

**ADJOURNED (THIRD) TOWN MEETING  
MONDAY, JANUARY 13, 2003  
FOGELBERG AUDITORIUM – BHS**

A quorum being present, the meeting was called to order at 7:45 P.M. with a salute to the flag. A motion to adjourn to Wed. January 15, 2003 to complete the business of the Warrant, if necessary, was moved, seconded and so voted. The reading of the Warrant and Constable's Report was waived upon unanimous consent.

The Moderator announced a reception for Laura Hodgson, the new Library Director and recognized outgoing Town Accountant, Pat Mullin, who received a standing ovation. Pat introduced the new Town Accountant, Gail LaPointe, to the membership.

**ARTICLE 1 RE: Reports of Town Officers & Committees**

To hear and act on the reports of the Town Officers and Committees, or to act in any other manner in relation thereto.

The Town Administrator presented the body with the Outstanding Warrant Article Summary. The Town Administrator also responded to a question about the proposed Local Aid cuts for this Fiscal Year and the downturn in the economic climate. The Moderator announced that further committee reports would be heard when respective articles were discussed.

**ARTICLE 2 RE: Lien for Delinquent Water Charges**

To see if the Town will vote to accept Chapter 40, Section 42A and 42B - 42F (water) and Chapter 83, Section 16A - G (sewer) to allow the Town to impose a lien on real estate for water/sewer rates or charges which have not been paid, or to act in any other manner in relation thereto.

**MAIN MOTION:** As printed in the Warrant

Recommendations: Bylaw Review voted 5-0 in favor.

**ACTION: MAJORITY APPROVED MAIN MOTION**

**ARTICLE 3 RE: Raymond Road (Deed) Acceptance**

To see if the Town will vote to accept a deed in lieu of foreclosure on Map 29 & Parcel 58, Book 111767/Page 392 property located on Raymond Road as authorized under Chapter 60, Section 77C and to authorize the Board of Selectmen to record the deed, provided the Board of Selectmen determine that the deed and this acceptance have met all of the requirements of M.G.L. Chapter 60, Section 77C and to transfer custody of this property to the Board of Selectmen for municipal purposes, or to act in any manner in relation thereto.

**MAIN MOTION:** As printed in the Warrant

An amendment to require a 21E to test for any contaminants was moved. There was no second.

Recommendations: Land Use voted 5-0 in favor.

**ACTION: MAJORITY APPROVED MAIN MOTION**

**ARTICLE 4 RE: Simonds Trust**

To see if the Town will vote to accept from the Trustees under the will of Marshall Simonds the amount of \$9,500.00, or any other sum, for the maintenance and improvement of Simonds Park, same to be spent under the direction of the Recreation Commissioners, or to act in any other manner in relation thereto.

**MAIN MOTION:** As printed in the Warrant

Recommendations: Ways & Means 12-0-0 in favor.

**ACTION: MAJORITY APPROVED MAIN MOTION**

A motion to take Article 12 out of order was moved. There was no objection.

**ARTICLE 12 RE: Wading Pool Replacement/Simonds Park**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$100,000 or any other amount to pay for the purpose of replacing the wading pool for Simonds Park, or to act in any manner in relation thereto.

**MAIN MOTION:** To see if the Town will vote to transfer from Overlay Surplus \$84,775 and vote to accept a transfer from the Simonds Trust the amount of \$40,000 accounting for a total cost of replacement of \$124,775.

Recommendations: Ways & Means 12-0-0 in favor. Capital Budget voted 5-0 in favor.

**ACTION: MAJORITY APPROVED MAIN MOTION**

**ARTICLE 5 RE: Legal Cost Reimbursement**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$50,000 or any other amount to pay for the Labor Counsel legal costs, or to act in any other manner in relation thereto.

**MAIN MOTION:** To see if the Town will vote to transfer from Overlay Surplus the amount of \$50,000 to pay for the Labor Counsel legal costs, same to be spent under the direction of the Town Administrator.

Recommendations: Ways & Means 12-0-0 in favor.

**ACTION: MAJORITY APPROVED MAIN MOTION**

**ARTICLE 6 RE: Grandview Farm Money**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$15,000 or any other amount to pay for the rehabilitation costs of the Grandview Farm, or to act in any other manner in relation thereto.

**MAIN MOTION:** To see if the Town will vote to transfer from Overlay Surplus the sum of \$15,000 to pay for the rehabilitation costs of the Grandview Farm, same to be spent under the direction of the Town Administrator.

Recommendations: Ways & Means 12-0-0 in favor.

