

# NOVEMBER SPECIAL TOWN MEETING

November 7, 2011

*The November 2011 Special Town Meeting minutes printed below are excerpted from the official minutes of this Meeting. For the complete text of all votes taken at this Meeting, contact the Town Clerk's Office.*

Pursuant to the Warrant signed by the Selectmen on October 21, 2011, Town Moderator Eric Van Loon called the Special Town Meeting to order at 7:09 pm on Monday, November 7, 2011 at the Concord-Carlisle High School. The Moderator declared that the meeting was properly called and that a sufficient number of voters were present to permit the meeting to be opened.

On a **Motion** made by Elise Woodward that was duly seconded, it was **Voted**: that this Meeting be held in the Concord-Carlisle High School Auditorium, Cafeteria, and if necessary, the Upper Gym; that the halls be connected by a public address system and speakers so that the proceedings in each room can be heard and participated in by all voters present in any hall, and that the proceedings in all three halls constitute parts of one and the same Meeting.

Mr. Van Loon announced that he had appointed Margaret B. Briggs, Gary R. Clayton, George Dallas and Carolyn C. Flood as Assistant Moderators. All have been duly sworn to the faithful and impartial discharge of their duties. On a **Motion** made by Elise Woodward that was duly seconded, it was **Voted**: to elect Margaret B. Briggs as the Deputy Moderator to preside over this meeting if the Moderator elected by the Town is unable to serve in that position.

The Moderator noted that he had appointed Abraham Fisher as Head Teller, to be assisted by Emily Wheeler. David Allen was appointed Ballot Supervisor, to be assisted by David Karr. The Tellers and Ballot Counters were sworn to faithfully and impartially perform their respective duties. He introduced Greg Englund, who is serving as the Town Meeting Procedure Resource Person for this Meeting. He introduced Town Counsel William Lahey. He introduced the key players who make Concord Town Government all that it is – Board

of Selectmen, chaired by Elise Woodward; Concord-Carlisle Regional School Committee, chaired by Peter Fischelis; and Concord Finance Committee, chaired by Carol Wilson.

Mr. Van Loon reported that he had appointed Carolyn C. Flood to fill out the remainder of David Bearg's three-year term on the Minuteman Career & Technical School Committee. Mr. Bearg was thanked for his service to the Town. He noted the presence of green cards and urged residents to become involved in Concord's Town government. He introduced key employees and staff – Town Manager Chris Whelan; Finance Director Tony Logalbo; Town Clerk Anita Tekle; Town Meeting Technical Assistant Anna Trout; Director of Information Technology Mark Howell; Timekeeper Denise Caruso; and Town Meeting Coordinator Laurel Landry. He welcomed visitor Carlisle Town Moderator Wayne Davis.

Mr. Van Loon reviewed the documents available in the lobby. Fire Chief Mark Cotreau reviewed procedures in the unlikely event of an emergency. Mr. Van Loon reminded all to keep a Voting Slip handy, since it identifies those entitled to vote and will be needed on votes taken by a show of hands or a standing counted vote.

Concord Girl Scouts and Boy Scouts brought the flags forward. Mr. Van Loon asked attendees to stand in a moment of silence to reflect on how, through this Town Meeting, we and our neighbors are gathered to provide for our common good. As we deliberate and vote, may we remember that the passions of the moment are not always the best guide for our conduct in the future. And if a Town Meeting action requires sacrifice by some, may it be only where the common goal is worthy of the sacrifice. Let us approach each issue, no matter how difficult or divisive, with an open heart and with an open mind.

And above all, may each of us maintain a saving sense of humor, so that the debates at this Town Meeting will not be a source of division among us when our business here is concluded.

Mr. Van Loon reviewed the schedule for the evening. He is anticipating concluding all business in one night, and hopefully by 10:00 pm. He asked for everyone's cooperation and urged all to be brief, focused, and concise.

