

Town of Acton

Annual Town Meeting Warrant



Monday, April 4, 2011

**The Annual Town Meeting will convene at 7:00 PM in the
Acton-Boxborough Regional High School Auditorium
36 Charter Road**

Notice of Election and Meeting

**Annual Town Election
Tuesday, March 29, 2011
7:00 AM – 8:00 PM**

- Precinct 1** – Nagog Woods Club House – 100 Nonset Path
Precinct 2 – Conant School – 80 Taylor Road
Precinct 3 – Blanchard Auditorium, R. J. Grey Junior High School – 12 Charter Road
Precinct 4 – Blanchard Auditorium, R. J. Grey Junior High School – 12 Charter Road
Precinct 5 – Blanchard Auditorium, R. J. Grey Junior High School – 12 Charter Road
Precinct 6 – Conant School – 80 Taylor Road

For assistance in determining your election voting location, please use the State Elections Division’s web site www.WhereDoIVoteMA.com or contact the Town Clerk’s office by e-mail at clerk@acton-ma.gov or by telephone at (978) 929-6620.

**Annual Town Meeting
Monday, April 4, 2011
7:00 PM
Acton-Boxborough Regional High School Auditorium
36 Charter Road**

Note: Copies of the detailed Municipal Operating Budget are available at Town Hall. Copies will also be available at Town Meeting.

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Transportation to Town Meeting

Take MinuteVan to Town Meeting!

With the Town’s MinuteVan Dial-a-Ride service, transportation to and from Town Meeting is available for \$2.00 a ride one-way (\$4.00 round-trip).

Because MinuteVan's hours will have to change to accommodate Town Meeting's late hours, we ask that you book Town Meeting rides by Thursday, March 31. Call (978) 844-6809 or visit **www.minutevan.net** on the Internet.

Board of Selectmen's Message

This Town Meeting Warrant is your invitation to participate in the legislative portion of Acton's town government. Acton citizens have a cherished tradition of governing themselves by means of an open Town Meeting. We encourage all Acton residents to attend. All registered voters are urged to participate in the debate and vote on the Articles presented. Other residents, even if they are not registered voters, are invited to attend and observe, or to view the proceedings on Comcast cable channel 8 and Verizon cable channel 45.

Town Meeting Dates, Times and Location

The Annual Town Meeting will begin on April 4 at 7:00 PM in the Acton-Boxborough Regional High School Auditorium. Town Meeting is then expected to continue on additional consecutive nights. All adjourned sessions will begin at 7:00 PM in the Acton-Boxborough Regional High School Auditorium. Come early to get checked in by the Town Clerk's staff and to obtain additional information.

Regular attendees at Annual Town Meeting will note that many of the Articles in this Warrant relate to matters which are routinely addressed every year, such as the established Enterprise Budgets and the Schools' and Municipal Operating Budgets, while other Articles relate to issues and matters that are new or unique this year. Although some Articles, such as Zoning or Bylaw amendment proposals, do not involve appropriation of funds, much of the Annual Town Meeting's attention is focused on fiscal matters.

Town Meeting Warrant and Procedures

The Town Meeting Warrant is the agenda for the meeting. It is drawn up by the Selectmen from various proposals made by the Selectmen, the School Committees, other Boards, staff and citizens. The Selectmen determine the order that the Articles appear in the Warrant. The Articles will be considered in the order in which they appear, unless the Moderator, or the meeting itself, changes that order. Each Article is intended to give fair notice of the topic to be discussed and voted upon, thus any motion made at Town Meeting under one of these Articles must be found by the Moderator to be within the scope of the printed Article. At the Town Meeting, the motion made under each Article will describe the specific action that is proposed to be taken. The wording of the motion, and any amendments that might be offered to the main motion, may differ from the exact wording of the Article, but as indicated above must be within the scope of the Article. Accordingly, it is suggested that each attendee listen closely to the reading of the motion, and any amendments made before voting.

Your attention is invited to the Warrant section on Parliamentary Procedure and a Basic Guide to Town Meeting Process written by the Town Moderator. The best debate is conducted by those who have informed themselves concerning the issues. Informed debate is delayed when speakers rise only to ask basic questions that could be individually addressed. To assist speakers to inform themselves in advance, and to avoid delays during the meeting engendered by persons seeking basic information, the Board of Selectmen strongly encourages and solicits questions in advance concerning any of the proposed Articles. Information in regard to the Articles is available from any of the people listed after each Article summary, or a general inquiry may be made to the Town Manager's office at (978) 929-6611 or manager@acton-ma.gov for an appropriate referral. Copies of the Municipal Operating Budget will be made available in advance of the meeting at the Memorial Library, West Acton Citizens' Library, Public Safety Facility, and Town Hall. Copies will also be available at Town Meeting. Furthermore, personnel designated by staff or the Moderator will be available in the auditorium during the Meeting to answer informational questions which may not be of interest to the entire assemblage on a one-on-one basis.

Thank You to Our Volunteers

In addition to trying to balance our budgetary needs against limited resources, another necessity for the healthy function of our local government and community is the flow of active, interested citizens willing to volunteer their time, talents, and energy to participate as members of the Town's many volunteer regulatory and advisory Boards, Commissions and Committees. Volunteers are the very foundation of our government, and as the needs of the Town expand, so does the need for volunteers. No special knowledge is necessary to volunteer, only an interest to serve the community and advance the public good, combined with a willingness to learn. The rewards may be intangible, but are very real. We encourage you to volunteer by filling out the Citizen Resource Sheet which is included in this Warrant, tearing it out and mailing it to Town Hall, depositing it in the marked box in the lobby outside the auditorium at Town Meeting, or handing it to any Selectman at this meeting. Please consider helping your Town by volunteering some time – we believe you will find it very rewarding.

Lauren Rosenzweig Morton, Chair
Mike Gowing, Vice-Chair
Terra Friedrichs, Clerk
Janet K. Adachi
Pamela Harting-Barrat

Board of Selectmen

Town Manager's Message

Twenty years from now you will be more disappointed by the things you didn't do than by the ones you did do. – Mark Twain

As has been the case for the past two fiscal years, the recession has created so much uncertainty and unpredictability that developing a realistic, practical budget requires the pensive of Professor Dumbledore.

Unfortunately, no such magical apparatus is at our avail and we must rely on our instinct and intuition since no two economists can agree. What is particularly unsettling is the fact that the economic uncertainty is something few have seen in their lifetimes. As a much more seasoned Manager than I stated at this year's ICMA Conference, "When times have gotten tough in the past, I have always relied on my experience; the current situation is something I have never experienced before."

Work on the FY 12 budget commenced in August 2010 amidst this uncertainty. Michael Widmer, the President of the Massachusetts Taxpayer Foundation, has stated that State revenues have "bottomed-out" and will now start to exceed the (lowered) benchmarks. A bill relating to capital gains tax that passed last June uses 5% of the tax revenues as part of the budget process with the remaining 95% post employment benefits and a rainy day fund. While FY 12 will be the worst ever, the long term outlook beyond FY 13 looks better. Widmer stated in a December 14th release, "Despite almost a billion dollars in revenue growth, the state faces a fiscal 2012 shortfall of approximately \$2 billion with no federal stimulus dollars and limited state reserves."

Mr. Widmer also said, "The 2012 budget will require yet another round of cuts in local aid, human services, higher education, and almost all other state programs."

However, based on the bleak economic outlook, some basic policy direction was needed. To that end, the Acton Leadership Group convened to discuss revenue forecasts for FY 12. For those not familiar with the Acton budgeting process, the Acton Leadership Group (ALG) consists of representatives from the Board of Selectmen, School Committees, Finance Committee, and the administration of both the Town and Schools. The primary function of this group is to reach consensus on revenues and to make recommendations to their respective boards as to a split of revenues between the Town and Schools. In November, the ALG met and agreed to the following revenue assumptions:

- Chapter 70 Aid reduced by 10%
- All other Local Aid reduced by 20%
- Local receipts level funded to FY 10 actuals
- Utilization of \$2,000,000 in reserves

The ALG plan also assumed a **2.7%** increase in the Town budget.

Odyssey of the FY 12 Budget

All Departments commenced working on the FY 12 budget during the summer, culminating in October with a two-day budget retreat, commonly known as "On the Hill." Operational budget requests of \$26,557,738 were submitted as well as \$5,893,101 in capital requests. Part of the "On the Hill" process is to have peer review of the capital requests. On the last day of the "Hill", all capital requests are rated by secret ballot into A, B, and C categories, with A being the highest priority. "A" capital priorities totaled \$1,703,780.

Upon conclusion of “The Hill,” the Town Manager convened his budget team, consisting of the Finance Director, Assistant Town Manager, Town Accountant, Principal Assessor/Financial Analyst, HR Director, and IT Director, to discuss, review, and brainstorm over the FY 12 budget. This group met one full day per week through the month of November. The result of all these exercises is the recommended FY 12 budget.

Since the Town Manager’s Budget presentation to the Board of Selectmen in late December, 2010, there have been several key events that have impacted that recommended budget. First, the Governor released his FY 12 State Budget and the ALG changed some of its assumptions in regard to Local Aid, namely that Chapter 70 would be forecasted at 2% below the Governor’s number. Secondly, the Town’s Health Insurance Trust voted final health insurance rates for FY 12, yielding some major savings in what was originally budgeted for employee insurance.

Based on the above, the Board of Selectmen have recommended a FY 12 budget of **\$27,977,904**, which represents a 2.04% increase over FY11. Included in the budget are the following capital items and subsidies:

Subsidy - Ambulance	\$ 271,000
Subsidy - Council on Aging	50,000
Cultural Council	2,000
Shuttle - year 3	75,000
Database/GIS Coordinator	91,000
Engineering Van	26,000
Assessor hours	12,000
Micro film project	60,000
Building Department Vehicle	29,875
NARA Parking Lot Improvements	75,000
Salt Shed	300,000
Permit Tracking System	200,000
Cemetery Heating System	20,000
Emergency Plan and Training	60,000
Council on Aging Air Conditioning	<u>25,000</u>
	\$ 1,296,875

Another major feature of this budget is the identification and inclusion of Public Health Nursing into the Health Department budget. Statutorily, every Town is required to provide Public Health Nursing for things such as mass inoculations, etc. This service has been provided by the Acton Nursing service, but such service has not been billed out, causing in part the operational deficit that we see each year. The proposal contained in this budget is for the Health Department to be billed for these services by the Nursing Service.

This budget also assumes that the State will not meet its obligation under the Quinn bill and no funds are budgeted for labor settlements.

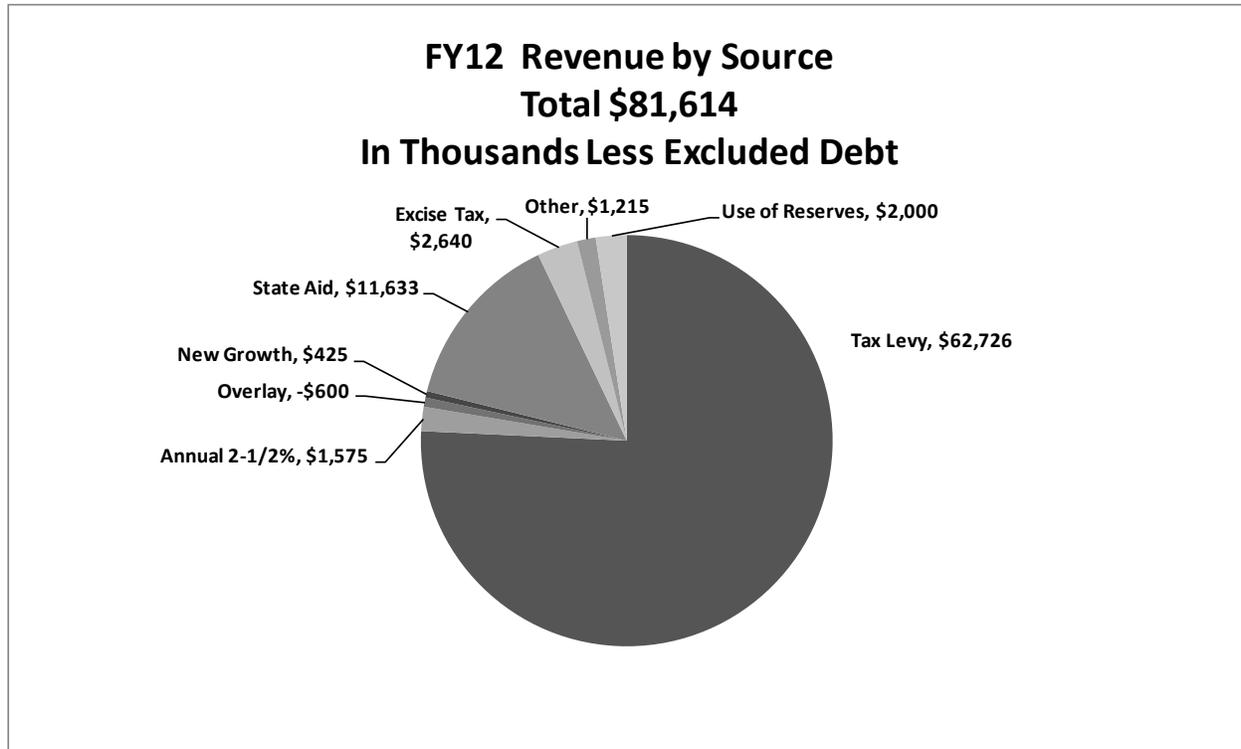
Respectfully Submitted,

Steven L. Ledoux
Town Manager

Budget Overview

The numbers contained in these next few pages for FY12 (the fiscal year beginning July 1, 2011) are derived from the Acton Leadership Group plan, which does not include debt service for excluded debt nor Enterprise Funds and Revolving Funds. Because this document only pertains to Acton's revenues and expenses, the Acton-Boxborough Regional School District Budget line is shown as 79.81 percent of the budgeted amount, which reflects Acton's share of the total regional school district budget.

What Are Our Sources of Revenue?



More than three-quarters of our revenue comes from local property taxes, which is comprised of three components:

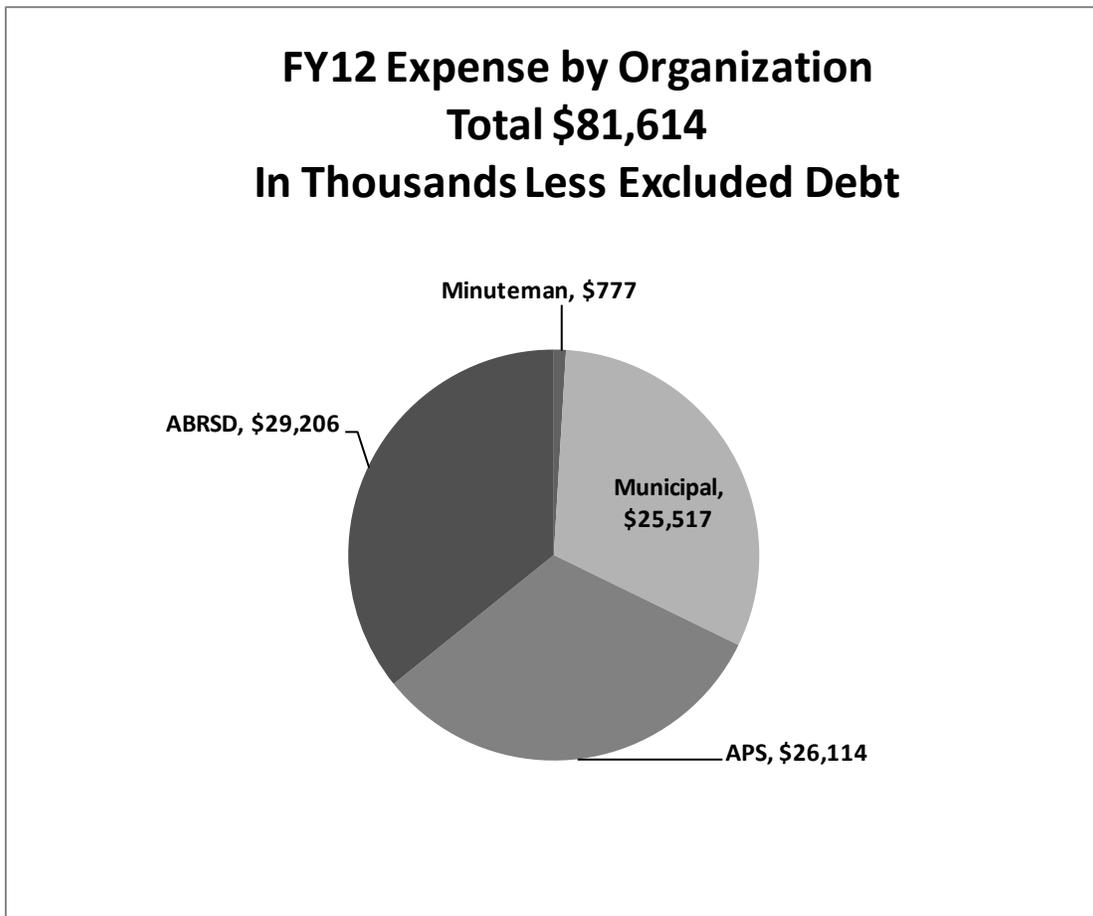
1. **Property Tax Levy** – the existing assessed property taxed at the current rate per thousand
2. **New Growth** – additional assessed value from new homes, additions to homes, and changes in parcels.
3. **Tax Increase** – typically 2-½ percent increase allowed on the property tax levy

State aid, our second largest segment of revenue accounting for nearly 15 percent of the total, consists of education aid and municipal aid. For Acton, education aid (provided through Chapter 70) is the more significant piece, providing Acton Public Schools with slightly more than \$5 million and the Acton-Boxborough Regional system with approximately \$5.4 million. For FY12, unrestricted municipal aid is expected to total slightly more than \$1 million.

Other categories of revenue include excise taxes, which are assessed on motor vehicles and trailers, and account for 3 percent of our total revenue. Fees and interest account for 1 percent of revenue. Acton collects fees for various permits, vital records, and licensing. Interest varies year-to-year depending on the interest rate and the amounts deposited.

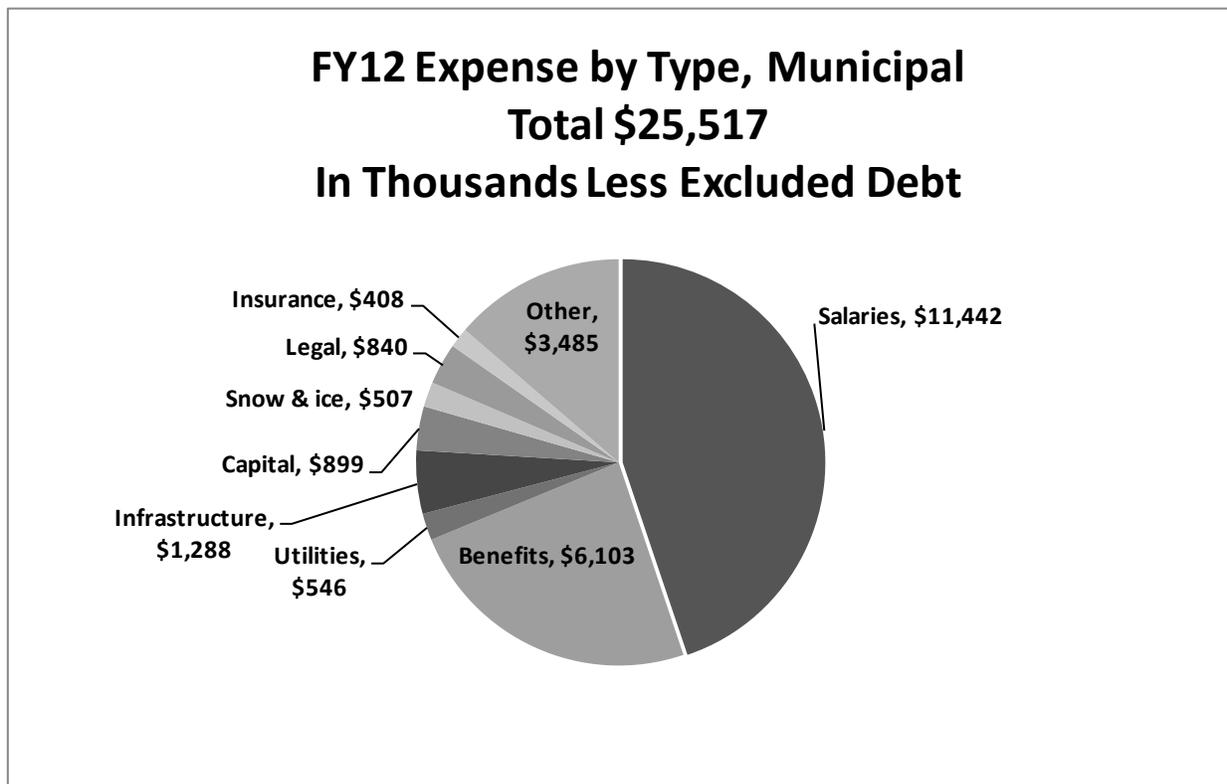
In this year's budget, reserves account for 2 percent of the total revenues. One of the ways in which our town has been able to effectively weather the downturn in the economy (and reductions in state aid and local receipts which are one of the effects of the recession) has been through prudent use of reserves to fill in some of the gaps left by these revenues. We provide more information about our use of reserves in the Fincom Message that follows. These reserves come about from controlling our spending so as to come in under the budgeted expense and by realizing revenue in excess of the budget. In short we save money when we can and use it when it is needed to avoid increasing taxes above the allowable 2-½ percent.

Which Town and School Entities Spend Our Money?



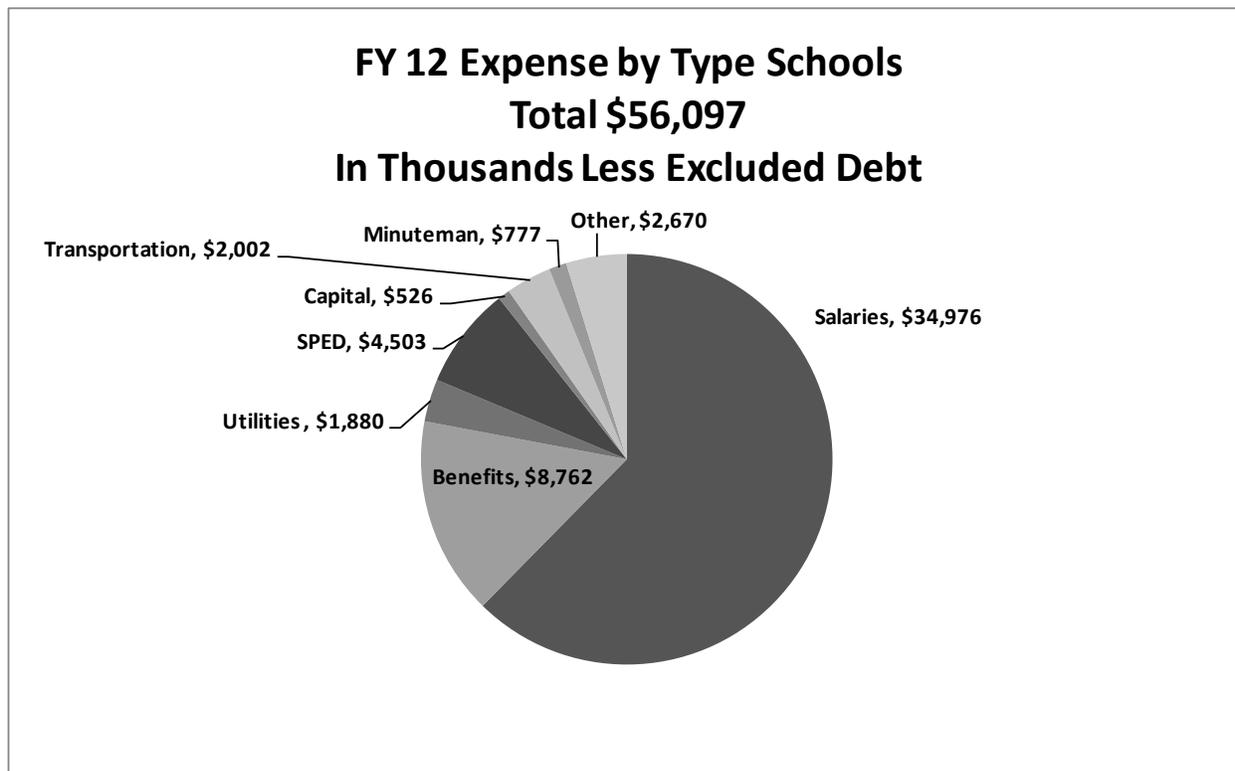
The town's revenues support four budgets within our town. Over two-thirds (69 percent) of our expenditures support education priorities: the Acton Public Schools budget (32 percent of expenditures), Acton-Boxborough Regional Schools assessment (36 percent of expenditures), and Minuteman Regional School District assessment (1 percent of total expenditures). The municipal government (which funds police, fire, highway, library, health, planning and other general government services) accounts for the remaining 31 percent of the total expenditures.

