

**ABSTRACT OF THE ANNUAL TOWN MEETING HELD
MONDAY, JUNE 21, 2021, 6:00 P.M.
ACTON-BOXBOROUGH REGIONAL HIGH SCHOOL UPPER GYMNASIUM
(INDOOR SEATING AND THE ADJACENT PARKING LOT
OUTDOOR SEATING)
NUMBER OF REGISTERED VOTERS ATTENDING TOWN MEETING
JUNE 21, 2021 - 585**

Article Index

* Article is on Consent Calendar

Article submitted by Citizens' Petition

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June 21, 2021

The Moderator, Ms. Jo-Ann Berry, called the Annual Town Meeting to order on Monday, June 21, 2021 at 6:20 pm.

The Moderator thanked all the Town and School staff who have worked to make this meeting work effectively and efficiently. In addition, she thanked all the town staff and volunteers who serve the Town.

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.

Voting will be by a combination of voice or holding up the large colored cards.

The Moderator asked Town Meeting to vote to allow non-resident Town Staff and Regional School Staff, to speak to the Articles of this Town Meeting if needed.

Motion carries to allow speakers.

The Moderator recognized the chair of the Select Board, Mr. Jon Benson, who then introduced the Members of the Select Board: Jim Snyder-Grant; Joan Gardner, who will be completing 14 years of service over four decades this evening; Dean Charter and David Martin.

Dean Charter acknowledged the many years of service that Joan Gardner has given to the town, and we wish her well.

Mr. Charter also noted that Jon Benson would not be returning to the Select Board after a three-year term. He thanked Mr. Benson for his guidance over the last three years.

The Moderator introduced Christi Andersen, Chair of the Finance Committee, who then introduced the members: Steve Noone, Jason Cole, Adam Nolde, Christine Russell, Sahana Purohit, Mike Majors, and Roland Bourdon.

Consent (Two-thirds vote)

Mr. Benson moves that the Town take up the 21 articles in the Consent Calendar on pages 32 and 69 through 84 of the Warrant: Article 1 and Articles 20 through 39, inclusive.

**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 01 * Choose Town Officers
- Article 20 * Amend General Bylaws – Terminology of the Select Board
- Article 21 * Amend General Bylaws – Department Revolving Funds
- Article 22 * Real Property Disposition – 26 Carlisle Road
- Article 23 * Budget Transfer
- Article 24 * Authorize Collective Bargaining Agreement
- Article 25 * Commuter Lot & Station Maintenance
- Article 26 * Septage Disposal Enterprise Budget
- Article 27 * Transfer Station and Recycling Enterprise Budget
- Article 28 * Sewer Enterprise Budget
- Article 29 * Ambulance Enterprise Budget
- Article 30 * Transportation Enterprise Budget
- Article 31 * Revolving Fund Budgets
- Article 32 * Hear and Accept Reports
- Article 33 * Authorize Easements
- Article 34 * Highway Reimbursement Program (Chapter 90)
- Article 35 * Insurance Proceeds
- Article 36 * Gifts or Grants
- Article 37 * Federal and State Reimbursement Aid
- Article 38 * Performance Bonds
- Article 39 * Sale of Foreclosed Properties

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
Select Board, Chair	\$ 750.00 per year
Select Board, Member	\$ 650.00 per year

, or take any other action relative thereto.

MOTION:

Mr. Benson moves that the Town fix the compensation for elected officers as shown in the Article.

CONSENT MOTION CARRIES

Mr. Benson nominates William Mullin of Wilson Lane, Acton, for the position of Temporary Moderator, term to expire 2022.

CONSENT MOTION CARRIES

Melissa Loporto, Trustee of the West Acton Citizens Library, nominates Dorothy Curtis of 616 Massachusetts Ave, Acton, for the position of Trustee of the West Acton Citizens Library, term to expire 2024.

CONSENT MOTION CARRIES

Michael Gowing, 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 2024.

CONSENT MOTION CARRIES

Thomas Matthews, Trustee of the Acton Firefighters' Relief Fund, nominates Brent E. Carter of 7 Dogwood Drive, Townsend, for the position of Trustee of the Acton Firefighters' Relief Fund, term to expire 2024.

CONSENT MOTION CARRIES

Jennifer Smith, Trustee of the Charlotte Goodnow Fund, nominates Thomas Ryder, of 5 Old Oregon Trail, Acton, for the position of Trustee of the Charlotte Goodnow Fund, term to expire 2024.

