

**ACTON BOARD OF SELECTMEN VOTE ON MOTION RE
TRAFFIC CONTROL AGREEMENT WITH THE
MASSACHUSETTS DEPARTMENT OF TRANSPORTATION,
FEDERAL AID PROJECT NO. CMAQ/STP-TE-0025(836), AGREEMENT NO. 90123,
CONCERNING THE ASSABET RIVER RAIL TRAIL**

The following motions were duly adopted at an open meeting of the Town of Acton Board of Selectmen on September __, 2015:

MOVED, pursuant to the provisions of 23 U. S. C. §§ 109(d) & 116, of the United States Code and in accordance with the official standards of the Massachusetts Department of Transportation, adopted in conformity with the provisions and recommendations of the Manual on Uniform Traffic Control Devices for Streets and Highways published by the Department of Transportation, Federal Highway Administration, that the Acton Board of Selectmen hereby approves and authorizes the execution by the Town Manger pursuant to Section 4-3(g) of the Town Charter of that certain Traffic Control Agreement with the Massachusetts Department of Transportation, Federal Aid Project No. CMAQ/STP-TE-0025(836), Agreement No. 90123, in the form attached as Exhibit A (the "Agreement").

AND FURTHER MOVED, pursuant to foregoing authority and pursuant to Massachusetts General Laws Chapter 40, Section 22, and by virtue of any other power it hereto enabling, that the Acton Board of Selectmen hereby amends the Traffic Rules and Orders of the Town of Acton dated September 22, 2014, by adopting, as additional rules and orders for the regulation of carriages and vehicles used in and of traffic upon the streets and highways of said Town, the Specific Provisions of the Agreement in the form attached as Exhibit B, effective upon said additional rules and orders being published at least once in a newspaper published in the Town.

_____	_____
Katie Green, Chair	Frances J. Osman
_____	_____
Peter J. Berry, Vice-Chair	Chingsung Chang
_____	_____
Janet K. Adachi, Clerk	

Notarization

On this ___ day of September __, 2015, before me personally appeared the foregoing members of the Acton Board of Selectmen, proved to me through satisfactory evidence of identification, which was personal knowledge, to be the members of the Acton Board of Selectmen whose names are signed on the preceding or attached document.

Notary Public
My Commission Expires: _____

EXHIBIT A

**TRAFFIC CONTROL AGREEMENT WITH THE
MASSACHUSETTS DEPARTMENT OF TRANSPORTATION,
FEDERAL AID PROJECT NO. CMAQ/STP-TE-0025(836), AGREEMENT NO. 90123,
CONCERNING THE ASSABET RIVER RAIL TRAIL**

(Attached)

EXHIBIT B

SPECIFIC PROVISIONS OF THE

**TRAFFIC CONTROL AGREEMENT WITH THE
MASSACHUSETTS DEPARTMENT OF TRANSPORTATION,
FEDERAL AID PROJECT NO. CMAQ/STP-TE-0025(836), AGREEMENT NO. 90123,
CONCERNING THE ASSABET RIVER RAIL TRAIL**

**ADOPTED AS ADDITIONAL RULES AND ORDERS FOR THE REGULATION OF
TRAFFIC UPON THE STREETS AND HIGHWAYS OF SAID TOWN OF ACTON**

(Attached)

**First Amendment to
Traffic Rules and Orders of the Town of Acton dated September 22, 2014**

Pursuant to Massachusetts General Laws Chapter 40, Section 22 and by virtue of any other power it hereto enabling, and as required by that certain Traffic Control Agreement with the Massachusetts Department of Transportation (MASSDOT”), Federal Aid Project No. CMAQ/STP-TE-0025(836), Agreement No. 90123 (the “Agreement”), the Board of Selectmen of the Town of Acton (“TOWN”) hereby amends the Traffic Rules and Orders of the Town of Acton dated September 22, 2014, by adopting, as additional rules and orders for the regulation of carriages and vehicles used in and of traffic upon the streets and highways of said TOWN, the following Specific Provisions of the Agreement:

SPECIFIC PROVISIONS

A. STOP SIGNS

To be installed in accordance with applicable permits filed or to be filed by the TOWN and approved by MASSDOT.

