

# *Town of Acton*

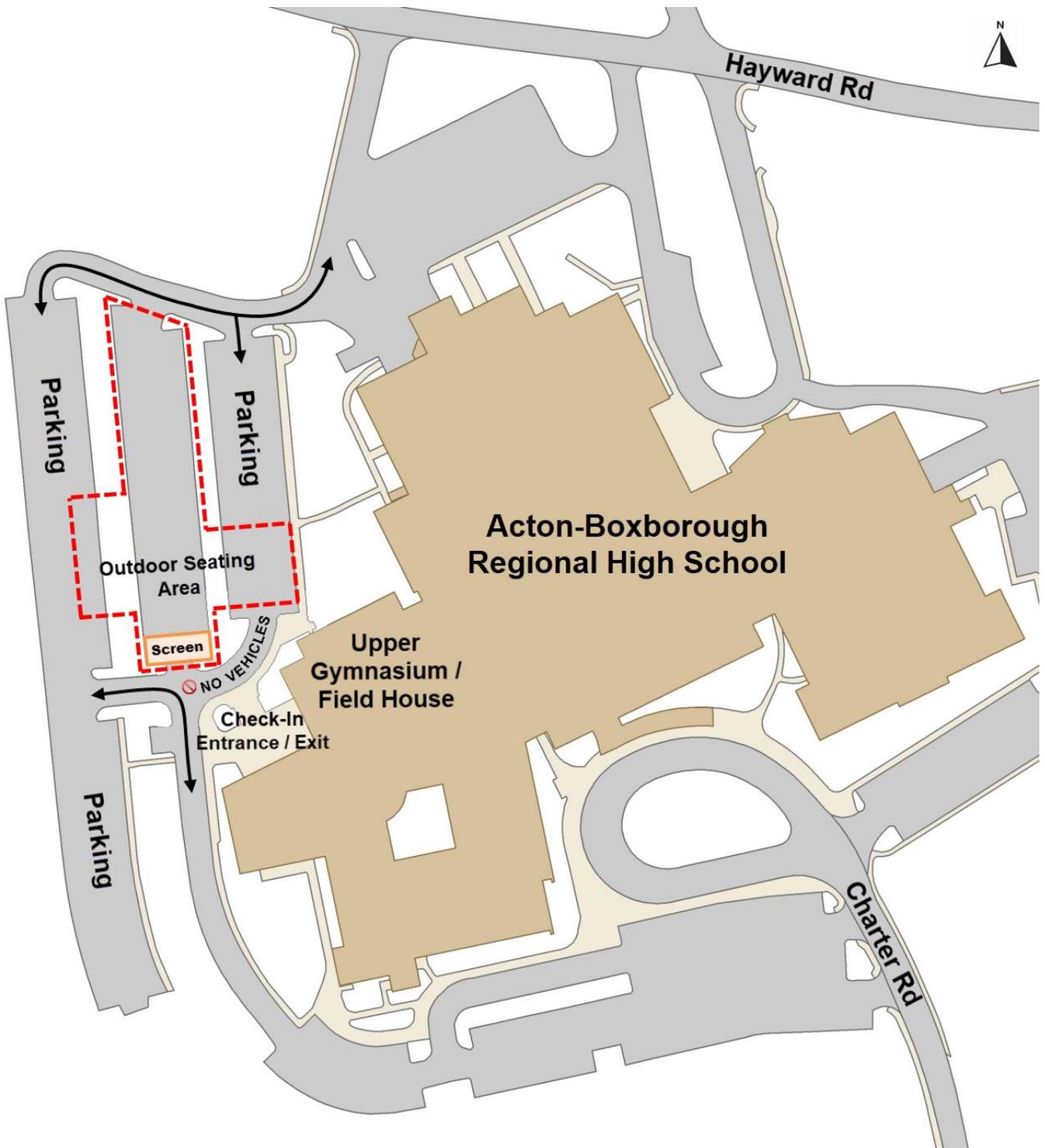


## *Special Town Meeting Warrant*

**The Special Town Meeting will begin at 6:00 PM on Tuesday, September 8 in the Acton-Boxborough Regional High School Upper Gymnasium (Indoor, socially-distanced seating) and the Adjacent Parking Lot (Outdoor, socially-distanced seating)**

**36 Charter Road**

# Town Meeting Location



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\* Article is on Consent Calendar

# Article submitted by Citizens’ Petition

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## *Free Transportation to Town Meeting*

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***Don't miss Town Meeting because you can't get a ride!***

# CrossTownConnect



**Your Community, Your Transportation, Your Way**

The Town of Acton is offering **free** door-to-door van rides to Town Meeting.

CrossTown Connect will have a driver covering the hours from 4:30 PM – 10:30 PM for the night of Town Meeting. The dispatch service will be open for reservation until 12:00 PM on the day of the meeting. Rides can be booked with the CrossTown Connect dispatch at (978) 844-6809. The service will run even if there are no reservations, as we will take walk-ons from Town Meeting that want a trip home. There will be no charge to passengers for any of these Town Meeting trips. When the van is not in use between 4:30 PM to 10:30 PM, it will be parked in the Acton-Boxborough High School parking lot where Town Meeting is being held. The driver will be waiting in the van for anyone that would like a ride home.

## *Volunteers Sought*

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Do you want to get involved in making Acton a better place to live? There are many boards and committees in town run by volunteers, and many of them are in need of new members. This is your chance to make a difference! There are both ad hoc and ongoing committee slots available. There is sure to be a board that can use your knowledge and skills.

To learn more, visit the Volunteer Coordinating Committee page on the Town website: <http://www.acton-ma.gov/111/Volunteer-Coordinating-Committee>. There is no better way to give back to your community than volunteering. Applications may be filed online from the Town's website at: <http://www.acton-ma.gov/formcenter/town-managers-office-5/volunteer-application-43>

## *Consent Calendar*

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In an effort to make Town Meeting more efficient, the Consent Calendar or Consent Agenda is used. The Selectmen choose articles that are usually recurring and that are not expected to generate controversy. The articles are voted as a unit and passed without debate.