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 \$36,617,835 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:

Mr. Benson moves that the Town appropriate \$36,617,835 to be expended by the Town Manager to fund the fiscal year 2022 municipal budget, and

To meet this appropriation, \$36,178,835 be raised from General Revenues and \$439,000 be transferred from Free Cash, 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 Town Capital, Infrastructure, Studies and Improvements
(Majority and Two-thirds votes)

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

Funded from Free Cash, Requiring a Majority Vote		
A.	Diversity Officer Study and Implementation	\$ 85,000
B.	Tree Assessment	\$ 30,000
C.	Dog Park Grant Match	\$ 21,000
D.	Vacant Storefront Program	\$ 20,000
Sub-Total Projects Funded from Free Cash		\$ 156,000

Funded from Stabilization Fund, Requiring a Two-Thirds Vote		
E.	Sidewalks	\$ 90,000
F.	Brush Chipper	\$ 70,000
G.	Net Zero Vehicle Replacement Program	\$ 50,000
H.	Complete Streets Program	\$ 50,000
I.	Fire Alarm Systems for Existing Fire Stations	\$ 50,000
J.	Sustainability Program	\$ 50,000
K.	Fire Tools	\$ 30,000
L.	Forklift	\$ 30,000
M.	Police Technology	\$ 25,000
Sub-Total Projects Funded from Stabilization		\$ 445,000

Total of Proposed Projects	\$ 601,000
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MOTION:

Vote 1 of 2: Mr. Martin moves that the Town transfer from Free Cash and appropriate \$156,000 for the purposes set forth in Items A through D of the Article, including costs incidental and related thereto.

Hold items A & C.

Vote for item B, Tree Assessment and item D, Vacant Storefront Program:

MOTION CARRIES

Vote for item A, Diversity Officer Study and Implementation:

MOTION CARRIES

Vote for item C, Dog Park Grant Match:

MOTION CARRIES

Vote 2 of 2 (Two-thirds vote): Mr. Martin moves that the Town transfer from the Stabilization Fund and appropriate \$445,000 for the purposes set forth in Items E through M of the Article, including costs incidental and related thereto, 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.

Hold items E & M.

Vote for items F through L: Motion carries, declared 2/3

Vote for item E, Sidewalks: Motion carries, declared 2/3

Vote for item M, Police Technology: Motion carries, declared 2/3

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, Infrastructure, Studies and Improvements

(Two-thirds vote)

To see if the Town will raise and appropriate, appropriate from available funds and/or borrow 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.	Public Works Facility & Transfer Station Design	\$ 1,000,000
B.	Kelley's Corner Pedestrian Lights	\$ 979,470
C.	Acton Center Traffic Redesign Construction	\$ 886,000
D.	53 River Street Dam Removal Grant Match	\$ 250,000
Total		\$ 3,115,470

MOTION:

Vote Item A, Public Works Facility & Transfer Station Design: Mr. Charter moves that the Town dismiss Item A of Article 4, Public Works Facility and Transfer Station Design.

MOTION CARRIES

Vote Item B, Kelley's Corner Pedestrian Lights (Two-thirds vote): Mr. Charter moves that the Town:

- 1) Appropriate \$979,470 to be expended by the Town Manager for the purposes set forth in Item B of Article 4, including all costs incidental and related thereto; that to meet this appropriation:
 - a. the Treasurer, with the approval of the Select Board, is authorized to borrow \$505,770 pursuant to Massachusetts General Laws Chapter 44, Section 7(1), or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor;
 - b. the unexpended portion of the appropriation for Kelley's Corner planning costs approved by a vote of the Town under Item A of Article 17 at the 2013 Annual Town Meeting in the amount of \$19,860 is hereby transferred to meet the appropriation approved by this vote; and
 - c. the unexpended portion of the appropriation for Kelly's Corner planning costs approved by a vote of the Town under Article 5 at the 2019 Annual Town Meeting in

the amount of \$453,840 is hereby transferred to meet the appropriation approved by this vote; and

- d. provided further that any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Massachusetts General Laws Chapter 44, Section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; and
- 2) Appropriate and transfer from the Stabilization Fund \$40,970 for the payment of the first year of debt service and underwriting costs on such borrowing.

