

**ARTICLE 31            MINUTEMAN REGIONAL SCHOOL DISTRICT ASSESSMENT**  
(Majority vote)

To see if the Town will raise and appropriate, or appropriate from available funds, a sum of money to defray the necessary expenses of the Minuteman Regional Vocational Technical School District, or take any other action relative thereto.

**SUMMARY**

This article requests funds for fiscal year 2008 (July 1, 2007 through June 30, 2008) for the Minuteman Regional Vocational Technical School District Assessment. This assessment, voted by the Minuteman School Committee, is governed by the terms of the Minuteman School District Agreement.

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Selectman assigned: Peter K. Ashton: bos@acton-ma.gov

**Recommendations:**            Board of Selectmen            Finance Committee  
                                         **Recommended**                            **Deferred**

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**ARTICLE 32            COMMUNITY PRESERVATION PROGRAM**  
(Majority vote)            **DIRECT APPROPRIATIONS FROM FUND BALANCE**

To see if the Town will vote to appropriate or to set aside for later appropriation, and to authorize the Board of Selectmen and the Town Manager to expend or set aside, from the FY 2006 Community Preservation Fund balance as set forth herein, the following amounts for community preservation purposes, with such expenditures to be subject to conditions to be specified in award letters from the Community Preservation Committee, with each item considered a separate appropriation:

<b>FY 2006 COMMUNITY PRESERVATION FUND BALANCE</b>	
<b>FY 2006 Community Preservation Fund Revenues</b>	
Community Preservation Fund Surcharge Collected in FY 2006	\$ 656,254.18
State Community Preservation Trust Fund Receipt, October 2006	\$ 652,082.00
<b>Other FY 2006 Community Preservation Fund Components</b>	
Interest Earned FY 2006	\$ 58,502.20
Recapture of unspent previous years' project appropriations (02/07)	\$ 71,984.64
Unencumbered FY 2005 Fund Balance	\$ 86,122.12
<b>Total - FY 2006 Community Preservation Fund Balance</b>	<b>\$1,524,945.14</b>
<b>APPROPRIATIONS</b>	
<b>Purpose</b>	<b>Recommended Amounts</b>
<b>Set Aside Appropriations for</b>	
<b>A.</b> Acquisition, creation, and preservation of open space, and its rehabilitation and restoration	\$ 350,000.00
<b>B.</b> Acquisition, preservation, rehabilitation and restoration of historic resources	\$ 55,334.00
<b>C.</b> Acquisition, preservation, rehabilitation and restoration of historic resources; compensates for under-spending in 2004	\$ 4,130.00

<b>Spending Appropriations</b>	
<b>D.</b> Capital Fund, Acton Housing Authority	\$ 64,000.00
<b>E.</b> Support Services, Acton Housing Authority	\$ 35,000.00
<b>F.</b> Community Housing Program Fund	\$ 170,000.00
<b>G.</b> Athletic Field Lighting	\$ 175,000.00
<b>H.</b> Bruce Freeman Rail Trail Design	\$ 202,000.00
<b>I.</b> East Acton Village Green	\$ 70,000.00
<b>J.</b> Communitywide Archaeological Reconnaissance Survey	\$ 35,000.00
<b>K.</b> Granite Street Marker Restoration	\$ 5,500.00
<b>L.</b> Groener Land Purchase at 191 Nagog Hill Road	\$ 100,000.00
<b>Administrative Spending Appropriation</b>	
<b>M.</b> A fund reimbursing the Town of Acton for administrative services and operating expenses provided in support of the Community Preservation Committee	\$ 65,416.00
<b>Total Recommended Appropriations</b>	<b>\$1,331,380.00</b>
Remaining FY 2006 fund balance	\$ 193,565.14

And, whereas Massachusetts General Law, Chapter 44B requires that the Town appropriate for spending, or set-aside for future spending, from the fund balance at least 10% for open space, 10% for historic preservation, and 10% for community housing.

And, whereas the recommended appropriations for open space, historic preservation, and community housing each meet or exceed 10% of the 2006 Community Preservation Fund revenues.

And, whereas Town Meeting may vote to delete or reduce any of the recommended amounts.

Therefore, in the event that recommended amounts are deleted or reduced, vote to appropriate as a set-aside for future spending from the FY 2006 Community Preservation Fund Balance the minimum necessary amounts to allocate not less than 10% of the FY 2006 Community Preservation Fund revenues for open space (\$130,833.62), not less than 10% of the FY 2006 Community Preservation Fund revenues for historic preservation (\$130,833.62), not less than 10% of the FY 2006 Community Preservation Fund revenues (\$130,833.62) for community housing, and to set aside for future spending on historic preservation not less than \$4,130.00, which had been recaptured as unspent 2004 Community Preservation appropriations and closed to the Community Preservation Fund.

