

TOWN MEETING ARTICLES & VOTES

The Committee reviewed all Town Meeting Articles and Appropriations related to the Landfill Capping and Golf Course.

Copies of each Article is included herein, as well as a recap sheet.

The Committee has reviewed the following Articles against the Capital Project History Subsidiary Ledger provided to the Committee by the Town Comptroller and found the dollar amounts to be consistent.

However, our review clearly identifies the co-mingling of Landfill Project appropriated funds with those of the Golf Course Project.

Although the Golf Course total authorization was \$3,075,000.00, the amount expended to date based upon invoice spread sheets provided is \$3,626,201.00.

This reflects a cost overrun of \$551,201.00 dollars associated with the Golf Course.

Based upon the Financial Data provided, the balance remaining on the total combined funds is \$176,676.76 plus \$100,000.00 which has not been borrowed to date.

Yet to be paid is the outstanding water bill of \$43,784.00, which would reduce the \$176,676.76 accordingly.

Simply stated, there are no funds available to construct a maintenance building or clubhouse facility.

April 17, 1990

ARTICLE 10
(Town Administrator)

To see if the Town will vote to raise and appropriate by borrowing or otherwise a sum or sums of money to be expended under the direction of the Department of Public Works to continue the implementation of the "Order to Perform" at the Town Landfill Site off West Street as mandated by the Department of Environmental Protection or otherwise act thereon.

UNANIMOUSLY VOTED, to appropriate the sum of \$305,600, to be expended under the direction of the Public Works Director for purposes of constructing a permanent cap on that section of the Town landfill which is to be used for composting activities, and for undertaking necessary engineering tests and improvements at the landfill per the Order to Perform:

And that the sum of \$305,600 be appropriated from the following sources:

Transfer from Stabilization Fund	\$	275,900
Sanitation Solid Waste Tipping Fee		
Account Balance		<u>29,700</u>
	\$	305,600

April 2, 1991

ARTICLE 25
(Department of Public Works)

To see if the Town will vote to appropriate a sum or sums of money to be expended under the direction of the Department of Public Works to continue the implementation of the "Order to Perform" at the Landfill site on West Street as mandated by the Department of Environmental Protection, or otherwise act thereon.

VOTED, to appropriate the sum of \$35,000 to be expended under the direction of the Director of the Department of Public Works to continue the implementation of the "Order to Perform" at the Landfill site on West Street as mandated by the Department of Environmental Protection.

And that the sum of \$35,000 be transferred from the unobligated balance in the FY91 DPW Sanitation Solid Waste Tipping Fee Expense Appropriation.

October 8 and 13, 1992

ARTICLE 13. To appropriate a sum of money under the direction of DPW to continue to implement "Order to Perform" at the Town Landfill as mandated by the Department of Environmental Protection. No Action Taken on Subject Matter of Article 13.

April 13, 1993

ARTICLE 12
(Town Administrator)

To see if the Town will vote to raise and appropriate by borrowing or otherwise a sum or sums of money to be expended under the direction of the Department of Public Works to continue the implementation of the "Order to Perform" at the Town Landfill Site off West Street as mandated by the Department of Environmental Quality Engineering, or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION: The Finance Committee recommends favorable action on the subject matter of Article 12 and the appropriation of the sum of \$44,500. The source of these funds is the Stabilization Fund. The current fund balance is approximately \$1.3 million dollars. This appropriation will be used to keep the town in compliance with the landfill "Order to Perform".

Unanimously voted, that the Town appropriate the sum of \$44,500 to be expended under the direction of the Director of Public Works to continue the implementation of the "Order to Perform" at the Landfill on West Street as mandated by the Department of Environmental Protection.

And that the sum of \$44,500 be appropriated from the following source:

Stabilization Fund \$44,500

April 12, 1994

ARTICLE 12
(Town Administrator)

To see if the Town will vote to appropriate a sum of money for closing out and capping the existing landfill and for related work in connection therewith, to determine whether this appropriation shall be raised by borrowing or otherwise; or to take any other action relative thereon.

FINANCE COMMITTEE RECOMMENDATION: The Finance Committee recommends favorable action with regard to the subject matter of Article 12 and that Town Meeting vote to authorize the Town to borrow \$3,000,000 to perform the work necessary to cap the landfill.

VOTED UNANIMOUSLY, to appropriate the sum of \$3,000,000 for closing out and capping the existing landfill and for related work in connection therewith; and that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$3,000,000 under Massachusetts General Laws Chapter 44 Section 8(24).