What Does the Municipal Government Spend Our Money For?



Approximately 70 percent of the Town spending goes to salaries and benefits, the cost for the people who provide services to the residents. Health insurance costs for town employees declined overall by approximately \$47,000 over last year's town meeting budget, partially as a result of changes in collective bargaining agreements and partially because the cost of providing health insurance for employees increased by approximately 4 percent, a much smaller increase than many other municipalities have experienced. This again reflects the cost-efficient management provided by our administration. Infrastructure cost accounts for 5 percent of the spending. This category includes the maintenance and improvement of roads, sidewalks, buildings, grounds, and information technology. Legal services have been increasing the last several years and this year's allocation for legal services represents approximately 3 percent of the total. Capital accounts for 4 percent of the municipal total.

What Do the Schools Spend our Money For?



As with the town, the largest category is the cost of people to provide services to our students. Salaries and benefits account for more than 77 percent of the total. The next largest category is special education which accounts for almost 8 percent, followed by student transportation at 3 percent. Utility costs (3 percent) have been reduced for the schools by \$217,000 through a combination of conservation measures and a favorable rate for natural gas which has been locked in for the next three years. Capital outlay represents less than 1 percent in the combined school budgets.

Finance Committee's Message

In June 2010, Standard & Poor's affirmed the town of Acton's AAA bond rating, which had been raised the prior year. The ratings agency, in stating its rationale, found that "Acton's operations are stable and that the town's good reserves will allow it to continue to manage through recessionary pressures." Management's proactive and pre-emptive planning in response to monitoring the economic environment, coupled with Acton voter commitment to support town services and the schools, contributed to Acton's receipt of a AAA bond rating, the best possible for a municipality. This highest rating, awarded to only 21 municipalities in Massachusetts and 169 nationwide, allows us to pay a low interest rate when issuing bonds and demonstrates the high quality of our financial management and planning.

We concur that the overall condition of Acton's finances is sound. Although the report was written specifically to evaluate the municipal operations, we believe that the same thing could be said of both our town and school operations and management: "Management will continue to be proactive and make the necessary adjustments to yield consistent financial results despite potential decreases in those revenues that are sensitive to economic conditions."

The FY12 budget and three-year plan presented to Town Meeting preserves key services to our residents, continues to seek ways to lessen the tax burden for our taxpayers, and uses our reserves prudently to weather the economic downturn and conserve those resources for future needs. This budgetary plan reflects a high degree of cooperation and collaboration between the Board of Selectmen, the School Committees, and the Finance Committee, and balances the limited resources of our taxpayers with their desire to sustain necessary services.

FY2011

As budgets were finalized last spring heading into Annual Town Meeting, the Finance Committee developed a plan for positive and negative contingencies in the amount of state aid. This plan, which became known as the "waterfall proposal," provided the budget-making boards with a plan to spend some of the money to avert deep cuts in service, and also provided that Acton's property taxes for FY11 would not increase by the full 2-½ percent allowed. Through cooperation among the Board of Selectmen, the School Committees, and the Finance Committee, \$293,000 was held back from the tax levy, providing a small measure of taxpayer relief in what was otherwise a difficult year for taxpayers. Special Town Meetings in spring and fall approved the use of additional reserves above the level envisioned at last Annual Town Meeting for settled labor contracts for several town bargaining units and for the exploration and purchase of the Caouette land.

In December 2010, the Finance Committee issued a "Point of View" (POV) with respect to FY12 budget planning. We observed that the economy would continue to constrain state finances (including local aid to the town and schools), and that the federal government would no longer provide any form of stimulus aid, which had offered some additional revenue to the town for the last three years. The last package of federal aid, approximately \$775,000 of funds called EdJobs, was announced in August 2010, and we are pleased that the school administrators and School Committees continue to hold this resource in reserve to alleviate budget pressures in FY13. The Finance Committee recommended the following guidelines to prepare the FY12 budget:

1. No operating override
2. Focus on control of labor costs
3. Capital plans should focus on maintaining critical assets
4. Operating entities should target a 0 percent increase over FY11 budgets

5. Use no more than \$2 million of reserves
6. Expect Chapter 70 funding to be 10 percent lower than FY11 levels
7. Maintain the current revenue split (approximately 30 percent to municipal budget and 70 percent to the schools)

Initial “level-service” budgets were developed which attempted to maintain as many services as possible. Most categories of expenses in all budgets were level-funded. The economic conditions of the nation and the state have resulted in volatility and uncertainty, which continues to make developing a reliable multi-year plan for the town’s taxpayers even more elusive this year. Working throughout the year with the members of the Board of Selectmen and the School Committees, through the Acton Leadership Group process, we have made our best effort to develop a multi-year plan that can provide some guidance to Town Meeting members, while recognizing that it is very difficult to predict what will happen in the next few months, let alone nearly 36 months into the future. As we typically label our plan, the numbers are “highly volatile and subject to change.”

Below we lay out our assumptions, and then show the impact that changes in these assumptions might have on our projections.

FY2012

Revenue excluding debt for FY12 is budgeted to be \$81.614 million, which is an increase of \$1.7 million from FY11,¹ or 2.1 percent. The major components of this change are \$1.575 million in property taxes, a decline of \$24,000 in new growth, a projected decline of \$337,000 in all categories of state aid, a small increase in excise taxes (based on the first reports of actual taxes paid for FY11). We anticipate using \$2 million in reserves to balance the budgets presented, which is \$1.2 million less than what we used in FY11 as authorized by several Town Meetings.

Expenses for FY12 are budgeted at \$81.614 million, on what is known as the ALG basis which does not include excluded debt, or debt that has been borrowed outside the limits of Proposition 2-½, but does include Acton’s prorated share of the Regional School budget and Acton’s assessment for the Minuteman Regional School. This total represents an increase of \$1.184 million or 1.5 percent over the FY11 budgets. The main drivers include an increase in salaries of \$797,000 (or 1.8 percent), and collective bargaining contracts for various groups of town and school employees have been in negotiations throughout much of FY11. Areas of the budget that have experienced increases include legal (\$262,000 for town and schools combined) and “all other” (\$285,000). Other drivers of the budgets include decreases in utilities (\$268,000) as a result of favorable rate plans and conservation efforts in town and schools, in health insurance (\$47,000) as a result of changes in employee health insurance costs related to rates and changes in collective bargaining agreements, special education tuition and transportation (\$9,000). Based on the above revenue and expense estimates the average single family tax bill is expected to increase by \$235 or 2.35 percent.

The Finance Committee continues to work on its cost-savings initiatives with representatives from the Board of Selectmen and the School Committees. Some of the strategies suggested through citizen input have already been implemented in the budgets before you at Town Meeting (examples include reduced printing and mailing costs, conservation measures to decrease utility expenses, and using hiring freezes and deferral of capital items as a means to avoid layoffs of personnel). Other initiatives that might offer more significant changes to the way we do business (such as sharing responsibility between town and

¹ In our discussion of FY12, we compare with the Multi-Year plan numbers for FY11, labeled FY11 Recap in the table at the end of this message. These numbers are slightly different than those presented to last spring’s Town Meeting, especially with respect to revenue.

schools for common areas or looking for efficiencies in the way we do business) continue to be investigated and may offer relief in future budget years.

The Standard & Poor's rating report notes the town's healthy reserve balances, which can be used to smooth out some of the volatility which we have experienced with other revenue sources, such as local receipts and state aid. In 2008, the Board of Selectmen, Finance Committee and School Committees agreed to use a group of twelve communities for comparison purposes to evaluate various budgetary issues; these towns included communities that were similar to us in demographic and financial terms.² In reviewing FY11 data, only three towns (Concord, Westford and Winchester) retained reserves that represented a higher percentage of operating budgets than Acton, whereas two years prior Acton had been in the middle of the group. Our reserve levels (currently at about 10 percent of our operating budget total), prudently dispersed to fill in gaps in revenues so as to sustain services for our citizens, appear to be sufficient to weather the economic downturn that we continue to find ourselves enduring.

We cannot know with certainty in these times the precise changes that will occur with the proposed budgets, but assert that any difference between revenues and expenses will be met through some combination of additional (and unplanned) revenues, implementation of some cost-saving initiatives, continued sound spending management, prudent use of reserves, and possibly reductions in service levels.

FY2013 and FY2014

Revenue Assumptions

For fiscal years FY13 and FY14, the Finance Committee, working collaboratively through the Acton Leadership Group process, developed a plan for the two years after the next budget year which assumed no change in the traditional revenue sources. Specifically, we expect that the property tax levy will increase by the allowable 2-½ percent, that the Commonwealth will continue to fund education through Chapter 70 as currently prescribed, and that other cherry sheet funds will continue to flow to the town and school districts. For FY13, we assume no increase in the total amount of state aid over FY12, although the amounts in various categories may change. The current plan sees the possibility of an increase in state aid of 5 percent by the time we reach FY14, but this increase would still not take us back to the levels we were receiving in FY08.

In accordance with the Point of View and the reserve policy adopted by the Finance Committee in 2010, it is expected that the budgets will call on reserve funds to support spending. In these out-year projections, the use of reserves is projected to be \$1.4 million in FY13 and \$1.8 million in FY14. At the end of the plan total reserves are projected to be \$6.1 million (or approximately 7 percent of the planned operating budget total), assuming that free cash is replenished each year by \$250,000 (from turnbacks or unexpected revenues) and the region's excess & deficiency account is replenished by \$150,000 each year. As a basis of comparison, our reserve levels at the end of FY10 were certified at \$7.9 million, indicating that we have been replenishing our reserve levels as we can through hiring freezes, cost efficiencies, and additional unplanned revenues while using a prudent amount to fund budgets.

Spending Guidelines

Inherent in these projections is the understanding that both the town and school districts will continue to provide the highest possible level of services as efficiently as feasible. While recognizing the constraints

² These towns included Bedford, Canton, Concord, Dedham, Hingham, Milton, Sudbury, Westborough, Westford, Westwood, Wilmington and Winchester.

imposed by statutory requirements and contractual obligations, the Finance Committee expects that expense reductions, with commensurate cost savings, are essential to sustaining service levels.

Spending assumptions for FY13 and FY14 allow for a 3 percent increase each year.³ The operating entities are feeling the strain of three years of modest budgetary increases, and both town and schools indicate that there are many items that are needed. The town has a backlog of maintenance and capital items to be addressed, which include improvements for playgrounds and recreational facilities, HVAC repairs in the fire stations, road and drainage system repairs, and improved facilities for the Council on Aging. The schools have listed technology upgrades, textbook replacements, and additional assistants among their unmet needs. The Acton-Boxborough Regional High School recently completed an on-site evaluation as part of their accreditation from the New England Association of Schools and Colleges. The report from the visiting committee offers many commendations for the high school, including the financial support that the communities have offered, but points to a number of personnel needs that will need responses.

Other Considerations

The Finance Committee encourages the continuation of matching expenses with other revenues than those generated by the property tax levy including enterprise funds, revolving accounts, and gift funds. This practice will continue to put downward pressure on the reliance of the budgets on this regressive tax.

As with many other communities, the Finance Committee is grappling with the issue of unfunded liabilities, and expects to engage in conversations in the next fiscal year about how to respond to this need to provide funding for pension and retiree health benefits into the future, while maintaining services and salaries for existing programs and employees. The Finance Committee would look forward to working with the Board of Selectmen and School Committees on this topic, as well as developing capital funding plans for future needs of the town's infrastructure and improvements. The continuing decline (and eventual retirement) of debt service for the improvements and building programs initiated in the mid-1990s will offer opportunities to consider new proposals and further infrastructure maintenance. This planning should begin in the next fiscal year.

Finally, it is expected that proposals for new local programs or initiatives be self funding or offset by corresponding reductions in other expense areas. No attempt has been made to predict significant shifts in service delivery triggered by changes in federal or state policies. Similarly, the Finance Committee has not calculated in these projections any large capital expenditures or major changes in service levels such as the closing of a facility.

Timing

Projections for FY13 and FY14 cover the period from July 1, 2012 through June 30, 2014. Some economists suggest that during this time frame stabilization and some recovery in the overall economy are likely, though the nature and extent of any such recovery is difficult to predict. Some economists predict that there will be significant growth by FY13. It is important for residents to understand that state and local economic activity lags the national activity typically by 12 to 24 months. The Finance Committee acknowledges these factors, but did not incorporate them specifically in our forecast.

³ The School Committee expressed its view that 3.5 percent would be more appropriate to their budgets, but agreed to the overall consensus number of 3 percent. If the multi-year plan used 3.5 percent for expenses, it would result in an increase in expenses of \$400,000 for FY13 and \$800,000 for FY14.

Reliability

These projections raise as many questions as they answer. Because they attempt to analyze the impact of factors outside of our control, these types of forecasts are volatile and do not guarantee either financial condition or delivery of services. For example, the current volatile situation in the Middle East could quickly return us to the recessionary economic climate of two years ago, a situation not even considered a month or two ago. Residents and taxpayers should understand that the elected boards and staff will exercise a level of scrutiny and discipline in managing their budgets that may result in occasional changes in the delivery of program goals in order to meet their core missions.

Multi-Year Plan

Below, we present the multi-year plan which has been developed through the Acton Leadership Group process. These results are sensitive to varying the assumptions. For example, an additional 10 percent reduction in state aid would result in a deficit of \$1.1 million; level funding of state aid, according to the Governor's budget, would result in an additional \$400,000 of revenue. Each additional 1 percent of expense growth would produce a deficit of \$800,000. Conversely, cost reduction initiatives could reduce the cost growth and allow us to replenish reserves.

The Multi Year Plan is not the subject of a vote at Town Meeting. However, the FY12 budgets for the Town and the Acton Public Schools, as well as the assessments for the Acton-Boxborough Regional School District and the Minuteman Regional Vocational School, are to be considered by Town Meeting. The following tables show key budget information for these entities, and show how the various budgets correspond to the Multi Year Plan and the Warrant Articles. This information is presented to allow the town meeting members to be better informed and understand the detail behind the budgets that will be voted at Town Meeting. As in previous years, the Finance Committee will prepare a "scorecard" for Town Meeting members that shows the sources of funding for each financial article on the warrant.

We have employed a new format this year for summarizing the information contained in the Multi-Year Plan. The full detailed workbook will be posted on the Town of Acton website along with the other Town Meeting materials.

*Any projections beyond FY12 require the use of reserves, along with increases in revenues and expense reductions, to balance annual budgets. The **unprecedented volatility** of all of these components, as well as the economy generally, will require adjustments on an ongoing basis as information becomes available to minimize the use of these reserves, thereby conserving the capacity to deliver services going forward. Projections represent the extension of current agreements among the leadership of the town and should be considered illustrative and subject to change.*

Town of Acton Revenues	FY11	FY12	FY13	FY14
	Recap			
A. Revenues (GROSS)				
Tax Levy (excluding debt exclusion)	\$62,108	\$64,127	\$66,420	\$68,522
State Aid	\$12,010	\$11,633	\$11,633	\$12,214
EdJobs (Acton share of APS & ABRSD for school use in FY13)	\$0	\$0	\$726	\$0
Local Receipts	\$3,788	\$3,854	\$3,924	\$4,023
Debt Exclusion	\$3,098	\$3,073	\$3,034	\$2,929
SBAB Reimbursement	\$1,009	\$1,009	\$1,009	\$1,009
Total Revenues (including debt)	\$82,012	\$83,695	\$86,746	\$88,696
B. Debt Exclusion Debt Service				
APS School Debt Exclusion	\$619	\$611	\$615	\$614
Public Safety Facility Debt Exclusion	\$394	\$483	\$473	\$462
Municipal Debt Exclusion	\$492	\$378	\$343	\$244
JHS/SHS Debt Exclusion	\$1,593	\$1,601	\$1,604	\$1,609
SBAB Reimbursement-Parker/Damon	\$1,009	\$1,009	\$1,009	\$1,009
Total Debt Exclusion/SBAB	\$4,107	\$4,082	\$4,043	\$3,938
C. Available Town Revenues (NET) (A - B)	\$77,905	\$79,613	\$82,703	\$84,759
Town of Acton Expenditures				
Town of Acton Municipal Budget	\$24,545	\$25,136	\$25,974	\$26,762
FY11 ATM Article 13 (April 2010) & STM (June 2010)	\$151			
FY11 Acton Municipal Capacity Not Utilized	(\$11)			
+ Transfer to Acton Municipal for APS Debt	\$309	\$309	\$309	\$309
+ Transfer to Acton Municipal for COPS	\$70	\$72		
Total Municipal Allocation	\$25,064	\$25,517	\$26,283	\$27,071
Percentage change year-to-year		1.81%	3.00%	3.00%
Acton Public Schools Allocation	\$26,289	\$26,495	\$26,588	\$27,395
- Transfer to Acton Municipal for APS Debt	(\$309)	(\$309)	(\$309)	(\$309)
- Transfer to Acton Municipal for COPS	(\$70)	(\$72)	\$0	\$0
Total APS Allocation	\$25,910	\$26,114	\$26,897	\$27,704
Percentage change year-to-year		0.79%	3.00%	3.00%
Town of Acton Portion of ABRSD Allocation	\$28,849	\$29,206	\$30,082	\$30,985
Percentage change year-to-year		1.24%	3.00%	3.00%
Total Minuteman Allocation	\$608	\$777	\$800	\$824
Percentage change year-to-year		27.80%	3.00%	3.00%
Non-Recurring Expenses from Special Town Meeting Votes		\$0	\$0	\$0
<i>Oct 25 2010 Caouette Land Purchase</i>	\$170			
<i>Oct 12 2010 Caouette Land Purchase</i>	\$257			
<i>June 14 2010 FY09-10 Fire</i>	\$86			
<i>Article 23 ATM Bridge Work</i>	\$210			
<i>Article 12 Police Sup Past Due</i>	\$31			
D. Town of Acton Expenditures (NET)	\$81,184	\$81,614	\$84,063	\$86,585
E. Subtotal Town of Acton Projected Balance	(\$3,279)	(\$2,001)	(\$1,360)	(\$1,826)
F. Use of Reserves (TOTAL)	\$3,278	\$2,001	\$1,360	\$1,826
G. Total Town of Acton Projected Balance	(\$1)	(\$0)	\$0	\$0

Town of Acton - Tax Impact	FY11	FY12	FY13	FY14
	Recap			
Existing Valuation ('000s)	\$3,640,774	\$3,640,774	\$3,664,283	\$3,687,253
New Growth value ('000s)		\$23,509	\$22,969	\$22,354
Total Valuation ('000s)	\$3,640,774	\$3,664,283	\$3,687,253	\$3,709,606
Tax Rate	\$18.08	\$18.50	\$19.01	\$19.44
SF Value	\$500,492	\$500,492	\$500,492	\$500,492
SF Tax Bill	\$9,048	\$9,261	\$9,516	\$9,728
% Change	3.16%	2.35%	2.76%	2.23%
\$ Change	\$277.08	\$212.66	\$255.18	\$211.93

Acton Public Schools		\$26,113,719			
Article 15		Summarized Budget			
	FY10 Actual	FY11	% Chg	FY12	% Chg
Salaries Teaching	\$11,549,008	\$12,053,190	4.4%	\$12,068,520	0.1%
Salaries Other	\$4,950,759	\$5,061,430	2.2%	\$5,458,400	7.8%
Health Insurance	\$3,517,487	\$3,628,313	3.2%	\$3,697,937	1.9%
Fringes Other	\$10,815	\$17,000	57.2%	\$17,000	0.0%
Capital & One time Items	\$449,828	\$262,688	-41.6%	\$272,850	3.9%
SPED Tuition	\$2,287,723	\$2,192,407	-4.2%	\$1,920,318	-12.4%
SPED Trans	\$518,060	\$446,033	-13.9%	\$510,715	14.5%
Transportation	\$326,361	\$338,716	3.8%	\$349,236	3.1%
Utilities	\$836,996	\$970,645	16.0%	\$854,212	-12.0%
All other	\$1,039,492	\$940,027	-9.6%	\$964,531	2.6%
Total	\$25,486,529	\$25,910,449	1.7%	\$26,113,719	0.8%
Amount Per Multi Year Plan					
Transfers from Municipal		\$379,000		\$379,000	
Adjusted Plan Amount	█ \$25,486,529	█ 26,289,449	3.2%	█ 26,492,719	0.8%
Breakdown by Article					
Acton Public Schools Budget				\$26,113,719	

Acton Boxborough Regional School District		\$24,891,336			
Article 16		Summarized Budget			
	FY10 Actual	FY11	% Chg	FY12	% Chg
Salaries Teaching	\$15,373,455	\$15,863,388	3.2%	\$16,006,402	0.9%
Salaries Other	\$5,335,138	\$5,443,539	2.0%	\$5,856,890	7.6%
Health Insurance	\$4,834,294	\$5,639,686	16.7%	\$5,213,338	-7.6%
Fringes Other	\$1,039,856	\$1,019,559	-2.0%	\$1,109,933	8.9%
Capital & One time Items	\$498,830	\$305,113	-38.8%	\$317,206	4.0%
SPED Tuition	\$2,791,612	\$3,301,333	18.3%	\$3,236,257	-2.0%
SPED Trans	\$729,516	\$583,635	-20.0%	\$788,332	35.1%
Transportation	\$576,819	\$626,628	8.6%	\$643,012	2.6%
Utilities	\$1,304,866	\$1,422,403	9.0%	\$1,285,751	-9.6%
All other	\$2,158,691	\$2,130,833	-1.3%	\$2,157,246	1.2%
Sub Total	\$34,643,077	\$36,336,117	4.9%	\$36,614,367	0.8%
Debt	\$1,885,211	\$1,892,293	0.4%	\$1,887,984	-0.2%
Total	\$36,528,288	\$38,228,410	4.7%	\$38,502,351	0.7%
Acton Share ex debt	\$27,368,031	\$28,810,755	5.3%	29,206,000	1.4%
	79.00%	79.23%		79.81%	
Acton Share ex debt		\$28,810,755		29,206,000	1.4%
Amount Per Multi Year Plan		\$28,810,755		\$29,206,000	1.4%
Breakdown by Article					
	Acton Share ex debt			\$29,206,000	
	Regional Debt			\$1,601,199	
	Chapter 70 Base aid			-\$5,283,962	
	Choice/Charter School Assessment			\$267,412	
	Charter School Aid			-\$29,743	
	Regional School Transportation			-\$443,011	
	Transfer from Premium on Loan			-\$558	
	Transfer for Excess and Deficiency			-\$426,001	
Acton Boxborough Regional School Assessment				\$24,891,336	

Town of Acton Municipal Budget
Articles 3, 7, 9, 10, 11, 14, 30

\$27,997,904

	FY10 Actual	FY11 Budget		FY12 Budget	
			% Chg		% Chg
Salaries	\$10,610,999	\$10,756,281	1.4%	\$11,171,387	3.9%
Health Insurance	\$2,463,800	\$3,274,982	32.9%	\$2,645,032	-19.2%
Middlesex Retire	\$2,396,095	\$3,027,429	26.3%	\$2,663,775	-12.0%
Fringes Other	\$800,643	\$733,181	-8.4%	\$793,950	8.3%
Legal	\$858,240	\$550,264	-35.9%	\$840,000	52.7%
Gas & Diesel	\$132,815	\$243,396	83.3%	\$233,396	-4.1%
Snow & Ice ex salaries	\$458,078	\$458,171	0.0%	\$506,585	10.6%
Property Liability Insurance	\$297,784	\$382,500	28.4%	\$407,500	6.5%
Infrastructure Maintenance	\$1,554,852	\$1,230,216	-20.9%	\$1,288,220	4.7%
Inside Debt	\$579,954	\$756,589	30.5%	\$523,354	-30.8%
Utilities	\$531,117	\$596,724	12.4%	\$546,410	-8.4%
All other	\$2,095,981	\$1,889,920	-9.8%	\$2,600,869	37.6%
Subtotal	\$22,780,358	\$23,899,653	4.9%	\$24,220,479	1.3%
Excluded Debt	\$2,556,398	\$2,514,100	-1.7%	\$2,480,550	-1.3%
Subtotal	\$25,336,756	\$26,413,753	4.3%	\$26,701,029	1.1%
AB Cultural Council				\$2,000	
Community Shuttle - Yr 3 Grant Match				\$75,000	
Capital		\$653,282		\$898,875	37.6%
COA Subsidy		\$50,000		\$50,000	0.0%
Nursing Subsidy		\$50,000		\$0	-100.0%
Ambulance Subsidy		\$271,000		\$271,000	0.0%
Total		\$27,438,035		\$27,997,904	2.0%
Amount Per Multi Year Plan		\$27,438,035		\$27,997,904	
Transfers to APS		-\$379,000		-\$381,000	
Less Excluded debt		-\$2,514,100		-\$2,480,550	
Adjusted Plan amount		\$24,544,935		\$25,136,354	2.4%
Breakdown by Article					
Article 11	Town Operating Budget	\$26,413,753		\$26,701,029	
Article 3	Council On Aging	\$50,000		\$50,000	
Article 4	Nursing	\$50,000		\$0	
Article 7	Ambulance Subsidy	\$271,000		\$271,000	
Article 9	AB Cultural Council			\$2,000	
Article 14	Capital Improvements (General Fund Only)	\$653,282		\$898,875	
Article 30	Community Shuttle - Yr 3 Grant Match			\$75,000	
		\$27,438,035		\$27,997,904	

Consent Calendar

In an effort to streamline Town Meeting, the Board of Selectmen and Town Moderator use the concept of a Consent Calendar. The use of Consent speeds the passage of articles which the Selectmen feel should generate no controversy and can be properly voted without debate. Its purpose is to allow motions under these articles to be acted upon as units and to be passed without debate.