The Town Meeting will begin with a single Consent motion. The Consent articles are indicated with an asterisk (\*) in the Article Index as well as in the title of each article.

The Moderator will read out the numbers and titles of the articles. If two or more voters object to an article being included in the consent agenda, they may call out “Hold.” This may be because there is a question or a voter feels discussion and debate is warranted. The Article will be removed from the Consent Agenda.

Once any articles have been held out from the Consent Agenda, the Moderator will call for the vote on the remaining articles as a unit.

Please review the articles and motions. Summaries are also included with each article. Motions for consent articles are included under the text of each article. All other motions will be available on a separate handout at Town Meeting. Articles and motions must be substantially similar.

If you have any questions about any articles, motions, or procedures, please contact the official listed in the summary of the article or the Town Manager’s Office at [manager@actonma.gov](mailto:manager@actonma.gov) or 978-929-6611 before Town Meeting.

Jo-Ann Berry  
Town Moderator

*“Be sincere, Be brief, Be seated.”*  
– Franklin Delano Roosevelt

# Special Town Meeting Warrant

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One or more of the following symbols may appear following an Article number:

*	This article is on the Consent Calendar
#	This article was submitted by Citizens' Petition

One or more of the following recommendations may appear at the end of an Article's summary:

<b>Recommended</b>	This board voted to <u>recommend</u> passage by Town Meeting.
<b>Not Recommended</b>	This board voted to <u>not recommend</u> passage by Town Meeting.
<b>Deferred</b>	A recommendation will be made by this board when the Article is considered at Town Meeting.
<b>No Recommendation</b>	This board voted to make no specific recommendation to Town Meeting.



*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 at the Acton-Boxborough Regional High School Upper Gymnasium in said Acton on Tuesday, **September 8, 2020 at 6:00 PM**, then and there to act on the following articles:

# Articles

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## **Article 1 Land Acquisition – 4 Piper Lane, 6 Piper Lane, 4 Piper Lane Rear, and Right of Way over 90 School Street**

(Two-thirds vote)

To see if the Town will vote to:

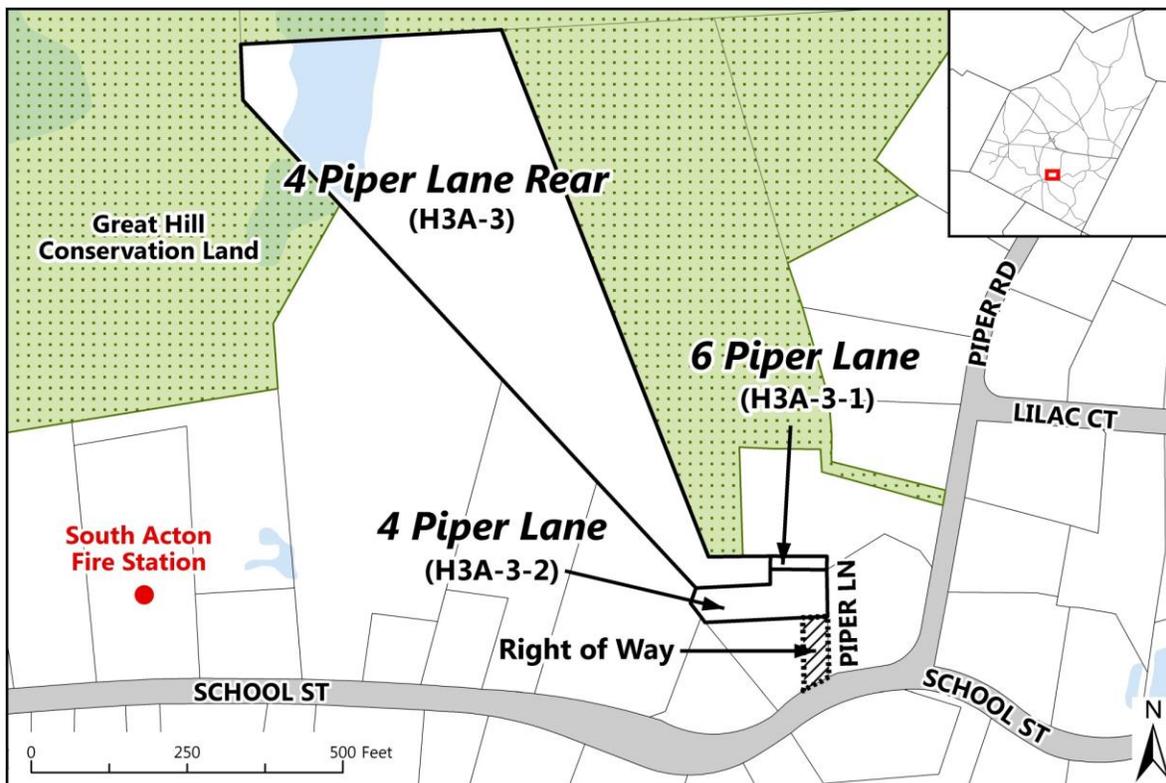
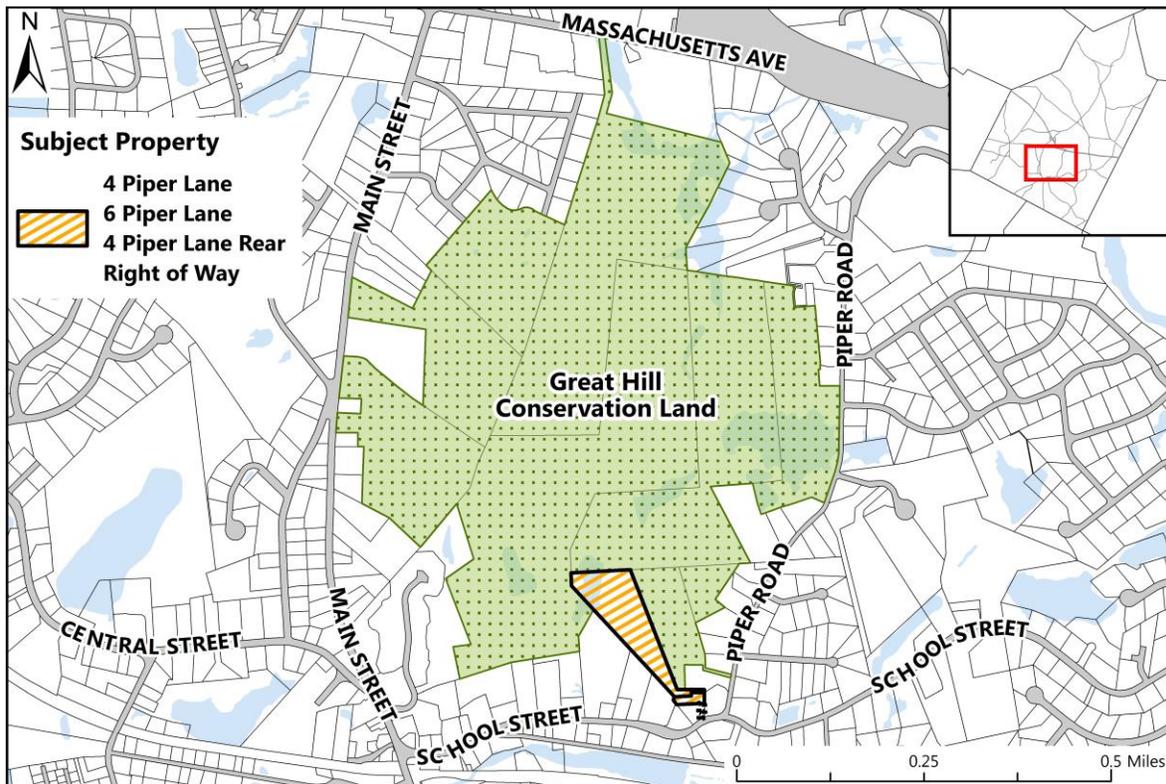
- (a) authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise and accept the deed of a fee simple interest, on such terms and conditions as the Selectmen may determine, of the following parcels of land in Acton (collectively, the “Property”), for open space, passive recreation and conservation purposes under M.G.L. c. 44B, the Community Preservation Act: (i) that certain parcel of land containing approximately 11,791 square feet, commonly known as 4 Piper Lane, identified as Assessor’s Parcel H3-A-3-2, and described in that certain deed recorded with the Middlesex South Registry of Deeds (the “Registry”) in Book 487268, Page 495; (ii) that certain parcel of land containing approximately 1,660 square feet commonly known as 6 Piper Lane, identified as Assessor’s Parcel H3-A-3-1, and described as “Parcel B1” in that certain deed recorded with the Registry in Book 23190, Page 437; (iii) that certain parcel of land containing approximately 248,292 square feet, commonly known as 4 Piper Lane Rear, identified as Assessor’s Parcel H3-A-3, and described as “Parcel C1” in that certain deed recorded with the Registry in Book 23190, Page 437; and (iv) an approximately 4,774.5 square foot parcel of land (the “Right of Way”), being a portion of that certain parcel of land commonly known as 90 School Street, containing approximately 20,543 square feet, identified as Assessor’s Parcel H3-A-17, and described in that certain recorded with the Middlesex South Registry District of the Land Court on Certificate of Title No. 258704 as Document No. 1691886 (“90 School Street”), which Right of Way comprises the eastern forty feet (40’) of 90 School Street, including the fourteen foot (14’) wide private way known as Piper Lane, and which Right of Way shall be subject to a permanent non-exclusive easement to pass and repass by vehicle and on foot, over, across and upon the Right of Way for ingress and egress to and from the remainder of 90 School Street, including the right to install, construct, maintain, grade, slope regrade and reconstruct a paved driveway, drainage facilities and utilities of all types and kinds, in accordance with all municipal bylaws, rules, and regulations;
- (b) appropriate \$1,200,000 for 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 \$600,000 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 \$1,200,000 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 conservation or 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.

#### Summary

The acquisition of these properties serves as a significant component to connect portions of the Great Hill Conservation and Recreation Lands. The Open Space Set Aside Fund, which has received appropriations each year from the Community Preservation Fund, is designed to allow the Town to take advantage of such parcels when they become available, even if off the typical Community Preservation Act calendar. The protection of these particular parcels has been a priority for the Open Space Committee and the Board of Selectmen for over a decade. This opportunity to purchase the parcels will likely be the last chance to acquire them in their current undeveloped state.



Direct inquiries to: John S. Mangiaratti, Town Manager: [manager@actonma.gov](mailto:manager@actonma.gov) / (978) 929-6611  
 Selectman assigned: Dean A. Charter: [bos@actonma.gov](mailto:bos@actonma.gov) / (978) 929-6611

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

**Article 2 Amend Town Charter – Title of the Chief Executive**

(Two-thirds vote)

To see if the Town will vote, pursuant to Section 8-3 of the Charter of the Town of Acton and Chapter 43B of the Massachusetts General Laws, to change the name of the “Board of Selectmen” to the “Select Board” and references to its members from “Selectmen” to “Members,” contingent upon the voters of the Town approving a ballot question regarding acceptance of these changes by a majority vote at the next annual election; or take any other action relative thereto.

**Summary**

This article proposes an amendment to the Town’s Charter to change the name of the “Board of Selectmen” to “Select Board” and to change the name of Board members from “Selectmen” to “Members.” These amendments would have no impact on the roles or authorities of the Board or its members. The name change is intended to modernize the Charter by adopting non-gendered terms where possible, reflecting the importance of diversity and the Town’s commitment to being an inclusive community that encourages engagement by all residents.