, or take any other action relative thereto.

### SUMMARY

This article would make appropriations from the Town's Community Preservation Fund. In 2002, the Town adopted the Community Preservation Act, Massachusetts General Laws Chapter 44B (the Act). This established Acton's Community Preservation Fund through a 1.5% annual surcharge on real estate property tax bills with certain exemptions, and made the Town eligible to receive annually additional monies from the Massachusetts Community Preservation Trust Fund, which are added to the Town's Community Preservation Fund. Under the Act, the Community Preservation Fund may be used to acquire, create and preserve open space; to acquire, preserve, rehabilitate, and restore historic resources; to acquire, create, preserve and support community housing; to acquire, create and preserve land for recreational use; to rehabilitate and restore open space, land for recreational use and community housing that is acquired or created with CPA funds; and for certain related expenses in support of the foregoing.

Community housing is defined as housing for low- and moderate-income individuals and families. This is the fourth year of appropriations from Acton’s Community Preservation Fund.

Local adoption of the Community Preservation Act established the Acton Community Preservation Committee as a statutory committee under the Act (Chapter S of the Bylaws of the Town of Acton). The Community Preservation Committee’s duties under the law are to study the needs, possibilities, resources, and preferences of the Town regarding community preservation; to engage in an open and public process of deliberation and consult with other Town Boards and Committees; and to make recommendations to Town Meeting for appropriations from the Community Preservation Fund.

In August 2006, the Community Preservation Committee published its 2007 Community Preservation Plan with guidelines for the submission of projects seeking funding. The Committee received fourteen applications for funding of proposed items and projects. The Committee reviewed all proposals, interviewed proponents, and solicited legal opinions on the proposals to help evaluate their eligibility under the Act. Four proposals were withdrawn or not funded during the review period for various reasons. This article represents the Committee’s recommendation for appropriations from the available Community Preservation Fund balance, which includes nearly \$72,000 in left-over funds recaptured from completed Community Preservation projects approved in previous years. All recommended amounts are “up-to” spending limits. Savings, if any, will be available for future appropriations. All proposed projects that remained after the withdrawals are recommended for funding, whereby some of the projects are recommended at higher funding levels than the proponents had originally requested. As in previous years the recommended appropriations include a set-aside for open space. This year, the recommended appropriations also include two separate set-asides for historic resources. One is to meet this year’s required 10% minimum funding level as required in the Act; the other is to meet the 10% threshold for 2004 after two historic resources projects funded in that year were completed under budget. The recommended appropriations leave a remaining fund balance of \$193,565.14 that is available for future Town Meeting appropriations in all eligible funding categories under the Act.

The Act states that Town Meeting may delete or reduce any of the recommended appropriations, but may not add new items or increase the recommended appropriations. The Act also requires that the Community Preservation Committee recommends in each fiscal year the spending of not less than 10% of the annual revenues in the Community Preservation Fund for each of the following: open space (not including land for active recreation purposes); historic resources; and community housing. The Committee may also recommend the taking by the Town of interest in real property (not recommended this year), the borrowing of funds for Community Preservation (not recommended this year), and appropriation of not more than 5% of the annual revenues of the Community Preservation Fund for the Committee’s administrative and operating expenses.

**A. Open Space Set-Aside**

This item sets aside a fund from which Town Meeting may appropriate spending in future years for the purpose of acquisition, creation, and preservation of open space. Together with the previous years’ open space set-aside appropriations, the recommended amount will bring the balance in the open space set-aside to \$1,250,000.

<b>Recommendations:</b>	<b><u>Board of Selectmen</u></b>	<b><u>Finance Committee</u></b>
	<b>Recommended</b>	<b>Deferred</b>



**F. Community Housing Program Fund**

This requested appropriation will be for the acquisition, creation, preservation, and support of community housing in the Town of Acton. It will replenish the Community Housing Program fund which received previous Community Preservation Fund appropriations in 2004 and 2005. The Program Fund can be used for acquisition, rehabilitation, and conversion of existing housing stock; new development; refinancing or repurchase of existing affordability restrictions about to expire; purchase of new affordable housing deed restrictions; accessibility modifications of affordable units for persons with disabilities; and financial assistance to low- and moderate-income buyers. This set-aside fund will be retained as a special CPA fund earmarked for appropriate affordable housing activities recommended by the Acton Community Housing Corporation (ACHC) or any other entity approved by the Board of Selectmen. Under ACHC’s enabling statute, expenditure of such funds by ACHC requires the approval of the Board of Selectmen. The ACHC would keep the Community Preservation Committee and the Board of Selectmen informed about the use of this Fund with periodic reports and would seek guidance as appropriate.