October 1, 1996

ARTICLE 12
(Town Administrator)

To see what additional sum the Town will vote to appropriate to Article 12 of the Spring Town Meeting of 1994 for purposes of closing out and capping the existing landfill and for related work in connection therewith; and to meet this appropriation the Treasurer is authorized, with the approval of the Board of Selectmen, to borrow such sum in accordance with Subsection 24 of Section 8 of Chapter 44 of the General Laws.

FINANCE COMMITTEE RECOMMENDS favorable action with regard to the subject matter of Article 12 and that the bond authorization for capping the landfill be amended to add \$1,677,086 to current authorization of \$3,000,000.

VOTED, to amend article 12 by adding \$450,000 to the appropriation for the construction of a Flaring System for collection of Methane Gas.

VOTED UNANIMOUSLY AS AMENDED, to appropriate the sum of \$2,127,086 in addition to the sum previously voted under Article 12 of the Annual Town Meeting of April 12, 1994 in the amount of \$3,000,000, for closing out and capping and for constructing a Flaring System for collection of Methane Gas at the existing landfill and for related work in connection therewith; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen authorized to borrow \$2,127,086 under Massachusetts General Laws Chapter 44 Section 8(24).

ARTICLE 13
(Town Administrator)

To see if the Town will appropriate a sum of money for planning and constructing a municipal course and other recreational facilities which shall be partially in the Town of Sherborn, including the acquisition of any interest in land necessary therefor, the construction of a building, and the cost of original equipment and furnishings in connection therewith; to determine whether this appropriation shall be raised by borrowing or otherwise; to authorize the Board of Selectmen to petition the General Court for special legislation, if necessary, to permit the construction of the project; or to take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDS favorable action with regard to the subject matter of Article 13 and that the Town be authorized to issue a bond in the amount of \$2,650 for purposes of the construction of a golf course.

PLANNING BOARD RECOMMENDS favorable action 5 -0 -0 The experience of many towns currently is that municipally owned golf facilities provide dependable tax revenue.

Robert W. Eisenmenger
Theresa Herriman
Milton E. Gilbert

George Richard III
Brian Balcom

NATICK PLANNING BOARD

VOTED UNANIMOUSLY, to amend Article 13 by reducing the appropriation by \$450,000. This appropriation was included in Article 12 for the construction of a Flaring System.

A motion to refer the subject matter of Article 13 to the Board of Selectmen by Mr. William Lyons.
Referral loses.

A motion to refer the subject matter of Article 13 to the Conservation Commission. Referral loses.

A motion to indefinitely postpone the subject matter of Article 13 by Marie Barnicle. Indefinite Postponement loses.

COUNTED VOTE, 93 YES, 29 NO, to appropriate the sum of \$2,200,000 for planning and constructing a municipal golf course and other recreational facilities, located on the former landfill and in connection therewith which shall be partially located in the Town of Sherborn including the acquisition, in fee or by a lease not exceeding one hundred years, of any interest and necessary therefor, the construction of a building, and the cost of original equipment furnishings in connection therewith; that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$2,200,000 under Massachusetts General Laws Chapter 44 Section 8(16); and that the Board of Selectmen are authorized to petition the General Court for an act to permit the construction of the project and the financing thereof, the including temporary borrowing, for a period of five years without any principal payments.

October 7, 1995

ARTICLE 9
(Town Administrator)

To see what sum the Town will vote to appropriate or transfer or otherwise provide for the purpose of clean-up of Jennings Pond.

RECOMMENDATION: The Finance Committee Recommends No Action on the subject matter of Article 9.

NO ACTION TAKEN WITH REGARD TO THE SUBJECT MATTER OF ARTICLE 9.

December 15, 1998

ARTICLE 5
(Town Administrator)

To see what additional sum the Town will vote to appropriate to Article 12 of the Spring Town Meeting of 1994 and Article 12 of the Fall town Meeting of 1996 for purposes of closing out and capping the existing landfill and for related work in connection therewith; to determine whether this appropriation shall be raised by borrowing or otherwise.

FINANCE COMMITTEE RECOMMENDATION: The Finance Committee recommends Favorable Action with regard to the subject matter of Article 5 and the appropriation of \$900,000.

Town Meeting Member, James Argir amended the main motion to increase the appropriation to the original amount of \$1,200,000. After much discussion on the article the AMENDMENT LOSES.

