

Town of Acton

Annual Town Meeting Warrant



Monday, April 6, 2009

**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 31, 2009 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) 264-9615.

Annual Town Meeting Monday, April 6, 2009 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, Public Safety Facility, Memorial Library and West Acton Citizens' Library. Copies will also be available at Town Meeting.

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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 6 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) 264-9612 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 S. Rosenzweig, Chair
Paulina S. Knibbe, Vice-Chair
Andrew D. Magee, Clerk
Peter J. Berry
Terra Friedrichs

Notice of Scholarship Opportunity

Given the economic current economic crisis, the Acton Board of Selectmen is happy to announce it is accepting applications for seven (7) one thousand dollar (\$1,000) educational scholarships for the 2009-2010 school year. These scholarships shall be awarded to deserving children residents of Acton as set forth below.

1. Students pursuing industrial education and if there are more scholarships than need, then
2. Students pursuing higher education.

Please send a letter demonstrating your and your family's need and a copy of Student Aid Report (SAR), which is generated from the student's Free Application for Federal Student Aid (FAFSA), and documentation of any other financial aid to be received during the 2009 – 2010 school year to:

The Betsy Ball Scholarship Fund for 2009-2010
c/o Town Manager's Office
472 Main Street
Acton, Massachusetts 01720

The deadline for scholarships requests is to be **received** (not post marked) in the Town Manager's office by 4 PM on Monday, April 13, 2009.

Town Manager's Message

“When a society comes together and makes decisions in harmony, when it respects its most noble traditions, cares for its most vulnerable members, treats its forests and lands with respect, then it will prosper and not decline”

- Buddha

When we started the budget process back in August, one could not have forecast the rapid and dramatic downturn of the economy. When I met with Department Heads “On the Hill” in September, a three day team review of budget requests, little did we know that we were just weeks away from the crisis.

The original budget requests submitted in August totaled \$28,080,542.39, which equated to a 6.29% increase over FY09. The three day “On the Hill” exercise developed consensus on budgetary priorities.

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 10. For those not familiar to the Acton budgeting process, the Acton Leadership Group (ALG) consists of representatives from the 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 October, the ALG met and agreed to the following revenue assumptions:

- All Local Aid, except Chapter 70 reduced by 10%
- Chapter 70 level funded based on School Administration contacts with the Department of Education
- Excise tax estimates reduced by 7.3% as the average age of a car in Acton is 11 years
- Investment income reduced by 12.5%

The ALG also recommended with such a great deal of uncertainty, that both the Town and Schools develop budgets that are “Level Service.” Level Service is defined as maintaining the current level of service provided by the Town and Schools with no new initiatives and programs.

To that end, the enclosed budget represents a level service budget for the Town of Acton for FY 10. The total operational budget request for level services is **\$26,461,660.89**, a **3.46%** increase over FY 09 Town Meeting appropriations. When factoring in the capital projects contained in the Capital Improvements warrant article as compared to FY 09, the total Town budget increase is **1.7%**.

Primary Features of this budget include:

- Creation of an Ambulance Enterprise Fund, providing a funding source for four net firefighter / EMTs
- A reorganization of the Finance Department, eliminating two budgeted, but not filled, positions
- Elimination of contracted field work in the Engineering Department
- Increase of part time staff for the Memorial Library due to increased demand on services as a result of the downturn in the economy
- An increase of staff hours for the Council on Aging to maintain their level of services
- 0% Cost of Living increases for Town Employees

In addition, the Town is under contract for both electric and natural gas as well as for gasoline and diesel, so those savings are reflected in the budget as well.

All signs indicate that FY 10 may be one of the greatest challenges that Cities and Towns have faced in quite some time. As of this writing, the State Legislature is debating the State budget for FY 10. We have utilized the Governor's submittal in estimating Local Aid for the Town budget. No one can predict when this economic crisis will end, or the impact that the President's American Recovery and Reinvestment Act will have on the nation. We will remain diligent in providing quality service to our residents in this challenging time.

Respectfully submitted,

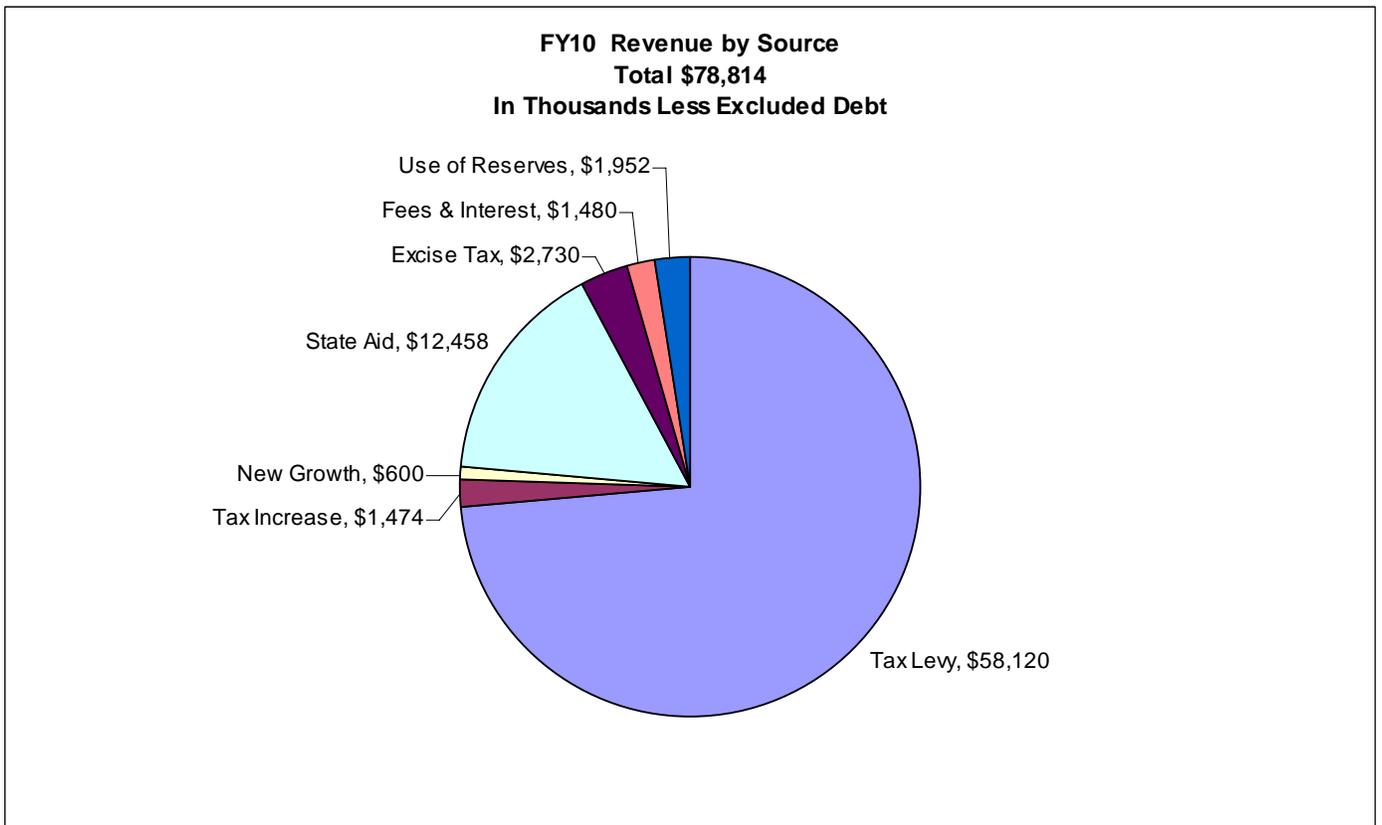
Steven L. Ledoux
Town Manager

Budget Overview

Fiscal Year 10 Budget Background

The numbers contained in these next few pages for FY10 (fiscal year beginning July 1, 2009) 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 78.9 percent of the budgeted amount, which reflects Acton's share of the total regional school district budget.

What are Our Sources of Revenue?



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

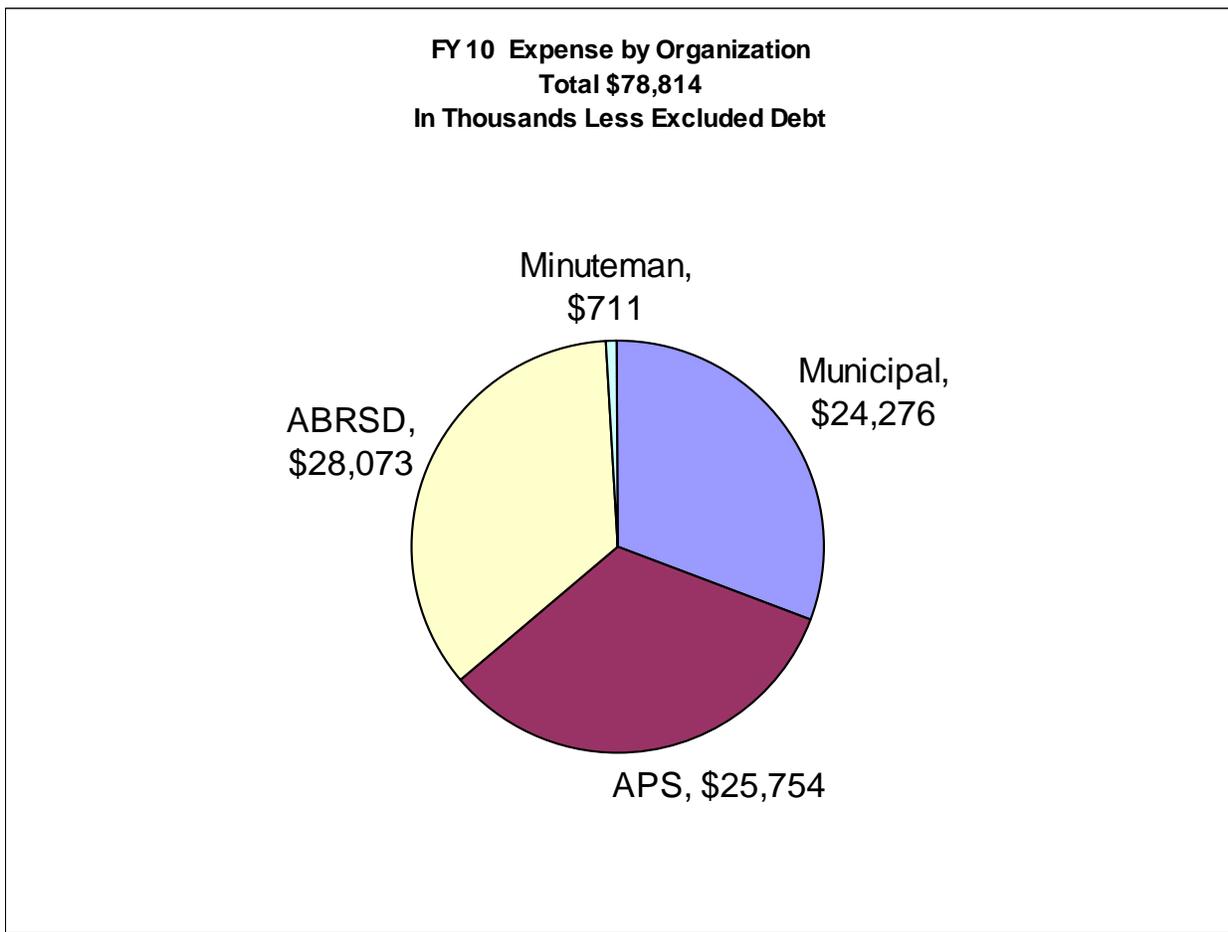
1. **Property Tax Levy** – the existing assessed property taxed at the current rate per thousand
2. **New Growth** – additional assessed value from new homes, additions to homes, and changes in parcels.
3. **Tax Increase** – typically 2½% increase on the property tax levy

State aid, our second largest segment of revenue accounting for 16 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 \$5.1 million and the Acton-Boxborough Regional system with \$5.8 million. For FY10, unrestricted municipal aid is expected to total approximately \$1.2 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 2 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.

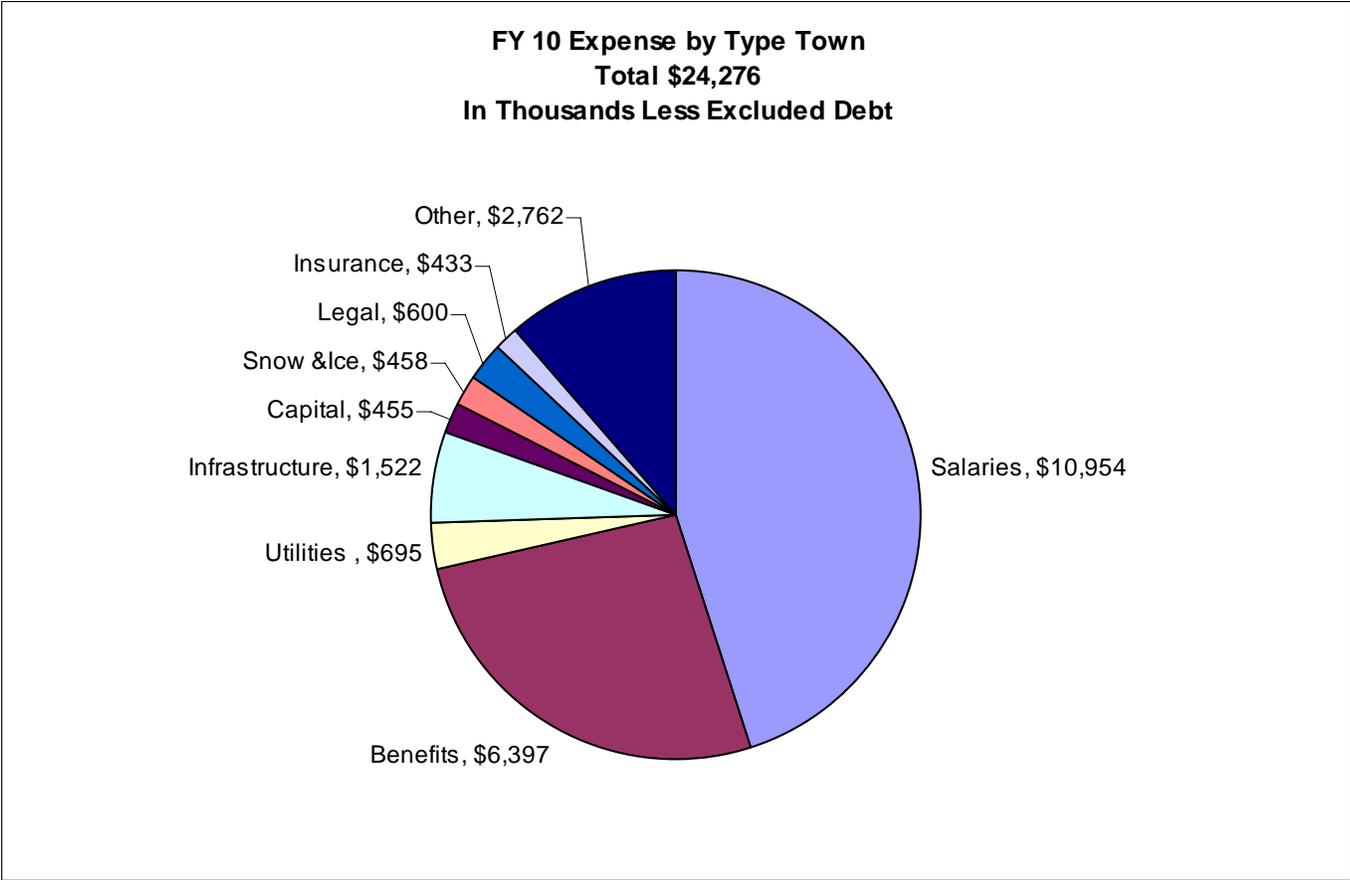
In this year's budget, reserves account for 2 percent of the total revenues. Because the property tax portion of our revenues increases at 2½ percent and many significant parts of our expense such as salaries, health care, and utilities increase at rates greater than that, there is a need from time to time to use reserves. These reserves come about from controlling our spending so as to come in under the budgeted expense or by achieving 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 2.5%.

