

**ABSTRACT OF THE ANNUAL TOWN MEETING HELD
MONDAY, JUNE 29, 2020, 6:00 P.M.
ACTON-BOXBOROUGH REGIONAL HIGH SCHOOL UPPER GYMNASIUM
(INDOOR, SOCIALLY-DISTANCED SEATING)
AND THE ADJACENT PARKING LOT (OUTDOOR, SOCIALLY-DISTANCED SEATING)
NUMBER OF REGISTERED VOTERS ATTENDING TOWN MEETING
JUNE 29, 2020 - 268**

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* Article is on Consent Calendar

Article submitted by Citizens' Petition

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June 29, 2020

Due to the Coronavirus (COVID-19) pandemic, the Annual Town Meeting is being held at the Upper Gymnasium of the Acton-Boxborough Regional High School (Indoor, socially-distanced seating) and the Adjacent Parking Lot (Outdoor, socially-distanced seating).

The Moderator, Ms. Jo-Ann Berry, called the Annual Town Meeting to order on Monday, June 29, 2020 at 6:00 pm.

Thank you to Mr. Bill Mullin, for serving as Temporary Moderator in the outdoor section of the meeting.

The Moderator gave a review of the Town Meeting process.

We will not be using Clickers for voting at this Town Meeting. Large colored cards will be used for voting at this Town Meeting.

Several measures have been taken to make this meeting as efficient as possible to help limit our exposure. The Article presentations have been prerecorded and posted on the Town web page.

The Moderator asked Town Meeting to vote to allow Non Resident Town Staff and Regional School Staff, to speak to the Articles of this Special Town Meeting if needed.

Motion carries to allow speakers.

Article 1 * Choose Town Officers
(Majority vote)

To choose all necessary Town Officers and Committees and to fix the salaries and compensation of all the elective officers of the Town as follows:

| | |
|------------------------------|-----------------------------------|
| Moderator | \$ 20.00 per Town Meeting session |
| Board of Selectmen, Chairman | \$ 750.00 per year |
| Board of Selectmen, Member | \$ 650.00 per year |

, or take any other action relative thereto.

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

CONSENT MOTION CARRIES

Mrs. Gardner nominates William Mullin of Wilson Lane, Acton, for the position of Temporary Moderator, term to expire 2021.

CONSENT MOTION CARRIES

Tara J. Leuci, Trustee of the West Acton Citizens' Library, nominates Melissa Loporto of 49 Windsor Ave, Acton, for the position of Trustee of the West Acton Citizens' Library, term to expire 2023.

CONSENT MOTION CARRIES

Jo-Ann Berry, Trustee of the Elizabeth White Fund, nominates Michael J. Gowing, of 93 Harris Street, Acton, for the position of Trustee of the Elizabeth White Fund, term to expire 2023.

CONSENT MOTION CARRIES

Jo-Ann Berry, Trustee of the Elizabeth White Fund, nominates Elizabeth T. Speers, of 18 Bromfield Road, of Acton, for the position of Trustee of the Elizabeth White Fund, term to expire 2022.

CONSENT MOTION CARRIES

Jo-Ann Berry, Trustee of the Elizabeth White Fund, nominates Catherine C. Longwell, of 9 Kennedy Lane, Acton, for the position of Trustee of the Elizabeth White Fund, term to expire 2021.

CONSENT MOTION CARRIES

Robert Vanderhoof, Trustee of the Acton Firefighters' Relief Fund, nominates Thomas Matthews of 17 Herget Drive, Pepperell, for the position of Trustee of the Acton Firefighters' Relief Fund, term to expire 2023.

CONSENT MOTION CARRIES

Allison Hammer, Trustee of the Charlotte Goodnow Fund, nominates Jennifer Smith, of 5 Juniper Ridge Road, Acton, for the position of Trustee of the Charlotte Goodnow Fund, term to expire 2023.

CONSENT MOTION CARRIES

Article 2 Town Operating Budget
(Majority vote)

To see if the Town will raise and appropriate, transfer and/or appropriate from available funds, the sum of \$35,615,202 to defray the necessary expenses of the departments, offices and boards of the Town, exclusive of the Regional School budgets, or take any other action relative thereto.

MOTION: Mrs. Gardner moves that the Town raise and appropriate \$35,615,202 to be expended by the Town Manager to fund the fiscal year 2021 municipal budget,

And that the Town authorize the Town Manager to lease on such terms and conditions as he may determine vehicles and equipment for a period not to exceed five years, and to sell, trade or otherwise dispose of vehicles and equipment being replaced and to expend any proceeds so received.