**ACTION: MAJORITY APPROVED MAIN MOTION**

**ARTICLE 7 RE: DPW Pavement Management/Chapter 90**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$482,075 or any other amount to pay for the purpose of funding the paving, drainage repairs and installation and sidewalks, same to be spent under the direction of the Town Administrator, or to act in any other manner in relation thereto.

**MAIN MOTION:** To see if the Town will vote to accept and appropriate the sum of \$482,075 for the funding of paving, drainage repairs and installation and sidewalks, same to be spent under the direction of the Town Administrator.

Recommendations: Ways & Means 12-0-0. Capital Budget voted 5-0 in favor.

**ACTION: MAJORITY APPROVED MAIN MOTION**

**ARTICLE 8 RE: Council on Aging Vehicle**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$46,000 or any other amount to pay for the purpose of funding the Council on Aging Mini-Bus/ Van vehicle, or to act in any other manner in relation thereto.

**MAIN MOTION:** To see if the Town will vote to transfer from Overlay Reserve the sum of \$46,000 to pay for the purpose of

funding the Council on Aging Mini-Bus/ Van vehicle, same to be spent under the direction of the Board of Selectmen.

Recommendations: Ways & Means and Capital Budget had no vote, as they believed the article was being withdrawn.

An amendment to approve contingent upon the review and approval of the financial committees was moved. The Selectmen agreed to seek approval of the financial committees. The proposed amendment was subsequently withdrawn.

A motion to move the question was moved, seconded and so voted.

**ACTION: MAJORITY APPROVED MAIN MOTION**

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**ARTICLE 9 RE: Assessment of Varsity Field/Cambridge St.**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$16,500 or any other amount to pay for the purpose of continuing the independent peer review of the gasoline releases that have occurred at 108, 110, 116 and 118 Cambridge Street. A portion of the funding will be used to conduct additional groundwater analysis at the high school athletic fields, or to act in any other manner in relation thereto.

**MAIN MOTION:** To see if the Town will vote to transfer from Overlay Surplus the sum of \$16,500 to pay for the continuation of the independent peer review of the gasoline releases that have occurred at 108, 110, 116 and 118 Cambridge Street. A portion of the funding will be used to conduct additional groundwater analysis at the high school athletic fields, same to be spent under the direction of the Board of Health.

A motion to strike the figure of \$16,500 and substitute therefore the figure \$8,000 and to further strike the words "to pay for the continuation of the independent peer review of the gasoline releases that have occurred at 108, 110, 116 and 118 Cambridge Street. A portion of the funding will be used" was seconded.

Amendment failed.

Recommendations: Ways & Means 11-0-1 in favor.

**ACTION: MAJORITY APPROVED MAIN MOTION**

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**ARTICLE 10 RE: Additional Staffing/School**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$59,412 or any other amount to pay for the purpose of funding a kindergarten teacher at Memorial School, an instructional assistant and materials/supplies, or to act in any other manner in relation thereto.

**MAIN MOTION:** To see if the Town will vote to transfer from Overlay Surplus provide the sum of \$59,412 to pay for funding a kindergarten teacher at Memorial School, an instructional assistant and materials/supplies, same to be spent under the direction of the School Committee.

Recommendations: Ways & Means 10-2-0 in favor.

**ACTION: MAJORITY APPROVED MAIN MOTION**

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**ARTICLE 11 RE: Architectural/Design Fees for Wildwood School**

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of \$20,000 or any other amount to pay for the purpose of modifying and updating of the Architectural/Design plans for the renovations and additions to the Wildwood Elementary School for the purpose of a system-wide kindergarten center or to act in any manner in relation thereto.

**MAIN MOTION:** To see if the Town will vote to transfer from Overlay Surplus the sum of \$20,000 to pay for the modifying and updating of the Architectural/Design plans for the renovations and additions to the Wildwood Elementary School for the purpose of a system-wide kindergarten center, same to be spent under the direction of the School Committee.

Recommendations: Ways & Means 8-3-1.

A motion to amend by striking the words "to transfer from Overlay Reserve" and substitute therefore the words "to transfer from the existing design fund contingency, allocated under Article 9, to the Wildwood Kindergarten Center design budget for the purpose of update and modification of existing plans and specifications.

Amendment Carried. A motion to end debate was moved, seconded and so voted.

**ACTION: MAJORITY APPROVED MAIN MOTION AS AMENDED**

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ARTICLE 12 Previously voted.

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At 11:00 P.M., a motion to adjourn was moved, seconded and so voted.

Attest: Jane L. Chew  
Town Clerk