Which Town and School Entities Spend our Money?



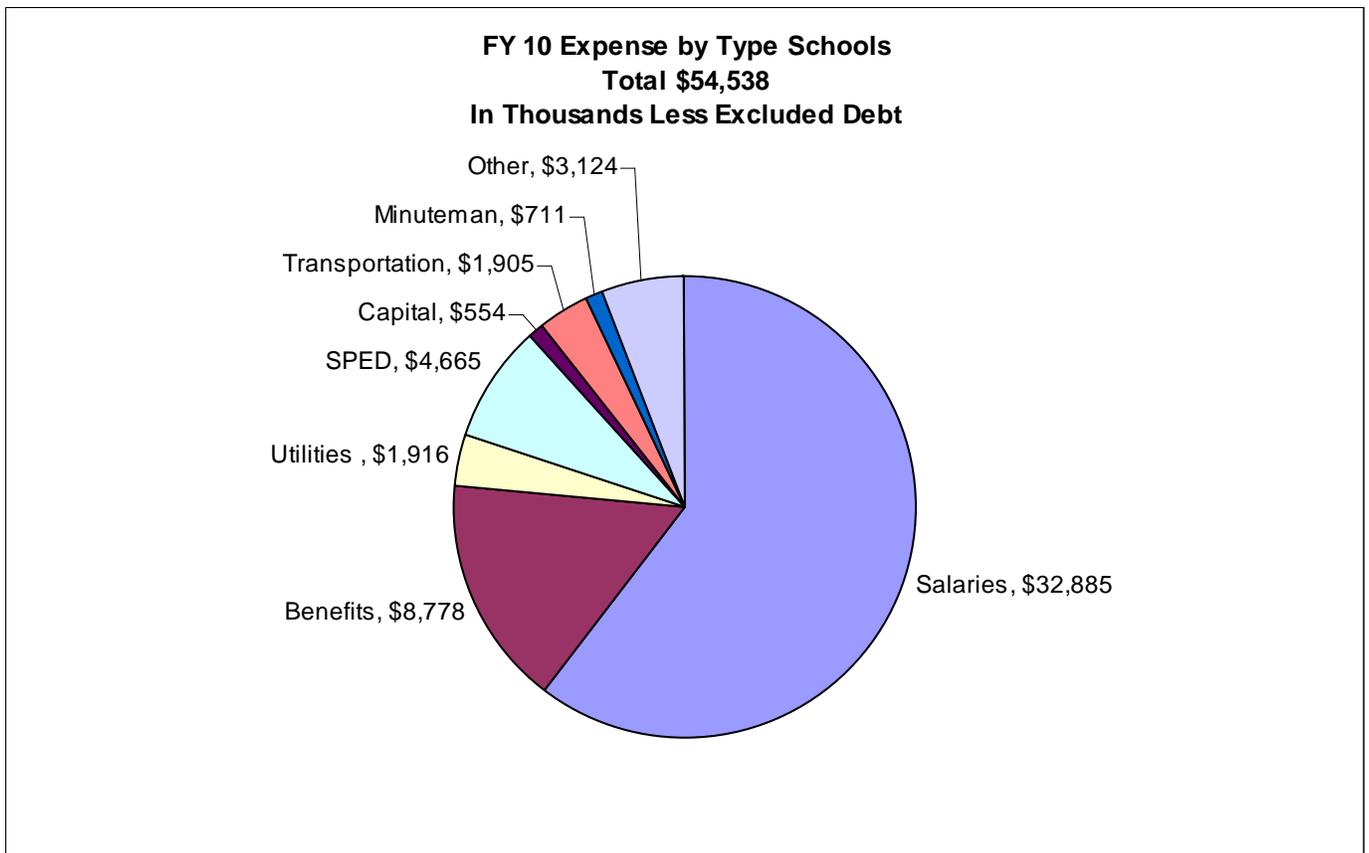
The town's revenues support four budgets within our town. Over two-thirds (69 percent) of our expenditures support education priorities: the Acton Public Schools budget (32 percent of expenditures), Acton-Boxborough Regional Schools assessment (36 percent of expenditures), and Minuteman Regional School 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 Town spend our Money for?



Almost 72 percent of the Town spending goes to salaries and benefits, the cost of the people that provide services to the residents. Infrastructure cost account for 6 percent of the spending. This category includes the maintenance and improvement of roads, sidewalks, buildings, grounds, and information technology. The only other category greater than 2 percent of the total is utilities which accounts for almost 3 percent.

What do the Schools spend our Money for?



Again, by far the largest category is the cost of people. Salaries and benefits account for 77 percent of the total. The next largest category is special education which accounts for almost 9 percent, followed by utilities at 4 percent and transportation at 3 percent.

Finance Committee's Message

The overall condition of Acton's finances is sound. Despite the national recession and the reductions in local aid from the state, the FY10 Budget presented herein:

- Avoids the painful cutbacks in services and layoffs seen in other cities and towns
- Continues to invest in the roads, buildings, and vehicles that are needed to deliver services to our residents
- Avoids an override of Proposition 2½

This budgetary plan results from careful monitoring of the state financial situation and timely action by town and school management to reduce spending in anticipation of cuts. Also, Acton is fortunate that we have reserves to apply prudently to this year's budget, despite the calls from many quarters to spend them. Finally this budget reflects a high degree of cooperation and collaboration between the Board of Selectmen, the School Committees, and the Finance Committee.

Beginning last summer, the Finance Committee began to investigate various drivers (collective bargaining agreements, health insurance, other employee benefits, utilities, capital needs, special education financing) that would have an impact on the development of budgets for FY10. Overshadowing all the other factors investigated was the impact of the national and state economy, which continued to deteriorate throughout the summer and early fall. This perspective is reflected in our Point of View document, finalized in mid-November, which characterized the economy as "extremely adverse, volatile and trending negatively in nearly all sectors" and further noted that "uncertainty is high."

This volatility and uncertainty has made the usually difficult task of developing a reliable multi-year forecast 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 forecast 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 two and a half years out into the future. Acton's Finance Committee is not alone in expressing doubts about the validity of projections in this environment; a recent meeting of the Federal Reserve's Open Market Committee charged with developing economic projections discussed "uncertainty about the outlook for economic activity as higher than normal" and "highlighted the considerable degree of uncertainty about the future course of the financial crisis and its impact on the real economy."

While each year we label the numbers as "highly volatile and subject to change," this year we believe that the volatility and uncertainty surrounding these numbers exceeds past experience. We lay out below our assumptions, and then show the impact that changes in these assumptions might have on our projections.

FY2010

The overall guidance in the Finance Committee's Point of View document with respect to planning the FY10 budget was to provide essential services and avoid layoffs, to fund capital necessary to maintain existing assets within Proposition 2½ limits, to impose strict hiring restrictions, and to identify cost savings through elimination, substitution, and automation. The budgets developed by the schools and town have met these goals.

Initial budgets developed and presented in December showed budget increases for level services in the 4 to 6 percent range. Diligent revisions of the proposed budgets by managers and elected officials have produced budgets (once one removes excluded debt) that are increasing over FY09 budgets by a cumulative 2.7 percent. Layoffs have been avoided and the level of service has been maintained in large part; together the proposed budgets have eliminated several positions (total of 6.22 FTE) for a total cost savings of approximately \$400,000.¹ The budget proposed for the town of Acton indicates a 1.7 percent increase over FY09 budget; the Acton Public Schools budget shows an increase of 3.12 percent; and the Acton-Boxborough Regional Schools budget indicates an increase of 1.9 percent, which results in an increase in the Acton assessment of 3.18 percent. Expense increases have been pared to a minimum in all categories. Health insurance costs are increasing approximately 6.5 percent overall; this increase, which is substantially below the rate of increase in many other health insurance plans for private and public sector employees, results from the rates voted by the Health Insurance Trustees in late February based on the analysis of historic expenses for the Trust. Utility costs have been kept to a minimum through collective purchasing agreements and long-term contracts.

Revenue projections have been even more difficult to refine. Despite concerns about the impact of the economy on our citizens, the managers report that tax collections are on target and abatements are consistent with the levels in other years. The overlay account is adequate to cushion the town against the inability of some citizens to meet their obligations. Although the Finance Committee led the way in reducing the property tax increase two years ago (when reserves were robust and the financial climate more stable), in this current economic environment we do not advise reducing the tax increase. In the early fall, the Acton Leadership Group braced itself for drastic cuts in state aid which might occur in FY09 and certainly in budgets being proposed for FY10. When members of the Finance Committee attended the annual meeting for the Association of Town Finance Committees in early November, the state's fiscal challenges were nearly the sole topic of conversation and clearly on everyone's minds. Two rounds of Governor Patrick's 9C cuts have left Acton short less than \$200,000 of state revenues, and the education funding which comes through Chapter 70 continues for FY09 as originally projected. The Finance Committee's Point of View document speculated that level-funding of this important source of funding was the best that could be hoped for. As we publish the Warrant, this is still the best information available.

Revenue excluding debt for FY10 is budgeted to be \$78.8 million which is an increase of \$2.0 million from FY09. The major components of this change are an increase of \$1,474,000 from the 2½ percent increase in property taxes, \$600,000 from new growth, a decline of \$200,000 in State aid, a decline of \$140,000 in excise taxes and an increase in reserve use of \$241,000. Expenses for FY10 are budgeted at \$78.8 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 2½ but includes Acton's prorated share of the Regional School budget. This total represents an increase of \$2.1 million or 2.7 percent over the FY09 budget. The main drivers include an increase in salaries of \$470,000 (or 1.1 percent, primarily from existing contracts), an increase of \$848,000 in health insurance, an increase of \$593,000 in special education tuition and transportation, and a \$172,000 increase in all other expenditures. Based on the above revenue and expense estimates the average single family tax bill will increase by \$201 or 2.4 percent.

¹ Town eliminated 2 FTEs in finance department (=\$176,673). AB eliminated .76 FTE (=\$65,490), APS eliminated 3.46 FTE (=\$172,532).

The Finance Committee reached out to the community in January requesting input regarding ways to save money in these difficult economic times. Nearly 40 people responded to the Finance Committee in person or via e-mail with a wide range of suggestions. Additionally, the Finance Committee revisited the massive “Re-engineering” effort undertaken by the town and schools leadership in 1999. From these suggestions, the Finance Committee assembled many ideas for savings, which we are in the process of collating and culling. We will report to the community before Town Meeting about the disposition of these suggestions, and will work to refine and quantify the benefits that might accrue to the budgets. In the months following Town Meeting we will work to develop these ideas. Those that can be readily adopted will be applied immediately to the practices of town and schools, and others will be incorporated as we move forward. Our first pass at these numerous suggestions is that those that have the “biggest bang for the buck” involve partnering with our employees through the collective bargaining agreements, and will require buy-in from the elected boards to move forward. Others with a more modest payback can be implemented more quickly. The Finance Committee is resolved to move forward with the investigation and quantification of these proposals.

The town has healthy reserve balances, which can be used to smooth out some of the volatility which can be expected to occur with some of the other revenue sources. The Finance Committee and Board of Selectmen have adopted a reserve policy which documents our thoughts and past practice on the use of reserves. Moving forward there is a substantial difference between the expected revenue and the expected expenses necessary to provide services at the current level. We cannot know with certainty in these times the precise changes that will occur with the proposed budgets, but assert that the difference shown between revenues and expenses will be met through some combination of additional (and unplanned) revenues such as federal stimulus money, implementation of some cost-saving initiatives, prudent use of reserves (which will be replenished at the end of the current fiscal year due to freezing of new hires and mid-year reductions in expenditures in town and school budgets), and possibly reductions in service levels.

FY2011 and FY2012

Revenue Assumptions

For fiscal years FY11 and FY12, the Finance Committee assumed no change in the traditional revenue sources. Specifically, we expect that the property tax levy will increase by the allowable 2½%, 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. We do not assume any increase in the total amount of state aid over FY10, although the amounts in various categories may change.

In accordance with the Point of View and the reserve policy adopted by the Finance Committee in 2009, it is expected that the budgets will call on reserve funds to support spending. In these out-year projections, the use of reserves is approximately \$2 million for each fiscal year.

We recognize that another potential revenue source is so called federal stimulus money, however, eligibility for and timing of the availability of these funds require caution in determining where they might fit into these projections. The likelihood that these funds will channel through the state to local governments suggests they may be used to offset other depleted revenue streams usually funded by the State. It is the Finance Committee’s view that any stimulus money received directly by the town or school districts be used as an offset for reserve dollars allocated to the 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 imposed by statutory requirements and contractual obligations, the Finance Committee expects that expense reductions, with commensurate cost savings, are essential to sustaining service levels.

Because we believe these cost savings efforts should be both immediate and ongoing, the yields are not quantified in an artificial and arbitrary timeline or attributable to a limited time period. As with the stimulus funds, reductions in expenses should have the net result of reducing the amount of reserves used in the projections.

Other Considerations

The Finance Committee encourages the continuation of matching expenses with funds other 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.

In its Point of View, the Finance Committee stated “Growth in personnel for both major operating entities should be sharply curtailed. New personnel should only be hired to fill existing vacant, critical positions and overtime should be reduced.” This viewpoint underlies the projections for FY11 and FY12.

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 FY11 cover the period of time from July 1, 2010 through June 30, 2011. Some economists suggest that during this time frame stabilization and some recovery in the overall economy are possible, though the nature and extent of any such recovery is difficult to predict. Some economists predict that there will be real growth by FY12. 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.

Reliability

These projections raise as many questions as they answer. Because they attempt to analyze the impact of outside factors over which we do not have control, these types of forecasts are volatile and not guarantees of either financial condition or delivery of services. 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

On the next page, 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, a 5 percent reduction in state aid would result in a deficit of \$600,000; a 10 percent reduction would result in a deficit of \$1,200,000. Each additional 1 percent of expense growth would produce a deficit of \$800,000. Conversely, significant federal stimulus revenues would allow us to use a lower level of reserves, and 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 FY10 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 pages show key budget information for these entities as well as relate the detailed information 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.