VOTED BY 2/3rd MAJORITY, to appropriate the sum of \$900,00 in addition to the sums previously voted under Article 12 of the Spring Town Meeting of 1994 in the amount of \$3,000,000 and Article 12 of the Fall Annual Town Meeting of October 6, 1996 in the amount of \$2,127,086, for closing out and capping the existing landfill and for related work In connection therewith; and to meet this appropriation the Treasurer is authorized, with the approval of the Board of Selectmen is authorized to borrow \$900,000 under Massachusetts General Laws Chapter 44 Section 8(24).

ARTICLE 6
(Town Administrator)

To see what additional sum the Town will appropriate to Article 13 of the Fall town Meeting of 1996 for planning and constructing a municipal golf course and other recreational facilities which shall be partially in the Town of Sherborn, including the acquisition of any interest in land necessary therefore, the construction of a building, and the cost of original equipment and furnishings in connection therewith; to determine whether this appropriation shall be raised by borrowing or otherwise.

FINANCE COMMITTEE RECOMMENDATION: The Finance Committee recommends no action with regard to the subject matter of Article 6.

NO ACTION TAKEN ON ARTICLE

April 15, 1999

ARTICLE 12
(Town Administrator)

To see if the Town will vote to appropriate a sum of money, in addition to the sums previously appropriated, for the purpose of closing out and capping the existing landfill by completing the methane collection and flaring system; to determine whether this appropriation shall be raised by borrowing or otherwise; or to take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION: The Finance Committee recommends favorable Action with regard to the subject matter of Article 12 and the increased bond authorization of \$388,000.

VOTED UNANIMOUSLY, to appropriate the sum of \$388,000 to be expended under the direction of the Town Administrator in addition to the sums previously voted for the purpose of closing out and capping the existing landfill by completing the methane collection and flaring system; and that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$388,000 under Mass General Law Chapter 44 Section 8(24).

ARTICLE 13
(Town Administrator)

To see if the Town will vote to appropriate a sum of money, in addition to the amount appropriated under Article 13 of the warrant for the 1996 Fall Town Meeting, for planning and constructing a municipal golf course and other recreational facilities which shall be partially in the Town of Sherborn, including the acquisition of any interest in land necessary therefor, the construction of a building, and the cost of original equipment and furnishings in connection therewith; to determine whether this appropriation shall be raised by borrowing or otherwise, or to take any other action relative thereto.

FINANCE COMMITTEE RECOMMENDATION: The Finance Committee recommends Favorable Action with regard to the subject matter of Article 13 and the increased bond authorization of \$775,000.

VOTED BY 2/3 MAJORITY, to appropriate \$775,000 to be expended under the direction of the Town Administrator in addition to the amount previously voted for the planning and constructing a municipal golf course and other recreational facilities which shall be partially in the Town of Sherborn, including the acquisition of any interest in land necessary therefor, the construction of a building, and the cost of original equipment and furnishings in connection therewith; and that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$775,00 under Mass general Laws Chapter 44 Section 8(16).

October 4, 2001

ARTICLE 34
(Town Administrator)

To see what additional sum the Town will vote to appropriate to Article 13 of the Fall Town Meeting of 1996 and Article 13 of the Annual Town Meeting of April 1999 for planning and constructing a municipal golf course and other recreational facilities which shall be partially in the Town of Sherborn, including the acquisition of any interest in land necessary therefore, the construction of a building, and the cost of original equipment and furnishings in connection therewith; to determine whether this appropriation shall be raised by borrowing or otherwise, or to take any other action relative thereto.

RECOMMENDATION: The Finance Committee recommends No Action with regard to the subject matter of Article 33.

The Town Administrator requested No Action on this matter.

NO ACTION TAKEN ON THE SUBJECT MATTER OF ARTICLE 34.

April 11, 2002

ARTICLE 21
(Board of Selectmen)

To see if the Town will vote to appropriate a sum of money, in addition to the amount appropriated under Article 13 of the warrant for the 1996 Fall Town Meeting and Article 13 of the warrant for the 1999 Annual Town Meeting, for planning and constructing a municipal golf course and other recreational facilities which shall be partially in the Town of Sherbom, including the acquisition of any interest in land necessary therefore, the construction of a building, and the cost of original equipment and furnishings in connection therewith; to determine whether this appropriation shall be raised by borrowing or otherwise, or to take any other action relative thereto.

