unanimous

Norm Lake moved to nominate Anne Fanton as Clerk. Nancy Tavernier - Second. Unanimous

TOWN MANAGER'S CONCERNS

John Murray updated the Board concerning the status of Fire Department Collective Bargaining. He conveyed the details of the agreement reached.

John also updated the Board on the status of several issues on Beacon Hill.

Wood Lawn Cemetery Expansion - The Board reviewed the proposed plan for the front of the cemetery and the rear section. The Board had questions on the choice of which section was chosen and the number of lots remaining. The Commissioners and Stewart Kennedey answered some of the questions and urged the uncertain Board members to come to the cemetery for a tour of the area and to further explain the rationale behind their choice of developing the front section which is in conjunction with the Cemeteries Master Plan developed in 1978. The Board decided to revisit the question at the next meeting after reviewing the site choices further.

DORE' HUNTER - Moved to go into executive session for the purpose of discussing negotiations.

Dore' took Roll call - all Ayes.

The Board adjourned into executive session at 10:35 P.M.

Clerk

Date

Christine Joyce
Recording Secty.
cmjW11-(232)

EXECUTIVE SESSION

APRIL 14, 1992

AUDUBON HILL - John updated the Board and asked for direction regarding the daily cost changes and expressed his frustration with the issue. Dore' thought we should not deal with them directly, it was their building, and that we should instruct the COA to start monitoring its construction and design and further not to spend the \$130,000 on the building. It was the consensus that a public meeting should be held so that all these issues could be discussed so that input from the elderly could be heard and Roy Smith could explain to them what was going. Nancy wanted a time frame and it wrapped up in a month. It was agreed after reviewing the figures submitted that they were too high and my no means would we agree to the costs as represented by Eric Smith. The Board did not want to approve those costs and be tied to the project. It was Smith's project, and we were going to have the option of leasing it for a \$1 a year for 99 years with an option for another 99. If the Town decided to reject the lease after review of the building because of the operational costs that would be our option. John assured the Board that staff would be reviewing the process so that if they infact skimped on insulation etc. we would know and that staff would also assist the COA during their contacts with Smith. John also stated that we have not at anytime held any of the permits required and were not stalling the project as indicated in Eric Smiths letter.

Michael Coughlin, Injured Police Officer- The Board reviewed the recent correspondence from his attorney. Staff was directed to instruct Palmer & Dodge to work a deal to insure we get a resignation.

The Board adjourned out of Executive Session at 10:55 P.M.

Clerk

Date

Christine Joyce
Recording Secty.
cmjW11-(232)



Selectmen

PLANNING BOARD • Town of Acton

472 MAIN STREET ACTON, MASSACHUSETTS 01720 APR 17 1992 (508) 264-9636

RECEIVED & FILED

DATE *April 17, 1992*

Barbara Brown
for TOWN CLERK, ACTON

ACTON PLANNING BOARD

Minutes of Meeting

March 9, 1992

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

I. Consent Agenda

Trey Shupert moved that the Board vote to approve the items contained on the consent agenda, the minutes of the 2/24/92 Board meeting and the recommendation for acceptance of Station Way as a Town way. His motion was seconded by Mary Giorgio and carried by unanimous vote.

II. Kevin Sweeney - Great Hill Village

Kevin Sweeney was unable to keep his appointment with the Board due to travel conflicts and would like to reschedule the meeting for 3/23/92 at 8:45 PM.

III. Zoning Articles for Annual Town Meeting

Board members discussed the memo on the Zoning Bylaw amendments prepared by Roland Bartl. Greg Niemyski suggested that articles should be assigned to Board members for Town Meeting presentation at this Board meeting. Assignments were made as follows: Article - Applicability of Zoning Bylaw will be presented by Greg Niemyski; Article - Parking will be presented by David Hill; and Article - Housekeeping will be presented by Jim Lee.

Parking - Roland discussed the most recent discussions on parking dimensions and has agreed to delete the herringbone pattern for the example drawing and to eliminate the two-way option for anything but 90° parking. Board members agreed that they supported Roland's position on this article.

Applicability of Zoning Bylaw - Board members discussed the presentation of this article at Annual Town Meeting. Members requested that staff provide documentation on flooding issues in Acton and provide information about specific issues involving past road repairs in floodplain areas or be prepared to address these issues if they are brought up at Town Meeting.