Multi-Year Plan Developed Through Acton Leadership Group Process

3/10/09 Based on House State Aid numbers
and 3% budget increases for FY '11 and FY '12

Multi-Year Model

*All numbers are early projections and are subject to change

Revenues:	FY08	FY09	FY10	FY11	FY12
	Actuals				
Tax Levy:					
Base	\$ 54,361	\$ 56,521	\$ 58,969	\$ 61,044	\$ 63,170
2 1/2%	\$ 761	\$ 1,413	\$ 1,474	\$ 1,526	\$ 1,579
New Growth	\$ 801	\$ 1,035	\$ 600	\$ 600	\$ 600
Debt Excl.	\$ 3,332	\$ 3,102	\$ 3,064	\$ 3,018	\$ 3,018
Overlay	\$ (605)	\$ (900)	\$ (850)	\$ (600)	\$ (600)
Total Tax Levy (excl. current yr. override)	\$ 58,650	\$ 61,172	\$ 63,258	\$ 65,588	\$ 67,767
Cherry Sheet	\$ 6,183	\$ 6,851	\$ 6,641	\$ 6,641	\$ 6,641
SBAB - Twin School	\$ 1,086	\$ 1,086	\$ 1,009	\$ 1,009	\$ 1,009
Excise Taxes	\$ 2,870	\$ 2,870	\$ 2,730	\$ 2,730	\$ 2,730
Fees	\$ 1,056	\$ 1,080	\$ 1,080	\$ 1,112	\$ 1,146
Int. Income	\$ 712	\$ 400	\$ 400	\$ 400	\$ 400
Pension/Pothole/Other	\$ -	\$ -	\$ -	\$ -	\$ -
Regional Revenue	\$ 4,825	\$ 5,787	\$ 5,817	\$ 5,817	\$ 5,817
Regional E&D Acton's share	\$ 286	\$ 511	\$ 355	\$ 300	\$ 331
HS Interest/Bond Prem.	\$ -	\$ -	\$ -	\$ -	\$ -
Free Cash	\$ 1,594	\$ 450	\$ 1,142	\$ 800	\$ 900
NESWC for capital	\$ -	\$ 750	\$ 455	\$ 808	\$ 900
Revenues before Overrides	\$ 77,262	\$ 80,957	\$ 82,887	\$ 85,205	\$ 87,641
Revenue incl override excluding debt/SBAB	\$ 72,844	\$ 76,768	\$ 78,814	\$ 81,178	\$ 83,614
Debt Exclusion:					
Debt on APS	\$ 517	\$ 527	\$ 608	\$ 608	\$ 608
Debt on JHS/SHS	\$ 1,778	\$ 1,612	\$ 1,516	\$ 1,500	\$ 1,500
Municipal Debt Incurred	\$ 520	\$ 454	\$ 439	\$ 420	\$ 420
Debt on Police station	\$ 517	\$ 509	\$ 501	\$ 490	\$ 490
Total Debt Exclusions	\$ 3,332	\$ 3,102	\$ 3,064	\$ 3,018	\$ 3,018
Budgets Excluding Debt:					
Municipal Budget	\$ 22,325	\$ 23,614	\$ 24,276	\$ 25,004	\$ 25,754
APS Budget	\$ 23,310	\$ 24,974	\$ 25,754	\$ 26,527	\$ 27,322
ABRSD Budget - Acton Share *	\$ 25,811	\$ 27,374	\$ 28,073	\$ 28,915	\$ 29,783
MM Assumption	\$ 787	\$ 771	\$ 711	\$ 732	\$ 754
Subtotal schools	\$ 49,908	\$ 53,119	\$ 54,538	\$ 56,174	\$ 57,859
TOTAL	\$ 72,233	\$ 76,733	\$ 78,814	\$ 81,178	\$ 83,614
% increase		6.1%	2.7%	3.0%	3.0%
Subtotal NET POSITION	\$ 611	\$ 35	\$ (0)	\$ (0)	\$ (0)
NET POSITION			\$ (0)	\$ (0)	\$ (0)
Reserves:					
Free Cash	\$ 1,900	\$ 2,455	\$ 1,598	\$ 1,048	\$ 398
NESWC	\$ 4,886	\$ 4,469	\$ 4,014	\$ 3,206	\$ 2,306
E&D	\$ 1,100	\$ 971	\$ 766	\$ 616	\$ 435
TOTAL	\$ 7,886	\$ 7,895	\$ 6,379	\$ 4,871	\$ 3,140
Tax Impact:					
Existing Valuation ('000s)	\$ 3,851,376	\$ 3,751,255	\$ 3,751,255	\$ 3,787,553	\$ 3,823,001
New Growth value ('000s)			\$ 36,298	\$ 35,449	\$ 34,656
Total Valuation ('000s)	\$ 3,851,376	\$ 3,751,255	\$ 3,787,553	\$ 3,823,001	\$ 3,857,657
Tax Rate	\$ 15.39	\$ 16.53	\$ 16.93	\$ 17.31	\$ 17.72
SF Value	\$ 542,140	\$ 523,109	\$ 507,466	\$ 507,466	\$ 507,466
SF Tax Bill	\$ 7,928	\$ 8,051	\$ 8,388	\$ 8,589	\$ 8,994
% Change		1.29%	4.19%	2.39%	2.29%
\$ Change	\$ 123	\$ 337	\$ 201	\$ 196	\$ 208

FY '11 and FY '12 do not include any stimulus monies.

State Aid numbers come from Cherry Sheets distributed Jan 28, 2009

Free Cash and E&D Include Regeneration of \$250,000 of Free Cash and \$150,000 of E&D

\$1M remains in NESWC for potential liabilities

Given the extreme volatility of the current economic times, any forecast more than 12 months into the future is subject to extraordinary variation and should be discounted heavily

Any projections beyond FY10 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 Municipal Budget

Articles 3, 7, 11 and 13 **\$26,833,141**

	FY08 Actual	FY09 Budget	% Chg	FY10 Budget	% Chg
Salaries	\$10,176,129	\$ 11,088,388	9.0%	\$10,954,708	-1.2%
Health Insurance	2,772,750	2,651,285	-4.4%	3,184,213	20.1%
Middlesex Retire	2,259,578	2,575,285	14.0%	2,497,208	-3.0%
Fringes Other	734,346	700,103	-4.7%	715,619	2.2%
Legal	582,684	555,264	-4.7%	600,264	8.1%
Gas & Diesel	231,356	233,356	0.9%	197,000	-15.6%
Snow & Ice ex salaries	400,687	400,671	0.0%	458,171	14.4%
Property Liability Insurance	465,503	465,503	0.0%	432,500	-7.1%
Infrastructure Maintenance	1,233,915	1,366,215	10.7%	1,522,347	11.4%
Inside Debt	251,702	350,907	39.4%	555,000	58.2%
Utilities	646,314	706,117	9.3%	695,240	-1.5%
All other	1,380,222	1,806,241	30.9%	1,958,871	8.5%
Subtotal	21,135,186	22,899,335	8.3%	23,771,141	3.8%
Excluded Debt	2,884,368	2,556,000	-11.4%	2,557,000	0.0%
Subtotal	24,019,554	25,455,335	6.0%	26,328,141	3.4%
Capital	1,047,000	865,273	-17.4%	455,000	-47.4%
COA Subsidy	37,243	64,107	72.1%	50,000	-22.0%
Total	\$25,066,554	\$26,384,715	5.3%	\$26,833,141	1.7%
Amount Per Multi Year Plan				\$26,833,141	
Less Excluded debt				-\$2,557,000	
Plan amount				\$24,276,141	
Breakdown by Article					
Town Operating Budget				\$26,328,141	
Capital Improvements				270,000	
Council On Aging				50,000	
Recycling and Transfer Enterprise Budget				185,000	
				\$26,833,141	

Acton Public Schools					
Article 16					
\$25,753,782					
	FY08 Actual	FY09 Budget		FY10 Budget	
			<i>% Chg</i>		<i>% Chg</i>
Salaries Teaching	\$10,491,381	\$11,322,438	7.9%	\$11,589,980	2.4%
Salaries Other	4,635,362	4,903,584	5.8%	4,905,882	0.0%
Health Insurance	3,535,587	3,626,548	2.6%	3,792,778	4.6%
Fringes Other	17,104	17,000	-0.6%	17,000	0.0%
Capital & One time Items	171,405	300,209	75.1%	273,560	-8.9%
SPED Tuition	1,893,810	2,077,034	9.7%	2,304,524	11.0%
SPED Trans	284,716	395,484	38.9%	526,497	33.1%
Transportation	295,595	330,458	11.8%	338,716	2.5%
Utilities	938,667	990,259	5.5%	1,019,664	3.0%
All other	1,030,503	1,011,304	-1.9%	985,181	-2.6%
Total	\$23,294,130	\$24,974,318	7.2%	\$25,753,782	3.1%
Amount Per Multi Year Plan				\$25,753,782	
Breakdown by Article				\$25,753,782	

Acton-Boxborough Regional School District Assessment					
Article 18					
\$23,417,708					
	FY08 Actual	FY09 Budget		FY10 Budget	
			<i>% Chg</i>		<i>% Chg</i>
Salaries Teaching	\$13,840,996	\$14,966,729	8.1%	\$15,377,039	2.7%
Salaries Other	5,085,777	5,498,743	8.1%	5,408,783	-1.6%
Health Insurance	4,939,864	5,080,835	2.9%	5,244,227	3.2%
Fringes Other	1,015,444	1,125,866	10.9%	1,056,573	-6.2%
Capital & One time Items	254,746	408,132	60.2%	355,993	-12.8%
SPED Tuition	2,761,393	2,737,087	-0.9%	2,994,794	9.4%
SPED Trans	678,024	706,528	4.2%	728,036	3.0%
Transportation	530,965	542,124	2.1%	587,584	8.4%
Utilities	1,339,530	1,442,935	7.7%	1,492,403	3.4%
All other	2,186,944	2,258,698	3.3%	2,222,191	-1.6%
Subtotal	32,633,683	34,767,677	6.5%	35,467,623	2.0%
Debt	2,133,086	1,893,736	-11.2%	1,885,212	-0.5%
Total	\$34,766,769	\$36,661,413	5.4%	\$37,352,835	1.9%
Acton Share ex debt	\$25,617,441	\$27,306,534	6.6%	\$28,035,732	2.7%
Acton Share ex debt				\$28,035,732	
Teacher Pay Deferral				\$37,587	
Amount Per Multi Year Plan				\$28,073,319	
Breakdown by Article	Acton's Share				
	Acton Share of budget ex debt			\$28,035,732	
	Regional Debt			\$1,580,750	
	Teacher Pay Deferral			\$37,587	
	Regional Revenue			-\$5,880,984	
	Transfer from Premium on Loan			-\$552	
	Transfer for Excess and Deficiency			-\$354,825	
	AB Regional School Assessment			\$23,417,708	

Consent Calendar

Please read this section. For the 2009 Annual Town Meeting, there are important procedural changes to note.

In an effort to streamline Town Meeting, the Board of Selectmen and Town Moderator use the concept of a Consent Calendar. The use of this Calendar 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 one unit and to be passed without debate.

The 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 the Consent Calendar). At this time, the Moderator will call out the numbers of the Articles, one by one.

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.

Please note: In previous years, an article removed from Consent was taken up at its original position in the Warrant. This year, it will be taken up immediately following the vote on the Consent motion. Also in prior years, every article on Consent was read under a single motion. This year, there will be **two** Consent motions – one for budgetary articles and one for all other articles on Consent. It is likely that these two motions will occur on different nights of Town Meeting.

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

Please carefully review the list of articles and motions proposed for each Consent article that follows. Complete summaries are 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) 264-9612, before Town Meeting.

Budgetary Consent Calendar Articles and Motions

Article 3 Council on Aging Van Enterprise Budget

Move that the Town appropriate \$103,525 for the purpose of operating the Town of Acton Senior and Disabled Citizens Van service, and to raise such amount, \$53,525 be raised from department receipts and \$50,000 be raised from taxation.

Article 4 Nursing Enterprise Budget

Move that the Town appropriate \$796,406 for the purpose of operating the Town of Acton Public Health Nursing Service, and to raise such amount, \$655,000 be raised from department receipts and \$141,406 be transferred from retained earnings.

Article 5 Septage Disposal Enterprise Budget

Move that the Town appropriate \$135,526 for the purpose of septage disposal, and to raise such amount, \$135,526 be raised from department receipts.

Article 6 Sewer Enterprise Budget

Move that the Town appropriate \$1,638,389 for the purpose of operating the sewer system, and to raise such amount, \$1,638,389 be raised from department receipts.

Article 7 Recycling and Transfer Station Enterprise Budget

Move that the Town appropriate \$785,267 for the purpose of solid waste disposal and recycling, and to raise such amount, \$600,267 be raised from department receipts and \$185,000 be transferred from retained earnings.

Article 8 Self-Funding Programs (Revolving Funds)

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.

Article 9 Town Board Support – Acton-Boxborough Cultural Council

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

Other Consent Calendar Articles and Motions

Article 29 Hear and Accept Reports

Move that the Town accepts the reports of the various Town Officers and Boards as set forth in the 2008 Town Report and that the Moderator calls for any other reports.

Article 30 Highway Reimbursement Program (Chapter 90)

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

Article 31 Insurance Proceeds

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.

Article 32 Gifts or Grants

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.

Article 33 Federal and State Reimbursement Aid

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.

Article 34 Performance Bonds

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.

Article 35 Sale of Foreclosed Properties

Move in the words of the Article.

Article 36 Elderly Tax Relief – Reauthorize Chapter 73 of the Acts of 1986

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.

Article 37 Accept Trail Easement – Bruce Freeman Rail Trail

Move that the Town authorize the acquisition of the easements as set forth in the Article.

Article 38 Accept Trail Easement – Bay Circuit Rail Trail

Move that the Town authorize the acquisition of the easements as set forth in the Article.

Article 39 Amend Town Bylaws – Non-Criminal Disposition for Zoning Bylaw

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

Article 40 Redemption of Parcels in Tax Title Foreclosure by Installment Payment Agreement

Move in the words of the Article.

Article 41 Amend Town Bylaws – Redemption of Parcels in Tax Title Foreclosure by Installment Payment Agreement

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

Article 42 Amend Zoning Bylaw – Truck Rental as Accessory Use in Light Industrial District

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

Article 43 Amend Zoning Bylaw – Corrections, Clarifications and Minor Amendments

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

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 31, 2009 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 thirty-first day of March 2009,

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

One Moderator for a term of one year,
One Selectman for a term of three years,
Two School Committee members for a term of three years,
One Trustee of the Memorial Library for a term of three years.

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

One Moderator for a term of three years.
One Commissioner for a term of three years,

You are also to notify legal voters aforesaid to meet at the Acton-Boxborough Regional High School Auditorium in said Acton on **Monday, April 6, 2009 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: Terra Friedrichs: bos@acton-ma.gov

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

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 2008 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) 264-9612
Selectman assigned: Andrew D. Magee: bos@acton-ma.gov

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.

