

**TOWN WARRANT
FOR THE
SPECIAL TOWN MEETING**



**TOWN OF HUDSON
MONDAY, NOVEMBER 17, 2008**

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Finance Committee Preamble

To the People of Hudson, Greetings,

We have reviewed the warrant articles and made our recommendations.

The following warrant articles merit further discussion:

Article 4 Community Preservation Appropriations: We recommend the \$50,000 appropriation to Habitat for Humanity. We are very close to the state mandated 10% level of affordable housing. This project when completed would provide us with an additional affordable housing unit. It is very important to maintain this 10% level so we as a community can exercise greater control over future development. We recommend the \$61,269.67 for the rehabilitation of the senior center. These funds are to be used for very specific historical preservation projects. Both of the above mentioned funds will be taken from the 10% mandated appropriations for the categories of affordable housing and historic preservation. We do not recommend the CPA general fund appropriation of \$238,730.33 at this time. Bids for the senior center project have just been released and a substantial number of contractors have expressed interest. Given the current economic conditions and the amount of interest it would make sense to wait for the results of the bidding process before appropriating any additional funds.

Article 10: Acceptance of Chapter 32B section 18 of the MA General Laws: This law requires eligible retirees to enroll in Medicare parts A & B along with a town-offered Medicare Extension Plan (Medex) if they wish to participate in the Town's health care program. If the retiree is not eligible to receive Medicare A for free, or the combination of Medicare A & B and Medex is not deemed to provide equivalent coverage to the existing active employee health care plan, the retiree is exempt from this requirement and is not required to enroll in Medicare.

In most cases retirees who reach the age of 65 qualify for Medicare part A and Part B which cover the basic cost of hospitalization and physician care. They can then purchase a supplemental insurance policy (Medex) from the Town that is designed to cover the gaps in Medicare coverage. Under this law the primary cost of health care for eligible retired town employees and their dependents is shifted from the town and active members of its health care plans to the federal government through Medicare. There was some reluctance on the part of retired employees who had not enrolled in Medicare part B when they were first eligible that they would have to pay a late enrollment penalty. This law requires the town to pay 100% of any penalty cost incurred by any retiree, spouse, or dependent who is required to enroll in Medicare upon acceptance of this statute.

In all cases current members who are eligible to transfer will pay less. By keeping the potentially high claims cost of retirees a responsibility of the federal government the town reduces the claims it must pay through its employee health insurance plan, thereby lowering its premiums for the employees who participate in the plan and for the taxpayers who pay for the town's 50% of costs. This is a situation that is good for retirees facing any penalty, good for employees and good for taxpayers. We recommend this article.

Respectfully Submitted,
THE FINANCE COMMITTEE:

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

**TOWN WARRANT
THE COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss.**

To any 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 on Town affairs, to assemble in the Hudson High School, Brigham Street, in said
Town on

MONDAY, THE SEVENTEENTH DAY OF

NOVEMBER, 2008

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

Article 1 Chapter 90 Roadway Funds

To see if the Town will vote to take from available funds the sum of Four Hundred Forty Two Thousand Four Hundred One Dollars (\$442,401) for construction, reconstruction and improvements of Town roads as requested by the Board of Selectmen to be reimbursed by the Commonwealth of Massachusetts pursuant to the Town of Hudson's Chapter 90 apportionment for Fiscal 2009;

Or take any action relative thereto.

Director of Public Works
Board of Selectmen

Article 1: The Finance Committee unanimously recommends the adoption of the subject matter of this article

Article 2 Added Fuel Costs

To see if the town will vote to raise and appropriate the sum of One Hundred Sixty Three Thousand and Forty Four dollars (\$163,044), in total, said sum to be added to the following amounts as appropriated at the Town Meeting held May 5, 2008, for the purpose of addressing shortfall in the gasoline, heating oil, natural gas, and diesel fuel accounts of the various town departments, or take any other action relative thereto.

Account Title	Line Item	Additional Amount
Public Works Expense	40	\$104,185
Police Expense	32	\$27,013
Fire Department Expense	34	\$12,907
Council on Aging Expense	44	\$3,124
Building Maintenance Expense	9	\$2,278
Inspections Expense	36	\$841
Recreation Expense	50	\$ 4,998
Library Expense	48	\$7,698
TOTAL		\$163,044

Executive Assistant
Director of Public Works
Director of Recreation, Police Chief, Fire
Chief, Senior Center Director, Building
Commissioner, Library Director
Board of Selectmen

Article 2: The Finance Committee unanimously recommends the adoption of the subject matter of this article.

