




**Town of Arlington  
Legal Department**

Douglas W. Heim  
Town Counsel

50 Pleasant Street  
Arlington, MA 02476  
Phone: 781.316.3150  
Fax: 781.316.3159  
E-mail: [dheim@town.arlington.ma.us](mailto:dheim@town.arlington.ma.us)  
Website: [www.arlingtonma.gov](http://www.arlingtonma.gov)

To: Board of Selectmen

Cc: Adam Chapdelaine, Town Manager  
John Leone, Town Moderator

From: Douglas W. Heim, Town Counsel 

Date: January 7, 2016.

**Re: Special Town Meeting Warrant Articles ##2-8**

---

I write to provide the Board a summary of the above-referenced warrant articles to assist in the Board's consideration of these articles at its upcoming hearing on January 11, 2016. In the interests of clarity, articles are presented in the order in which they appear on the Special Town Meeting Warrant, and articles examined by the Finance Committee have been included without substantive analysis by this Office. Further, for the Board's convenience, attached to the end of this memo are copies of reference materials.

**ARTICLE 2 CAPITAL BUDGET/STRATTON SCHOOL MODULAR CLASSROOMS**

**To see if the Town will vote to appropriate a sum of money for temporary classroom space for the Stratton School to be utilized during building renovations, determine how the money shall be raised and expended, including the possibility of borrowing all or some of same; or take any action related thereto.**

**(Inserted at the request of the Town Manager and the Capital Planning Committee)**

It is my understanding that the Finance Committee will present its recommendation both to the Board of Selectmen and Town Meeting on this Capital Budget article.

**ARTICLE 3 CAPITAL BUDGET/STRATTON SCHOOL RENOVATION**

**To see if the Town will vote to appropriate a sum of money for renovations to the Stratton School, determine how the money shall be raised and expended, including the possibility of borrowing all or some of same; or take any action related thereto.**

**(Inserted at the request of the Town Manager and the Capital Planning Committee)**

It is my understanding that the Finance Committee will present its recommendation both to the Board of Selectmen and Town Meeting on this Capital Budget article.

**ARTICLE 4 CAPITAL BUDGET/SCHOOL CAPACITY EXPANSION**

**To see if the Town will vote to appropriate a sum of money for capacity expansion, temporary or permanent, at any of the Town's school buildings, determine how the money shall be raised and expended, including the possibility of borrowing all or some of same; or take any action related thereto.**

**(Inserted at the request of the Town Manager and the Capital Planning Committee)**

It is my understanding that the Finance Committee will present its recommendation both to the Board of Selectmen and Town Meeting on this Capital Budget article.

**ARTICLE 5**

**COLLECTIVE BARGAINING**

To see if the Town will vote to fund any fiscal items in the event that any are contained in collective bargaining agreements between the Town and the following named collective bargaining units, determine how the money shall be raised and expended; or take any action related thereto:

**A. Local 680, American Federation of State, County and Municipal Employees**

**(Inserted at the request of the Town Manager)**

It is my understanding that the Finance Committee will present its recommendation both to the Board of Selectmen and Town Meeting on this Collective Bargaining article.

**ARTICLE 6**

**MINUTEMAN REGIONAL VOCATIONAL TECHNICAL SCHOOL: BOND AUTHORIZATION FOR MINUTEMAN SCHOOL CONSTRUCTION**

To see if the Town will vote to approve debt authorized by vote of the Minuteman Regional Vocational Technical School District for the purpose of paying Arlington's apportioned capital costs for the construction of a new Regional Vocational Technical School building in Lincoln Massachusetts, the design for which having been approved by the Regional School Committee, said sum to be expended at the direction of the Minuteman School Building Committee; or take any action related thereto.

**(Inserted at the request of the Town Manager)**

This article was inserted in the Special Town Meeting Warrant at the request of the Town Manager in anticipation of a potential required vote to authorize bonding requested by the Minuteman Regional Vocational Technical School (hereinafter "Minuteman") under M.G.L. c. 71 §16(d). It is my understanding that despite much discussion on how to address financing a capital project for a new Minuteman school building with member communities, the Minuteman School Committee has not voted to put such a request before us. Accordingly, a bond authorization is not ripe for Town Meeting consideration and there is no action that Town can or should take on this article at this time on this article.