On a Motion made by Elise Woodward that was duly seconded, it was **Voted**: to omit the reading of the Warrant and the Return of Service.

Mr. Van Loon explained the procedure for the high school building project – a total of four affirmative votes is required for this project to proceed – two votes each in Concord and Carlisle. The first such vote for Concord is being considered tonight under Article 1. The second will take place at the Special Town Election scheduled for November 15, 2011.

### *Article 1. Concord-Carlisle High School Building Project*

School Committee Member Jerry Wedge made it Motion that was duly seconded: that the Town hereby approves the \$88,494,844 borrowing authorized by the Concord-Carlisle Regional School District (the "District"), for the purpose of paying costs of designing, constructing, originally equipping and furnishing a new District High School, and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority, and that the Town approves the \$4,083,680 borrowing authorized by the District for the design and construction of an alternative physical education center, to be located on the site of the new District High School, for which the District is not eligible for a school construction grant from the MSBA, said amounts to be expended at the direction of the School Building Committee; provided further that any grant that the District may receive from the MSBA for the Project shall not exceed the lesser of, (1) 34.58%, or 35.58% if the District receives final approval from the State's Inspector General to utilize the Construction Manager-at-Risk construction delivery method for this project, if eligible, approved Projects costs or (2) the total maximum grant amount determined by the MSBA; provided that the approval

of the District's borrowing by this vote shall be subject to and contingent upon an affirmative vote of the Town to exempt its allocable share of the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. 59, §21C (Proposition 2½); and that the amount of borrowing authorized by the District shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the District and the MSBA.

After further discussion, there was a **Motion To Call The Question**, which was duly seconded and **Voted** by a Two-Thirds Majority on a show of hands, and was so declared. A **Vote** was then taken the motion, which **Passed by an overwhelming majority**, and was so declared.

It was noted that the Board of Selectmen and Finance Committee both unanimously recommended approval of the following Article.

### *Article 2. High School Debt Stabilization Fund Creation and Funding*

Upon a Motion made by Christopher Whelan and duly seconded, it was **Voted by a Two-Thirds Majority** on a show of hands, and was so declared by the Moderator: to establish a Stabilization Fund for the purpose of reserving funds to be used to lower the tax levy impact of the Town's assessed share of principal and interest payment on bonds to be issued by the Concord-Carlisle Regional School District for the new District High School construction project pursuant to a vote of the Regional School Committee on September 27, 2011, said Stabilization Fund to be invested by the Town Treasurer and to retain its own interest earnings as provided by law; and upon certification of the June 30, 2011 Free Cash balance, the sum of \$2,000,000 be appropriated from said balance and be transferred by the Town Treasurer into said Stabilization Fund.

### *Article 3. Five Year Projection of Tax Burden on Citizens* (by petition)

The following Motion was made by Phebe Ham and duly seconded: to request the Finance Committee to make a five-year projection on what the total tax burden is likely to be on the citizens of the Town commencing with the calendar year 2012. This information shall be

included in “The Report of the Finance Committee of the Town of Concord” sent to all voters prior to each Annual Town Meeting thereafter.

After discussion, there was a Motion to Call the Question, which was duly seconded. Mr. Van Loon ruled this out of order, since there were still many people standing in line to speak and we had not had an adequate discussion of the Article.

After further discussion from seven speakers, Mr. Van Loon agreed to entertain the earlier **Motion to Call the Question**, which **Passed Unanimously** with a show of hands in all rooms, and was so declared. At 9:57 pm, a **Vote** was then taken on the original motion, which

**Passed by Majority Vote** on a show of hands, and was so declared.

Mary Weinberg acknowledged resident Phebe Ham for her many years of successfully bringing petition articles to Town Meeting -- 25 presented, with 19 passed over the years.

At 10:00 pm, upon a Motion duly made and seconded, the Special Town Meeting was adjourned and dissolved.

Respectfully submitted,

Anita S. Tekle

Town Clerk

Attendance: 1,664 registered voters