20 Main Street southern driveway at Main Street (Route 27)

20 Main Street northern driveway at Main Street (Route 27)

Southern Parking lot at Maple Street

B. NO RIGHT TURN SYMBOL

Southern Parking lot at Maple Street

C. NO LEFT TURN SYMBOL

Northern Parking lot at Maple Street

D. BIKELANE

WB on Maple Street near Southern Parking lot

EB on Maple Street near Southern Parking lot

WB on Maple Street near Main Street (Route 27)

EB on Maple Street near Main Street (Route 27)

E. ENDS

WB on Maple Street near Southern Parking lot

EB on Maple Street near Main Street (Route 27)

F. DO NOT ENTER

Maple Street at Stow Street

G. NO MOTOR VEHICLES

Maple Street's southern parking lot at Rail Trail

Sylvia Street parking lot at Rail Trail

Rail Trail at 20 Main Street southern driveway

Rail Trail at 20 Main Street northern driveway

H. ONE WAY (PBS)

Maple Street at Stow Street

I. ONE WAY (LEFT)

Maple Street at southern parking lot

J. ONE WAY (RIGHT)

Northern Parking lot at Maple Street

K. ONEWAY

Two (2) on Maple Street at Main Street (Route 27)

L. NO PARKING ANY TIME

Four (4) on Maple Street's southern parking lot

M. NO PARKING EMERGENCY ACCESS

Two (2) on 20 Main Street's parking lot near Rail Trail

N. TRAIL USE PARKING ONLY

Three (3) on Maple Street's southern parking lot

O. RESERVEDPARKING

Sylvia Street parking lot at Rail Trail

Two (2) on Maple Street's southern parking lot

Two (2) on Maple Street's northern parking lot

P. VAN ACCESSIBLE

On Maple Street's northern parking lot

These additional rules and orders shall be in addition to and shall not abrogate or diminish the Traffic Rules and Orders of the Town of Acton dated September 22, 2014, which shall remain in full force and effect. These additional rules and orders shall be published at least once in a newspaper published in the Town.

SO ORDERED, by the Acton Board of Selectmen on this ___ day of September, 2015.

_____	_____
Katie Green, Chair	Frances J. Osman
_____	_____
Peter J. Berry, Vice-Chair	Chingsung Chang
_____	_____
Janet K. Adachi, Clerk	



Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Stephanie Pollack, Secretary & CEO
Thomas J. Tinlin, Acting Administrator

9/28/2015 060 (5)



Mr. Steven Ledoux
Office of the Town Manager
472 Main Street
Acton, MA 01720

August 17, 2015

Dear Mr. Ledoux,

Enclosed with this letter are three originals of a Traffic Control Agreement for the Safety Improvement Project regarding the Assabet River Rail-Trail in the Town of Acton. This Agreement is required by the Federal Highway Administration in accordance with Title 23 USC, Sections 109(d) and 116. The purpose of these Agreements is to assure that the ways within and adjacent to the project will be operated and maintained by the municipality as planned. Failure on the part of any municipality to execute and fulfill the terms of the Agreement may cause disqualification from participation in future Safety Improvement Projects.

This Agreement has been discussed with the project design engineer and municipal representatives. The proper officials, including the town counsel, are required to sign all three originals of each Agreement and affix all attests and seals.

It is requested that all pertinent traffic regulations be enacted. In the instance where existing municipal regulations are in conflict with the Agreement, action must be taken to bring them into compliance with the Agreement.

Please submit to this office the three signed originals of each Agreement and three signed, dated and executed originals of the regulation establishing the "Specific Provisions Section" as detailed in the Traffic Control Agreements. If any of the "Specific Provisions Section" is in effect, please provide a copy of the regulation. Upon completion please forward all required documents to: State Traffic Engineer, Room 7210, Ten Park Plaza, Boston, MA 02116, Attention: Joseph J. Amato, for processing.

If you have any questions regarding this matter, you can contact Joseph J. Amato of the Highway Safety Division at (857)368-9653.

Sincerely,

Neil E. Boudreau
State Traffic Engineer



MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

TRAFFIC ENGINEERING

TRAFFIC CONTROL AGREEMENT

AGREEMENT BETWEEN THE
MASSACHUSETTS DEPARTMENT OF TRANSPORTATION AND THE
TOWN OF ACTON

FEDERAL AID PROJECT NO. CMAQ/STP-TE-002S(836)

AGREEMENT NO. 90123

AGREEMENT, made this day of , 2015 by and between the Massachusetts Department of Transportation, hereinafter called "MASSDOT," and the TOWN of ACTON, hereinafter called the "TOWN," pursuant to the provisions of 23 U. S. C. §§ 109(d) & 116, of the United States Code and in accordance with the official standards of MASSDOT, which have been adopted in conformity with the provisions and recommendations of the Manual on Uniform Traffic Control Devices for Streets and Highways published by the Department of Transportation, Federal Highway Administration, hereinafter called "STANDARDS."