Pursuant to Section 8-3(c) of the Charter, following a two-thirds approval of the Town Meeting, the proposed amendment shall be submitted to voters at the next annual election. The amendment shall then be adopted if approved by a majority of voters.

Direct inquiries to: John S. Mangiaratti, Town Manager: manager@actonma.gov / (978) 929-6611  
Selectman assigned: David D. Martin: bos@actonma.gov / (978) 929-6611

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

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**Article 3 Authorize Payment in Lieu of Taxes – Solar Facilities**

(Majority vote)

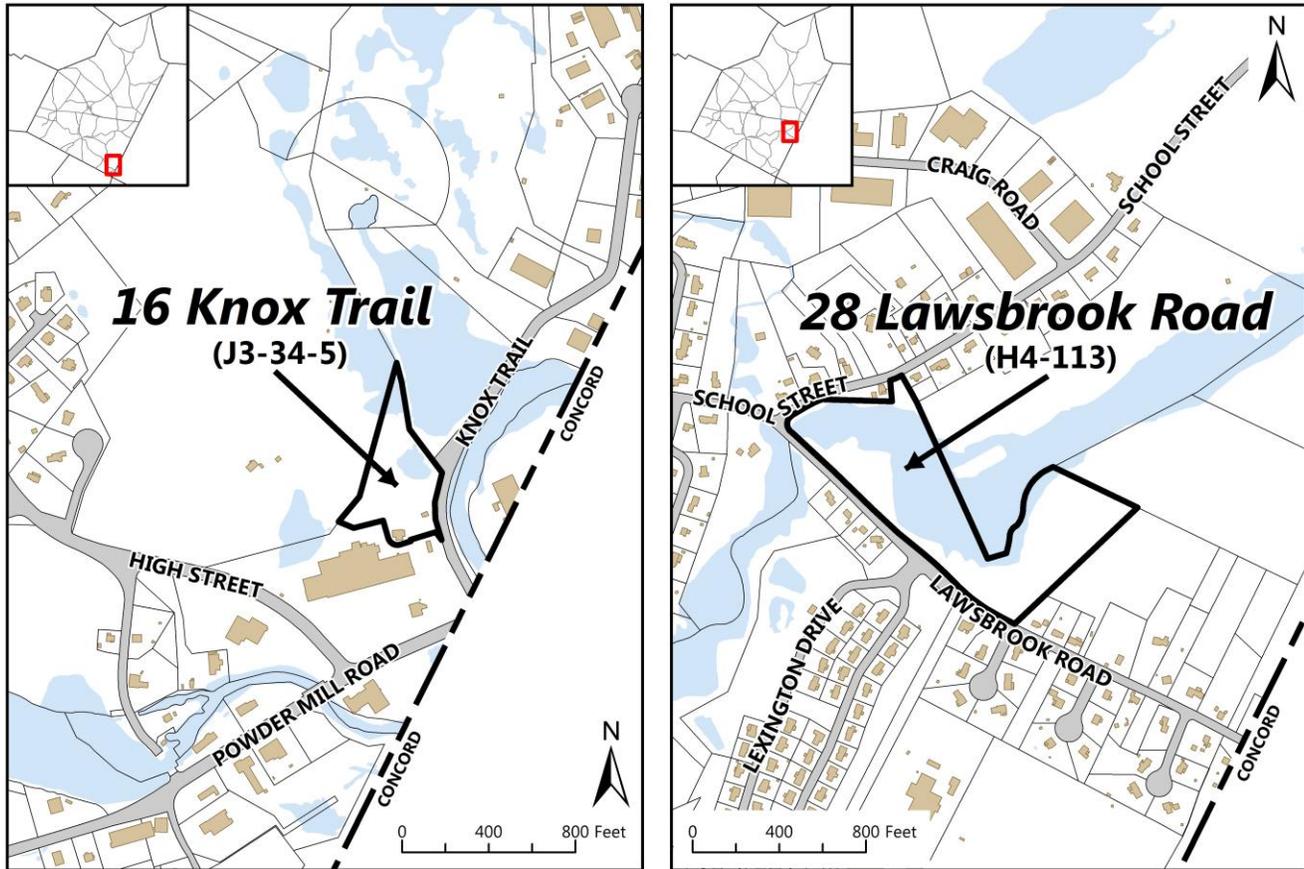
To see if the Town will vote, pursuant to the provisions of Chapter 59, Section 38H of the Massachusetts General Laws, to authorize the Town Manager to negotiate and enter into one or more payment in lieu of tax (PILOT) agreements with the operator of solar photovoltaic energy generating facilities for facilities to be developed on real property owned by the Water Supply District of Acton at 28 Lawsbrook Road and 16 Knox Trail, upon such terms and conditions as the Town Manager shall deem to be in the best interest of the Town; or take any other action relative thereto.

**Summary**

Approval of this article would authorize the Town Manager to execute an agreement for payment in lieu of taxes (PILOT) with Acton Water Solar Partners LLC and WeBO Solar Partners LLC, subsidiaries of EDF Renewables (the “Developers”), the entities that will own and operate solar power facilities to be built 28 Lawsbrook Road and 16 Knox Trail. The Water Supply District of Acton (the “Water District”) owns the real property on which the solar facilities will be located. The Town enters into PILOT agreements with solar developers to set accurate and consistent tax revenue payments over the life of a project (typically 20-25 years).

The Developers have not yet finalized leases with the Water District; however, the Developers have proposed PILOT agreements for the Town’s approval, contingent on the Developers and Water District finalizing contract documents. The Town Manager, Town Assessor and Town Counsel are reviewing the proposed PILOT agreements to ensure that payments and terms are appropriate, and consistent with

Commonwealth Department of Revenue requirements. If the PILOT is approved, the Town would receive a fixed amount of taxes for the solar facilities over the lifetime of the solar projects, beginning when the projects reach commercial operation.



