

**ABSTRACT OF THE ANNUAL TOWN MEETING HELD
MONDAY, APRIL 7, 2014, 7:00 P.M.
ACTON-BOXBOROUGH REGIONAL HIGH SCHOOL AUDITORIUM
WITH ADJOURNED SESSION HELD APRIL 8, 2014
NUMBER OF REGISTERED VOTERS ATTENDING TOWN MEETING
APRIL 7, 2014 – 373 AND APRIL 8, 2014 – 430**

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April 7, 2014

The Moderator, Mr. Don Mackenzie, called the Annual Town Meeting to order on Monday, April 7, 2014, at 7:04 PM. Tonight is the 279th time that Acton has gathered to start an Annual Town Meeting.

Mr. Mackenzie introduced Rabbi Lewis Mintz of Congregation Beth Elohim. Rabbi Mintz has been with the same congregation for 38 years. Mr. Mackenzie has been Moderator for 38 years as well. Rabbi Mintz gave the invocation.

Mr. Mackenzie gave an overview of the process of Town Meeting. He then explained some basic rules and parliamentary procedure of the Town Meeting as found in the back of the warrant.

Mr. Mackenzie covered the voting process and how the voting will be handled at this Town Meeting.

Mr. Mackenzie thanked Charlie Kadlec for his many years as Head Teller for Town Meeting.

The Moderator explained the Pro and Con microphones, time frame, and process for all speakers, presenters, and questions.

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.

MOTION: Ms. Adachi moves that the Town fix the compensation for elected officers as shown in the Article.

MOTION CARRIES UNANIMOUSLY

Mr. Mackenzie made note that the Selectmen salaries have been the same since 1965. He thanked them for the time that the Board puts in.

Peter Ashton, Trustee of the Elizabeth White Fund, nominates Andrea S. Miller of 30 Taylor Road, Acton, for the position of Trustee of the Elizabeth White Fund, term to expire 2017.

MOTION CARRIES UNANIMOUSLY

Nancy Lenicheck, Trustee of the West Acton Citizens' Library, nominates Pamela Cochrane of 198 Central Street, Acton, for the position of Trustee of the West Acton Citizens Library, term to expire 2017.

MOTION CARRIES UNANIMOUSLY

Cynthia Schimpf, Trustee of the Charlotte Goodnow Fund, nominates Harry A. Mink of 4 Cricket Way, Acton, for the position of Trustee of the Charlotte Goodnow Fund, term to expire 2017.

MOTION CARRIES UNANIMOUSLY

Cynthia Schimpf, Trustee of the Charlotte Goodnow Fund, nominates Bruce J. Muff of 6 Windemere Drive, Acton, for the position of Trustee of the Charlotte Goodnow Fund, term to expire 2017.

MOTION CARRIES UNANIMOUSLY

William Klauer, Trustee of the Acton Firefighters' Relief Fund, nominates Bruce Stone of 2 First St, Maynard, for the position of Trustee of the Acton Firefighters' Relief Fund, term to expire 2017.

MOTION CARRIES UNANIMOUSLY

ARTICLE 2 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: Ms. Adachi moves that the Town accept the reports of the various Town Officers and Boards as set forth in the 2013 Town Report and that the Moderator call for any other reports.

MOTION CARRIES UNANIMOUSLY

Debra Simes, Member of Green Acton, explained that the Acton Water District along with Green Acton worked with the Town Clerk, to encourage the town officials, at the Stage, to use the water bottles at all our meetings. This is the second year these bottles have been used are in use.

Mr. Mackenzie introduced the chairman of the Board of Selectmen, Ms Janet Adachi, who then introduced the members at the table. Eva Szkaradek - Town Clerk, Stephen Anderson - Town Council, Steve Ledoux – Town Manager, Mike Gowing - Vice Chair, Katie Green – Clerk, as well as, David Clough and John Sonner members of the Board of Selectmen.

The Moderator introduced the Chair of the Finance Committee, Pat Clifford, who then introduced the members of the Finance Committee. Mary Ann Ashton, Margaret Busse, Doug Tindal, Steve Noone – Vice Chair, Herman Kabakoff, Bob Evans, Mike Majors and Bill Mullin. Combined total of 70 years of experience on this committee.

Budget Consent (majority vote)

ARTICLE 3 * Council on Aging Van Enterprise Budget

ARTICLE 4 * Septage Disposal Enterprise Budget

ARTICLE 5 * Sewer Enterprise Budget

ARTICLE 6 * Transfer Station and Recycling Enterprise Budget

ARTICLE 7 * Nursing Enterprise Budget

ARTICLE 8 * Self-Funding Programs (Revolving Funds)

ARTICLE 9 * Town Board Support – Acton-Boxborough Cultural Council

MOTION: Ms. Adachi moves that the Town take up the seven articles in the Consent Calendar on pages 27 through 33 of the Warrant: Articles 3, 4, 5, 6, 7, 8 and 9.

Held from consent, Article 6 and Article 7.

REMAINING CONSENT MOTION CARRIES UNANIMOUSLY

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: Ms. Adachi moves that the Town appropriate \$91,237 for the purpose of operating the Town of Acton Senior and Disabled Citizens Van service, and to raise such amount, \$51,488 be raised from department receipts and \$39,749 be transferred from retained earnings.

CONSENT MOTION CARRIES UNANIMOUSLY

ARTICLE 4 * 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 53 F½, Enterprise Fund Law, or take any other action relative thereto.

MOTION: Ms. Adachi moves that the Town appropriate \$137,679 for the purpose of septage disposal, and to raise such amount, \$137,679 be raised from department receipts.

CONSENT MOTION CARRIES UNANIMOUSLY

ARTICLE 5 * 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 53 F½, Enterprise Fund Law, or take any other action relative thereto.

MOTION: Ms. Adachi moves that the Town appropriate \$1,765,128 for the purpose of operating the sewer system, and to raise such amount, \$1,765,128 be raised from department receipts.

CONSENT MOTION CARRIES UNANIMOUSLY

ARTICLE 6 * TRANSFER STATION AND RECYCLING 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 53 F½, Enterprise Fund Law, or take any other action relative thereto.

MOTION: Ms. Adachi moves that the Town appropriate \$773,816 for the purpose of solid waste disposal and recycling, and to raise such amount, \$668,816 be raised from department receipts and \$105,000 be transferred from retained earnings, and further move that the Town authorize the Town Manager to lease on such terms and conditions as he may determine vehicles and equipment for a period not to exceed five years, and to sell, trade or otherwise dispose of vehicles and equipment being replaced and to expend any proceeds so received.

Held from Consent

MOTION CARRIES UNANIMOUSLY

ARTICLE 7 * 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 53 F½, Enterprise Fund Law, or take any other action relative thereto.

MOTION: Ms. Adachi moves that the Town appropriate \$664,977 for the purpose of operating the Public Health Nursing Service, and to raise such amount, \$529,977 be raised from department receipts, \$75,000 from retained earnings, and \$60,000 from general revenues.