Yes 293 No 108

MOTION CARRIES

Declared 2/3 by Moderator*

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

Vote Item C, Acton Center Redesign Construction (Two-thirds vote): Mr. Charter moves that the Town:

- 1) Appropriate \$886,000 to be expended by the Town Manager for the purposes set forth in Item C of Article 4, including all costs incidental and related thereto; that to meet this appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow \$886,000 pursuant to Massachusetts General Laws Chapter 44, Section 7(1), or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and provided further that any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Massachusetts General Laws Chapter 44, Section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; and
- 2) Appropriate and transfer from the Stabilization Fund \$71,771 for the payment of the first year of debt service and underwriting costs on such borrowing.

MOTION CARRIES

Declared 2/3 by Moderator*

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

Vote Item D, River St. Dam Removal Grant Match (Two-thirds vote): Mr. Charter moves that the Town:

- 1) Appropriate \$250,000 to be expended by the Town Manager for the purposes set forth in Item D of Article 4, including all costs incidental and related thereto; that to meet this appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow \$250,000 pursuant to Massachusetts General Laws Chapter 44, Section 8(24), or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and provided further that any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with

- Massachusetts General Laws Chapter 44, Section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; and
- 2) Appropriate and transfer from the Stabilization Fund \$20,251 for the payment of the first year of debt service and underwriting costs on such borrowing.

MOTION CARRIES
Declared 2/3 by Moderator*

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

Article 5 Wastewater Treatment System Rehabilitation
(Two-thirds vote)

To see if the Town will raise and appropriate, appropriate from available funds, or borrow a sum of money to be expended by the Town Manager for the purpose of financing the planning, design, and construction of Wastewater Treatment System Rehabilitation Project, or any portion thereof, including, without limitation, the acquisition by purchase, gift, eminent domain or otherwise, on such terms and conditions as the Select Board may determine, real property interests in land as may be necessary or appropriate, and all other costs and any related expenses thereof as defined in Massachusetts General Laws c. 29C, § 1; and to determine whether any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by the vote in accordance with Massachusetts General Laws c. 44, § 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; or take any other action relative thereto.

MOTION:

Mr. Martin moves that the Town appropriate \$4,800,000 for the purpose of rehabilitating, improving and/or making extraordinary repairs to the wastewater treatment facility, including engineering, design, permitting and planning costs, all other costs incidental and related thereto, and any related costs or expenses thereof as defined in Massachusetts General Laws Chapter 29C, Section 1; that to meet this appropriation:

- a. \$300,000 shall be transferred from the Sewer Stabilization Fund; and
- b. the Treasurer with the approval of the Select Board is authorized to borrow \$4,500,000 under Massachusetts General Laws Chapter 44, Section 7(1) and/or Chapter 29C, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; that the Treasurer with the approval of the Select Board is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust (the "Trust") established under Massachusetts General Laws Chapter 29C and in connection therewith to enter into a financing agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection ("DEP") with respect to such loan and for any federal or state aid that may be available for the project or for the financing thereof; that the Town Manager is authorized to enter into any agreements with the DEP, to expend all funds available for the project, and to take any other actions necessary to carry out the project; and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Massachusetts

General Laws Chapter 44, Section 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Terra Friedrichs moves to amend the motion to add:

- c. subject to the express condition that this does not authorize the town to undertake any work to expand the sewer system, except as needed for Powder Mill Place.

MOTION TO AMEND CARRIES

MOTION AS AMENDED 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 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 \$67,543,928 to defray the necessary expenses of the Acton-Boxborough Regional School District, or take any other action relative thereto.

MOTION:

Dr. Petersen moves that the Town raise and appropriate \$67,543,928 to be expended by the Superintendent of Schools to fund the fiscal year 2022 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 \$2,189,873 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 raise and appropriate \$2,189,873 to fund the fiscal year 2022 assessment of the Minuteman Regional School District.