Each Consent Calendar will be taken up when the when the first article “on Consent” is reached (for example, if Article 3 is the first Consent article in the Warrant, there will be a motion after Article 2 to take up the items on that Consent Calendar). At this time, the Moderator will call out the article numbers one-by-one.

Articles on Consent are distinguished from other articles by the asterisk (*) notation following each article number in the index above, as well as in the title of each article below.

If **two or more** voters object to any particular Article being included in the Consent Calendar, they should say the word “**hold**” in a loud voice when the number is called. The Article will then be removed from the Consent Calendar, to be debated and voted in the usual manner, **immediately following** the vote on the Consent motion.

There will be **two** Consent motions throughout Town Meeting – one for budgetary articles and one for all other articles on Consent. It is possible that these two motions will occur on different nights of Town Meeting.

After the calling of the individual items in each Consent Calendar, the Moderator will ask that all remaining articles be passed **as a unit** by the voters.

Please carefully review the articles and motions proposed for each Consent motion. **Motions for consent articles are now included under the text of each article.** Motions for *all* articles will be available as a separate handout at Town Meeting. Summaries are also included with each article printed in this Warrant.

If you have any questions about the Consent articles, motions or procedure, please feel free to contact the official listed in the summary of the article or to contact the Town Manager’s Office, by e-mail at **manager@acton-ma.gov** or by telephone at (978) 929-6611, before Town Meeting.

Donald MacKenzie
Town Moderator

I served with General Washington in the Legislature of Virginia before the Revolution and, during it, with Dr. Franklin in Congress. I never heard either of them speak ten minutes at a time, nor to any but the main point which was to decide the question. They laid their shoulders to the great points, knowing that the little ones would follow of themselves.

– Thomas Jefferson

Annual Town Meeting Warrant



*Town of Acton
Commonwealth of Massachusetts, ss.*

To either of the Constables of the Town of Acton, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify the legal voters of said Town of Acton, qualified to vote at Town Meetings for the transaction of town affairs, to meet in their respective precincts to wit:

- Precinct 1 – Nagog Woods Club House – 100 Nonset Path
- Precinct 2 – Conant School – 80 Taylor Road
- Precinct 3 – Blanchard Auditorium, R. J. Grey Junior High School – 12 Charter Road
- Precinct 4 – Blanchard Auditorium, R. J. Grey Junior High School – 12 Charter Road
- Precinct 5 – Blanchard Auditorium, R. J. Grey Junior High School – 12 Charter Road
- Precinct 6 – Conant School – 80 Taylor Road

On **Tuesday, March 29, 2011 between 7:00 AM and 8:00 PM**, by posting a copy of this Warrant by you attested, at each of the places as directed by vote of the Town, fourteen days at least before the twenty-ninth day of March 2011,

To bring their votes on one ballot for the following officers:

- One Moderator for a one-year term,
- Two Selectmen for three-year terms,
- Two School Committee members for three-year terms,
- One School Committee member for a one-year term,
- One Trustee of the Memorial Library for a three-year term,
- Two Housing Authority members for five-year terms.

In addition, the Acton Water District will elect the following officers:

- One Commissioner for a three-year term,
- One Clerk for a three-year term.

You are also to notify legal voters aforesaid to meet at the Acton-Boxborough Regional High School Auditorium in said Acton on **Monday, April 4, 2011 at 7:00 PM**, then and there to act on the following articles:

Articles

One or more of the following symbols may follow an Article number:

<u>Symbol</u>	<u>Description</u>
*	This article is on the Consent Calendar
#	This article submitted by Citizen Petition

ARTICLE 1 CHOOSE TOWN OFFICERS

(Majority vote)

To choose all necessary Town Officers and Committees and to fix the salaries and compensation of all the elective officers of the Town as follows:

Moderator	\$ 20.00 per Town Meeting session
Board of Selectmen, Chairman	\$ 750.00 per year
Board of Selectmen, Member	\$ 650.00 per year

, or take any other action relative thereto.

SUMMARY

This article provides for the election of Trustees of the Elizabeth White Fund, Trustees of the Acton Fireman's Relief Fund, Trustees of the Goodnow Fund and Trustees of the Citizens' Library Association of West Acton and establishes the salaries of the Town's elected officials.

Selectman assigned: Lauren Rosenzweig Morton: bos@acton-ma.gov / (978) 929-6611

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

ARTICLE 2 BUDGET TRANSFER

(Majority vote)

To see if the Town will vote to appropriate from available funds a sum of money to defray necessary expenses above the amount appropriated at the 2010 Annual Town Meeting, or take any other action relative thereto.

SUMMARY

This article is routinely placed on the Warrant to allow Town Meeting to transfer funds and supplement monies, if necessary, to cover expenses in the current fiscal year.

Direct inquiries to: Steven L. Ledoux, Town Manager: manager@acton-ma.gov / (978) 929-6611

Selectman assigned: Terra Friedrichs: bos@acton-ma.gov / (978) 929-6611

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

ARTICLE 3 * COUNCIL ON AGING VAN ENTERPRISE BUDGET

(Majority vote)

To see if the Town will raise and appropriate, or appropriate from available funds a sum of money to operate the Senior Van Service, in accordance with Massachusetts General Law, Chapter 44, Section 53 F½, Enterprise Fund Law, or take any other action relative thereto.

MOTION

Move that the Town appropriate \$97,165 for the purpose of operating the Town of Acton Senior and Disabled Citizens Van service, and to raise such amount, \$40,000 be raised from department receipts, \$7,165 be transferred from retained earnings and \$50,000 be raised from taxation.

SUMMARY

This article requests funding to operate the van service for use by senior citizens and disabled citizens of the Community. This 40-hour per week van service is funded by the Federal, State and Local Governments. 50% of the service is paid by Federal funds, 25% of the service is paid by the Commonwealth, and the final 25% is absorbed by the Town. Base fare rates are determined by the Lowell Regional Transit Authority. Revenues will be used to reduce the Town’s share of total costs. If income in any year is in excess of expenses, the excess shall be deposited in a separate fund and used for capital expenditures of the Enterprise or to reduce user fees. Fund status is noted below (for Budget detail see Municipal Supplement).

Fund Balance 6/30/10	Budgeted Revenue FY11	Budgeted Expense FY11	Est. Fund Balance 6/30/11	Budgeted Revenue FY12	Budgeted Expense FY12	Est. Fund Balance 6/30/12
\$ 33,074	\$ 105,618	\$ 105,618	\$ 17,456	\$ 97,165	\$ 97,165	\$ 10,291

Direct inquiries to: Sharon Mercurio, Council on Aging Director
seniorcenter@acton-ma.gov / (978) 929-6652

Selectman assigned: Mike Gowing: bos@acton-ma.gov / (978) 929-6611

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

ARTICLE 4 * NURSING ENTERPRISE BUDGET

(Majority vote)

To see if the Town will raise and appropriate, or appropriate from available funds a sum of money to provide Public Health and Visiting Nurse Services, in accordance with Massachusetts General Law, Chapter 44, Section 53F½, Enterprise Fund Law, or take any other action relative thereto.

MOTION

Move that the Town appropriate \$801,026 for the purpose of operating the Town of Acton Public Health Nursing Service, and to raise such amount, \$768,586 be raised from department receipts, \$32,440 be transferred from retained earnings.

SUMMARY

This article requests an appropriation for the Nursing Service Enterprise Fund. An Enterprise Fund permits the Nursing Service to offset its costs with fees for service. These fees are deposited in a separate account and may be expended to pay part or all of the anticipated costs of running the Nursing Service. If income in any year is in excess of expenses, the excess shall be deposited in a separate fund and used for capital expenditures of the Enterprise or to reduce user fees. Fund status is noted below (for Budget detail see Municipal Supplement).

Fund Balance 6/30/10	Budgeted Revenue FY11	Budgeted Expense FY11	Est. Fund Balance 6/30/11	Budgeted Revenue FY12	Budgeted Expense FY12	Est. Fund Balance 6/30/12
\$ 181,757	\$ 747,822	\$ 747,822	\$ 83,935	\$ 801,026	\$ 801,026	\$ 51,495

Direct inquiries to: Doug Halley, Health Director: health@acton-ma.gov / (978) 929-6632

Selectman assigned: Pamela Harting-Barrat: bos@acton-ma.gov / (978) 929-6611

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

ARTICLE 5 * SEPTAGE DISPOSAL ENTERPRISE BUDGET

(Majority vote)

To see if the Town will raise and appropriate, or appropriate from available funds a sum of money for the purpose of septage disposal, in accordance with Massachusetts General Law, Chapter 44, Section 53F½, Enterprise Fund Law, or take any other action relative thereto.

MOTION

Move that the Town appropriate \$139,092 for the purpose of septage disposal, and to raise such amount, \$139,092 be raised from department receipts.

SUMMARY

This article requests that the receipts from septage haulers, licensing of septage haulers, licensing of septic system inspectors, licensing of septic installers, and disposal works construction permit fees be used for the purpose of allowing septage collected within Acton to be taken to a water pollution abatement facility and to maintain the Town’s septage waste disposal program. These fees will be deposited in a separate account and may be expended to pay part or all of the anticipated costs of septage waste disposal. If income in any year is in excess of expenses, the excess shall be deposited in a separate fund and used for capital expenditures of the Enterprise or to reduce user fees. Fund status is noted below (for Budget detail see Municipal Supplement).

Fund Balance 6/30/10	Budgeted Revenue FY11	Budgeted Expense FY11	Est. Fund Balance 6/30/11	Budgeted Revenue FY12	Budgeted Expense FY12	Est. Fund Balance 6/30/12
\$ 109,141	\$ 120,754	\$ 120,754	\$ 109,141	\$ 139,092	\$ 139,092	\$ 109,141

Direct inquiries to: Doug Halley, Health Director: health@acton-ma.gov / (978) 929-6632

Selectman assigned: Pamela Harting-Barrat: bos@acton-ma.gov / (978) 929-6611

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

ARTICLE 6 * SEWER ENTERPRISE BUDGET

(Majority vote)

To see if the Town will raise and appropriate, or appropriate from available funds a sum of money for the purpose of operating and maintaining a sewer collection and treatment facility, in accordance with Massachusetts General Law, Chapter 44, Section 53F½, Enterprise Fund Law, or take any other action relative thereto.

MOTION

Move that the Town appropriate \$1,673,615 for the purpose of operating the sewer system, and to raise such amount, \$1,673,615 be raised from department receipts.

SUMMARY

This article requests funding for operation of the municipal sewer system. Sewer charges, private sewer treatment plant fees, connection fees, sewer inspector fees, betterments, State and Federal aid for Sewers, and any other income derived from the operation of the municipal sewer system will be deposited in a separate account and may be expended to pay part or all of the anticipated costs of sewerage disposal for the system. If income in any year is in excess of expenses, the excess shall be deposited in a separate fund and used for capital expenditures of the enterprise fund or to reduce user fees.

Fund Balance 6/30/10	Budgeted Revenue FY11	Budgeted Expense FY11	Est. Fund Balance 6/30/11	Budgeted Revenue FY12	Budgeted Expense FY12	Est. Fund Balance 6/30/12
\$ 355,011	\$ 1,668,511	\$ 1,668,511	\$ 355,011	\$ 1,673,615	\$ 1,673,615	\$ 355,011

Direct inquiries to: Stephen Barrett, CPA, Finance Director: finance@acton-ma.gov / (978) 929-6624

Selectman assigned: Pamela Harting-Barrat: bos@acton-ma.gov / (978) 929-6611

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

ARTICLE 7 * AMBULANCE ENTERPRISE FUND

(Majority vote)

To see if the Town will raise and appropriate, or appropriate from available funds a sum of money for the purpose of health care, in accordance with Massachusetts General Law, Chapter 44, Section 53F½, Enterprise Fund Law, or take any other action relative thereto.

MOTION

Move that the Town appropriate \$716,993 for the purpose of operating the ambulance service, and to raise such amount, \$445,993 be raised from department receipts and \$271,000 be raised from taxation.

SUMMARY

This article requests an appropriation to operate the Town’s Ambulance service. The enterprise fund includes the salaries and benefits of four net Firefighter/EMTs. Charges for ambulance service and any other income derived from the operation of the Ambulance service will be deposited in this fund and used for expenditures of the enterprise fund or to reduce user fees.

Fund Balance 6/30/10	Budgeted Revenue FY11	Budgeted Expense FY11	Est. Fund Balance 6/30/11	Budgeted Revenue FY12	Budgeted Expense FY12	Est. Fund Balance 6/30/12
\$ 747,823	\$ 717,885	\$ 717,885	\$ 697,823	\$ 716,993	\$ 716,993	\$ 697,823

Direct inquiries to: Steven L. Ledoux, Town Manager: manager@acton-ma.gov / (978) 929-6611

Selectman assigned: Mike Gowing: bos@acton-ma.gov / (978) 929-6611

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

ARTICLE 8 * RECYCLING AND TRANSFER STATION ENTERPRISE BUDGET

(Majority vote)

To see if the Town will raise and appropriate, or appropriate from available funds, a sum of money for the purpose of solid waste disposal and recycling in accordance with Massachusetts General Law, Chapter 44, Section 53F½, Enterprise Fund Law, or take any other action relative thereto.

MOTION

Move that the Town appropriate \$585,296 for the purpose of solid waste disposal and recycling, and to raise such amount, \$585,296 be raised from department receipts.

SUMMARY

This article requests funding for the Town’s solid waste disposal and recycling operations. The citizens of Acton who use the Transfer Station fund 100% of the costs of the operations from fees. The fees are deposited in a separate account and expended to pay the expenses of solid waste disposal. If income in any year is in excess of expenses, the excess shall be deposited in a separate fund and used for future expenditures of the enterprise fund or to reduce user fees. Fund status is noted below (for Budget Detail see Municipal Supplement).

Fund Balance 6/30/10	Budgeted Revenue FY11	Budgeted Expense FY11	Est. Fund Balance 6/30/11	Budgeted Revenue FY12	Budgeted Expense FY12	Est. Fund Balance 6/30/12
\$ 213,322	\$ 580,352	\$ 580,352	\$ 213,322	\$ 585,296	\$ 585,296	\$ 213,322

Direct inquiries to: Steven L. Ledoux, Town Manager: manager@acton-ma.gov / (978) 929-6611

Selectman assigned: Mike Gowing: bos@acton-ma.gov / (978) 929-6611

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

ARTICLE 9 * SELF-FUNDING PROGRAMS (REVOLVING FUNDS)

(Majority vote)

To see if the Town will vote, pursuant to Massachusetts General Law, Chapter 44, Section 53E½ to establish or continue revolving funds for the Local School System, to be expended by the Superintendent of Schools; and for the Historic District Commission, Building Department, Sealer of Weights and Measures, Health Inspectional Services and Fire Department Fire Alarm Network, to be expended by the Town Manager, as noted below:

Fund	FY12 Estimated Revenue	FY12 Authorized Expenditure
School Department		
Douglas at Dawn/Dusk	\$ 291,500	\$ 291,500
Merriam Mornings/Afternoons/Summer	\$ 225,000	\$225,000
Historic District Commission		
	\$ 1	\$ 1
Building Department		
	\$ 178,531	\$ 178,531
Sealer of Weights and Measures		
	\$ 14,416	\$ 14,416
Health Department		
Food Service Inspections	\$ 39,858	\$ 39,858
Hazardous Materials Inspections	\$ 46,788	\$ 46,788
Stormwater Inspections	\$ 40,000	\$ 40,000
Fire Department		
Fire Alarm Network	\$ 63,078	\$ 63,078

, or take any other action relative thereto.

MOTION

Move that the revolving funds for the Local School System, Historic District Commission, Building Department, Sealer of Weights and Measures, Health Department, and Fire Department be continued in the amounts and for the purposes set forth in the expense column of this Article.

SUMMARY

This article allows the Schools and Town to fully fund the extended day/summer programs of the Local Schools, Historic District Commission activities, Building Department inspectional programs, Sealer of Weights and Measures services, specified ongoing Health inspectional programs and the Town-wide Fire Alarm Network from their respective receipts and fund balance. This article removes the cost of these services from the tax base. Fees are deposited in a separate account and may be expended to pay part or all of the anticipated costs of operating each program. If income exceeds costs, the excess is retained for use of the specific program in any subsequent period.

The Stormwater Inspections revolving fund is new for fiscal year 2012.

The Historic District Commission revolving Fund has been reduced while an analysis of income and expense is performed to determine whether this function is more appropriately handled as part of the Town's general fund operation.

	FY 2010 Actual Revenue	FY 2010 Actual Expense	Fund Balance 6/30/2010	FY 2011 Budgeted Revenue	FY 2011 Budgeted Expense	Actual Revenue YTD	Actual Expense YTD
School Department¹							
Douglas at Dawn/Dusk	\$246,497	\$282,488	\$268,701	\$291,500	\$291,500	\$121,669	\$139,041
Merriam Mornings/Afternoons/Summer	\$144,491	\$196,098	\$171,370	\$204,050	\$204,050	\$97,207	\$109,582
Historic District Commission²	\$320	\$998	\$107	\$600	\$600	\$75	\$400
Building Department²	\$114,081	\$106,218	\$95,549	\$170,040	\$170,040	\$73,959	\$57,355
Includes fees for Electrical, Plumbing & Gas Permits / Microfilming / Periodic Inspections							
Sealer of Weights and Measures²	\$9,325	\$10,769	\$16,771	\$13,126	\$13,126	\$12,479	\$8,680
Health Department²							
Hazardous Materials Inspection	\$50,106	\$40,806	\$49,471	\$44,511	\$44,511	\$9,916	\$45,896
Food Service Inspections	\$45,410	\$30,693	\$94,202	\$36,351	\$36,351	\$33,959	\$41,689
Fire Department²							
Fire Alarm Network	\$56,240	\$51,973	\$35,520	\$56,298	\$56,298	\$7,059	\$20,721

All Monetary Figures Rounded to the Nearest Dollar

¹ Actuals as of 3/9/2011

² Actuals as of 2/28/2011

Direct inquiries to: ¹ Dr. Stephen Mills, Superintendent: smills@mail.ab.mec.edu / (978) 264-4700
² John Murray, Assistant Town Manager: manager@acton-ma.gov / (978) 929-6611

Selectman assigned: Terra Friedrichs: bos@acton-ma.gov / (978) 929-6611

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

ARTICLE 10 * TOWN BOARD SUPPORT –
(Majority vote) **ACTON-BOXBOROUGH CULTURAL COUNCIL**

To see if the Town will raise and appropriate, or appropriate from available funds, the sum of \$2,000, or any other sum, to be expended by the Town Manager for the ongoing expenses of the Acton-Boxborough Cultural Council for programs in Acton, or take any other action relative thereto.

MOTION

Move that the Town raise and appropriate \$2,000 for the ongoing expenses of the Acton-Boxborough Cultural Council.

SUMMARY

The Acton-Boxborough Cultural Council (ABCC) seeks a sum of money to produce cultural activities and programming in Acton. These funds will help to foster collaborations among local artists and cultural organizations and to address the cultural needs of the Town. This will augment the funds received by the ABCC from the State through the Massachusetts Cultural Council.

Direct inquiries to: Steven L. Ledoux, Town Manager: manager@acton-ma.gov / (978) 929-6611

Selectman assigned: Terra Friedrichs: bos@acton-ma.gov / (978) 929-6611

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

ARTICLE 11 TOWN OPERATING BUDGET
(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 departments, offices and boards of the Town, exclusive of the School budgets, or take any other action relative thereto.

SUMMARY

This article requests funds for the municipal operating budget. The municipal budget also includes certain school costs. These are primarily the costs of debt service requirements; property, liability and contents insurance on school buildings; pension costs and workers' compensation insurance for school employees, other than teachers and regional school employees. The standard motion for the municipal budget appropriation under this article typically includes the transfer of monies such as Cemetery Trust Funds and Wetland Filing Fees.

Direct inquiries to: Steven L. Ledoux, Town Manager: manager@acton-ma.gov / (978) 929-6611

Selectman assigned: Lauren Rosenzweig Morton: bos@acton-ma.gov / (978) 929-6611

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

ARTICLE 12 **FUND COLLECTIVE BARGAINING AGREEMENT**
(Majority vote) **POLICE PATROL OFFICERS**

To see if the Town will vote to raise and appropriate, transfer and/or appropriate from available funds a sum of money necessary to fund the cost items contained in Collective Bargaining Agreement(s) between the Town and its police patrol officers union as filed with the Town Clerk, or take any other action relative thereto.

SUMMARY

This article would ask Town Meeting to fund cost items contained in the first year of a collective bargaining agreement with Town police patrol officers union, under the provisions of Massachusetts General Law, Chapter 150E, Section 7. When a tentative agreement is reached with a union, the Town will bring a funding request for the financial elements of the agreement to the first available Town Meeting for approval. If the funding is approved, the Town is obligated to fund the remaining years of the contract. If the funding request is rejected by Town Meeting, the parties must return to the bargaining table for further negotiations.

Direct inquiries to: Steven L. Ledoux, Town Manager: manager@acton-ma.gov / (978) 929-6611

Selectman assigned: Lauren Rosenzweig Morton: bos@acton-ma.gov / (978) 929-6611

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

ARTICLE 13 **FUND COLLECTIVE BARGAINING AGREEMENT**
(Majority vote) **HIGHWAY AND MUNICIPAL PROPERTIES**

To see if the Town will vote to raise and appropriate, transfer and/or appropriate from available funds a sum of money necessary to fund the cost items contained in Collective Bargaining Agreement(s) between the Town and its highway and municipal properties personnel union(s) as filed with the Town Clerk, or take any other action relative thereto.