Held from Consent

Ms. Ashton moves to amend Article 7 as follows. Insert: “and \$135,000” after “receipts”, delete “\$75,000”, and delete “and \$60,000 from general revenues”.

Thus the amended motion would read:

MOTION: Ms. Ashton move that the Town appropriate \$664,977 for the purpose of operating the Public Health Nursing Service, and to raise such amount, \$529,977 be raised from department receipts, and \$135,000 from retained earnings.

Amendment to motion - Teller count 169 in favor 139 oposed

MOTION TO AMEND CARRIES

AMENDED MOTION CARRIES UNANIMOUSLY

ARTICLE 8 * SELF-FUNDING PROGRAMS (REVOLVING FUNDS)
(Majority vote)

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

Fund	FY15 Estimated Revenue	FY15 Authorized Expenditure
Historic District Commission	\$ 200	\$ 200
Building Department	\$ 252,134	\$ 252,134
Sealer of Weights and Measures	\$ 12,986	\$ 12,986

Health Department		
Food Service Inspections	\$ 51,480	\$ 51,480
Hazardous Materials Inspections	\$ 49,306	\$ 49,306
Stormwater Inspections	\$ 43,146	\$ 43,146
Fire Department		
Fire Alarm Network	\$ 64,165	\$ 64,165
Total	\$ 473,417	\$ 473,417

, or take any other action relative thereto.

MOTION: Ms. Adachi moves that the revolving funds for the 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.

CONSENT MOTION CARRIES UNANIMOUSLY

ARTICLE 9 * 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 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: Ms. Adachi moves that the Town raise and appropriate \$2,000 for the ongoing expenses of the Acton-Boxborough Cultural Council.

CONSENT MOTION CARRIES UNANIMOUSLY

ARTICLE 10 ESTABLISH TRANSPORTATION REVOLVING FUND
(Majority vote)

To see if the Town will vote, pursuant to Massachusetts General Law, Chapter 44, Section 53E½ to establish the CrossTown Connect Transportation revolving fund as noted below:

Fund	FY15 Estimated Revenue	FY15 Authorized Expenditure
Health Department		
CrossTown Connect Transportation	\$ 166,000	\$ 166,000

, or take any other action relative thereto.

MOTION: Mr. Gowing moves that the Town establish the CrossTown Connect Transportation Revolving Fund for the purpose and amount set forth in the expense column of the Article.

Mr. Bill Mullin, of the Finance Committee, has recused himself from this article.

MOTION CARRIES UNANIMOUSLY

ARTICLE 11 TRANSPORTATION PROGRAM

(Majority vote)

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

MOTION: Mr. Gowing moves that the Town raise and appropriate \$215,345 to be expended by the Town Manager for transportation-related programs, including state and federal grant fund matching and other costs incidental and related thereto, and to raise such amount, \$120,845 be raised from general revenues and \$94,500 be transferred from commuter lot parking fees fund balance.

MOTION CARRIES

ARTICLE 12 AMBULANCE 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 health care, in accordance with Massachusetts General Law, Chapter 44, Section 53 F½, Enterprise Fund Law, or take any other action relative thereto.

MOTION: Mr. Gowing moves that the Town appropriate \$1,326,707 for the purpose of operating the ambulance service, and to raise such amount,

- \$625,879 be raised from department receipts,
- \$577,280 be transferred from retained earnings and
- \$123,548 be transferred from general revenues.

MOTION CARRIES UNANIMOUSLY

ARTICLE 13 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 2013 Annual Town Meeting, or take any other action relative thereto.

MOTION: Ms. Adachi moves that the Town take no action.

MOTION CARRIES UNANIMOUSLY

ARTICLE 14 TOWN OPERATING BUDGET

(Majority vote)

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

MOTION: Ms. Adachi moves that the Town raise and appropriate \$30,049,062 to be expended by the Town Manager for the purpose of funding the fiscal year 2015 municipal budget, and that the Town authorize the Town Manager to lease on such terms and conditions as he may determine vehicles and equipment for a period not to exceed five years, and to sell, trade or otherwise dispose of vehicles and equipment being replaced and to expend any proceeds so received.

MOTION CARRIES UNANIMOUSLY

MOTION: Mr. Bruce moves to take up Articles 21, 22, 23 and 24 as the first order of regular business on Tuesday, the second night of Town Meeting.

Moderator count - 59 in favor 85 oposed

MOTION LOST

Motion to Adjorn: Mr. Nitschelm moves to adjorn until tomorrow night, 7:00 PM, at the Acton Boxborough Regional High School Auditorium.

Moderator count - 95 in favor 83 oposed.

MOTION TO ADJORN CARRIES

Annual Town Meeting adjorned at 10:35 PM, until Tuesday, April 8, 2014 at the Acton-Boxborough Regional High School Auditorium at 7:00 PM.



The Moderator, Mr. Mackenzie, called the Annual Town Meeting to order on Tuesday, April 8, 2014, at 7:06 PM.

The Moderator introduced the Town Manager, Steve Ledoux who gave the presentation for the annual recipient of the “Joseph A. Lalli Merit Award” endowed by the Steinberg Lalli Charitable Foundation, for outstanding work of a Town of Acton Municipal Employee. This is the ninth year that this award has been issued. Six years ago the Foundation gave funding to recognize Public Safety Employees to this award as well.

On behalf of the Board of Selectmen and the Town, we would like to thank the Steinberg Lalli Charitable Foundation.

Mr. Ledoux honored the sixth annual recipient of the “Joseph A. Lalli Merit Award” for outstanding work of a Public Safety Employee. This year’s Public Safety Employee of the Year is presented to Lt. Robert Smith of the Acton Fire Department. Lt. Smith was hired in 1994 and has been in Fire Service for 31 years. Robert thanked his family and the Fire Department as well as the secretaries, AJ Pelky and Sandy Bean. Lt. Smith also thanked the residents of the Town for their support.

This year’s Municipal Employee of the Year award is presented to Sheryl Ball, of the Board of Health. Sheryl has worked for the Town for 25 years. Ms. Ball thanked her family as well as Doug Halley, Health Director, for allowing her to achieve her goals. In addition she thanked Mr Ledoux and the Steinberg Lalli Charitable Foundation for recognizing what we as employees do, to make this Town one that we can be proud of. Ms. Ball also thanked the residents for their continued support.

The Moderator introduced Janet Adachi, chair of the Board of Selectmen. Ms Adachi thanked Selectmen, David Clough and John Sonner for their dedication to the Town. They were Elected in March of 2011 and will be stepping down from their role as Board of Selectmen, at the conclusion of this Town Meeting.

ARTICLE 15 OTHER POST-EMPLOYMENT BENEFITS LIABILITY TRUST FUND
(Majority vote) APPROPRIATION

To see if the Town will raise and appropriate, or appropriate from available funds, and transfer a sum of money to the Other Post-Employment Benefits Liability Trust Fund established in accordance with Massachusetts General Law, Chapter 32B, Section 20, for the purpose of funding Other Post-Employment Benefits Liabilities, or take any other action relative thereto.