IV. Village Planning Report

Trey Shupert reported on the progress of the West Acton Village Planning Committee. The West Acton Village Planning Committee has defined the district planning area which is larger than the existing WAV District. Committee members have begun identifying the zoning problems in WAV and will be conducting resident and business surveys in April to further identify these problems. Committee members are also discussing the possibility of reinstating the train stop in West Acton however, determining a location for the parking associated with an MBTA stop is a sensitive issue. Trey reported that the committee is aiming at releasing the final draft of the plan for public comment in the September / October time frame. The next committee meeting is scheduled for March 23rd at 7:30 PM.

Roland Bartl reported that the South Acton Village Planning Committee has begun to define the SAV planning area. Tentatively it extends to the Donelans area (not including Donelans), including Martin St., some of Stow & Liberty Sts. (including Simeone's farm), the railroad stub that goes to the Beacon, extending to Sylvia St. on the south, including the hill to High St. at Audubon Hill, going across to the railroad & including the entire corridor along the railroad all the way down to Parker St., then going back up Chadwick, Piper & School Sts. back into the center. Many of the previous South Acton issues have been discussed again, but the committee is working beyond them.

Other Business

Meeting with Town Counsel - Consistency with Master Plan Findings

Board members discussed the upcoming meeting with the Zoning Board of Appeals and Town Counsel on the subject of the mandatory "consistency with Master Plan" finding for variances and special permits. Trey Shupert, John Pavan, Greg Niemyski and Mary Giorgio agreed to represent the Board at the meeting on March 12th.

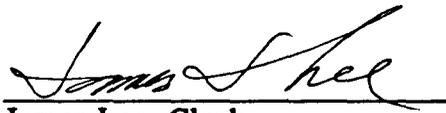
MAGIC

John Pavan reviewed the progress on the formation of the Route 2 Corridor Advisory Committee. Concord, Acton & Lincoln town officials met on March 4th to further discuss these issues and have agreed to request the formation of a CAC to be comprised of representatives from MDPW Central & District; Concord, Acton & Lincoln officials; MAPC; and the Secretary of Transportation's office.

John Pavan reported that MAGIC is trying to keep abreast of the information regarding the reuse of Fort Devens. Trey Shupert reported that there are plans to widen Route 111 to a 4 lane highway if a second airport is sited at Fort Devens. Trey also reported that the Redevelopment Board is investigating numerous other development scenarios for reuse of the Fort Devens site.

The Board meeting was adjourned at at approx. 9:00PM.

Respectfully submitted,

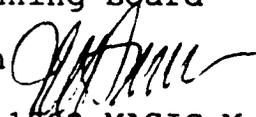
A handwritten signature in cursive script, appearing to read "James Lee", is written over a horizontal line.

James Lee, Clerk

Selectmen

M E M O R A N D U M

To: Acton Board of Selectmen
Acton Planning Board

From: John Pavan 

Re: March 19, 1992 MAGIC Meeting

Date: March 31, 1992

These are brief notes from the above meeting. Please call me for additional information on any of these items (508-264-4370 (home); 617-423-6500 (work)).

1. Developments of Regional Impact (DRI)

Subcommittee reported meetings with municipalities generating support are complete. Letters will be issued to all MAGIC municipalities to activate the program formally.

2. MAGIC Officers

The Nominating Committee (Anne Fanton; Paul Smith, Littleton; me) recommended the following for MAGIC vote in May:

- a. Donna Jacobs, Stow - Chair
- b. Judy Walpole, Concord - Vice-Chair
- c. Jeff Betterini, Boxborough - Vice-Chair

3. Route 2 Corridor Advisory Committee (CAC)

The attached letter is a result of our March 4 meeting (Concord, Lincoln, Acton only). At this point, it has been approved by the towns for issuance to the MDPW.

4. Land Bank Legislation

The bill lacks the support of environmental groups who are most likely concentrating on other actions instead (River Protection & Reservoir bills). Weld is apparently against Land Bank at this time according to Cellucci via Rosemary Marini, Hudson MAGIC representative. Given the above climate, MAGIC will not try to muster a lot of support for the bill. MAPC/MAGIC will notify all sub-region planning committees of hearing dates on the bill when known.