MOTION CARRIES

Article 3 **Kelley's Corner Infrastructure Improvement Project –**
(Two-thirds vote) **Right of Way Acquisitions**

To see if the Town will vote to authorize the Board of Selectmen to acquire or take by purchase, gift, eminent domain or otherwise, on such terms and conditions as the Selectmen may determine, fee, temporary and permanent easement, leasehold, license and/or other real property interests in, on, over, across, under and along all or any portion of the parcels of land approximately as shown on the plan entitled "Preliminary 75% Right of Way (ROW) Plan for Kelley's Corner, prepared by Greenman-Pederson, Inc. for the MassDOT Highway Division, dated December 5, 2019," which plan is on file with the Acton Land Use Department, or other parcels as deemed by the Board of Selectmen necessary for the purpose of completing the infrastructure improvements in the area known as Kelley's Corner, which improvements shall reduce congestion, improve safety conditions and accessibility for all users, and for all purposes for which streets, sidewalks and ways are now or hereafter may be used in the Town; and further to see if the Town will raise, appropriate, transfer from available funds, accept gifts and/or borrow a sum of money to be expended by the Town Manager for this purpose, or take any other action relative thereto.

MOTION: Mr. Benson moves that the Town appropriate \$655,000 to be expended by the Town Manager for the purpose of acquiring property as set forth in the Article and the Just Compensation chart contained in the Summary of the Article and as the Board of Selectmen deems necessary to acquire any particular parcel(s), and for any costs incidental and related thereto, and to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$600,000 under Massachusetts General Laws Chapter 44, Section 7, as amended, and transfer \$55,000 from Free Cash for the payment of interest and underwriting costs on such borrowing, and further that any premium received upon the sale of the bonds, less the cost of preparing, issuing and marketing them, and any accrued interest received upon the delivery of the bonds may be applied to the costs of the project and to reduce the amount authorized to be borrowed for the project by like amount.

MOTION CARRIES

Declared 2/3 by Moderator*

*Town of Acton has accepted MGL CH 39 Sec 15 at its Annual Town Meeting April 2001, Article 43 and the amended Bylaw 5A was approved by the Attorney General on Aug. 6, 2001.
(The Town Meeting Moderator is not required to count a 2/3 required vote.)

Article 4 Town Capital – Sidewalk Program

(Two-thirds vote)

To see if the Town will raise and appropriate, appropriate from available funds or borrow \$500,000, or any other sum, for the design and construction of sidewalks, including related incidental costs, and to provide that, in accordance with Massachusetts General Laws Chapter 44, Section 20, the premium received by the Town upon the sale of any bonds or notes hereunder, less any such premium applied to the payment of the costs of issuance of such bond or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied, or take any other action relative thereto.

MOTION: Mr. Charter moves that the Town appropriate \$545,000 to be expended by the Town Manager for the purpose set forth in the Article, including costs incidental and related thereto, and to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$500,000 under Massachusetts General Laws Chapter 44, Section 7, as amended, and transfer \$45,000 from Free Cash for the payment of interest and underwriting costs on such borrowing, and further that any premium received upon the sale of the bonds, less the cost of preparing, issuing and marketing them, and any accrued interest received upon the delivery of the bonds may be applied to the costs of the project and to reduce the amount authorized to be borrowed for the project by like amount.

MOTION CARRIES

Declared 2/3 by Moderator*

*Town of Acton has accepted MGL CH 39 Sec 15 at its Annual Town Meeting April 2001, Article 43 and the amended Bylaw 5A was approved by the Attorney General on Aug. 6, 2001.
(The Town Meeting Moderator is not required to count a 2/3 required vote.)

Article 5 Town Capital, Infrastructure, Studies and Improvements

(Majority vote)

To see if the Town will raise and appropriate, and/or appropriate from available funds a sum of money to be expended by the Town Manager for the purchase, replacement, study, design or implementation of programs, improvement of facilities or infrastructure as listed below, including related incidental costs, or take any other action relative thereto.

| | | |
|--------------|---|-------------------|
| A. | Woodlawn Cemetery Paving, Landscaping and Columbarium | \$ 185,000 |
| B. | Sustainability Policy Implementation | \$ 185,000 |
| C. | Complete Streets and Intersection Projects | \$ 100,000 |
| D. | Town Hall ADA-Compliant Bathroom for Meeting Room | \$ 100,000 |
| E. | Traffic Calming Program | \$ 50,000 |
| F. | Facility Capital Plan Study | \$ 60,000 |
| G. | Public Safety Facility Alarm and Dispatch Center Improvements | \$ 40,000 |
| H. | Water Resources Study | \$ 40,000 |
| Total | | \$ 760,000 |

MOTION: Mr. Charter moves that the Town appropriate \$760,000 for the purposes set forth in the Article, including costs incidental and related thereto, and to meet this appropriation, transfer \$575,000 from Free Cash and transfer \$185,000 from the Cemetery Land Fund for cemetery purposes in item A.

MOTION CARRIES

Article 6 Acton-Boxborough Regional School District Assessment

(Majority vote)

To see if the Town will raise and appropriate, transfer and/or appropriate from available funds, the sum of \$65,584,049 to defray the necessary expenses of the Acton-Boxborough Regional School District, or take any other action relative thereto.

MOTION: Mr. Petersen moves that the Town raise and appropriate \$65,584,049 to be expended by the Superintendent of Schools to fund the fiscal year 2021 assessment of the Acton-Boxborough Regional School District.

