

# **Annual Town Meeting**

# **WARRANT**

Picture by Frank Guiliani



**Town of Hudson**  
Annual Town Meeting  
**Monday, May 5, 2008**

**Finance Committee**  
**Report and Recommendations**

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## **Finance Committee Preamble**

### **To the People of Hudson, Greetings:**

We have reviewed the FY09 budget, capital items, warrant articles and have made our recommendations.

A decrease in revenue and an increase in expenses is a problem for communities across the commonwealth. Hudson is certainly no exception. A significant portion of the decrease can be directly attributable to the failure of the commonwealth to restore local aid to appropriate levels. The cooperation of the department managers, who have found a way to continue to provide excellent service while minimizing expenses, is greatly appreciated. Hudson, due to sound fiscal management, finds itself in a comparatively enviable position.

Warrant articles requiring additional explanations:

Articles 11, 12, and 13. These three articles are interrelated. This is the first request by the Community Preservation Committee to place before town meeting two requests for use of CPA funds. The first article allows the town to acquire a certain parcel of land referred to in article 13. Article 12 refers to the provision within CPA rules that require the town to reserve certain percentages of funds for specific purposes. By setting up these separate reserves the town will be in compliance with these rules. Article 13 refers to the specific requests made by the CPC with each item to be considered a separate appropriation. The first appropriation is a CPC approved request by the Hudson Historical Society for \$23,000 to be used to provide a description and picture of each item in the museum. This will allow schools and the library to have access to the information conveniently without having to visit the museum. A second benefit is the information can be used to appraise and properly insure its artifacts. The second CPC approved request is to purchase a parcel of land (approximately 6.6 acres) located at 43 Brigham Street. This land has been a priority for acquisition by the division of recreation for many years. This acquisition would protect one of only a few remaining parcels in this stretch of the Assabet River from development. The cost is based on the appraised market value of the land. The finance committee unanimously recommends the adoption of these articles.

Article 32 Wind Energy conversion system: The finance committee does not recommend this article. The committee feels this article needs to be either supported by the planning board or sponsored by the board, particularly due to the technical nature of some of the provisions.

Respectfully submitted,

**The Finance Committee:**

John Parent, Chairman  
Justin Provencher, Vice Chairman  
David Provencher  
Claudinor Salomão  
Barbara Rose  
Michael Downey

Steven Domenicucci

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**TOWN WARRANT**

**THE COMMONWEALTH OF MASSACHUSETTS**

**Middlesex, ss.**

To either of the constables of the Town of Hudson in the County of Middlesex,  
Greetings:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Hudson, qualified to vote in elections and in Town affairs, to assemble in the Hudson High School, Brigham Street, in said Town on

**MONDAY, the Fifth day of**

**MAY**

**in the year 2008**

at 7:30 o'clock in the evening. Then and there to act on the following articles to wit:

***ARTICLE 1 FY09 Budget***

To see if the Town will vote to fix the salary and compensation of all elected officers of the Town as provided by Section 108 of Chapter 41 of the Massachusetts General Laws, as amended, and raise and appropriate a sum of money therefore to provide funds needed to defray the usual and necessary expense of the Town for the fiscal year beginning on July 1, 2008 and ending on June 30, 2009; and raise and appropriate or take from available funds the money needed to carry into effect the provisions of this article, or take any action relative thereto.

Executive Assistant  
Board of Selectmen

<u>Department</u>		<u>FY06 Actual</u>	<u>FY07 Actual</u>	<u>FY08 Budget</u>	<u>EA Request</u>	<u>Selectmen Recommend</u>	<u>Fin Com Recommend</u>
1	Board of Selectmen Personnel	9,000	9,000	9,000	9,000	9,000	9,000
2	Board of Selectmen Expenses	3,968	4,033	4,500	4,523	4,523	4,523
<b>Selectmen Total</b>		<b>12,968</b>	<b>13,033</b>	<b>13,500</b>	<b>13,523</b>	<b>13,523</b>	<b>13,523</b>
3	Executive Assistant Personnel	333,645	343,421	363,144	364,358	364,358	364,358
4	Executive Assistant Expenses	7,677	7,079	8,664	8,397	8,397	8,397
5	Election&Town Mtg. Personnel	7,588	28,085	24,732	39,782	39,782	39,782
6	Election&Town Mtg. Expenses	4,125	6,979	9,225	9,225	9,225	9,225
7	Legal Services Expenses	222,403	200,116	185,000	185,000	185,000	185,000
8	Building Maintenance Personnel	41,293	42,080	47,887	50,620	50,620	50,620
9	Building Maintenance Expenses	133,325	148,236	155,176	153,924	153,924	153,924
10	Personnel Expense Expenses	14,901	7,995	14,753	14,753	14,753	14,753
<b>Exec.Assistant Total</b>		<b>764,957</b>	<b>783,991</b>	<b>808,581</b>	<b>826,059</b>	<b>826,059</b>	<b>826,059</b>
11	Finance/IT Personnel	596,220	569,176	626,603	648,913	648,913	648,913
12	Finance/IT Expenses	125,800	125,713	132,275	136,539	136,539	136,539
<b>Finance/IT Total</b>		<b>722,020</b>	<b>694,889</b>	<b>758,878</b>	<b>785,452</b>	<b>785,452</b>	<b>785,452</b>
13	Town Clerk/Registrar Personnel	96,463	103,299	113,245	118,657	118,657	118,657
14	Town Clerk Expenses	8,249	8,594	9,130	8,464	8,464	8,464
<b>Town Clerk Total</b>		<b>104,712</b>	<b>111,893</b>	<b>122,375</b>	<b>127,121</b>	<b>127,121</b>	<b>127,121</b>
15	Moderator Expenses	110	110	110	110	110	110
16	Finance Committee Expenses	241	220	855	855	855	855
17	Board of Assessors Personnel	23,700	24,400	25,100	25,900	25,900	25,900
18	Board of Assessors Expenses	57,349	60,038	66,100	70,050	70,050	70,050
19	Board of Appeals Personnel	0	0	1,103	1,181	1,181	1,181
20	Board of Appeals Expenses	790	294	1,000	1,000	1,000	1,000
21	Conservation Com. Personnel	26,924	28,338	30,442	31,439	31,439	31,439 <sup>1</sup>
22	Conservation Com. Expenses	0	1,209	5,000	5,000	5,000	5,000
23	Planning Board Personnel	0	0	2,119	2,361	2,361	2,361
24	Planning Board Expenses	3,600	8,406	5,700	5,700	5,700	5,700
25	Municipal Light Board Personnel	3,542	3,792	3,900	3,900	3,900	3,900
26	Econ. Develop. Comm. Personnel	4,000	4,000	4,142	4,152	4,152	4,152
27	Econ. Develop. Comm. Expenses	2,898	700	1,600	1,600	1,600	1,600
28	Fort Meadow Comm. Expenses	1,745	1,898	2,050	2,300	2,300	2,300
29	Lake Boon Comm. Expenses	1,608	1,636	1,728	1,728	1,728	1,728
30	Historical District Comm. Expenses			500	500	500	500
<b>Bd. &amp;Comm. Total</b>		<b>126,507</b>	<b>135,041</b>	<b>151,449</b>	<b>157,776</b>	<b>157,776</b>	<b>157,776</b>

<sup>1</sup> Recommend that \$7,000 be taken from Conservation Receipts and applied to Line 21, Conservation Personnel.