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. 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 6/30/08	Budgeted Revenue FY09	Budgeted Expense FY09	Est. Fund Balance 6/30/09	Budgeted Revenue FY10	Budgeted Expense FY10	Est. Fund Balance 6/30/10
\$ 15,504	\$ 97,973	\$ 97,973	\$ 15,504	\$ 103,525	\$ 103,525	\$ 15,504

Direct inquiries to: Jean Fleming, Council on Aging Director
 seniorcenter@acton-ma.gov / (978) 264-9643

Selectman assigned: Paulina S. Knibbe: bos@acton-ma.gov

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.

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 6/30/08	Budgeted Revenue FY09	Budgeted Expense FY09	Est. Fund Balance 6/30/09	Budgeted Revenue FY10	Budgeted Expense FY10	Est. Fund Balance 6/30/10
\$ 111,477	\$ 781,598	\$ 781,598	\$ 111,477	\$ 796,406	\$ 796,406	\$ 111,477

Direct inquiries to: Doug Halley, Health Director: health@acton-ma.gov / (978) 264-9634

Selectman assigned: Peter J. Berry: bos@acton-ma.gov

Recommendations: Board of Selectmen Finance Committee
 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.

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 6/30/08	Budgeted Revenue FY09	Budgeted Expense FY09	Est. Fund Balance 6/30/09	Budgeted Revenue FY10	Budgeted Expense FY10	Est. Fund Balance 6/30/10
\$ 61,683	\$ 173,694	\$ 173,694	\$ 61,683	\$ 135,526	\$ 135,526	\$ 61,683

Direct inquiries to: Doug Halley, Health Director: health@acton-ma.gov / (978) 264-9634
Selectman assigned: Andrew D. Magee: bos@acton-ma.gov

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.

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 6/30/08	Budgeted Revenue FY09	Budgeted Expense FY09	Est. Fund Balance 6/30/09	Budgeted Revenue FY10	Budgeted Expense FY10	Est. Fund Balance 6/30/10
\$ 0	\$ 1,608,944	\$ 1,608,944	\$ 0	\$ 1,638,389	\$ 1,638,389	\$ 0

Direct inquiries to: John Murray, Assistant Town Manager: manager@acton-ma.gov / (978) 264-9612
Selectman assigned: Andrew D. Magee: bos@acton-ma.gov

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

ARTICLE 8 * SELF-FUNDING PROGRAMS (REVOLVING FUNDS)

(Majority vote)

To see if the Town will vote, pursuant to Massachusetts General Law, Chapter 44, Section 53E½ to 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	FY10 Estimated Revenue	FY10 Authorized Expenditure
School Department		
Douglas at Dawn/Dusk	\$ 221,000	\$ 221,000
Gates Amazing Programs	\$ 36,500	\$ 36,500
Merriam Mornings/Afternoons/Summer	\$ 211,500	\$ 211,500
Historic District Commission	\$ 600	\$ 600
Building Department ♦	\$ 211,040	\$ 211,040
Includes fees for Microfilming, Electrical Permits, Plumbing Permits, Gas Permits, Sign Licenses and Periodic Inspection Fees		
Sealer of Weights and Measures	\$ 11,621	\$ 11,621
Health Department		
Food Service Inspections	\$ 32,565	\$ 32,565
Hazardous Materials Inspections	\$ 34,008	\$ 34,008
Fire Department		
Fire Alarm Network	\$ 56,298	\$ 56,298

, or take any other action relative thereto.

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.

♦ Examples of removing costs from the tax base is to purchase equipment and vehicles related to these programs from fund balances. A building department inspectional vehicle will be purchased from the revolving fund.

(For Budget Detail, excluding School Programs, please see Municipal Budget Supplement)

	FY2008 ACTUAL REV	FY2008 ACTUAL EXPENSE	FUND BALANCE 6/30/2008	FY2009 BUDGETED REVENUE	FY2009 BUDGETED EXPENSE	FY2009 EST FUND BALANCE	Actual Revenue 3/3/2008	Actual Expense 3/3/2008
Historic District Commission	160.00	197.75	1,038.91	600.00	600.00	1,038.91	55.00	192.14
Building Department	103,884.70	119,005.89	113,874.18	166,559.00	209,701.00	209,701.00	63,062.00	87,782.17
Sealers Weights & Measure	16,755.10	10,885.80	19,034.77	10,955.00	11,168.00	11,168.00	1,539.00	7,627.44
Health Department								
Hazardous Material	45,032.66	53,515.93	28,259.96	53,300.00	52,575.00	52,575.00	22,716.40	26,230.18
Food Service	35,310.00	29,260.83	67,341.59	30,115.00	28,993.00	28,993.00	36,080.00	16,933.08
Fire Department	5,369.13	41,992.83	15,713.55	52,294.00	52,294.00	15,713.55	39,025.00	30,169.77
School Department								
Douglas at Dawn	261,824.88	195,891.20	293,153.33	176,750.00	206,500.00	206,500.00	119,071.52	102,383.22
Gates Amazing Mornings	3,322.50	1,964.28	1,501.80	36,500.00	36,500.00	36,500.00	2,187.50	1,300.00
Merriam Afternoons	191,004.90	138,628.97	208,414.07	204,800.00	236,500.00	236,500.00	101,315.20	75,431.45

Direct inquiries to: ¹ Bill Ryan, Superintendent of Schools: bryan@mail.ab.mec.edu / (978) 264-4700
² John Murray, Assistant Town Manager: manager@acton-ma.gov / (978) 264-9612
Selectman assigned: Paulina S. Knibbe: bos@acton-ma.gov

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

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, 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.

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: John Murray, Assistant Town Manager: manager@acton-ma.gov / (978) 264-9612
 Selectman assigned: Andrew D. Magee: bos@acton-ma.gov

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

ARTICLE 10 AMBULANCE ENTERPRISE FUND

(Majority vote)

To see if the Town will vote to establish an Ambulance Enterprise Fund in accordance with Massachusetts General Laws Chapter 44, Section 53F½ for the purpose of health care, and to transfer the fund balance from the Ambulance Fees Revolving Fund, or take any other action relative thereto.

SUMMARY

This article requests the creation of an Ambulance Enterprise Fund and to transfer the balance of the existing Ambulance Revolving fund to operate the Town’s Ambulance service. The enterprise fund will include the salaries and benefits of four Firefighters. 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. This article proposes to purchase a fire department pumper truck in the amount of \$525,000.

Fund Balance 6/30/08	Budgeted Revenue FY09	Budgeted Expense FY09	Est. Fund Balance 6/30/09	Budgeted Revenue FY10	Budgeted Expense FY10	Est. Fund Balance 6/30/10
N/A	N/A	N/A	N/A	\$ 1,208,681	\$ 1,208,681	\$ 0

Direct inquiries to: Steven L. Ledoux, Town Manager: manager@acton-ma.gov / (978) 264-9612
 Selectman assigned: Lauren S. Rosenzweig: bos@acton-ma.gov

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

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) 264-9612

Selectman assigned: Lauren S. Rosenzweig: bos@acton-ma.gov / (978) 264-9611

Recommendations:	<u>Board of Selectmen</u> Recommended	<u>Finance Committee</u> Recommended
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ARTICLE 12 FUND COLLECTIVE BARGAINING AGREEMENT

(Majority vote)

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money necessary to fund the cost items contained in Collective Bargaining Agreement(s) between the Town and one or more of its unions 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 (non-School) unions, 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) 264-9612

Selectman assigned: Peter J. Berry: bos@acton-ma.gov

Recommendations:	<u>Board of Selectmen</u> Deferred	<u>Finance Committee</u> Deferred
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ARTICLE 13 CAPITAL IMPROVEMENTS

(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 purchase, replacement or improvement of vehicles, equipment or infrastructure as listed below, including related incidental costs, or take any other action relative thereto.

A.	Senior Center Facility Improvements	\$ 36,000
B.	Town Engineer Inspectional Vehicle	\$ 22,000
C.	Highway Department Dump Truck	\$ 135,000
D.	Municipal Properties Truck	\$ 45,000
E.	Municipal Properties Tractor	\$ 32,000
Total		\$ 270,000

SUMMARIES

A. Senior Center Facility Improvements: These funds will allow improvements to be made to the existing Senior Center, which might include flooring suitable for exercise classes or partitions to create private space for clinics, consultations or small group activities. The Council On Aging has developed a list of projects that address safety concerns while improving overall delivery of services to Acton’s expanding senior population.

Direct inquiries to: Jean Fleming, Council on Aging Director
seniorcenter@acton-ma.gov / (978) 264-9643

B. Town Engineer Inspectional Vehicle: This article requests the funding to replace a 1994 inspectional vehicle with a four wheel drive compact pickup truck. The present vehicle is a Ford Tempo sedan that is ill-equipped to handle the working conditions encountered by the department. Vehicles that frequently go off-road for inspectional purposes in all kinds of weather should be equipped to do so. The present sedan continually experiences mechanical problems and has seen a lot of down time. This vehicle should be replaced at this time.

Direct inquiries to: Bruce M. Stamski, P.E., Town Engineer / Director of Public Works
engineering@acton-ma.gov / (978) 264-9628

C. Highway Department Dump Truck: This article requests the funding to replace a 1987 Mack dump truck which has reached the end of its dependable lifespan. Reliable vehicles are needed, especially during snow removal operations. The 1987 dump truck has been pulled from service on several occasions and will soon need major engine and transmission work. This vehicle should be replaced at this time.

Direct inquiries to: Russell Robinson, Highway Superintendent
highway@acton-ma.gov / (978) 264-9624

D. Municipal Properties Truck: This sum will be used to replace an existing 1999 F-350 platform dump truck that is used for snow plowing, tree work, towing a mowing trailer, and related groundskeeping tasks. The Highway Department mechanics have rated the engine, transmission, and body on this ten year old truck as in poor condition, and the cost of repairs would exceed the value of the vehicle.

Direct inquiries to: Dean A. Charter, Municipal Properties Director
dcharter@acton-ma.gov / (978) 264-9629

E. Municipal Properties Tractor: This sum will be used to replace an existing 1980 JD-950 tractor which is used for roadside mowing and groundskeeping tasks, such as aeration, fertilization, and tilling. The Highway Department mechanics have rated the engine, transmission, and hydraulic system on this twenty-nine year old tractor as being beyond repair.

Direct inquiries to: Dean A. Charter, Municipal Properties Director
 dcharter@acton-ma.gov / (978) 264-9629

Selectman assigned: Lauren S. Rosenzweig: bos@acton-ma.gov

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

ARTICLE 14 AMBULANCE REVOLVING FUND

(Majority vote)

To see if the Town will vote, pursuant to Massachusetts General Law, Chapter 44, Section 53E½ to continue the Ambulance Fees revolving fund, to be expended by the Town Manager, as noted below:

Fund	FY10 Estimated Revenue	FY10 Authorized Expenditure
Fire Department		
Ambulance Fees	\$ 666,202	\$ 666,202

The fund from such fees to be used for acquiring equipment used in providing Emergency Medical Services (EMS), including but not limited to defraying the maturing debt and interest or lease costs thereof, and/or for paying a portion of the wages or salaries of Town employees who perform services as Emergency Medical Technicians, EMS First Responders, and other personnel engaged in providing Emergency Medical Services on behalf of the Town including the costs of fringe benefits associated with the wages or salaries so paid.

, or take any other action relative thereto.

SUMMARY

It is the intent of the Board of Selectmen to move to take no action on this Article should Article 10, Ambulance Enterprise Fund, be approved.

This article allows the Town to fully-fund the Ambulance Fees revolving fund from its 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.

	FY2008 ACTUAL REV	FY2008 ACTUAL EXPENSE	FUND BALANCE 6/30/2008	FY2009 BUDGETED REVENUE	FY2009 BUDGETED EXPENSE	FY2009 EST FUND BALANCE	Actual Revenue 3/3/2008	Actual Expense 3/3/2008
Ambulance	431,195.59	7,547.10	1,098,435.71	300,000.00	339,978.00	1,058,457.71	260,726.16	289,978.00

Direct inquiries to: John Murray, Assistant Town Manager: manager@acton-ma.gov / (978) 264-9612
 Selectman assigned: Peter J. Berry: bos@acton-ma.gov

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

ARTICLE 15 COMMUNITY SHUTTLE
(Majority vote)

To see if the Town will raise and appropriate, or appropriate from available funds, the sum of \$24,500 to be expended by the Town Manager for the implementation of a town shuttle program, or take any other action relative thereto.

SUMMARY

The Town’s Transportation Advisory Committee is developing a program to relieve congestion at South Acton Station and increase usage of the commuter rail by instituting a park and ride shuttle system. The program will expand the hours of use of the two vans which now serve the Town’s population of older adults and persons with disabilities. At the same time the availability of the transportation service to older adults and persons with disabilities will increase through operational efficiencies and expanded hours.

The requested funding will be the Town’s share of funding based on the expected approval of the Town’s grant application for federal transportation funding (the Grant). It is expected that funding under this article will be reimbursed through the Town’s Massachusetts Bay Transportation Authority (MBTA) assessment--the “Cherry Sheet” funds held by the Lowell Regional Transportation Authority--and/or other revenues to be instituted in support of this program.

This article’s funding represents 20% of the first year cost of the program under the Grant, minus some money from parking lot fees that can be applied to the match (i.e., \$160,000 program, of which \$32,000 is our match, built of \$7,500 in parking fees that support lease or maintenance of shuttle lot plus requested \$24,500). Second year funding will be 30%, third year funding will be 40%, and subsequent years will require funding independent of this Grant. Aside from the reimbursement money expected from Cherry Sheet funds, funding in the second and subsequent years is being identified and is a necessary element in the application for the Grant. The Grant application is expected to be approved, but in the event it is not, the funding under this article will be returned to the General Fund.

