

ABSTRACT OF THE SPECIAL TOWN MEETING HELD NOVEMBER 15,1995

Number of Registered Voters attending the Town Meeting:

426

Moderator Donald MacKenzie called the meeting to order at 7:30 p.m. November 15,1995

ARTICLE 1# POWER CONVERSION FEASIBILITY STUDY (Majority Vote Required)

The citizens of the Town of Acton authorize and appropriate the expenditure of a sum of up to \$40,000 from free cash or other sources for the performance of a feasibility study of the proposed conversion to a municipal power provider for the town and its residents and businesses. This feasibility study shall be contracted for through normal town government procedures including a published request for proposals and preparation of a supplementary bidders list. Proposal evaluation and contractor selection shall be performed by the Acton Municipal Power Study Committee in conjunction with the Town Manager or his authorized representative.

#SUBMITTED BY CITIZEN PETITION

MOTION:

Mr. Schwab moves that the Town appropriate the sum of \$40,000.00 to be expended by the Town Manager for the purpose of conducting a feasibility study concerning the conversion to a municipal power distribution system as described in this article; and to raise such amount, \$40,000.00 be transferred from Free Cash.

MOTION LOST

ARTICLE 2# INITIATE CONVERSION TO A MUNICIPAL POWER ORGANIZATION (2/3 Vote Required)

The citizens of the Town of Acton seek to initiate the conversion to a municipal power organization and discontinue the taking of electric power from the Boston Edison Company within the town's jurisdiction. The vote on this article shall be considered to be the first of two required votes as required by M.G.L. Ch.164, Sect. 36.

#SUBMITTED BY CITIZEN PETITION

MOTION:

Mr. Schwab moves to take no action.

MOTION CARRIES UNANIMOUSLY

**ARTICLE 3# FORMATION OF ACTON MUNICIPAL POWER
TRANSITION COMMITTEE**
(Majority Vote Required)

The citizens of the Town of Acton authorize the formation of an Acton Municipal Power Transition Committee upon the scheduled termination of the Acton Municipal Power Study Committee on June 30, 1996. This Transition Committee shall consist of no fewer than five (5) nor greater than eleven (11) members who are registered voters in Acton. Applications for this committee shall be screened by the V.C.C. (Volunteer Coordinating Committee) and appointed by the Selectmen.

#SUBMITTED BY CITIZEN PETITION

MOTION:

Mr. Schwab moves to take no action.

MOTION CARRIES UNANIMOUSLY

ARTICLE 4 # ACQUISITION OF CAMP ACTON
(Majority Vote Required)

To see if the Town will vote to purchase or otherwise acquire the land known as Camp Acton, said land being on the westerly side of Pope Road, bordered by Spring Hill Conservation Area, containing 59 acres, more or less, and being more fully described in a deed recorded in Middlesex South Registry Book No. 6283, pages 334 and 335; and to raise and appropriate, or appropriate from available funds, the sum of \$400,000 or any other sum, for such purchase and other expenses incidental thereto; and authorize the Selectmen and Town Manager to take all action necessary to effectuate such purchase; and authorize the Conservation Commission to contract for any reimbursement available for such purpose from the Commonwealth under G.L.c.132 A.

#SUBMITTED BY CITIZEN PETITION

MOTION:

Ms. Golden moves to appropriate the sum of \$400,000.00 to be expended by the Town Manager for the purchase of a parcel of land known as Camp Acton for Conservation purposes as set forth in MGL Chapter 40 s. 8c as amended. Said land being located on the westerly side of Pope Road being fully described in a deed recorded in Middlesex South Registry Book No. 6283 pages 334 and 335; and to raise such amount, \$400,000.00 be transferred from Free Cash; and authorize the Conservation Commission to contract for any reimbursement available for such purpose from the Commonwealth under MGL c. 132A.