31 Police Department	Personnel	2,452,063	2,505,409	2,672,081	2,762,191	2,762,191	2,762,191
32 Police Department	Expenses	258,693	262,103	258,306	270,792	270,792	270,792
<b>Police Dept. Total</b>		<b>2,710,756</b>	<b>2,767,512</b>	<b>2,930,387</b>	<b>3,032,983</b>	<b>3,032,983</b>	<b>3,032,983</b>
33 Fire Department	Personnel	2,117,443	2,138,300	2,272,995	2,344,845	2,344,845	2,344,845
34 Fire Department	Expenses	216,224	258,621	225,105	240,689	240,689	240,689
<b>Fire Dept. Total</b>		<b>2,333,667</b>	<b>2,396,921</b>	<b>2,498,100</b>	<b>2,585,534</b>	<b>2,585,534</b>	<b>2,585,534</b>
35 Inspections Dept.	Personnel	112,660	133,011	131,255	138,631	138,631	138,631
36 Inspections Dept.	Expenses	6,923	6,875	8,425	8,483	8,483	8,483
<b>Inspections Total</b>		<b>119,583</b>	<b>139,886</b>	<b>139,680</b>	<b>147,114</b>	<b>147,114</b>	<b>147,114</b>
37 DPW Snow & Ice	Personnel	219,077	199,004	199,006	199,006	199,006	199,006
38 DPW Snow & Ice	Expenses	209,889	147,312	127,500	127,500	127,500	127,500
39 Public Works	Personnel	2,055,176	2,153,068	2,343,452	2,455,955	2,455,955	2,455,955
40 Public Works	Expenses	2,011,772	2,051,964	2,123,227	2,326,901	2,326,901	2,326,901
<b>DPW Total</b>		<b>4,495,914</b>	<b>4,551,348</b>	<b>4,793,185</b>	<b>5,109,362</b>	<b>5,109,362</b>	<b>5,109,362</b>
41 Board of Health	Personnel	57,332	61,669	76,931	81,538	81,538	81,538
42 Board of Health	Expenses	9,298	32,660	28,900	15,600	15,600	15,600
<b>Health Total</b>		<b>66,630</b>	<b>94,329</b>	<b>105,831</b>	<b>97,138</b>	<b>97,138</b>	<b>97,138</b>
43 Council on Aging	Personnel	161,635	147,210	161,772	172,219	172,219	172,219
44 Council on Aging	Expenses	19,165	22,168	22,014	17,999	17,999	17,999
<b>COA Total</b>		<b>180,800</b>	<b>169,378</b>	<b>183,786</b>	<b>190,218</b>	<b>190,218</b>	<b>190,218</b>
45 Veterans' Services	Personnel	41,215	41,523	46,516	49,154	49,154	49,154
46 Veterans' Services	Expenses	56,837	43,065	53,300	52,700	52,700	52,700
<b>Veterans' Total</b>		<b>98,052</b>	<b>84,588</b>	<b>99,816</b>	<b>101,854</b>	<b>101,854</b>	<b>101,854</b>
47 Library	Personnel	409,036	419,984	437,775	459,259	459,259	459,259
48 Library	Expenses	164,954	173,270	179,135	178,997	178,997	178,997
<b>Library Total</b>		<b>573,990</b>	<b>593,254</b>	<b>616,910</b>	<b>638,256</b>	<b>638,256</b>	<b>638,256</b>
49 Recreation	Personnel	186,984	197,075	203,743	210,873	210,873	210,873
50 Recreation	Expenses	47,707	51,004	51,450	53,138	53,138	53,138
<b>Recreation Total</b>		<b>234,691</b>	<b>248,079</b>	<b>255,193</b>	<b>264,011</b>	<b>264,011</b>	<b>264,011</b>
51 Debt Service	Expenses	4,247,612	3,952,951	3,690,343	3,690,850	3,690,850	3,690,850
<b>Debt Total</b>		<b>4,247,612</b>	<b>3,952,951</b>	<b>3,690,343</b>	<b>3,690,850</b>	<b>3,690,850</b>	<b>3,690,850</b>
52 Pensions	Expenses	2,194,858	2,476,873	2,783,275	3,113,687	3,113,687	3,113,687 <sup>2</sup>
<b>Pension Total</b>		<b>2,194,858</b>	<b>2,476,873</b>	<b>2,783,275</b>	<b>3,113,687</b>	<b>3,113,687</b>	<b>3,113,687</b>
53 Group Health Ins.	Expenses	2,657,539	3,027,427	3,201,710	3,217,426	3,217,426	3,217,426 <sup>3</sup>
54 General Insurance	Expenses	615,533	675,484	720,099	663,275	663,275	663,275
<b>Insurance Total</b>		<b>3,273,072</b>	<b>3,702,911</b>	<b>3,921,809</b>	<b>3,880,701</b>	<b>3,880,701</b>	<b>3,880,701</b>

<sup>2</sup> Recommend that \$225,000 be taken from the Light & Power Surplus Account and \$252,228 be taken from the Pension Reserve Account and both be applied to Line 52, Contributory Retirement and Pensions.

<sup>3</sup> Recommend that \$833,863 be taken from the Stabilization Fund and applied to Line 53 Group Health Insurance.

		<u>FY06</u>	<u>FY07</u>	<u>FY08</u>	<u>School</u>	<u>Selectmen</u>	<u>FinCom</u>
		<u>Actual</u>	<u>Actual</u>	<u>Budget</u>	<u>Committee</u>	<u>Recommend</u>	<u>Recommend</u>
					<u>Request</u>		
55 Assabet Valley Regional	Expenses	1,611,216	1,631,066	1,636,271	1,596,311	1,596,311	1,596,311
<b>Assabet Valley Total</b>		<b>1,611,216</b>	<b>1,631,066</b>	<b>1,636,271</b>	<b>1,596,311</b>	<b>1,596,311</b>	<b>1,596,311</b>
56 Hudson Public Schools	Personnel	19,107,661	20,090,313	22,063,441	23,116,903	23,116,903	23,116,903 <sup>4</sup>
57 Hudson Public Schools	Expenses	3,079,657	3,533,985	2,987,519	3,331,951	3,331,951	3,331,951
<b>Hudson Public Schools Total</b>		<b>22,187,318</b>	<b>23,624,298</b>	<b>25,050,960</b>	<b>26,448,854</b>	<b>26,448,854</b>	<b>26,448,854</b>
58 Hudson Public Schools	Transportation	1,144,727	1,244,050	1,130,135	1,230,390	1,230,390	1,230,390
<b>Transportation Total</b>		<b>1,144,727</b>	<b>1,244,050</b>	<b>1,130,135</b>	<b>1,230,390</b>	<b>1,230,390</b>	<b>1,230,390</b>
<b>Hudson Public Schools Total</b>		<b>23,332,045</b>	<b>24,868,348</b>	<b>26,181,095</b>	<b>27,679,244</b>	<b>27,679,244</b>	<b>27,679,244</b>
<b>Total Operations</b>		<b>47,204,050</b>	<b>49,416,291</b>	<b>51,690,464</b>	<b>54,037,194</b>	<b>54,037,194</b>	<b>54,037,194</b>

<sup>4</sup> Recommend that \$639,987 be taken from Free Cash and applied to Line 56 Hudson Public Schools Personnel.

**Capital Plan**

To see if the Town will vote to authorize the sums needed to purchase items of equipment, and make Capital Improvements requested by the various departments, by taking from Available Funds the sum of Six Hundred Sixty Thousand and Thirteen Dollars (\$660,013) to be used for the purposes as described below to carry into effect the provisions of this article:

<b>Department:</b>	<b>Project:</b>	<b>Amount:</b>	<b>Source of Funds:</b>	<b>Fin Com Vote:</b>
<b>DPW</b>	Roadway Resurfacing	\$235,000	Available Funds	7-0
	DPW New Building Feasibility Study	\$25,000	Available Funds	7-0
	4 WD Utility	\$23,000	Available Funds	7-0
	4 WD S-10 Pickup (Sewer)	\$17,500	Available Funds	7-0
	Sander & Plow	\$110,250	Available Funds	7-0
	Backhoe (Sewer)	\$87,500	Available Funds	7-0
	Underground Storage Tanks Repairs	\$50,000	Available Funds	7-0
<b>Fire</b>	Brush Truck Chassis	\$51,039	Available Funds	7-0
<b>Police</b>	Police Cruisers (2)	\$60,724	Available Funds	7-0
<b><u>Total Capital:</u></b>		<b>\$660,013</b>		

Or take any other action relative thereto.

Executive Assistant, Director of Public Works, Police Chief, Fire Chief, Board of Selectmen

**Article 2: The Finance Committee unanimously recommends the adoption of the subject matter of this article and that the sum of \$660,013 be taken from available funds.**

**ARTICLE 3 Water Main Installations**

To see if the Town will vote to borrow pursuant to Massachusetts General Laws, Chapter 44, as amended, the sum of Nine Hundred Fifteen Thousand Dollars (\$915,000) for the installation of water mains and appurtenances in Murphy Road and in portions of White Pond Road, Parmenter Road and Hosmer Street in accordance with Article 36 of the March 1957 Town Meeting whereby the provisions of Chapter 40, Sections 42G, 42H and 42I of the Massachusetts General Laws were accepted so as to authorize the levy of special assessments to meet the cost of laying water pipes in public and private ways and that the Board of Selectmen be authorized to seek, accept, expend, and contract for any available State and/or Federal funds to be spent for the project providing that the total authorized sum shall be reduced by the amount of State and/or Federal funds obtained for the purpose of carrying out said project;

Or take any action relative thereto.

Director of Public Works  
Executive Assistant  
Board of Selectmen

**Article 3: The Finance Committee unanimously recommends the adoption of the subject matter of this article and that the sum of \$915,000 be borrowed.**

**ARTICLE 4 Rolling Lane Area Sewer Design & Construction**

To see if the Town will vote to borrow pursuant to Massachusetts General Laws, Chapter 44, as amended, the sum of One Million Six Hundred Eighty Thousand Dollars (\$1,680,000) for the design and construction of municipal sewer collection system and appurtenances in Rolling Lane, Rathbun Road, Four Bridges Road, a portion of River Road and a portion of Brigham Street, and that the Board of Selectmen be authorized to seek, accept, expend, and contract for any available State and/or Federal funds to be spent for the project providing that the total authorized sum shall be reduced by the amount of State and/or Federal funds obtained for the purpose of carrying out said project; and provided also that notwithstanding the Town Meeting Vote under Article 27, Town Meeting of March 3, 1958, betterments shall be assessed by a uniform unit method to owners of existing and potential sewer units to be served pursuant to the guidelines set forth in Massachusetts General Laws Chapter 83, Section 15;

Or take any action relative thereto.