MOTION: Mr. Clough moves that the Town appropriate and transfer \$674,845 from the fund balance of the former North East Solid Waste Committee fund, pursuant to Chapter 376 of the Acts of 2006, for the purpose of funding the Other Post-Employment Benefits Liability Trust Fund.

MOTION CARRIES UNANIMOUSLY

ARTICLE 16 CAPITAL INFRASTRUCTURE AND EQUIPMENT
(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 facilities, infrastructure and equipment as listed below, including related incidental costs, or take any other action relative thereto.

A.	Commuter Parking Lot Improvements	\$ 400,000
B.	Town Hall Heating/Ventilation/Air Conditioning (HVAC)	181,000
C.	Sidewalks	95,000
D.	Senior Center Kitchen Upgrades	35,000
Total		\$ 711,000

MOTION: Ms. Adachi moves that the Town appropriate \$711,000 to be expended by the Town Manager for the purposes set forth in the Article, including costs incidental and related thereto, and to raise such amount,

- \$400,000 be transferred from the Commuter Lot Parking Fees fund balance, and
- \$311,000 be transferred from the fund balance of the former North East Solid Waste Committee fund, pursuant to Chapter 376 of the Acts of 2006.

MOTION CARRIES

ARTICLE 17 RESCIND BORROWING AUTHORIZATIONS
(Majority vote)

To see if the Town will rescind the authorized, but unissued balances of the borrowing authorizations set forth below, as such amounts are no longer needed to complete the projects for which they were initially approved:

1. \$200,000 approved under Article 21 of the April 1997 Annual Town Meeting for the purpose of financing the repair, replacement or upgrade of residential septic systems,
2. \$250,000 approved under Article 9 of the April 1993 Annual Town Meeting for the purpose of removal and replacement of the Public Works Facility fuel storage tanks, and
3. \$600,000 approved under Article 25 of the April 1988 Annual Town Meeting for the purpose of reconstructing or replacing the Nashoba Brook bridge on Wetherbee Street,

or take any other action relative thereto.

MOTION: Mr. Clough moves that the Town rescind the authorized, but unissued balances of the borrowing authorizations set forth in the Article.

MOTION CARRIES UNANIMOUSLY

ARTICLE 18 USE OF FUNDS TO REDUCE THE TAX RATE

(Majority vote)

To see if the Town will determine an amount of Overlay Surplus and/or other available funds to be used for the purpose of reducing the fiscal year 2015 tax rate, or take any other action relative thereto.

MOTION: Mr. Clough moves that the Town appropriate \$325,000 from the fiscal year 2014 overlay surplus to reduce the fiscal year 2015 tax rate.

MOTION CARRIES

ARTICLE 19 COMMUNITY PRESERVATION PROGRAM –

(Two-thirds vote) **OPEN SPACE ACQUISITION, WRIGHT HILL**

To see if the Town will vote to:

- (a) authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise, on such terms and conditions as the Selectmen may determine, and to accept a deed of fee simple interest in a portion of the real property located at 18 Wright Terrace and depicted on Assessors' Map F-2A as Parcel 1, consisting of approximately 14 ± acres of open space for conservation purposes under M.G.L. c. 44B, the Community Preservation Act;
- (b) appropriate the purchase price and all necessary and appropriate transaction costs for said purchase including, without limitation, costs for due diligence, legal services, bonding, conservation restriction and its monitoring and enforcement, and other transaction, acquisition and related costs;
- (c) authorize the Treasurer, with the approval of the Selectmen, and pursuant to the favorable recommendation of the Community Preservation Committee, to borrow for a repayment term of not less than 15 years and not more than 20 years up to \$990,000 as authorized under the Community Preservation Program pursuant to M.G.L. c. 44B, § 11, and to transfer, appropriate and expend said amount consistent with this article;
- (d) transfer, appropriate and expend, consistent with this article and pursuant to the favorable recommendation of the Community Preservation Committee from the existing Open Space Set Aside portion of the Community Preservation Fund balance an amount equal to the difference between \$1,320,000 and the amount bonded pursuant to subparagraph (c) of this article;
- (e) raise, appropriate, transfer from available funds or accept gifts and grants of such additional funds as are necessary to accomplish the purposes of this article;
- (f) authorize the Selectmen and the Conservation Commission to submit on behalf of the Town any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts, or the United States, under the Self-Help Act (M.G.L. Chapter 132A § 11) and/or any other state or federal programs including those in aid of conservation land acquisition, and to transfer, appropriate and expend any said amount so received consistent with this article;
- (g) authorize and direct the Board of Selectmen to impose a perpetual Conservation Restriction on the open space so acquired, in accordance with M.G.L. c. 44B, § 12(a) and M.G.L. c. 184, §§ 31-33, on such terms and conditions as the Selectmen may determine (the "Conservation Land");

- (h) authorize and direct the Board of Selectmen in accordance with M.G.L. c. 44B, § 12(b), to delegate the management of the Conservation Land to the Conservation Commission subject to the perpetual Conservation Restriction as aforesaid; and
- (i) authorize the Selectmen, the Town Manager, the Treasurer, and the Conservation Commission, as appropriate, to enter into all agreements and execute any and all instruments as may be necessary to effect this article;

or take any other action relative thereto.

MOTION: Mr. Bourdon moves that (1) the Town authorize all actions set forth in the article, (2) the Town appropriate \$1,320,000 to pay costs of the acquisition of a 14 ± acre portion of the real property located at 18 Wright Terrace as set forth in the article, including the payment of all costs incidental and related thereto; (3) to meet this appropriation, \$330,000 shall be transferred from the Open Space Set-Aside portion of the Community Preservation Fund balance, and the Treasurer with the approval of the Board of Selectmen, is authorized to borrow up to \$990,000 under and pursuant to Chapter 44B of the General Laws, or pursuant to any other enabling authority, and (4) the Selectmen, the Town Manager, the Treasurer, and the Conservation Commission are authorized to take any other action within their respective jurisdiction necessary to carry out the project specified in the article.

**MOTION CARRIES
DECLARED 2/3 BY MODERATOR***

*TOWN OF ACTON HAS ACCEPTED MGL CH 39 SEC 15 AT IT'S ANNUAL TOWN MEETING APRIL 2001.
ARTICLE 43 AND THE AMENDED BYLAW 5A WAS APPROVED BY THE ATTORNEY GENERAL ON AUG. 6, 2001.
(THE TOWN MEETING MODERATOR IS NOT REQUIRED TO COUNT A 2/3 REQUIRED VOTE.)

