

## **SPECIAL TOWN MEETING**

**FEBRUARY 27, 2002**

The meeting was called to order in the Bromfield School Gym at 7:32 P.M. by Moderator, William L. Patton. The call of the meeting and the return of service were found to be in order by Town Clerk Janet A. Vellante.

The meeting approved the following non-voters to speak:

Mark Lanza	Town Counsel
Evan Katz	Finance Director

### **ARTICLE 1: COMMUNITY PRESERVATION FUND**

To see if the Town will vote to amend its acceptance of Sections 3 to 7, inclusive, of Massachusetts General Laws Chapter 44B, known as the Massachusetts Community Preservation Act, by increasing the surcharge on real property taxes to be placed in a special "Community Preservation Fund" that may be appropriated and spent for the purposes permitted by said Act, including open space, historic resources, and affordable housing purposes from one and one-tenth (1.1) percent to three (3) per cent of the taxes assessed annually on real property which shall be dedicated to said fund, such increased surcharge to be imposed on taxes assessed for fiscal years beginning on or after July 1, 2002, and to exempt from such increased surcharge any or all of the following: (1) property owned and occupied as a domicile by a person who would qualify for low income housing or low or moderate income senior housing in the community; or (2) \$100,000 of the assessed valuation of Class One, Residential, parcels, or pass any vote or votes in relation thereto.

(Inserted by Board of Selectmen)

On a motion by Lucy Wallace, 18 Orchard Hill, Board of Selectmen, and seconded,

Voted majority yes that the Town amend its acceptance of Sections 3 to 7 inclusive of Chapter 44B of the Massachusetts General Laws, known as the Massachusetts Community Preservation Act, by increasing the surcharge on real property taxes to be placed in a special "Community Preservation Fund" that may be appropriated and spent for the purposes permitted by said Act, including open space, historic resources, and affordable housing purposes from one and one-tenth (1.1) percent to three (3) per cent of the taxes assessed annually on real property which shall be dedicated to said fund, such increased surcharge to be imposed on taxes assessed for fiscal years beginning on or after July 1, 2002, and to exempt from such increased surcharge the following: (1) property owned and occupied as a domicile by a person who would qualify for low income housing or low or moderate income senior housing in the community; and (2) \$100,000 of the assessed valuation of Class One, Residential, parcels.

## **ARTICLE 2: RESERVE FUND**

To see if the Town will vote to transfer from available funds, a sum of money to be placed in the Reserve Fund Account for unforeseen and extraordinary expenses for the current fiscal year, or pass any vote or votes in relation thereto.

(Inserted by Finance Committee)

On a motion by George McKenna, 41 Old Littleton Road, Finance Committee and seconded,

Voted majority yes that the Town transfer the sum of \$330,000 from Free Cash to the Reserve Fund Account for unforeseen and extraordinary expenses for the current fiscal year.

## **ARTICLE 3: STABILIZATION FUND**

To see if the Town will vote to transfer from available funds, a sum of money to be placed in the Stabilization Fund, or pass any vote or votes in relation thereto.

(Inserted by Finance Committee)

On a motion by Randy Dean, 48 Madigan Lane, Finance Committee, and seconded,

Voted majority yes that the Town transfer the sum of \$201,955 from Free Cash to the Stabilization Fund.

## **ARTICLE 4: ADDITIONAL COMPENSATION FOR TOWN OFFICIALS**

To see if the Town will vote to accept the provisions of Sections 19K and 108P of Chapter 41 and Section 21A of Chapter 59 of the General Laws, to provide additional compensation for town clerks, municipal collectors and treasurers, and assessors upon certification; and transfer from available funds a sum of money to fund the additional compensation provided for under the aforesaid statutes for the current fiscal year, or pass any vote or votes in relation thereto.

(Inserted by Board of Selectmen)

On a motion by Laurence Finnegan, 12 Tahanto Trail, Board of Selectmen, and seconded, Voted unanimously yes that the Town accept the provisions of Sections 19K and 108P of Chapter 41 and Section 21A of Chapter 59 of the Massachusetts General Laws; and transfer the sum of \$900 from Free Cash to be added to line #9, Town Clerk Salary, of Article 5 of the 2001 Annual Town Meeting of March 31, 2001 in order to fund the additional compensation provided for under Section 19K of Chapter 41 of the Massachusetts General Laws for the Town Clerk for the current fiscal year.

## **ARTICLE 5: FUND ACQUISITION OF EASEMENT FOR PUBLIC SAFETY BUILDING SITE DRAINAGE**

To see if the Town will vote to appropriate a sum of money to be expended by the Board of Selectmen to acquire by purchase, eminent domain or otherwise a perpetual easement for drainage purposes in, on, over, under, across and through the area of land on Ayer Road in Harvard, Massachusetts, containing 9,984 square feet shown as "PROPOSED 30' WIDE DRAINAGE EASEMENT" on a plan entitled "Easement Plan in Harvard, Massachusetts", dated August 11, 2000, prepared by Dillis and Mische, Inc., a copy of which plan is on file in the office of the Town Clerk, or accept said drainage easement as a gift, or pass any vote or votes in relation thereto.