MOTION CARRIES

Article 8 Acquisition of Agricultural Preservation Restriction – Stonefield Farm
(Two-thirds vote)

To see if the Town will vote to:

- (a) authorize the Select Board to acquire by purchase, gift, eminent domain or otherwise, on such terms and conditions as the Select Board may determine, an Agricultural Preservation Restriction, Conservation Restriction, and easements for trail access over approximately 51± acres of the real property land located at 79, 91, and 99 Martin Street, 10 Liberty Street, and 36 Stow Street, Acton, Massachusetts and depicted on Assessors' Map H2 Parcels 61, 94, 101, 128 and Map H2-A Parcel 66, under M.G.L. c. 44B, the Community Preservation Act;
- (b) appropriate the purchase price of \$1,230,000 and all necessary and appropriate transaction costs for said purchase of such restrictions and easement rights including, without limitation, costs for due diligence, legal services, bonding, and its monitoring and enforcement, and other transaction, acquisition and related costs and to meet this appropriation transfer, appropriate and expend, pursuant to the April 28, 2021 favorable recommendation of the Community Preservation Committee from the existing Community Preservation Fund Open Space Set Aside balance of \$1,901,659.73, and to transfer, appropriate and expend said amount, and further to 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;
- (c) authorize the Select Board, the Conservation Commission, and the Agricultural 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 or agricultural land acquisition, and to transfer, appropriate and expend any said amount so received consistent with this article;
- (d) authorize and direct the Select Board in accordance with M.G.L. c. 44B, § 12(b), to delegate the management of the Agricultural Preservation Restriction and Conservation Restriction to the Agricultural Commission or Conservation Commission subject to the perpetual Agricultural Preservation Restriction and Conservation Restriction as aforesaid; and
- (e) authorize the Select Board, the Town Manager, the Treasurer, the Agricultural Commission and the Conservation Commission, as appropriate, to enter into all agreements and execute any and all instruments as may be necessary to effect this article;

or take any other action relative thereto.

MOTION:

Mr. Magee moves that:

- 1) the Town authorize all actions set forth in the article,
- 2) the Town appropriate \$1,230,000 to pay costs of acquiring an agricultural preservation restriction, conservation restriction and trail easements for a 51.5 acre portion of the real property located at 79, 91, and 99 Martin Street, 10 Liberty Street, and 36 Stow Street as set forth in the article, including the payment of all costs incidental and related thereto;
- 3) to meet this appropriation, \$1,230,000 be transferred from the Open Space Set-Aside portion of the Community Preservation Fund balance, or pursuant to any other enabling authority, and
- 4) the Select Board, the Town Manager, the Treasurer, and the Conservation Commission are authorized to take any other action within their respective jurisdiction necessary to carry out the project specified in the article.

MOTION CARRIES

Declared 2/3 by Moderator*

*Town of Acton has accepted MGL CH 39 Sec 15 at 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 9 Community Preservation Program –
(Majority vote) Direct Appropriations from Fund Balances

To see if the Town will appropriate or set aside for later appropriation, and authorize and direct the Select Board and the Town Manager to expend or set aside, from the FY 2020 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 2020 COMMUNITY PRESERVATION FUND BALANCES	
FY 2020 Community Preservation Fund Revenues	
Community Preservation Fund Surcharge Collected in FY 2020	\$1,082,385.53
State Community Preservation Trust Fund Receipt, October 2020	\$ 247,192.00
Other FY 2020 Community Preservation Fund Components	
Interest Earned in FY 2020 (less abatements and exemptions)	\$ 140,399.17
Unencumbered FY 2020 Fund Balance	\$ 9,061.52
Recapture of unspent previous years’ project appropriations	\$ 242,842.92
Total - FY 2020 Community Preservation Fund Balance	
\$1,721,881.14	
FY 2020 Open Space Set-Aside	
Set-Aside Fund Balance from appropriations for the Acquisition, Creation, and Preservation of Open Space and its Rehabilitation and Restoration	\$1,901,659.73
Total FY 2020 Open Space Set-Aside Fund Balance	
\$1,901,659.73	
FY 2020 Historic Resources Set-Aside	
Set-Aside Fund Balance from appropriations for the Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources	\$ 0.00
Total FY 2020 Historic Resource Set-Aside Fund Balance	
\$ 0.00	
FY 2020 Community Housing Set-Aside	
Set-Aside Fund Balance from appropriations for the Acquisition, Creation, Preservation, and Support of Community Housing	\$ 0.00
Total FY 2020 Community Housing Set-Aside Fund Balance	
\$ 0.00	
APPROPRIATIONS FROM FY 2020 COMMUNITY PRESERVATION FUND BALANCE	
Purposes	Recommended Amounts
Set-Aside Appropriations for	
A. Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources	\$ 68,311.75
B. Acquisition, Creation and Preservation of Open Space, and its Rehabilitation and Restoration	\$ 393,000.00

