

**FINANCE COMMITTEE  
REPORT  
AND  
RECOMMENDATIONS  
AND  
TOWN WARRANT  
FOR THE  
SPECIAL TOWN MEETING**



**TOWN OF HUDSON  
MONDAY, NOVEMBER 21, 2005**

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## **Finance Committee Preamble**

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

The finance committee has reviewed the warrant articles for the November 21<sup>st</sup> town meeting and made its recommendations. The following articles need further comment:

Article 3: Added Fuel Costs: During the budget setting process for FY06 governmental guidelines were utilized to estimate fuel costs. Unfortunately these guidelines were inadequate resulting in substantial costs beyond those anticipated.

Article 4. Purchase of open space.: A majority of the members of the finance committee feel this is a reasonable expense to incur to preserve four acres of open space. We need to avail ourselves of every opportunity to preserve as much open space as possible.

Article 5: Acquire Easements for Tannery Brook Walk: This article allows the Town of Hudson to continue its efforts to improve the appearance of the downtown area. Several projects have already been implemented with very successful results.

Article 6 & 7 Street Acceptances: For the record :Street acceptances are petitioned by the planning board. The finance committee relies on the planning board to assure our committee that the streets are substantially completed and ready for acceptance. We also seek an advisory opinion from the DPW. In addition all finance committee meetings are open meetings which provide a forum for interested parties to object to or support petitioned articles. Once we have these assurances we prefer that the town have the responsibility for proper maintenance (in particular snow plowing)for safety reasons.

Respectfully Submitted,

**THE FINANCE COMMITTEE:**

**John Parent, Chairman**  
**Lawrence Norris, Vice Chairman**  
**Michael Downey**  
**John Hart**  
**David Provencher**  
**Justin 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 TWENTY FIRST DAY OF**

**NOVEMBER, 2005**

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

**Article 1      Revolving Fund – School Department**

To see if the Town will vote to establish and authorize the use of a revolving fund account, pursuant to the provisions of General Laws, Chapter 44, Section 53E ½, for the purpose of applying those fees received for Professional Development Activities to support the development of additional Professional Development Programs within the HPS. The Superintendent may expend funds deposited to this account to hire instructors, purchase instructional materials, reimburse travel and lodging costs, and other expenses as incurred in the development and operation of these programs. The sum of said funds to be expended shall not exceed Twenty-Thousand Dollars; or take any action relative thereto.

School Committee

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

**Article 2      Chapter 90 Roadway Funds**

To see if the Town will vote to take from available funds the sum of Three Hundred Fifty One Thousand Eight Hundred Sixty Dollars (\$351,860) for construction, reconstruction and for improvements for the Town roads as requested by the Board of Selectmen to be reimbursed by the Commonwealth of Massachusetts pursuant to Chapter 291 of the Acts of 2004 of the General Court; or take any action relative thereto.

Director of Public Works  
Executive Assistant  
Board of Selectmen

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

### Article 3 Added Fuel Costs

To see if the town will vote to raise and appropriate the sum of one hundred fifty-one thousand six hundred and thirty-nine dollars (\$151,639), in total, said sum to be added to the following amounts as appropriated at the Town Meeting held May 2, 2005, 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	\$85,733
Police Expense	32	\$23,302
Fire Department Expense	34	\$22,198
Council on Aging Expense	44	\$ 2,037
Building Maintenance Expense	11	\$11,466
Inspections Expense	36	\$ 645
Recreation Expense	50	\$ 640
Library Expense	48	\$ 5,618
TOTAL		\$151,639

Executive Assistant  
Board of Selectmen

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

### Article 4 Purchase of Open Space

To see if the town will vote to take from available funds the sum of Twenty-five thousand dollars (\$25,000), said sum to be used to pay the town's share of costs incurred by the Sudbury Valley Trustees and its assignees in the preservation of deeded open space of a minimum of four (4) acres located at 497 Main Street, said land formerly belonging to the estate of Clement Kane, and the right to purchase said land having been assigned by the Board of Selectmen to the Sudbury Valley Trustees on March 28, 2005, pursuant to Massachusetts General Law Chapter 61A, section 14, or take any other action relative thereto.