Article 3 Senior Tax Credit Program

To see if the Town will vote to raise and appropriate the sum of fifteen thousand dollars (\$15,000) for the purpose of compensating senior citizens for services rendered to the Town pursuant to an agreement for service to be formulated and approved by the Board of Selectmen. Said sum to be spent under the direction of the Executive Assistant and the Board of Selectmen; or take any action relative

Executive Assistant
Board of Selectmen

Article 3: The Finance Committee unanimously recommends the adoption of the subject matter of this article.

Article 4 Community Preservation Appropriations

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

- \$50,000.00** From the Affordable Housing Reserve for the acquisition of a parcel of land off Old Bolton Road for Habitat for Humanity North Central Mass Inc.
- \$61,269.67** From Historic Preservation Reserve for the rehabilitation and renovation of the Hudson Senior Center
- \$238,730.33** From Budgeted Reserve for the rehabilitation and renovation of the Hudson Senior Center

Or take any action relative thereto.

Community Preservation Committee
Board of Selectmen

Article 4 (Affordable Housing Reserve): By a margin of 5-1 the Finance Committee voted to recommend \$50,000 for the Affordable Housing Reserve.

Article 4 (Historic Preservation Reserve): By a margin of 6-0 the Finance Committee voted to recommend \$61,269.72 for the Historic Preservation Reserve.

Article 4 (Rehabilitation and Renovation Senior Center): The Finance Committee does not recommend the \$238,730.33 for the rehabilitation and renovation of the Hudson Senior Center.

Article 5 Water Main Installation – Hosmer Street

To see if the Town will vote to borrow pursuant to Massachusetts General Laws, Chapter 44, as amended, the sum of Two Hundred Eighteen Thousand Seven Hundred Fifty Dollars (\$218,750) for the installation of water mains and appurtenances in a portion of 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
Board of Selectmen

Article 5: The Finance Committee unanimously recommends the adoption of the subject matter of this article.

Article 6 Water Main Installation – Murphy Road

To see if the Town will vote to borrow pursuant to Massachusetts General Laws, Chapter 44, as amended, the sum of Five Hundred Thousand Dollars (\$500,000) for the installation of water mains and appurtenances in Murphy Road 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
Board of Selectmen

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

Article 7 Water Main Installation- Parmenter Road

To see if the Town will vote to borrow pursuant to Massachusetts General Laws, Chapter 44, as amended, the sum of Three Hundred Twenty Five Thousand Dollars (\$325,000) for the installation of water mains and appurtenances in a portion of Parmenter Road 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
Board of Selectmen

Article 7: The Finance Committee unanimously recommends the adoption of the subject matter of this article.

Article 8 Water Main Installation- White Pond Road

To see if the Town will vote to borrow pursuant to Massachusetts General Laws, Chapter 44, as amended, the sum of Two Hundred Sixty Two Thousand Five Hundred Dollars (\$262,500) for the installation of water mains and appurtenances in a portion of White Pond Road 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
Board of Selectmen

Article 8: The Finance Committee unanimously recommends the adoption of the subject matter of this article.

Article 9 Supplemental Appropriation for South Zone Water Tank

To see if the Town will vote to borrow pursuant to Massachusetts General Laws, Chapter 44, as amended, the sum of Five Hundred Thousand Dollars (\$500,000) said funds to be used in conjunction with those appropriated by Article #6 of the May 2004 and Article #5 of the November 2006 Annual Town Meetings for the survey, design, environmental permitting and construction of a 2.0 Million Gallon Water Storage Tank and appurtenances to be located within the South High Pressure Zone 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
Board of Selectmen

Article 9: The Finance Committee unanimously recommends the adoption of the subject matter of this article and that the sum of \$500,000 be borrowed.

Article 10 Acceptance of Chapter 32B §18 of the MA General Laws

To see if the Town will vote to accept the provisions of Chapter 32B Section 18 of the Massachusetts General Laws; or take any other action relative thereto.

Executive Assistant
Board of Selectmen

Article 10: The Finance Committee unanimously recommends the adoption of the subject matter of this article.

Article 11 Sale of Land on Washington Street Amendment

To see if the Town will vote to Amend Article 17 of the May 2007 Town Meeting, entitled "Sale of Land on Washington Street" by deleting the following paragraph:

"Provided that said conveyance be for a minimum remuneration of \$16.65 per square foot if conveyed in fee simple, or \$8.33 per square foot if conveyed for an access easement;"

And substituting in its place the following paragraph:

"Provided that said conveyance be in the amount of five percent (5%) of the value received by the MBTA for the sale of said easement."

In order that the terms of such a sale shall be in accordance with the MBTA Board of Director's vote of September 6th, 2007 wherein the granting of future easements along the Marlborough Branch RR was authorized along with procedures, fees, and policies related thereto", a copy of which vote is on file in the Office of the Executive Assistant."

Or take any other action relative thereto.