Population in Need: Older Adults, Persons with Disabilities and Others with Transportation Limitations		
Evidence of Need	Proposed Improvement	Advantages
Surveys, interviews, public forums, letters from public, planning agency report -- 2005 to 2009	<ul style="list-style-type: none"> • Consolidated management, retaining quality of present COA van • Expanded hours vans are used • Incorporation of new limited taxi voucher system (other funding already procured) 	<ul style="list-style-type: none"> • Introduces schedule and operating efficiencies • Increases hours to support employment and evening activities • Accommodates other members of the non-driving population as needed
Population in Need: South Acton Rail Station Train Riders		
Evidence of Need	Proposed Improvement	Advantages
Surveys, interviews, public forums, letters from public, planning agency report -- 2005 to 2009	<ul style="list-style-type: none"> • Shuttle from park-and-ride lot • Parking Management Changes (meter replacement, changes in fee structure) • Explore federal grant funding of third vehicle under Federal Transit Administration 5310 program 	<ul style="list-style-type: none"> • Reduces parking demand • Improves reliability for commuters • Reduces congestion at South Acton Rail Parking Lot • Reduces global warming emissions • Supports reverse commutes

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

Selectman assigned: Lauren S. Rosenzweig: bos@acton-ma.gov

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

ARTICLE 16 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: Bill Ryan, Superintendent of Schools: bryan@mail.ab.mec.edu / (978) 264-4700
Selectman assigned: Lauren S. Rosenzweig: bos@acton-ma.gov

Recommendations:	<u>Board of Selectmen</u> Deferred	<u>Finance Committee</u> Recommended
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ARTICLE 17 CAPITAL IMPROVEMENTS – DOUGLAS SCHOOL (BONDING)

(Two-thirds vote)

To see if the Town will vote to appropriate, borrow or transfer from available funds, a sum of money to be expended under the direction of the School Committee for the purpose of paying costs associated with replacing the roof at the C.T. Douglas School, located at 21 Elm Street in Acton, Massachusetts and for the payment of all other costs incidental and related thereto, for which the Town may be eligible for a school construction grant from the Massachusetts School Building Authority (“MSBA”). The proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program. The MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town. Any grant that the Town may receive from the MSBA for the Project shall not exceed the lesser of (1) 43.85 percent (%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA. Or to take any other action relative thereto.

SUMMARY

This article requests funds for the Town of Acton Local Schools to replace the roof at the Douglas School, and costs incidental and related thereto.

Direct inquiries to: Bill Ryan, Superintendent of Schools: bryan@mail.ab.mec.edu / (978) 264-4700
Selectman assigned: Lauren S. Rosenzweig: bos@acton-ma.gov

Recommendations:	<u>Board of Selectmen</u> Deferred	<u>Finance Committee</u> Recommended
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ARTICLE 18 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: Bill Ryan, Superintendent of Schools: bryan@mail.ab.mec.edu / (978) 264-4700
Selectman assigned: Lauren S. Rosenzweig: bos@acton-ma.gov

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

ARTICLE 19 MINUTEMAN REGIONAL SCHOOL DISTRICT ASSESSMENT
(Majority vote)

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

SUMMARY

This article requests funds for 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 S. Rosenzweig: bos@acton-ma.gov

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

ARTICLE 20 AUTHORIZE STABILIZATION FUND –
(Majority vote) **MINUTEMAN REGIONAL SCHOOL DISTRICT**

To see if the Town will approve the establishment of a stabilization fund by the Minuteman Regional Vocational Technical School District, beginning July 1, 2009, under MGL Chapter 71, Section 16G½, or take any other action relative thereto.

SUMMARY

The Minuteman Regional Vocational Technical School District is seeking permission from its member towns to establish a stabilization fund as a mechanism for funding future capital expenditures. The District is not requesting any funding for this at this time. Funding would occur from internal fund transfers or from future warrant article requests, the latter requiring approval from all sixteen member towns. The Minuteman School Committee voted on January 6, 2009 to request that this article be placed on the warrant for this Annual Town Meeting.

Direct inquiries to: Dr. Ed Bouquillon, Superintendent: ebouquillon@minuteman.org / (781) 861-6500
Selectman assigned: Lauren S. Rosenzweig: bos@acton-ma.gov

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

ARTICLE 21 # TOWN STABILIZATION FUND

(Two-thirds vote)

To see if the Town will raise and appropriate, or appropriate from available funds, a sum of money for a Stabilization Fund for the Town, or take any other action thereto.

Direct inquiries to: Charlie Kadlec: stomail@stolab.com / (978) 263-4361

Selectman assigned: Peter J. Berry: bos@acton-ma.gov

Recommendations:	<u>Board of Selectmen</u>	<u>Finance Committee</u>
	Not Recommended	Not Recommended

ARTICLE 22 # USE OF FUNDS TO REDUCE THE TAX RATE

(Majority vote)

To see if the Town will determine an amount of Free Cash and/or of the Recycling and Transfer Station Enterprise Fund which shall be used for the purpose of reducing the tax rate for the fiscal year beginning July 1, 2009, or take any other action relative thereto.

SUMMARY AS PROVIDED ON PETITION

It had been customary to provide the Annual Town Meeting with an opportunity to determine whether an amount of the Town’s reserves should be used to reduce the tax rate. This petition requests that, pursuant to Article 3, Section 3-5 of the Charter of the Town of Acton, the Acton Board of Selectmen include this Article for the April 2009 Annual Town Meeting.

Direct inquiries to: Charlie Kadlec: stomail@stolab.com / (978) 263-4361

Selectman assigned: Peter J. Berry: bos@acton-ma.gov

Recommendations:	<u>Board of Selectmen</u>	<u>Finance Committee</u>
	Not Recommended	Not Recommended

ARTICLE 23 # FINANCE COMMITTEE BUDGET
(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 Acton Finance Committee to support their activities for the fiscal year starting July 1, 2009, or take any other action relative thereto.

SUMMARY AS PROVIDED ON PETITION

The Acton Finance Committee is the only major town board that has no staff support. Members of the Finance Committee must do their own research, keep the minutes of the meetings, and rely on the availability of municipal and school staff to provide information. These funds are intended to allow the Finance Committee, at its discretion, to pay for services such as secretarial help, membership fees in Finance Committee organizations, or any other purpose which would support their mandate of making recommendations to the Acton Town Meeting.

Direct inquiries to: Charlie Kadlec: stomail@stolab.com / (978) 263-4361
Selectman assigned: Peter J. Berry: bos@acton-ma.gov

Recommendations:	<u>Board of Selectmen</u>	<u>Finance Committee</u>
	Not Recommended	Not Recommended

ARTICLE 24 # RESOLUTION TO ADOPT A RESERVE POLICY
(Majority vote)

A Resolution of the Town of Acton related to the Adoption of a Reserve Policy

Whereas, the Town of Acton could increase transparency in the budgeting process;
Whereas, the Town has a history of conflicting and inconsistent use of its financial reserves;
Whereas, there is disagreement about the definition of “reserves;”
Whereas, depletion of reserves has led to two general overrides in the past six years;
Whereas, establishment of a Reserve Policy is recommended by Department of Revenue and is generally considered a sound financial planning tool;

Now, therefore it be resolved that:
The Acton Board of Selectmen and the Acton Finance Committee adopt a Reserve Policy.

Direct inquiries to: Charlie Kadlec: stomail@stolab.com / (978) 263-4361
Selectman assigned: Andrew D. Magee: bos@acton-ma.gov

Recommendations:	<u>Board of Selectmen</u>	<u>Finance Committee</u>
	Not Recommended	Not Recommended

ARTICLE 25 # RESOLUTION TO PRESENT DEBT AND INTEREST COSTS
(Majority vote) **AS A TOWN MEETING ARTICLE**

A Resolution of the Town of Acton related to the appropriations for debt and interest

Whereas, the Town of Acton should increase transparency in the budgeting process;
Whereas, debt and interest costs, including those funded by debt exclusion overrides, have been included in municipal and school operating budgets;
Whereas, such debt and interest costs are determined at the time that the debt is incurred and are not part of yearly operations;
Whereas, such debt and interest costs generally decrease over time;
Whereas, inclusion of debt and interest in yearly operating budgets distorts the year-to-year operating budget comparisons:

Now, therefore be it resolved that:
All Municipal and Acton Public School debt and interest costs be presented as a separate Town Meeting Article.

Direct inquiries to: Charlie Kadlec: stomail@stolab.com / (978) 263-4361
Selectman assigned: Andrew D. Magee: bos@acton-ma.gov

Recommendations:	<u>Board of Selectmen</u>	<u>Finance Committee</u>
	Not Recommended	Not Recommended

ARTICLE 26 # RESOLUTION TO PRESENT NEW CAPITAL PROJECTS TO
(Majority vote) **TOWN MEETING**

A Resolution of the Town of Acton related to the presentation of new capital projects to the Acton Town Meeting

Whereas, the Town of Acton should increase transparency in the budgeting process;
Whereas, some new capital items have been funded within Municipal and School operating budgets without specific review by Town Meeting;
Whereas, Town Meeting should be allowed to decide whether to support any capital project;
Whereas, inclusion of capital items in yearly operating budgets distorts the year-to-year operating budget comparisons;
Whereas, the Town of Acton currently employs a “bottom line” budget which allows some projects to be funded that have not been approved by Town Meeting;

Now, therefore be it resolved that:

1. A capital project be defined as costing more than \$25,000 and having a useful life of more than five years, the cost shall be defined as total out-of-pocket cost regardless of whether the item is paid for in one fiscal year or financed over time.
2. Yearly operating budgets shall not include capital projects.

Direct inquiries to: Charlie Kadlec: stomail@stolab.com / (978) 263-4361
Selectman assigned: Andrew D. Magee: bos@acton-ma.gov

Recommendations:	<u>Board of Selectmen</u>	<u>Finance Committee</u>
	Not Recommended	Not Recommended

ARTICLE 27
(Majority vote)

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

To see if the Town will vote to appropriate or set aside for later appropriation, and to authorize the Board of Selectmen and the Town Manager to expend or set aside, from the FY 2008 Community Preservation Fund balance as set forth herein, the following amounts 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 2008 COMMUNITY PRESERVATION FUND BALANCE	
FY 2008 Community Preservation Fund Revenues	
Community Preservation Fund Surcharge Collected in FY 2008	\$ 708,031.00
State Community Preservation Trust Fund Receipt, October 2008	\$ 473,581.00
Other FY 2008 Community Preservation Fund Components	
Interest Earned in FY 2008	\$ 101,371.00
Recapture of unspent previous years’ project appropriations	\$ 15,751.00
Unencumbered FY 2008 Fund Balance	\$ 236,687.00
Total - FY 2008 Community Preservation Fund Balance	\$ 1,535,421.00
APPROPRIATIONS	
Purpose	Recommended Amounts
Set Aside Appropriations for	
A. Acquisition, creation, and preservation of open space, and its rehabilitation and restoration	\$ 425,000.00
B. Acquisition, preservation, rehabilitation and restoration of historic resources	\$ 44,000.00
Spending Appropriations	
C. Civil War Exhibit - Enhancement	\$ 8,000.00
D. Historic Streetscape Restoration - Shade Trees in Historic Districts	\$ 10,000.00
E. Wright-Holden Farmlands - MHC Area Form	\$ 1,000.00
F. Town Cemeteries - National Register of Historic Places Listing	\$ 14,000.00
G. John Robbins House - Preservation Work	\$ 42,075.00
H. Pre-development Funds (Sachem Way), Acton Housing Authority	\$ 152,000.00
I. Capital Fund, Acton Housing Authority	\$ 150,000.00
J. Community Housing Program Fund	\$ 50,000.00
Administrative Spending Appropriation	
K. 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	\$ 59,080.00
Total Recommended Appropriations from FY 2008 Community Preservation Fund Balance	
	\$ 955,155.00
Remaining FY 2008 fund balance	\$ 580,266.00

And, whereas Massachusetts General Law, Chapter 44B requires that the Town appropriate for spending, or set-aside for future spending, from the 2008 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 2008 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 2008 Community Preservation Fund Balance the minimum necessary amounts to allocate not less than 10% of the FY 2008 Community Preservation Fund Revenues for open space (\$118,161.20), not less than 10% of the FY 2008 Community Preservation Fund Revenues for historic preservation (\$118,161.20), and not less than 10% of the FY 2008 Community Preservation Fund Revenues (\$118,161.20) for community housing.

, or take any other action relative thereto.

SUMMARY

This article would make appropriations from the Town's Community Preservation Fund. All items listed are recommended by the Community Preservation Committee.

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

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

In September 2008, the Community Preservation Committee published its 2009 Community Preservation Plan with guidelines for the submission of projects seeking funding. The Committee received fourteen applications for funding of proposed items and projects. The Committee reviewed all proposals, interviewed proponents, and solicited legal opinions on the proposals to help evaluate their eligibility under the Act. Two proposals were withdrawn. This article represents the Committee's recommendation for appropriations from the available Community Preservation Fund balance for ten projects. All recommended amounts are "up-to" spending limits. Savings, if any, will be available for future appropriations. Some of the projects are recommended at different funding levels than the proponents had originally requested. 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 \$580,266.00 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 taking by the Town of interest in real property (not recommended this year), the borrowing of funds for Community Preservation (not recommended this year), and appropriation of not more than 5% of the annual revenues of the Community Preservation Fund for the Committee's administrative and operating expenses.

A. Open Space Set-Aside

This item adds \$425,000 to the existing set-aside fund from which Town Meeting may appropriate spending in future years 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 \$1,445,000.

B. Set-Aside for Historic Resources

This item sets aside a \$44,000 fund from which Town Meeting may appropriate spending in future years for the purpose of acquiring, preserving, rehabilitating, and restoring historic resources. The number of historic resource projects proposed this year, and their funding amounts do not total 10% of the required spending level for this year as the Act requires. The recommended set-aside amount ensures compliance with the Act.

C. Civil War Exhibit - Enhancement

The Annual Town Meeting in 2005 appropriated \$30,150 of Community Preservation funds "to restore the original Acton Memorial Library building so as to once again allow the display of Civil War era documents and artifacts" that the library had in storage. At that time, the Acton Memorial Library Trustees had committed \$4,000 of additional funding to this project.

The exhibit "Not Afraid to Go" opened on Patriots Day 2008 in the original wing of the library. However it is not fully completed.

This supplemental \$8,000 appropriation will provide for the following items to the exhibit:

- One additional audio station with programming (equipment and narration, recording, sound effects, editing, etc.).
- Replacing a failed computer that provides visitors with more in-depth information and databases on Civil War veterans.
- Added lighting in two currently under-lit areas of the exhibit.
- Enlargement of certain battle picture graphics.
- Improved signage leading to the exhibit.

D. Historic Streetscape Restoration - Shade Trees in Historic Districts

This project seeks to restore the historic streetscapes of the Acton Center, South Acton, and West Acton Historic Districts over a period of several years. The recommended \$10,000 appropriation will fund the planting of between 30 and 40 new public shade trees on publicly owned land, street rights of way, or on adjacent private properties as provided by Massachusetts General Law Chapter 87 where no public space is available. Care will be exercised to avoid planting trees in locations where they would interfere with future sidewalks. The Town anticipates an in-kind contribution for labor in the vicinity of \$20,000.

E. Wright-Holden Farmlands - MHC Area Form

This \$1,000 item will fund the preparation of a Massachusetts Historical Commission (MHC) “Area Form” by a professional preservation consultant for the farmhouse and approximately 55 acres of adjacent farmland at 58 Wetherbee Street. The property is located on the north side of Route 2 near the Concord town line. The property is on the Acton Cultural Resources List. The farmland is listed as a significant historic landscape in the 2006 Reconnaissance Survey and protected as open land by recent State legislative action. The Acton Historical Commission has applied for the funds because MHC requires the local Historical Commission to prepare the “Area Form”. The “Area Form” will compile all relevant historical information and is an essential tool for planning future preservation work and initiatives.