MOTION CARRIES

Article 7 Minuteman Regional School District Assessment

(Majority vote)

To see if the Town will raise and appropriate, transfer and/or appropriate from available funds, the sum of \$1,732,983 to defray the necessary expenses of the Minuteman Regional Vocational Technical School District, or take any other action relative thereto.

MOTION: Mrs. Nourse moves that the Town appropriate \$1,732,983 to fund the fiscal year 2021 assessment of the Minuteman Regional School District, and to meet this appropriation, raise \$1,409,245 from general revenues and transfer \$323,738 from Free Cash.

MOTION CARRIES

Article 8 Community Preservation Program – Direct Appropriations from Fund Balances

(Majority vote)

To see if the Town will appropriate or set aside for later appropriation, and authorize and direct the Board of Selectmen and the Town Manager to expend or set aside, from the FY 2019 Community Preservation Fund balances as set forth herein, the amounts listed below for community preservation purposes, with such expenditures to be subject to conditions listed in the Article’s Summary and to be further specified in award letters from the Community Preservation Committee, with each item considered a separate appropriation;

| | |
|---|-----------------------|
| FY 2019 COMMUNITY PRESERVATION FUND BALANCES | |
| FY 2019 Community Preservation Fund Revenues | |
| Community Preservation Fund Surcharge Collected in FY 2019 | \$ 1,033,473.82 |
| State Community Preservation Trust Fund Receipt, October 2019 | \$ 247,192.00 |
| Other FY 2019 Community Preservation Fund Components | |
| Interest Earned in FY 2019 (less abatements and exemptions) | \$ 89,237.37 |
| Unencumbered FY 2019 Fund Balance | \$ 14,245.59 |
| Recapture of unspent previous years’ project appropriations | \$ 57,672.62 |
| Gift from Wright Hill Association, LLC | \$ 10,000.00 |
| Total - FY 2019 Community Preservation Fund Balance | \$1,451,821.40 |

| | |
|--|----------------------------|
| FY 2019 Open Space Set-Aside | |
| Set-Aside Fund Balance from appropriations for the Acquisition, Creation, and Preservation of Open Space and its Rehabilitation and Restoration | \$2,339,204.52 |
| Total FY 2019 Open Space Set-Aside Fund Balance | \$2,339,204.52 |
| | |
| FY 2019 Historic Resources Set-Aside | |
| Set-Aside Fund Balance from appropriations for the Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources | \$ 0.00 |
| Total FY 2019 Historic Resource Set-Aside Fund Balance | \$ 0.00 |
| | |
| FY 2019 Community Housing Set-Aside | |
| Set-Aside Fund Balance from appropriations for the Acquisition, Creation, Preservation, and Support of Community Housing | \$ 0.00 |
| Total FY 2019 Community Housing Set-Aside Fund Balance | \$ 0.00 |
| | |
| APPROPRIATIONS FROM FY 2019 COMMUNITY PRESERVATION FUND BALANCE | |
| Purposes | Recommended Amounts |
| Set-Aside Appropriations for | |
| A. Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources; required set-aside for meeting 10% of spending from FY 2009 revenues | \$ 12,447.00 |
| B. Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources; required set-aside for meeting 10% of spending from FY 2015 revenues | \$ 1,000.00 |
| C. Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources; required set-aside for meeting 10% of spending from FY 2016 revenues | \$ 33,034.82 |
| D. Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources; required set-aside for meeting 10% of spending from FY 2017 revenues | \$ 711.48 |
| A-D Total of set-aside appropriations for the Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources | \$ 47,193.30 |
| E. Acquisition, Creation and Preservation of Open Space, and its Rehabilitation and Restoration | \$ 280,000.00 |
| Spending Appropriations | |
| F. Community Housing Program Fund | \$ 50,000.00 |
| G. Town of Acton – Regional Housing Services | \$ 32,500.00 |
| H. Acton Housing Authority – 348-364 Main Street Development | \$ 500,000.00 |
| II. Town of Acton – Restoration of Historic Streetscapes | \$ 8,264.58 |
| J. Town of Acton – Repointing & Chimney Restoration of 1889 Acton Memorial Library | \$ 70,000.00 |
| K. Town of Acton – East Acton Village Green | \$ 49,802.00 |
| L. Town of Acton – 53 River Street Park | \$ 120,000.00 |
| M. Town of Acton – Gardner Field & Playground Master Plan (Phase I) | \$ 30,000.00 |
| N. Town of Acton – NARA Sports Pavilion – Phase 2 | \$ 200,000.00 |