Direct inquiries to: John S. Mangiaratti, Town Manager: [manager@actonma.gov](mailto:manager@actonma.gov) / (978) 929-6611  
 Selectman assigned: Jim Snyder-Grant: [bos@actonma.gov](mailto:bos@actonma.gov) / (978) 929-6611

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

**Article 4      Small Business Grant Program**  
 (Majority vote)

To see if the Town will raise and appropriate, or appropriate from available funds, the sum of \$165,604 to be expended by the Town Manager pursuant to terms and conditions set forth by the Board of Selectmen for the creation and funding of a grant program to assist small businesses in Acton that have suffered losses as a result of the COVID-19 pandemic (“COVID Small Business Grant Program”), or take any other action relative thereto.

**Summary**

In May 2020, the Board of Selectmen established a COVID-19 Small Business Grant program to assist in the stabilization of existing small businesses in Acton that have experienced significant business disruption and loss due to the COVID-19 pandemic and associated business closures. The grant program was created to provide funds to assist eligible businesses cover wages, rent, loss of inventory, and other fixed costs not already compensated by other federal COVID-19 financial assistance or relief programs. Grants of up to \$4,000 were offered, and funding was to be provided through the Coronavirus Aid, Relief,

and Economic Security (CARES) Act. A total of \$100,000 of Acton’s CARES Act funding was proposed to be used to fund this grant.

Eligibility criteria included for-profit businesses with up to 35 employees who have a physical commercial presence in Acton, less than \$1.5m in gross annual revenues, and have experienced a documented loss of revenue of 50% or more due to COVID-19 closures.

A total of 43 eligible applications were received by the grant deadline of June 15. On June 18, a lottery was held in the parking lot of Town Hall to select 25 grant winners. The winners were notified of the lottery results by email.

Subsequently, the Town Manager and Town Counsel were informed by the Massachusetts Department of Revenue that it would not release CARES Act funds for the small business grant program. The Department of Revenue acknowledged that the small business grant program was an eligible use of the funds under federal guidelines.

In July 2020, the Board of Selectmen discussed using Free Cash to fund the small business grant program. This warrant article requests Town Meeting approve the use of \$165,604 of Free Cash to fund the small business grant program enabling the awarding of grants up to \$4,000 to each of the 43 eligible Acton small businesses, listed below:

- |                            |   |
|----------------------------|---|
| Acton Coffee House         | Michael's Shoe Boutique                   |
| Acton Skin Care            | Moncreaff's American Kenpo Karate Academy |
| Acton Smile Hub            | Nature's Nails                            |
| Aglow Airbrush Tanning     | New England Tennis Center                 |
| Anytime Fitness Powdermill | Nouveaux Skin & Nails                     |
| Birch Tree Skin Care       | Orange Door Kitchen                       |
| Colonial Valet Cleaners    | Periwinkle Art & Glassworks               |
| DogStar Activity Center    | Planet Gymnastics                         |
| Ginger Court               | Powers Gallery                            |
| Hit The Net Sports         | Q Cleaner & Tailor                        |
| Home of Mine               | Revolution Community Yoga                 |
| Hybid Farm                 | Sean Nicole Salon                         |
| Jerry's Barbershop         | Shalom Dentistry                          |
| Jo Karen                   | Shilpa's Threading Spa                    |
| King's Ink Tattoo          | Siesta Sleepworks                         |
| Koko FitClub               | Soccer Stuff                              |
| Learn and Play             | Spicepepper Garden                        |
| Learning Express           | Subway - 134 Great Road                   |
| Legend Café                | The SAAB Doctor Inc                       |
| Les Lyonnais               | Thrive Dental                             |
| Massage Sanctuary          | Total Athletic Performance                |
| Mayuri Indian Cuisine      |   |

Direct inquiries to: John S. Mangiaratti, Town Manager: [manager@acton-ma.gov](mailto:manager@acton-ma.gov) / (978) 929-6611  
Selectman assigned: Jon Benson: [bos@actonma.gov](mailto:bos@actonma.gov) / (978) 929-6611

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

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**Article 5 #**                      **Non-Binding Resolution – Declaring a Climate Emergency:**  
(Majority vote)                      **A Better Future Starting Now**

**Whereas**, in a world facing extreme challenges, including rapid climate change, Acton residents understand the importance of protecting the Earth and its inhabitants, can envision a better, sustainable future, and can create and execute bold plans for a prosperous economy and a thriving community;

**Whereas**, progress toward this future is underway in Massachusetts, which is among national leaders on climate initiatives (for example, there are 117,000 jobs in the state’s clean energy sector; Massachusetts has been named the most energy efficient state for the past nine years; and as a founding member of the Regional Greenhouse Gas Initiative, the Commonwealth has steadily increased the proportion of renewables in our electricity supply);

**Whereas**, Acton has an engaged Town government, and has undertaken a number of important steps on climate and the environment, the Town is well placed to implement the critical transition away from fossil fuels, and to advance a robust, carbon-free, equitable economy, and the improved health and quality of life that will result;

**Whereas**, the use of fossil fuels — such as oil, coal, and natural gas — is causing unprecedented increases in greenhouse gases in our atmosphere and ensuing climate change impacts;

**Whereas**, the Fourth National Climate Assessment, released in 2018 by the federal government, calls out the cascading risks of climate change, including disruptions to food, water supply, transportation, public health, and national security, as well as major risks to economies and ecosystems;

**Whereas**, in October 2018 the United Nations released a special report that: projected that limiting warming to 1.5°C (2.7°F) above pre-industrial levels will require deep emissions reductions and rapid, unprecedented transitions in all aspects of society; found that there are clear benefits to keeping warming to 1.5°C rather than 2°C (3.6°F) or higher; and asserted that “Every bit of warming matters. Every year matters and every choice matters”;