SUMMARY

This article would ask Town Meeting to fund cost items contained in the first year of a collective bargaining agreement with Town highway and municipal properties personnel union(s), under the provisions of Massachusetts General Law, Chapter 150E, Section 7. When a tentative agreement is reached with a union, the Town will bring a funding request for the financial elements of the agreement to the first available Town Meeting for approval. If the funding is approved, the Town is obligated to fund the remaining years of the contract. If the funding request is rejected by Town Meeting, the parties must return to the bargaining table for further negotiations.

Direct inquiries to: Steven L. Ledoux, Town Manager: manager@acton-ma.gov / (978) 929-6611

Selectman assigned: Lauren Rosenzweig Morton: bos@acton-ma.gov / (978) 929-6611

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

ARTICLE 14 PERSONNEL, CAPITAL EQUIPMENT AND IMPROVEMENTS

(Majority vote)

To see if the Town will raise and appropriate, transfer and/or appropriate from available funds, a sum of money to be expended by the Town Manager for the purchase, replacement or improvement of vehicles, equipment or infrastructure or funding positions as listed below, including related incidental costs, or take any other action relative thereto.

A.	Geographic Information System/Database Coordinator	\$ 91,000
B.	Engineering Van	\$ 26,000
C.	Assessor’s Department Hours	\$ 12,000
D.	Digitize Microfilmed Records	\$ 60,000
E.	Building Department Inspectional Vehicle	\$ 29,875
F.	NARA Park Parking Lot Extension	\$ 75,000
G.	Highway Department Salt Shed	\$ 300,000
H.	Permit Tracking System	\$ 200,000
I.	Cemetery Department Heating System	\$ 20,000
J.	Emergency Management Plan and Training	\$ 60,000
K.	Council on Aging Air Conditioning System	\$ 25,000
Total		\$ 898,875

SUMMARIES

A. Geographic Information System/Database Coordinator

The Town’s GIS system, authorized by the 2007 Annual Town Meeting, went online in May 2009 (see www.acton-ma.gov/gis). The GIS plan includes the addition of a GIS coordinator to our staff. A GIS/database coordinator will:

- Maintain the accuracy of our data
- Analyze data and generate maps and reports
- Educate staff in the use of GIS tools to improve efficiency
- Advise the town in GIS technology developments

This position will coordinate our GIS layers, integrate our many databases, including implementation of the project noted in this article, section (H), Permit Tracking System.

Until this position is added, we rely upon consultants to maintain our data. The amount requested includes the majority of the benefits associated with this new position.

Direct inquiries to: Mark Hald, Information Technology Director:
mhald@acton-ma.gov / (978) 929-6612

B. Engineering Van

This article would allow the replacement of the Engineering Department van that is about 17 years old. The Engineering Department works closely with the Highway Department to survey, design and layout construction projects for the work crews and to conduct inspections within private developments. This vehicle is critical to the operation of the Engineering Department in order to transport tools and equipment necessary to perform field work.

Direct inquiries to: Corey York, P.L.S., Town Engineer/Director of Public Works
cyork@acton-ma.gov / (978) 929-6630

C. Assessor's Department Hours

The Assessor Office realized a 1.0 FTE cut for FY11. This 40 hour per week position was responsible for providing full-time Assessor counter coverage. When we completed our reorganization in this area, we found ourselves short 10 hours per week of counter coverage. This request allows us to restore counter coverage full-time without any corresponding increase in benefits as the staff member already works 30 hours per week.

Direct inquiries to: Brian McMullen, Assistant Assessor: assessor@acton-ma.gov / (978) 929-6621

D. Digitize Microfilmed Records

This request is to digitize existing documents which are currently on microfilm aperture cards and microfiche. As the microfilm and microfiche age, the images are beginning to fade and some are being lost. Digitizing these documents will help to preserve them for future use. Having the documents in a digital format will allow for them to be integrated into the Town's geographic information system (GIS), thereby becoming more accessible and usable to the general public.

Direct inquiries to: Frank Ramsbottom, Building Commissioner:
framsbottom@acton-ma.gov / (978) 929-6633

E. Building Department Inspectional Vehicle

This request is to replace an existing 1998 Ford Contour inspectional vehicle which has reached the end of its usable life. The proposal is to replace the existing vehicle with a gas /electric hybrid or if possible an all electric vehicle in keeping with Board of Selectmen policy for green and energy efficient vehicles.

Direct inquiries to: Frank Ramsbottom, Building Commissioner:
framsbottom@acton-ma.gov / (978) 929-6633

F. NARA Park Parking Lot Extension

The town wishes to increase the available on-site parking at NARA Park, by installing a 70 car parking lot at the north end of the property, adjacent to the existing ball field parking lot. This will be a gravel parking lot with associated utilities, including a yard light, accessed from both the existing ball field parking lot and Quarry Road.

Direct inquiries to: Tom Tidman, Natural Resources Director: ttidman@acton-ma.gov / (978) 929-6634

G. Highway Department Salt Shed

The existing salt storage shed is about 40 years old (constructed in 1972). The foundation has numerous large cracks where salt gets in causing deterioration. In the past few years we have had to brace the shed to another shed for support of the back wall. In addition, we have had to pour concrete with kick walls to hold in the side walls.

Newer techniques now being used by the Highway Department and increasing road mileage require more salt storage capacity to meet our needs. A larger salt shed would also allow for the mixing of salt and the

liquid magnesium chloride to take place in an enclosed area and also accommodate storage of snow removal equipment in the off season.

The cost of the salt shed is estimated at \$400,000. This article requests 75% of that funding, with the remainder coming from Highway State Aid (Chapter 90).

Direct inquiries to: Corey York, P.L.S., Town Engineer/Director of Public Works
cyork@acton-ma.gov / (978) 929-6630

H. Permit Tracking System

Approval of this article, in conjunction with section (A), would authorize the implementation of an enterprise-wide permit management system to streamline the administration and workflow of permits throughout various town departments, including online permit applications.

Currently, permits are handled via isolated tracking and communication systems. While these methods strive to serve the citizens of Acton, they are not as integrated or accessible as we would like them to be. This project would directly integrate with the Town's existing Geographic Information System.

The amount requested represents the average cost estimate of software, implementation and training for a system to meet our needs as defined by a professional Needs Assessment. Ultimately, this investment will benefit all departments and citizens with online access to accurate information.

Direct inquiries to: Mark Hald, Information Technology Director:
mhald@acton-ma.gov / (978) 929-6612

I. Cemetery Department Heating System

This article will provide funds to furnish and install a dedicated oil fired heating system for the office area at the Kennedy Service Building at Woodlawn Cemetery, and make other indoor quality improvements. The existing system allows exhaust fumes from motor equipment being serviced in the lower level garage to enter into the upper level office area, creating an air quality hazard.

Direct inquiries to: Dean Charter, Municipal Properties Director:
dcharter@acton-ma.gov / (978) 929-7744

J. Emergency Management Plan and Training

This project will allow the Town to hire a consultant who will assess and examine all potential hazards and threats to the community and its citizens. Based on that assessment the consultant will provide the necessary framework that will produce an integrated, coordinated and synchronized plan for any potential emergency. The current plan was developed prior to 9-11. Since that event the coordination and implementation of emergency plans has changed dramatically. New emergency partners have been identified and new emergency tools are now available that weren't considered in the existing plan. This project will also fund emergency exercises intended to test the plan and provide valuable training for emergency personnel.

Direct inquiries to: Doug Halley, Health Director: dhalley@acton-ma.gov / (978) 929-6632

K. Council on Aging Air Conditioning System

This article will provide funds to replace the existing HVAC system at the Senior Center on Audubon Drive with new equipment. The original equipment has reached the end of its’ service life and is prone to frequent breakdowns. When the systems go out many Senior Citizen programs have to be cancelled or curtailed until repairs are made. The replacement units will use the latest generation of refrigerants, which are more environmentally sensitive.

Direct inquiries to: Dean Charter, Municipal Properties Director:
dcharter@acton-ma.gov / (978) 929-7744

Selectman assigned: Lauren Rosenzweig Morton: bos@acton-ma.gov / (978) 929-6611

Recommendations:	<u>Board of Selectmen</u> Recommended	<u>Finance Committee</u> Recommended
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ARTICLE 15 ACTON PUBLIC SCHOOLS BUDGET

(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 Acton Public School System, or take any other action relative thereto.

SUMMARY

This article requests funds for the Acton Public Schools’ operating budget.

Direct inquiries to: Dr. Stephen Mills, Superintendent: smills@mail.ab.mec.edu / (978) 264-4700

Selectman assigned: Lauren Rosenzweig Morton: bos@acton-ma.gov / (978) 929-6611

Recommendations:	<u>Board of Selectmen</u> Recommended	<u>Finance Committee</u> Recommended
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ARTICLE 16 ACTON-BOXBOROUGH 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 Acton-Boxborough Regional School District, or take any other action relative thereto.

SUMMARY

This article requests funds for the Acton-Boxborough Regional School District Assessment. This assessment, voted by the Acton-Boxborough Regional District School Committee, is governed by the terms of the Acton-Boxborough Regional School District Agreement.

Direct inquiries to: Dr. Stephen Mills, Superintendent: smills@mail.ab.mec.edu / (978) 264-4700

Selectman assigned: Lauren Rosenzweig Morton: bos@acton-ma.gov / (978) 929-6611

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

ARTICLE 17 MINUTEMAN REGIONAL SCHOOL DISTRICT ASSESSMENT
(Majority vote)

To see if the Town will raise and appropriate, and/or transfer and 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 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.

Direct inquiries to: Dr. Ed Bouquillon, Superintendent: ebouquillon@minuteman.org / (781) 861-6500

Selectman assigned: Lauren Rosenzweig Morton: bos@acton-ma.gov / (978) 929-6611

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

ARTICLE 18
(Majority vote)

**COMMUNITY PRESERVATION PROGRAM –
DIRECT APPROPRIATIONS FROM FUND BALANCES**

To see if the Town will vote to appropriate or set aside for later appropriation, and to authorize and direct the Board of Selectmen and the Town Manager to expend or set aside, from the FY 2010 Community Preservation Fund balances as set forth herein, the amounts listed below for community preservation purposes, with such expenditures to be subject to conditions listed in the Article’s Summary and to be further specified in award letters from the Community Preservation Committee, with each item considered a separate appropriation;

And further, to see if the Town will vote to appropriate, set aside and re-appropriate the amount listed in Item H-2 below, to appropriate the amount listed in Item H-3 below, and to authorize and direct the Board of Selectmen and the Town Manager to expend up to these amounts from the current balance of the Set-Aside Fund for the Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources, with such expenditure to be subject to conditions listed in the Article’s Summary and to be further specified in the award letter from the Community Preservation Committee:

FY 2010 COMMUNITY PRESERVATION FUND BALANCE	
FY 2010 Community Preservation Fund Revenues	
Community Preservation Fund Surcharge Collected in FY 2010	\$ 746,873.08
State Community Preservation Trust Fund Receipt, October 2010	\$ 202,879.00
Other FY 2010 Community Preservation Fund Components	
Interest Earned in FY 2010	\$ 30,321.49
Recapture of unspent previous years’ project appropriations (2004, 2005, 2007, and 2008)	\$ 101,055.48
Unencumbered FY 2010 Fund Balance	\$ 495,159.98
Total - FY 2010 Community Preservation Fund Balance	\$ 1,576,289.03
Current Set-Aside Fund Balance for the Acquisition, Creation, and Preservation of Open Space, and its Rehabilitation and Restoration	\$ 945,000.00
Current Set-Aside Fund Balance for the Acquisition, Preservation, Rehabilitation, and Restoration of Historic Resources (2009 Set-Aside)	\$ 44,000.00
APPROPRIATIONS	
Purposes	Recommended Amounts
Set Aside Appropriations for	
A. Acquisition, Creation, and Preservation of Open Space, and its Rehabilitation and Restoration	\$ 450,000.00
Spending Appropriations	
B. Community Housing Program Fund	\$ 150,000.00
C. Trail Trough Time (Phase III)	\$ 66,900.00
D. Memorial Library – Arch Window Restoration	\$ 15,000.00
E. Town Hall Windows (Phase II)	\$ 75,000.00
F. Asa Parlin House – Building Preservation and Restoration	\$ 100,000.00
G. Acton Woman’s Club – 504 Main Street, Building Preservation and Restoration	\$ 99,714.00

H. Theater III – Building Preservation & Restoration	
H-1. Direct Appropriation	\$ 145,500.00
H-2. Amount recaptured as unspent CPA appropriations from 2007 and re-appropriated hereunder after first being set aside hereunder to the set-aside fund for the Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources to compensate for 2007 shortfall in historic preservation spending	\$ 40,000.00
H-3. Appropriation from the current Set-Aside Fund Balance for the Acquisition, Preservation, Rehabilitation, and Restoration of Historic Resources (2009 Set-Aside)	\$ 44,000.00
I. Acton Historical Society – Building Preservation and Restoration	\$ 62,095.00
Administrative Spending Appropriation	
J. A fund for CPC direct expenses and for reimbursing the Town of Acton for administrative services and operating expenses provided in support of the Community Preservation Committee	\$ 47,487.00
Total Recommended Appropriations from FY 2010 Community Preservation Fund Balance and Current Historic Set-Aside Fund	\$ 1,295,696.00
Remaining FY 2010 Community Preservation Fund Balance	\$ 324,593.03
Remaining Balance in the Set-Aside Fund for the Acquisition, Preservation, Rehabilitation, and Restoration of Historic Resources	\$ 0.00
Resulting Balance in the Set-Aside Fund for the Acquisition, Creation, and Preservation of Open Space, and its Rehabilitation and Restoration	\$ 1,395,000.00

, or take any other action relative thereto;

And, whereas Massachusetts General Law, Chapter 44B requires that the Town appropriate for spending, or set-aside for future spending, from the 2010 Community Preservation Fund Revenues 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 2010 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 2010 Community Preservation Fund Balance the minimum necessary amounts to allocate not less than 10% of the FY 2010 Community Preservation Fund Revenues for open space (\$94,975.21), not less than 10% of the FY 2010 Community Preservation Fund Revenues for historic preservation (\$94,975.21), not less than 10% of the FY 2010 Community Preservation Fund Revenues (\$94,975.21) for community housing, or take any other action relative thereto.

SUMMARY

This article would make appropriations from the Town's Community Preservation Fund and from the Town's Set-Aside Fund for the Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources. All items listed are recommended by the Community Preservation Committee.

In 2002, the Town adopted the Community Preservation Act, Massachusetts General Laws Chapter 44B (CPA). 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 CPA, 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 were acquired or created with Community Preservation 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 seventh year of appropriations from Acton's Community Preservation Fund.

Local adoption of the CPA 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 September 2010, the Community Preservation Committee published its 2011 Community Preservation Plan with guidelines for the submission of projects seeking funding. The Committee received ten proposals for funding of proposed projects and programs. The Committee reviewed all proposals, interviewed proponents, and solicited legal opinions on the proposals to help evaluate their eligibility under the Act. This article represents the Committee's recommendation for appropriations for all ten proposed projects and programs from the available Community Preservation Fund balance although the recommended funding levels may differ from the amounts requested by the projects' proponents. All recommended amounts are "up-to" spending limits. Savings, if any, will be available for future appropriations. As in previous years the recommended appropriations include a set-aside for open space. The recommended appropriations leave a remaining Community Preservation Fund balance of \$324,593.03 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 and that Town Meeting appropriates 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 eminent domain 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 an appropriation of not more than 5% of the annual revenues of the Community Preservation Fund for the Committee's administrative and operating expenses.

In addition, in 2011, a total of \$101,055.48 has been recaptured as unspent Community Preservation appropriations from prior years and closed to the Community Preservation Fund. Of this total, \$75,500 has been recaptured as unspent Community Preservation appropriations from 2007 projects (East Acton Village Green and Historic Street Markers projects) and \$25,555.48 has been recaptured as unspent Community Preservation appropriations from projects in 2004 (T.J. O'Grady Skate Park - \$10,538.41), 2005 (Memorial Library Civil War Artifacts Display - \$17.07), and 2008 (Conant School Nature Trail - \$15,000).

The recapture of unspent CPA funds previously appropriated in 2007 for historic preservation, rehabilitation and restoration purposes would put the Town \$40,000 below the 10% statutory threshold for either spending or setting aside for later spending CPA funds for historic preservation purposes in that year. To make up this difference, this article would appropriate \$40,000 to the Set-Aside Fund for the Acquisition, Preservation, Rehabilitation, and Restoration of Historic Resources (Item H-2.) in addition to an already existing balance of \$44,000. The article then would appropriate this entire Historic Set-Aside fund balance (comprised of the existing \$44,000 and newly added \$40,000 totaling \$84,000) to one of the recommended historic preservation projects (Item H. - Theater III – Building Preservation & Restoration, bringing the total recommended appropriation for this project to \$229,500). This year, the Committee’s recommendations as contained in this article include a great number of historic preservation projects with their totals far exceeding the minimum 10% threshold. Therefore, the Committee recommends partially funding one of this year’s projects with the historic Set-Aside Fund Balance.

A. Open Space Set-Aside

This item adds \$450,000 to the existing set-aside fund from which Town Meeting, with the recommendation of the Community Preservation Committee, may appropriate spending in the future for the purpose of acquisition, creation, and preservation of open space. With this appropriation the balance in the open space set-aside fund will be \$1,395,000.

Recommendations:	<u>Board of Selectmen</u> Recommended	<u>Finance Committee</u> Recommended
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B. Community Housing Program Fund

The Acton Community Housing Corporation (ACHC) has requested \$150,000 to replenish the existing Community Housing Program Fund for "the acquisition, creation, preservation, and support of community housing in the Town of Acton" consistent with the Community Housing purposes of the CPA. The Fund was first established with a CPA appropriation in 2004. It is used to finance a diversity of affordable housing initiatives and opportunities as they arise, for Acton residents and their adult children, for employees who work for and in the Town, as well as for new residents from outside of Acton. This fund is retained by the ACHC for Community Housing activities and projects that are allowable under the CPA and recommended by the ACHC or any other entity subject to approval by the Board of Selectmen.

As in previous years, the ACHC proposes to largely continue current programs and initiate new programs. Recent programs and projects include:

- Purchase of a unit at Lalli Terrace for the AHA’s low income rental program.
- Closing cost assistance to four first time homebuyers of affordable units.
- Funding the Housing Inventory for the Acton 2020 Comprehensive Community Plan.
- Providing funds to the Acton Housing Authority (AHA) in support of its project to expand low-income rental units at McCarthy Village on Sachem Way, including enhanced landscaping and screening.

Among proposed new programs are:

- A financial literacy course that the ACHC will co-sponsor with the Acton-Boxborough United Way.
- A capital improvement program for existing deed restricted low-income and affordable dwelling units.
- Facilitating and monitoring of resales of affordable units, including necessary inspections, repairs and improvements.
- Direct first-time homebuyer assistance to income eligible households.

The ACHC has access to privately funded affordable housing gifts that can be leveraged or supplemented with CPA appropriations to the Community Housing Program Fund.

Recommendations:	<u>Board of Selectmen</u> Recommended	<u>Finance Committee</u> Recommended
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C. Trail Through Time (Phase III)

The Trail Through Time is a bi-cultural heritage trail through the North Acton conservation lands that provides access to Colonial and Native American sites. The Wheeler Farm and (Robbins) Mill complex and its surrounding area show evidence of the interaction between the Native American and the early Colonial cultures that to some extent existed concurrently. The area surrounding the Wheeler site harbors numerous stone rings and piles, a turtle effigy, and walls with significant astronomical alignments, all considered remnants of Native American culture.

This \$66,900 historic preservation project will focus on stonework restoration of the Grist Mill complex together with landscaping enhancements and information panels. Phase III includes the following:

- Restoration of the stonework remains of the Thomas Wheeler, Jr.'s Grist Mill foundation, two associated foundations, portions of the raceway, and the two sluices.
- Demolishing the derelict and structurally unsafe 1940s cabin currently resting above the mill foundation and installing in the same location a viewing platform with information panels.
- An archaeological survey with test pits of the mill foundation area.
- An archaeological GPS surface survey of the general area of the farm and mill complex.
- Further historical research.
- Tree removal and landscaping to open up vistas of the extent of the stonework, and continue the establishment, begun under Phase II, of a historic park-like ambience in a natural landscape with handicapped accessibility, benches, and picnic tables.

Two prior CPA appropriations in 2006 and 2008 totaling \$55,000 have been used to restore the nearby historic Nashoba Brook Stone Chamber and the farm portion of the Wheeler Farm and Mill complex. The Acton Historical Commission has previously determined that the site is significant in the history, archeology, architecture or culture of the Town of Acton. Phase III is designed with future enhancements to the Native American artifacts in mind.

Payments under this appropriation shall be made after completion of restoration work items and inspection by the Historical Commission or its agent certifying that the completed work meets the Secretary of the Interior's Standards for the Treatment of Historic Properties. This certification may be paid for from this appropriation if performed by a qualified outside professional agent.

Recommendations:	<u>Board of Selectmen</u> Recommended	<u>Finance Committee</u> Recommended
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D. Memorial Library – Arch Window Restoration

The Acton Memorial Library is located at 486 Main Street in the Acton Center Local Historic District. It is also listed on the National Register of Historic Places. This \$15,000 appropriation would fund the restoration and rehabilitation of the large arch window on the mezzanine level at the north end of the original 1889 wing of the Memorial Library. The wing serves as Acton's Civil War Memorial. The window overlooks the Civil War exhibit area, which was funded through a prior CPA appropriation.

The window has a wood frame and consists of 128 separate glass panes separated by wood muntins. The wood is deteriorating. Prior roof leakage (since repaired) has caused deterioration and plaster damage on the building's interior surrounding the arch window. The project will restore and repair the window and

the surrounding interior areas. The weathered and yellowed protective exterior Plexiglas cover will be replaced.

Funding of this project is subject the issuance of a Certificate of Appropriateness or Determination of Non-Applicability from the Acton Historic District Commission.

Recommendations:	<u>Board of Selectmen</u> Recommended	<u>Finance Committee</u> Recommended
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E. Town Hall Windows Restoration (Phase II)

Town Hall is located at 472 Main Street in the Acton Center Local Historic District. It is also listed on the National Register of Historic Places. Town Hall was built in 1864. The windows in the original 1864 portion of the building have never been restored or replaced, only painted. Many panes have the original wavy glass. The windows are still sound, but operate poorly or malfunction due to age, multiple paint layers, and problems with the weights and/or ropes. Aluminum storm windows were added around 1970. They are in poor condition, not functioning, and historically inappropriate.

This \$75,000 is the second part of the Town Hall window restoration project and will focus on the windows of the second floor, mezzanine, and belfry of the 1864 portion of the building, including replacement of aluminum storm windows with new historically appropriate and operable wooden storm windows. In 2010, Town Meeting approved \$50,000 of CPA funding for the first project phase, which was focused on the first floor of the building.

Funding of this project is subject the issuance of a Certificate of Appropriateness or Determination of Non-Applicability from the Acton Historic District Commission.

Recommendations:	<u>Board of Selectmen</u> Recommended	<u>Finance Committee</u> Recommended
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F. Asa Parlin House – Building Preservation and Restoration

The Asa Parlin House at 17 Woodbury Lane is Town-owned property that was acquired in 1996 in connection with the Library expansion project in the 1990's. The house has been vacant ever since. It is located in the Acton Center Local Historic District and is listed on the National Register of Historic Places. The original two-story building stems from the early 1800's. Additions were constructed in the latter half of the 20th century. The Acton Historic District and Historical Commissions, jointly on behalf of the Town, submitted a \$388,787 CPA funding proposal for the restoration and rehabilitation of the original building, which would include the demolition of the more recent additions, and the conversion of the building into a public meeting space. A new addition, compatible with the original building portion would house an entry, a hallway, restrooms, and a kitchenette. Landscaping improvements would complement the building rehabilitation project. At this time, the Committee recommends funding for this project in the amount of \$100,000 for a structural evaluation, the architectural design, the demolition of the non-historic additions, and the work required to preserve and mothball the original building. Conversion of the building into meeting space, the service addition, and landscaping is a future project phase.