Executive Assistant  
Board of Selectmen

*Article 4: The Finance Committee recommends the adoption of the subject matter of this article by a vote of 7-2-0 and that the sum of \$25,000 be taken from available funds.*

## **Article 5      Acquire Easements for Tannery Brook Walk**

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 a secure and public right of way for the construction of a board walk over Tannery Brook. Said land area comprises two parcels located in the Town of Hudson, County of Middlesex, Massachusetts. Parcel A, contains approximately 410 +/- square feet and is a portion of Assessors Map 29, Parcel 219 now or formerly owned by Hudson Motor Cars; Parcel B contains approximately 396 +/- square feet and is a portion of Assessors Map 29, Parcel 218 now or formerly owned by Hudson Savings Bank. Said parcels are both situated adjacent to Tannery Brook on two plans entitled "Easement Plan (Map 29, Lot 218)" and Easement Plan (Map 29, Lot 219)," surveyed for the Town of Hudson, prepared by Waterman Design, Associates, Inc., dated September 13, 2005." Said parcels are more particularly described as follows:

### **Parcel A - Assessors Map 29 Parcel 219 – Easement**

Beginning at the northeast corner of Assessors Parcel 219 (Map 29)  
Thence running S 06-20'-36" W a distance of 70.45' to a point;  
Thence running S 81-02'-24" W a Distance of 8.36' to a point;  
Thence running N 10-07'-19" E a distance of 42.64' to a point;  
Thence running N 08-38-04 E a distance of 20.12' to a point;  
Thence running N 07-26-00 E a distance of 7.97' to a point;  
Thence running S 70-18-36 W a distance of 4.78 to the point of beginning.  
Containing 410 +/- S.F.

### **Parcel B - Assessors Map 29 Parcel 218 – Easement**

Beginning at the Northwest corner of Parcel 218 (Map 29).  
Thence running S 87-07'-17" E a distance of 10.02' to a point;  
Thence running S 06-52'-02" W a distance of 40.00' to a point;  
Thence running N 83-07'-58" W a distance of 10.00' to a point;  
Thence running N 06-51'-49" E a distance of 39.30' to the point of beginning.  
Containing 396 +/- S.F.

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 to see if the Town will vote to take from available funds the sum of Thirty-Five thousand, four hundred and fifty two dollars (\$35,452) for the above mentioned land acquisitions and for costs associated with the survey, design, and permitting of said project; Or take any other action relative thereto.

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 \$35,452 be taken from available funds.***

## Article 6 Street Acceptance of Riffles Lane

To see if the Town will vote to accept a layout of Riffles Lane as a Town way as shown on a plan entitled "Acceptance Plan of Riffles Lane in Hudson, Mass., Scale 1" = 40'; Date: August 27, 2003, Prepared by Thomas Land Surveyors and Engineering Consultants, Inc., 118 Forest Avenue, Hudson, MA 01749, a print of which has been duly filed in the Office of the Town Clerk of Hudson, Massachusetts. Said new street being more particularly described as follows:

BEGINNING at the Southerly side of Riffles Lane at the intersection of Falls Brook Road and Lot 1 at a concrete bound;  
Thence on a curve to the left with a radius of 59.69 feet for a length of 69.63 feet to a concrete bound;  
Thence North 40°, 24', 17" W., 255.02 feet to a concrete bound;  
Thence along a curve to the right by lots 3A and 4 with a radius of 132.00 feet for a length of 264.94 feet to a concrete bound;  
Thence N. 74°, 35', 43" E. along lots 5 and 6 for 250 feet to a concrete bound;  
Thence along a curve to the right with a radius of 158.02 feet for a length of 176.56 feet to a concrete bound;  
Thence S. 41°, 23', 14" E. 42.80 feet to a concrete bound;  
Thence along a curve to the left with a radius of 32.00 feet for a length of 50.27 feet to a concrete bound at the intersection of Falls Brook Road and Lot 7;  
Thence S. 48°, 36', 46" W., 114.00 feet along Falls Brook Road to a concrete bound;  
Thence along a curve to the left with a radius of 32.00 feet for a length of 50.27 feet to a concrete bound;  
Thence N. 41°, 23', 14" W., 42.80 feet to a concrete bound;  
Thence along a curve to the left with a radius of 108.02 feet for a length of 120.69 feet to a concrete bound;  
Thence S. 74°, 35', 43" W., 250.00 feet along Lot 18 to a concrete bound;  
Thence along a curve to the left for a radius of 82.00 feet and for a length of 164.58 feet to a concrete bound;  
Thence S. 40°, 24', 17" E., 217.01 feet to a concrete bound;  
Thence on a curve to the left with a radius of 40.00 feet for a length of 85.18 feet to a concrete bound at the intersection of Falls Brook Road;  
Thence by a curve to the right with a radius of 150.00 feet for a length of 52.06 feet to a point;  
Thence by a curve to the left with a radius of 150.00 feet for a length of 28.90 feet to a point;  
Thence S. 26-25-53 W. 78.22 feet to the point of beginning.

Or take any other action relative thereto;

Planning Board

***Article 6: The Finance Committee recommends the adoption of the subject matter of this article by a vote of 6-1-2.***



## **Article 7      Street Acceptance - Falls Brook Road**

To see if the Town will vote to accept a layout of Falls Brook Road in Hudson, Massachusetts as shown as on plan entitled "Acceptance Plan of Falls Brook Road in Hudson, Massachusetts, Scale 1 inch = 40 feet, Date: August 27, 2003, Prepared by Thomas Land Surveyors and Engineering Consultants, Inc., 118 Forest Avenue, Hudson, Massachusetts 01749, a copy of which has been duly filed in the office of the Town Clerk in Hudson, Massachusetts." Said new Road being more particularly described as follows:

Beginning at a point at the Southerly end of Falls Brook Road at the Southwesterly corner of Falls Brook Road at the intersection of Laurel Drive at a concrete bound;

Thence along a curve to the left with a radius of 25.00 feet for a length of 38.76 feet to a concrete bound;

Thence N. 26°, 25', 53" E. for a length of 216.29 feet to a point near the center of the intersection of Riffles Lane;

Thence along a slight curve with a radius of 150.00 feet for a distance of 28.90 feet to a point;

Thence along a slight curve with a radius of 150.00 feet for a distance of 52.06 feet to a concrete bound;

Thence along Lot 19 with a radius of 299.23 feet for a length of 162.04 feet to a concrete bound;

Thence N. 48°, 36', 46" E. for a length of 592.21 feet to a concrete bound;

Thence along a curve to the right with a radius of 60.00 feet for a length of 269.30 feet to a concrete bound;

Thence along a curve to the left at Lot 11 with a radius of 30.00 feet for a length of 40.40 feet to a concrete bound;

Thence S. 48°, 36', 46" W. for a length of 504.46 feet to a concrete bound;

Thence along a curve to the left with a radius of 249.23 feet for a length of 161.71 feet to a concrete bound;

Thence along Lots 15 and 16 with a radius of 455.87 feet for a length of 119.30 feet to a concrete bound;

Thence S. 26°, 25', 53" W. for a length of 157.80 feet to a concrete bound at Lot 17;

Thence along a curve to the left with a radius of 30.00 feet for a length of 46.18 feet to a concrete bound at the intersection of Laurel Drive;

Thence along Laurel Drive N. 62°, 29', 36" W. for a length of 127.78 feet to the point of beginning;

Together with a drainage easement as shown on said plan and located upon Lot 16;

Or take any other action relative thereto;

Planning Board

***Article 7: The Finance Committee recommends the adoption of the subject matter of this article by a vote of 6-1-2.***

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 19th day of September signed by the Selectmen in the year Two Thousand and Five.

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

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Santino Parente, Vice Chairman

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Antonio S. Loura, Clerk

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Carl J. 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 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".