**Whereas**, restoring a safe and stable climate requires a Climate Mobilization — an emergency initiative on a scale not seen since World War II, with resolute leadership and coordination necessary at all levels of government and in all sectors of society — in order to: (1) reach net zero carbon emissions across all sectors of the economy; (2) rapidly and safely remove excess carbon from the atmosphere, at emergency speed, to levels that restore safe, pre-industrial climate conditions and (3) implement measures to protect all people and species, and ecosystem integrity, from the consequences of climate breakdown;

**Whereas**, many localities, organizations, and countries have adopted a goal of net zero carbon emissions by 2030, there is now worldwide momentum behind developing and deploying the technical, economic, and political means to achieve this goal;

**Be It Therefore Resolved**, that the residents of the Town of Acton hereby declare that a Climate Emergency threatens our town, state, and nation, as well as humanity broadly, and that a mobilization to meet this challenge is both an imperative and an unprecedented opportunity to stabilize the climate, remedy environmental harms, create clean-energy jobs, and improve human lives.

**Be It Further Resolved**, that the members of Acton Town Meeting call on Town government and staff, and all Acton civic groups, businesses, and residents to commit to a climate mobilization effort, with appropriate support from the state and federal governments, to bring net Town-wide carbon emissions to zero as quickly as possible, with a target date of 2030.

**Be It Further Resolved**, that the Town of Acton’s climate mobilization should also: (1) accelerate adaptation and resilience strategies in preparation for intensifying local and global climate impacts; (2) protect trees, forests, and other open spaces because of their ability to draw carbon out of the atmosphere and store it; and (3) ensure that the costs of such mobilization efforts do not unfairly burden those who are economically or socially disadvantaged, and that the benefits of a realized, sustainable future accrue to all.

**Be it Further Resolved**, that the Town of Acton calls on state and federal elected officials to initiate a Climate Emergency mobilization, and provide appropriate legislative, regulatory, and financial support to municipalities to implement local Climate Emergency initiatives.

**Summary by Petitioner**

This non-binding resolution brought by the Acton Climate Coalition makes the case for both the gravity of the accelerating climate emergency, and the pressing need for action to arrest it. Acton’s declaration of a Climate Emergency will help build momentum and pressure for bold and urgent action on the climate crisis, both locally and beyond.

For more information: <https://www.actonclimatecoalition.org/>

Direct inquiries to: Lee Ketelsen: ActonClimateCoalition@gmail.com / (978) 263-5905  
Selectman assigned: Jim Snyder-Grant: bos@actonma.gov / (978) 929-6611

<b>Recommendations:</b>	<b><u>Board of Selectmen</u></b>	<b><u>Finance Committee</u></b>
	<b>Recommended</b>	<b>No Recommendation</b>

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**Article 6 \*                      Accept Legislation – Statutory Speed Limits and Regulatory Safety Zones**  
(Majority vote)

To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 90, Sections 17C and 18B, or take any other action relative thereto.

**Motion**

Move that the Town accept the provisions of Massachusetts General Laws Chapter 90, Sections 17C and 18B.

**Summary**

The Municipal Modernization Act (Chapter 218 of the Acts of 2016) included provisions that allow municipalities to “opt-in” by vote of Town Meeting. If approved, this Article accepts two provisions that allow the Town to set roadway speed limits under certain circumstances:

MGL Chapter 90, Section 17C allows the Board of Selectmen to establish speed limits of 25 miles per hour on any roadway inside a thickly settled or business district in the town that is not a state highway. This legislation only affects streets that are currently governed by a statutory speed limit. If an existing special speed regulation is in place, it will continue to govern.

MGL Chapter 90, Section 18B allows the Board of Selectmen to establish designated safety zones of 20 miles per hour on any roadway in the town that is not a state highway, or on a state highway with the approval of the Massachusetts Department of Transportation (“MassDOT”).

Direct inquiries to:    John S. Mangiaratti, Town Manager: manager@actonma.gov / (978) 929-6611  
Selectman assigned:    David D. Martin: bos@actonma.gov / (978) 929-6611

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

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**Article 7 \*                      Accept Legislation – Saturday Office Hours**  
(Majority vote)

To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 41, Section 110A, or take any other action relative thereto.

**Motion**

Move that the Town accept the provisions of Massachusetts General Laws Chapter 41, Section 110A.

**Summary**

If approved, this Article accepts a statute allowing for a public office of the Town to remain closed on any Saturday. Where the last day for performance of any act, such as the last day of voter registration or to submit election paperwork, in such an office falls on a Saturday, the act may be performed on the next succeeding business day.

Direct inquiries to:    John S. Mangiaratti, Town Manager: manager@actonma.gov / (978) 929-6611  
Selectman assigned:    David D. Martin: bos@actonma.gov / (978) 929-6611