5. MAPC MetroPlan 2000

MAPC is encouraging municipalities to nominate areas of their Towns as concentrated growth centers. MAPC described the difference between the current program and the original idea of concentrated development centers (CDC) which were larger regional centers.

Acton's four villages and Kelly's Corner were nominated at the last MAPC meeting but tabled.

MAPC feels future infrastructure funding will more likely be directed toward centers, presenting the obvious advantage. MAGIC representatives were mixed on the issues, potential advantages and drawbacks. There is still confusion regarding how nominating areas as growth center fits into the larger plan. The continuation of this topic will be a priority at the April meeting.

6. Fort Devens

MAGIC will organize a forum to cover redevelopment and airport options, pro and con. The goal is to provide facts to the area's Town officials and public.

Next meeting: April 23, 1992 - Maynard

Town of Acton
472 Main Street
Acton, MA 01720

Town of Concord
P.O. Box 535
Concord, MA 01742

Town of Lincoln
P.O. Box 353
Lincoln, MA 01773

March 20, 1992

Mr. James J. Kerasiotes, Commissioner
Massachusetts Highway Department
10 Park Place
Boston, MA 02218

Dear Commissioner Kerasiotes,

As you may know, representatives from our three communities have met with members of your staff to discuss how we might more effectively address issues regarding the Route 2 corridor through Acton, Concord and Lincoln. It has been suggested that formation of a Corridor Advisory Committee(CAC) might be the appropriate vehicle to facilitate this process and we would be interested in pursuing this concept.

We believe that our communities share, with your department, common goals for the Route 2 corridor of improving safety, increasing efficiency of traffic movement and maintaining appropriate local circulation with priority given to improvements at Crosby's Corner and the Concord Rotary.

We request that a follow-up meeting to discuss organizational issues be held with members of your staff from the Central and District #4 office, MAPC, and representatives from our towns. We are particularly grateful for the assistance that we have received from Mr. Thomas McLoughlin and Ms. Laurinda Bedingfield and are hopeful that we might continue to work with them in this process. We look forward to your reply.

Sincerely,

Norman Lake, Chair
Acton Board of Selectmen

John H. Clymer, Chair
Concord Board of Selectmen

Harriet Todd, Chair
Lincoln Board of Selectmen

cc: Mr. Thomas McLoughlin, MHD, Director, Division of Highway and Capital Planning
Laurinda Bedingfield, MHD, District Highway Engineer
Harold Sauer, Chairman, MAGIC
David Soule, MAPC

cc: BOS

STEERING COMMITTEE MEETING

- Agenda -

Thursday, April 30, 1992
3:30 P.M.

Wayland Town Building
School Committee Room
(2nd Floor)

1. Approval of Minutes of March 18, 1992.....*Wm. G. Zimmerman*
2. Report of Executive Director/Treasurer.....*Jack Wilson*
 - (a) New Member Towns/Related Issues
 - (b) Meeting with Lieutenant Governor
 - (c) Political Network
 - (d) Beacon Hill Roll Call - Monitoring Service
3. Status of FY '93 State Budget (including Local Aid);...*Frank LeBart*
Key Legislative Issues
4. Follow-Up on Position Paper.....*Frank LeBart*
5. Possible Suburban Coalition Seminar W/Legislators.....*Frank LeBart*
And/Or Members of Executive Staff
6. Old/New Business.....*All*
7. Date of Next Meeting/Summer Schedule.....*All*

* * * * *

NOTE CHANGE OF DAY FROM WEDNESDAY TO THURSDAY !!!

* * * * *

If you are unable to attend this meeting, please contact:

Frank LeBart (617) 934-7411

or

Jack Wilson (508) 358-2489

STEERING COMMITTEE MEETING

- Minutes -

Wednesday, 3:30 P.M.
March 18, 1992

Wayland Town Building
School Committee Room

Members Present: Frank LeBart, Chairman; Louise Haldeman (Concord); Linda Greyser (Wayland); Leo Crowe (Westwood); Dan Kehoe (Millis); Herb Kupchik (Natick); Ted Tarr (Rockport); Jack Wilson (Wayland); Bill Zimmerman (Wayland).

1. Approval of Minutes.--Upon a motion, duly made and seconded, the Minutes of the Meeting of February 12, 1992 were approved.