Spending Appropriations	
C. Town of Acton – Regional Housing Services (1 Year)	\$ 34,000.00
D. Community Housing Program Fund	\$ 40,000.00
E. Acton Housing Authority – 348-364 Main Street Development	\$ 500,000.00
F. Town of Acton - Pencil Factory Bridge: Phase 1 Design	\$ 44,000.00
G. Town of Acton - Preliminary Archaeological and Historical Review	\$ 10,000.00
H. Acton Historical Society – Textiles and Clothing Collection	\$ 10,646.00
I. Town of Acton – 53 River Street Historic Park	\$ 100,000.00
J. Town of Acton – Gardner Playground: Phase 2	\$ 100,000.00
K. Town of Acton – NARA Sports Pavilion	\$ 240,000.00
L. Town of Acton – Jones Playground Surfacing Expansion	\$ 115,000.00
Administrative Appropriation	
M. 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	\$ 66,478.88
Total Recommended Appropriations from FY 2020 Community Preservation Fund Balance	\$ 1,721,436.63
APPROPRIATION FROM OPEN SPACE SET-ASIDE FUND BALANCE	
N. Wright Hill Open Space Land Acquisition – Debt Service	\$ 76,800.00
O. Piper Lane Open Space Land Acquisitions – Debt Service	\$ 59,900.00
Total Recommended Appropriations from the Open Space Set-Aside Fund	\$ 136,700.00
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	
	\$ 0.00
Total Recommended Appropriations from the Historic Resources Set-Aside Fund	\$ 0.00
Resulting Fund Balances	
Resulting FY 2020 Community Preservation Fund Balance	\$ 444.51
Resulting Balance in the Set-Aside Fund for the Acquisition, Creation, and Preservation of Open Space, and its Rehabilitation and Restoration**	\$ 927,959.73
Resulting Balance in the Set-Aside Fund for the Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources	\$ 68,311.75
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 2020 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 2020 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 2020 Community Preservation Fund Balance the minimum necessary amounts to allocate not less than 10% of the FY 2020 Community Preservation Fund Revenues for open space (\$132,957.75), not less than 10% of the FY 2020 Community Preservation Fund Revenues for historic resources (\$132,957.75), and not less than 10% of the FY 2020 Community Preservation Fund Revenues for community housing (\$132,957.75), or take any other action relative thereto.

** The resulting balance in the Open Space Set-Aside of \$927,959.73 includes the \$1,230,000 appropriation from Warrant Article 8 for the Stonefield Farm Agricultural Preservation Restriction. If Article 8 fails, the resulting fund balance would be \$2,157,959.73.

Article 9
(Majority vote)

**Community Preservation Program –
Direct Appropriations from Fund Balances**

REVISED ARTICLE HANDOUT

To see if the Town will appropriate or set aside for later appropriation, and authorize and direct the Select Board and the Town Manager to expend or set aside, from the FY 2020 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 2020 COMMUNITY PRESERVATION FUND BALANCES	
FY 2020 Community Preservation Fund Revenues	
Community Preservation Fund Surcharge Collected in FY 2020	\$1,082,385.53
State Community Preservation Trust Fund Receipt, October 2020	\$ 309,966.00
Other FY 2020 Community Preservation Fund Components	
Interest Earned in FY 2020 (less abatements and exemptions)	\$ 83,710.48
Unencumbered FY 2020 Fund Balance	\$ 9,061.52
Recapture of unspent previous years’ project appropriations	\$ 242,842.92
Total - FY 2020 Community Preservation Fund Balance	\$1,727,966.45
FY 2020 Open Space Set-Aside	
Set-Aside Fund Balance from appropriations for the Acquisition, Creation, and Preservation of Open Space and its Rehabilitation and Restoration	\$1,901,659.73
Total FY 2020 Open Space Set-Aside Fund Balance	\$1,901,659.73
FY 2020 Historic Resources Set-Aside	
Set-Aside Fund Balance from appropriations for the Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources	\$ 0.00
Total FY 2020 Historic Resource Set-Aside Fund Balance	\$ 0.00
FY 2020 Community Housing Set-Aside	
Set-Aside Fund Balance from appropriations for the Acquisition, Creation, Preservation, and Support of Community Housing	\$ 0.00
Total FY 2020 Community Housing Set-Aside Fund Balance	\$ 0.00
APPROPRIATIONS FROM FY 2020 COMMUNITY PRESERVATION FUND BALANCE	
Purposes	Recommended Amounts
Set-Aside Appropriations for	
A. Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources	\$ 74,589.15
B. Acquisition, Creation and Preservation of Open Space, and its	\$ 393,000.00