F. Town Cemeteries - National Register of Historic Places Listing

This item will help the Acton Historical Commission prepare nomination papers to be submitted to the National Park Service for the placement on the National Register of Historic Places of the Acton cemeteries: North Acton Cemetery on Carlisle Road, Woodlawn Cemetery on Concord Road, and Mount. Hope Cemetery on Central Street. National Register nomination of the cemeteries increases their profile, public knowledge of their historic value, and eligibility for State and Federal preservation grants when available. The \$14,000 project funding is recommended subject to favorable Massachusetts Historical Commission (MHC) findings of National Register eligibility of each cemetery. The Acton Historical Commission has already prepared and submitted draft eligibility statements currently under MHC review.

G. John Robbins House - Preservation Work

This \$42,075 historic preservation project would fund the roof replacements on the historic John Robbins House and its adjacent carriage house, and structural restoration work around the front door of the main building. The John Robbins House was built in 1800. It is one of Acton’s four “lottery houses”. Everything in the main building that is of historic or architectural significance is original. The house is part of the Historic New England Stewardship Program. It is on the National Register of Historic Places, and subject to a detailed preservation restriction held by the Society for the Preservation of New England Antiquities.

The current property owner is Bravery Realty Trust, Kimberly A. Powers, Trustee. Ms. Powers and Lawrence Powers operate the Powers Gallery in the building. The Powers have acquired the property from its former long-time owner (Nylanders) a few years ago and have since spent considerable monies to restore and maintain the building, and to adapt the building and property for commercial use without harming its historic integrity. Since this historic property is privately owned, funding of this project is recommended subject to receipt of an historic preservation restriction to be held by the Town of Acton. In addition, this funding recommendation is subject to receipt by the Town of a public easement on the property for non-motorized use connecting the future Bruce Freeman Rail Trail with Great Road.

H. Pre-development Funds for the Acton Housing Authority

The Acton Housing Authority proposes to construct new buildings for affordable rental housing for families below 80% of the area’s median income at the Housing Authority property on Sachem Way. This \$152,000 recommended appropriation is designated for a project on this site and will fund necessary pre-development planning and design work, including a feasibility study, architectural services, engineering, surveying, environmental study and designs, and legal and financial consulting services. The Executive Director of the Housing Authority estimates its in-kind contributions at \$20,000 for project coordination and oversight.

In response to concerns raised at the 2008 Annual Town Meeting, the Housing Authority invited all surrounding neighbors to two outreach meetings regarding this proposed project on May 7, 2008 and September 23, 2008, and held a site walk on February 28, 2009. Recognizing that their questions and concerns could not be addressed with complete certainty until the pre-development study is completed, the Housing Authority has an open invitation to the neighbors throughout the design committee process once Community Preservation funds have been secured to begin the design phase.

I. Capital Fund, Acton Housing Authority

The Acton Housing Authority owns and maintains 142 low-income housing units for families, the elderly, and persons with disabilities. Most of them were built in the 1980's and have reached the age when preservation work becomes necessary. This fund will support the Housing Authority with needed capital to perform such preservation work. High on the need list are roof replacements and significant structural restoration work on decks/porches at the 68 Windsor Avenue complex. The Housing Authority has received capital funding from Community Preservation funds in previous years to replace heating systems, roofs, gutters, windows, and doors, to install smoke eliminator equipment, and to do similar types of projects. The Housing Authority has other capital needs related to building maintenance work and upgrades that are not eligible under the Community Preservation Act as currently written. The recommended \$150,000 appropriation is limited for spending on preservation work projects. Any work project that the Housing Authority may wish to undertake shall be vetted by the Town for funding eligibility under the Act before any funds from this appropriation are committed to it.

J. Community Housing Program Fund

ACHC is requesting \$50,000 to be added to the existing Community Housing Program Fund, established in 2004, for "the acquisition, creation, preservation, and support of community housing in the Town of Acton."

The Program Fund is used to finance new affordable housing initiatives. This fund is retained by the ACHC for appropriate affordable housing activities recommended by the ACHC or any other entity approved by the Board of Selectmen.

The value of such a Housing Fund is in the broad definition for its use that allows the ACHC, or other affordable housing groups, to react to opportunities as they are identified and not to restrict it to specific projects or activities. The Program Fund is used only for allowable CPA affordable housing purposes to provide a diversity of affordable housing opportunities for Acton residents, their adult children, and employees who work for and in the Town, as well as new residents from outside of Acton.

With this request, ACHC proposes to continue current programs and initiate new ones. Current programs include the Condo Buy-Down program which began in 2007. This Program applies to existing housing units. The sellers receive a payment at the time of closing to lower (buy-down) the selling price to a pre-determined affordable level so the unit could be sold to income eligible households. In exchange, a deed restriction is placed on the property to keep the unit affordable into perpetuity and the unit is added to the Town's Subsidized Housing Unit Count. A second program allows ACHC to partner with the Acton Housing Authority to buy existing condo units for their low income rental program. A combination of CPA, Acton Housing Authority, and housing gift funds is used to fund these acquisitions. Two units were acquired in the past year for the Housing Authority.

ACHC has also developed a Down Payment and Closing Cost Assistance Program this year and has assisted 7 first time homebuyers to purchase deed restricted affordable housing units in Acton. Funds may be used for sponsorship of the First Time Homebuyer Courses, foreclosure prevention, and credit counseling programs. The ACHC is also prepared to assist with capital improvements when existing affordable housing units come up for resale.

K. Administrative and Operating Expenses

The recommended appropriation, \$59,080, is 5% of the FY 2008 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.

Direct inquiries to: Roland Bartl, AICP, Town Planner
planning@acton-ma.gov / (978) 264-9636
Selectman assigned: Peter J. Berry: bos@acton-ma.gov

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

ARTICLE 28 AMEND TOWN BYLAWS –
(Majority vote) **COMMUNITY PRESERVATION COMMITTEE**

To see if the Town will vote to amend Chapter S of the general Bylaws of the Town (the Community Preservation Committee Bylaw) as follows:

1. Delete the last paragraph of Section 1.1, which section defines the membership positions on the Community Preservation Committee, and replace it with the following new paragraph:

Three members at-large to be appointed by the Board of Selectmen who are residents of the Town of Acton, two members at-large to be appointed for one year and thereafter for a term of three years, and one member at-large to be appointed for two years and thereafter for a term of three years.

[The last paragraph of section 1.1 currently reads:

“Three members to be appointed by the Board of Selectmen who are citizens of the Town of Acton, two members to be appointed for one year and thereafter for a term of three years, and one member to be appointed for two years and thereafter for a term of three years.”]

2. Add a new Section 1.3 as follows:

In addition to the members of the Committee set forth in Section 1.1, the Committee may include up to two associate members who are residents of the Town of Acton. Associate members shall be appointed by the Board of Selectmen for one-year terms. The chairperson of the Committee may designate any such associate member to sit on the Committee for any particular matter(s) in the case of an absence, inability to act, or conflict of interest on the part of any member at-large, or in the event of a vacancy in a member at-large position on the Committee, until said vacancy is filled.

3. Delete section 2.2, which prescribes the election of officers of the Community Preservation Committee, and replace it with a new section 2.2 as follows:

At the first meeting of each fiscal year, the Committee shall elect a chairperson, a vice chairperson, and a clerk by majority vote. These officers shall not be associate members.

[Section 2.2 currently reads:

“At the first meeting of each fiscal year, the Committee shall elect a chairperson and a clerk by a majority vote.”]

Or take any other action relative thereto.

SUMMARY

The first proposed amendment classifies the Selectmen-appointed members of the Community Preservation Committee as “members at-large”. It also changes the citizenship requirement for committee members to a requirement for residency in the Town of Acton. The Board of Selectmen after careful legal review has recently adopted a policy that allows residents of Acton to serve on Boards and Committees who are not U.S. citizens. This change is consistent with the new policy.

The second proposed amendment authorizes the appointment of associate members to the Community Preservation Committee and their participation in Committee matters in the place of members at-large under the same conditions that the Town Charter allows for other town boards and commissions: absence, inability to act, conflict of interest, or vacancy.

The third proposed amendment authorizes the Committee to elect a vice chairperson, and specifies that officers shall not be associate committee members.

Direct inquiries to: Roland Bartl, Planning Director: planning@acton-ma.gov / (978) 264-9636
 Selectman assigned: Peter J. Berry: bos@acton-ma.gov

Recommendations:	<u>Board of Selectmen</u> Recommended	<u>Finance Committee</u> Not Recommended
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ARTICLE 29 * 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.

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

Recommendations:	<u>Board of Selectmen</u> Recommended	<u>Finance Committee</u> Recommended
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ARTICLE 30 * 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.

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) 264-9612
Selectman assigned: Andrew D. Magee: bos@acton-ma.gov

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

ARTICLE 31 * 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.

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) 264-9612
Selectman assigned: Peter J. Berry: bos@acton-ma.gov

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

ARTICLE 32 * 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.

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) 264-9612
Selectman assigned: Terra Friedrichs: bos@acton-ma.gov

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

ARTICLE 33 * 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.

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) 264-9612
Selectman assigned: Andrew D. Magee: bos@acton-ma.gov

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

ARTICLE 34 * 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.

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) 264-9612

Selectman assigned: Peter J. Berry: bos@acton-ma.gov

Recommendations:	<u>Board of Selectmen</u> Recommended	<u>Finance Committee</u> Recommended
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ARTICLE 35 * 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.

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) 264-9612

Selectman assigned: Andrew D. Magee: bos@acton-ma.gov

Recommendations:	<u>Board of Selectmen</u> Recommended	<u>Finance Committee</u> Recommended
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ARTICLE 36 * 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.

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) 264-9622
Selectman assigned: Terra Friedrichs: bos@acton-ma.gov

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

ARTICLE 37 * ACCEPT TRAIL EASEMENT – BRUCE FREEMAN RAIL TRAIL
(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 a deed of an easement interest for purposes of establishing and maintaining a paved trail for public non-motorized use and emergency vehicle access, on such terms and conditions as the Selectmen may determine, on, across, over, and/or under land owned by The Bravery Realty Trust and located at 144 Great Road in Acton. Said easement is shown as a “20-foot Wide Pedestrian Easement” on a plan of land entitled “Plan of Land in Acton, Massachusetts (Middlesex County) for: The Bravery Realty Trust, scale: 1” = 20’, June 10, 2008” that is on file with the Acton Planning Department and recorded in the Middlesex South District Registry of Deeds as Plan No. 69 of 2009. 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.

SUMMARY

The easement would provide public access and passage over land at 144 Great Road connecting the Executive Office of Transportation (formerly Penn Central) railroad right of way that is the route of the planned Bruce Freeman Rail Trail with Great Road at a location opposite from the Brookside Shops. The property at 144 Great Road is owned by The Bravery Realty Trust and the site of the Powers Gallery.

Direct inquiries to: Roland Bartl, Planning Director: planning@acton-ma.gov / (978) 264-9636
Selectman assigned: Andrew D. Magee: bos@acton-ma.gov

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

ARTICLE 38 * ACCEPT TRAIL EASEMENT – BAY CIRCUIT TRAIL
(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 a deed of an easement interest for purposes of establishing and maintaining a trail for public non-motorized use, on such terms and conditions and in a final location or locations as the Selectmen may determine, on, across, over, and/or under a strip of land at 908 Main Street in Acton between parcels 6 and 8 shown on page C-5 of the 2007 edition of the Acton Town Atlas, 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.

SUMMARY

The easement would provide passage over land owned by RRV, LLC (Stephen F. Vazza) for the Bay Circuit Trail between Main Street and the EOT (formerly Penn Central) railroad right of way. The railroad right of way is the planned route of the Bruce Freeman Rail Trail, which coincides north of the proposed easement with the planned Bay Circuit Trail.

Direct inquiries to: Roland Bartl, Planning Director: planning@acton-ma.gov / (978) 264-9636
Selectman assigned: Andrew D. Magee: bos@acton-ma.gov

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

ARTICLE 39 * AMEND TOWN BYLAWS –
(Majority vote) **NON-CRIMINAL DISPOSITION FOR ZONING BYLAW**

To see if the Town will vote to amend Chapter E of the General Bylaws of the Town by deleting paragraph 19 of Chapter E, Section E45 (Non-Criminal Disposition) and replacing it as follows:

“Chapter M – Zoning Bylaw; enforcing persons: Zoning Enforcement Officer. Fine: \$300 for each offense. Each day that a violation continues shall constitute a separate offense.”

[Note – this paragraph currently reads:

Chapter M - Zoning Bylaw; enforcing person – Zoning Enforcement Officer – Fine \$25.00 first offense; \$50.00 second offense; \$100.00 each subsequent offense.]

, or take any other action relative thereto.

SUMMARY

This housekeeping amendment of the General Bylaws corrects the reference for fines for zoning violations to be consistent with Section 11.1.2 in the body of the Zoning Bylaw which states: “Violation of this Bylaw shall be punishable by a fine of \$300.00 for each offense. Each day that such violation continues shall constitute a separate offense.”

Direct inquiries to: Roland Bartl, Planning Director: planning@acton-ma.gov / (978) 264-9636
Selectman assigned: Lauren S. Rosenzweig: bos@acton-ma.gov

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

ARTICLE 40 * REDEMPTION OF PARCELS IN TAX TITLE FORECLOSURE
(Majority vote)

To see if the Town will vote to authorize the Treasurer to enter into written installment payment agreements with persons claiming an interest in parcels in tax title foreclosure for the redemption of any such parcels on terms and conditions as the Treasurer may determine in the Treasurer’s reasonable discretion, subject to approval of the Land Court in accordance with the requirements of Massachusetts General Laws Chapter 60, Section 68.

or take any other action relative thereto.

SUMMARY

This article would implement Massachusetts General Laws Chapter 60, Section 68 which statute grants the Town Treasurer the authority to enter into written installment payment agreements with taxpayers whose properties are subject to tax title foreclosure in Land Court. The adoption of this article and the rights it confers on the Town Treasurer will facilitate the payment of the past due taxes on these properties and help prevent the properties from being foreclosed on by the Town and sold at auction.

Direct inquiries to: John Murray, Treasurer: jmurray@acton-ma.gov / (978) 264-9612
Selectman assigned: Peter J. Berry: bos@acton-ma.gov

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

ARTICLE 41 * AMEND TOWN BYLAWS – REDEMPTION OF PARCELS IN TAX TITLE FORECLOSURE BY INSTALLMENT PAYMENT AGREEMENT
(Majority vote)

To see if the Town will vote to amend Chapter B (“Town Agencies and Officers”) of the General Bylaws of the Town by adding a new Section B22 entitled “Tax Title Payment Plans” as follows:

The Treasurer shall have the authority to enter into written installment payment agreements with persons entitled to redeem parcels in tax title on such terms and conditions as the Treasurer may determine in the Treasurer’s reasonable discretion and in accordance with Massachusetts General Laws Chapter 60, Section 62A. This bylaw shall apply to all taxpayers with parcels in tax title in the Town of Acton. All installment payment agreements shall comply with the following minimum requirements:

1. The installment payment agreement shall have a maximum term of five (5) years;
2. The installment payment agreement may include a waiver of up to 50% of the interest that has accrued in the tax title account, but only if the taxpayer complies with the terms of the agreement (no taxes or collection costs may be waived); and
3. The installment payment agreement must state the amount of the payment due from the taxpayer at the time of execution of the agreement, which must be at least 25% of the amount needed to redeem the parcel at the inception of the agreement.

or take any other action relative thereto.