Director of Public Works  
Executive Assistant  
Board of Selectmen

**Article 4: The Finance Committee unanimously recommends the adoption of the subject matter of this article and that the sum of \$1,680,000 be borrowed.**

**ARTICLE 5 Woodrow Street Area Sewer Design & Construction**

To see if the Town will vote to borrow pursuant to Massachusetts General Laws, Chapter 44, as amended, the sum of Five Hundred Eighty Thousand Dollars (\$500,000) for the design and construction of municipal sewer collection system and appurtenances in Woodrow Street, Birchwood Drive and a portion of Forest Avenue and that the Board of Selectmen be authorized to seek, accept, expend, and contract for any available State and/or Federal funds to be spent for the project providing that the total authorized sum shall be reduced by the amount of State and/or Federal funds obtained for the purpose of carrying out said project; and provided also that notwithstanding the Town Meeting Vote under Article 27, Town Meeting of March 3, 1958, betterments shall be assessed by a uniform unit method to owners of existing and potential sewer units to be served pursuant to the guidelines set forth in Massachusetts General Laws Chapter 83, Section 15; Or take any action relative thereto.

Director of Public Works

Executive Assistant  
Board of Selectmen

**Article 5: The Finance Committee unanimously recommends the adoption of the subject matter of this article and that the sum of \$500,000 be borrowed.**

**Reserve Fund**

To see if the Town will vote to adopt a Reserve Fund to provide for extraordinary or unforeseen expenditures or transfers, to be made to the departments only by vote of the Finance Committee, as provided for in Chapter 40, Section 6 of the Massachusetts General Laws as amended, and to raise and appropriate a total of One Hundred Thousand Dollars (\$100,000) to carry into effect the provisions of this article; or take any action relative thereto.

Executive Assistant  
Board of Selectmen

**Article 6: The Finance Committee unanimously recommends the adoption of the subject matter of this article.**

**ARTICLE 7 Additional Public Works Salaries**

To see if the town will vote to raise and appropriate the sum of Fifty-Seven Thousand and Forty Dollars (\$57,040), said sum to be added to line 40, Public Works Personnel, as appropriated at the Town Meeting held May 7, 2007, for the purpose of addressing a shortfall in the Personnel budget for the Public Works Department, or take any action relative thereto.

Director of Public Works  
Executive Assistant  
Board of Selectmen

**Article 7: The Finance Committee unanimously recommends the adoption of the subject matter of this article and that the sum of \$57,040 be raised and appropriated.**

**ARTICLE 8 Additional Elections Salaries**

To see if the town will vote to raise and appropriate the sum of Fourteen Thousand Nine Hundred and Twenty-Five (\$14,925), said sum to be added to line 5, Election & Town Meeting Personnel, as appropriated at the Town Meeting held May 7, 2007, for the purpose of addressing a shortfall in the Personnel budget for the Elections workers, or take any action relative thereto.

Town Clerk  
Executive Assistant  
Board of Selectmen

**Article 8: The Finance Committee unanimously recommends the adoption of the subject matter of this article and that the sum of \$14,925 be raised and appropriated.**

**ARTICLE 9 Additional Fire Department Expense**

To see if the town will vote to raise and appropriate the sum of Nineteen Thousand Two Hundred and Twelve Dollars (\$19,212), said sum to be added to line 35, Fire Department Expense, as appropriated at the Town Meeting held May 7, 2007, for the purpose of addressing a shortfall in the Expense budget for the Fire Department, or take any action relative thereto.

Fire Chief  
Executive Assistant  
Board of Selectmen

**Article 9: The Finance Committee unanimously recommends the adoption of the subject matter of this article and that the sum of \$19,212 be raised and appropriated.**

**ARTICLE 10 Youth Sports**

To see if the Town will vote to raise and appropriate the sum of Four Thousand and Three Hundred Dollars (\$4,300) to support Youth Sports, administered through the Park Commission, or take any action relative thereto.

Director of Recreation  
Park Commission  
Board of Selectmen

**Article 10: The Finance Committee unanimously recommends the adoption of the subject matter of this article and that the sum of \$4,300 be raised and appropriated.**

**ARTICLE 11 Acquisition of Land: 43 Brigham**

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, or take by eminent domain certain parcels of land, easements, interests and/or restrictions therein for developing a recreational use facility and for the protection of open space, now or formerly owned by Spoonhill Realty Trust, Neil and Geraldine Fossile, Trustees, consisting of 6.63 acres, more or less, and shown on Hudson Assessors Map

51, Parcel 8 and a "Plan of Land in Hudson, MA", said plan being recorded in the Middlesex South District Registry of Deeds as Plan 466 of 1980 in Book 13958 Page 401, owned by Raymond J. Curley Jr. & Robert F. Wood, plan by: Veo Associates Inc. of Hudson, MA, a copy of which is on file with the Town Clerk;

And further that said land be conveyed to the Town of Hudson for an amount no greater than Three Hundred Fifty Thousand Dollars (\$350,000) under the provisions of Chapter 44B as amended, The Community Preservation Act. Said land to be managed and controlled by the Hudson Park Commission who shall be authorized to file on behalf of the Town of Hudson any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts under the Urban Self-Help Act, Chapter 993, Acts of 1977, as amended, Federal Land and Water Conservation Fund, P.L. 88-568, 78 Stat 897, Mass. Community Development Block Grant funds, and/or any other grant or donation in any way connected with the scope of this Article, and the Town of Hudson Board of Selectmen and Park Commission be authorized to enter into all agreements and execute any and all instruments as may be necessary on behalf of Hudson to affect said purchase and development;

And notwithstanding the limitations set forth in Article I, Section 6.07 of the Town By-Laws, that the Selectmen as Law Committee of the Town have full and exclusive power and authority, as agents for the Town, to defend, settle, compromise, make agreements and order payments of any and all claims, suits and actions which may exist or arise from or on account of the acquisition by gift, lease, purchase or taking by eminent domain the parcel of land with structures and trees thereon, if any, and any easements or other rights to be taken for the purposes set forth in this Article;

And further that any amount hereunder be reduced by any state or federal grant amount obtained for the purposes of this land acquisition;

Or take any action relative thereto.

Park Commission  
Director of Recreation  
Board of Selectmen  
Community Preservation  
Committee

**Article 11: The Finance Committee unanimously recommends the adoption of the subject matter of this article.**

**ARTICLE 12 Community Preservation Reservation of Funds**

To see if the Town will vote to accept the recommendation of the Community Preservation Committee and to set aside and reserve from the **Community Preservation Fund** annual revenues or available funds in the following amounts:

**Reserves:**

From FY 2009 estimated revenues for Historic Resources Reserve	\$ 54,257.60
From FY 2009 estimated revenues for Community Housing Reserve	\$ 54,257.60
From FY 2009 estimated revenues for Open Space Reserve	\$ 54,257.60

From FY 2009 estimated revenues for Budgeted Reserve \$352,674.40

Or take any action relative thereto.

Executive Assistant  
Board of Selectmen  
Community Preservation  
Committee

**Article 12: The Finance Committee unanimously recommends the adoption of the subject matter of this article.**

**ARTICLE 13 Community Preservation Appropriations**

To see if the Town will vote to appropriate from the **Community Preservation Fund** annual revenues in the amounts recommended by the Community Preservation Committee for Committee administrative expenses and for community preservation projects in fiscal year 2009, with each item to be considered a separate appropriation:

- \$27,128.80** From FY 2009 estimated revenues for Committee Administrative Expenses
- \$23,000.00** From the Historic Resources Reserve for the Hudson Historic Society's Inventory Project
- \$50,000.00** From Open Space Reserve for the purchase of 43 Brigham Street
- \$300,000.00** From Budgeted Reserve for the purchase of 43 Brigham Street

Or take any action relative thereto.

Executive Assistant  
Board of Selectmen  
Community Preservation  
Committee

**Article 13: The Finance Committee unanimously recommends the adoption of the subject matter of this article.**

**Cable Television Receipts**

To see if the Town will vote to authorize the Treasurer to deposit any payments required of any Hudson Cable Television Licensee for the fiscal year ending June 30, 2009. Said payments shall constitute the Hudson Cable Television Services Fund and shall be utilized

for the purposes set forth and in accordance with the terms and conditions specified within the license agreements between the licensee and the Town. And further to see if the Town will authorize the Executive Assistant to expend those funds with the approval of the Board of Selectmen; or take any other action relative thereto.

Executive Assistant  
Board of Selectmen

**Article 14: The Finance Committee unanimously recommends the adoption of the subject matter of this article.**

**ARTICLE 15 Revolving Fund Articles**

To see if the Town will vote to establish and authorize the use of revolving fund accounts pursuant to the provisions of Massachusetts General Law Chapter 44, Section 53E 1/2 as amended for the purposes, maximum expenditure, and authority to spend as outlined in the table below. Funds expended for these purposes may be used independently or in conjunction with other public or private funds provided for these same purposes.