Funding of this project is subject to the issuance of a Certificate of Appropriateness or Determination of Non-Applicability from the Acton Historic District Commission. Payments under this appropriation shall be made after completion of restoration work items and inspection by the Historic District Commission or its agent certifying that the completed work meets the Secretary of the Interior's Standards for the Treatment of Historic Properties. This certification may be paid for from this appropriation if performed by a qualified outside professional agent. Furthermore, funding of this project shall be limited initially to the structural evaluation and preliminary architectural designs not exceeding \$20,000 in total. The results

of this work shall be presented in a report to the Community Preservation Committee. The Committee at its discretion will then decide whether or not the project is viable to release the remaining \$80,000 to perform the actual demolition and preservation work.

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

G. Acton Woman’s Club – Building Preservation & Restoration

The two-story house at 504 Main Street, known as the Chapel, is located on the Acton Common and in the Acton Center Local Historic District, and also listed on the National Register of Historic Places. The Federal Period was built in 1829 as a chapel for the Evangelical Society. The Acton Woman’s Club has owned it since 1922. The Acton Woman’s Club purpose is to maintain the building, and to promote benevolent, civic, and philanthropic activities of its members in the Acton community. The house is the location of regular public and private gatherings and events. For 57 years and ongoing, the Woman’s Club offers ballroom dance classes in the building.

The recommended appropriation of \$99,714 would fund the following significant preservation, rehabilitation and related improvement work on the building and on the property needed to maintain the building in functional condition for its intended use:

- Re-designing the walkways and entrances at the left and right sides of the building, including improvements to accommodate provisions of the Americans with Disabilities Act;
- Installation of brick courtyard or platform with bench seating at the right entrance;
- Replacing lighting around entryways;
- Landscaping and walkway/access improvements to the publicly accessible Mabel Jenks Rose Garden at the rear of the building;
- Updating the wiring from knob and tube;
- Insulating the attic, walls and cellar
- Replacing the bulkhead; and
- Repairing and repainting/repapering the interior walls to restore to proper historic period.

Funding of this project is subject to the issuance of a Certificate of Appropriateness or Determination of Non-Applicability from the Acton Historic District Commission for exterior work items as applicable under the Acton Historic District Bylaw. Payments under this appropriation shall be made after the completion of various work items and inspection by the Historic District Commission or its agent certifying that the completed work meets the Secretary of the Interior’s Standards for the Treatment of Historic Properties. This certification may be paid for from this appropriation if performed by a qualified outside professional agent. The release of the funds shall be contingent upon the conveyance to the Town and the recording of a historic preservation restriction on the building that is in form and substance acceptable to the Community Preservation Committee and Town Counsel.

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

H-1, H-2 and H-3. Theater III – Building Preservation and Restoration (\$229,500 Total)

The Acton Community Center, Inc. d/b/a Theatre III has applied for CPA funding to restore the exterior of their community theater building at 250 Central Street in West Acton. The building is the former Universalist Church built in 1868. It is situated in the West Acton Local Historic District. The proposed restoration work will include the exterior walls, gothic steeple, granite foundation, doors, decorative trim, roof trusses and replacement of non-historic windows. The total recommended appropriation comprises 90% of the proposed restoration costs, with Theatre III supplying the remainder. The need for this work

was determined by Gorman Richardson Lewis Architects, who were contracted to conduct a complete survey of the property for historic renovation purposes using the CPA funds received last year. The Theater III also received CPA funding in 2008 for the restoration of all historic windows. As a condition of the 2008 funding, the Town has obtained a recorded perpetual historic preservation restriction on the Theater III building.

The recommended appropriation consists of three parts: (1) \$145,500.00 from the general Community Preservation Funds Balance; (2) \$40,000 previously unspent CPA funds appropriated in 2007 for historic preservation, rehabilitation and restoration purposes (this item adds \$40,000 to the existing historic set-aside fund from which Town Meeting, with the recommendation of the Community Preservation Committee, may appropriate spending this year or in the future for the purpose of acquisition, preservation, rehabilitation, or restoration of Historic Resources); and (3) \$44,000 from the existing Set-Aside Fund Balance for the Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources. This brings the total amount of appropriation for this project to \$229,500.

Payments under this appropriation shall be subject to the following conditions:

- Issuance by the Acton Historic District Commission of a Certificate of Appropriateness or Determination of Non-Applicability for the proposed exterior restoration work.
- Payments or partial payments shall be made after inspection and certification by the Historic District Commission or its agent certifying that the completed work meets the Secretary of the Interior’s Standards for the Treatment of Historic Properties. This certification may be paid for from this appropriation if performed by a qualified outside professional agent.
- Amendment, as needed in the opinion of the Community Preservation Committee and Town Counsel, of the existing historic preservation restriction to ensure that it is sufficiently comprehensive to encompass the exterior restoration and preservation work funded with this appropriation, and that the work will be consistent with the historic preservation restriction.

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

I. Acton Historical Society – Building Preservation and Restoration

The Acton Historical Society has applied for \$62,095 of CPA funding to perform restoration work on the Jonathan & Simon Hosmer House and other buildings at 300 Main Street at Kelley’s Corner. The Acton Historical Society received the 3-acre property from the Town in exchange for a Preservation Restriction requiring the Acton Historical Society to restore the exterior of the Hosmer House “in accordance with its original architecture using materials compatible with and as nearly similar to original materials as practicable.”

The Hosmer House dates from the 18th century. It is listed in the National Register of Historic Places. The adjacent Jenks Library originally was a stone garage built in 1922. There is also the 1985 Mowry Storage Shed. The property houses the Society’s historical collection, archives, and library. As a museum the property is open to the public from time to time and by appointment. The restoration work under this appropriation includes:

- Hosmer House: Restoration, rehabilitation and selective replacement of windows; restoration of exterior doors; and restoration or replacement of rotted sill board trim.
- Jenks Library: Roof replacement.
- Mowry Storage Shed: Roof replacement; rehabilitation of windows; and replacement of lower wood siding.

Payments under this appropriation shall be subject to an amendment, as needed in the opinion of the Community Preservation Committee and Town Counsel, of the existing historic preservation restriction to ensure that it is sufficiently comprehensive to encompass the exterior restoration and preservation work

funded with this appropriation, and that the work will be consistent with the historic preservation restriction.

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

J. Administrative and Operating Expenses

The recommended appropriation in the amount of \$47,487 is 5% of the FY 2010 revenues in the Community Preservation Fund as provided in the Act (local surcharge and State trust fund receipts). The funding is to help the Town with administrative and legal expenses incurred in connection with the support of the Community Preservation Committee and Program, and to pay for the Community Preservation Committee’s direct expenses such as the annual membership in the Massachusetts Community Preservation Coalition.

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

Direct inquiries to: Roland Bartl, AICP, Planning Director: planning@acton-ma.gov / (978) 929-6631

Selectman assigned: Janet K. Adachi: bos@acton-ma.gov / (978) 929-6611

ARTICLE 19 RESALE OF PIPER LANE PROPERTY

(Two-thirds vote)

To see if the Town will vote to authorize the Board of Selectmen to transfer the land with the buildings and improvements thereon located at 6 Piper Road (formerly 8 Piper Lane), shown as "Lot 2 (combined Parcels C, D, Y and Z)" on a plan entitled "Plan of Land in Acton, Mass.," dated September 7, 2010, prepared by Goldsmith, Prest & Ringwall, Inc. and recorded as Plan Number 681 of 2010 in the Middlesex South Registry of Deeds (the "Premises") from the Board of Selectmen to the Board of Selectmen for the purposes of sale and to sell and convey the Premises on such terms and conditions and for such consideration as the Selectmen may determine, and to transfer the net proceeds of such sale, less the transaction costs and less the costs (up to \$45,000 but not less than \$39,000) of repairs, improvements, and the additional land purchase that was needed to create a legal house lot, from the general fund to the Community Preservation Fund Open Space Set-Aside, or take any other action relative thereto.

SUMMARY

Under Article 2 of the October 2, 2008 Special Town Meeting, the Town acquired the former Gaebel property at 8 Piper Lane in Acton, restricted the main portion of the property as open space and conservation land, and took steps to restrict and resell the existing historic house on the property. Under Article 26 of the 2010 Annual Town Meeting, the Town acquired an adjacent parcel of land in order to be able to resell the house with a legal lot separately from the open space. The original Town Meeting vote authorized the resale of the house for "not less than the appraised market value". The house is in very poor shape and in urgent need of major restoration. Consistent with the Town Meeting vote to purchase the property the house is also burdened with a historic preservation restriction and part of the house lot is subject to a conservation restriction. There appear to be very few potentially interested buyers. Initial potential buyer contacts indicate that in a sale the Town is unlikely to achieve the appraised market value. The Town has no ongoing funding source to continue maintenance and upkeep of the property and building. This article would authorize the Board of Selectmen to make a sale on such terms and conditions as they may determine, including for less than the appraised market value. The net proceeds of the sale will be returned to the Town's Community Preservation Open Space Set-Aside Fund, less the transaction costs and less the cost of repairs, improvements, and additional land purchase consistent with the prior Town Meeting votes.

Direct inquiries to: Steven L. Ledoux, Town Manager: manager@acton-ma.gov / (978) 929-6611

Selectman assigned: Janet K. Adachi: bos@acton-ma.gov / (978) 929-6611

Recommendations:	<u>Board of Selectmen</u> Recommended	<u>Finance Committee</u> Recommended
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ARTICLE 20 LAND ACQUISITION – QUAIL RIDGE

(Two-thirds vote)

To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise, on such terms and conditions as the Selectmen may determine, fee, easement and/or other real property interests in, on, over, across, under and along all or any portion of the land with the buildings and improvements thereon which is shown on the plan entitled “The Residences at Quail Ridge, Senior Residence Special Permit” dated July 18, 2007, including without limitation all or any portion of Lot 1 containing 56.288 acres more or less, Lot 2 containing 10.535 acres, more or less, Common Land Open space Parcel A containing 88.723 acres, more or less, all buildings, improvements, roadways, driveways, parking, infrastructure, means of access, and easements located on, benefiting or appurtenant to the property, all furniture, equipment, vehicles, golf carts and fixtures used in the operation or maintenance of the golf course, tennis court, pool and/or clubhouse at the property, and all permits and approvals associated with the property; to raise, appropriate, transfer from available funds, borrow, or accept gifts of such funds as are necessary to accomplish the purposes of this article; or to take any other action relative thereto.

SUMMARY

As a result of a Bankruptcy Court filing, the Quail Ridge property that is the subject of the article may be sold for development, maintained as a golf course, or partitioned for different uses (e.g., development on part of the property and a 9-hole golf course on the remainder of the property). The Town has engaged a consultant to determine the feasibility of the Town acquiring all or a portion of the property for a 9-hole or 18-hole municipal golf course, open space, recreational use. Pending the results of that study, the Selectmen have placed this article on the warrant to provide Town Meeting the option to move forward with such an opportunity before the property is sold to a third party in the Bankruptcy Court proceeding.

Direct inquiries to: Steven L. Ledoux, Town Manager: manager@acton-ma.gov / (978) 929-6611

Selectman assigned: Mike Gowing: bos@acton-ma.gov / (978) 929-6611

Recommendations:	<u>Board of Selectmen</u> Deferred	<u>Finance Committee</u> Deferred
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ARTICLE 21 # AMEND TOWN BYLAWS – DUTIES OF THE FINANCE COMMITTEE
(Majority Vote)

To see if the Town will vote to amend Chapter B, Section B3 (Duties of the Finance Committee) of the General Bylaws of the Town by adding the following sentences after the words "... the preparation of long range fiscal plans for the Town.":

"The Finance Committee shall present its fiscal plan at the annual town meeting. The fiscal plan shall be for a minimum of three years and shall include the Finance Committee's estimate of the town's financial reserves and its recommendation of the maximum amounts, if any, of the town's financial reserves to be used for appropriations by town meetings for each of the fiscal years covered by the long-range plan."

so that the amended Section B3 reads as follows:

B3. Duties of the Finance Committee

The Finance Committee shall consider any and all municipal questions for the purpose of making reports and recommendations. Without restricting the general intent of the foregoing, the Finance Committee shall include in its duties the review of and recommendations concerning the budget for the annual meeting, the review of and recommendations concerning any other matter of a financial nature arising at the annual meeting or at any special meeting, and the preparation of long range fiscal plans for the Town. The Finance Committee shall present its fiscal plan at the annual town meeting. The fiscal plan shall be for a minimum of three years and shall include the Finance Committee's estimate of the town's financial reserves and its recommendation of the maximum amounts, if any, of the town's financial reserves to be used for appropriations by town meetings for each of the fiscal years covered by the long-range plan.

, or take any other action relative thereto.

SUMMARY AS PROVIDED BY PETITIONERS

According to the existing Bylaw B3, one of the duties of the Finance Committee is "the preparation of long range fiscal plans for the Town." Such long range plans include valuable information about the Town's finances, information that has not always been readily available to the voters at the annual town meeting as they consider the requested appropriations for the annual municipal and local school operating budgets and all other major expenditures. The proposed amendment will assure that the annual town meeting voters have the benefit of the Finance Committee's work every year.

Direct inquiries to: Dick Calandrella: dickcalandrella@earthlink.net / (508) 733-2705 or
Charlie Kadlec: avg@stolab.com / (978) 263-4361

Selectman assigned: Lauren Rosenzweig Morton: bos@acton-ma.gov / (978) 929-6611

Recommendations:	<u>Board of Selectmen</u> Deferred	<u>Finance Committee</u> Not Recommended
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ARTICLE 22 # RESOLUTION REQUESTING LEGISLATIVE ACTION REGARDING
(Majority vote) **PUBLICLY-FUNDED STATE SERVICES**

Whereas, in the State Election of November 2, 2010, 77% of the voters of Acton precincts 3, 4 and 5 voted in favor of the resolution that the state representative from the 37th Middlesex District be instructed to vote in favor of legislation that would require proof of legal residence in Massachusetts before an applicant could obtain publicly-funded state benefits, and

Whereas, subsequent to that vote, the Governor of the Commonwealth of Massachusetts and his administration have proposed expanding services to persons irrespective of proof of legal residence,

NOW, BE IT RESOLVED THAT: The Town of Acton requests that its representatives and senator honor the expressed will of the voters by voting to require proof of legal residence as a condition for receiving publicly-funded state services.

SUMMARY AS PROVIDED BY PETITIONERS

Last November, large majorities of voters throughout the 37th Middlesex district, including Precincts 3, 4 and 5 in Acton, supported a ballot question asking their state representative to vote in favor of legislation that would require proof of legal residence in Massachusetts before an applicant could obtain publicly-funded state benefits. Shortly after the election, Governor Deval Patrick announced that he would continue to pursue expansion of services, including for example eligibility for in-state tuition at publicly funded colleges and universities, to persons who are not legal residents of Massachusetts. The sponsors of this warrant article disagree with the Governor’s position for three reasons. First, it appears to contradict the wishes of a majority of voters. Second, it will not help to solve the problem of illegal immigration. And third, it will not help to solve the state’s chronic budget deficit.

A yes vote on this article would re-confirm the position of Acton voters that persons who are not legal residents of Massachusetts should not receive publicly-funded state services. The resolution is intended as a statement of principle, not the text of a bill. We are asking our representatives to vote in favor of legislation that would strengthen this principle and against legislation that would weaken it, in either case taking care to avoid mandates that are impractical, not cost-effective, unduly burdensome on local officials, or contravened by Federal or other laws.

Direct inquiries to: David Stone: david@LibertyTreeFarm.com / (978) 263-8776, or
Margaret Brandon: mebrandon@comcast.net / (978) 263-3802
Acton Republican Town Committee

Selectman assigned: Pamela Harting-Barrat: bos@acton-ma.gov / (978) 929-6611

Recommendations: Board of Selectmen Finance Committee
 Not Recommended **Deferred**

ARTICLE 23
(Majority vote)

**RESOLUTION REGARDING PROPOSED NEXT GENERATION
CHILDREN’S CENTER, 352 MAIN STREET**

Whereas, the proposed Next Generation Children’s Center at 352 Main St. serving 262 children would significantly increase traffic on Main Street (Route 27) and at the Route 2 entrance and exit ramps, especially during peak morning and evening rush hours;

Whereas, Main Street (Route 27) is already a very heavily traveled road at peak hours, the intersection with Route 2 is already at a failing service level and historically this intersection has had a higher than average accident rate according to Next Generation’s own traffic study;

Whereas, town staff including the Chief of Police and various town boards as well as the school administration and numerous citizens of the town have stated that the increased traffic would be a serious threat to public safety;

And whereas the Board of Selectmen in response to comments from the citizens of the town has decided to continue with its defense in the litigation with the proponent rather than accept a proposed settlement that would do nothing to ameliorate the potential traffic issues and public safety problems and further would not resolve the violations of the town bylaw governing this development.

Now, therefore, be it resolved by the citizens of Acton present at the April 2011 Annual Town Meeting:

That to resolve this litigation and to prevent the construction of the proposed day care center on the property at 352 Main St., the Board of Selectmen should consider entering into negotiations with the developer and owners of Next Generation with the intent to offer to purchase the land that is currently owned by the developer for the day care center development.

SUMMARY

The recent public hearing before the Board of Selectmen demonstrated serious concerns by a large number of Acton residents regarding traffic and public safety issues related to the proposed Next Generation day care facility located near the intersection of Route 2 and Route 27. This non-binding resolution asks the Selectmen to consider negotiating a possible purchase of the site with the owners and the developer of the Next Generation day care site with the objective of resolving the ongoing litigation.

This non-binding resolution does not require the Selectmen to take any action, but simply conveys the sense of Town Meeting with regard to the proposed day care center to the Selectmen and others.

Direct inquiries to: Peter K. Ashton: pkashton@aol.com / (978) 369-0550

Selectman assigned: Terra Friedrichs: bos@acton-ma.gov / (978) 929-6611

Recommendations:	<u>Board of Selectmen</u>	<u>Finance Committee</u>
	No Position	Deferred

ARTICLE 24 **MBTA COMMUTER RAIL STATION ELEVATOR –**
(Majority vote) **MAINTENANCE AGREEMENT**

To see if the Town will authorize the Town Manager, with the approval of the Board of Selectmen, to enter into a long-term Agreement on such terms and conditions as they may determine appropriate, with the Massachusetts Bay Transportation Authority relative to elevator maintenance at the South Acton Train Station, or take any other action relative thereto.

SUMMARY

In accordance with the resolution voted at the June 2009 Special Town Meeting, the Town has been working with the MBTA to improve upon the access for all patrons at the South Acton Station. In negotiations between the South Acton Train Station Advisory Committee and the MBTA, the preferred redesign of the station includes elevators to access both the north and south platforms of the station. The MBTA's policy is that they do not pay for elevator maintenance and if the Town desires elevators, maintenance would be the Town's responsibility. This article authorizes the Town to enter into a long term agreement with the MBTA regarding elevator maintenance.

Direct inquiries to: Steven L. Ledoux, Town Manager: manager@acton-ma.gov / (978) 929-6611

Selectman assigned: Pamela Harting-Barrat: bos@acton-ma.gov / (978) 929-6611

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

ARTICLE 25 **MBTA COMMUTER RAIL STATION ELEVATOR –**
(Majority vote) **APPROPRIATION**

To see if the Town will raise and appropriate, transfer and/or appropriate from free cash or other available funds a sum of money to fund the Town's share of an Agreement with the Massachusetts Bay Transportation Authority relative to elevator maintenance at the South Acton Train Station, or take any other action relative thereto.

SUMMARY

This article would appropriate funds for elevator maintenance if Article 24 passes.

Direct inquiries to: Steven L. Ledoux, Town Manager: manager@acton-ma.gov / (978) 929-6611

Selectman assigned: Pamela Harting-Barrat: bos@acton-ma.gov / (978) 929-6611

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

ARTICLE 26
(Majority vote)

**HOME RULE PETITION –
SENIOR CITIZEN PROPERTY TAX EXEMPTION**

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for an Act to establish a means tested senior citizen property tax exemption in the Town of Acton, in substantially the form set forth below:

An Act authorizing the Town of Acton to establish a means tested Senior Citizen Property Tax Exemption

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. With respect to each parcel of real property qualifying pursuant to the criteria listed in Section 2 hereof and classified as class one, residential in the town of Acton there shall be a cap on property taxes equal to the sum of [1] 10 per cent of the total annual household income, and [2] the amount of the state's "circuit breaker" credit the applicant was eligible to receive in the year prior to the application being filed, except that if the cap described in Section 3 is exceeded by a higher percentage and except that in no event shall property taxes be reduced by more than 50 per cent by this exemption. The exemption shall be applied only to the principal residence of a taxpayer as used by the taxpayer for income tax purposes.

SECTION 2. The board of assessors may deny an application if they find the applicant has assets that exceed 200% of the limit as defined under the most recently accepted clause 41 of Section 5 of Chapter 59 of Massachusetts General Laws. The board of assessors may deny an application if they find the applicant has excessive assets that place them outside of the intended recipients of the senior exemption created by this act. Real property shall qualify for the exemption set forth in section 1 if all the following criteria are met:

- (a) the qualifying real estate is owned and occupied by a person or family where their prior year's income would make them income eligible for the Circuit Breaker income tax credit;
- (b) the qualifying real estate is owned by a single applicant age 65 or above at the close of the previous year or if a joint application the second applicant was age 60 or above;
- (c) the qualifying real estate is owned and occupied by the applicant or joint applicants as their principal residence for income tax purposes;
- (d) the applicant or at least one of the joint applicants has resided in the town of Acton for at least 10 consecutive years before filing an application for the exemption;
- (e) the maximum assessed value of the primary residence is no greater than the amount that would make them eligible for the Circuit Breaker income tax credit; and
- (f) the board of assessors has approved the application.

SECTION 3. The exemption provided for in this act shall be in addition to any other exemption allowable under the General Laws except that this exemption shall not exceed \$50,000, and shall be funded from the town's overlay account. To the extent qualifying requests for exemption exceed the cap of \$50,000, all requests shall be prorated based on the \$50,000 cap divided by the total dollar amount of the qualifying requests. This ratio up to a maximum of 1.0 will be multiplied by each citizen's qualifying request to determine the actual amount of the exemption for each qualifying request. For example, assume requests in one year total \$75,000. The cap amount of \$50,000 is divided by \$75,000 to determine a ratio of .667. This ratio shall be applied to each qualifying applicants' request to determine the amount of the actual exemption.

After the first year of enactment, the total cap on the exemptions granted by this act shall be set annually by the board of selectmen in consideration of the total overlay amount.

SECTION 4. A person who seeks to qualify for this exemption shall, before the deadline established by the board of assessors, file an application, on a form to be adopted by the board of assessors, with the supporting documentation of their income and assets as described in the application. The application shall be filed each year for which the applicant seeks the exemption.

SECTION 5. For the purposes of this act, “parcel” shall be a unit of real property as defined by the assessors in accordance with the deed for the property and shall include a condominium unit.

SECTION 6. Acceptance of this act by the town of Acton shall automatically expire after 3 years unless reaffirmed by the affirmative vote of a majority of the voters at a town meeting. Once reaffirmed, it shall take an affirmative vote by two-thirds of the voters at a regular or special election at which the question of revocation has been placed on the ballot by a two-thirds vote of then sitting members of the board of selectmen for this act to be revoked.

SECTION 7. The selectmen and/or the board of assessors may make technical and procedural changes, if they decide such changes will: (1) make the administration of the act more efficient, (2) make it easier to comply with the regulations of the Massachusetts Department of Revenue, or (3) for any other good reason. Such changes shall not require further approval by the legislature.

, or take any other action relative thereto.

SUMMARY

This article is a home rule petition requesting the state legislature to allow the town of Acton to put a cap on property taxes for qualifying seniors who are currently spending more than 10% of their income on property taxes for their primary residence. The amount of relief cannot exceed 50% of the total amount of a senior’s property taxes. The legislation also sets forth various requirements including age, income, asset, and residency requirements. Specifically, applicants must meet the same income and assessed home value requirements as the state Circuit Breaker requires; in addition, applicants must satisfy the same asset test times 200% as required by Clause 41 tax relief and must have lived in Acton for at least 10 consecutive years. The total amount of relief is limited to \$50,000 in the first year and will be funded by the town’s overlay account as is the case with other tax relief and abatement programs. To the extent qualifying requests exceed the maximum amount permitted they shall be prorated. If approved by the legislature, the town must reauthorize the legislation after three years to ensure that its goals are being met.