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

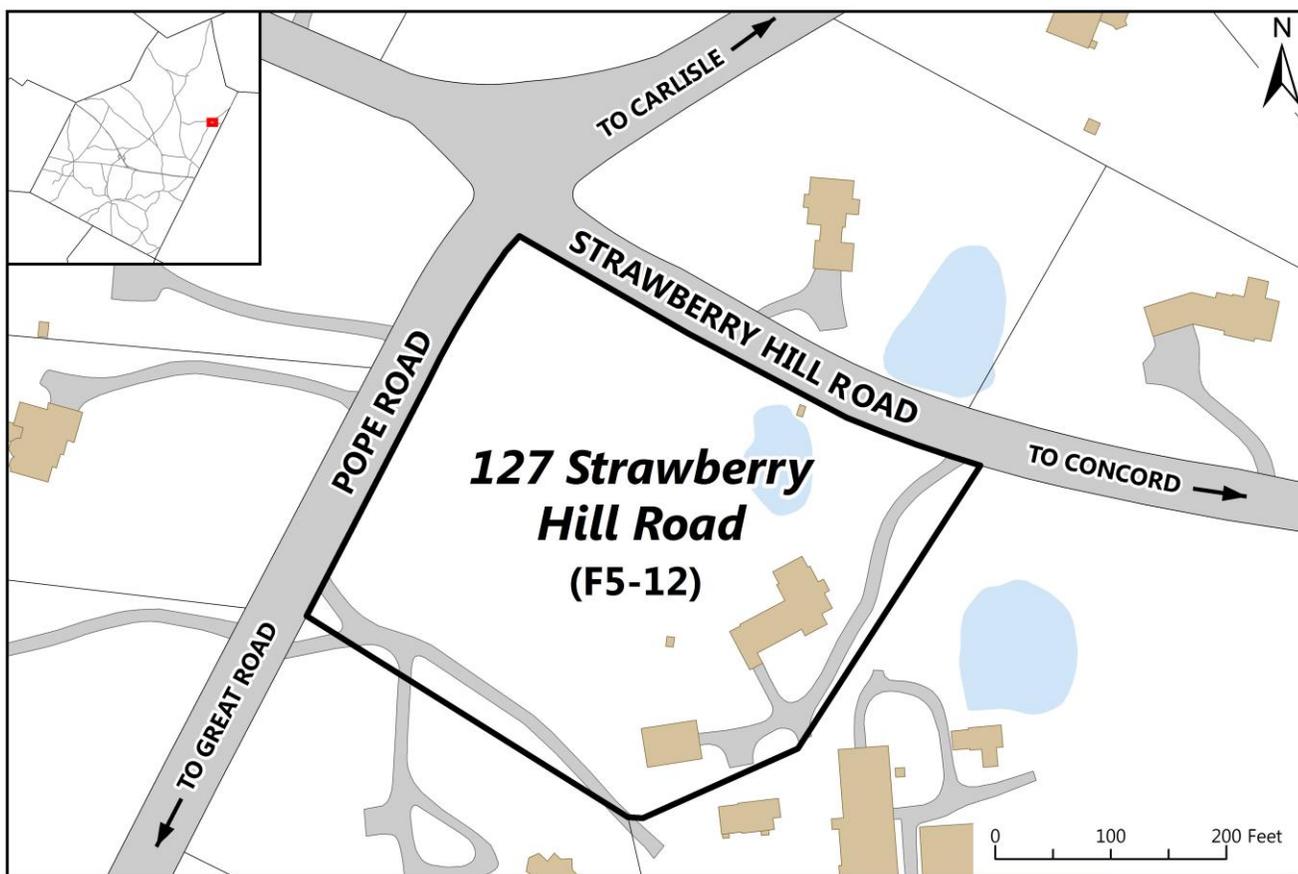
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**Article 8 \***                      **Release of Restriction – 127 Strawberry Hill Road**  
(Two-thirds vote)

To see if the Town will vote to authorize the Board of Selectmen to release, on such terms and conditions as the Selectmen may determine, that certain restriction held by the Selectmen dated December 26, 1986 and recorded with the Middlesex South District Registry of Deeds at Book 18573, Page 60 (the “Restriction”), which Restriction encumbers that certain property known and numbered as 127 Strawberry Hill Road in Acton, Massachusetts, further identified as Parcel 12 on Town Atlas Map F5, or to take any other action relative thereto.

**Motion**

Move that the Town authorize the Board of Selectmen to take all actions necessary to release the Restriction, as set forth in the Article.



Direct inquiries to: John S. Mangiaratti, Town Manager: [manager@actonma.gov](mailto:manager@actonma.gov) / (978) 929-6611  
Selectman assigned: Joan Gardner: [bos@actonma.gov](mailto:bos@actonma.gov) / (978) 929-6611

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

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**Article 9 \* Amend Zoning Bylaw – Housekeeping Corrections, Personal Wireless Facility**  
(Two-thirds vote)

To see if the Town will vote to amend the Zoning Bylaw, Section 3 – Table of Principal Uses, by changing the name of the use in subsection 3.4.10 from Wireless Communication Facility to Personal Wireless Facility.

**Motion**

Move that the Town adopt the Zoning Bylaw amendment as set forth in the Article.

**Summary**

The April 2008 Annual Town Meeting, after recommendations from the Wireless Communication Facilities Bylaw Study Committee, voted to amend the regulations for Wireless Communication Facilities, including a name change for the principal use from “Wireless Communication Facility” to “Personal Wireless Facility”. At the time, the principal use name in the Table of Principal Uses was inadvertently not amended. This article makes the correction to make the terminology consistent throughout the bylaw.

Direct inquiries to: Robert Hummel, Assistant Town Planner  
planning@actonma.gov / (978) 929-6631  
Selectman assigned: David D. Martin: bos@actonma.gov / (978) 929-6611

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

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 twenty-fifth day of August, 2020.

Jon Benson, Chair  
Dean A. Charter, Vice-Chair  
David D. Martin, Clerk  
Joan Gardner  
Jim Snyder-Grant

**Board of Selectmen**

A true copy, Attest:

  
Constable of Acton

# *Moderator's Rules and Parliamentary Procedure*

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New England Town Meeting is each voter's opportunity to serve as their own legislator without an elected representative who may or may not represent their views. Town Meeting is designed to be deliberative so that various perspectives can be heard on a subject. While many come to the meeting with their minds set, they may still be persuaded that their neighbor has a valid view and change their vote. Or not change their vote. Either way they may leave with a better understanding of why others vote the way they do.

Town Meeting is the culmination of multitudes of volunteer hours of our fellow residents working on many issues and projects to make life better in Acton. These range from sidewalks to master plans, from creating a dog park to the economic development committee. They don't all bring articles to Town Meeting, but when a committee or board does bring forward an article for your discussion and vote, it represents hundreds or thousands of hours of work focused on making Acton a better place.