<b>Title</b>	<b>Max Amount</b>	<b>Source of Fees and Use of Funds</b>	<b>Authority to Expend Funds</b>
Hazardous Materials Revolving Fund	\$20,000	Applying fees received for services provided at hazardous material release incidents, contingency planning activities, site assessments, and public training for replacement of equipment, materials, and the costs of labor involved with personnel through June 30, 2009.	Fire Chief
Fire Alarm Revolving Fund	\$30,000	Applying fees received from users of the services provided by the Fire Department's Fire Alarm Division for the extension of the Municipal Fire Alarm System through June 30, 2009.	Fire Chief
Infiltration and Inflow Revolving Fund	\$300,000	Applying fees received for Sewer Extension Permits to the reduction of Infiltration and Inflow into the Wastewater Collection System throughout the Town and expending funds for technical assistance and or direct mitigation of existing sources of Infiltration and Inflow through June 30, 2009.	DPW Director
Real Estate Tax File Revolving Fund	\$15,000	Applying fees received for Electronic Real Estate Tax Files to the printing of Real Estate Tax Bills and for the printing, stuffing and mailing of Real Estate Tax Bills through June 30, 2009.	Finance Director
Inspections Fees Revolving Fund	\$75,000	Applying fees charged to the recipients of inspections to be utilized to fund the cost of providing plumbing, electrical, and building inspections by part-time qualified inspectors through the period ending June 30, 2009.	Building Commissioner
School Department Professional Development Revolving Fund	\$20,000	To support Professional Development Programs within the Hudson Public Schools; To hire instructors, purchase instructional materials, reimburse travel and lodging costs, and other expenses as incurred in the development and operation of these programs through June 30, 2009.	Superintendent of Schools

Or take any other action relative thereto.

Executive Assistant, Fire  
Chief, Finance Director, DPW  
Director, Board of Selectmen,  
Building Commissioner,  
School Committee

**Article 15: The Finance Committee unanimously recommends the adoption of the subject matter of this article.**

**ARTICLE 16 Light and Power Surplus Account**

To see if the Town will appropriate the receipts of the Light and Power Department for the operation, maintenance, expenses, repairs and construction for the Department for the fiscal year ending June 30, 2009, as defined in Section 57 and 58, Chapter 164 of the General Laws (1921) of Massachusetts, as thereafter amended, and that if there shall be any unexpended balance as of December 31, 2008, an amount not to exceed two hundred twenty-five thousand dollars (\$225,000) of the same shall be transferred to the Light and Power Surplus Account.

Municipal Light Board  
Board of Selectmen

**Article 16: The Finance Committee unanimously recommends the adoption of the subject matter of this article.**

**ARTICLE 17 Annual Town Reports**

To hear the reports of the Town Officers, Boards and outstanding Committees and to act thereon.

Board of Selectmen

**Article 17: The Finance Committee unanimously recommends the adoption of the subject matter of this article.**

**ARTICLE 18 Borrowing In Anticipation of Revenue**

To see if the Town will vote to authorize the Town Treasurer/Collector, with the approval of the Board of Selectmen, to borrow money from time to time in anticipation of the revenue of the fiscal year beginning July 1, 2008, in accordance with the provisions of the Massachusetts General Laws, Chapter 44, Section 4, as amended, and to issue a note or notes therefor, payable within one year, and to renew any note or notes as may be given for a period of less than one year in accordance with General Laws, Chapter 44, Section 17, as amended; or take any action relative thereto.

Executive Assistant  
Board of Selectmen

**Article 18: The Finance Committee unanimously recommends the adoption of the subject matter of this article.**

**ARTICLE 19 Rescind Authorizations to Borrow**

To see if the Town will vote to rescind the unobligated balances of previous loan authorizations as listed below:

<b>Authorized</b>	<b>Purpose</b>	<b>Balance</b>
Article 9 - 5/95 Town Meeting	Hearthstone Sewer	\$1,192
Article 25 - 11/96 Town Meeting	Farley School Design	\$132,000
Article 28 - 5/97 Town Meeting	Farley School Reconstruction	\$104
Article 21 - 5/97 Town Meeting	Septic Mgmt. Program	\$61,375
Article 5 - 5/98 Town Meeting	Town Hall Renovations	\$36
Article 6 - 5/98 Town Meeting	Assabet Rail Trail	\$275,000
Article 8 -11/99 Town Meeting)	High School Design Funds	\$1,100,000

Or take any action relative thereto.

Executive Assistant  
Board of Selectmen  
Director of Finance

**Article 19: The Finance Committee unanimously recommends the adoption of the subject matter of this article.**

**ARTICLE 20 Accept Deed in Lieu of Foreclosure, Laurel Drive**

To see if the Town will vote to accept a Quitclaim Deed from Zamir Inc. owner of a certain parcel of land designated 53 Laurel Drive, valued at Fifty Nine Thousand and Nine Hundred Dollars (\$59,900), and shown as Parcel A on plan, a copy of which is on file in the Office of the Town Clerk, entitled "Definitive Subdivision Plan of Danforth Woods Revised, in Hudson, Mass., Owner & Applicant Danforth Woods Development Trust Thomas Land Surveyors Inc., Scale 1" = 40' September 20, 1988" consisting of 53,187 square feet more or less and recorded at the Middlesex South Registry of Deeds Book 25742 Page 398 Assessor's Map 10 Parcel 60, pursuant to the authority of M.G.L. C.60 section 77C. Being a portion of the same premises conveyed to Grantor by deed recorded in the Middlesex South Registry of Deeds Book 26753 Page 55, or take any action relative thereto.

Executive Assistant  
Board of Selectmen  
Director of Finance

**Article 20: The Finance Committee unanimously recommends the adoption of the subject matter of this article.**

**ARTICLE 21 Coolidge Street Traffic Easement**

To see if the Town will authorize the Board of Selectmen to acquire by gift an easement over a certain parcel of land and interests therein for the purpose of obtaining a secure and public right of way for the operation and maintenance of a traffic control signal, loop detectors, signage, pavement markings and any other traffic signal appurtenances on Coolidge Street at the easterly drive to Highland Commons. Said parcel of land located in the Town of Hudson, County of Middlesex, Massachusetts is shown on a plan, a copy of said plan being on file with the Town Clerk’s Office, entitled “ Traffic Signal Easement Plan, Hudson, Ma., Prepared by: Vanasse Hangen Brustlin, Inc., Scale: 1” = 40’, Date: 5/22/07” and further described as follows:

Beginning at a point 40’ from the centerline on the southerly side of Coolidge Street at station 55+12.00;

- Thence, S 55-24-04 E 41.85’ to a point;
- Thence, S38-13-48 E 26.32’ to a point;
- Thence, S 07-26-09 E 47.24’ to a point;
- Thence, S 70-36-24 E 101.18’ to a point;
- Thence, N 19-49-01 E 88.24’ to a point;
- Thence, N 59-50-52 E 17.39’ to a point;
- Thence, N 80-27-54 W 200.00’ to the point of beginning.

And notwithstanding the limitations set forth in Article I, Section 6.07 of the Town By-Laws, that the Selectmen as Law Committee of the Town have full and exclusive power and authority, as agents for the Town, to defend, settle, compromise, make agreements and order payments of any and all claims, suits, and actions which may exist or arise from or on account of the acquisition by gift, lease, purchase or taking by eminent domain the parcel of land with structures and trees thereon, if any, and any easements or other rights to be taken for the purpose set forth in this Article;

And further to see if the Town will vote to take from available funds the sum of One Hundred Dollars (\$100.00) to carry out the provisions of this article;

Or take any action relative thereto.

Director of Public Works  
Board of Selectmen

**Article 21: The Finance Committee unanimously recommends the adoption of the subject matter of this article.**

**ARTICLE 22 Aquire land for Widening of Washington Street**

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, or take by eminent domain certain parcels of land, easements and or interests therein for the purpose of obtaining additional land for the widening of Washington Street, said land is comprised of two parcels located in the Town of Hudson, County of Middlesex, Massachusetts, being Parcels A and B, which parcels contain approximately one square feet and 8,181± square feet respectively, and are a portion of Assessors Map 64, Parcel 30, now or formerly owned by Richmond Hudson Development, LLC and

Federated Construction, LLC respectively. Said parcels are shown on a plan entitled "Plan of Land in the Town of Hudson, Massachusetts, Prepared for: The Richmond Company, 23 Concord Street, Wilmington, MA 01887, Prepared by: Control Point Associates, Inc. dated 2-04-08, a copy of which plan is on file in the Office of The Town Clerk. Said parcel is more particularly described as follows:

Parcel A

Beginning at a point on the dividing line between Lot 1 and Lot 2, said point being set 55.14 feet easterly at right angles to the highway centerline of Washington Street (a.k.a. Massachusetts state highway Route 85, public variable width), at station 15+03.00 as shown on a plan entitled "The Commonwealth of Massachusetts, plan of road in the Town of Hudson, Middlesex County, altered and laid out as a state highway by the department of Public works", dated December 27, 1990, layout #6991, and from said point of beginning running thence; proceeding through Lot 1, the following two (2) courses:

Thence, North 67 degrees – 21 minutes – 29 Seconds East, a distance of 1.57 feet to a point;

Thence, along a non-tangent curve to the left having a radius of 865.00 feet, a central angle of 00 degrees – 07 minutes – 02 seconds, and an arc length of 1.77 feet, also bearing a chord of south 22 degrees – 41 minutes – 33 second East, a chord distance of 1.77 feet to a point;

Thence, along the dividing line between Lot 1 and Lot 2, north 64 degrees – 07 minutes – 50 seconds west, a distance of 2.36 feet to the point and place of beginning.