**ARTICLE 20 COMMUNITY PRESERVATION PROGRAM –
(Majority vote) 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 2013 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;

FY 2013 COMMUNITY PRESERVATION FUND BALANCES	
FY 2013 Community Preservation Fund Revenues	
Community Preservation Fund Surcharge Collected in FY 2013	\$ 808,604.27
State Community Preservation Trust Fund Receipt, October 2013	\$ 424,035.00
Other FY 2013 Community Preservation Fund Components	
Interest Earned in FY 2013	\$ 24,006.17
Unencumbered FY 2013 Fund Balance	\$ 211,960.44
Recapture of unspent previous years' project appropriations	\$ 159,672.65
Total - FY 2013 Community Preservation Fund Balance	\$1,628,278.53

FY 2013 Open Space Set-Aside	
Set-Aside Fund Balance from appropriations for the Acquisition, Creation, and Preservation of Open Space and its Rehabilitation and Restoration	\$1,538,571.87
Total FY 2013 Open Space Set-Aside Fund Balance	\$1,538,571.87
FY 2013 Historic Set-Aside	
Set-Aside Fund Balance from appropriations for the Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources	\$ 49,224.00
Total FY 2013 Historic Set-Aside Fund Balance	\$ 49,224.00
APPROPRIATIONS FROM COMMUNITY PRESERVATION FUND BALANCE	
Purposes	Recommended Amounts
Set-Aside Appropriations for	
A. Acquisition, Creation, and Preservation of Open Space, and its Rehabilitation and Restoration	\$ 450,000.00
B1. Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources; required make-up for under-spending 10% of revenues in 2007 after recapture	\$ 500.00
B2. Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources; required make-up for under-spending 10% of revenues in 2009 after recapture	\$ 13,689.02
Spending Appropriations	
C. Acton Arboretum – Parking Lot Improvements	\$ 53,000.00
D. Acton Arboretum – Bog Boardwalk Replacement	\$ 30,000.00
E. NARA Security Upgrades and Shade Structures	\$ 15,175.00
F. Goward and Gardner Playgrounds - Basketball Court Renovations	\$ 76,000.00
G. Schools – Nature Play Space Planning Grant	\$ 24,000.00
H1. Acton Woman’s Club – ADA Access Improvements	\$ 86,586.98
I. Community Housing Program Fund*	\$ 175,000.00
J. Regional Housing Services	\$ 42,000.00
K. Acton Housing Authority – Windsor Avenue Doors and Windows	\$ 92,692.00
L. Morrison Farm Improvements	\$ 416,550.00
M. West Acton Baptist Church – Fire Safety Systems	\$ 52,000.00
N. West Acton Baptist Church – Upper Level Pressed Steel Ceiling	\$ 37,000.00
Administrative Appropriation	
O. 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	\$ 61,631.00
Total Recommended Appropriations from FY 2013 Community Preservation Fund Balance	\$1,625,824.00

SPENDING APPROPRIATION FROM HISTORIC SET-ASIDE FUND BALANCE, WHICH INCLUDES APPROPRIATION ITEMS B1. AND B2. OF THIS ARTICLE	
H2. Acton Woman's Club – ADA Access Improvements	\$ 63,413.02
Total Recommended Appropriations from the Current Historic Set-Aside Fund	\$ 63,413.02
Resulting Fund Balances	
Resulting FY 2013 Community Preservation Fund Balance	\$ 2,454.53
Resulting Balance in the Set-Aside Fund for the Acquisition, Creation, and Preservation of Open Space, and its Rehabilitation and Restoration**	\$1,988,571.87
Resulting Balance in the Set-Aside Fund for the Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources	\$ 0.00

* Provided further pursuant to Town Charter Section 6-5 that the appropriation to the Community Housing Program Fund shall not lapse three years and one month following the effective date of the vote on this article, and that this appropriation and all prior appropriations to the Community Housing Program Fund shall continue to be available for the purpose specified until expended for that purpose or until the CPC recommends and Town Meeting votes to rescind the appropriation of any unspent funds appropriated for this purpose.

** If Town Meeting appropriates funds for the acquisition of open space land on Wright Hill as set forth in the prior Article the resulting Open Space Set-Aside Fund balance will be reduced accordingly from the amount stated in the table above.

, or take any other action relative thereto;

And, whereas Massachusetts General Laws, Chapter 44B requires that the Town appropriate for spending, or set-aside for future spending, from the 2013 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 2013 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 2013 Community Preservation Fund Balance the minimum necessary amounts to allocate not less than 10% of the FY 2013 Community Preservation Fund Revenues for open space (\$123,263.93), not less than 10% of the FY 2013 Community Preservation Fund Revenues for historic preservation (\$123,263.93), and not less than 10% of the FY 2013 Community Preservation Fund Revenues for community housing (\$123,263.93), or take any other action relative thereto.

MOTION: Mr. Bourdon moves that the Town:

- (1) transfer to and from the Community Preservation Fund and appropriate, re-appropriate, or set aside for current or later appropriation, \$1,689,237.02, all as set forth in the article, and
- (2) authorize the Town Manager to expend or set aside amounts as set forth in the article, and in compliance with conditions to be noted in the Community Preservation Committee's award letters.

Hold line item "M and N", for questions

M – West Acton Baptist Church Fire Safety System

N – West Acton Baptist Church upper level pressed steel ceiling

MOTION TO AMEND: Mark Trusheim moves to strike the two Baptist church items, M and N

MOTION TO AMEND LOST

ORIGINAL MOTION CARRIES

ARTICLE 21 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.

MOTION: Mr. Bruce moves that the Town raise and appropriate \$49,690,145 to be expended by the Superintendent of Schools to fund the fiscal year 2015 assessment of the Acton-Boxborough Regional School District.

The Moderator asked Town Meeting to vote to allow Dr. Mills, Superintendent of Schools, permission to speak on this article.

Motion carries unanimously to allow speaker.

MOTION CARRIES

ARTICLE 22 TRANSFER AND CONVEYANCE OF SCHOOL PROPERTIES
(Two-thirds vote)

To see if the Town will vote, in accordance with the amended Agreement for a Regional School District for the Towns of Acton and Boxborough, Massachusetts adopted by the Towns on June 3, 2013, and the Intermunicipal Agreement between the Town of Acton and the Acton-Boxborough Regional School District ("District") dated as of March 2014, both on file with the Town Clerk, to transfer the following school properties (each being further identified with specificity in the Intermunicipal Agreement) and their associated personal and intangible property (collectively the "School Properties") from the Acton School Committee to the Board of Selectmen for the purposes of sale, and to authorize the Selectmen to

sell and convey the School Properties to the District for the sum of one dollar each, and to reserve and accept perpetual easements for use, parking, access and/or utilities over, under, across and along some or all of the School Properties and other District properties as set forth in the Intermunicipal Agreement, all on such terms and conditions as the Selectmen may determine:

1. The Luther Conant Elementary School, 80 Taylor Road,
2. The Gates Elementary School, 75 Spruce Street,
3. The CT Douglas Elementary School, 21 Elm Street,
4. The McCarthy-Towne Elementary School and the Merriam Elementary School, both housed in the Parker-Damon Building, 433 Massachusetts Avenue, but excluding the former Towne School property identified in item (f) below,
5. The Administration Building, formerly known as the Merriam Elementary School, 15 Charter Road, and
6. The land located at 199 Arlington Street, identified as Parcel 20-1 on the Town of Acton Assessor's Map F-2A;