MOTION CARRIES

ARTICLE 5 **ACTON PUBLIC SCHOOLS ADDITIONAL APPROPRIATION**
(Majority Vote Required)

To see if the Town will raise and appropriate, appropriate from available funds, or appropriate from anticipated State Aid, the sum of \$98,500 to be used in conjunction with funds appropriated under the current fiscal year budget to be used during the current fiscal year, or take any other action relative thereto.

MOTION:

Mr. Aronson moves to appropriate from state funds an additional sum of \$98,500.00 for the Acton Public School System for the period of July 1, 1995 to June 30, 1996.

MOTION CARRIES

ARTICLE 6 **ACTON BOXBOROUGH REGIONAL SCHOOLS'**
INCREASED ASSESSMENT
(Majority Vote Required)

To see if the Town will raise and appropriate, or appropriate from available funds, the sum of \$18,070 to be used in conjunction with funds appropriated under the current fiscal year assessment to be used during the current fiscal year, or take any other action relative thereto.

MOTION:

Ms Stuntz moves that an additional Acton Boxborough School Assessment for the period of July 1, 1995 to June 30, 1996, in the amount of \$18,070.00, be raised and appropriated in its entirety.

MOTION CARRIES

ARTICLE 7 **DOUGLAS AT DAWN SELF-FUNDING PROGRAM**
(Majority Vote Required)

To see if the Town will vote to establish a revolving fund under G.L. c. 44, Section 53E1/2, for fiscal year 1996 for the Douglas School at Dawn Program and to credit such Fund with all fees and charges received for such program during the fiscal year and to authorize the School Committee to expend up to \$20,000 for such purposes without further appropriation, or take any other action relative thereto.

MOTION:

Mr. Aronson moves that a revolving fund for the "Douglas at Dawn" program be established for the period of July 1, 1995 to June 30, 1996 in the amount and for the purposes as set forth in this Article.

MOTION CARRIES UNANIMOUSLY

ARTICLE 8 MERRIAM AFTERNOONS SELF-FUNDING PROGRAM
(Majority Vote Required)

To see if the Town will vote to establish a revolving fund under G.L. c. 44, Section 53E1/2, for fiscal year 1996 for the Merriam Afternoons Program and to credit such Fund with all fees and charges received for such program during the fiscal year and to authorize the School Committee to expend up to \$30,000 for such purposes without further appropriation, or take any other action relative thereto.

MOTION:

Mr. Aronson moves that a revolving fund for the "Merriam Afternoons" program be established for the period of July 1, 1995 to June 30, 1996 in the amount and for the purposes as set forth in this article.

MOTION CARRIES UNANIMOUSLY

ARTICLE 9 GATES AMAZING MORNINGS SELF-FUNDING PROGRAM
(Majority Vote Required)

To see if the Town will vote to establish a revolving fund under G.L. c. 44, Section 53E1/2, for fiscal year 1996 for the Gates Amazing Mornings Program and to credit such Fund with all fees and charges received for such program during the fiscal year and to authorize the School Committee to expend up to \$20,000 for such purposes without further appropriation, or take any other action relative thereto.

MOTION:

Mr. Aronson moves that a revolving fund for the "Gates Amazing Mornings" program be established for the period of July 1, 1995 to June 30, 1996 in the amount and for the purposes as set forth in this article.

MOTION CARRIES UNANIMOUSLY

ARTICLE 10 STREET ACCEPTANCE
(2/3 Vote Required)

To see if the Town will accept as a public way the following street or 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 the fee or easement in said street by eminent domain or otherwise, including easements for drainage, utility, sidewalks, or other purposes where shown on said plans or described in the Order of Layout:

Nylander Way - From the easterly sideline of Main Street a distance of 1177 feet, more or less, in a generally northerly direction to the end of a T-shaped turnaround (including the turnaround), this being the entire road.
or take any other action relative thereto.

MOTION:

Mr. Hunter moves that the Town accept as a public way the street listed in the Article, as laid out by the Board of Selectmen according to the plan 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 plan or described in the Order of Layout.