With the low percentage of voters typically present at Town Meeting some have expressed that the true sentiments of the voters cannot be known. However, the opportunity for any registered voter of the town to participate is available not only at Town Meeting but throughout the year in the committee process where items of interest and concern are discussed, vetted, and questioned. Any resident, whether they are a registered voter or not may ask questions or add to the discussion in person or through email, and at least for now, over Zoom. Many committees and boards are looking for members. Anyone can apply through the Volunteer Coordinating Committee to be considered for a committee that best suits their interests. Through this ongoing process, the Town Meeting, and sometimes ballot votes, the consensus of the town can be known. A project that fails often returns with improvements in a later year.

Town Meeting is governed by rules taken from:

- Massachusetts General Laws (MGL)
- Town Bylaws
- Town Meeting Time (published by the Massachusetts Moderators Association)
- Local tradition and precedent including Moderator's judgement

## **Moderator's Rules Summary**

1. During the pandemic, there will be no handouts except for official warrant and motion documents in order to limit contact and time spent in face to face conversations.
2. Voting will be done using large cards and voice. Any counted votes can be done from the front.
3. To put motions into play, the Moderator reads the article which then must be seconded. Anyone can call out "second." The motion is what is voted on and may be a bit different than what appears in the warrant, though it should be substantially similar. The motion will appear on the front screen visible to the audience as it is being read and at the end of any presentation on the article.
4. Once the motion is made and seconded, the mover speaks first. Movers of articles are generally allowed 5 minutes to make their presentation to the meeting. If additional time is needed for more complicated articles, they must discuss it with the Moderator prior to the meeting. The Moderator holds a meeting usually the week before Town Meeting in order to review presentations and to answer presenters' questions. If someone wishes to make a rebuttal or "con" presentation, they must attend the meeting and follow the rules regarding presentations. Rebuttal presenters will be allowed 5 minutes. If there are

multiple parties wishing to rebut, the total time of their presentations will be 5 minutes. The meeting will be via Zoom and open to the public. Presentations will be recorded and posted online a few days before the meeting to allow voters the opportunity to review prior to the meeting and to limit the time meeting members are gathered.

Next, the appropriate Town Boards (usually Selectmen and Finance Committee) state their recommendations on the motion. Following this, discussion is open to town meeting members.

5. All comments and questions must be relevant to the article being considered. All speakers must be polite and respectful. Comments may not be about other people. The purpose of Town Meeting is to discuss policies and ideas, not people. Rude or disrespectful comments will be ruled out of order.

6. Any registered voter may speak to an article. If you wish to make a comment or ask a question, approach the microphone closest to you and wait to be recognized by the Moderator. If there are multiple speakers, maintain distance as indicated by marks on the floor or ground. We will attempt to accommodate those who cannot access a microphone by use of a portable mike. If you wish to be recognized and cannot go to a mike, raise your hand to request a portable mike. Once recognized, state your name and street before making your comment or asking your question. You will have 2 minutes to speak. All remarks and questions are addressed to the Moderator. If you have a question, the Moderator will determine who should respond.

7. The Moderator will accept a motion to cut off debate (“move the previous question”) once there has been sufficient debate to inform the Town Meeting members of the pros and cons of the motion. Moving the previous question requires a second, is non debatable, and requires a two-thirds majority to pass. In the absence of a motion to move the previous question following a robust discussion, the Moderator may determine, usually through a show of hands, that most of the voters have decided how to vote and the vote will be taken at that time.

8. Voting on motions is first done by voice. If the Moderator cannot discern the result, then we will count the raised cards. Results will be declared by the Moderator as required by law.

The following are the more formal parliamentary procedures drawn from *Town Meeting Time*:

## 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	Quantum of Vote Required	May Reconsider	May Interrupt
<b>Dissolve</b>	Yes	No	No	Majority	No	No
<b>Fix the Time to Adjourn</b>	Yes	Yes	Yes	Majority	Yes	No
<b>Lay on the Table</b>	Yes	No	No	Two-thirds	Yes	No
<b>Previous Question</b>	Yes	No	No	Two-thirds	No	No
<b>Limit Debate</b>	Yes	No	No	Two-thirds	Yes	No
<b>Postpone to a Time Certain</b>	Yes	Yes	Yes	Majority	Yes	No
<b>Amend</b>	Yes	Yes	Yes *	Majority	Yes	No
<b>Postpone Indefinitely</b>	Yes	Yes	No	Majority	Yes	No
<b>Point of Order</b>	No	No	No	None	No	Yes
<b>Main Motion</b>	Yes	Yes	Yes	Varies	Yes	No
<b>Reconsider **</b>	Yes	Yes	No	Two-thirds	No	No

\* In Acton, we generally do not accept amendments to amendments as it too confusing.

\*\* Controlled by Town Bylaw – 2/3 vote same night; 3/4 Vote, plus posting on 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.

Town Meeting should be enjoyable and efficient in conducting its business and as Moderator I will strive to meet those goals. I have prepared additional information regarding Town Meeting, information regarding presentations, and other helpful information which may be found on the town’s web site: [www.actonma.gov](http://www.actonma.gov).

Thank you,

Jo-Ann M. Berry  
Town Moderator



**TOWN CLERK**

**TOWN OF ACTON**  
472 MAIN STREET  
ACTON, MASSACHUSETTS, 01720  
TELEPHONE (978) 929-6620  
FAX (978) 929-6340  
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August 25, 2020

Middlesex, ss.

I have served the warrant for the Special Town Meeting to be held on September 8, 2020, by posting an attested copy of the same at six (6) of the public places of said town fourteen (14) days before the time of holding such meeting as directed.

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Constable

Warrants posted in six (6) public places as follows:

Nagog Woods Post Office, Town Hall, West Acton Post Office, Center Post Office, Center Library and Public Safety Facility;

As well as the Town Web Page.

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Constable

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