Containing 1 square foot or 0.00 acre

Parcel B

Beginning at a point on the easterly line of Washington Street (a.k.a. Massachusetts State Highway Route 85, public variable width), said point being set 41.70 feet easterly at right angles to the Highway centerline at station 15+03.00 as shown on a plan entitled "The Commonwealth of Massachusetts, plan of road in the Town of Hudson, Middlesex County, altered and laid out as a State Highway by the Department of Public Works", dated December 27, 1990, layout #6991, and from said point of beginning running;

Thence, along a line through Lot 2, North 67 degrees – 21 minutes – 29 seconds East, a distance of 13.44 feet to a point on the dividing line between Lot 2 and Lot 1;

Thence, along said dividing line, South 64 degrees – 07 minutes – 50 seconds East, a distance of 2.36 feet to a point;

Thence, proceeding through Lot 2, the following three (3) courses:

Thence, along a non-tangent curve to the left having a radius of 865.00 feet, a central angle of 08 degrees – 37 minutes – 18 seconds, and an arc length of 130.16 feet, also bearing a chord of South 27 degrees – 03 minutes – 43 seconds East, a chord distance of 130.04 feet to a point of tangency;

Thence, south 31 degrees – 22 minutes – 22 seconds East, a distance of 238.05 feet to an angle point;

Thence, south 37 degrees – 27 minutes – 28 seconds East, a distance of 173.59 feet to a point;

Thence, along the dividing line between Lot 2 and Lot 34 (n/f lands of 1 Cabot Road Hudson, LLC), South 52 degrees – 32 minutes – 32 seconds West, a distance of 15.00 feet to a rebar found;

Thence, proceeding along the easterly line of Washington Street (a.k.a. Massachusetts State Highway Route 85, public, variable width), the following three (3) courses;

Thence, North 37 degrees – 27 minutes – 28 seconds West, a distance of 174.39 feet to a stone bound found;

Thence, North 31 degrees – 22 minutes – 22 seconds West, a distance of 238.85 feet to a point of curvature marked by a stone bound found;

Thence, along a curve to the right having a radius of 880.00 feet, a central angle of 08 degrees – 44 minutes – 20 seconds, and an arc length of 134.22 feet, also bearing a chord of North 27 degrees – 00 minutes – 12 seconds West, a chord distance of 134.09 feet to the point and place of beginning.

Containing 8,181 square feet or 0.188 acre

And notwithstanding the limitations set forth in article I, section 6.07 of the Town By-Laws, that the Selectmen as Law Committee of the Town have full and exclusive power and authority, as agents for the Town, to defend, settle, compromise, make agreements and order payments of any and all claims, suits and actions which may exist or arise from or on account of the acquisition by gift, lease, purchase or taking by eminent domain the parcel of land with structures and trees thereon, if any, and easements or other rights to be taken for the purpose set forth in this Article;

Or take any other action relative thereto.

Executive Assistant  
Board of Selectmen

**Article 22: The Finance Committee unanimously recommends the adoption of the subject matter of this article.**

**ARTICLE 23 Acquire Easement on Technology Drive**

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, or take by eminent domain certain parcels of land, easements and or interests therein for the purpose of obtaining an easement for maintenance, repair and public pedestrian access, and to obtain a secure and public right of way, said acquisition relates to a sidewalk to be constructed along Technology Drive, said easement area is located in the Town of Hudson, County of Middlesex, Massachusetts, and is situated on the southerly side of Technology Drive, being shown as: “10’ Sidewalk Maintenance Easement in Favor of the Town of Hudson for Purposes of Sidewalk Maintenance, Repair and Public Pedestrian Access contains 3,068 S.F. or 0.070 acres.”, and is a portion of Assessors Map 64 Parcel 30, now or formerly owned by Richmond Hudson Development, LLC. Said parcel is shown on a plan entitled “Plan of Easement in the Town of Hudson, Massachusetts, Prepared for; The Richmond Company, 23 Concord Street, Wilmington, Ma. 01887, Prepared by: Control Point Associates, Inc. dated 2/04/08.” a copy of which

plan is on file in the Office of the Town Clerk. Said Easement is more particularly described as follows:

Beginning at a stone bound with drill hole found where the southerly line of Technology Drive (80 foot wide, public, 1979 Town layout) intersects the easterly line of Washington Street (a.k.a. Massachusetts State Highway Route 85, public, variable width), said stone bound being set 85.26 feet easterly at right angles to the highway centerline at station 18+02.05 as shown on a plan entitled "The Commonwealth of Massachusetts, plan of road in the Town of Hudson, Middlesex County, altered and laid out as a State Highway by the Department of Public Works", dated December 27, 1990, layout #6991, and from said point of beginning running;

Thence, along the southerly line of Technology Drive, North 75 degrees– 25 minutes – 41 seconds east, a distance of 79.23 feet to an angle point;

Thence, continuing along same, North 81 degrees – 39 minutes – 56 seconds East, a distance of 30.81 feet to a point of curvature;

Thence, continuing along same along a curve to the left having a radius of 540.00 feet, a central angle of 20 degrees – 49 minutes – 20 seconds, and an arc length of 196.25 feet, also bearing a chord of North 71 degrees – 15 minutes – 16 seconds East, a chord distance of 195.17 feet to a point;

Thence, along the dividing line between Lot 1 and Lot 3, South 14 degrees – 58 minutes – 33 seconds East, a distance of 10.31 feet to a point;

Thence, proceeding through Lot 1, the following four (4) courses;

Thence, along a non-tangent curve to the right having a radius of 550.00 feet, a central angle of 20 degrees – 33 minutes – 33 seconds, and an arc length of 197.35 feet, also bearing a chord of South 71 degrees – 23 minutes – 09 seconds West, a chord distance of 196.30 feet to a point of tangency;

Thence, South 81 degrees – 39 minutes – 56 seconds West, a distance of 30.29 feet to a point;

Thence, South 75 degrees – 25 minutes – 41 seconds West, a distance of 79.75 feet to a point;

Thence, North 08 degrees – 21 minutes – 12 seconds West, a distance of 10.06 feet to the point and place beginning.

Containing CONTAINING 3,068 SQUARE FEET OR 0.070 ACRE

And notwithstanding the limitations set forth in Article I, Section 6.07 of the Town By-Laws, that the Selectmen as Law Committee of the Town have full and exclusive power and authority, as agents for the Town, to defend, settle, compromise, make agreements and order payments of any and all claims, suits and actions which may exist or arise from or on account of the acquisition by gift, lease, purchase or taking by eminent domain the parcel of land with structures and trees thereon, if any, and any easements or other rights to be taken for the purposes set forth in this Article;

Or take any other action relative thereto.

Executive Assistant  
Board of Selectmen

**Article 23: The Finance Committee unanimously recommends the adoption of the subject matter of this article.**

**ARTICLE 24 Street Acceptance: Freeman Circle**

To see if the Town will vote to accept the layout of Freeman Circle as a town way as shown on Plan entitled, "Street Acceptance Plan of Freeman Circle, Hudson, MA, Scale: 1" = 40'. November 7, 2007, Plan by: InLand Survey, Inc., dba Zanca Land Surveying, 16 Gleasondale Road, Suite 1-2, Stow, Massachusetts", a print of which has been duly filed in the office of the town clerk of Hudson, Massachusetts. Said new road being more particularly described as follows:

Beginning at a concrete bound with drill hole on the northerly side of Brigham Street at a point of curvature;

Thence by a curve to the left having a radius of 30.00 feet a length of 46.47 feet to a concrete bound with drill hole point of tangency;

Thence running N05°-05'-44"W a distance of 67.25 feet to a concrete bound with drill hole point of curvature;

Thence running by a curve to the right having a radius of 275.00 feet a length of 242.42 feet to a concrete bound with drill hole point of tangency;

Thence running N45°-24'-46"E a distance of 101.33 feet to a concrete bound with drill hole point of curvature;

Thence by a curve to the left having a radius of 30.00 feet a length of 27.40 feet to a concrete bound with drill hole point of reverse curvature;

Thence running by a curve to the right having a radius of 60.00 feet a length of 298.10 feet to concrete bound with drill hole point of reverse curvature;

Thence running by a curve to the left having a radius of 30.00 feet a length of 27.40 feet to a concrete bound with drill hole point of tangency;

Thence running S45°-24'-46"W a distance of 101.33 feet to a concrete bound with drill hole point of curvature;

Thence running by a curve to the left having a radius of 225.00 feet a length of 198.35 feet to a concrete bound with drill hole point of tangency;

Thence running S05°-05'-44"E a distance of 67.05 feet to a concrete bound with drill hole point of curvature;

Thence running by a curve to the left having a radius of 30.00 feet a length of 47.12 feet to a concrete bound with drill hole point of tangency on the northerly side of Brigham Street;

Thence running by the northerly side of Brigham Street S84°-54'-16"W a distance of 100.27 feet to a point.