2. Treasurer's Report.--Jack Wilson reported a balance in the Treasury of \$4,100. It was moved, seconded and voted unanimously to approve the Treasurer's Report.

A mailing packet was sent out to one-half of the cities and towns in the state and to their School Committees. Mr. Wilson also reported on the "Political Network" project. For \$400 (approx.), the Bay State News Service will monitor the progress of legislative bills relating to Prop. 2½ and Revenue Sharing (state aid). It was moved, seconded, and voted unanimously to authorize the Executive Director/Treasurer to subscribe to this service. Jack reported on a recent Breakfast meeting he attended at which the Governor reiterated his position that the added \$200 million should go to the cities...Jack is setting up a meeting with Lt. Governor Cellucci to push the need for additional state aid for suburbs (and all communities or/and some relief from Prop. 2½.)

3. Recent Activities/Legislation.--(a) Linda Greyser and Bill Zimmerman reported on a recent joint session with the twelve (12) TEC (The Education Cooperative) Towns and the West Suburban Senators and Representatives (11 out of 14 attended) in which the Suburban Coalition's Position Paper and other documents were circulated/discussed. The emphasis was on the need for suburban legislators to form an effective coalition to see that some additional revenue sharing (state aid) will be made available to suburban/rural communities. (b) Herb Kupchik reported on two bills before the Legislature...S212 (7-12 transportation reimbursement) and H2312 (Family Support). He will contact both MASS and MASC for assistance in this matter. (c) The draft letter to the Governor and selected Legislators regarding the need for increased state aid to suburban/rural communities was reviewed, revised and authorized for distribution after final editing by Mrs. Haldeman. It was agreed, further, to send a letter and our Position Paper to local newspapers throughout the state; this was moved, seconded and voted unanimously.

4. Status of Governor's Budget.--The MMA "update" of March 12 was distributed with the suggestion that we analyze the budget proposals and send our input to the Governor and legislators.

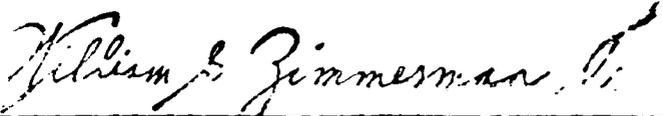
5. Steering Committee.--A discussion ensued as to updating the membership of the Steering Committee.

(Other side, please)

SUBURBAN COALITION MINUTES (cont'd.)
March 18, 1992

6. Next Meeting.--The next meeting of the Suburban Coalition will be held on Thursday, April 30, 1992, at 3:30 P.M. in the Wayland Town Building.
7. Adjournment.--Upon a motion duly made and seconded, the meeting was adjourned at 5:30 P.M.

Respectfully submitted,



William G. Zimmerman, Jr., Clerk

CC: BOS

Selectmen



MASSACHUSETTS

BOARD OF APPEALS

RECEIVED & FILED
DATE April 22, 1992

Barbara Brown
for TOWN CLERK, ACTON

Decision on the Petition of Daniel J. Wagner

Decision #92-3

A public hearing of the Board of Appeals was held in the Town Hall on Monday, March 30, 1992 at 7:30 p.m., Room 126, Acton, MA on the petition of Daniel J. Wagner, 54 Great Road, for Superior Trading Corp. located at 790 Main Street to request a Petition for Review from the requirements of Section 7.11.3 of the Zoning Bylaw to allow a sign to remain at 790 Main Street which was ordered removed by the Building Commissioner.

Board members present were Malcolm Burdine, Acting Chair; Stephen Crockett, Acting Clerk; Beatrice Perkins, Alternate Member; and Alternate Member Janet Clark. Also present were Daniel J. Wagner, Petitioner; Joseph Britt, Nat Palmer, Phil Harris, William Lawrence, and Christos Pappadopoulos; Garry Rhodes, Building Commissioner; and Valerie Sipprelle, Board of Appeals Secretary.

Mr. Burdine read the petition, noted the file contents which included a brief history of this sign, the letter from the Building Commissioner ordering this sign removed, two letters from concerned citizens in support of the Building Commissioner's action, and an IDC from Roland Bartl, Town Planner.