And further to see if the Town will vote to transfer any and all remaining real property and interests therein that are or may be under the care, custody and control of the Town of Acton School Committee as of June 30, 2014, to the care, custody and control of the Board of Selectmen for general municipal purposes or such other purposes as Town Meeting may designate, including without limitation the following properties (each being further identified with specificity in the Intermunicipal Agreement) which are expressly reserved unto the Town and are not subject to conveyance to the District under the Intermunicipal Agreement:

- a. The Elm Street recreational facility adjacent to 21 Elm Street,
- b. The MacPherson Ball Field, at 88 Taylor Road,
- c. The Hart Field, at 80 Taylor Road,
- d. The land located at and known as 24-48 Arlington Street,
- e. The land located at and known as 24R Arlington Street, and
- f. The former Towne School property, 433 Massachusetts Avenue, identified as a portion of Parcel 85 on the Town of Acton Assessor's Map F-3 and shown as "Lot 1" on the ANR Plan entitled "Towne Building Plan of Land in Acton, Massachusetts (Middlesex County), Owned by the Town of Acton" prepared by Acton Survey and Engineering, dated January 16, 2014, which is excluded from the property identified in item (4) above,

, or take any other action relative thereto.

MOTION: Ms. Adachi moves to transfer from the School Committee to the Board of Selectmen and to authorize the Selectmen to sell and convey to the Acton-Boxborough Regional School District the School Properties identified as items 1-6 in the article, subject to such easements as the Selectmen may reserve and accept, and on such terms and conditions as the Selectmen may determine; and further moves to transfer on June 30, 2014, any and all remaining real property and interests therein that are or may be under the care, custody and control of the Town of Acton School Committee, including without limitation the properties identified as items a-f in the article, from the School Committee to the Board of Selectmen for general municipal purposes

**MOTION CARRIES
DECLARED 2/3 BY MODERATOR***

*TOWN OF ACTON HAS ACCEPTED MGL CH 39 SEC 15 AT IT'S ANNUAL TOWN MEETING APRIL 2001.
ARTICLE 43 AND THE AMENDED BYLAW 5A WAS APPROVED BY THE ATTORNEY GENERAL ON AUG. 6, 2001.
(THE TOWN MEETING MODERATOR IS NOT REQUIRED TO COUNT A 2/3 REQUIRED VOTE.)

**ARTICLE 23 TRANSFER AND APPROPRIATION OF SCHOOL
(Majority vote) REVOLVING FUND BALANCES**

To see if the Town will vote to close the following revolving funds and lunch funds as of June 30, 2014, and transfer the balance in each fund at the end of fiscal year 2014 to surplus revenue:

1. Douglas at Dawn/Dusk Revolving Fund;
2. Merriam Mornings/Afternoons/Summer Revolving Fund;
3. Acton Public School Lunch Fund;
4. Conant School Lunch Fund;
5. Douglas School Lunch Fund;
6. McCarthy-Towne School Lunch Fund;
7. Merriam School Lunch Fund; and
8. Gates School Lunch Fund.

And further to see if the Town will vote to appropriate an amount equal to each such balance and transfer each such amount on or after July 1, 2014, to the Acton-Boxborough Regional School District pursuant to M.G.L. c. 44, § 53A, or other applicable law or regulation, to be held (together with any interest thereon) by the District as a separate account and expended by the District at the same school for the same purposes as the prior revolving fund or lunch fund, as applicable,

or take any other action relative thereto.

MOTION: Ms. Adachi moves to close the revolving funds listed in the article as of June 30, 2014, to transfer their balances to surplus revenue, to appropriate from free cash an amount matching each fund's balance as of June 30, 2014, and to authorize the Town Treasurer, in consultation with the Town Manager, to transfer those amounts on or after July 1, 2014, to the Acton-Boxborough Regional School District subject to the conditions and limitations set forth in the article.

MOTION CARRIES UNANIMOUSLY

ARTICLE 24

TRANSFER OF SCHOOL GIFTS AND GRANTS

(Majority vote)

To see if the Town will, subject to all applicable terms and conditions of each grant and gift, and to any necessary judicial or other governmental approvals, vote to appropriate and authorize the Town Treasurer, in consultation with the Town Manager, to transfer on or after July 1, 2014, to the Acton-Boxborough Regional School District (“District”) the balance (if any) at the end of fiscal year 2014 of each gift and grant fund listed on the corresponding Exhibit in the Intermunicipal Agreement between the Town and the District dated as of March 2014, each such amount to be held (together with any interest thereon) by the District pursuant to M.G.L. c. 44, § 53A, as a separate account and expended by the District for the same purpose as the purpose of the prior gift or grant to the Town, or take any other action relative thereto.

MOTION: Ms. Adachi moves in the words of the article.

MOTION CARRIES UNANIMOUSLY

ARTICLE 25

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.

MOTION: Mrs. Banks moves that the Town appropriate \$760,052 to fund the fiscal year 2015 assessment of the Minuteman Regional School District, and to raise such amount,

\$343,118 be transferred from the fund balance of the former North East Solid Waste Committee fund, pursuant to Chapter 376 of the Acts of 2006,
\$251,037 be transferred from Free Cash and
\$165,897 be raised from general revenues.

MOTION CARRIES UNANIMOUSLY

ARTICLE 26

AMEND MINUTEMAN REGIONAL SCHOOL DISTRICT AGREEMENT

(Majority vote)

To see if the Town will vote, consistent with Section VII of the existing “Agreement With Respect to the Establishment of a Technical and Vocational Regional School District” for the Minuteman Regional Vocational School District, to accept the amendments to said Agreement which have been initiated and approved by a vote of the Regional School Committee on March 11, 2014 and which have been submitted as a restated “Regional Agreement” bearing the date of March 11, 2014 to the Board of Selectmen of each member town.

MOTION: Mrs. Banks moves that the Town, acting consistent with Section VII of the existing “Agreement With Respect to the Establishment of a Technical and Vocational Regional School District” for the Minuteman Regional Vocational School District, accepts the amendments to said Agreement which have been initiated and approved by a vote of the Minuteman Regional School Committee on March 11, 2014 and which have been submitted to the Selectmen as a restated “Regional Agreement” bearing the date of March 11, 2014.