**ARTICLE 7**

**MINUTEMAN REGIONAL VOCATIONAL TECHNICAL SCHOOL: AMENDMENT TO THE DISTRICT AGREEMENT OF THE MINUTEMAN REGIONAL VOCATIONAL SCHOOL DISTRICT TO ALLOW WAYLAND'S WITHDRAWAL FROM THE DISTRICT**

To see if the Town will accept and approve the "Amendment to Minuteman Regional Agreement regarding the Withdrawal of the Town of Wayland from the Minuteman Regional School District" which was approved by the Minuteman Regional School Committee on July 7, 2015 and which has been submitted to the Board of Selectmen consistent with the current Minuteman Regional Agreement, or take any action related thereto.

**(Inserted at the request of Minuteman Regional Vocational School District Committee)**

This article requests a vote of each member community of Minuteman to determine whether or not member community Wayland should be permitted exit the Regional Agreement and discontinue its status as a member (including its obligations) of the Regional School District. Unanimous consent of member town meetings is required under the current Regional Agreement whenever a member formally votes to seek withdraw from the regional school district.

Permit me to respectfully note that this request reflects Wayland's parallel effort to leave Minuteman without requiring broader amendments to the Regional Agreement that Arlington and other members have long sought. As such, a vote of "no action" on this article would not leave Wayland without the exit they seek. They could achieve the same result via unanimous consent to simultaneously substantively amend the Regional Agreement and allow the withdrawal of members like Wayland as discussed in further detail with respect to Article 8 below.

**ARTICLE 8**

**MINUTEMAN REGIONAL VOCATIONAL TECHNICAL SCHOOL: SUBSTANTIVE AMENDMENTS TO THE DISTRICT AGREEMENT, INCLUDING AN "INITIAL WITHDRAWAL PROCESS"**

To see if the Town will vote, consistent with Section VII of the existing Minuteman "Agreement With Respect to the Establishment of a Technical and Vocational Regional School District," to accept and approve amendments to said Agreement approved by the majority of the Regional School Committee, and which have been submitted to the Board of Selectmen of each member town prior to its respective vote on this article, including amendments which would allow for the withdrawal of present members of the District, or take any action related thereto.

**(Inserted at the request of the Town Manager)**

This article correctly anticipated the December 21, 2015 vote the Minuteman Regional Vocational School District Committee to revise the Regional Agreement governing the rights and responsibilities of member communities.<sup>1</sup> Such vote by the Minuteman School Committee requires each member community to hold a Special Town Meeting on or before March 1, 2016 to adopt or reject the proposed amendments to the Regional Agreement.

As has been previously reported to the Board by its representatives to Minuteman, including the Regional Agreement Amendment Subcommittee (RAAS), the December 21, 2015 amendments are substantial and the product of lengthy discussions between and among the Regional School District and its members. Many amendments are similar or the same to the 2014 proposed revised agreement, and some are new to the amendments voted upon by the Minuteman School Committee on December 21, 2015. The most significant amendments include:

---

<sup>1</sup> The instant article while placed upon the warrant prior to the Minuteman School Committee December 21, 2015 vote, provides sufficient notice to the Town of all the actions contemplated by the proposed amended Regional Agreement and further satisfies Minuteman's request. The article as articulated here is broader in scope, but otherwise virtually identical to Minuteman's suggested language.

- Weighted voting for the majority of Minuteman School Committee actions;
- A revised process by which member communities can exit the Regional Agreement without incurring additional debt obligations, including specific provision to allow (but not mandate) the withdrawal of members Boxborough, Carlisle, Dover, Lincoln, Sudbury, Wayland, and Weston;
- Revised capital assessment formulas; and
- Provisions for non-member communities to pay capital fees equivalent to the average per pupil capital assessments of members.

As Members of the Board will recall from previous discussions, in order to be adopted, the Amended Regional Agreement must first be approved by Town Meeting votes in each of the sixteen (16) member communities, and then further approved by the Commissioner of Commissioner of Elementary and Secondary Education.