Thence still running by the northerly side of Brigham Street S83°-39'-47"W a distance of 9.08 feet to the point of beginning.

Said area of Freeman Circle being 33,358± sq. feet;

Or take any other action relative thereto.

Planning Board

**Article 24: The Finance Committee unanimously recommends the adoption of the subject matter of this article.**

**ARTICLE 25 Drainage Easement No. 1 - Freeman Circle**

To see if the Town will vote to accept a Drainage and Grading Easement as shown on a plan entitled, "Street Acceptance Plan of Freeman Circle, Hudson, MA, Scale 1" = 40', November 7, 2007, Plan by: InLand Survey, Inc., dba Zanca Land Surveying, 16 Gleasondale Road, Suite 1-2, Stow, Massachusetts", a print of which has been duly filed in the office of the town clerk of Hudson, Massachusetts. Said Drainage and Grading Easement being more particularly described as follows:

Beginning at a concrete bound on the easterly side of Freeman Circle and running N85°-00'-00"E a distance of 199.88 feet to a point;

Thence running S28°-21'-23"W a distance of 36.07 feet to a point on the northerly side of Brigham Street;

Thence running by the northerly side of Brigham Street S85°-09'-02"W a distance of 100.00 feet to a point;

Thence running by the northerly side of Brigham Street S84°-54'-16"W a distance of 50.00 feet to a concrete bound with drill hole on the easterly side of Freeman Circle at a point of curvature;

Thence running by the easterly side of Freeman Circle by a curve to the right having a radius of 30.00 feet a length of 47.12 feet to the point of beginning.

Said area of said drainage and grading easement being 5,500± square feet.

Or take any other action relative thereto.

Planning Board

**Article 26: The Finance Committee unanimously recommends the adoption of the subject matter of this article.**

**ARTICLE 26 Drainage Easement No. 2 – Freeman Circle**

To see if the Town will vote to accept a Drainage and Grading Easement as shown on a plan entitled, "Street Acceptance Plan of Freeman Circle, Hudson, MA, Scale 1" = 40', November 7, 2007, Plan by: InLand Survey, Inc., dba Zanca Land Surveying, 16 Gleasondale Road, Suite 1-2, Stow, Massachusetts", a print of which has been duly filed in the office of the town clerk of Hudson, Massachusetts. Said Drainage and Grading Easement being more particularly described as follows:

Beginning at lot corner point at Lot 3 and Lot 10 on the easterly side of Freeman Circle thence running by the easterly side of Freeman Circle and Lot 10 on a curve to the right having a radius of 225.00 feet a length of 20.75 feet to a point;

Thence running N86°-45'-01"E a distance of 277.82 feet to a point;

Thence running S32°-24'13"W a distance of 24.61 feet to lot corner of Lot 10 and Lot 3;

Thence running by Lot 3 S28°-21'-23"W a distance of 11.74 feet to a point;

Thence running S86°-45'-01"W a distance of 264.83 feet to a point on a curve on the easterly side of Freeman Circle;

Thence running by the easterly side of Freeman Circle on a curve to the right having a radius of 225.00 feet a length of 10.20 feet to the point of beginning.

Said area of said drainage and grading easement being 8,140± square feet.

Or take any other action relative thereto.

Planning Board

**Article 26: The Finance Committee unanimously recommends the adoption of the subject matter of this article.**

**ARTICLE 27 Sale of Land on South Street**

To see if the Town will authorize the Board of Selectmen to sell and convey for the sum of Forty Eight Thousand Three Hundred and Seventy Seven Dollars (\$48,377) to Pizzemento Family Realty Trust a certain parcel of land comprising approximately 1870 square feet located adjacent to the existing southerly and westerly property lines of the existing building at 29 South Street as depicted as parcel 1C on a plan entitled PLAN OF LAND IN HUDSON MA., owned by: Town of Hudson; Plan for: Nicholas Pizimento (sic) Scale 1" = 20'; February 4, 2008, Plan by: Inland Survey, Inc. dba Zanca Land Surveyors Inc. 16 Gleasondale Road, Stow, MA. A copy of said plan being on file in the office of the Town Clerk; and that the Board of Selectmen be authorized and empowered to execute, sign, seal, acknowledge and deliver in the name of and on behalf of the Town such deeds and instruments as to be necessary and proper in connection therewith:

Or take any other action relative thereto.

Board of Selectmen  
Executive Assistant

**Article 27: The Finance Committee unanimously recommends the adoption of the subject matter of this article.**

**ARTICLE 28 Remove Police Captain Position from Civil Service**

To see if the Town will vote to petition the General Court pursuant to the provisions of Section 8 of Article LXXXIX of the Amendments to the State Constitution for a Special Law substantially in the following form:

AN ACT EXEMPTING THE POSITION OF POLICE CAPTAIN IN THE TOWN OF HUDSON FROM THE PROVISIONS OF THE CIVIL SERVICE LAW

Be it enacted, by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 1. The position of Police Captain in the Town of Hudson shall be exempt from the provisions of Chapter thirty-one of the General Laws.

Section 2. The provisions of Section one should not impair the civil service status of any person holding the position of Police Captain on the effective date of this act.

Section 3. This act shall take effect upon its passage.

Or take any action relative thereto.

Executive Assistant  
Board of Selectmen

***Article 28: The Finance Committee unanimously recommends the adoption of the subject matter of this article.***

***ARTICLE 29 Amend Zoning By-Laws: Floodplain/Wetland District***

To see if the Town will vote to amend the Zoning By-Laws, pursuant to Chapter 40A of the Massachusetts General Laws, by making the following changes:

Delete section 5.7.2 in its entirety and replaces it with a new section 5.7.2 as follows:

**5.7.2 Floodplain District Boundaries and Base Flood Elevation and Floodway Data**

5.7.2.1 The Floodplain District is an overlay district as specified in Section 5.7.3.1. The District includes all special flood hazard areas designated on the Hudson Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program (NFIP) dated December 15, 1979 as Zone A, AE, AH, AO, A1-30, A99, V, V1-30, VE, and the FEMA Flood Boundary & Floodway Map dated December 15, 1979 both of which maps indicate the 100-year regulatory floodplain. The exact boundaries of the district may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Flood Insurance Study booklet dated June 1979. The FIRM, Floodway Maps and Flood Insurance Study booklet are incorporated herein by reference and made a part hereof and are on file with the Town Clerk, Building Commissioner, Conservation Commission and the Assessor's office.

5.7.2.2 Base Flood Elevation and Floodway Data

5.7.2.2.1 Floodway Data. In Zones A, A1-30 and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local or other floodway data shall be used to prohibit encroachments in floodways that would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

5.7.2.2.2 Base Flood Elevation Data. Base flood elevation data is required for subdivision proposals or other developments greater than 50 lots or 5 acres, whichever is the lesser, within unnumbered A zones.

Add a new section 5.7.5 as follows:

**5.7.5 Notification of Watercourse Alteration**

In a riverine situation, the Conservation Commission Administrator/Agent shall notify the following of any alteration or relocation of a watercourse:

Adjacent Communities including Marlboro, Sudbury, Stow, Bolton and Berlin

NFIP State Coordinator  
Massachusetts Department of Conservation and Recreation or its successor  
251 Causeway Street, Suite 800  
Boston, MA 02114-2104

NFIP Program Specialist  
Federal Emergency Management Agency, Region 1 or its successor  
99 High Street, 6<sup>th</sup> Floor  
Boston, MA 02110

Add a new section 5.7.6 as follows:

**5.7.6 Other Regulations**

All development in the district, including structural and non-structural activities, whether permitted by right or by special permit must be in compliance with Chapter 131, Section 40 of the Massachusetts General Laws and with all applicable State and Federal regulations.

To the extent applicable, any variances granted to the local requirements contained herein, shall not constitute variances as to other State and Federal regulations. Any variances from the provisions and requirements of the applicable State regulations may only be granted in accordance with the required variance procedures of applicable state regulations.

Or take any action relative thereto.

Planning Board

**Article 29: The Finance Committee unanimously recommends the adoption of the subject matter of this article.**

**ARTICLE 30 Petitioned Article: Addictions Referral Center**

To see if the Town will vote to raise and appropriate the sum of Five Thousand Dollars (\$5,000.00) to assist the Addictions Referral Center in Marlboro in its efforts to provide assistance to persons from Hudson and surrounding communities who have problems with alcohol and/or other substance abuse, said funds to be expended under the direction of the Executive Assistant and the Board of Selectmen, or take any action relative thereto.