| | |
|---|------------------------|
| Administrative Appropriation | |
| O. A fund for CPC direct expenses and for reimbursing the Town of Acton for administrative services and operating expenses provided in support of the Community Preservation Committee | \$ 55,000.00 |
| Total Recommended Appropriations from FY 2019 Community Preservation Fund Balance | \$ 1,442,759.88 |
| APPROPRIATION FROM OPEN SPACE SET-ASIDE FUND BALANCE | |
| P. Wright Hill Open Space Land Acquisition - Debt Service | \$ 79,200.00 |
| Total Recommended Appropriations from the Open Space Set-Aside Fund | \$ 79,200.00 |
| APPROPRIATION FROM COMMUNITY HOUSING SET-ASIDE FUND BALANCE | |
| | \$ 0.00 |
| Total Recommended Appropriations from the Community Housing Set-Aside Fund | \$ 0.00 |
| APPROPRIATION FROM HISTORIC RESOURCES SET-ASIDE FUND BALANCE | |
| I2. Town of Acton – Restoration of Historic Streetscapes | \$ 6,735.42 |
| Total Recommended Appropriations from the Historic Resources Set-Aside Fund | \$ 6,735.42 |
| Resulting Fund Balances | |
| Resulting FY 2019 Community Preservation Fund Balance | \$ 9,061.52 |
| Resulting Balance in the Set-Aside Fund for the Acquisition, Creation, and Preservation of Open Space, and its Rehabilitation and Restoration | \$ 2,540,004.52 |
| Resulting Balance in the Set-Aside Fund for the Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources | \$ 40,457.88 |
| Resulting Balance in the Set-Aside Fund for the Acquisition, Creation, Preservation, and Support of Community Housing | \$ 0.00 |

* 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,

And, whereas Massachusetts General Laws Chapter 44B requires that the Town appropriate for spending, or set-aside for future spending, from the FY 2019 Community Preservation Fund Revenues at least 10% for open space, 10% for historic resources, and 10% for community housing;

And, whereas the recommended appropriations for open space, historic resources, and community housing each meet or exceed 10% of the FY 2019 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 2019 Community Preservation Fund Balance the minimum

necessary amounts to allocate not less than 10% of the FY 2019 Community Preservation Fund Revenues for open space (\$128,066.58), not less than 10% of the FY 2019 Community Preservation Fund Revenues for historic resource (\$128,066.58), and not less than 10% of the FY 2019 Community Preservation Fund Revenues for community housing (\$128,066.58), or take any other action relative thereto.

MOTION: Mr. Yacouby 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 \$1,528,695.30, 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 CARRIES

Article 9 Fund Collective Bargaining Agreement

(Majority vote)

To see if the Town will raise and appropriate, transfer and/or appropriate from available funds a sum of money necessary to fund the cost items contained in Collective Bargaining Agreement(s) between the Town and its Fire Department union, Acton Permanent Firefighters, Local #1904, International Association of Firefighters, AFL-CIO, as filed with the Town Clerk, or take any other action relative thereto.

MOTION: Mr. Berry moves that the Town authorize, appropriate and transfer \$57,500 from the fiscal year 2020 Town Operating Budget to fund the first-year cost items contained in the fiscal year 2020 through 2022 Collective Bargaining Agreement between the Town and the Acton Permanent Firefighters, Local #1904, International Association of Firefighters, AFL-CIO.

MOTION CARRIES

Article 10 Real Property Disposition – 3 School Street

(Two-thirds vote)

To see if the Town will vote to authorize the Board of Selectmen to transfer the real property shown as Parcel 47 on the Town of Acton Atlas Map H2-A and in the deed recorded at the Middlesex South Registry of Deeds in Book 3247, Page 263, which land is currently held for general municipal purposes, from the current custodian to the Board of Selectmen for the purpose of conveyance, and to authorize the Board of Selectmen to convey such land on such terms and conditions and for such consideration, which may be non-monetary consideration, as the Selectmen may determine, or take any other action relative thereto.

MOTION: Mr. Charter moves that the Town transfer the real property shown as Parcel 47 on Town of Acton Atlas Map H2-A from its current custodian to the Board of Selectmen for the purpose of conveyance, and authorize the conveyance of that property as set forth in the Article.

MOTION CARRIES

Declared 2/3 by Moderator*

*Town of Acton has accepted MGL CH 39 Sec 15 at its Annual Town Meeting April 2001, Article 43 and the amended Bylaw 5A was approved by the Attorney General on Aug. 6, 2001.

(The Town Meeting Moderator is not required to count a 2/3 required vote.)

Article 11 # Amend Zoning Map – 32 Wetherbee Street

(Two-thirds vote)

To determine whether the Town will vote to amend the Zoning Map by changing the Assessor's Parcel G4-208 at 32 Wetherbee Street from Residence 2 to East Acton Village – 2, or take any action relative thereto.

MOTION: Mr. Durkin moves that the Town amend the Zoning Bylaw Map as set forth in the Article.

MOTION LOST

42 for 78 no

Article 12 # Amend Zoning Map – 525 Main Street

(Two-thirds vote)

To see if the Town will vote to amend the Zoning Bylaw, Map Number 1, by changing the zoning district designation for Town Atlas parcel E4-86-1 (525 Main Street) from Residence 8/4 (R-8/4) to Light Industrial 1 (LI-1), or take any other action relative thereto.

MOTION: Mr. Chernin moves that the Town amend the Zoning Bylaw Map as set forth in the Article.