Direct inquiries to: Brian McMullen, Assistant Assessor: assessor@acton-ma.gov / (978) 929-6621

Selectman assigned: Mike Gowing: bos@acton-ma.gov / (978) 929-6611

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

ARTICLE 27 **ACCEPT LEGISLATION – SENIORS ELIGIBLE FOR STATE**
(Majority Vote) **CIRCUIT BREAKER TAX CREDIT**

To see if the Town will vote to accept the provisions of Massachusetts General Law chapter 59, section 5, clause 57 to be effective beginning in fiscal year 2012 (July 1, 2011 – June 30, 2012), or take any other action relative thereto.

SUMMARY

If accepted and subject to the assessors’ annual allocation of overlay, Clause 57 of G.L. c. 59, § 5 would allow seniors who receive “circuit breaker” tax credits on their Massachusetts state income taxes to obtain a reduction of their real estate taxes up to the amount of their credits.

Under G.L. c. 62, § 6(k), persons 65 or older who meet certain income and other requirements may claim a credit against their Massachusetts personal income taxes for the real estate taxes paid on their domiciles during the state tax year. The credit, known as the “circuit breaker” is the amount of taxes paid that exceeds 10% of the taxpayer’s income, up to a maximum credit that is adjusted each year to reflect changes in the cost of living. The credit is refundable, *i.e.*, may be claimed even if the senior does not have a state tax liability and would not otherwise have to file a return for the tax year. For state tax year 2010, the maximum credit is \$970.

Direct inquiries to: Brian McMullen, Assistant Assessor: assessor@acton-ma.gov / (978) 929-6621

Selectman assigned: Mike Gowing: bos@acton-ma.gov / (978) 929-6611

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

ARTICLE 28 MODIFY VETERANS TAX EXEMPTION

(Majority Vote)

To see if the Town will vote to accept the provisions of the final paragraph of Massachusetts General Law, chapter 59, section 5, clause twenty-second, providing that, “Notwithstanding the provisions of this section, in any city or town which accepts the provisions of this paragraph, said exemptions available under clauses twenty-second, twenty-second A, twenty-second B, twenty-second C, twenty-second D and twenty-second E may be granted to otherwise eligible persons who have resided in the commonwealth for one year prior to the date of filing for exemptions under the applicable clause.”

, or take any other action relative thereto.

SUMMARY

Acceptance of this article allows the Town to accelerate tax exemptions to certain qualifying veterans living in Acton by changing the residency requirements from five consecutive years to one consecutive year before the tax year begins.

Direct inquiries to: Brian McMullen, Assistant Assessor: assessor@acton-ma.gov / (978) 929-6621

Selectman assigned: Mike Gowing: bos@acton-ma.gov / (978) 929-6611

Recommendations:	<u>Board of Selectmen</u> Recommended	<u>Finance Committee</u> Deferred
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ARTICLE 29 PRESERVATION, REHABILITATION AND REUSE OF HISTORIC
(Two-thirds vote) **TOWNE SCHOOL PROPERTY AFFORDABLE HOUSING RESTRICTION**

To see if the Town will authorize the Board of Selectmen to grant a perpetual affordable housing restriction as that term is defined in G.L. c. 184, § 31 and as that term is used in G.L. c.184, § 26, 31, 32 and 33, and which has the benefit of Section 32 of said Chapter 184, to and for the benefit of the Department of Housing and Community Development or its designee, to enable the preservation, rehabilitation and reuse of the historic Acton High School (Towne School) property located at the intersection of Massachusetts Avenue and Charter Road in Acton which is subject to a Lease dated as of December 18, 2006, as amended, between the Town and Common Ground Development Corporation or its permitted successors and assigns for low and moderate income housing, upon such terms and conditions as the Board of Selectmen may determine, or take any other action relative thereto.

SUMMARY

For more than a decade, the Town has worked diligently to achieve the preservation and rehabilitation of the historic Acton High School (Towne School) property and its reuse for low and moderate income housing. Town Meeting has previously voted in favor of Home Rule legislation authorizing the long-term lease of the property for this purpose. After the Home Rule legislation was enacted as Chapter 487 of the Acts of 2002, the Town issued a Request for Proposals and ultimately awarded the lease to Common Ground Development Corporation or its approved successors and assigns (CGDC). CGDC applied for and received a comprehensive permit from the Acton Board of Appeals for the project. CGDC has also secured affordable housing funds to enable the project to proceed. Recently, the subsidizing agency for the project changed from Mass Housing Partnership to the Department of Housing and Community Development ("DHCD"). As a condition of the financing, DHCD requires a perpetual affordable housing restriction to be imposed on the property. As the Town owns the property, it is necessary for the Town to consent to the imposition of this restriction on the property so that the project can proceed. If the restriction is approved, it is expected that the financing will close no later than June of 2011, enabling the rehabilitation work to commence and the project to be completed within the reasonably near future.

Direct inquiries to: Nancy Tavernier, Acton Community Housing: achc@acton-ma.gov / (978) 263-9611

Selectman assigned: Lauren Rosenzweig Morton: bos@acton-ma.gov / (978) 929-6611

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

ARTICLE 30 COMMUNITY SHUTTLE – THIRD YEAR GRANT MATCH
(Majority vote)

To see if the Town will raise and appropriate, transfer and/or appropriate from available funds, a sum of money to be expended by the Town Manager for the continuation of a town shuttle and dial a ride program, or take any other action relative thereto.

SUMMARY

The Town’s Transportation Advisory Committee has developed a program to a) relieve congestion at South Acton Station and increase usage of the commuter rail by instituting a park and ride shuttle system, and b) expand the hours that van service is available to Acton residents, and open the expanded service to all residents and employees, not just the population of older adults and people with disabilities who are eligible for the present Road Runner and Council on Aging mid-day van service. In other words, train riders and the general public will experience a new service, while older adults and persons with disabilities will enjoy expanded hours.

The requested funding is the Town’s share of a federal Suburban Mobility transportation startup grant (the Grant). Program costs for the third year are expected to total \$233,847. The Grant pays for 60% of the program less fare box revenues estimated at \$39,907, thus 60% of \$198,279, or \$118,967. This article’s funding represents the remaining 40%, or \$75,000.

During the first year, the Grant funds 80% of the cost of the program less fare box revenues.

During the second year, the Grant funds 70% of the cost of the program less fare box revenues.

During the third year, the Grant funds 60% of the cost of the program less fare box revenues.

Direct inquiries to: Transportation Advisory Committee: tac@acton-ma.gov / (978) 635-1819

Selectman assigned: Mike Gowing: bos@acton-ma.gov / (978) 929-6611

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

ARTICLE 31 **AMEND ZONING BYLAW AND MAP –**
(Two-thirds vote) **GROUNDWATER PROTECTION DISTRICT**

To see if the Town will vote to amend the zoning bylaw and map as follows:

A. Delete the 3rd bulleted paragraph in Section 2.2 and replace it with the following new paragraph:

- “Groundwater Protection District Map of the Town of Acton” as last amended and most recently adopted by Town Meeting, consisting of a single sheet designated Map Number 3. See Section 4.3.2 of this Bylaw for a more detailed description of the Groundwater Protection District and the use of this map.

[Note – this paragraph currently reads:

“Groundwater Protection District Map of the Town of Acton” as last amended; Map Number 3A, consisting of a single sheet at a scale of 1" = 1200', and Map Number 3B, consisting of sheets 3B-1 through 3B-18 at a scale of 1" = 200'. See Section 4.3.2 of this Bylaw for a more detailed description of the Groundwater Protection District and the use of these maps.]

B. Delete Section 4.3.2.2 and replace it with:

4.3.2.2 ZONE 2 - The Recharge Protection Area – The area within which GROUNDWATER will move toward a pumping municipal well at the end of a 180 day period of no surficial recharge and full design capacity pumping of the well (as more fully defined by the Massachusetts Department of Environmental Protection in 310 CMR 22.02), established in the "Groundwater Protection District Map of the Town of Acton, January 1989", as last amended and most recently adopted by Town Meeting. For the Clapp/Whitcomb and the School Street well fields, the Zone 2 delineation was prepared by Goldberg, Zoino and Associates (GZA) in the “Final Report - Aquifer Protection Zones, Town of Acton, Massachusetts, January 1989”. For the Conant I and II well fields, the ZONE 2 delineation was prepared by Dufresne-Henry, Inc. for the Acton Water District in the “Report on Conant II Pumping Test”, dated January 1993. For the Kennedy/Marshall well fields, the ZONE 2 delineation was prepared by Dufresne-Henry, Inc. for the Acton Water District in the “Report on Kennedy No.1 and Marshall Wellfields Zone II Delineation”, dated October 1996. For the Assabet well fields, the ZONE 2 delineation was prepared by Stantec Consulting for the Acton Water District in the report “Prolonged Pumping Test Assabet Well No. 3”, dated May 2008 and revised by Stantec Consulting in a letter report dated January 2009. All Zones 2 have been approved by the Massachusetts Department of Environmental Protection (DEP) as the State approved Zones 2.

[Note – Section 4.3.2.2 currently reads:

ZONE 2 - The Recharge Protection Area – The area within which GROUNDWATER will move toward a pumping municipal well at the end of a 180 day period of no surficial recharge and full design capacity pumping of the well (the Massachusetts Department of Environmental Protection ZONE 2 boundary standard), as established in the "Groundwater Protection District Map of the Town of Acton, January 1989", and amended in 1996. Except for the Conant I and II well fields, the Zone 2 delineation was prepared by Goldberg, Zoino and Associates (GZA) in the “Final Report - Aquifer Protection Zones, Town of Acton, Massachusetts, January 1989”. For the Conant I and II well fields the ZONE 2 delineation was prepared by Dufresne-Henry, Inc. for the Acton Water District in the “Report on Conant II Pumping Test”, dated January 1993, and has been approved by the Massachusetts Department of Environmental Protection (DEP) as the State approved Zone 2.]

C. Adopt a new Groundwater Protection District Map of the Town of Acton, Map Number 3, dated January 2011.

, or take any other action relative thereto.

SUMMARY

This article adopts: (1) new Groundwater Protection District Zone 2 delineations for the Kennedy/Marshall and the Assabet well fields based on new data and delineations from the Acton Water District as approved by DEP; and (2) a new Groundwater Protection District zoning map for the entire Town with the new Zone 2 delineations incorporated; the new map is compatible with the Town’s Geographic Information System and shows land parcels in relation to the Groundwater Protection District Zones 1, 2, 3, and 4.

Areas currently in Zone 2 that the proposed new Zone 2 delineation vacates would revert to Zone 3. The new map, and the reports used to develop the new Zone 2 delineations are available at the Planning Department in Town Hall. The Zone 2 delineations for the Kennedy/Marshall and Assabet well fields, as changed by this article, are shown side by side with the existing delineations in the maps below. The maps below also show the Zones 1; they remain unchanged by this article. The Zones extend into neighboring Towns; however, Acton’s Groundwater Protection District zoning cannot regulate land beyond the Town’s borders.

For a full-size, online version of the maps below, please visit www.acton-ma.gov/gpd

Direct inquiries to: Roland Bartl, AICP, Planning Director: planning@acton-ma.gov / (978) 929-6631

Selectman assigned: Pamela Harting-Barrat: bos@acton-ma.gov / (978) 929-6611

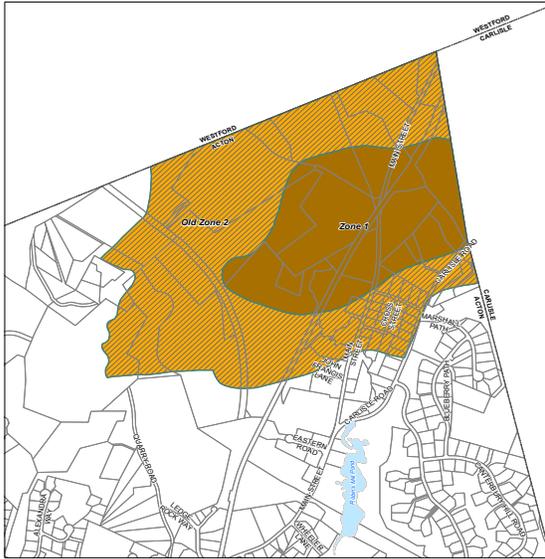
Recommendations:	<u>Board of Selectmen</u> Recommended	<u>Finance Committee</u> Recommended	<u>Planning Board</u> Recommended
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PROPOSED CHANGES TO ZONE 2 DELINEATIONS

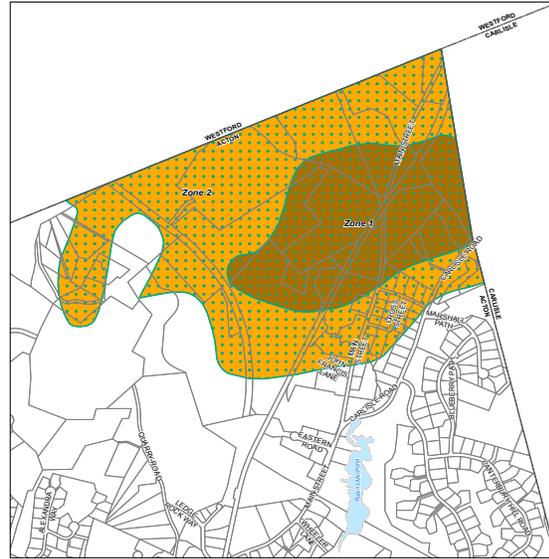


Kennedy/Marshall Well Field

Existing Zone 2

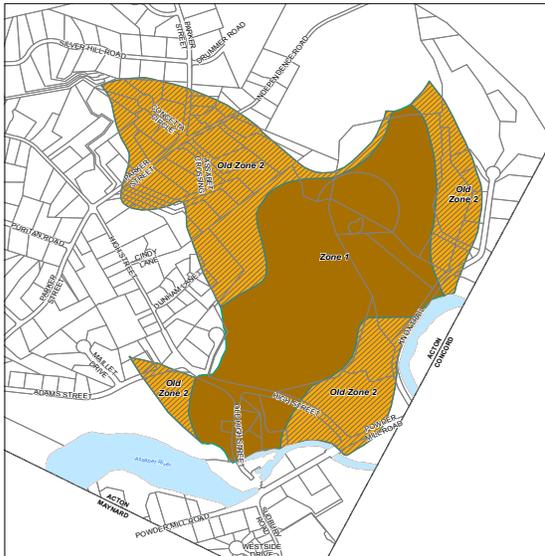


Proposed Zone 2

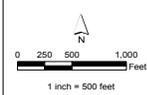
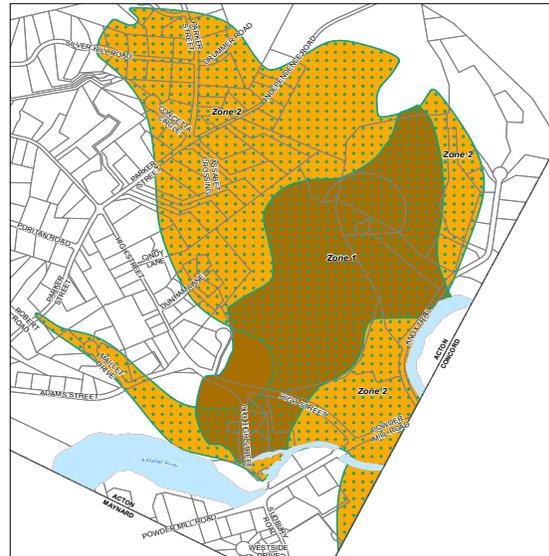


Assabet Well Field

Existing Zone 2



Proposed Zone 2



Map created by
 **APPLIED GEOGRAPHICS, INC.**
 Engineering People with Spatial Solutions
 January 2011

Legend

-  Old Zone 2
-  Proposed Zone 2
-  Proposed Zone 2 (for Zone 1 overlay display)

ARTICLE 32 * AMEND ZONING BYLAW – CORRECTIONS, CLARIFICATIONS AND
(Two-thirds vote) MINOR CHANGES

To see if the Town will vote to amend the Zoning Bylaw as follows:

A. In Section 7 4.1, insert the words “EXTERIOR or FREESTANDING” before the first appearance of the word “SIGN”.

[Note – Section 7.4.1 currently reads:

7.4.1 Design – In the Village Districts no visible portion or exterior surface of any SIGN shall be made of plastic, other petroleum based products, or sheet metal, except that in the EAV District such materials may be used provided that the visible portions and exterior surfaces of a SIGN have a wooden appearance.]

B. In Section 8.2.3.1 delete the words “in BUILDING area” in each of its Sub-sections a) and b).

[Note – Section 8.2.3.1 currently reads:

8.2.3.1 In a Residential District a nonconforming USE may not be extended in area, except that, a) nonconforming Two-FAMILY Dwellings may be extended in BUILDING area by right, and b) nonconforming Multifamily Dwellings may be extended in BUILDING area by special permit from the Board of Appeals.]

, or take any other action relative thereto.

MOTION

Move that the Town adopt the zoning bylaw amendments as set forth in the Article.

SUMMARY

Part A would exempt interior signs, such as internally affixed window signs from the material standards applicable in village districts.

Part B: Section 8.2.3.1 of the Zoning Bylaw allows in residential zoning districts the extension in building area by right of nonconforming two-family dwellings, and by special permit of non-conforming multi-family dwellings. This amendment would provide that extensions are not solely limited to the buildings in which they exist, but would also allow extensions for exterior improvements associated with the non-conforming uses. In a recent case before the Zoning Enforcement Officer, the addition of a modest off-street parking space for a non-conforming two-family dwelling may have technically not been permissible because it was not an extension of the building itself, whereas an extension of the building for a garage would have been allowed under the current language of section 8.2.3.1.

Direct inquiries to: Roland Bartl, AICP, Planning Director: planning@acton-ma.gov / (978) 929-6631

Selectman assigned: Pamela Harting-Barrat: bos@acton-ma.gov / (978) 929-6611

Recommendations:	<u>Board of Selectmen</u> Recommended	<u>Finance Committee</u> Recommended	<u>Planning Board</u> Recommended
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ARTICLE 33 * AMEND TOWN BYLAWS – HANDICAPPED PARKING

(Majority Vote)

To see if the Town will vote to amend Chapter L of the General Bylaws of the Town entitled “Handicapped Parking Bylaw” to read as follows:

L1

No vehicle, except a vehicle bearing the license plates authorized by General Laws c. 90, s. 2, or bearing an Acton temporary handicapped permit, shall be parked, left standing, or left unattended within a parking space designated as reserved for vehicles owned and operated by disabled or handicapped persons; and no vehicle shall obstruct a curb ramp designated for use by disabled or handicapped persons.

L2

The penalty for violation of this bylaw shall be established by order or regulations of the Board of Selectmen acting pursuant to this Bylaw and shall, per violation, be not less than \$100.00 and not more than the maximum penalty for such a violation as is authorized by State law as now in force or hereafter amended. In addition, any vehicle parked in violation of this bylaw shall be subject to removal in accordance with General Laws c. 40, s. 22D.

, or take any other action relative thereto.

MOTION

Move that the Town adopt the general bylaw amendments as set forth in the Article.

SUMMARY

This Article amends Chapter L of the General bylaws, by establishing a minimum fine of \$100 for illegally parking in a parking space designated for the disabled in accordance with State law and authorizes the Board of Selectmen to set the fine up to the maximum established by State law (currently, \$300).

Direct inquiries to: Steven L. Ledoux, Town Manager: manager@acton-ma.gov / (978) 929-6611

Selectman assigned: Mike Gowing: bos@acton-ma.gov / (978) 929-6611

Recommendations:	<u>Board of Selectmen</u> Recommended	<u>Finance Committee</u> Deferred
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**ARTICLE 34 * AMEND TOWN BYLAWS – NON-CRIMINAL DISPOSITION
(Majority Vote) HANDICAPPED PARKING**

To see if the Town will vote to amend Chapter E, Section E45, of the General Bylaws of the Town to add the following provision after the first reference to Chapter I and before the first reference to Chapter M:

Chapter L - Handicapped Parking Bylaw - enforcing person - Regular Police Officer - Penalty per violation as established from time-to-time by order or regulations of the Board of Selectmen adopted pursuant to Acton General Bylaw Chapter L, Section L2.

, or take any other action relative thereto.

MOTION

Move that the Town adopt the general bylaw amendments as set forth in the Article.

SUMMARY

This Article amends the Non Criminal Disposition provision of the General bylaws by adding the change to Chapter L if approved in Article 28.

Direct inquiries to: Steven L. Ledoux, Town Manager: manager@acton-ma.gov / (978) 929-6611

Selectman assigned: Mike Gowing: bos@acton-ma.gov / (978) 929-6611

Recommendations:	<u>Board of Selectmen</u> Recommended	<u>Finance Committee</u> Deferred
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ARTICLE 35 * AMEND TOWN BYLAWS – COUNCIL ON AGING
(Majority Vote)

To see if the Town will vote to amend Section B21 of the General Bylaws of the Town entitled “Council on Aging” so that as amended it reads as follows:

There shall be a Council on Aging for the purpose of coordinating or carrying out programs designed to meet the problems of the aging in coordination with programs of the Department of Elder Affairs established under General Laws, Chapter 19A, Section 1, *et seq.*, or any successor or related department or legislation affecting the affairs of the elderly. Without limitation, the mission of the Council on Aging is to help mobilize human, physical, and financial resources available to plan, develop, and implement innovative programs to insure the dignity and independence of elderly persons, including the planning, development, and implementation of home care programs for the elderly in the Town, and to advocate for elderly persons in an effort to maximize their independence and quality of life through the implementation of services to meet their health, economic, social, and cultural needs. Subject to the approval of the Board of Selectmen, the Council on Aging may promulgate administrative procedures governing its affairs.

, or take any other action relative thereto.

MOTION

Move that the Town adopt the general bylaw amendments as set forth in the Article.

SUMMARY

This article amends Section B 21 of the General bylaws in regard to the Council on Aging. The change merely refers to Massachusetts General Law, Chapter 19 A. The current Bylaw references a repealed State Statute.

Direct inquiries to: Steven L. Ledoux, Town Manager: manager@acton-ma.gov / (978) 929-6611

Selectman assigned: Mike Gowing: bos@acton-ma.gov / (978) 929-6611

Recommendations:	<u>Board of Selectmen</u> Recommended	<u>Finance Committee</u> Deferred
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ARTICLE 36 * LAND ACQUISITION – ROBBINS MILL

(Two-thirds vote)

To see if the Town will authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise and to accept a deed or deeds of fee simple interests, on such terms and conditions as the Selectmen may determine, the following parcels of the land for the following stated purposes located within the Robbins Mill Estates Subdivision in North Acton:

Acton Town Atlas				
Map	Parcel	Robbins Mill Sub-division Common Land Parcel ID# ¹	Land Area (acres)	Designated Open Space Uses
C-6	14-14	3	+/-0.3104	Active and passive recreation; access to adjacent Town-owned land
C-6	11	4	+/-0.3000	Active and passive recreation; access to adjacent Town-owned land
C-5	115	7	+/-19.7323	Conservation; passive recreation
D-6	1	9	+/-3.2459	Active and passive recreation
D-6	2	10	+/-95.2640	Conservation; passive recreation

¹ As shown on Definitive Subdivision Plan entitled “Robbins Mill Estates, A Planned Conservation Residential Community, Acton, Massachusetts” last revised October 26, 2004; recorded in the Middlesex South Registry of Deeds as Plan No.1310 of 2004 (14 pages).

, or take any other action relative thereto.

MOTION

Move in the words of the article.

