



**TOWN CLERK**

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

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**ARTICLE 19**            **COMMUNITY PRESERVATION PROGRAM –**  
(Two-thirds vote)    **OPEN SPACE ACQUISITION, WRIGHT HILL**

To see if the Town will vote to:

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

conservation land acquisition, and to transfer, appropriate and expend any said amount so received consistent with this article;

(g) authorize and direct the Board of Selectmen to impose a perpetual Conservation Restriction on the open space so acquired, in accordance with M.G.L. c. 44B, § 12(a) and M.G.L. c. 184, §§ 31-33, on such terms and conditions as the Selectmen may determine (the "Conservation Land");

(h) authorize and direct the Board of Selectmen in accordance with M.G.L. c. 44B, § 12(b), to delegate the management of the Conservation Land to the Conservation Commission subject to the perpetual Conservation Restriction as aforesaid; and

(i) authorize the Selectmen, the Town Manager, the Treasurer, and the Conservation Commission, as appropriate, to enter into all agreements and execute any and all instruments as may be necessary to effect this article;

or take any other action relative thereto.

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

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

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



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**ARTICLE 20**                      **COMMUNITY PRESERVATION PROGRAM –**  
(Majority vote)                **DIRECT APPROPRIATIONS FROM FUND BALANCES**

To see if the Town will vote to appropriate or set aside for later appropriation, and to authorize and direct the Board of Selectmen and the Town Manager to expend or set aside, from the FY 2013 Community Preservation Fund balances as set forth herein, the amounts listed below for community preservation purposes, with such expenditures to be subject to conditions listed in the Article's Summary and to be further specified in award letters from the Community Preservation Committee, with each item considered a separate appropriation;

<b>FY 2013 COMMUNITY PRESERVATION FUND BALANCES</b>	
<b>FY 2013 Community Preservation Fund Revenues</b>	
Community Preservation Fund Surcharge Collected in FY 2013	\$ 808,604.27
State Community Preservation Trust Fund Receipt, October 2013	\$ 424,035.00
<b>Other FY 2013 Community Preservation Fund Components</b>	
Interest Earned in FY 2013	\$ 24,006.17
Unencumbered FY 2013 Fund Balance	\$ 211,960.44
Recapture of unspent previous years' project appropriations	\$ 159,672.65
<b>Total - FY 2013 Community Preservation Fund Balance</b>	<b>\$1,628,278.53</b>
<b>FY 2013 Open Space Set-Aside</b>	
Set-Aside Fund Balance from appropriations for the Acquisition, Creation, and Preservation of Open Space and its Rehabilitation and Restoration	\$1,538,571.87
<b>Total FY 2013 Open Space Set-Aside Fund Balance</b>	<b>\$1,538,571.87</b>
<b>FY 2013 Historic Set-Aside</b>	
Set-Aside Fund Balance from appropriations for the Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources	\$ 49,224.00

<b>Total FY 2013 Historic Set-Aside Fund Balance</b>	<b>\$ 49,224.00</b>
<b>APPROPRIATIONS FROM COMMUNITY PRESERVATION FUND BALANCE</b>	
<b>Purposes</b>	<b>Recommended Amounts</b>
<b>Set-Aside Appropriations for</b>	
<b>A.</b> Acquisition, Creation, and Preservation of Open Space, and its Rehabilitation and Restoration	\$ 450,000.00
<b>B1.</b> Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources; required make-up for under-spending 10% of revenues in 2007 after recapture	\$ 500.00
<b>B2.</b> Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources; required make-up for under-spending 10% of revenues in 2009 after recapture	\$ 13,689.02
<b>Spending Appropriations</b>	
<b>C.</b> Acton Arboretum – Parking Lot Improvements	\$ 53,000.00
<b>D.</b> Acton Arboretum – Bog Boardwalk Replacement	\$ 30,000.00
<b>E.</b> NARA Security Upgrades and Shade Structures	\$ 15,175.00
<b>F.</b> Goward and Gardner Playgrounds - Basketball Court Renovations	\$ 76,000.00
<b>G.</b> Schools – Nature Play Space Planning Grant	\$ 24,000.00
<b>H1.</b> Acton Woman’s Club – ADA Access Improvements	\$ 86,586.98
<b>I.</b> Community Housing Program Fund*	\$ 175,000.00
<b>J.</b> Regional Housing Services	\$ 42,000.00
<b>K.</b> Acton Housing Authority – Windsor Avenue Doors and Windows	\$ 92,692.00
<b>L.</b> Morrison Farm Improvements	\$ 416,550.00
<b>M.</b> West Acton Baptist Church – Fire Safety Systems	\$ 52,000.00
<b>N.</b> West Acton Baptist Church – Upper Level Pressed Steel Ceiling	\$ 37,000.00
<b>Administrative Appropriation</b>	
<b>O.</b> A fund for CPC direct expenses and for reimbursing the Town of Acton for administrative services and operating expenses provided in support of the Community Preservation Committee	\$ 61,631.00
<b>Total Recommended Appropriations from FY 2013 Community Preservation Fund Balance</b>	<b>\$1,625,824.00</b>
<b>SPENDING APPROPRIATION FROM HISTORIC SET-ASIDE FUND BALANCE, WHICH INCLUDES APPROPRIATION ITEMS B1. AND B2. OF THIS ARTICLE</b>	
<b>H2.</b> Acton Woman’s Club – ADA Access Improvements	\$ 63,413.02
<b>Total Recommended Appropriations from the Current Historic Set-Aside Fund</b>	<b>\$ 63,413.02</b>
<b>Resulting Fund Balances</b>	
Resulting FY 2013 Community Preservation Fund Balance	\$ 2,454.53

Resulting Balance in the Set-Aside Fund for the Acquisition, Creation, and Preservation of Open Space, and its Rehabilitation and Restoration**	\$1,988,571.87
Resulting Balance in the Set-Aside Fund for the Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources	\$ 0.00

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

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

, or take any other action relative thereto;

And, whereas Massachusetts General Laws, Chapter 44B requires that the Town appropriate for spending, or set-aside for future spending, from the 2013 Community Preservation Fund Revenues at least 10% for open space, 10% for historic preservation, and 10% for community housing;

And, whereas the recommended appropriations for open space, historic preservation, and community housing each meet or exceed 10% of the 2013 Community Preservation Fund Revenues;

And, whereas Town Meeting may vote to delete or reduce any of the recommended amounts;

Therefore, in the event that recommended amounts are deleted or reduced, vote to appropriate as a set-aside for future spending from the FY 2013 Community Preservation Fund Balance the minimum necessary amounts to allocate not less than 10% of the FY 2013 Community Preservation Fund Revenues for open space (\$123,263.93), not less than 10% of the FY 2013 Community Preservation Fund Revenues for historic preservation (\$123,263.93), and not less than 10% of the FY 2013 Community Preservation Fund Revenues for community housing (\$123,263.93), or take any other action relative thereto.

**MOTION: Mr. Bourdon** moves that the Town:

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

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

**MOTION TO AMEND LOST**

**ORIGINAL MOTION CARRIES**