MOTION CARRIES

Declared 2/3 by Moderator*

*Town of Acton has accepted MGL CH 39 Sec 15 at its 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.)

General Consent (Two-thirds vote)

MOTION: Mrs. Gardner moves that the Town take up the twenty articles in the Consent Calendar on pages 29 and 46 through 61 of the Warrant: Articles 1, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 28, 29, 30 and 31.

MOTION CARRIES

Declared 2/3 by Moderator*

*Town of Acton has accepted MGL CH 39 Sec 15 at its Annual Town Meeting April 2001, Article 43 and the amended Bylaw 5A was approved by the Attorney General on Aug. 6, 2001.

(The Town Meeting Moderator is not required to count a 2/3 required vote.)

Article 13 * Amend General Bylaws – Consumption of Alcoholic Beverages

(Majority vote)

To see if the Town will vote to amend Chapter E, General Public Regulations, of the General Bylaws of the Town as follows:

- A. Delete Section E41, Alcoholic Beverage on Town Common.
- B. In Section E45, Non-Criminal Disposition, delete the reference to Section E41
- C. Replace Section E42, Alcohol in Public, in its entirety to read as follows:

No person shall drink or possess an unsealed container of any alcoholic beverage as defined in Chapter 138, Section 1 of the Massachusetts General Laws while in or upon any public way or any way that the public has a right of access, whether in or upon a vehicle, or on foot, or while in or upon any public place or public building or playground, or while in or upon a private parking lot, or a private way to which the public has access as invitees or licensees unless they possess a valid one-day liquor license from the Board of Selectmen. A police officer may arrest without a warrant any person who commits a violation of this Bylaw in his presence and may seize the alcoholic beverages, which shall be kept by him and destroyed upon adjudication or returned to the person entitled to lawful possession.

[Note: Relevant sections of this Chapter are copied below for reference:

E41. Alcoholic Beverage on Town Common

No person shall, at any time, consume any alcoholic beverage on the Town Common.

E42. Alcohol in Public

No person shall drink or possess an unsealed container of any alcoholic beverage as defined in Chapter 138, Section 1 of the Massachusetts General Laws while in or upon any public way or any way which the public has a right of access, whether in or upon a vehicle, or on foot, or while in or upon any public place or public building or playground (except that the Board of Selectmen may, if they deem it appropriate, issue a special one-day liquor license for events at the Senior Center and NARA Park), or while in or upon a private parking lot, or a private way to which the public has access as invitees or licensees, or in or upon any private land or place without the written consent of the owner or authorized person in control thereof. A police officer may arrest without a warrant any person who commits a violation of this Bylaw in his presence and may seize the alcoholic beverages, which shall be kept by him and destroyed upon adjudication or returned to the person entitled to lawful possession.

E45. Non-Criminal Disposition

Chapter E - Sections E35, 36, 37, 38, 39, 40, 41, 42 – Miscellaneous Prohibitions Bylaw; enforcing person - regular police officer - Fine \$25.00.]

MOTION: Mrs. Gardner moves that the Town adopt the General Bylaws amendments as set forth in the Article.

CONSENT MOTION CARRIES

Article 14 * Budget Transfer

(Majority vote)

To see if the Town will appropriate from available funds a sum of money to defray necessary expenses above the amount appropriated at the 2019 Annual Town Meeting, or take any other action relative thereto.

MOTION: Mrs. Gardner moves that the Town take no action.

CONSENT MOTION CARRIES

Article 15 * Rescind Borrowing Authorization

(Majority vote)

To see if the Town will rescind the authorized, but unissued balance of the borrowing authorization set forth below, as such amount is no longer needed to complete the project for which it was initially approved, or take any other action relative thereto:

| <u>Amount</u> <u>Authorized</u> | <u>Unissued</u> <u>Balance</u> | <u>Article /</u> <u>Town Meeting</u> | <u>Purpose</u> |
|------------------------------------|-----------------------------------|---|---|
| \$990,000 | \$90,960 | Article 19 / April 2014 | Wright Hill open space land acquisition |

MOTION: Mrs. Gardner moves that the Town rescind the authorized, but unissued balance of the borrowing authorization set forth in the Article.

CONSENT MOTION CARRIES

Article 16 * Firefighters’ Relief Trust Fund

(Majority vote)

To see if the Town will vote to authorize and direct the Trustees of the Acton Firefighters’ Relief Fund, created by Article 27 of the 2006 Annual Town Meeting, with the advice and consent of the Board of Selectmen and utilizing the services of Town Counsel, to petition a Massachusetts court of competent jurisdiction to reform and reorganize the Trust under the bylaws in substantially the form set forth below, or take any other action relative thereto:

**BY-LAWS
OF THE
ACTON FIREFIGHTERS’ RELIEF FUND**

Purpose

The purpose of the Town of Acton Firefighters’ Relief Fund (the “Fund”) is to provide the financial assistance specified herein to Fund Members when they suffer injury or illness requiring hospitalization, as described more fully herein, or to provide the financial assistance described herein to a specified beneficiary or beneficiaries when a Fund Member dies.

