

# 2012 SPECIAL TOWN MEETING

April 24, 2012

*The 2012 Special Town Meeting minutes printed below are excerpted from the official minutes of this Meeting. For the complete text of all votes taken at this Meeting, contact the Town Clerk's Office.*

Pursuant to a Warrant signed by the Board of Selectmen on March 19, 2012, Town Moderator Eric E. Van Loon called the Special Town Meeting to order at 7:43 pm on Tuesday, April 24, 2012 at the Concord-Carlisle High School Auditorium and Cafeteria. The Moderator declared that the meeting was properly called and that a sufficient number of voters were present to permit the meeting to be opened.

Carol Wilson made the following Motion that was duly seconded: that the 2012 Special Town Meeting advance for consideration Articles 6 and 7, and take action on such Articles without debate on any of such Articles, provided that upon request of five voters at this Meeting, made before the vote is taken on this motion, an Article shall be dropped from the Consent Calendar and shall be acted upon in the ordinary course of business at this Town Meeting.

Mr. Van Loon briefly explained each of the two Articles and asked whether there was a request to drop either from the Consent Calendar. There were no such requests, but Dean Banfield inquired procedurally as to whether the Consent Calendar could be considered when it wasn't a specific Article on the Warrant. Mr. Van Loon responded that it is a procedural motion, similar to others, and does not need to be delineated in the Warrant. The Consent Calendar was accordingly voted by a two-thirds majority as follows:

## **ARTICLE 6. HIGH SCHOOL DEBT STABILIZATION FUND CREATION & FUNDING**

On a Motion made by Christopher Whelan and duly seconded, it was voted by a two-thirds majority to establish a Stabilization Fund for the purpose of reserving funds to be used to lower the tax levy impact of the Town's assessed share of principal and interest payment on bonds to be issued by the Concord-Carlisle Regional School District for the new District High School construction; and further, the sum of \$2,000,000 be appropriated from the certified free cash balance of June 30, 2011 and transferred into the Stabilization Fund.

## **ARTICLE 7. MINUTEMAN CAREER & TECHNICAL HIGH SCHOOL FY12 SUPPLEMENTAL ASSESSMENT**

On a Motion made by Carrie Flood and duly seconded, it was voted by a two-thirds majority to appropriate from the certified free cash balance of July 1, 2011 the sum of \$24,822 as the Town's net assessed share of a capital expense assessment for the cost of certain improvements made at the Minuteman Career and Technical High School, bringing the total appropriation from the Town for the District's 2012 Fiscal Year to \$555,830.

Mr. Van Loon then agreed to allow a second procedural motion from a citizen petitioner. Kevin Hurley made a Motion to take up Article 8 at this time, which was duly seconded and passed on a show of hands.

## **ARTICLE 8. ZONING BYLAW AMENDMENT—LIMITED BUSINESS DISTRICT #7 (BY PETITION)**

On a Motion made by James DiGiovanni and duly seconded, it was voted by a two-thirds majority, and so declared by the Moderator: to amend the Zoning Bylaw, Table I, Principal Use Regulations in order to add Combined business/residence as a permitted use in Limited Business District #7, which is located at 100 Main Street.

## **ARTICLE 1. SALE OF CONSERVATION RESTRICTION—FORMER LANDFILL SITE**

No Motion was made under this article.

## **ARTICLE 2. LAND ACQUISITION—51 LAWS BROOK ROAD**

On a Motion made by Gregory Howes and duly seconded, it was voted by a two-thirds majority, and so declared by the Moderator: to authorize the Selectmen to purchase the property at 51 Laws Brook Road, comprised of approximately 1 acre, together with any structures and improvements thereon, for park and recreation purposes, and to appropriate the amount of \$695,000 to effect said purchase; that to meet this appropriation, \$160,000 will come from the Community Preservation Fund and \$535,000 from the General

Fund; and to authorize the Treasurer, with approval of the Selectmen, to borrow \$535,000.