The Board of Appeals, after considering the materials submitted with the petition, together with the information developed at the hearing, finds that:

- (1) This sign is unlicensed and therefore not protected by the new 1988 Zoning Bylaw. The petitioner did not provide evidence to the contrary.
- (2) This sign is not "grandfathered" since it is not licensed.
- (3) Although recently repainted, this sign is "dilapidated", obsolete and "eroded".
- (4) This sign is not protected since "relettering" constitutes erecting a new sign which must comply with the current bylaw.
- (5) This sign is made of metal and is of a height and size which does not comply with the current bylaw.
- (6) When the "ESSO" sign was visible and in a dilapidated condition, this sign should have been removed under Sections 7.4.2 and 7.3.12 because it advertises a business which has been discontinued.

The Board of Appeals, after considering the findings and conclusions outlined above, voted unanimously to deny the petition to allow the sign and the existing pole to remain in place.



MASSACHUSETTS
BOARD OF APPEALS

Page Two

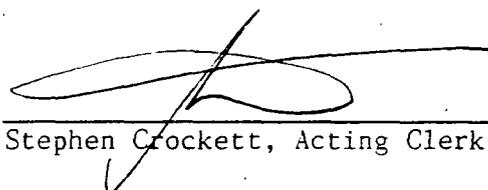
Decision on the Petition of Daniel J. Wagner

Decision #92-3

Any person aggrieved by this decision may appeal pursuant to Massachusetts General Laws Chapter 40A, Section 17, within 20 days after this decision is filed with the Acton Town Clerk.

Town of Acton Board of Appeals


Malcolm L. Burdine, Acting Chair


Stephen Crockett, Acting Clerk


Beatrice C. Perkins, Alternate Member

I certify that copies of this decision have been filed with the Acton Town Clerk and Planning Board on 1992.


Valerie Sipprelle, Secretary
Board of Appeals



ACTON PUBLIC SCHOOLS • ACTON-BOXBOROUGH REGIONAL SCHOOL DISTRICT

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

OFFICE OF THE SUPERINTENDENT
William L. Ryan
Director of Business and Community Education

April 14, 1992

ACTON-BOXBOROUGH
ASSESSMENT FOR 1992-1993

TOWN OF ACTON

- To: ✓ 1. Chairman, Board of Selectmen
c/o Executive Officer
2. Chairman, Finance Committee
 3. Liaison Person, Finance Committee
 4. Town Treasurer

By vote of the Acton-Boxborough Regional School Committee on
March 5, 1992 your town's assessment for 1992-93 is:

\$7,555,461

Sincerely,

William L. Ryan,
Director of Business and
Community Education

WLR/baw

cc: Dr. Robert Kessler
Peter Beanland
Roberta O'Connell

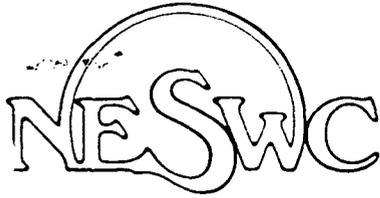
TABLE 6
ACTON-BOXBOROUGH REGIONAL SCHOOL DISTRICT
ANALYSIS OF ASSESSMENTS
Proposed Budget 1992 - 1993

	GROSS BUDGET 1992-1993	ACTON 82.70%	BOXBOROUGH 17.30%
OPERATING EXPENDITURES	\$11,248,000	\$9,302,096	\$1,945,904
DEFERRAL OF TEACHER SALARIES	(\$357,512)	(\$295,662)	(\$61,850)
TRANSPORTATION EXPENDITURES	\$472,141	\$421,323	\$50,818
TOTAL	\$11,362,629	\$9,427,757	\$1,934,872
DEBT SERVICE	\$442,711	\$420,575	\$22,136
GROSS BUDGET	\$11,805,340	\$9,848,332	\$1,957,008
<u>REVENUE FROM STATE SOURCES</u>			
REGIONAL SCHOOL AID	\$814,347	\$673,465	\$140,882
CHAPTER 70	\$733,675	\$606,749	\$126,926
TRANSPORTATION (Act89.2 Box10.8)	\$347,644	\$310,098	\$37,546
SPECIAL EDUCATION TRANSPORTATION	\$49,262	\$40,740	\$8,522
CONSTRUCTION OF SCHOOL PROJECTS	\$293,598	\$278,918	\$14,680
SCHOOL CHOICE	\$450,000	\$372,150	\$77,850
<u>REVENUE FROM FEDERAL SOURCES</u>			
P.L. 81-874	\$1,000	\$827	\$173
<u>REVENUE FROM LOCAL SOURCES</u>			
TUITION	\$10,000	\$8,270	\$1,730
MISCELLANEOUS	\$2,000	\$1,654	\$346
TRANSFER FROM E&D	\$0	\$0	\$0
TOTAL REVENUE	\$2,701,526	\$2,292,871	\$408,655
ASSESSMENTS	\$9,103,814	\$7,555,461	\$1,548,353
INCREASE OVER FY 92 ASSESSMENT	7.0%	5.4%	15.7%
	\$598,039	\$387,637	\$210,402