Director of Community Development
Board of Selectmen

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

Article 12 Street Acceptance: Hammond Circle

To see if the Town will vote to accept the layout of Hammond Circle as a town way as shown on Plan entitled, "STREET ACCEPTANCE PLAN of HAMMOND CIRCLE in HUDSON, MA" prepared By Thomas Land Surveyors & Engineering Consultants, Inc., 118 Forest Avenue, Hudson, MA", a print of which has been duly filed in the office of the Town Clerk of Hudson, Massachusetts, together with a drainage easement as shown on said plan. Said new road being more particularly described as follows:

Beginning at the northeasterly corner of the layout at a point of curvature on the southeasterly sideline of Brigham Street and at land of Thomas & Dawn Jacobs,

Thence running by land of Jacobs southerly and southeasterly by a curve to the left having a radius of 25.00 feet and a length of 39.27 feet to a point,

Thence running by land of Jacobs and land of Joseph & Cheryl Santos S39-25-09E 273.72 feet to a point of curvature,

Thence running by land of Santos and land of Richard & Zaira McIlvene southeasterly and easterly by a curve to the left having a radius of 40.00 feet and a length of 36.13 feet to a point of reverse curvature,

Thence running by land of McIlvene and land of Kathleen O'Halloran and David & Staci Figueiredo southeasterly, southerly, southwesterly, westerly and northerly by a curve to the right having a radius of 65.00 feet and a length of 321.63 feet to a point of reverse curvature at land of Paul & Rosemary Huehmer,

Thence running by land of Huehmer northerly and northwesterly by a curve to the left having radius of 40.00 feet and a length of 36.13 feet to a point,

Thence running by land of Huehmer and land of Ruben & Sharol Castelino N39-25-09W 273.72 feet to a point of curvature,

Thence running by land of Castelino northwesterly and westerly by a curve to the left having a radius of 25.00 feet and a length of 39.27 feet to a point on the southwesterly sideline of Brigham Street,

Thence running by the southwesterly sideline of Brigham Street N50-34-50E 100.00 feet to the point and place of beginning.

Or take any other action relative thereto.

Planning Board

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

Article 13 Coolidge Street Drainage Easements

To see if the Town will authorize the Board of Selectmen to acquire by gift perpetual easements over a certain parcels of land and interests therein for the purpose of obtaining a secure and public right of way for the operation and maintenance of drainage structures and /or ditches together with the right to discharge surface water upon said land. Said parcels of land located in the Town of Hudson, County of Middlesex, Massachusetts are shown on a plan, a copy of said plan being on file with the Town Clerk's Office, entitled "Plan of Land in the Town of Hudson, Ma., Prepared by: Vanasse Hangen Brustlin, Inc., Scale: 1" = 40', Date: 5/22/07" and further described as follows:

Parcel D-1

Beginning at a point 40' from the centerline on the southerly side of Coolidge Street at station 43+32.24;

Thence, S 63°-07'-44" E 90.22' to a point;

Thence, S 80°-21'-22" E 56.80' to a point;

Thence, S 29°-29'-39" E 29.98' to a point;

Thence, N 60°-30'-21" E 20.00' to a point;

Thence, N 09°-32'-06" E 37.69' to a point;

Thence, N 80°-27'-54" W 177.34' to the point of beginning.

Said parcel containing about 4,100 square feet.

Parcel D-2

Beginning at a point 40' from the centerline on the southerly side of Coolidge Street at station 52+09.88;

Thence, S 09°-32'-06" W 30.99' to a point;

Thence, S 80°-18'-02" E 86.63' to a point;

Thence, S 25°-03'-10" E 25.91' to a point;

Thence, N 64°-56'-50" E 20.00' to a point;

Thence, N 25°-03'-10" W 50.06' to a point;

Thence, N 80°-27'-54" W 89.38' to the point of beginning.

Said parcel containing about 3,498 square feet.

Parcel D-3

Beginning at a point 40' from the centerline on the southerly side of Coolidge Street at station 66+72.09;

Thence, S 04°-37'-56" E 45.91' to a point;

Thence, N 85°-22'-04" E 20.00' to a point;

Thence, N 04°-37'-56" W 33.67' to a point;

Thence, N 63°-10'-03" W 23.45' to the point of beginning.

Said parcel containing about 796 square feet.

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 raise and appropriate the sum of One Dollar (\$1.00) to carry out the provisions of this article;

Or take any action relative thereto.

Director of Public Works
Board of Selectmen

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

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, Fourteen 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 22nd day of September signed by the Selectmen in the year Two Thousand and Eight.


Santino Parente, Chairman


Carl J. Leeper, Clerk


Fred P. Lucy II


Joseph J. Durant, Vice Chairman


Antonio S. Loura

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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 votes otherwise, 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".