(Inserted by Board of Selectmen)

(2/3rds vote)

On a motion by Cynthia Russo, 116 Oak Hill Road, Board of Selectmen, and seconded,

Voted unanimously yes that the Town accept as a gift, a perpetual easement for drainage purposes in, on, over, under, across and through the area of land on Ayer Road in Harvard, Massachusetts, containing 9,984 square feet shown as "PROPOSED 30' WIDE DRAINAGE EASEMENT" on a plan entitled "Easement Plan in Harvard, Massachusetts", dated August 11, 2000, prepared by Dillis and Mische, Inc., a copy of which plan is on file in the office of the Town Clerk and express its gratitude to Allen Feltus and his family for their generosity in donating the easement to the Town.

David Westerling, 63 Slough Road, served as Moderator for Article 6.

## **ARTICLE 6: EXCHANGE EASEMENTS FOR BROMFIELD SCHOOL SEPTIC SYSTEM**

To see if the Town will vote to:

a.) instruct the School Committee to transfer the care, custody, management and control of a perpetual wastewater disposal system easement in, on, under, over, across and through the area of land located off Massachusetts Avenue (Route 111) in Harvard, Massachusetts, comprising a portion of the Bromfield School site, shown as "Proposed Sewer Easement" on a plan entitled "Plan of Easements in Harvard, Mass. Prepared For The Town of Harvard", dated October, 2001, prepared by David E. Ross Associates, Inc., a copy of which plan is on file in the office of the Town Clerk, to the Board of Selectmen for the purpose of selling, conveying or otherwise disposing of said wastewater disposal system easement to the Trustees of the Bromfield School in consideration of the wastewater disposal system easement described in Par. c.) below;

b.) authorize the Board of Selectmen to sell, convey or otherwise dispose of to the Trustees of the Bromfield School the wastewater disposal system easement described in Par. a.) above in consideration of the wastewater disposal system easement described in Par. c.) below; and

c.) authorize the Board of Selectmen to acquire by purchase, exchange or otherwise a perpetual wastewater disposal system easement in, on, under, over, across and through the area of land located on Massachusetts Avenue (Route 111) in Harvard, Massachusetts, comprising a

portion of the Old Bromfield School site, shown on the plan referenced above in Par a.) as "PROPOSED 20' WIDE SEWER EASEMENT", or pass any vote or votes in relation thereto.

(Inserted by Board of Selectmen and School Committee)

(2/3rds vote)

On a motion by Molly Cutler, 56 Stow Road, School Committee, and seconded,

Voted unanimously yes that the Town

a) instruct the School Committee to transfer the care, custody, management and control of a perpetual wastewater disposal system easement in, on, under, over, across and through the area of land located off Massachusetts Avenue (Route 111) in Harvard, Massachusetts, comprising a portion of the Bromfield School site, shown as "Proposed Sewer Easement" on a plan entitled "Plan of Easements in Harvard, Mass. Prepared For The Town of Harvard", dated October, 2001, prepared by David E. Ross Associates, Inc., a copy of which plan is on file in the office of the Town Clerk, to the Board of Selectmen for the purpose of selling, conveying or otherwise disposing of said wastewater disposal system easement to the Trustees of the Bromfield School in consideration of the wastewater disposal system easement described in Par. c.) below;

b.) authorize the Board of Selectmen to sell, convey or otherwise dispose of to the Trustees of the Bromfield School the wastewater disposal system easement described in Par. a.) above in consideration of the wastewater disposal system easement described in Par. c.) below; and

c.) authorize the Board of Selectmen to acquire by purchase, exchange or otherwise a perpetual wastewater disposal system easement in, on, under, over, across and through the area of land located on Massachusetts Avenue (Route 111) in Harvard, Massachusetts, comprising a portion of the Old Bromfield School site, shown on the plan referenced above in Par a.) as "PROPOSED 20' WIDE SEWER EASEMENT".

## **ARTICLE 7: UNPAID BILLS**

To see if the Town will vote to transfer from available funds the sum of \$12,717 for the purpose of paying unpaid bills from Fiscal Year 2001 for Selectmen, Town Clerk, Tree Warden, School, and Public Works Departments or pass any vote or votes in relation thereto.

(Inserted by Board of Selectmen)

(9/10ths vote)

On a motion by William Ashe, 25 Myrick Lane, Board of Selectmen, and seconded,

Voted 174 yes and 2 no that the Town transfer the sum of \$12,716.92 from Free Cash for the purpose of paying unpaid bills from Fiscal Year 2001 as follows:

Selectmen:	\$154.08
Town Clerk:	\$1,500
Tree Warden:	\$3,200

School Department:	\$2,579.84
Public Works Department:	\$5,283

Checkers for the meeting were Roberta Atkinson, Nancy Cronin, Frances Maiore, and Paul Green. They checked in 179 voters out of a total of 3578 registered voters (3366 active voters).

The meeting was dissolved at 8:43 PM.

Respectfully submitted,

Janet A. Vellante  
Town Clerk