RECOMMENDATIONS: By a vote of 14-0-0 (March 12, 2002) the Finance Committee recommends FAVORABLE ACTION with regard to the subject matter of Article 21 and an appropriations in the amount of \$219,120 as indicated below:

<u>Funding Source</u>	<u>Amount</u>
Borrowing	\$100,000
Receipts Reserved	\$119,120
 Total Appropriation	 \$219,120

The purpose of this Article is to fund the construction of a maintenance building at the Sassamon Trace Golf Course. Based on review of the Board of Selectmen and the Finance Committee and the need for such, we find that the appropriation of the above mentioned amounts is appropriated. The total amount estimated for this construction is \$219,120, which is recommended to be funded in tow parts 1) from short-term borrowing of \$100,00 and 2) from an appropriation of \$119,120. The \$119,120 appropriation is recommended to be from the Receipts Reserved account, which holds monies received form the deposit of fill from the Big dig Project. The Town was paid for the receipt and deposit of numerous yard of fill, which was used when capping the landfill.

A motion was made by Frederick Coburn, seconded by Robert Raisch to postpone action on Article 21 until the end of the warrant.

A motion was made by TMM Frank Foss, seconded by Carol Gloff to move the question. By a DECLARED 2/3RD VOTE to question carries.

The motion for postponement LOSES.

Motion:

VOTED BY DECLARED 2/3RD, to appropriate the sum of \$219,120 in addition to the amount appropriated under Article 13 of the warrant for the 1996 Fall Town Meeting and Article 13 of the warrant for the 1999 Annual town Meeting, for planning and construction a municipal golf course and other recreational facilities which shall be partially in the Town of Sherborn, including the acquisition of any interest in land necessary therefore, the construction of a building, and the cost of original equipment and furnishings in connection therewith; and that to meet this appropriation the sum of \$199,120 be transferred from the Receipts Reserved Central Artery revenues and further that the Treasurer with the approval of the Board of Selectmen is authorized to borrows \$100,000 under Massachusetts General Laws Chapter 44 Section 8(16) and Chapter 164 of the Acts of 1988.

Town Meeting Appropriations Landfill and Golf Course

Date	Appropriation	Project	Source of Funding
April 17, 1990	\$305,600	landfill capping	Transfer from Stabilization Fund \$ 275,900 Sanitation Solid Waste Tipping Fee Account Balance \$29,700
April 2, 1991	\$35,000	landfill capping	Transfer from the unobligated balance in the FY91 DPW Sanitation Solid Waste Tipping Fee Expense Appropriation.
April 13, 1993	\$44,500	landfill capping	Stabilization Fund
April 12, 1994	\$3,000,000	landfill	Borrowing under MGL c. 44 Section 8(24)
October 1, 1996	\$2,127,086 (includes \$450,000 taken from the golf course article for flaring system). \$2,200,000 (amount reduced by the \$450,000 which was moved to the landfill article)	landfill and methane flaring system golf course	Borrowing under MGL c. 44 Section 8(24). Borrowing under MGL c. 44 Section 8(16)
December 15, 1998	\$900,000	landfill capping	Borrowing under MGL c. 44 Section 8(24)
April 15, 1999	\$388,000 \$775,000	completion of the methane collection and flaring system golf course	Borrowing under MGL c. 44 Section 8(24) Borrowing under MGL c. 44 Section 8(16)
April 11, 2002	\$199,120 \$100,000	construction of a maintenance building at the golf course	Transfer from the Receipts Reserved Central Artery Revenues Borrowing under MGL c. 44 Section 8(16)

Date	Appropriation	Project	Source of Funding
April 17, 1990	\$305,600	landfill capping	Stabilization Fund & Tipping Fee Account Balance
April 2, 1991	\$35,000	landfill capping	Tipping Fee Account Balance
April 13, 1993	\$44,500	landfill capping	Stabilization Fund
April 12, 1994	\$3,000,000	landfill	MGL c. 44 Section 8(24)
October 1, 1996	\$2,127,086	landfill and methane flaring system	MGL c. 44 Section 8(24)
	\$2,200,000	golf course	MGL c. 44 Section 8(16)
December 15, 1998	\$900,000	landfill capping	MGL c. 44 Section 8(24)
April 15, 1999	\$388,000	completion of the methane collection and flaring system	MGL c. 44 Section 8(24)
	\$775,000	golf course	MGL c. 44 Section 8(16)
April 11, 2002	\$119,120	golf course - maintenance building	Receipts Reserved Central Artery Revenues
	\$100,000	golf course - maintenance building	MGL c. 44 Section 8(16)

landfill	\$6,415,086
golf course	\$3,194,120