Definitions

Call Member means a former member of the Acton Fire Department (“AFD”) who left the AFD without retiring from the AFD, after having served in the AFD for at least ten (10) years.

Current Member means an active member of the AFD.

Fiscal Year means the period commencing on July 1st of each year and ending on June 30th of the following year.

Fund Member means a Current, Call or Retired Member of the AFD that pays annual dues to the Fund.

Previous Member means a former member of the AFD who left the AFD without retiring and without having served in the AFD for at least ten (10) years.

Retired Member means a former member of the AFD who retired from the AFD.

Trustees of the Fund

The Fund is, and shall continue to be, administered by three (3) trustees (the “Trustees”) chosen by the Town’s Annual Town Meeting, one for one year, one for two years, one for three years, and, thereafter, one annually for the term of three years. Each Trustee must be a registered voter of the Town or a Current, Call or Retired Member of the AFD.

Eligibility to Participate in the Fund

Call Members, Current Members and Retired Members are eligible to participate in the Fund. Previous Members are not eligible.

Funding and Limits

The Fund will be funded by dues paid annually by participating Fund Members, and by any donations made to the Fund by the public or from any grants or other gifts, which will be deposited to the Fund in their entirety. If at any time the Fund’s available balance falls below Ten Thousand Dollars (\$10,000), the Fund will become temporarily unavailable for making benefit payments until such time as the available balance increases up to at least Fifteen Thousand Dollars (\$15,000). Any applicants who do not receive a benefit payment to which they otherwise would be entitled because the Fund’s available balance is insufficient may reapply once the Fund becomes available for making benefit payments again.

Annual Dues

Anyone eligible to participate in the Fund can enroll at any time, by submitting an application in the form provided by the Fund, along with a check payable to the Fund in the amount of Thirty Dollars (\$30) for the non-refundable registration fee.

Once accepted into the Fund, the Fund Member’s annual dues will thereafter be withdrawn from the Fund Member’s pay check in the first pay period in July, pro-rated for any remaining period of the then-current fiscal year. A Fund Member who retires will not be required to continue paying dues, although he or she may still benefit from the Fund. Fund Members will remain enrolled in the Fund, unless they advise the Trustees in writing that they no longer wish to participate. In order to withdraw participation, the member must submit a letter of withdrawal to Fire Administration at least sixty (60) days prior to July 1st. New members of the AFD will, upon hiring, be provided with information explaining the Relief Fund and how they can enroll in it.

Benefits Payable by the Fund

The Trustees of the Fund shall have the authority to expend the Fund and make the following awards to Fund Members in meritorious cases:

- (a) Where a Retired Member is hospitalized for at least forty-eight (48) consecutive hours, the Trustees may award a one-time benefit in the amount of Five Hundred Dollars (\$500). This benefit shall only be available to any one Retired Member once in any twelve-month period.
- (b) Where a Retired Member is admitted to a nursing home, skilled nursing facility or other long-term care or permanent care facility, the Trustees may award a one-time benefit in the amount of One Thousand Dollars (\$1,000). This benefit shall only be paid once to any one Retired Member.
- (c) Where an Active Member is hospitalized for at least forty-eight (48) consecutive hours, the Trustees may award a one-time benefit in the amount of One Thousand Dollars (\$1,000). This benefit shall be available to any one Active Member twice (two separate hospital stays) in any twelve-month period.
- (d) Where an Active Member suffers an injury or medical event in the performance of medical or firefighter response duties, and that injury or medical event requires at least forty-eight (48) consecutive hours of hospitalization, the Trustees may award a one-time benefit in the amount of One Thousand Dollars (\$1,000). This benefit shall be available to any one Active Member twice (two separate hospital stays) in any twelve-month period.
- (e) Where an Active Member dies while engaged in the duties of an Acton firefighter, the Trustees may award to that Fund Member's designated beneficiary a one-time benefit in the amount of Five Thousand Dollars (\$5,000).
- (f) Where an Active Member otherwise dies while not engaged in the duties of an Acton firefighter, the Trustees may award to that Fund Member's designated beneficiary a one-time benefit in the amount of Two Thousand Five Hundred Dollars (\$2,500).

The Trustees shall have the right to amend the amounts of benefits paid by category by amending these Bylaws.

The Trustees may require an applicant for benefits under the Fund to submit a Benefit Request Form signed by the applicant under the penalty of perjury, as well as documentation supporting the claim of a Fund Member seeking any of the benefits described in paragraphs (a) through (c) above, if in the Trustees' sole discretion they deem such information necessary.

Special Circumstances

The Trustees have limited discretion to make benefit payments in amounts other than those specified above if there are special, extenuating circumstances that are not likely to repeat, and if the Trustees agree unanimously to do so. However, in such event, the Trustees cannot release more than Five Thousand Dollars (\$5,000) to any one Fund Member or Fund Member's beneficiary without also obtaining a two-thirds (2/3) vote of the Active Fund Members.