ARTICLE 43 * AMEND ZONING BYLAW –
(Two-thirds vote) **CORRECTIONS, CLARIFICATIONS AND MINOR AMENDMENTS**

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

1. In Section 1 (Authority, Purpose, Definitions and Applicability) delete the lead paragraph of section 1.4 and replace it with a new paragraph as follows:

1.4 Applicability - All LOTS and parcels of land in the Town of Acton and all BUILDINGS, STRUCTURES and other improvements thereon shall be subject to the regulations, restrictions and requirements established in this Bylaw. Except when specifically referred to or stated otherwise, this Bylaw shall not apply to STREETS and appurtenances and easements thereto; to railroad rights of way; to public bicycle, pedestrian, and multi-use paths funded, laid out, or constructed by the Town of Acton, the Commonwealth of Massachusetts, or the Federal Government; or to any BUILDING, STRUCTURE or USE of land, including grading, filling, and excavating, which is associated with a public sewer collection system owned or operated by the Town of Acton.

*[Note: The lead paragraph of section 1.4 currently reads as follows:
1.4 Applicability - All LOTS and parcels of land in the Town of Acton and all BUILDINGS, STRUCTURES and other improvements thereon shall be subject to the regulations, restrictions and requirements established in this Bylaw. Except when specifically referred to or stated otherwise, this Bylaw shall not apply to STREETS, appurtenances and easements thereto, to railroad rights of way, or to any BUILDING, STRUCTURE or USE of land, including grading, filling, and excavating, which is associated with a public sewer collection system owned or operated by the Town of Acton.]*

2. In Section 3.5.14 (Use Definition of Building Trade Shop) insert before “or similar occupation” the following:

”building cleaning service, ”.

[Note: Section 3.5.14 currently reads as follows:

3.5.14 Building Trade Shop – An establishment for use by the practitioner of a building trade such as a carpenter, welder, plumber, electrician, builder, mason, landscaping contractor, lawn care service, or similar occupation.]

And insert in the table of Section 5.5A.1 (Maximum Floor Area of Businesses and Industries in Village Districts) the following footnote (1) in line 3.5.14 Building Trade Shop and columns NAV, SAV, and WAV:

(1) The maximum NET FLOOR AREA for building cleaning services shall be 3,000 square feet.

3. In section 10.6 (Outdoor Lighting Regulations for Site Plan Special Permits), insert in the 2nd line of subsection 10.6.2.2.a), the word “additionally” before the word ‘SHIELDED’.

[Note: Sub-section 10.6.2.2.a) currently reads:

10.6.2.2.a) Any LUMINAIRE whose distance from a LOT line is less than three times its height (3xH) shall be SHIELDED so that all DIRECT LIGHT cast in the direction of STREETS, or abutting LOTS that are in Residential or Conservation USE, is cut off at an angle no more than 70 degrees measured from a vertical line directly below the LUMINAIRE (Figure 2). This requirement shall apply to all sides of the LUMINAIRE that emit light toward a LOT line that is less than 3xH away from the LUMINAIRE. The cut-off may be accomplished either by the LUMINAIRE photometric properties, or by a supplementary external shield.]

, or take any other action relative thereto.

SUMMARY

Part 1 – Streets, railroad rights of way, and facilities and infrastructure associated with the Town’s public sewer collection system are generally exempt from zoning regulations. This will add public bicycle, pedestrian, and multi-use paths to the list of exempt infrastructure facilities.

Part 2 – Building trade shops as a land use category of the Zoning Bylaw includes carpenters, welders, plumbers, electricians, landscape contractors and similar occupations, and are allowed in most village, business, and office districts, and in all industrial districts. This change would define building cleaning services as an occupation or business within the use category of building trade shops and limit the size of building cleaning services to 3,000 square feet of building net floor area in the North -, South -, and West Acton Village Districts.

Part 3 – This amendment clarifies that the shielding required in this subsection is in addition to other shielding otherwise required in section 10.6.

Direct inquiries to: Roland Bartl, AICP, Planning Director: planning@acton-ma.gov / (978) 264-9636
Selectman assigned: Lauren S. Rosenzweig: bos@acton-ma.gov

Recommendations:	<u>Board of Selectmen</u> Recommended	<u>Finance Committee</u> Recommended	<u>Planning Board</u> Recommended
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ARTICLE 44 **ACCEPT SIDEWALK EASEMENTS AND**
(Two-thirds vote) **STREET RELOCATION AND LAYOUT**

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 Prospect Street, High Street and Main 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 and relocate a portion of Main Street, by acquiring and/or taking parcels 2C, 2D, and 4A, and by discontinuing, abandoning and/or conveying, as necessary, parcel 1A, on a plan all as further described below, to accept a deed of a fee simple or easement interest, 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:

A. Prospect Street (from Central Street to Main Street):

1. Land n/f of Thomas and Jana Bull of 21 Central Street (Town Atlas Map G-2A Parcel 51),
2. Land n/f of Richard Paul and Phyllis C. Bursaw of 16 Prospect Street (Town Atlas Map G-2A Parcel 31-1),
3. Land n/f of From Karen B.V. Dutton of 18 Prospect Street (Town Atlas Map G-2A Parcel 31),
4. Land n/f of Brian H. and Cydney R. Cotter of 22 Prospect Street (Town Atlas Map G-2A Parcel 24),
5. Land n/f of Michael A. Euele and Diann M. Oster of 28 Prospect Street (Town Atlas Map G-2A Parcel 19),
6. Land n/f of Jason Temple of 34 Prospect Street (Town Atlas Map G-2A Parcel 11),

7. Land n/f of Robert N. and Lisa K. Fitzgerald of 38 Prospect Street (Town Atlas Map G-2A Parcel 6),
8. Land n/f of Thomas E. and Charlotte E. Wetherbee of 44 Prospect Street (Town Atlas Map G-2A Parcel 7),
9. Land n/f of Jay A. and Barbara B. Estabrook of 50 Prospect Street (Town Atlas Map G-2A Parcel 3),
10. Land n/f of Michael Story Bush of 54 Prospect Street (Town Atlas Map G-2A Parcel 1),
11. Land n/f of Geraldo O. Miranda of 60 Prospect Street (Town Atlas Map G-2 Parcel 151),

B. High Street (from Parker Street to Dunham Lane):

1. Land n/f of Michael and Sharen Crooks of 192 Parker Street (Town Atlas Map I-3 Parcel 133),
2. Land n/f of Gerald Nadler and Lorraine Ledford of 230 High Street (Town Atlas Map I-3 Parcel 134),
3. Land n/f of Don & Gayle Johnson of 1 Cindy Lane, an easement along their entire frontage on High Street for 1 Cindy Lane, 236 High Street and Cindy Lane (Town Atlas Map I-3 Parcels 134-1 and 144, respectively),
4. Land n/f of Nancy W. Rader of 248 High Street (Town Atlas Map J-3 Parcel 7),

C. High Street (from Audubon Hill Emergency Access to 46 High Street):

1. Land n/f of the Audubon Hill North Condominium (Town Atlas Map H-3A Parcel 59),
2. Land n/f of Vesa M. and Miriam J. Kuosmanen of 30 High Street (Town Atlas Map H-3A Parcel 58),
3. Land n/f of Royce A. and Susanne J. Fuller of 40 High Street (Town Atlas Map H-3B Parcel 10),
4. Land n/f of Mary D. and Marc A. Kuta of 46 High Street (Town Atlas Map H-3B Parcel 18),

D. Main Street (from Post Office Square to Great Road):

1. Land n/f of the Acton Water District Land (Town Atlas Map E-4 Parcel 4) as shown on a plan entitled "Easement Plan of Land, Main Street (Route 27) in Acton, Massachusetts as Laid Out by Order of the Board of Selectmen, 2008", Scale 1"=40'".
2. To acquire and/or take Parcel 2C as shown on a plan entitled "Plan of the Relocation of a Portion of Main Street (Route 27) in Acton, Massachusetts, as Laid Out by Order of the Board of Selectmen, 2008", containing approximately 3,191 square feet, more or less, of land owned by Brewster Conant.
3. To acquire and/or take Parcel 2D as shown on a plan entitled "Plan of the Relocation of a Portion of Main Street (Route 27) in Acton, Massachusetts, as Laid Out by Order of the Board

of Selectmen, 2008”, containing approximately 2,855 square feet, more or less, of land owned by Brewster Conant.

4. To acquire and/or take Parcel 4A as shown on a plan entitled “Plan of the Relocation of a Portion of Main Street (Route 27) in Acton, Massachusetts, as Laid Out by Order of the Board of Selectmen, 2008”, containing approximately 7,093 square feet, more or less, of land owned by Brewster Conant.
5. And to discontinue, abandon, and/or convey whatever right, title and interest the Town may have in a portion of the 1927 County Layout of Main Street (Route 27) on the northerly side of Main Street opposite Brook Street shown as Parcel 1A on a plan entitled “Plan of the Relocation of a Portion of Main Street (Route 27) in Acton, Massachusetts, as Laid Out by Order of the Board of Selectmen, 2008”, containing approximately 5,810 square feet, more or less, of land.

The acquisition and discontinuance of the above-mentioned Main Street parcels will reconfigure this portion of the town way known as Main Street at the intersection of Brook Street, as laid out and relocated by the Board of Selectmen according to said Plan and as described in more detail in the Order of Layout and Relocation,

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.

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. The sidewalk along High Street between Parker Street and Dunham Lane has already been constructed with the consent of these abutting property owners and the easements are being voted on retroactively.

The relocation and layout of Main Street is necessary in order to construct a proposed sidewalk on the northbound side of Main Street from Post Office Square to Great Road. The current owner of the land along Main Street (Route 27) has generously offered to convey Parcel 2C, 2D & 4A to the Town for incorporation into the public right of way of Main Street. The Town would also abandon a portion of the existing layout of Main Street shown as Parcel 1A and convey the ownership to the abutting property owner.

Direct inquiries to: Bruce M. Stamski, P.E., Town Engineer / Director of Public Works
engineering@acton-ma.gov / (978) 264-9628

Selectman assigned: Paulina S. Knibbe: bos@acton-ma.gov / (978) 264-9611

Recommendations:	<u>Board of Selectmen</u> Recommended	<u>Finance Committee</u> Recommended
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ARTICLE 45 SCHOOL STREET PLAYING FIELDS LEASE

(Majority vote)

To see if the Town will vote to authorize the Board of Selectmen to enter into a lease, for one dollar a year and on such other terms and conditions as the Selectmen may determine, of approximately 14.6 acres of open space farmland located within the southerly portion of Lot 6 on Acton’s Assessors Map H-4, which land is shown on plans that are on file with the Town Manager’s office, as provided in Chapter 286 of the Acts of 2008;

or take any other action relative thereto.

SUMMARY

This article would enable the Board of Selectmen to enter into a lease for the School Street playing fields.

Direct inquiries to: Steven L. Ledoux, Town Manager: manager@acton-ma.gov / (978) 264-9612
Selectman assigned: Andrew D. Magee: bos@acton-ma.gov / (978) 264-9611

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

**ARTICLE 46 SCHOOL STREET PLAYING FIELDS MITIGATION
UTILIZING WETHERBEE LAND**

(Majority vote)

To see if the Town will vote to authorize the Board of Selectmen to utilize Lot 173 on Acton Assessor’s Map G-4, also known as the Wetherbee land, for any agricultural mitigation that is necessary in return for the School Street playing fields lease as required under Chapter 286 of the Acts of 2008 and to restrict that land as necessary for such mitigation;

or take any other action relative thereto.

SUMMARY

This article would permit the Board of Selectmen to fulfill the Town’s requirements for mitigation of agricultural soils associated with the School Street playing fields lease with the Wetherbee land.

Direct inquiries to: Steven L. Ledoux, Town Manager: manager@acton-ma.gov / (978) 264-9612
Selectman assigned: Andrew D. Magee: bos@acton-ma.gov / (978) 264-9611

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

ARTICLE 47 **AMEND TOWN BYLAWS – DEMOLITION OF HISTORICALLY OR ARCHITECTURALLY SIGNIFICANT BUILDINGS**
(Majority vote)

To see if the Town will vote to amend Chapter N of the General Bylaws of the Town, Procedure for the Demolition of Historically or Architecturally Significant Buildings, as set forth below, or take any other action relative thereto:

Section N3, SubSection 3.1:

Delete the word “Upon” at the beginning of the first sentence and replace with the words “Within seven (7) days of”;

Add a new sentence between the first sentence and the second sentence as follows:

“The Building Commissioner shall also notify the Commission (by email or similarly expedient means) when such a permit has been sent to the Commission for consideration.”

Section N3, SubSection 3.1:

Delete the words “seven (7)” in the first sentence and replace with the words “fourteen (14)”.

Section N3, SubSection 3.3:

Delete the words “fifteen (15)” in the second sentence and replace with the words “ten (10)”.

Section N3, SubSection 3.5:

Delete the words “twenty one (21)” in the first sentence and replace with the words “ten (10)”;

Delete the words “at least six (6)” in the first sentence and replace with the words “eighteen (18)”;

Before the period at the end of the paragraph, add the words: “for any significant building that falls into one of the categories identified in Section 2.3.a. of this bylaw, or until twelve (12) months after the date of such determination by the Commission for any significant building that falls into one of the categories identified in Sections 2.3.b. or 2.3.c. of this bylaw”.

Section N4, SubSection 4.2:

Delete the words “two (2)” in the first sentence and replace with the words “three (3)”;

Before the period at the end of the first sentence, add the words: “, unless authorized by the Commission pursuant to Section 4.4”.

Section N4, (new) SubSection 4.4:

Add a new SubSection 4.4 as follows:

4.4 At any time, the owner of property on which a significant building has been voluntarily demolished in violation of Sections 4.2 or 4.3 of this bylaw can apply in writing to the Commission for an exemption to the provisions of Sections 4.2 or 4.3, such application to state with particularity the facts and circumstances to prove to the Commission that an exemption is warranted due to (i) exigent circumstances or disasters beyond the owner’s (and, if different than the owner, the permit applicant’s) control, or (ii) documentation

evidencing the owner's intent to complete a faithful restoration of the demolished building. The Commission may in its discretion determine that the written request states sufficient grounds for exemption from the provisions of Sections 4.2 or 4.3 and authorize an exemption from this bylaw. Any exemption granted pursuant to this Section 4.4 shall apply only to the voluntary demolition for which the owner submitted a written exemption request, and not for any subsequent voluntary demolition to which this bylaw would otherwise apply.

Section N7:

Add a new Section N7, as follows:

N7. Severability

The sections, paragraphs, sentences, clauses and phrases of this bylaw are severable, and if any phrase, clause, sentence, paragraph or section of this bylaw shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrase, clauses, sentences, paragraphs and sections of this bylaw.