March 5, 1992

TABLE 5
ACTON-BOXBOROUGH REGIONAL SCHOOL DISTRICT
EXPENDITURES BY OBJECT BUDGET COMPARISON

	1990-91 Budget	1990-91 Expenses	1991-92 Budget	1992-93 Budget	1992-93 % Change
SALARIES & FRINGE BENEFITS					
Teaching Salaries	\$5,073,640	\$5,064,983	\$5,153,946	\$5,434,466	5.4%
Principals' Salaries	\$292,673	\$294,978	\$295,326	\$298,087	0.9%
Central Office Administration	\$242,397	\$272,194	\$244,806	\$254,604	4.0%
Clerical & Technical Salaries	\$739,075	\$729,223	\$739,742	\$755,287	7.5%
Bldgs. & Grounds Maint. Salaries	\$130,963	\$130,947	\$131,625	\$137,222	4.3%
Custodial Salaries	\$403,459	\$405,648	\$399,088	\$433,050	8.5%
Athletic Salaries	\$161,905	\$159,025	\$160,969	\$170,400	5.9%
Home/Hospital Instruct. Salaries	\$6,850	\$11,529	\$8,040	\$8,040	0.0%
Substitute Salaries	\$55,000	\$45,683	\$55,742	\$54,829	-1.6%
Course Reimbursement	\$7,000	\$7,945	\$7,000	\$0	-100.0%
Retirement Payments	\$275,000	\$210,510	\$308,250	\$306,000	-0.7%
Health Insurance	\$984,020	\$961,730	\$1,235,932	\$1,382,803	11.9%
Group Life Insurance	\$13,450	\$12,752	\$14,102	\$13,500	-4.3%
Unemployment Compensation	\$45,000	\$16,769	\$15,000	\$15,000	0.0%
Worker's Compensation	\$67,500	\$77,176	\$70,000	\$93,600	19.4%
Sub-Total Salaries & Fringe Benefits	\$8,497,932	\$8,401,092	\$8,839,568	\$9,356,888	6.2%
INSTRUCTIONAL EXPENDITURES					
Instructional Supplies	\$100,383	\$85,138	\$99,229	\$101,674	2.5%
books	\$76,982	\$66,724	\$79,169	\$78,874	-0.4%
Library Books	\$23,975	\$21,762	\$24,213	\$24,020	-0.8%
Sub-Total Instructional Expenses	\$201,340	\$173,624	\$202,611	\$204,568	1.0%
SUPPLIES & EXPENSES					
Admin. Supplies & Expenses	\$210,436	\$200,855	\$189,575	\$193,849	2.3%
Legal Services	\$40,000	\$96,723	\$45,000	\$150,000	233.3%
Custodial Supplies	\$25,365	\$30,007	\$25,000	\$25,000	0.0%
Debt Service	\$514,938	\$514,937	\$436,519	\$442,711	1.4%
Maint. of Buildings & Grounds	\$123,737	\$195,237	\$126,016	\$126,516	0.4%
Utilities	\$265,917	\$313,915	\$365,026	\$332,071	-9.0%
Athletic Programs & Expenses	\$45,811	\$45,275	\$46,978	\$47,729	1.6%
Regular Student Transportation	\$194,303	\$207,048	\$199,938	\$201,688	0.9%
Sped Transportation	\$166,802	\$169,654	\$176,818	\$206,661	16.9%
Travel	\$13,903	\$10,083	\$13,932	\$13,918	-0.1%
Maintenance of Equipment	\$98,650	\$78,832	\$88,278	\$69,620	1.5%
Capital Outlay	\$64,670	\$62,984	\$63,854	\$0	-100.0%
SPED Tui & Contr Svcs	\$524,918	\$500,586	\$590,480	\$659,113	11.6%
Property & Casualty Insurance	\$59,000	\$45,638	\$58,750	\$55,200	-6.0%
Contingency Accounts	\$45,000	\$0	\$0	\$0	0.0%
Building Rental	\$31,000	\$24,180	\$31,000	\$27,320	-11.9%
Sub-Total Supplies & Expenses	\$2,424,450	\$2,495,954	\$2,457,164	\$2,571,396	4.6%
TOTAL EXPENDITURES	\$11,123,722	\$11,070,670	\$11,499,343	\$12,162,852	5.8%
DEFERRAL OF TEACHER SALARIES	\$0	\$0	(\$357,512)	(\$357,512)	0.0%
TOTAL BUDGET	\$11,123,722	\$11,070,670	\$11,141,831	\$11,805,340	6.0%