SUMMARY

This article accepts five open space parcels in the now completed Robbins Mill Estates Subdivision for the purposes itemized in the article’s table. The parcels are shown on the Robbins Mill Estates subdivision plan referenced below the table. The Planning Board approved the subdivision in 2004 together with a grant of special permit for a Planned Conservation Residential Community (PCRC). The plan as approved by the Planning Board calls for 90 house lots on +/-76 acres, plus +/-157 acres of open space/common land. According to the Planning Board’s decision of approval, common land parcels 3, 4, 7, 9, and 10 with their designated future open space uses as listed in the table must be offered to the Town for acceptance as public land concurrently with the acceptance of the subdivision street as public ways (see separate article in this warrant for the street acceptance). The total land area of parcels 3, 4, 7, 9, and 10 is +/-118.85 acres. An additional 5 parcels totaling +/-38.15 acres have been set aside as common land/open space held in a conservation trust by the lot owners in the subdivision.

Common land parcels 3 and 4 serve as access to +/-15.85 acres of adjacent Town-owned land, where future active recreation areas have been proposed. Common land parcel 9 contains a playground and a ball field, which the developer provided as required by the Planning Board in its approval. Common land parcels 7 and 10 are set aside for conservation and passive recreation purposes, where the Town’s Land Stewardship Committee is planning to rehabilitate and connect existing trails for hiking and other passive uses.

Direct inquiries to: Roland Bartl, AICP, Planning Director: planning@acton-ma.gov / (978) 929-6631

Selectman assigned: Mike Gowing: bos@acton-ma.gov / (978) 929-6611

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

ARTICLE 37 * ACCEPT STREETS – CANTERBURY HILL ROAD & BLUEBERRY PATH
(Two-thirds vote)

To see if the Town will accept as public ways the following streets, or any portion thereof, as laid out by the Board of Selectmen according to plans on file with the Town Clerk, and authorize the Board of Selectmen to take or accept the fee or easement in said streets by eminent domain or otherwise, including easements for drainage, utility, sidewalk or other purposes as shown on said plans, described in the Order of Layouts or described in a related Order of Taking;

In the ROBBINS MILL ESTATES SUBDIVISION:

CANTERBURY HILL ROAD - a loop road from the easterly sideline of Carlisle Road a distance of 6,538 feet, more or less, in a southerly, northeasterly, northerly and northwesterly direction, to the easterly sideline of Canterbury Hill Road, this being the entire road.

BLUEBERRY PATH - from the previous limit of acceptance at the southerly end of Blueberry Path a distance of 1,461 feet, more or less, in a generally southerly direction to the northerly sideline of Canterbury Hill Road, this being the entire road.

, or take any other action relative thereto.

MOTION

Move that the Town accept as public ways the streets listed in the Article, as laid out by the Board of Selectmen, according to the plans on file with the Town Clerk, and authorize the Board of Selectmen to take the fee or easements for drainage, utility, or other purposes where shown on said plans or described in the Order of Layout.

SUMMARY

This article is to accept streets as town ways that have been built to Planning Board standards. In order to create a new street, a developer must first obtain approval of a definitive subdivision plan from the Planning Board. The land developer’s contractor then constructs the street according to this plan and the rules and regulations of the Planning Board. The Engineering Department inspects the street during construction to insure compliance with these standards. Upon completion of the street, the developer petitions the Board of Selectmen to start the legal process that will lead to acceptance of the street as a town way. Prior to town meeting, the Selectmen hold a public hearing and adopt an "Order of Layout" containing a legal description of the street. Following town meeting, the Selectmen obtain title to the street by deed or eminent domain. Such streets are built and donated to the Town at no cost; however, the Town will assume future maintenance costs as with any town way. The subdivision process is contained in Massachusetts General Law, Chapter 41, and the layout of town ways is in Chapter 82. Canterbury Hill Road and Blueberry Path have followed this process, and are now ready for acceptance.

Direct inquiries to: Corey York, P.L.S., Town Engineer/Director of Public Works
cyork@acton-ma.gov / (978) 929-6630

Selectman assigned: Mike Gowing: bos@acton-ma.gov / (978) 929-6611

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

ARTICLE 38 * ABANDON ROAD EASEMENT – TICONDEROGA ROAD

(Two-thirds vote)

To see if the Town will vote to authorize the Board of Selectmen to abandon and terminate the Town’s right, title and interest in an existing easement for a road extension, on such terms and conditions as the Selectmen may determine, as shown on a plan entitled “Plan of Land in West Acton Mass., Owned by: Flagg Hill Estates Inc. (Section III), Scale: 1 inch = 40 feet, dated March 17, 1961” prepared by Everett M. Brooks Co. and recorded at the Middlesex South District Registry of Deeds as Plan 984 of 1961 in Book 9845, Page 515;

or take any other action relative thereto.

MOTION

Move in the words of the Article.

SUMMARY

An affirmative vote on this article will terminate the Town’s right, title and interest in an existing easement for a road extension located on Parcel 105 on Town Atlas Map G-1 (15 Ticonderoga Road) which is shown as Lot 266 on the plan recorded at the Middlesex South District Registry of Deeds as Plan 984 of 1961 in Book 9845, Page 515. According to the Town’s Atlas Maps, the road easement extends to the rear portion of the common land for the Maple Creek Farm (Woodfield Road & Shady Lane). The subdivision for Woodfield Road and Shady Lane was approved by the Acton Planning Board on July 12, 1993 as a P.C.R.C. Special Permit (Planned Conservation Residential Community). There no longer appears to be a need for a potential public access across the land of 15 Ticonderoga Road to the privately owned common parcel. Plans of the proposed work are available for viewing at the Acton Engineering Department.

Direct inquiries to: Corey York, P.L.S., Town Engineer/Director of Public Works
cyork@acton-ma.gov / (978) 929-6630

Selectman assigned: Mike Gowing: bos@acton-ma.gov / (978) 929-6611

Recommendations:	<u>Board of Selectmen</u> Recommended	<u>Finance Committee</u> Recommended
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ARTICLE 39 * ACCEPT SIDEWALK EASEMENTS – HIGH STREET

(Two-thirds vote)

To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise and to accept deeds of easement interests for sidewalks along the frontage on High Street for all purposes which streets, sidewalks and ways are now or hereafter used in the Town, on such terms and conditions as the Selectmen may determine and in a final location or locations as the Selectmen may determine, on, across, over, and/or under the following land:

High Street (from Audubon Hill to Parker Street):

1. Land n/f of Kinny and Jenifer Chau Wong of 82 High Street (Town Atlas Map H-3B Parcel 50-1),
2. Land n/f of Robert J and Gina Flaherty of 88 High Street (Town Atlas Map H-3B Parcel 50-2),
3. Land n/f of Daniel W Stanford and Mary Bassett-Stanford of 92 High Street (Town Atlas Map H-3B Parcel 50-5),
4. Land n/f of Matthew L Simpson and Michelle H Jacob of 96 High Street (Town Atlas Map H-3B Parcel 50-3),
5. Land n/f of J. Scott Gately of 100 High Street (Town Atlas Map H-3B Parcel 50-4),
6. Land n/f of Melvin S and Wai Ling Lee of 104 High Street (Town Atlas Map I-3 Parcel 14),
7. Land n/f of Darren and Melissa Spangler of 106 High Street (Town Atlas Map I-3 Parcel 15),
8. Land n/f of Jean K Roberts of 112 High Street (Town Atlas Map I-3 Parcel 16),
9. Land n/f of Michael W and Patricia M Estabrook of 4 Valley Road (Town Atlas Map I-3 Parcel 33),
10. Land n/f of Stephen Rodenhiser and Jennifer Couture of 124 High Street (Town Atlas Map I-3 Parcel 44),
11. Land n/f of Randall G and Juliet D Alexander of 128 High Street (Town Atlas Map I-3 Parcel 53),
12. Land n/f of Antoine R and Debra J Elkhoury of 132 High Street (Town Atlas Map I-3 Parcel 62),
13. Land n/f of Tak M Wong and Cindy Chan of 140 High Street (Town Atlas Map I-3 Parcel 72),
14. Land n/f of William J Sheehan and Nancy Jo Cardillo of 148 High Street (Town Atlas Map I-3 Parcel 73 & 73-1),
15. Land n/f of the 156 High Street Real Estate Trust (Town Atlas Map I-3 Parcel 84),
16. Land n/f of Wesley J and Stacy H Dobbs of 164 High Street (Town Atlas Map I-3 Parcel 85 & 85-1),
17. Land n/f of Michael E Mosca and Loretta A Chiasson of 172 High Street (Town Atlas Map I-3 Parcel 95),
18. Land n/f of M. Daniel and Marilou Sazon Potter of 176 High Street (Town Atlas Map I-3 Parcel 101),
19. Land n/f of James C Seward and Deborah K Eagle of 180 High Street (Town Atlas Map I-3 Parcel 101-1),
20. Land n/f of James Jermantowicz and Elaine Jermantowicz of 186 High Street (Town Atlas Map I-3 Parcel 101-2),
21. Land n/f of Richard P and Edytha H Francis of 190 High Street (Town Atlas Map I-3 Parcel 101-3),
22. Land n/f of the Robert B Whittlesey Trust and the Louise A Whittlesey Trust of 194 High Street (Town Atlas Map I-3 Parcel 101-4),
23. Land n/f of Peter A and Lori M Megdal of 198 High Street (Town Atlas Map I-3 Parcel 101-5),

24. Land n/f of Jeremy J and Ilham M Edmunds of 202 High Street (Town Atlas Map I-3 Parcel 101-6),
25. Land n/f of Thomas E and Sarah E Lent of 204 High Street (Town Atlas Map I-3 Parcel 101-7),
26. Land n/f of Chang Hyun Kim and In Sook Jeon of 206 High Street (Town Atlas Map I-3 Parcel 101-8),
27. Land n/f of Robert C Schoen and Abigail Levy of 185 Parker St (Town Atlas Map I-3 Parcel 124),

and further see if the Town will raise, appropriate, transfer from available funds or accept gifts for this purpose, or take any other action relative thereto.

MOTION

Move that the Town authorize the acquisition of the easement(s) as set forth in the Article.

SUMMARY

These easements would provide the Town sufficient width along the Town roads for the sidewalks. These easements are needed due to the fact that there is insufficient room within the limits of the public way for the sidewalks given the location of the road pavement and the abutting properties.

Direct inquiries to: Corey York, P.L.S., Town Engineer/Director of Public Works
 cyork@acton-ma.gov / (978) 929-6630

Selectman assigned: Pamela Harting-Barrat: bos@acton-ma.gov / (978) 929-6611

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

ARTICLE 40 * ACCEPT SIDEWALK EASEMENTS – SUMMER STREET

(Two-thirds vote)

To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise and to accept deeds of easement interests for sidewalks along the frontage on Summer Street for all purposes which streets, sidewalks and ways are now or hereafter used in the Town, on such terms and conditions as the Selectmen may determine and in a final location or locations as the Selectmen may determine, on, across, over, and/or under the following land:

Summer Street (from Central Street to Willow Street):

1. Land n/f of Bruce P and Susan L Metzger of 8 Summer Street (Town Atlas Map F-2B Parcel 113),
2. Land n/f of Paul B and Joy C Madden Jr of 12 Summer Street (Town Atlas Map F-2B Parcel 106),
3. Land n/f of David A Wallace of 20 Summer Street (Town Atlas Map F-2B Parcel 104-1),
4. Land n/f of Stan Clement Catherine De Schepper and Carol Marguerite Marie Buysse of 24 Summer Street (Town Atlas Map F-2B Parcel 104-2),
5. Land n/f of Jack Russella Pollard of 60 Willow Street (Town Atlas Map F-2B Parcel 104),

Summer Street (at Ethan Allen Drive):

6. Land n/f of William and Shelley Kaye Northup of 148 Summer St (Town Atlas Map F-1 Parcel 68),
7. Land n/f of Pradeep and Sunita P Shukla of 2 Ethan Allen Drive (Town Atlas Map F-1 Parcel 67),
8. Land n/f of Susila Kasturirangan and Kasthuri Gopalaratnam of 1 Ethan Allen Drive (Town Atlas Map F-1 Parcel 63),
9. Land n/f of David and Elise M Erikson of 154 Summer St (Town Atlas Map F-1 Parcel 58),

and further see if the Town will raise, appropriate, transfer from available funds or accept gifts for this purpose, or take any other action relative thereto.

MOTION

Move that the Town authorize the acquisition of the easement(s) as set forth in the Article.

SUMMARY

These easements would provide the Town sufficient width along the Town roads for the sidewalks. These easements are needed due to the fact that there is insufficient room within the limits of the public way for the sidewalks given the location of the road pavement and the abutting properties.

Direct inquiries to: Corey York, P.L.S., Town Engineer/Director of Public Works
cyork@acton-ma.gov / (978) 929-6630

Selectman assigned: Pamela Harting-Barrat: bos@acton-ma.gov / (978) 929-6611

Recommendations:	<u>Board of Selectmen</u> Recommended	<u>Finance Committee</u> Recommended
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ARTICLE 41 * ACCEPT SIDEWALK EASEMENTS – MARTIN STREET

(Two-thirds vote)

To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise and to accept deeds of easement interests for sidewalks along the frontage on Martin Street for all purposes which streets, sidewalks and ways are now or hereafter used in the Town, on such terms and conditions as the Selectmen may determine and in a final location or locations as the Selectmen may determine, on, across, over, and/or under the following land:

Martin Street (from the Railroad Tracks to Central Street):

1. Land n/f of Donna M. Kutasz of 46 Central St (Town Atlas Map G-2A Parcel 65),
2. Land n/f of Robert E and Margery R Condon of 2 Martin St (Town Atlas Map G-2A Parcel 64),
3. Land n/f of Stuart A Treat of 10 Martin St (Town Atlas Map G-2A Parcel 71 & 72),
4. Land n/f of Kristin Cooper of 14 Martin St (Town Atlas Map H-2A Parcel 2),

and further see if the Town will raise, appropriate, transfer from available funds or accept gifts for this purpose, or take any other action relative thereto.

MOTION

Move that the Town authorize the acquisition of the easement(s) as set forth in the Article.

SUMMARY

These easements would provide the Town sufficient width along the Town roads for the sidewalks. These easements are needed due to the fact that there is insufficient room within the limits of the public way for the sidewalks given the location of the road pavement and the abutting properties.

Direct inquiries to: Corey York, P.L.S., Town Engineer/Director of Public Works
cyork@acton-ma.gov / (978) 929-6630

Selectman assigned: Pamela Harting-Barrat: bos@acton-ma.gov / (978) 929-6611

Recommendations:	<u>Board of Selectmen</u> Recommended	<u>Finance Committee</u> Recommended
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ARTICLE 43 * ACCEPT SIDEWALK EASEMENT – ARLINGTON STREET

(Two-thirds vote)

To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise and to accept deeds of easement interests for sidewalks along the frontage on Arlington Street and Spruce Street for all purposes which streets, sidewalks and ways are now or hereafter used in the Town, on such terms and conditions as the Selectmen may determine and in a final location or locations as the Selectmen may determine, on, across, over, and/or under the following land:

Arlington Street (at Spruce Street):

1. Land n/f of West Acton Trio, LLC of 232 Arlington Street (Town Atlas Map F-2A Parcels 70,71 & 83),

and further see if the Town will raise, appropriate, transfer from available funds or accept gifts for this purpose, or take any other action relative thereto.

MOTION

Move that the Town authorize the acquisition of the easement(s) as set forth in the Article.

SUMMARY

The donation of this easement will encompass the section of sidewalk along Arlington Street and Spruce Street that will be built on private property. The easement is needed due to the fact that these roads are not wide enough at this location for a sidewalk given the location of the road pavement, utilities and the abutting properties. The sidewalk will be constructed by and with the consent of the abutting property owner.

Direct inquiries to: Corey York, P.L.S., Town Engineer/Director of Public Works
cyork@acton-ma.gov / (978) 929-6630

Selectman assigned: Pamela Harting-Barrat: bos@acton-ma.gov / (978) 929-6611

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

ARTICLE 44 * ACCEPT SIDEWALK EASEMENT – SPRUCE STREET

(Two-thirds vote)

To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise and to accept deeds of easement interests for sidewalks along the frontage on Spruce Street at Arlington Street for all purposes which streets, sidewalks and ways are now or hereafter used in the Town, on such terms and conditions as the Selectmen may determine and in a final location or locations as the Selectmen may determine, on, across, over, and/or under the following land:

Spruce Street (at Massachusetts Ave):

1. Land n/f of 525 Mass Ave LLC, 537 Mass Ave LLC and 541 Mass Ave LLC of 525-541 Massachusetts Avenue (Town Atlas Map F-2A Parcels 103,104,105,112,113 & 114),

and further see if the Town will raise, appropriate, transfer from available funds or accept gifts for this purpose, or take any other action relative thereto.

MOTION

Move that the Town authorize the acquisition of the easement(s) as set forth in the Article.

SUMMARY

The donation of this easement encompasses the sections of sidewalk along Spruce Street that was built on private property. The easement is needed due to the fact that the road is not wide enough at this location for a sidewalk given the location of the road pavement, utilities and the abutting properties. The sidewalk was constructed with the consent of the abutting property owner.

Direct inquiries to: Corey York, P.L.S., Town Engineer/Director of Public Works
cyork@acton-ma.gov / (978) 929-6630

Selectman assigned: Pamela Harting-Barrat: bos@acton-ma.gov / (978) 929-6611

Recommendations:	<u>Board of Selectmen</u> Recommended	<u>Finance Committee</u> Recommended
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ARTICLE 45 * HEAR AND ACCEPT REPORTS

(Majority vote)

To see if the Town will accept reports and hear and act upon the report of any committee chosen at any previous Town Meeting that has not already reported, or take any other action relative thereto.

MOTION

Move that the Town accept the reports of the various Town Officers and Boards as set forth in the 2010 Town Report and that the Moderator call for any other reports.

SUMMARY

This article provides for the acceptance of the Annual Town Report, any other reports Town Boards and Committees may need to offer, and to offer for acceptance any reports of committees chosen at previous Town Meetings.

Selectman assigned: Terra Friedrichs: bos@acton-ma.gov / (978) 929-6611

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

ARTICLE 46 * HIGHWAY REIMBURSEMENT PROGRAM (CHAPTER 90)

(Majority vote)

To see if the Town will vote to raise and appropriate, or appropriate from available funds, a sum of money for highway improvements under the authority of Massachusetts General Law, Chapter 90, and any other applicable laws, or take any other action relative thereto.

MOTION

Move that the Town Manager is authorized to accept Highway funds from all sources and that such funds are hereby appropriated for highway purposes.

SUMMARY

Each year, the State provides communities with reimbursement for certain highway projects. The State Legislature annually establishes the level of highway improvement funds available to cities and towns under the so-called “Chapter 90” Program. This process is not completed until after Acton’s Annual Town Meeting; therefore, we are unable to specify a dollar amount at Town Meeting. State law requires that these State Highway Reimbursement Funds be appropriated by Town Meeting. The purpose of this article is to make that appropriation and allow the town to fully utilize whatever level of appropriation the State may make available during the upcoming fiscal year. If Town Meeting were to not adopt this article, it is conceivable that monies allocated to Acton may be redistributed to State projects or other cities and towns.

Direct inquiries to: John Murray, Assistant Town Manager: manager@acton-ma.gov / (978) 929-6611

Selectman assigned: Terra Friedrichs: bos@acton-ma.gov / (978) 929-6611

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

ARTICLE 47 * INSURANCE PROCEEDS

(Majority vote)

To see if the Town will vote to appropriate the proceeds of any insurance policy reimbursements of costs incurred as a result of any covered loss, including without limitation any liability insurance, property insurance, casualty insurance, workers’ compensation insurance, health insurance, disability insurance, automobile insurance, police and fire injury and medical costs, and any other insurance of any name and nature whatsoever, or take any other action relative thereto.

MOTION

Move that the Town Manager is authorized to accept insurance proceeds of any name and nature whatsoever from all sources and such funds are hereby appropriated.

SUMMARY

According to Massachusetts General Law, reimbursements received from insurance carriers in excess of \$20,000 require appropriation. This article would authorize the Town Manager to expend such reimbursements.

Direct inquiries to: John Murray, Assistant Town Manager: manager@acton-ma.gov / (978) 929-6611

Selectman assigned: Terra Friedrichs: bos@acton-ma.gov / (978) 929-6611

Recommendations:	<u>Board of Selectmen</u> Recommended	<u>Finance Committee</u> Recommended
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ARTICLE 48 * GIFTS OR GRANTS

(Majority vote)

To see if the Town will vote to appropriate the proceeds of any gifts or grants accepted pursuant to Massachusetts General Law, Chapter 44, Section 53A, and any interest thereon, and that, consistent with the requirements of Massachusetts General Law, Chapter 40, Section 4A, the Board of Selectmen or Town Manager are authorized to enter into an agreement or agreements on behalf of the Town, on such terms and conditions as the Board of Selectmen or the Town Manager may determine, for the stated purposes of the gifts or grants, or take any other action relative thereto.

MOTION

Move that the proceeds of any gifts or grants from any source accepted pursuant to Massachusetts General Law, Chapter 44, Section 53A, and any interest thereon, are hereby appropriated for the stated purposes of the gifts or grants, and may be expended with the approval of the Board of Selectmen or otherwise as stated in Section 53A.

SUMMARY

Section 53A authorizes Town officers and departments to accept “grants or gifts of funds from the Federal Government and from a charitable foundation, a private corporation, or an individual, or from the commonwealth, a county or municipality or an agency thereof” and to expend said funds for the purposes of such grant or gift with the approval of the Board of Selectmen or otherwise as specified in the statute. The Department of Revenue has taken the position that such funds may require appropriation in certain circumstances. This Article provides that appropriation so that those funds may be expended for their stated purposes.

Direct inquiries to: John Murray, Assistant Town Manager: manager@acton-ma.gov / (978) 929-6611

Selectman assigned: Janet K. Adachi: bos@acton-ma.gov / (978) 929-6611

Recommendations:	<u>Board of Selectmen</u> Recommended	<u>Finance Committee</u> Recommended
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ARTICLE 49 * FEDERAL AND STATE REIMBURSEMENT AID

(Majority vote)

To see if the Town will vote to appropriate any Federal Government and State Government reimbursement for costs incurred as a result of any declared emergencies or other occurrence, and that, consistent with the requirements of Massachusetts General Law, Chapter 40, Section 4A, the Board of Selectmen or Town Manager are authorized to enter into an agreement or agreements on behalf of the Town, on such terms and conditions as the Board of Selectmen or the Town Manager may determine, or take any other action relative thereto.

MOTION

Move that the Town Manager is authorized to accept federal and state reimbursement funds from all sources and that such funds are hereby appropriated for the purposes outlined by such reimbursement.

SUMMARY

The Federal Emergency Management Agency (FEMA) and Massachusetts Emergency Management Agency (MEMA) each provide planning and mitigation monies to cities and towns, and each reimburses for certain costs during declared emergencies. In addition, monies may be distributed for Homeland Defense, other Federal programs and other State programs. This article would authorize the Town to expend all such monies.

Direct inquiries to: John Murray, Assistant Town Manager: manager@acton-ma.gov / (978) 929-6611

Selectman assigned: Terra Friedrichs: bos@acton-ma.gov / (978) 929-6611

Recommendations:	<u>Board of Selectmen</u> Recommended	<u>Finance Committee</u> Recommended
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ARTICLE 50 * PERFORMANCE BONDS

(Majority vote)

To see if the Town will vote to appropriate the proceeds of any performance bonds for the purposes stated in said bonds available as a result of any default, non-performance or other covered conditions, or take any other action relative thereto.

MOTION

Move that the Town appropriate the proceeds of any performance bonds, for the purposes stated in said bonds, available as a result of any default, non-performance or other covered conditions.

SUMMARY

The Department of Revenue has issued an opinion that the Town cannot expend performance bonds without appropriation. This article would authorize the Town Manager to expend funds secured from performance bonds provided by or on behalf of contractors and others to secure the performance of obligations by such persons to the Town.

Direct inquiries to: John Murray, Assistant Town Manager: manager@acton-ma.gov / (978) 929-6611

Selectman assigned: Terra Friedrichs: bos@acton-ma.gov / (978) 929-6611

Recommendations:	<u>Board of Selectmen</u> Recommended	<u>Finance Committee</u> Recommended
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ARTICLE 51 * SALE OF FORECLOSED PROPERTIES

(Majority vote)

To see if the Town will vote to authorize the Board of Selectmen to dispose of foreclosed properties acquired by the Town for nonpayment of taxes in accordance with the provisions of Massachusetts General Laws, or take any other action relative thereto.