Petitioned by Catherine A Warner, et. Al

**Article 30: The Finance Committee unanimously recommends the adoption of the subject matter of this article.**

**ARTICLE 31 Petitioned Article: Repair & Maintenance of Lakeshore Drive**

To see if the Town will vote to grant the petition of the property owners of Lakeshore Drive, which petition has been duly file with Office of the Town Clerk, to authorize the construction, reconstruction, resurfacing, and repair of Lakeshore Drive, a private road, in accordance with the provisions of Section 27 of Article VI of the general Bylaws of the Town of Hudson, as amended, or take any other active relative thereto.

Petitioned by Robert F. Jones, et. Al

**Article 31: The Finance Committee unanimously recommends the adoption of the subject matter of this article.**

**ARTICLE 32 Petitioned Article: Wind Energy Conversion Systems**

We the undersigned registered voters of the Town of Hudson, hereby petition the Board of Selectman of the Town to insert the following article in the Warrant for the ANNUAL Town Meeting to be held May 5, 2008.

**WIND ENERGY CONVERSION SYSTEMS (WECS).**

- 1. Purpose.** The purpose of this section is to provide for the development and use of wind power as an alternative energy source, while protecting public health, safety and welfare, preserving environmental, historic and scenic resources, controlling noise levels and preventing electromagnetic interference.
- 2. Applicability.** Any application to erect a structure that utilizes energy from wind shall comply with this section.

**3. Definitions.**

1. Wind Energy Conversion Systems (WECS): All equipment, machinery and structures utilized in the connection with the conversion of wind to other forms of energy whether commercial or residential.
2. Commercial Wind Energy System (CWES): A wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity greater than 15 kW, located in a designated commercial district.

WECS located in commercial districts by commercial entities with a rated capacity of not more than 15 kW shall be permitted as residential.

WECS serving neighborhoods or multiple residences are encouraged however; proposals shall be permitted as a CWES, allowed in residential districts.

3. Residential Wind Energy System (RWES): A wind energy conversion system consisting of a wind turbine, and associated control or conversion electronics, which has a rated capacity of not more than 15 kW, located on a single lot, intended as an accessory use in a designated residential district or in connection with any residential use in a designated commercial district, not more than one (1) tower per lot or on contiguous lots held in common ownership. Maximum wind turbine height 100 feet.
  4. Wind Turbine: A single device that converts wind to electricity or other forms of energy, typically consisting of a rotor and blade assembly, electrical generator, and tower with or without guy wires.
- 4. Special Permit Granting Authority:** The Planning Board is hereby established as the Special Permit Granting Authority (SPGA) in connection with construction of Wind Energy Conversion Systems (WECS).

The SPGA shall grant a Special Permit only if it finds that the proposal complies with the provisions of this bylaw (unless waived) and is consistent with the applicable criteria for granting special permits.

**5. Development Requirements.** The following requirements apply to all Wind Energy Conversion Systems (WECS).

1. Proposed WECS shall be consistent with all applicable local, state and federal requirements, including but not limited to all applicable electrical, construction, noise, safety, environmental and communications requirements.
2. Applicants shall provide a description of WECS including technical, economic, environmental, and other reasons for the proposed location, height and design.
3. **Tower height.**
  - a) CWES. Height limited by special permit. The SPGA shall make a finding that the height proposed is necessary for adequate operation of the CWES.
  - b) RWES. Maximum height one-hundred (100) feet. This height may be exceeded as part of the special permit process if the applicant can

demonstrate that additional height is needed and that the additional benefits of the higher wind turbine do not increase any adverse impacts.

4. Monopole towers are the preferred type of support.
5. **Height Calculation.** Overall height of the wind turbine shall be measured from the land in its natural state prior to grading or filling to the highest point reached by any part of the wind turbine.
6. **Setbacks.** (See figures A and B) The minimum setback for the wind turbine shall be maintained equal to the overall engineer designed fall zone from all boundaries of the site on which the WECS is located.
  - a) No part of the WECS support structure, including guy wire anchors, may extend closer to the property boundaries than the standard structure setbacks for the zone where the land is located.
  - b) WECS shall be setback a distance of four times the blade length from ways, drives, access easements, trails, ascertainable paths and above ground utility lines.
  - c) The Planning Board may reduce setbacks distances for the WECS with the permission of the abutting property owner(s) together with a recorded easement depicting such agreement.
- 7) **Wetlands.** No part of a WECS shall be located within the jurisdiction of the Bourne Conservation Commission unless issued an Order of Conditions.
- 8) **Noise.** The WECS and associated equipment shall conform to the Massachusetts noise regulation (310 CMR 7.10). An analysis, prepared by a qualified engineer, shall be presented to demonstrate compliance with these noise standards and be consistent with Massachusetts Department of Environmental Protection guidance for noise measurement.
  - a) Manufacturers specifications may be accepted when in the opinion of the Planning Board the information provided satisfies the above requirements.
  - b) Upon notification of a complaint of excessive noise the property owner shall be responsible for supplying ambient and operating decibel measurements at the nearest point from the wind turbine to the property line of the complainant and to the nearest inhabited residence, to the Inspector of Buildings.
  - c) If the noise levels are found to have exceeded allowable limits the Inspector of Buildings shall notify in writing the owner of the property to correct the violation. If the noise violation is not remedied within 30 days the WECS shall remain inactive until the noise violation is remedied which may include relocation or removal.
- 7) **Shadowing/Flicker.** The WECS shall be sited in a manner that does not result in significant shadowing or flicker impacts. The applicant has the burden of proving that this effect does not have significant adverse impact on neighboring or adjacent uses either through siting or mitigation.
- 8) **Prevention of Access.** The applicant/owner shall ensure that all related components of the WECS are protected from unlawful access.
- 9) **Visual Impact.** The applicant shall employ all reasonable means, including landscaping and alternative locations, to minimize the visual impact of all WECS components. All components of the WECS and its support structure shall be painted plain non-reflective muted colors without graphics or other decoration.

- 10) **Electromagnetic interference.** No WECS installation shall cause electromagnetic interference.  
If interference is established the Inspector of Buildings shall notify in writing the owner of the property to correct the violation. If the interference is not remedied within 30 days the WECS shall remain inactive until the interference is remedied, which may include relocation or removal
- 11) **Lighting.** If lighting is proposed (other than required FAA lights) the applicant shall submit a plan indicating the horizontal foot candles at grade, within the property line and twenty-five (25) beyond the property lines. The plan shall also indicate the locations and types of luminaries proposed.
- 12) Provisions for inspection and maintenance must be submitted.

**6. Procedural Requirements:**

- 1) **Site Plan.** A site plan must be submitted, prepared to scale showing the location of the proposed WECS, distances to all property lines, existing and proposed structures, existing and proposed elevations, public and private roads, above ground utility lines and any other significant features or appurtenances. Any portion of this section may be waived if in the opinion of the Planning Board the materials submitted are sufficient for the Board to make a decision.
- 2) **Telecommunications.** CWES may include telecommunication antennas provided they comply with Section 5.9 of this bylaw. The telecommunications carrier shall be named as the co-applicant.
- 3) **Compliance with Massachusetts State Building Code.** Building permit applications shall be accompanied by standard drawings of the wind turbine structure, including the tower, base, and footings. Documentation showing compliance with the Massachusetts State Building Code certified by a licensed professional engineer shall also be submitted. (Manufacturer specifications may be suitable at the discretion of the Inspector of Building)
- 4) **Compliance with FAA Regulations.** WECS must comply with applicable FAA regulations, including any necessary approvals for installations close to airports.
- 5) **Compliance with National Electric Code.** Building permit applications for WECS shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the National Electrical Code.
- 6) **Utility Notification.** No WECS shall be installed until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.
- 7) **Abandonment:** A WECS shall be considered to be abandoned if it is not operated for a period of two years, or if it is designated a safety hazard by the Inspector of Buildings. Once a WECS is designated as abandoned, the owner shall be required to physically remove the RWES within 90 days of written notice. "Physically remove" shall include, but not be limited to:
  - a) Removal of WECS, any equipment shelters and security barriers from the subject property.

- b) Proper disposal of the waste materials from the site in accordance with local and state solid waste disposal regulations.
- c) Restoring the location of the WECS to its natural condition, except that any landscaping and grading shall remain in the after-condition.
- 8) **Modifications.** All modifications to a WECS made after issuance of the Special Permit shall require approval by the SPGA.

**7. Security.**

- 1) **Requirement.** In conjunction with the above special permit approval process the Planning Board may require the posting of a bond or other security to assure satisfactory fulfillment of the above, in such sum and in accordance with such conditions as the Board may determine necessary.
  - 2) **Exception.** The Board need not require security where there is full assurance of compliance with the above special permit.
  - 3) **Amount.** The amount of security required shall not exceed either the estimated costs of the measures proposed, or the estimated cost of restoration of affected lands and property if the work is not performed as required, whichever is the greater.
- 8. Severability:** The provisions of this section are severable and, in the event that any provision of this section is determined to be invalid for any reason, the remaining provisions shall remain in full force and effect.