The ACHC represented to the Community Preservation Committee, that a particular focus in the coming year will be a condominium Buy-Down Program. After having studied various options and models, the ACHC has chosen to implement a purchase price buy-down program. It will pay the seller of a unit a certain amount to lower the price to affordable levels for households with incomes between 60% and 80% of the Area Median Income. In exchange, a deed restriction will be placed on the unit that will keep it affordable in perpetuity and count towards Acton’s Subsidized Housing Unit Inventory under M.G.L. Ch. 40B.

**Recommendations:**            **Board of Selectmen**            **Finance Committee**  
                                         **Recommended**                            **Deferred**

**G. Athletic Field Lighting at the Acton-Boxborough Regional High School**

This recommended appropriation to the Acton Boxborough Regional School District will help fund the installation of sports lighting for the varsity baseball field, practice football/soccer field and five tennis courts at the High School. The work will include the installation of light poles with concrete foundations, electrical panel and control box, wiring, light fixtures, and protective netting. The investment of the Town’s Community Preservation Funds in this project acquires for the Town open space for recreation through expanded use hours of the fields, with details for the terms and hours of use during the hours of field lighting determined in an enforceable inter-municipal agreement between the Town of Acton and the Acton-Boxborough Regional School District. The project will also be funded with at least \$110,000 from private sources, and Acton Boxborough Community Education will contribute \$15,000.

**Recommendations:**            **Board of Selectmen**            **Finance Committee**  
                                         **Recommended**                            **Deferred**

**H. Bruce Freeman Rail Trail**

The Bruce Freeman Rail Trail will be a multi-use recreational path on the former Penn Central Railroad right-of-way in Acton, now owned by the Massachusetts Executive Office of Transportation. The Bruce Freeman Rail Trail is planned to extend 22 miles, from Sudbury to Lowell. In Acton, the trail will run 4.6 miles from the Concord line in East Acton to the Carlisle line in North Acton. The Town has appropriated \$250,000 of Community Preservation funding for this project in the prior two years. This recommended appropriation is the third phase of funding for the acquisition of land, the design, and all related costs to the Town for the Bruce Freeman Rail Trail project. The initial survey and design work has begun, which will help identify solutions to some of the more difficult issues along the trail such as right of way encroachments and road crossings. This will also better define the project cost, which is currently estimated at \$4.4 million. Additional design funding and all construction funding will come from Federal and State transportation funding sources.

**Recommendations:**      **Board of Selectmen**      **Finance Committee**  
                                         **Recommended**                                           **Deferred**

**I. East Acton Village Green**

The Town owns approximately 1 acre of land at the corner of Great Road and Concord Road in East Acton Village with shore line on Ice House Pond. It straddles the former Framingham-Lowell railroad right-of-way, which is programmed to become the Bruce Freeman Rail Trail. Old photographs document that the site was once the location of the East Acton depot and a formal green. This project would transform this parcel from its present condition into a new Village Green. The proposal includes new landscaping elements, park benches, walkways, and a small historical kiosk and plaza at the site of the foundation of the former depot. Accommodations are made in the design for the future Bruce Freeman Rail Trail. The East Acton Village Planning Committee initiated the East Acton Village Green project in 2003. The Massachusetts Downtown Assistance Grant program funded the design. Landscape Architects of The Cecil Group prepared the plan under the direction of the East Acton Village Planning Committee. The plan proposes to use durable materials for the architectural elements for long lasting and maintenance free enjoyment of this small open space in the East Acton Village. \$35,000 of this appropriation is for historic preservation purposes and \$35,000 is allocated for recreation purposes. This appropriation will also be funded by an additional \$30,000 anticipated to come from private donations.

**Recommendations:**      **Board of Selectmen**      **Finance Committee**  
                                         **Recommended**                                           **Deferred**

**J. Communitywide Archaeological Reconnaissance Survey**

This recommended appropriation will fund a community-wide archaeological reconnaissance survey to identify the patterns of prehistoric and Colonial occupation and activities in Acton, and to determine known and probable locations of archaeological resources associated with those patterns. Under the project, the Town would engage professional expertise in this field of science to undertake the survey. The project goal is to identify areas in Acton that most likely have archaeological sensitivities so that the Town can achieve more effective protection of significant archaeological resources. Deliverables will be an archaeological sensitivity map for prehistoric and historic sensitive areas with a guide for nonprofessionals to use the map; a survey report in accordance with the Secretary of the Interior standards; and management recommendations for the protection of identified resources and sensitive areas.

**Recommendations:**      **Board of Selectmen**      **Finance Committee**  
                                         **Recommended**                                           **Deferred**