WHEREAS, MASSDOT and the TOWN have agreed that ASSABET RIVER RAIL TRAIL, which intersects and is adjacent to town ways, has qualified to participate in the Federal Aid Program with the work being financed in part by the Federal Government; and

WHEREAS, the United States Government, through its Department of Transportation, Federal Highway Administration, requires that the project area upon completion will be operated and maintained in an adequate manner; and

WHEREAS, the TOWN approves the proposed plans for the improvements and upon completion of the project will be the responsibility of the TOWN.

NOW, THEREFORE, in consideration thereof, the TOWN hereby agrees to conform to the following provisions:

GENERAL PROVISIONS

- A. All information, regulatory or warning signs, flashing beacons, traffic islands or other traffic control devices and all pavement or other markings within the ways located in the project area shall be designed, located and operated in accordance with the STANDARDS of MASSDOT for such devices.

- B. The Police Department of the TOWN shall be the enforcement agency for traffic regulations established in accordance with this AGREEMENT and the traffic devices installed in connection therewith.
- C. Signed, dated and attested copies of amendments to the TOWN traffic ordinances necessary for the enforcement of any specific provisions will be forwarded forthwith by the TOWN to MASSDOT.

SPECIFIC PROVISIONS

A. STOP SIGNS To be installed in accordance with applicable permits filed or to be filed by the TOWN and approved by MASSDOT.

20 Main Street southern driveway at Main Street (Route 27)
20 Main Street northern driveway at Main Street (Route 27)
Southern Parking lot at Maple Street

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Southern Parking lot at Maple Street

C. NO LEFT TURN SYMBOL

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Sylvia Street parking lot at Rail Trail
Rail Trail at 20 Main Street southern driveway

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Two (2) on Maple Street's southern parking lot

Two (2) on Maple Street's northern parking lot

P. VAN ACCESSIBLE

On Maple Street's northern parking lot

ACCESS AND EGRESS

Within the limits of the Federal Aid Project, neither additional driveways (residential or commercial) nor relocation or alteration of existing driveways shall be permitted unless they are in conformance with MASSDOT STANDARDS and receive prior written approval from MASSDOT.

TRAFFIC ISLANDS

Traffic islands or median islands and traffic devices thereon are not to be installed, altered or removed without the prior written approval of MASSDOT. Parking is prohibited on and adjacent to all traffic islands and median islands within the Federal Aid Project area.

MISCELLANEOUS

Traffic Controls or regulations instituted whether by MASSDOT or the TOWN on ways or parts thereof within the Federal Aid Project are to remain in force and effect until proposed future changes have been approved in writing by MASSDOT.

MASSDOT will not approve any future proposed traffic control changes within the Federal Aid Project, which will in the opinion of MASSDOT, lessen to any degree the efficient utilization of the highway for traffic purposes.

MAINTENANCE

The TOWN, pursuant to the provisions of 23 U.S.C. §§ 109(d) & 116, will properly maintain the way and all traffic control devices and pavement markings under the control of the TOWN within the project area. This obligation includes features of facilities and equipment that are required to be readily accessible to and usable by persons with disabilities. This requirement does not prohibit isolated or temporary interruptions in service or access due to maintenance or repairs.

PENALTY

Continued and willful failure on the part of the TOWN to fulfill its responsibility in the proper maintenance, operation, and enforcement of the traffic regulations of the completed project, may disqualify the TOWN from participation in future Federal Aid Projects in which the TOWN has maintenance responsibility, as provided in Title 23 USC.

Such failure shall result in the withholding or withdrawal of the unexpended balance of any funds assigned to the TOWN, under the provisions of MASS. GEN. LAWS ch. 90, § 34.

IN WITNESS WHEREOF, the Parties hereto have executed this AGREEMENT on the day and year first written.

TOWN OF ACTON

**MASSACHUSETTS DEPARTMENT OF
TRANSPORTATION**

TOWN MANAGER

HIGHWAY ADMINISTRATOR

LEGAL CERTIFICATION

This will certify that the TOWN has complied with all applicable State Laws and its By-Laws and Ordinances as they apply to this AGREEMENT and that this AGREEMENT is a valid, binding Agreement with the TOWN.

DATE

TOWN COUNSEL

CERTIFICATE OF SIGNATORY

This will certify that the below named individuals are duly authorized and empowered to execute and deliver this AGREEMENT on behalf of the TOWN of ACTON.

NAME _____	TITLE CHAIR, SELECTMEN
_____	SELECTMAN

ATTEST

DATE _____

NAME _____ TOWN CLERK