Rehabilitation and Restoration	
Spending Appropriations	
C. Town of Acton – Regional Housing Services (1 Year)	\$ 34,000.00
P. Community Housing Program Fund	\$ 40,000.00
Q. Acton Housing Authority – 348-364 Main Street Development	\$ 500,000.00
R. Town of Acton - Pencil Factory Bridge: Phase 1 Design	\$ 44,000.00
S. Town of Acton - Preliminary Archaeological and Historical Review	\$ 10,000.00
T. Acton Historical Society – Textiles and Clothing Collection	\$ 10,646.00
U. Town of Acton – 53 River Street Historic Park	\$ 100,000.00
V. Town of Acton – Gardner Playground: Phase 2	\$ 100,000.00
W. Town of Acton – NARA Sports Pavilion	\$ 240,000.00
X. Town of Acton – Jones Playground Surfacing Expansion	\$ 115,000.00
Administrative Appropriation	
Y. 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	\$ 66,478.88
Total Recommended Appropriations from FY 2020 Community Preservation Fund Balance	\$ 1,727,714.03
APPROPRIATION FROM OPEN SPACE SET-ASIDE FUND BALANCE	
Z. Wright Hill Open Space Land Acquisition – Debt Service	\$ 76,800.00
AA. Piper Lane Open Space Land Acquisitions – Debt Service	\$ 59,900.00
Total Recommended Appropriations from the Open Space Set-Aside Fund	\$ 136,700.00
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	
	\$ 0.00
Total Recommended Appropriations from the Historic Resources Set-Aside Fund	\$ 0.00
Resulting Fund Balances	
Resulting FY 2020 Community Preservation Fund Balance	\$ 252.42
Resulting Balance in the Set-Aside Fund for the Acquisition, Creation, and Preservation of Open Space, and its Rehabilitation and Restoration**	\$ 927,959.73
Resulting Balance in the Set-Aside Fund for the Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources	\$ 74,589.15
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 2020 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 2020 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 2020 Community Preservation Fund Balance the minimum necessary amounts to allocate not less than 10% of the FY 2020 Community Preservation Fund Revenues for open space (\$139,235.15), not less than 10% of the FY 2020 Community Preservation Fund Revenues for historic resources (\$139,235.15), and not less than 10% of the FY 2020 Community Preservation Fund Revenues for community housing (\$139,235.15), or take any other action relative thereto.

** The resulting balance in the Open Space Set-Aside of \$927,959.73 includes the \$1,230,000 appropriation from Warrant Article 8 for the Stonefield Farm Agricultural Preservation Restriction. If Article 8 fails, the resulting fund balance would be \$2,157,959.73.

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 \$1,864,414.03 as set forth in the revised article handout and
2. Authorize the Town Manager to expend or set aside amounts as set forth in the revised article handout, and in compliance with conditions to be noted in the Community Preservation Committee's award letters.

MOTION CARRIES

Article 10 Sidewalk Acquisition – 78 Taylor Road

(Two-thirds vote)

To see if the Town will vote to authorize the Select Board to acquire by purchase, gift, eminent domain or otherwise and to accept deeds of easement interests or fee simple interests, on such terms and conditions as the Select Board may determine, for all purposes which streets, sidewalks and ways are now or hereafter used in the Town, on such terms and conditions as the Select Board may determine and in a final location(s) as the Select Board may determine, on, across, over, or under a portion of the land n/f of The Town of Acton pursuant to Deed recorded in the Middlesex South Registry of Deeds at Book 11464, Page 274, located at 78 Taylor Road and shown as Parcel 137 on the Town of Acton Atlas Map F-3; and further to see if the Town will raise, appropriate, and/or transfer from available funds or accept gifts for this purpose, or take any other action relative thereto.

