

**SUMMATION OF THE SPECIAL TOWN MEETING HELD
MONDAY, NOVEMBER 25, 2024, 6:00 P.M.
ACTON-BOXBOROUGH REGIONAL
HIGH SCHOOL AUDITORIUM
NUMBER OF REGISTERED VOTERS ATTENDING TOWN MEETING
364**

The Moderator, Ms. Jo-Ann Berry, called the Special Town Meeting to order on Monday, November 25, 2024, at 6:09 PM.

Ms. Berry gave an overview of the process for the Special Town Meeting.

The Moderator explained why we are using the green cards for voting purposes tonight and explained that we have a new electronic voting clicker that should be available for the annual town meeting in 2025.

The Moderator introduced the Chair of the Select Board, Fran Arsenault to introduce the tables. Town Manager – John Mangiaratti, Asst Town Manager -Thom Begin, Nina Pickering-Cook - Town Counsel, Leo Mercado – Town Clerk.

Ms. Arsenault introduced the members of the Select Board at the table, Dean Charter, Alisa Nicol and David Martin.

The Moderator introduced the Chair of the Finance Committee, Jason Cole. Mr. Cole introduced the committee members, Allison Jones, Roland Bourdon, Stephen Noone, Gang Chen (Associate Member), Scott Sullivan, Adam Nolde, Greg Jarboe, Christi Andersen, and Corrine Hogseth.

Article 1: Authorize Acquisition of Property Located at 19 & 35 Wetherbee St
(Two-thirds majority vote)

To see if the Town will vote to:

1. authorize the Select Board to acquire by purchase, gift, eminent domain or otherwise and accept the deed of a fee simple interest, on such terms and conditions as the Select Board may determine of the following parcels of land in Acton (collectively, the "Property"), for open space, passive recreation and conservation purposes under M.G.L. Chapter 44B, the Community Preservation Act (i) that certain parcel of land containing approximately 27.71 acres, commonly known as 19 Wetherbee Street in Acton, Massachusetts, and identified as Assessor's Parcel G4-174, and being more particularly described in that certain deed dated February 11, 1992 and filed with the Middlesex South Registry District of the Land Court as Document No. 860870 and noted on Certificate of Title No. 192222, in Registration Book 1091, Page 72 and (ii) that certain parcel of land commonly known as 35 Wetherbee Street in Acton, Massachusetts, and identified as Assessor's Parcel G4-189, consisting of approximately 5.4 acres, and more particularly described in that certain deed dated February 11, 1992 and recorded in the Middlesex South Registry of Deeds in Book 21756, Page 35;
2. appropriate \$3,680,000 for the purchase price of both 19 and 35 Wetherbee Street as described above, 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;

3. authorize the Treasurer, with the approval of the Select Board, 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 \$1,880,000 for the purchase of both 19 and 35 Wetherbee Street as described above 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;
4. 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 an amount equal to the difference between \$1,300,000 and the amount bonded pursuant to this article for the purchase of both 19 and 35 Wetherbee Street as described above;
5. 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;
6. authorize the Select Board 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. c. 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;
7. authorize and direct the Select Board to impose a perpetual Conservation Restriction on the Property 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 Select Board may determine (the "Conservation Land");
8. authorize and direct the Select Board in accordance with M.G.L. c. 44B, § 12(b), to delegate the care, custody, control and management of the Conservation Land to the Conservation Commission subject to the perpetual Conservation Restriction as aforesaid;
9. authorize the Select Board, 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 affect this article;

Or take any other action relative thereto.

ARTICLE 1 MOTION: David Martin moves that the Town:

1. Authorize the Select Board to acquire the deed of a fee simple interest of the properties at 19 and 35 Wetherbee Street for the purposes described in Warrant Article 1;
2. Appropriate \$3,680,000 for the purchase of both 19 and 35 Wetherbee Street;
3. Authorize the Treasurer, with the prior approval of the Select Board and recommendation of the Community Preservation Committee, to borrow up to \$1,880,000 for the purchase of both 19 and 35 Wetherbee Street, provided that the repayment term is not less than fifteen years nor more than 20 years, and to transfer, appropriate, and expend the said amount; and apply any net premium and accrued interest received as a result of such borrowing to the costs of the project

and reduce the borrowing authorization by the same amount;

4. Transfer, appropriate, and expend existing Community Preservation Funds in the Open Space Set Aside, in an amount up to \$1,300,000 for the purchase of both 19 and 35 Wetherbee Street;
5. Raise, appropriate, transfer, or accept gifts and grants of such additional funds as are necessary to complete the purchase of 19 and 35 Wetherbee Street;
6. Authorize the Select Board and the Conservation Commission to submit, on the Town's behalf, any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts or the United States, or from any other state or federal programs;
7. Authorize and direct the Select Board to impose a perpetual Conservation Restriction on the acquired property in accordance with M.G.L. c. 44B, § 12, on such terms and conditions as the Select Board may determine;
8. Authorize and direct the Select Board to delegate the care, custody, control, and management of the Conservation Land to the Conservation Commission subject to the perpetual Conservation Restriction;
9. Authorize the Select Board, 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.