MOTION: Mrs. Gardner moves in the words of the Article.

CONSENT MOTION CARRIES

Article 17 * Commuter Lot & Station Maintenance

(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 service fees, operation, maintenance or improvement of facilities and infrastructure at the South Acton Commuter Lot, including all costs incidental and related thereto, or take any other action relative thereto.

MOTION: Mrs. Gardner moves that the Town raise from department receipts and appropriate \$130,207 for the purposes set forth in the Article.

CONSENT MOTION CARRIES

Article 18 * 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 Laws Chapter 44, Section 53 F½, Enterprise Fund Law, or take any other action relative thereto.

MOTION: Mrs. Gardner moves that the Town raise \$136,000 from department receipts, transfer \$23,783 from retained earnings and appropriate \$159,783 to operate the septage waste disposal program.

CONSENT MOTION CARRIES

Article 19 * Transfer Station and Recycling Enterprise Budget

(Majority vote)

To see if the Town will raise and appropriate, or appropriate from available funds, and transfer a sum of money for the purpose of solid waste disposal and recycling in accordance with Massachusetts General Laws Chapter 44, Section 53 F½, Enterprise Fund Law, or take any other action relative thereto.

MOTION: Mrs. Gardner moves that the Town raise \$542,000 from department receipts, transfer \$239,426 from retained earnings and appropriate \$781,426 for the purpose of solid waste disposal and recycling, and further that the Town authorize the Town Manager to lease on such terms and conditions as he may determine vehicles and equipment for a period not to exceed five years, and to sell, trade or otherwise dispose of vehicles and equipment being replaced and to expend any proceeds so received.

CONSENT MOTION CARRIES

Article 20 * 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 Laws Chapter 44, Section 53 F¹/₂, Enterprise Fund Law, or take any other action relative thereto.

MOTION: Mrs. Gardner moves that the Town raise \$1,780,000 from department receipts, transfer \$387,251 from retained earnings and appropriate \$2,167,251 for the purpose of operating the sewer system.

CONSENT MOTION CARRIES

Article 21 * Ambulance Enterprise Budget

(Majority vote)

To see if the Town will raise and appropriate, or appropriate from available funds, and transfer a sum of money for the purpose of health care, in accordance with Massachusetts General Laws Chapter 44, Section 53 F¹/₂, Enterprise Fund Law, or take any other action relative thereto.

MOTION: Mrs. Gardner moves that the Town raise \$1,100,000 from department receipts, raise \$150,000 from general revenues, transfer \$128,723 from retained earnings and appropriate \$1,378,723 for the purpose of operating the ambulance service.

CONSENT MOTION CARRIES

Article 22 * Transportation Enterprise Budget

(Majority vote)

To see if the Town will raise and appropriate, transfer or appropriate from available funds a sum of money for the purpose of transportation services, in accordance with Massachusetts General Laws Chapter 44, Section 53 F¹/₂, Enterprise Fund Law, or take any other action relative thereto.

MOTION: Mrs. Gardner moves that the Town raise \$187,630 from department receipts, raise \$260,000 from general revenues, transfer \$160,000 from commuter lot parking fees fund balance and appropriate \$607,630 for the purpose of operating the transportation service.

CONSENT MOTION CARRIES

Article 23 * Revolving Fund Budgets
(Majority vote)

To see if the Town will vote to limit the total amount that may be expended from the revolving funds for the Historic District Commission, Building Department, Health Department, Transportation Service, Fire Department and Public Works Department as noted in the FY21 Authorized Expense column in the table below, or take any other action relative thereto.

| Fund Balance 6/30/2019 | FY20 Budgeted Revenue | FY20 Budgeted Expense | Est. Fund Balance 6/30/2020 | FY21 Estimated Revenue | FY21 Authorized Expense |
|---------------------------------------|------------------------------|------------------------------|------------------------------------|-------------------------------|--------------------------------|
| Historic District Commission | | | | | |
| \$ 2,105 | \$ 200 | \$ 200 | \$ 2,105 | \$ 200 | \$ 200 |
| Building Department | | | | | |
| 190,261 | 257,962 | 257,962 | 190,261 | 288,166 | 288,166 |
| Sealer of Weights and Measures | | | | | |
| 79,518 | 27,085 | 27,085 | 79,518 | 25,326 | 25,326 |
| Hazardous Materials Inspection | | | | | |
| 38,319 | 55,792 | 55,792 | 38,319 | 65,325 | 65,325 |
| Food Service Inspection | | | | | |
| 26,508 | 57,383 | 57,383 | 26,508 | 60,609 | 60,609 |
| Stormwater | | | | | |
| 97,880 | 54,685 | 54,685 | 97,880 | 83,902 | 83,902 |
| CrossTown Connect | | | | | |
| 6,059 | 180,000 | 180,000 | 6,059 | 180,000 | 180,000 |
| Fire Alarm Network | | | | | |
| 111,929 | 65,115 | 65,115 | 111,929 | 95,115 | 95,115 |
| Roadway Maintenance | | | | | |
| 3,650 | 47,000 | 47,000 | 3,650 | 47,000 | 47,000 |
| Total | | | | \$ 845,643 | \$ 845,643 |

MOTION: Mrs. Gardner moves that all revolving funds be authorized and continued in the amounts, for the purposes, and with the limits on the total amount that may be expended as set forth in the Article.