MOTION CARRIES UNANIMOUSLY

ARTICLE 27 AMEND ZONING BYLAW – BICYCLE PARKING
(Two-thirds vote)

To see if the Town will vote to amend the Zoning Bylaw Section 6.3 – Minimum Parking Space Requirements by Use by inserting a new subsection 6.3.7 as follows:

6.3.7 Bicycle Parking –Off-STREET parking facilities shall provide bicycle parking spaces as follows:

- 6.3.7.1 Bicycle parking spaces shall be located as close as possible and within plain sight of the main BUILDING entrance or entrances without displacing required parking spaces for persons with disabilities. They shall be principally part of and accessible from the vehicle parking lot or facility rather than part of the sidewalk and walkway system.
- 6.3.7.2 Each bicycle parking space shall measure at least 2.5 feet in width by 6 feet in length with at least one 4-foot wide maneuvering aisle perpendicular to the length.
- 6.3.7.3 Each bicycle parking space shall feature a securely anchored rack (ground-mounted inverted-U with cross bar, or similar shape or functionality) high enough to support the entire height of a bicycle frame, to allow locking of the bicycle frame to the rack in more than one location, and to prevent the rack from being a tripping hazard when empty.
- 6.3.7.4 Bicycle parking spaces shall be protected from motor vehicles with solid barriers such as posts or bollards.
- 6.3.7.5 Bicycle parking spaces shall be provided for all USES, except single- to four-FAMILY Dwellings, at a rate of not less than one (1) bicycle parking space for each twenty (20) motor vehicle parking spaces in the parking facility, but never less than two (2) bicycle parking spaces; and no parking facility shall be required to have more than thirty (30) bicycle parking spaces overall.
- 6.3.7.6 The number of bicycle parking spaces provided for a residential USE may be located within a BUILDING. Such indoor bicycle parking does not have to comply with the dimensional and design standards set forth herein, but shall be designed as a practical installation for easy access and use. Where bicycle parking spaces within a BUILDING are not accessible to visitors, at least one third of the required bicycle parking spaces shall be installed outdoors in compliance with this section 6.3.7.
- 6.3.7.7 The first two (2) through six (6) bicycle parking spaces provided in compliance with this section shall reduce by one space the minimum off-street motor vehicle parking requirement set forth in section 6.3.1 above, and each additional six (6) bicycle parking spaces so provided shall further reduce said motor vehicle parking requirement by one (1) space.

, or take any other action relative thereto.

MOTION: Mr. Dube moves that the Town adopt the zoning bylaw amendments as set forth in the Article.

Moderator count - 99 in favor, 39 opposed

**MOTION CARRIES
DECLARED 2/3 BY MODERATOR***

*TOWN OF ACTON HAS ACCEPTED MGL CH 39 SEC 15 AT IT'S ANNUAL TOWN MEETING APRIL 2001.
ARTICLE 43 AND THE AMENDED BYLAW 5A WAS APPROVED BY THE ATTORNEY GENERAL ON AUG. 6, 2001.
(THE TOWN MEETING MODERATOR IS NOT REQUIRED TO COUNT A 2/3 REQUIRED VOTE.)

ARTICLE 28 AMEND ZONING BYLAW – GROUNDWATER PROTECTION DISTRICT
(Majority vote)

To see if the Town will vote to amend the Zoning Bylaw Table 4.3.7.2 (USE Regulations within the GROUNDWATER Protection District) as follows:

A. Insert a new line numbered 9 as follows:

	ZONE 1 Well Protection Area	ZONE 2 Recharge Protection Area	ZONE 3 Aquifer Protection Area
9. STORAGE of liquids: petroleum products, cleaning chemicals, detergents, antifreeze solutions, solvents, swimming pool treatment chemicals, in aggregate quantities exceeding 90 gallons, for purposes other than heating the premises on which it is located	N	N	N

And, renumber the current lines 9 through 25 to become lines 10 through 26 respectively.

B. Delete line 14 (renumbered from line 13 in part A above), and replace it with a new line 14 as follows:

	ZONE 1 Well Protection Area	ZONE 2 Recharge Protection Area	ZONE 3 Aquifer Protection Area
14. STORAGE outside of a BUILDING of fertilizer, pesticide, herbicide or deicing chemicals	N	N	N

[Note - current line 13 reads:

	<i>ZONE 1 Well Protection Area</i>	<i>ZONE 2 Recharge Protection Area</i>	<i>ZONE 3 Aquifer Protection Area</i>

<i>Outdoor STORAGE of fertilizer, animal manure, soil conditioner, pesticide, herbicide and deicing chemicals.</i>	<i>N</i>	<i>N</i>	<i>Y</i>
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And, insert a new line 15 as follows:

	ZONE 1 Well Protection Area	ZONE 2 Recharge Protection Area	ZONE 3 Aquifer Protection Area
15. STORAGE outside of a BUILDING of animal manure, soil conditioner, or compost in aggregate quantities larger than ten (10) cubic yards.	N	N	Y

And, further renumber lines 15 through 26 (as renumbered in Part A above) to become lines 16 through 27 respectively.

[Note – In Table 4.3.7.2, N means the Use is prohibited, Y means the Use is allowed.]

, or to take any other action relative thereto.

MOTION: Mr. Parenti moves that the Town take no action.

MOTION TO AMEND: Thomas Smith moves to amend the motion to replace the words, “Take no action” with “adopt Article 28 as written”.

Mr. Smith withdrew his motion.

Moderator count - 83 in favor, 67 opposed.

MOTION CARRIES

General Consent (two-thirds vote)

ARTICLE 29 * Amend Zoning Bylaw – Flood Plain Zoning Map

ARTICLE 30 * Amend Town Bylaws – Civil Fingerprinting for Licensing Applicants

ARTICLE 31 * Accept Trail Easement – New View/Gregory Lane

ARTICLE 32 * Accept Utility Easement – Massachusetts Avenue

ARTICLE 33 * Accept Land Gift – Milldam Trust Parcels

ARTICLE 34 * Highway Reimbursement Program (Chapter 90)

ARTICLE 35 * Insurance Proceeds

ARTICLE 36 * Gifts or Grants

ARTICLE 37 * Federal and State Reimbursement Aid

ARTICLE 38 * Performance Bonds

ARTICLE 39 * Sale of Foreclosed Properties

ARTICLE 40 * Elderly Tax Relief – Reauthorize Chapter 73 of the Acts of 1986

MOTION: Ms. Adachi moves that the Town take up the twelve articles in the Consent Calendar on pages 57 through 67 of the Warrant: Articles 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39 and 40.

Hold Articles 29 and Article 30.

**REMAINING CONSENT MOTION CARRIES
DECLARED 2/3 BY MODERATOR***

*TOWN OF ACTON HAS ACCEPTED MGL CH 39 SEC 15 AT IT'S ANNUAL TOWN MEETING APRIL 2001.
ARTICLE 43 AND THE AMENDED BYLAW 5A WAS APPROVED BY THE ATTORNEY GENERAL ON AUG. 6, 2001.
(THE TOWN MEETING MODERATOR IS NOT REQUIRED TO COUNT A 2/3 REQUIRED VOTE.)

ARTICLE 29 * AMEND ZONING BYLAW – FLOOD PLAIN ZONING MAP
(Two-thirds vote)

To see if the Town will vote to amend the Zoning Bylaw and Zoning Map, effective July 7, 2014, as follows:

A. Delete the 2nd bulleted paragraph in Section 2.2 (Zoning Map) and replace it with the following:

- “Flood Insurance Rate Map” (FIRM) for Middlesex County issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program (NFIP), dated and effective beginning on July 7, 2014, Scale 1" = 500', consisting of the 14 map panels that are wholly or partially within the Town of Acton, designated herein as Map Number 2, and enumerated by FEMA as panels: 25017C0238F, 25017C0239F, 25017C0241F, 25017C0242F, 25017C0243F, 25017C0244F, 25017C0351F, 25017C0352F, 25017C0353F, 25017C0354F, 25017C0356F, 25017C0357F, 25017C0358F and 25017C0366F; and including the Middlesex County Flood Insurance Study (FIS) report dated July 7, 2014.