Petitioned by Mark Durrenberger, et. Al

**Article 32: The Finance Committee does not recommend the adoption of the subject matter of this article.**

And you are also directed to notify and warn said inhabitants to meet at the several designated polling places in their respective precincts in said Hudson, to wit:

- Precinct I Hudson High School, 69 Brigham Street
- Precinct II Glen Road Community Center, 4 Glen Road
- Precinct III J.F.K. School, 201 Manning Street
- Precinct IV Joseph P. Mulready School, 306 Cox Street
- Precinct V Forest Avenue School, 138 Forest Avenue
- Precinct VI Auditorium, Town Hall, 78 Main Street
- Precinct VII Auditorium, Town Hall, 78 Main Street

On Monday, May 12, 2008, at seven o'clock in the forenoon, *then and there to choose by ballot* the following Town Officers for the ensuing year:

Selectman, one for three years; Moderator, one for one year; School Committee, two for three years; Trustees of Susan Cox, Joseph S. Bradley, J.J. Angell, Sarah A. Brown, George E.D. and Abigail E. Wilkins, Addie E. Cahill, Helen M. Lewis, Mary E. Tacey, Maude A. Whitney and Clara E. Houghton Funds, one for three years; Housing Authority, one for five years; Municipal Light Board, one for three years; Park Commission, one for three years; Park Commission, one for two years (to fill a vacancy); Board of Health, one for three years; Library Trustees, one for three years; Planning Board, one for three years; Cemetery Commission, one for three years; Constable, one for three years; Board of Assessors, one for three years and Board of Assessors, one for one year (to fill a vacancy).

Also, to vote on the following question: "Shall the town require that all retirees, their spouses and dependents who are enrolled in Medicare Part A at no cost to the retiree, their spouse or dependents, or eligible for coverage thereunder at no cost to a retiree, their spouse or dependents, be required to enroll in a medicare health benefits supplement plan offered by the town?"

And you are directed to serve this warrant by posting up copies attested by you in the following places: one at the Post Office, one at the Town House, one at the Office of the Town Clerk, and in six other public places in said Town, seven days at least before the time of holding said meeting and by publication in a newspaper published in said Town.

Hereof fail not and make due return of this warrant with your doings thereon to the Town Clerk on or before time of holding said meeting.

***Given under our hands this 25<sup>th</sup> day of February in the year Two Thousand Eight.***  
**BOARD OF SELECTMEN**

**HUDSON, MASSACHUSETTS**

\_\_\_\_\_  
Antonio S. Loura, Chairman

\_\_\_\_\_  
Joseph J. Durant , Vice-Chairman

\_\_\_\_\_  
Santino Parente , Clerk

\_\_\_\_\_  
Carl Leeber

\_\_\_\_\_  
Fred P. Lucy, II

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**INTRODUCTION TO TOWN MEETING**

The Town Meeting is a deliberative assembly, charged with considering a number of questions of varying complexity in a reasonable period of time, and with full regard to the rights of the majority.

**AUTHORITY**

The three elements of authority at Town Meeting are a quorum of 150 registered voters or more, the Moderator and the Town Clerk.

The Moderator presides at and regulates the proceedings, decides all questions of order, and makes declarations of all votes. No one may speak on an issue without being recognized by the Moderator. It is his responsibility to approve the distribution of materials, and persons wishing to do so must seek his permission. The Moderator appoints Tellers and alternates for the purpose of counting votes of the meeting.

**THE WARRANT**

All matters to be considered at Town Meeting must be published in the Town Meeting Warrant, which is the responsibility of the Board of Selectmen. The Finance Committee reviews the warrant, making recommendations on items of business to be presented. In accordance with the by-laws, all articles in the Warrant are considered in the order in which they appear in the Warrant, unless the Town Meeting, after reasons have been stated. The Moderator has full discretion to decide whether or not the motion to change the order of articles will be entertained.

**PARTICIPATION**

All remarks should be limited to the subject then under discussion. It is improper to indulge in references to personalities. The Moderator may request any person to keep silent. If after warning from the Moderator, a person refuses to be silent or persists in other disorderly behavior, the Moderator may order a person to withdraw and if he fails to withdraw, may order a police officer to remove such person from the Meeting. Each individual who speaks to the Meeting should make an effort to be as brief as possible out of consideration for others attending the Meeting and the need to give adequate time to all matters coming before it.

**CLASSIFIED MOTIONS**

Pursuant to section 8 of article II of the by-laws of the Town of Hudson, when a question comes before Town Meeting certain motions shall be received and have precedence in the following order:

**PRIVILEGED MOTIONS:** These are motions that have no connection with the main motion before the Town Meeting, but are motions of such importance that they are entitled to immediate consideration. These motions have the privilege of temporarily setting aside the main business before the Town Meeting.

**TO ADJOURN** (decided without debate):

**TO FIX THE TIME FOR ADJOURNMENT:**

**SUBSIDIARY MOTIONS:** These are motions that are used to modify or dispose of the main motion being considered. Their existence as motions depend on the main motion to which they are subordinate.

**TO LAY ON THE TABLE** (decided without debate)

**FOR THE PREVENTION QUESTION** (decided without debate)

**TO COMMIT**

**TO AMEND**

**TO POSTPONE INDEFINITELY**

All motions may be withdrawn by the maker if no objection is made.

**INFORMATION ON MOTIONS**

A motion is the means of bringing a proposal or question before the Meeting for consideration. When put forward it is a motion; after is seconded and acknowledged by the Moderator, it becomes the question or proposal; and if it is approved by the Meeting, it becomes a resolution. Generally, no

motion shall be entertained unless the subject is contained within a warrant article. The Moderator shall determine whether a motion is within the "scope of the article," that is, whether the warrant gives adequate notice that the action proposed by the motion might be taken at the Meeting. Articles only give notice and do not initiate action; motions do. Motions may be withdrawn; articles may not be.

Some motions avoid a final determination by the Meeting. A motion to commit or refer sends the matter to an existing board or committee or one to be established. The motion to postpone indefinitely disposes of the question without bringing it to a direct vote. The motion to postpone indefinitely should not be confused with the motion to lay on the table which only temporarily delays a vote.

Pursuant to article II, section 3 of the Town of Hudson by-laws, no vote of Town Meeting shall be reconsidered except upon notice by an individual who voted with the majority thereon given within one hour of such vote at the same or succeeding session. If the individual who gives notice does not immediately make such motion, then a motion to reconsider may be made by another individual voter who voted with the majority.

Pursuant to section 4 of article II, no article in the Warrant shall be again taken into consideration after disposed of unless ordered by a vote of two-thirds of the voters present and voting. Pursuant to section 5 of article II, no voter shall speak more than twice upon any question without obtaining leave of Town Meeting except to correct an error or explain a point, nor until all other individuals who have not spoken and so desire have been given the opportunity to speak. Pursuant to section 6 of article II, all motions must be reduced to writing before being submitted to the Town Meeting if required by the Moderator.

Pursuant to section 9 of article II, a motion to receive the report of a committee shall put the report before Town Meeting but not discharge the committee. A vote to accept or adopt such report with or without amendment shall discharge the committee.

Pursuant to section 10 of article II, a 150-voter quorum is required to conduct business at Town Meeting. However, no quorum is needed for a motion to adjourn.

Pursuant to section 11 of article II, articles in a warrant shall be considered in order, except that the Moderator upon request and for reasons stated, may entertain a motion to consider an article out of regular order.

Pursuant to section 12 of article II and in addition to the authority already specified above, the Moderator may administer the oath of office to a town officer chosen at Town Meeting. If a vote declared by the Moderator is immediately questioned by seven or more voters, then the Moderator must verify the vote by polling voters or dividing the Town Meeting. If a two-thirds vote of Town Meeting is required by State Statute, the count shall be taken and the vote recorded by the Town Clerk. However, if the vote is declared to be unanimous, a count is not needed and the Town Clerk shall record the vote as unanimous unless immediately questioned by seven or more voters.

TOWN FINANCE TERMINOLOGY

The following terms are used from time to time in the Annual Report and Town Meeting. In order to provide everyone with a better understanding of the meaning, the following definitions are offered:

**SURPLUS REVENUE:** (Sometimes referred to as Excess and Deficiency Account). This fund is the amount by which the Cash, Accounts Receivable, and other assets exceed the liabilities and reserves.

**AVAILABLE FUNDS:** (Often called "Free Cash") This fund represents the amount of money remaining after deducting from the Surplus Revenue all uncollected taxes for prior years, taxes in litigation and court judgments. This fund is certified annually by the State Bureau of Accounts and may be used to defray town costs by a vote of the Town Meeting.

**OVERLAY:** The overlay is the amount raised by the Assessors in excess of appropriations and other charges for the purpose of creating a fund to cover tax abatements and exemptions granted and to avoid fractions in the tax rate.

**RESERVE FUND:** This is a fund established by the voters at the annual town meeting and may consist of direct appropriations or transfers. Transfers from the Reserve Fund are initiated by the Executive Assistant and require the approval of the Finance Committee. The use of the Reserve Fund is restricted to "extraordinary or unforeseen expenditures".