CONSENT MOTION CARRIES

Article 24 * Hear and Accept Reports

(Majority vote)

To see if the Town will accept reports and hear and act upon the report of any committee chosen at any previous Town Meeting that has not already reported, or take any other action relative thereto.

MOTION: Mrs. Gardner moves that the Town accept the reports of the various Town Officers and Boards as set forth in the 2019 Town Report and that the Moderator call for any other reports.

CONSENT MOTION CARRIES

Article 25 * Authorize Easements

(Two-thirds vote)

To see if the Town will vote to authorize the Board of Selectmen to grant, abandon or acquire by purchase, gift, eminent domain or otherwise and to grant, terminate or accept deeds of easement interests for streets, trails, drainage, sewer, utility or other public purpose, on such terms and conditions and in a final location or locations as the Selectmen may determine, or take any other action relative thereto.

MOTION: Mrs. Gardner moves that the Town authorize the grant, termination or acquisition of easements as set forth in the article.

**CONSENT MOTION CARRIES
Declared 2/3 by Moderator***

*Town of Acton has accepted MGL CH 39 Sec 15 at its Annual Town Meeting April 2001, Article 43 and the amended Bylaw 5A was approved by the Attorney General on Aug. 6, 2001.
(The Town Meeting Moderator is not required to count a 2/3 required vote.)

Article 26 * 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 Laws Chapter 90, and any other applicable laws, or take any other action relative thereto.

MOTION: Mrs. Gardner moves that the Town authorize the Town Manager to accept Highway funds from all sources and that such funds are hereby appropriated for highway purposes.

CONSENT MOTION CARRIES

Article 27 * Insurance Proceeds

(Majority vote)

To see if the Town will vote to appropriate the proceeds of any insurance policy reimbursements of costs incurred as a result of any covered loss, including without limitation any liability insurance, property insurance, casualty insurance, workers' compensation insurance, health insurance, disability insurance, automobile insurance, police and fire injury and medical costs, and any other insurance of any name and nature whatsoever, or take any other action relative thereto.

MOTION: Mrs. Gardner moves that the Town Manager is authorized to accept insurance proceeds of any name and nature whatsoever from all sources and such funds are hereby appropriated.

CONSENT MOTION CARRIES

Article 28 * 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 Laws Chapter 44, Section 53A as amended, and any interest thereon, and that, consistent with the requirements of Massachusetts General Laws, Chapter 40, Section 4A, the Board of Selectmen or Town Manager are authorized to enter into an agreement or agreements on behalf of the Town, on such terms and conditions as the Board of Selectmen or the Town Manager may determine, for the stated purposes of the gifts or grants, or take any other action relative thereto.

MOTION: Mrs. Gardner moves that the proceeds of any gifts or grants from any source accepted pursuant to Massachusetts General Laws, Chapter 44, Section 53A, and any interest thereon, are hereby appropriated for the stated purposes of the gifts or grants, and may be expended with the approval of the Board of Selectmen or otherwise as stated in Section 53A.

CONSENT MOTION CARRIES

Article 29 * 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 Laws Chapter 40, Section 4A, the Board of Selectmen or Town Manager are authorized to enter into an agreement or agreements on behalf of the Town, on such terms and conditions as the Board of Selectmen or the Town Manager may determine, or take any other action relative thereto.

MOTION: Mrs. Gardner moves that the Town Manager is authorized to accept Federal and State reimbursement funds from all sources and that such funds are hereby appropriated for the purposes outlined by such reimbursement.

CONSENT MOTION CARRIES

Article 30 * Performance Bonds

(Majority vote)

To see if the Town will vote to appropriate the proceeds of any performance bonds for the purposes stated in said bonds available as a result of any default, non-performance or other covered conditions, or take any other action relative thereto.

MOTION: Mrs. Gardner moves that the Town appropriate the proceeds of any performance bonds, for the purposes stated in said bonds, available as a result of any default, non-performance or other covered conditions.

CONSENT MOTION CARRIES

Article 31 * Sale of Foreclosed Properties

(Two-thirds vote)

To see if the Town will vote to authorize the Board of Selectmen to dispose of foreclosed properties acquired by the Town for nonpayment of taxes in accordance with the provisions of Massachusetts General Laws, or take any other action relative thereto.

MOTION: Mrs. Gardner moves in the words of the Article.

**CONSENT MOTION CARRIES
Declared 2/3 by Moderator***

*Town of Acton has accepted MGL CH 39 Sec 15 at its 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.)

MOTION TO DISSOLVE: Mr. Martin moves to dissolve the Annual Town Meeting at 8:43 pm.

MOTION TO DISSOLVE CARRIES