[Note – this paragraph currently reads as follows:

- “Flood Insurance Rate Map” (FIRM) for Middlesex County issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program (NFIP), dated and effective beginning on June 4, 2010, Scale 1" = 500', consisting of the 14 map panels that are wholly or partially within the Town of Acton, designated herein as Map Number 2, and enumerated by FEMA as panels: 25017C0238E, 25017C0239E, 25017C0241E, 25017C0242E, 25017C0243E, 25017C0244E, 25017C0351E, 25017C0352E, 25017C0353E, 25017C0354E,

25017C0356E, 25017C0357E, 25017C0358E and 25017C0366E; and including the Middlesex County Flood Insurance Study (FIS) report dated June 4, 2010.]

B. Amend Section 4.1 (Flood Plain District) as follows:

1. At the end of the lead paragraph of section 4.1, change the date from “June 4, 2010” to “July 7, 2014”.
2. In both Subsections 4.1.3 and 4.1.3.1, change the date from “June 4, 2010 to “July 7, 2014”.
3. In subsection 4.1.9.2, delete “120.G” after “780 CMR”.

, or take any other action relative thereto.

MOTION: Ms. Adachi moves that the Town adopt the Zoning Bylaw amendments as set forth in the Article.

Held from consent.

MOTION CARRIES UNANIMOUSLY

ARTICLE 30 * AMEND TOWN BYLAWS –
(Majority vote) **CIVIL FINGERPRINTING FOR LICENSING APPLICANTS**

To see if the Town will vote to amend the General Bylaws, by adding Chapter W, as follows, or take any other action relative thereto:

Chapter W
Civil Fingerprinting for Municipal Licensing Applicants

W-1 Definitions

“DCJIS” shall mean the Commonwealth’s Department of Criminal Justice Information Services.

“FBI” shall mean the Federal Bureau of Investigation.

“Fitness Determination” shall mean the applicable determination made by the Police Department, following a background check in accordance with this Chapter, regarding the applicant’s suitability for the applicable license.

“Licensing Authority” shall mean the Town department or agency responsible for issuing the applicable license listed in Section W-2.

“Police Department” shall mean the Acton Police Department.

“Policy” shall mean the Town of Acton Civil Fingerprinting Policy for Licensing Applicants established pursuant to Section W-3.6.

“State Police” shall mean the Massachusetts State Police.

W-2 Authority and Purpose

The Town adopts Chapter W of the General Bylaw pursuant to Chapter 256 of the Acts of 2010, incorporated as M.G.L. c.6, § 172B1/2, to authorize the Town and the Police Department to conduct State and Federal Fingerprint Based Criminal History checks in accordance with G.L. c. 6, §§ 168 and 172, 28 U.S.C. § 534, and 28 C.F.R. § 20.33 for individuals applying for or in possession of certain licenses including, but not limited to, those engaged in the businesses of:

- Ice Cream Truck Vending pursuant to Bylaw D15; and
- Such other businesses for which the Town may hereafter require applicants to submit fingerprints in connection with a license application.

W-3 Police Department Procedure for Fingerprinting Background Checks

The Police Department will comply with the following procedures to conduct State and Federal Fingerprint Based Criminal History checks for individuals applying for or in possession of certain licenses including, but not limited to, those engaged in the businesses listed in Section W-2, in addition to those policies and procedures provided by the Policy.

3.1 An applicant, employee, or volunteer seeking to engage in employment listed in Section W-2 shall submit, if required by the licensing authority, fingerprints taken by the Police Department within the past six (6) months along with a fee of one hundred (\$100.00) dollars.

3.2 A portion of the fee charged to the applicant by the Police Department for the purpose of enforcing this section, thirty (\$30.00) dollars, as specified in M.G.L. c. 6, § 175B ½, shall be deposited into the Firearms Fingerprint Identity Verification Trust Fund, and the remainder of the fee may be retained by the Town for costs associated with the administration of this Chapter.

3.3 Upon receipt of the fingerprints and the appropriate fee, the Police Department will transmit the fingerprints to the State Police Identification Unit through the DCJIS and then submit the fingerprints to the FBI for a comparison with national records. The results of the FBI check will be returned to the State Police, which will then disseminate the state and national results back to the Police Department.

3.4 The Police Department shall review the information received from the FBI and State Police in accordance with this Chapter and provide a Fitness Determination to the applicable Licensing Authority within the Town. In rendering a Fitness Determination, the Police Department will decide whether the record subject has been convicted of (or is pending indictment for) a crime, which bears upon his or her ability or fitness to serve in that capacity, any felony or a misdemeanor, which involved force or threat of force, controlled substances, or was a sex-related offense.

3.5 Prior to the issuance of a negative Fitness Determination pursuant to Section W-3.4, applicants must be afforded the opportunity to provide additional information to, or challenge the accuracy of, the information contained in the fingerprint-based criminal background check, including in the FBI identification record prior to a decision by the Licensing Authority to deny, revoke, or suspend any license or permit.

3.6 The Police Department shall establish, by rule or regulation, the Policy as a civilian fingerprinting policy for the purposes of conducting state and national criminal history records checks of persons applying for certain licenses within the Town.

3.7 A person applying for a license who is required to submit a full set of fingerprints to the licensing authority pursuant to this Chapter may request and receive a copy of his or her criminal history records from the Police Department. Should the license applicant seek to amend or correct his or her record, he or she must contact the DCJIS, the FBI, or their successors, for records from other jurisdictions maintained in their files.

3.8 The Licensing Authority is authorized to deny any application for, or to revoke, or to suspend any license or permit, including renewals and transfers thereof, for any person who is determined unfit for the license, as determined by the Licensing Authority in accordance with all applicable laws, rules, or regulations, due to the information obtained pursuant to this Chapter.

3.9 Nothing herein shall limit the Licensing Authority's powers to deny, revoke, suspend, or a condition a license on grounds other than those provided in this Chapter.

W-4 Unauthorized Dissemination of FBI Criminal History Prohibited

4.1 FBI or other criminal history obtained by the Police Department, the Town, or any person or department on behalf of the Town pursuant to this Chapter shall not be disseminated except as permitted by the General Bylaws, the Policy, the Town's Identity Theft Prevention & Detection Policy, and any other applicable law or regulation.

4.2 Agents or employees of the Town that fail to comply with this provision may be subject to sanctions as provided by law, including, where applicable, termination or suspension.

W-5 Effective Date

This Chapter shall take effect upon its approval by the Attorney General pursuant to G.L. c. 40, § 32.

MOTION: Ms. Adachi moves that the Town adopt the General Bylaw amendments as set forth in the Article.

Held from consent.