cc: BOS

NORTH EAST SOLID WASTE COMMITTEE

MEMORANDUM

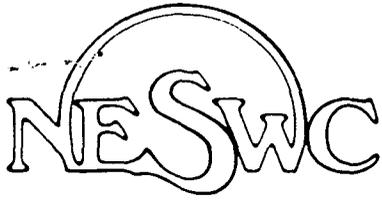
To : Advisory Board Members
From : Francis J. Hopcroft
Executive Director
Subject: ADVISORY BOARD MEETING AGENDA
Date : April 17, 1992

The agenda for the April 23, 1992 meeting has been amended to the extent that the FY 93 budget is not yet ready for discussion. The Executive Committee has deferred final discussions of this item to a Special Executive Committee meeting to be held on May 7, 1992 for that sole purpose. They are, therefore, not yet ready to offer any recommendations on this item to the Advisory Board.

It is expected that the Advisory Board meeting will be adjourned shortly after it is opened. The adjourned session will reconvene at a date to be set on April 23.

If a quorum is present, the other items on the Advisory Board agenda will be addressed on April 23. If a quorum is not present, the entire agenda will be held over to the reconvened session.

For the convenience of the members, the whole agenda is attached hereto.



April 1, 1992

NORTH EAST SOLID WASTE COMMITTEE

Dear Member:

A meeting of the NESWC Advisory Board is scheduled for Thursday, April 23, 1992 at 7:30 pm in the Selectmen's Room, Lexington, MA.

The agenda is as follows:

1. Minutes of the meeting of October 24, 1991
2. Update on status of MRI claim
3. Update on status of other legal issues
 - a. Secondary Trust Indenture
 - i. Status
 - ii. Effect
 - b. Waiver of GAT reduction limitations
 - i. Effects of approval on individual communities
 - ii. Vote of Advisory Board regarding implementation
4. Update on marketing efforts and plant capacity usage
5. Update on status of project bond refinancing
6. Update on status of long term landfill operating contract negotiations
7. FY 93 Budgets
 - a. Capital Budget
 - b. Operating Budget
8. Other business

Sincerely yours,
NESWC

A handwritten signature in black ink, appearing to read 'Francis J. Hopcroft', is written over the typed name.

Francis J. Hopcroft
Executive Director

Selectua



MASSACHUSETTS

BOARD OF APPEALS

Full documents
in RF

#92-7

NOTICE OF PUBLIC HEARING

The Board of Appeals will hold a Public Hearing on Monday

May 11, 19 92, at 8:00P.M. in the TOWN HALL, Room 126

on the following petition:

by Michael S. Patten, 87 Nagog Hill Road for a Petition

for a Variance from the requirements of Section 5.2.4 of the Zoning

Bylaw to allow an addition to an existing structure whereby two small

portions will be located less than thirty feet from the front setback.

Petitioner must be present, or send authorized representative

BOARD OF APPEALS

By

Malcolm Burdine

Clerk



MASSACHUSETTS
BOARD OF APPEALS

Selectmen

RF -
Full document
in RF

#92-8

NOTICE OF PUBLIC HEARING

The Board of Appeals will hold a Public Hearing on Monday

May 11, 19⁹², at 8:15 P.M. in the TOWN HALL, Room 126

on the following petition:

by Leonard N. Palmer, 65 Alcott Street, for a
Petition for Review from the requirements of Section 3.5.13
for C & L. Corporation, 7 Craig Road, to lease space at
6 Ledgerock Way for the restoration of classic and antique cars.