SUMMARY

This Article seeks to amend existing Chapter N of the Town Bylaws (Demolition Delay) in order to:

1. Make time frames in the Bylaw clear and consistent,
2. Extend the possible demolition delay period from 6 months to 12 months (18 months for properties listed on the National Register of Historic Places) to ensure adequate time for the permit applicant and the Historical Commission to evaluate alternatives to the demolition of buildings of historical and cultural significance, and
3. Extend the delay period for voluntary demolitions in violation of the Bylaw, but also afford landowners the opportunity for a release from such delay if the violation has been redressed or was caused by forces outside the owner's control.

The changes balance the interest of landowners and developers who require predictable deadlines and timetables and the ability to avoid undue delays, with the Town's interest in preserving its valuable cultural and historical resources. The suggested change is in keeping with updated State recommendations for delay periods, and at present at least 30 other towns in the Commonwealth have a demolition delay of 12 months or longer.

Direct inquiries to: Acton Historical Commission: HC@acton-ma.gov

Selectman assigned: Terra Friedrichs: bos@acton-ma.gov

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

ARTICLE 48 **AMEND TOWN BYLAWS – QUORUM FOR THE**
(Majority vote) **COMMISSION ON DISABILITIES**

To see if the Town will vote to amend Chapter B of the General Bylaws of the Town to add the following Section B22:

B22. Commission on Disabilities

22.1 This Commission on Disabilities shall consist of nine (9) members, appointed by the Board of Selectmen, each serving a three (3) year term, pursuant to Charter § 4-2.

22.2 A quorum of the Commission on Disabilities shall consist of at least three (3) members in attendance. The Commission on Disabilities shall act by a majority vote of its members present; provided however, that if only a quorum of three (3) members is present, the vote must be unanimous to carry.

or take any other action relative thereto.

SUMMARY

This article defines a quorum needed for the Commission on Disabilities to meet and conduct business. Rather than defining a quorum as a majority of its members (namely five) – which is often difficult to achieve given the composition of the Commission on Disabilities - the Bylaw defines a quorum as three (3) members in attendance. However, if only a quorum of three members is in attendance, then any action by the Commission on Disabilities requires a unanimous vote. In this way, the quantum of vote needed to act is the same number of members as if the quorum were five members.

Direct inquiries to: Steven L. Ledoux, Town Manager: manager@acton-ma.gov / (978) 264-9612
Selectman assigned: Terra Friedrichs: bos@acton-ma.gov

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

Please note: To accommodate the schedule of Appeals Court Justice Kass (ret.), the following two Articles are planned to be taken up as the first items on Monday, April 13th at 7:00 PM.

ARTICLE 49 SEWER BETTERMENT ABATEMENT FUNDING

(Two-thirds vote)

To see if the Town, acting pursuant to General Bylaw § D10(1), will allocate to taxpayers at large, raise and appropriate or appropriate from available funds, and annually transfer to the sewer enterprise fund, a sum of money sufficient to cover, all or any portion of any sewer betterment abatement together with interest and costs thereon granted or ordered in connection with the matter *W.R. Grace & Co.-Conn. v. Lauren Rosenzweig, et al.*, Middlesex Superior Court C. A. No. MICV-2006-01587, or take any other action relative thereto.

SUMMARY

W.R. Grace & Co.-Conn. has filed litigation seeking a significant sewer betterment abatement with respect to the following parcels of land owned by Grace, with frontage on the following sewer streets:

MAP	LOT	ACRES	SBU's	BETTERMENT	FRONTAGE
I3	135	2.990	2.60	\$32,009.94	Independence Rd.
I4	5	130.000	254.83	\$3,137,343.53	Independence Rd.
I4	6	0.283	0.62	\$7,633.14	Independence Rd.
I4	7	1.350	2.94	\$36,195.86	Independence Rd.
H3	251	8.110	17.66	\$217,421.37	Parker Street
I3	4	9.110	18.85	\$232,072.15	Parker Street
Total		151.843	297.5	\$3,662,675.99	

Unlike real estate tax abatement proceedings (where the Town has a statutorily prescribed “overlay” of funds to cover any abatement that may be granted), the Town has no overlay to fund any administrative, mediated, or judicial resolution of this case.

After two days of intense mediation under the auspices of Ret. Justice Rudolph Kass, the Board of Selectmen and W.R. Grace & Co.-Conn. have arrived at a tentative settlement, subject to Town Meeting approval, to resolve the betterment abatement litigation without the significant expense and risk of a trial. The main components of the tentative settlement are:

- Grace will be obligated to pay a total betterment of \$2.166 million on 151.843 acres of undeveloped property in South Acton, regardless of whether that property is ever developed and regardless of whether that property is ever tied into the public sewer.
- Grace will be credited with a net abatement of \$1.5 million, the precise funding to be calculated based on the method of allocation selected by Town Meeting described below.
- Of the 297.5 Sewer Betterment Units (SBU) originally assessed to Grace’s property, the Town will take back between 121.84 and 139.54 SBUs, depending on the method of allocation described below.
- Those SBUs will then be available for future sewer expansion in other priority sewer needs areas of the Town.
- To the extent any future development of Grace’s bettered property uses the public sewer, the density of that development will be limited by the SBUs retained by Grace: such a development cannot utilize more sewer capacity than the non-abated SBUs allow, without the consent of the Selectmen and without paying an additional sewer privilege fee for each additional SBU needed.
- In addition, Grace will grant to the Town, acting by and through the Board of Selectmen and the Conservation Commission, (a) a perpetual Conservation Restriction on 15.3± acres of natural,

forested land owned by Grace, located north of the MBTA tracks, which has never been the site of Grace's industrial activities, and (b) a pedestrian access easement from Laws Brook Road over a Grace-owned strip of land allowing the public to access the conservation restricted land for passive recreation purposes.

Town Meeting must determine whether or not to approve the tentative settlement by determining how the abatement will be funded. There are two basic options:

1. The Town will cover cost of the abatement out of general revenues. As the abated sewer betterment units are used and paid for elsewhere in Town, those recovered amounts will, subject to Town Meeting's direction, be returned to the general fund.
2. The Town will re-determine the cost of each sewer betterment unit in the existing sewer district, and charge each bettered property an increased betterment to cover the cost of the SBUs removed from the Grace property under the settlement.

If Town Meeting does not approve the settlement, court proceedings will resume and the case will be tried in the relatively near future to an uncertain and potentially far more costly outcome. In any such trial, the Court will have the authority to order any abatement it deems appropriate; however, the Court will not have the power to require Grace to grant a Conservation Restriction to the Town.

The Selectmen have unanimously approved the settlement agreement.. A majority of the Selectmen recommend article 49. There will be a frequently asked questions on the Town web site, www.acton-ma.gov, beginning Wednesday, March 18. There will be a public discussion session held by the Board of Selectmen on Tuesday, March 24 at 7 PM in the Faulkner Room of Town Hall.

Direct inquiries to: Steven L. Ledoux, Town Manager: manager@acton-ma.gov / (978) 264-9612
Selectman assigned: Paulina S. Knibbe: bos@acton-ma.gov

Recommendations:	<u>Board of Selectmen</u> Recommended	<u>Finance Committee</u> Recommended
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ARTICLE 50 REDETERMINATION OF UNIFORM SEWER BETTERMENT UNIT
(Majority vote)

To see if the Town will authorize the Board of Selectmen acting as the Town's Sewer Commissioners to redetermine pursuant to G.L. c. 83, § 15A the uniform unit fixed under G.L. c. 83, § 15 charged for the existing and potential sewer units served by the construction of the Middle Fort Pond Brook Sewer District plant, system and infrastructure, to fund all or any portion of any sewer betterment abatement together with interest and costs thereon granted or ordered in connection with the matter *W.R. Grace & Co.-Conn. v. Lauren Rosenzweig, et al.*, Middlesex Superior Court C. A. No. MICV-2006-01587, and to assess, order, determine, certify, commit and cause to be collected the same in the manner prescribed by law, or take any other action relative thereto.

SUMMARY

Please refer to the summary provided under Article 49.

Direct inquiries to: Steven L. Ledoux, Town Manager: manager@acton-ma.gov / (978) 264-9612
Selectman assigned: Paulina S. Knibbe: bos@acton-ma.gov

Recommendations:	<u>Board of Selectmen</u> Deferred	<u>Finance Committee</u> Deferred
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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 twelfth day of March, 2009.

Lauren S. Rosenzweig, Chair
Paulina S. Knibbe, Vice-Chair
Andrew D. Magee, Clerk
Peter J. Berry
Terra Friedrichs

Board of Selectmen

A true copy, Attest:



Constable of Acton

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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 night – TOWN MEETING.

Don MacKenzie
Town Moderator

Internet References

Official Town of Acton Web Site	http://www.acton-ma.gov
Document Management System (“DocuShare”)	http://doc.acton-ma.gov

The Town maintains electronic mail (“E-mail”) distribution groups for all Boards, Committees and Commissions, as well as Departments. These groups are commonly referred to as “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 right-hand 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.

Acton Community Housing Corporation	achc@acton-ma.gov
Acton Leadership Group	alg@acton-ma.gov
Acton-Boxborough Cultural Council	abcc@acton-ma.gov
Appeals, Board of	boa@acton-ma.gov
Assessor Department	assessor@acton-ma.gov
Assessors, Board of	bas@acton-ma.gov
Building Department	building@acton-ma.gov
Cable Advisory Committee	cac@acton-ma.gov
Cemetery Department	cemetery@acton-ma.gov
Citizens' Library Department, West Acton	wacl@acton-ma.gov
Clerk Department, Town	clerk@acton-ma.gov
Collector Department	collector@acton-ma.gov
Commission on Disability	cod@acton-ma.gov
Community Preservation Committee	cpc@acton-ma.gov
Conservation Commission	conscom@acton-ma.gov
Council on Aging	coa@acton-ma.gov
Council on Aging Department (Senior Center)	seniorcenter@acton-ma.gov
Design Review Board	drb@acton-ma.gov
Economic Development Committee	edc@acton-ma.gov
Economic Development Industrial Corporation	edic@acton-ma.gov
Emergency Management Agency, Acton	ema@acton-ma.gov
Engineering Department	engineering@acton-ma.gov
Finance Committee	fincom@acton-ma.gov
Finance Department	finance@acton-ma.gov
Fire Department	fire@acton-ma.gov
Green Advisory Board	gab@acton-ma.gov

Health, Board of	boh@acton-ma.gov
Health Department	health@acton-ma.gov
Health Insurance Trustees	hit@acton-ma.gov
Highway Department	highway@acton-ma.gov
Historic District Commission	hdc@acton-ma.gov
Historical Commission	hc@acton-ma.gov
Human Resources Department	hr@acton-ma.gov
Information Technology Department	it@acton-ma.gov
Land Stewardship Committee	lsc@acton-ma.gov
Manager Department, Town	manager@acton-ma.gov
Memorial Library Department	library@acton-ma.gov
Memorial Library Trustees	mlt@acton-ma.gov
Municipal Properties Department	mp@acton-ma.gov
Natural Resources Department	nr@acton-ma.gov
Nursing Department	nursing@acton-ma.gov
Open Space Committee	osc@acton-ma.gov
Outdoor Lighting Education Committee	olec@acton-ma.gov
Outreach Steering Committee	outreach@acton-ma.gov
Parking Clerk	parkingclerk@acton-ma.gov
Planning Board	pb@acton-ma.gov
Planning Department	planning@acton-ma.gov
Police Department	police@acton-ma.gov
Public Ceremonies Committee	pcc@acton-ma.gov
Recreation Commission	reccom@acton-ma.gov
Recreation Department	recreation@acton-ma.gov
School Committee, Acton-Boxborough Regional	abrsc@acton-ma.gov
School Committee, Acton Public	apsc@acton-ma.gov
Selectmen, Board of	bos@acton-ma.gov
Senior Center Expansion Advisory Committee	sceac@acton-ma.gov
Senior Taxation Aid Committee	stac@acton-ma.gov
Sewer Action Committee	sac@acton-ma.gov
Sidewalk Committee	sidewalks@acton-ma.gov
South Acton Commuter Rail Task Force	sacrftf@acton-ma.gov
South Acton Parking Deck Advisory Committee	deck@acton-ma.gov
Town Report Committee	trc@acton-ma.gov
Transportation Advisory Committee	tac@acton-ma.gov
Treasurer's Advisory Committee	trac@acton-ma.gov
Veterans Service Officer	vso@acton-ma.gov
Volunteer Coordinating Committee	vcc@acton-ma.gov
Wastewater Advisory Communications Task Force	wactf@acton-ma.gov
Water Resources Advisory Committee	wrac@acton-ma.gov

Volunteer Application



Town of Acton
472 Main Street
Acton, MA 01720
E-mail vcc@acton-ma.gov
Telephone: (978) 264-9612
Fax: (978) 264-9630

Volunteer Coordinating Committee

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 refer to the other side of this sheet and 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.:

Town of Acton Volunteer Boards, Committees and Commissions

Acton Boxborough Cultural Council	MAGIC/MAPC
Acton Community Housing Corporation	MBTA Advisory Board
Board of Appeals	Metropolitan Area Planning Committee
Board of Assessors	Minuteman Home Services
Board of Health	Minuteman Regional Technical High School
Board of Registrar of Voters	No Place for Hate
Cable Advisory Committee	Nursing Services Professional Advisory Committee
Cemetery Commission	Open Space and Recreation Advisory Committee
Commission on Disabilities	Outdoor Lighting Education Committee
Community Preservation Committee	Planning Board
Comprehensive Community Plan Outreach Committee	Public Ceremonies Committee
Conservation Commission	Recreation Commission
Council on Aging	Senior Center Expansion Advisory Committee
Design Review Board	Senior/Disabled Taxation Aid Committee
Economic Development Committee	Sewer Action Advisory Committee
Finance Committee	Sidewalk Committee
Fire & EMT Needs Task Force	South Acton Parking Deck Advisory Committee
Green Advisory Board	Transportation Advisory Committee
Historical Commission	Treasurer's Investment Advisory Committee
Historic District Commission	Volunteer Coordinating Committee
Land Stewardship Advisory Committee	Water District-Land Management Advisory Committee
Lowell Regional Transit	

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, (978) 264-9612.

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	

Proposed Town Meeting Booklet

As I have previously mentioned at Town Meetings, I plan to put together a series of thoughts or vignettes on Town Meeting during the latter part of the Twentieth and the first years of the Twenty-First Centuries. No such work presently exists, and I'll need your help.

I'd very much appreciate your writing a few thoughts on Town Meeting – the “good” or the “less than good” about the process, a fond (particularly humorous) memory, a good or otherwise decision made, or anything in general you'd like to have included and be attributed to you in the booklet.

Please mail your submission to me at 12 Wilson Lane, Acton. I'd like to receive 100 or more different ideas for inclusion. Thank you.

Don MacKenzie
Town Moderator

Thoughts or Comments on Town Meeting

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(Please continue on reverse side)

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**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**