MOTION CARRIES

ARTICLE 31 * ACCEPT TRAIL EASEMENT – NEW VIEW/GREGORY LANE
(Two-thirds vote)

To see if the Town will vote to authorize the Board of Selectmen to acquire, on such terms and conditions as the Selectmen may determine, by purchase, gift, eminent domain or otherwise and to accept a deed or deeds of easement interests for purposes of establishing and maintaining a trail or trails for public non-motorized use, on such terms and conditions and in a final location or locations as the Selectmen may determine, on, over, across, and along parcels E2-239 and F2A-11-4, common land parcels for the New View Condominium PCRC, and parcel F1-6, the common land for the Gregory Lane Homeowner's Association, and parcels F2A-11-1 and F2A-11-2 for pedestrian access on the lower part of Gregory Lane, and further see if the Town will raise, appropriate, transfer from available funds or accept gifts or grants for this purpose, or take any other action relative thereto.

MOTION: Ms. Adachi moves that the Town authorize the Board of Selectmen to acquire and accept the trail easements as set forth in the Article and on such terms and conditions as the Selectmen may determine.

**CONSENT MOTION CARRIES
DECLARED 2/3 BY MODERATOR***

*TOWN OF ACTON HAS ACCEPTED MGL CH 39 SEC 15 AT IT'S ANNUAL TOWN MEETING APRIL 2001.
ARTICLE 43 AND THE AMENDED BYLAW 5A WAS APPROVED BY THE ATTORNEY GENERAL ON AUG. 6, 2001.
(THE TOWN MEETING MODERATOR IS NOT REQUIRED TO COUNT A 2/3 REQUIRED VOTE.)

ARTICLE 32 * ACCEPT UTILITY EASEMENT – MASSACHUSETTS AVENUE
(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 utility purposes from Mustard Seed Properties, LLC (or a successor entity), on such terms and conditions as the Selectmen may determine, on, over, under, across and along Parcel 128 on Town Atlas Map F-3, numbered 400 Massachusetts Avenue, shown as "Map 3F Lot 128 N/F Lands of Mustard Seed Properties, LLC Book 48926, Pg. 082" on a plan entitled, "Easement Exhibit Plan, 400 Massachusetts Avenue, Lots 118-2 & 128, Map 3F Town of Acton, Town of Acton, Middlesex County, Commonwealth of Massachusetts", dated February 11, 2014, prepared by Control Point Associates, Inc. and on file with the Acton Engineering Department (the "Plan"); and to abandon and terminate the Town's right, title and interest to a portion of an existing 20 foot wide utility easement shown as "Existing 20' Permanent Utility Easement Per Ref. #3 (Section To Be Extinguished)" on the Plan, on such terms and conditions as the Selectmen may determine; or take any other action relative thereto.

MOTION: Ms. Adachi moves that the Town authorize the Board of Selectmen on such terms and conditions as the Selectmen may determine to (a) acquire and accept the easement interests for utility purposes and (b) abandon and terminate the Town's right, title and interest to a portion of an existing 20 foot wide utility easement, all as set forth in the Article.

**CONSENT MOTION CARRIES
DECLARED 2/3 BY MODERATOR***

*TOWN OF ACTON HAS ACCEPTED MGL CH 39 SEC 15 AT IT'S ANNUAL TOWN MEETING APRIL 2001.
ARTICLE 43 AND THE AMENDED BYLAW 5A WAS APPROVED BY THE ATTORNEY GENERAL ON AUG. 6, 2001.
(THE TOWN MEETING MODERATOR IS NOT REQUIRED TO COUNT A 2/3 REQUIRED VOTE.)

ARTICLE 33 * ACCEPT LAND GIFT – MILLDAM TRUST PARCELS
(Two-thirds vote)

To see if the Town will authorize the Board of Selectmen to acquire, for conservation and recreation purposes, on such terms and conditions as the Selectmen may determine, by purchase, gift, eminent domain or otherwise and to accept the deeds of a fee simple interest in certain undeveloped parcels, having the following designations: Town Atlas E-4/13 (0 Patriots Road), E-3/102-2 (17 Patriots Road), E-4/13-5 (8 Meadowbrook Road), E-3/102 (59 Newtown Road), F2A/13 (181 Arlington Street) – totaling 6.952 acres, 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: Ms. Adachi moves that the Town authorize the Board of Selectmen on such terms and conditions as the Selectmen may determine to acquire for conservation and recreation purposes and accept fee interests in the five parcels as set forth in the Article.

**CONSENT MOTION CARRIES
DECLARED 2/3 BY MODERATOR***

*TOWN OF ACTON HAS ACCEPTED MGL CH 39 SEC 15 AT IT'S ANNUAL TOWN MEETING APRIL 2001.
ARTICLE 43 AND THE AMENDED BYLAW 5A WAS APPROVED BY THE ATTORNEY GENERAL ON AUG. 6, 2001.
(THE TOWN MEETING MODERATOR IS NOT REQUIRED TO COUNT A 2/3 REQUIRED VOTE.)

ARTICLE 34 * 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: Ms. Adachi moves that the Town authorize the Town Manager to accept Highway funds from all sources and that such funds are hereby appropriated for highway purposes.

CONSENT MOTION CARRIES

ARTICLE 35 * 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: Ms. Adachi moves 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.

CONSENT MOTION CARRIES

ARTICLE 36 * 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: Ms. Adachi moves 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.

CONSENT MOTION CARRIES

ARTICLE 37 * 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: Ms. Adachi moves 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.

CONSENT MOTION CARRIES

ARTICLE 38 * 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: Ms. Adachi moves 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.

CONSENT MOTION CARRIES

ARTICLE 39 * SALE OF FORECLOSED PROPERTIES
(Two-thirds 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: Ms. Adachi moves in the words of the Article.

**CONSENT MOTION CARRIES
DECLARED 2/3 BY MODERATOR***

*TOWN OF ACTON HAS ACCEPTED MGL CH 39 SEC 15 AT IT'S ANNUAL TOWN MEETING APRIL 2001.
ARTICLE 43 AND THE AMENDED BYLAW 5A WAS APPROVED BY THE ATTORNEY GENERAL ON AUG. 6, 2001.
(THE TOWN MEETING MODERATOR IS NOT REQUIRED TO COUNT A 2/3 REQUIRED VOTE.)

**ARTICLE 40 * ELDERLY TAX RELIEF –
REAUTHORIZE CHAPTER 73 OF THE ACTS OF 1986**
(Majority vote)

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: Ms. Adachi moves 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.

CONSENT MOTION CARRIES

MOTION TO DISSOLVE: Move to dissolve the Annual Town Meeting at 11:42 PM.

MOTION CARRIES UNANIMOUSLY

The following served as tellers at the April 2014 Annual Town Meeting:

Charles Kadlec, Head Teller

Jeff Bergart

Julie Coop

Ann Chang

Debby Murphy

Joan Gardner

Herman Kabakoff

Pam Lynn

Karen Stein

Gail Sawyer

Mark Block

Brewster Conant

Peter Colby

Bob Ingram

Anne Kadlec

Marilyn Peterson