Petitioner must be present, or send authorized representative

BOARD OF APPEALS

By

Malcolm Burdine

Clerk

FYI

April 17, 1992

Roland Barth
Town Planner / Fair Housing Director
Town of Acton
472 Main Street
Acton MA 01720

Dear Roland

I am writing to inform you that I have decided not to serve on the Fair Housing Committee. When I interviewed with the VCC, I was not sure what the goals and objectives of this committee were. While I believe they are both noble and necessary, I do not think they are a good match for my capabilities or interests.

I apologize for taking so long to inform you, and I hope you will quickly find a more suitable replacement.

cc: BOS
VCC

4/24

Yours truly,
Thomas Barth Jr

CC: BOS
MPCC

4/24

MEMBER ALERT...MEMBER ALERT...MEMBER ALERT...MEMBER ALERT

ATTENTION SOUTH ACTON VILLAGE BUSINESS OWNERS:

Town Planner, Roland Bartl, is again calling on the Chamber to identify energetic volunteers to serve on the South Acton Village Planning Committee. This committee serves as a subcommittee to the Planning Board and reports, on a regular basis, the progress and development of the detailed village plan. Interested persons should contact the Planning Department at 264-9636. Input from South Acton business owners is essential. Get involved!

In other news with the Planning Department they have announced that they are producing a condensed guide to the development process in Acton... We will keep you updated as this unfolds.

A SPECIAL THANK YOU!

Bill Lawrence of the Concord/Acton Industrial Park continues to serve as the Chamber's "watch dog" in regard to public affairs. Bill singlehandedly reviews by-laws changes and other lengthy documents to report back to the Chamber's Board of Directors on a monthly basis. He goes above and beyond as an active Chamber representative on the town's Master Plan Coordinating Committee and attends various other town department meetings. More importantly, Bill takes the time to work with fellow Chamber members on these issues -- thanks for all your help Bill. As part of his work, Bill gathered some information that addresses issues of concern by town departments.

Some helpful hints follow:

Pertaining to the sign by-law, be sure to obtain the necessary permits and applications if you plan to construct a new sign or replace an existing structure. Do not act first - you may pay later. Moreover, portable special events signs may now be used for specified time periods. A permit is required. For signage information contact Garry Rhodes, Building Inspector at 264-9632.

Water Supply District of Acton

P.O. BOX 953

MASSACHUSETTS AVENUE

ACTON, MASSACHUSETTS 01720

APR 13 1992

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

APRIL 13, 1992

AGENDA:

7:30 P.M. CALL TO ORDER

7:31 P.M. ACCEPT MINUTES OF MEETING MARCH 23, 1992

OPEN DISCUSSION & COMMENTS FROM CITIZENS

NEW BUSINESS

APPOINTMENTS OF ELECTED OFFICIALS

WARRANTS & COMMUNICATION

EASEMENT -CLOSE PROPERTY 28 NASH ROAD

LAND PURCHASE NEXT TO SOMERVILLE LUMBER

CONANT SITE #2

PORRAZZO - 536 MASS AVE (SHUT WATER OFF)

LEAD SAMPLING PROGRAM - EPA LAW

WARRANT ARTICLES ANNUAL MEETING

MANAGER'S CONTRACT (INSURANCE)

WHITTIER PROPERTY - ACTON CENTER

OLD BUSINESS

MRS. SUTTON - RIVER STREET SOUTH ACTON

MARCH 18, 1992 CONSERVATION HEARING - MEADOWVIEW
SUBDIVISION

ORGANIC COLOR - WHITCOMB AND CLAPP WELL

3/12/92

101.00
MVPW

Dear Dean

I wanted to thank you again for speaking to our club in February. We thoroughly enjoyed your presentation. It was quite informative and entertaining. I received a great deal of positive feedback from members, after you left.

I understand that you can't accept compensation for your presentation so we are donating \$2500 to the Bearon Santa in your name, as a token of our appreciation. Thanks again

Sincerely,

Bartala Gmp
ABJWC.

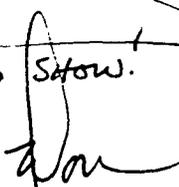
4-2

FILE

The above information is for your information and is not to be used for any other purpose.

DEAN

DEAN -
Good Show.



CC: PERS. FILE

200