Article 1, moved and seconded, passed by 2/3 voice vote

Article 2: Authorize Collective Bargaining Agreement Facilities, Cemetery, and Public Works

(Majority vote)

To see if the Town will vote to authorize funding of the cost items contained in Collective Bargaining Agreement between the Town and its Facilities, Center, and Public Works personnel union (AFSCME) as filed with the Town Clerk, or take any other action relative thereto.

ARTICLE 2 MOTION: Dean Charter moves that the Town appropriate and transfer 60,000 from Free Cash to fund the cost items contained in Collective Bargaining Agreement between the Town and its facilities, Center, and Public Works personnel union (AFSCME).

Article 2, moved and seconded, passed by unanimous voice vote

Article 3: Authorize Collective Bargaining Agreement – Public Safety Dispatch

(Majority vote)

To see if the Town will vote to authorize the funding of the cost items contained in the Collective Bargaining Agreement between the Town and its Public Safety Dispatchers Union, International Brotherhood of Teamsters Local Union 25 as filed with the Town Clerk, or take any other action relative thereto.

ARTICLE 3 MOTION: Dean Charter moves that the Town appropriate and transfer \$15,000 from Free Cash to fund the cost items contained in Collective Bargaining Agreement between the Town and its Public Safety Dispatchers Union, International brotherhood of Teamsters Local Union 25.

Article 3, moved and seconded, passed by unanimous voice vote

Article 4: Town Capital Purchase - Replacement of Ambulance *(Two-thirds majority vote)*

To see if the Town will authorize, under General Laws Chapter 44, Section 21C, upon the recommendation of the Select Board, a lease purchase financing agreement for the acquisition of an ambulance that may be acquired through the issuance of debt under General Laws Chapter 44, the term of such agreement not to exceed 10 years, the useful life of the ambulance as determined by the Select Board, and authorize the Town Manager to enter into such agreement on behalf of the Town, subject to approval of an appropriation for the first year payments from the Ambulance Enterprise Fund; and appropriate the sum of \$140,000 from the Ambulance Enterprise Fund for the payments required in the first fiscal year of the lease purchase financing agreement authorized by the Town under General Laws Chapter 44, Section 21C, for the acquisition of an ambulance; or to take any other action relative thereto.

ARTICLE 4 MOTION: Dean Charter moves that the Town: Authorize, upon the recommendation of the Select Board, a lease purchase financing agreement for the acquisition of an ambulance, that may be acquired through the issuance of debt, provided that the term of such an agreement does not exceed ten years, the useful life of the ambulance as determined by the Select Board; Authorize the Town Manager to enter into such an agreement on behalf of the Town; and appropriate \$140,000 from the Ambulance Enterprise Fund to fund the payments for the first fiscal year of such lease purchase financing agreement.

Article 4 moved and seconded, passed by a unanimous voice vote.

Article 5: Veterans Tax Abatement Annual COLA Increase *(Majority vote)*

To see if the Town will vote to accept the provisions of M.G.L. c. 59, § 5, Clause 22I, inserted by Chapter 178 of the Acts of 2024, entitled, *An Act Honoring, Empowering, and Recognizing Our Servicemembers and Veterans*, known as the "HERO Act", providing for an increase in property tax exemptions for veterans under the provisions of M.G.L. c. 59, § 5, Clauses 22A through 22C, 22E and 22F, equal to the cost of living as determined by the Consumer Price Index for such year; or take any other action relating thereto.

ARTICLE 5 MOTION: Fran Arsenault moves that the Town accept the provisions of M.G.L. c. 59, § 5, clause 22I to increase the property tax exemptions for veterans equal to the cost of living as determined by the Consumer Price Index for such year.

Article 5 moved and seconded passed by a unanimous voice vote.

Fran Arsenault moved to dissolve the Special Town Meeting at 6:51 pm, motion carries