MOTION

Move in the words of the Article.

SUMMARY

This article grants authority to the Board of Selectmen to sell and convey properties that the Town has obtained via tax foreclosure.

Direct inquiries to: John Murray, Assistant Town Manager: manager@acton-ma.gov / (978) 929-6611

Selectman assigned: Terra Friedrichs: bos@acton-ma.gov / (978) 929-6611

Recommendations:	<u>Board of Selectmen</u> Recommended	<u>Finance Committee</u> Recommended
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**ARTICLE 52 * ELDERLY TAX RELIEF
(Majority vote) REAUTHORIZE CHAPTER 73 OF THE ACTS OF 1986**

To see if the Town will vote to continue to accept the provisions of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, providing for a 100% increase in certain property tax exemptions, or take any other action relative thereto.

MOTION

Move that the Town continue to accept the provisions of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, providing for a 100% increase in certain property tax exemptions.

SUMMARY

This is a reauthorization of an ongoing program of tax relief for certain qualifying individuals that was first adopted by Town Meeting in 1999. Section 4 of Chapter 73 of the Acts of 1986 authorized Towns that annually accept the provisions of this law to grant additional real estate tax exemptions for qualifying individuals. These additional exemptions are available to the elderly, disabled or veterans who qualify for property tax exemptions under Clauses 17, 17C, 17C½, 17D, 22, 22A, 22B, 22C, 22D, 22E, 37, 37A, 41, 41B and 41C of Section 5, Chapter 59 of the Massachusetts General Laws. This article will continue to provide additional tax relief to qualified individuals by increasing the exemptions to the maximum allowable under the law.

Direct inquiries to: Brian McMullen, Assistant Assessor: assessor@acton-ma.gov / (978) 929-6621

Selectman assigned: Mike Gowing: bos@acton-ma.gov / (978) 929-6611

Recommendations:	<u>Board of Selectmen</u> Recommended	<u>Finance Committee</u> Recommended
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And you are directed to serve this Warrant by posting attested copies thereof fourteen days at least before the time of said meeting, in not less than six public places in Town, to be designated by the Board of Selectmen.

Hereof fail not, and make due return of this Warrant, with your doings thereon, to the Town Clerk, at or before the time of said meeting.

Given under our hands at Acton this fifteenth day of March, 2011.

Lauren Rosenzweig Morton, Chair
Mike Gowing, Vice-Chair
Terra Friedrichs, Clerk
Janet K. Adachi
Pamela Harting-Barrat

Board of Selectmen

A true copy, Attest:

Constable of Acton

Glossary of Terms Commonly Used in Municipal Finance

Abatement: A complete or partial cancellation of a tax bill imposed by a governmental unit; applicable to tax levies and special assessments.

Appropriation: An authorization granted by a legislative body to make expenditures and to incur obligations for specific purposes. An appropriation is usually limited in amount and the time when it can be expended. Any amount that is appropriated may be encumbered.

A warrant article appropriation is carried forward from year to year until spent for the designated purpose or transferred by town meeting vote to another account.

Assessed Valuation: The value placed upon a particular property by the local Board of Assessors for the purpose of apportioning the town's tax levy among individual property owners equitably and in accordance with the legal requirement that property be assessed at "full and fair cash value", certified periodically by the Commonwealth's Commissioner of Revenue (no less frequently than once every three years).

Audit: Work done by accountants in examining financial reports, reviewing compliance with applicable laws and regulations, reviewing effectiveness in achieving program results. A basic audit examines only the financial reports and legal compliance. An outside Certified Public Accountant (CPA) audit is directed primarily toward the expression of an opinion as to the fairness of the financial statements and submission of a management letter. An auditor must be independent of the executive branch of government. A state auditor, private CPA or public accountant, or elected auditor meets this test.

Balance Sheet: A statement that discloses the assets, liabilities, reserves and equities of a fund or government unit at a specified date.

Budget: A plan of financial operation embodying an estimate of proposed expenditures for a given period and the proposed means of financing them. A budget may be preliminary (the financial plan presented to the town meeting) or final (the plan approved by that body).

Capital Budget: A plan of proposed capital outlays and the means of financing them for the current fiscal period. It is usually a part of the current budget.

Capital Exclusion: A vote to exclude from the levy limit the cost of a capital project. This exclusion only affects the levy limit for the year in which the project was undertaken.

Cemetery Land Fund: A fund established to which revenues are earmarked for the acquisition of land development costs on designated cemetery land purchases.

Cherry Sheet: An annual statement received from the Massachusetts Department of Revenue detailing estimated receipts for the next fiscal year for the various state aid accounts and estimated state and county government charges payable by the Town in setting the tax rate. The actual receipts and charges may vary from the estimates.

Classification: The division of the real estate tax and personal property voted by the Selectmen. The Selectmen may choose one rate for residences, another rate for business, and another rate for open space.

Debt Exclusion: A vote to exclude from the levy limit the costs of debt service for capital projects. This exclusion remains in effect for the life of the debt only.

Debt Service: Payment of interest and principal related to debt.

Encumbrance: Obligations such as purchase orders, contracts, salary commitments which are chargeable to an appropriation and for which a part of the appropriation is reserved.

Enterprise Fund: A fiscal entity with a self-balancing set of accounts that is utilized to account for a governmental service when it is the intent to recover the total costs of service, including depreciation, primarily through user charges and may be supplemented by taxes.

Equalized Valuation: The value of all property as determined by the Commissioner of Revenue biennially, to place all property in the state upon an equal footing, regardless of date of assessment.

Excess and Deficiency: Also called the "surplus revenue" account, this is the amount by which cash, accounts receivable, and other assets exceed a regional school district's liabilities and reserves as certified by the Director of Accounts. The calculation is based on a year-end balance sheet which is submitted to the Department of Revenue by the district's auditor, accountant, or comptroller as of June 30. The regional school committee must apply certified amounts exceeding five percent of the district's prior year operating and capital costs to reduce the assessment on member cities and towns.

Expenditure: The spending of money by the town and schools for the programs or projects within the approved budget.

FTE: A full-time equivalent employee based on a 40-hour work week. May be one or more employees, but the total weekly hours equal 40.

Fiscal Year ("FY"): A 12-month period, beginning July 1 and ending June 30, to which the annual budget applies and at the end of which a governmental unit determines its financial position and the results of its operations. The numbers of the fiscal year is that of the calendar year in which it ends; for example, FY09 or FY 2009 is the fiscal year which begins July 1, 2008 and ends June 30, 2009.

Free Cash: Certified each July 1 by the State, this is the portion of Undesignated Fund Balance available for appropriation. It is not cash but rather is approximately the total of cash and receivables less current liabilities and earmarked reserves, reduced also by reserves for uncollected taxes.

Fund: An accounting entity with a self-balancing set of accounts that is segregated for the purpose of carrying on identified activities or attaining certain objectives in accordance with specific regulations, restrictions or limitations.

General Fund: The fund into which the general (non-earmarked) revenues of the town are deposited and from which money is appropriated to pay expenses.

General Obligation Bonds: Bonds issued by the Town that are backed by the full faith and credit of its taxing authority.

Joint Labor Management Negotiation Process: A negotiation process available to Police and Fire Unions, which utilizes Commonwealth of Massachusetts' mediators and arbitrators. If an arbitration decision is issued, it is binding upon the Executive Branch (The Board of Selectmen and Management

Staff). Further, the Executive Branch must fully support such an arbitration decision before Town Meeting, even if they believe such a decision is not in the best interest of the Town.

Overlay: The amount raised from the property tax levy in excess of appropriations and other charges. It is used to cover abatements and exemptions granted locally or on appeal, and cannot exceed an amount deemed reasonable by the Commissioner of Revenue.

Override: A vote to increase the amount of property tax revenue that may be raised over the levy limit.

Personnel Services: The cost of salaries, wages and related employment benefits.

Purchased Services: The cost of services that are provided by a vendor.

Property Tax Bill: The amount produced by multiplying the assessed valuation of property by the tax rate. The tax rate is expressed per thousand dollars of assessed valuation, for example:

House Value:	\$ 300,000	
Tax rate:	\$ 10	which means \$10 per thousand
Levy:	\$ 10	multiplied by \$300,000 and divided by \$1,000
Result:	\$ 3,000	

Raise: A phrase used to identify a funding source for an expenditure which refers to money generated by the tax levy or other local receipt.

Reserve Fund: A fund appropriated each year that may be used only by vote of the Finance Committee for “extraordinary or unforeseen expenditures.”

Revolving Fund: Those funds that may be used for special uses. For example, Recreation fees may be paid into a revolving fund, and expenditures can be made without appropriation with the approval of the Town Manager. Revolving funds are established by state law or town bylaw. Some revolving funds must be annually reauthorized by Town Meeting.

Stabilization Fund: A fund designed to accumulate amounts for capital and other future spending purposes, although it may be appropriated for any lawful purpose (MGL Ch. 40 §5B). Stabilization funds may be established for different purposes, and interest generated by such funds is added to and becomes part of the stabilization fund. A two-thirds vote of town meeting is required to establish, amend the purpose of, or appropriate money into or out of the stabilization fund.

Tax Levy: Total amount of dollars assessed in property taxes imposed by the Town each fiscal year.

Unreserved Fund Balance or Surplus Revenue Account: The amount by which cash, accounts receivable and other assets exceed liabilities and restricted reserves. It is akin to the stockholders equity account on a corporate balance sheet. It is not, however, available for appropriation in full because a portion of the assets listed as “accounts receivable” may be taxes receivable and uncollected. (See Free Cash)

Warrant: A list of matters to be acted on by Town Meeting.

Town Meeting Parliamentary Procedure

Town Meeting is an old and honored tradition in New England. After more than 200 years we can say it still works – it does its job – and hopefully it’s more than a little enjoyable for you, the voters. It’s also the only form of government where the leaders must face the citizenry directly to answer all reasonable queries – and perhaps even some not so reasonable! However, to work well it must have rules of order – and it does. Town Meetings operate under what is generally called “parliamentary procedure” – in our case, as spelled out in Town Meeting Time. Unfortunately, this wonderful little book is widely read only by Moderators, Town Clerks, Town Counsels and a few others with unusual tastes. In addition to such formal procedures Town Meetings also are subject to relatively arbitrary rules of order set forth by the Moderator and precedent. The following information puts forth the most widely used of these “rules of the road” as an effort to help you enjoy and participate in our Town Meetings.

Moderator’s Rules

These are quite arbitrary, but hopefully are consistently applied:

1. Any registered voter may speak to any article, but all must speak politely and respectfully to other voters and members of town boards. Civility is not an option.
2. Since many voters may wish to speak, brevity of comment is appreciated. In addition, speakers are encouraged to add new points to the debate as opposed to repeating what others have already stated.
3. Voters may speak to an issue more than once, but generally “first time” speakers will be recognized before “repeaters”.
4. Remember to listen closely to the motion as stated. The motion puts the warrant article “in play” and it is the motion that is voted on, not the article as written in the warrant. However, there should be a strong similarity between motion and article.
5. Most motions must be “seconded”. Seconding motions is an easy way for newcomers to participate in the meeting. One does not even need to stand or be directly recognized. Generally calling out “second” at the right time will suffice.
6. Voting is most often done by voice. As the Moderator’s hearing fails, “standing” counts may be taken. The last resort, due to time constraints, is to take a counted vote by teller.
7. Although not encouraged, the Moderator’s judgment can be questioned as to the accuracy of the vote as announced. If seven (7) people request a “recount” of a voice or standing votes, it shall be done.
8. The Moderator will generally accept the motion to “move the previous question”, or more easily understood, “to cut off debate.” Many people think this motion is somewhat unfair, but it has been my experience that, more often than not, it is passed unanimously or by overwhelming numbers. In the past, the Moderator has been accused of knowing who plans to make such a motion – generally such accusations are accurate!
9. After a motion has been made and seconded, the mover of the motion speaks first, followed by the appropriate Town Boards (generally the Selectmen and the Finance Committee) who state their opinions. The motion is then available for general discussion – pro, con, or questions.

10. Other than when seconding a motion or requesting a point of order, speakers must be recognized by the Moderator before they launch into their point or question. For the most part this “rule of the road” is rigorously enforced.

More Formal Parliamentary Procedure

There are many types of motions that may come before a meeting. The table below is far from all-inclusive, but indicates the most commonly used motions.

Motion	Second Required	Debatable	Amendable	Vote Required	May Reconsider	May Interrupt
Dissolve	Yes	No	No	Majority	No	No
Fix the Time to Adjourn	Yes	Yes	Yes	Majority	Yes	No
Lay on the Table	Yes	No	No	Two-thirds	Yes	No
Previous Question	Yes	No	No	Two-thirds	No	No
Limit Debate	Yes	No	No	Two-thirds	Yes	No
Postpone to a Time Certain	Yes	Yes	Yes	Majority	Yes	No
Amend	Yes	Yes	Yes ¹	Majority	Yes	No
Postpone Indefinitely	Yes	Yes	No	Majority	Yes	No
Point of Order	No	No	No	None	No	Yes
Main Motion	Yes	Yes	Yes	Varies	Yes	No
Reconsider²	Yes	Yes	No	Two-thirds	No	No

1 In Acton, we generally do not accept amendments to amendments – too confusing.

2 Controlled by Town bylaw – 2/3 Vote same night; 3/4 Vote, plus posting ensuing nights.

Some of the motions listed above may not be totally understandable in table form only. The following elaboration may help.

The motion to *dissolve* ends the Town meeting and is appropriate only when all business is completed.

Fix the time to adjourn is a motion often made by the Selectmen and indicates when a given Town Meeting session will end and when the next session will begin.

Lay on the table is a motion used to end debate temporarily or permanently on a given motion. A motion laid on the table may remain there forever, or may be retrieved by the appropriate “take from the table” vote.

The previous question cuts off debate immediately and causes a vote on the article or amendment under discussion.

Limit debate is a motion generally used to put a specific time limit on a motion or time limits on individual speakers.

Postpone to a time certain is a motion generally used to rearrange the order of the articles (or a single article) in the warrant.

Amend – Many types of motions can be amended or altered to bring them to an even higher state of perfection. Of course, since amendments are a little like “beauty being in the eye of the beholder,” they sometimes fail to pass. In any event, after the amendment is disposed of by a vote, the primary motion, either so amended or not, comes back to the assemblage for further discussion and vote.

Postpone Indefinitely serves the same basic purpose as laying a motion on the table except that it is debatable and requires only a majority vote. If the postpone motion carries, the motion to which it applies is dead – in parliamentary terms, at least.

Point of Order – Anyone at any time may rise to a point of order and interrupt the speaker, simply stating, “Point of order, Mr. Moderator.” The Moderator will immediately stop discussion, listen to the point of order and rule on its validity. Points of order may relate to many issues, for example, the right of a speaker to the floor, proper procedures, indecorous conduct or rarely, but within the realm of possibility, some error that the Moderator is committing.

Main Motions are made when no other business is pending and are the devices used to bring the warrant articles to the Town Meeting floor for discussion.

Reconsideration may be used to bring an article (or motion) which has already been disposed of back for a second time. If reconsideration is passed, it nullifies the previous vote and the article is re-discussed and re-voted. Many people feel that reconsideration is unfair, but it is a valid procedure and is occasionally used. In Acton, a Town Bylaw controls the vote quantum rather than Town Meeting Time. Anyone who wishes to reconsider a motion, particularly on a different night from the original vote, would be well advised to consult the Town Clerk on proper procedures.

Parliamentary procedure is not really complex, but the rules, like the rules of golf, do not always make sense. However, they should be consistently applied. If they are, then the Town Meeting can conduct its business in both an orderly and a fair fashion.

I hope this small treatise is helpful to you and adds to your understanding and enjoyment of a most precious right – TOWN MEETING.

Don MacKenzie
Town Moderator

Internet & Telephone References

Official Town of Acton Web Site	http://www.acton-ma.gov
Document Management System (“Docushare”)	http://doc.acton-ma.gov
Geographic Information System (“GIS”)	http://www.acton-ma.gov/gis

The Town maintains electronic mail distribution groups for all Boards, Committees and Commissions, as well as Departments. These groups are commonly referred to as “e-mail shells.”

E-mails sent to shells are automatically forwarded to all members of the committee who have provided their e-mail address to the Town.

Using e-mail does *not* satisfy Open Meeting Law requirements (Massachusetts General Laws, Chapter 39, Section 23B). Please direct questions regarding this law to the Town Clerk.

To use a shell, send your e-mail to the address listed in the center column of this table. When replying to an e-mail sent to a shell, it is recommended that you use the "Reply to All" function of your e-mail program so that all members are copied on your reply.

Town offices converted to a voice-over-IP telephone system in 2010. Below are the new telephone numbers associated with each department and committee. Old numbers will continue to work for a period of time.

<u>Department, Board or Committee</u>	<u>E-mail address</u>	<u>Telephone</u>
Acton Community Housing Corporation	ahc@acton-ma.gov	(978) 929-6611
Acton Leadership Group	alg@acton-ma.gov	(978) 929-6611
Acton-Boxborough Cultural Council	abcc@acton-ma.gov	(978) 929-6611
Appeals, Board of	boa@acton-ma.gov	(978) 929-6631
Assessor Department	assessor@acton-ma.gov	(978) 929-6621
Assessors, Board of	bas@acton-ma.gov	(978) 929-6621
Building Department	building@acton-ma.gov	(978) 929-6633
Cable Advisory Committee	cac@acton-ma.gov	(978) 929-6612
Cemetery Department	cemetery@acton-ma.gov	(978) 929-6642
Citizens' Library Department, West Acton	wacl@acton-ma.gov	(978) 929-6654
Clerk Department, Town	clerk@acton-ma.gov	(978) 929-6620
Collector Department	collector@acton-ma.gov	(978) 929-6622
Commission on Disability	cod@acton-ma.gov	(978) 929-6633
Community Preservation Committee	cpc@acton-ma.gov	(978) 929-6631
Conservation Commission	conscom@acton-ma.gov	(978) 929-6634
Council on Aging	coa@acton-ma.gov	(978) 929-6652
Council on Aging Department (Senior Center)	seniorcenter@acton-ma.gov	(978) 929-6652
Design Review Board	drb@acton-ma.gov	(978) 929-6631
Economic Development Committee	edc@acton-ma.gov	(978) 929-6631
Economic Development Industrial Corp.	edic@acton-ma.gov	(978) 929-6631
Emergency Management Agency	ema@acton-ma.gov	(978) 929-7730
Engineering Department	engineering@acton-ma.gov	(978) 929-6630
Finance Committee	fincom@acton-ma.gov	(978) 929-6611
Finance Department	finance@acton-ma.gov	(978) 929-6624
Fire Department	fire@acton-ma.gov	(978) 929-7722
Green Advisory Board	gab@acton-ma.gov	(978) 929-6611
Health, Board of	boh@acton-ma.gov	(978) 929-6632

Health Department	health@acton-ma.gov	(978)	929-6632
Health Insurance Trustees	hit@acton-ma.gov	(978)	929-6611
Highway Department	highway@acton-ma.gov	(978)	929-7740
Historic District Commission	hdc@acton-ma.gov	(978)	929-6631
Historical Commission	hc@acton-ma.gov	(978)	929-6631
Human Resources Department	hr@acton-ma.gov	(978)	929-6613
Information Technology Department	it@acton-ma.gov	(978)	929-6612
Land Stewardship Committee	lsc@acton-ma.gov	(978)	929-6634
Manager Department, Town	manager@acton-ma.gov	(978)	929-6611
Memorial Library Department	library@acton-ma.gov	(978)	929-6655
Memorial Library Trustees	mlt@acton-ma.gov	(978)	929-6655
Municipal Properties Department	mp@acton-ma.gov	(978)	929-7744
Natural Resources Department	nr@acton-ma.gov	(978)	929-6634
Nursing Department	nursing@acton-ma.gov	(978)	929-6650
Open Space Committee	osc@acton-ma.gov	(978)	929-6634
Outreach Steering Committee	outreach@acton-ma.gov	(978)	929-6631
Parking Clerk	parkingclerk@acton-ma.gov	(978)	929-6611
Planning Board	pb@acton-ma.gov	(978)	929-6631
Planning Department	planning@acton-ma.gov	(978)	929-6631
Police Department	police@acton-ma.gov	(978)	929-7711
Public Ceremonies Committee	pcc@acton-ma.gov	(978)	929-6611
Recreation Commission	reccom@acton-ma.gov	(978)	929-6640
Recreation Department	recreation@acton-ma.gov	(978)	929-6640
School Committee, A-B Regional	abrsc@acton-ma.gov	(978)	264-4700
School Committee, Acton Public	apsc@acton-ma.gov	(978)	264-4700
Selectmen, Board of	bos@acton-ma.gov	(978)	929-6611
Senior Taxation Aid Committee	stac@acton-ma.gov	(978)	929-6621
Sewer Action Committee	sac@acton-ma.gov	(978)	929-6632
Sidewalk Committee	sidewalks@acton-ma.gov	(978)	929-6630
South Acton Train Station Advisory	satsac@acton-ma.gov	(978)	929-6630
Town Report Committee	trc@acton-ma.gov	(978)	929-6611
Transportation Advisory Committee	tac@acton-ma.gov	(978)	929-6630
Treasurer's Advisory Committee	trac@acton-ma.gov	(978)	929-6611
Veterans Service Officer	vso@acton-ma.gov	(978)	929-6614
Volunteer Coordinating Committee	vcc@acton-ma.gov	(978)	929-6611
Wastewater Advisory Comm. Task Force	wactf@acton-ma.gov	(978)	929-6632
Wastewater Advisory Neighborhood Task Force	want@acton-ma.gov	(978)	929-6632
Water Resources Advisory Committee	wrac@acton-ma.gov	(978)	929-6632

Volunteer Application

VOLUNTEER COORDINATING COMMITTEE

Town Hall
472 Main Street
Acton, MA 01720

E-mail: vcc@acton-ma.gov
Telephone: (978) 929-6611
Fax: (978) 929-6350

Residents interested in serving on a Town Board, Committee or Commission are asked to complete this form and forward it to the Office of the Town Manager at Town Hall.

(Please print or type)

Date _____

Name Title (Mr., Mrs., Dr., etc.) / First / Last / Suffix (Sr., Jr., III, etc.)

Address Number / Street

Contact E-mail Address / Telephone Number(s) (Home, Business, Cell, etc.)

Please indicate below, in order of preference, the Board, Committee or Commission that is of interest to you: _____

Have you previously been a member of a Board, Committee or Commission (either in Acton or elsewhere)? If so, please list the Board name and your approximate dates of service: _____

Do you have any time restrictions? _____

Are you a United States Citizen? _____ Are you a Documented Resident Alien of Acton? _____

How long have you lived in Acton? _____ In Massachusetts? _____

Present occupation and employer (Optional: Attach résumé) _____

Do you or your employer have any current or potential business relationship with the Town of Acton that could create a conflict of interest? _____

Education or special training: _____

Please list below any additional information or comments that may help in the matching of your interests with the most appropriate Board/Committee, such as civic experience, special interest/hobbies, etc.:

Thank you. If you have questions or would like more information, please contact a member of the Volunteer Coordinating Committee. Current membership may be obtained through the Town Manager's office at Town Hall, manager@acton-ma.gov / (978) 929-6611.

The space below is for use by the Volunteer Coordinating Committee and the appointing body to record the status of your application.

VCC Interview	Appointing Body
Applicant Called _____	Selectmen / Manager / Moderator
Schedule Date & Time _____	Interview Date _____
Recommendation _____	Appointed Date _____
	Term _____
Board, Committee or Commission _____ _____ _____ _____	Member / Alternate / Associate Member / Alternate / Associate Member / Alternate / Associate Member / Alternate / Associate
Recommendation Sent _____	Notification of Appointment Received by VCC _____ Committee Notified _____ Applicant Notified _____
<input type="checkbox"/> No openings at this time	



**Town of Acton
472 Main Street
Acton, MA 01720**

**BULK RATE
U.S. POSTAGE PAID
PERMIT #67
ACTON, MA 01720**

**POSTAL PATRON
ACTON, MA 01720**