**ARTICLE 3. RETAIN CURRENT SCHOOL TRANSPORTATION DEPT. (BY PETITION)**

On a Motion made by Susan Kalled that was duly seconded, it was voted to ask the Concord Public and Concord-Carlisle Regional School Committees to retain and operate the existing Bus Transportation System for a period covering the 2012-2013 school year.

**ARTICLE 4. CITIZEN COMMITTEE TO STUDY SCHOOL TRANSPORTATION (BY PETITION)**

Phebe Ham made the following Motion, which was duly seconded: to ask the Concord-Carlisle Regional School Committee and Concord Public School Committee to search diligently for ways to maintain the existing Bus Transportation Dept. To assist in this search, a Citizen School Transportation Committee of 5 Concord citizens and 2 Carlisle citizens be appointed (4 by the Moderator and 3 by the Regional School Committee). The Committee shall prepare a cost analysis of in-house vs. outsourced bus services; consider the value of such intangibles as community trust and confidence; identify potential sites for the placement of bus transportation activities; hold one or more hearings soliciting comments from the public; and write a report with recommendations.

Phil Benincasa made a Motion to amend Ms. Ham's motion, which was duly seconded, which changed the appointing authority to only the School Committee and added a consideration of safety issues to the Committee's tasks.

William Plummer made a Motion to amend Mr. Benincasa's proposed amendment, which was duly seconded, which added the phrase "and approved by the Moderator" on the issue of appointments. After discussion, Adelaide Walton made a motion to call the question on Mr. Plummer's amendment, which passed by a two-thirds vote. A vote was then taken on Mr. Plummer's amendment, which failed to pass. It was suggested that Mr. Benincasa's proposed amendment be divided into two parts when it comes time to vote, and Mr. Van Loon agreed to do that.

Mark Boasberg made a Motion to call the question on the portion of Mr. Benincasa's amendment that dealt

with safety issues, which was duly seconded and passed by a two-thirds majority. A vote was then taken on whether to add safety issues to list of the Committee's tasks in Ms. Ham's motion, and this passed. After further discussion Richard Quanrud made a motion to call the question on the portion of Mr. Benincasa's amendment that dealt with the appointing authority of the committee, which was duly seconded and passed by a two-thirds majority. A vote was then taken on that portion of Mr. Benincasa's amendment that dealt with the appointing authority, and this failed to pass.

Lisa McKinney made a Motion to amend Ms. Ham's motion, which was duly seconded, to limit the Committee to Concord residents (eliminating Carlisle) and changing the appointing authority to the Concord Public School Committee. A vote was taken on Ms. McKinney's motion, which failed to pass.

A Motion was made to call the question on Ms. Ham's original motion as amended by Mr. Benincasa's safety amendment, which was duly seconded and passed by a two-thirds majority. A vote was then taken on Ms. Ham's amended motion, which passed by a significant margin.

At 10:00 pm Mr. Van Loon announced that the Chair of the Board of Selectmen urged that the Special Town Meeting continue to conclusion this evening. He asked for a show of hands whether the Meeting was interested in continuing the Meeting this evening, with an overwhelming majority agreeing. At this point in the proceedings, the Meeting took a brief break.

**ARTICLE 5. REINSTITUTE COMPREHENSIVE SCHOOL BUDGET INFORMATION (BY PETITION)**

On a Motion made by Michael Rudd that was duly seconded, it was voted: in the interests of greater transparency for our school budgets, to request that both the Concord Public School and the Concord-Carlisle Regional School Committee reinstitute the previous practice of preparing and publishing comprehensive and detailed annual budget books annually.

Mr. Van Loon reported that there was evidently some confusion about the substance of Article 2, which was voted earlier in the evening. He reviewed and explained the earlier vote, which was then revoted and approved with an overwhelming majority vote.

There being no further business to come before the assembly, and upon a motion that was duly made and seconded, the Special Town Meeting was dissolved and adjourned at 10:30 pm. It was announced that the Annual Town Meeting will continue on April 25, 2012 at 7:00 pm.

Respectfully submitted  
Anita S. Tekle  
Town Clerk

There were 651 registered voters in attendance at the Special Town Meeting.