MOTION CARRIES UNANIMOUSLY

ARTICLE 11 SELECTMEN AS SEWER COMMISSIONERS
(Majority Vote Required)

To see if the Town will vote to put a ballot question on the warrant for the annual town meeting to authorize the Selectmen to act as Sewer Commissioners, in accordance with G.L. c. 41 Section 21, or take any other action relative thereto.

MOTION:

Mr. Hunter moves that the question whether the Selectmen shall act as Sewer Commissioners be put on the ballot for the annual town meeting.

MOTION CARRIES

ARTICLE 12 RESOLUTION APPROVING COMMENCEMENT OF SOUTH ACTON CENTER/ MILL CORNER SEWER DESIGN
(Majority Vote Required)

WHEREAS the Town of Acton has accepted the Supplemental 201 Facilities Plan, dated 1985, which determined the need for sewers in South Acton Center and;

WHEREAS the Town's consultant, SEA, has completed the South Acton Wastewater Feasibility Study Final Report, dated August 1995, which determined that it is feasible to construct a small treatment plant, similar to other facilities in town, and convert the Mill Corner Condominium's current septic leaching field to a wastewater plant discharge infiltration field, in order to provide sewer service to a portion of South Acton Center;

NOW THEREFORE the citizens of Acton hereby resolve that the Board of Selectmen should utilize an appropriate portion of the \$142,662.60 from the Great Hill Development (Slattery) gift fund, provided by the earlier developer of what is known as Mill Corner, to pay for engineering and design services for a sewage treatment and disposal facility to serve South Acton, the designer being chosen by a Design Selection Committee appointed by the Board of Selectmen, upon the completion of a Request for Qualifications/Request for Proposals process, or take any other action relative thereto

MOTION:

Mr. Hunter moves to adopt the resolution set forth in the warrant.

MOTION CARRIES

ARTICLE 13* SCHOOL STREET SIDEWALK EASEMENT - FINNEAULT
(Majority Vote Required)

To see if the Town will vote to accept as a gift, from Gary D. and Jane L. Finneault of 1 Piper Road, an easement at the corner of Piper Road and School Street for sidewalk purposes, or take any other action relative thereto.

MOTION:

Mr. Friedrichs moves to accept with thanks the gift of the easement as set forth in the warrant.

MOTION CARRIES UNANIMOUSLY

ARTICLE 14* REZONE ACTON WATER DISTRICT LAND
(2/3 Vote Required)

To see if the Town of Acton will vote to amend the zoning map by rezoning from the Agriculture, Recreation, Conservation District (ARC) to the Residence 10/8 District (R-10/8) the following area of land:

Lot B as shown on a proposed plan of land in Acton, Massachusetts, prepared by Stamski and McNary, Inc. for the Water Supply District of Acton, dated January 30, 1995. Said Lot B is a 2.3+ acre portion at the southerly end of Parcel 8 on page C-3 as shown on the 1995 Acton Town Atlas. The street address of Parcel 8 is 271-297 Nagog Hill Road, or take any other action relative thereto.

MOTION:

Mr. Niemyski moves that the Zoning Bylaw be amended as set forth in the Article.

MOTION CARRIES UNANIMOUSLY

TELLERS FOR SPECIAL TOWN MEETING NOVEMBER 15, 1995

HEAD TELLER, BELLE CHOATE, BILL CADY, BILL WATSON, CONNIE HUBER, ANDREA MILLER, BREWSTER CONANT, CAROL LAKE, MOE JOYAL, LORETTA ROSCOE, PHIL LEMIEUX, CHARLES KADLEC, JEAN SCHMEIZER, JOAN WATSON, ED RICHTER, TOM GEAGAN, CAROLYN GRAY, JEAN FOLEY, AL WARNER, PAULA BUSHKOF AND BETTY ANN DUGGAN.