MOTION:

Mr. Martin moves that the Town take no action

MOTION CARRIES

Article 11 Amend Zoning Bylaw – Drive-up Window Facilities

(Two-thirds vote)

To see if the Town will vote to amend Section 3.8, ACCESSORY USE Regulations, of the Zoning Bylaw as set forth below:

- A. Deleting Section 3.8.2.2, Drive-up facilities for banks, in its entirety, and renumber sections 3.8.2.3 through 3.8.2.8.

[Note—Section 3.8.2.2, currently reads: Drive-up facilities in a bank.]

- B. In Section 3.8 ACCESSORY USE Regulations, insert a new subsection as follows:

3.8.5 In the Office, Business, Industrial and Village Districts, drive-up window facilities for banks, pharmacies, and restaurants shall require a Special Permit from the Select Board and shall be subject to the following:

- a) Drive-up windows shall be integrated with and attached to the principal BUILDING.
- b) Drive-up windows for pharmacies and restaurants shall be located within one drive-up lane, but are allowed up to two drive-up lanes prior to the first window; banks have no such limitation.
- c) Parapets or canopies located over any part of the drive-up window facility shall be made of a durable and weatherproof material consistent with the building material and style to which it is attached; fabric or temporary awnings are not permitted.
- d) No signage shall be located on a drive-up window facility parapet or canopy.

- e) Drive-up windows for restaurants may include one additional menu SIGN than normally allowed under Section 7.5.9. Such sign may be a FREESTANDING SIGN or WALL SIGN and is limited to a DISPLAY AREA of 10 square feet. Menu SIGNS shall comply with Section 7 of this Bylaw.
- f) No additional curb cuts shall be allowed for the purpose of accommodating a drive-up window facility.
- g) Drive-up windows shall be located along only one side of the BUILDING and shall not be located along or within 10 feet of the front façade of a BUILDING; for corner lots, the front façade shall be considered any side of the BUILDING facing a STREET.
- h) The location of the drive-up lane shall be part of and accessible from the parking lot, and designed in a manner to avoid queuing into a pedestrian walkway, crosswalk, access drive or STREET.
- i) The drive-up speakers shall use automatic volume control system to adjust to ambient noise levels. The maximum level shall be set at 54 dBA at a distance of 32 feet from the speaker.
- j) In the Village and Kelley’s Corner Districts, drive-up windows are subject to the following additional standards and requirements:
 - a. The drive-up windows shall be located in the rear of the BUILDING unless the special permit granting authority finds that pedestrian safety would not be impacted, and that no other alternative locations are possible. In the case where the special permit granting authority finds that these conditions are met, a drive-up window facility may be allowed on the side of the BUILDING as defined in Section 5.2.5. If located on the side of a BUILDING, no portion of a drive-up window facility shall be counted to meet the BUILDING design criteria set forth in sections 5.5B.1.2(g)(i) and 5.6.3.4.

, or take any other action relative thereto.

MOTION:

Mr. Charter moves that the Town amend the Zoning Bylaw as set forth in the Article.

Yes 141 No 145

MOTION FAILS

Article 12 Release of Restriction – 127 Strawberry Hill Road

(Two-thirds vote)

To see if the Town will vote to authorize the Select Board to release, on such terms and conditions as it may determine, that certain restriction held by the Select Board 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:

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

Yes 146 No 115

MOTION FAILS

Article 13 Amend General Bylaws – Regulation of Fossil Fuels Infrastructure

(Majority vote)

To see if the Town will vote to amend the General Bylaws of the Town by adding Chapter AC, “Regulating Fossil Fuel Infrastructure in Buildings,” to read as follows, or take any other action relative thereto.

Chapter AC. REGULATING FOSSIL FUEL INFRASTRUCTURE IN BUILDINGS

AC1. Purpose

This Bylaw is adopted by the Town of Acton to protect health and safety, and the natural environment, and to reduce air pollution and greenhouse gas emissions, which cause climate change, thereby threatening the Town and its inhabitants.

AC2. Definitions

2.1 “Effective Date” shall mean December 1, 2022, or six months following the date by which the Town is authorized by the Massachusetts General Court to regulate fossil fuel infrastructure, whichever is later.

2.2 “New Building” shall mean a new building as defined in the Acton Zoning Bylaw, Chapter M of the General Bylaws of the Town of Acton, associated with a building permit application filed on or after the Effective Date.

2.3 “On-Site Fossil Fuel Infrastructure” shall mean piping, for fuel gas, fuel oil, or other fuel hydrocarbons, that is in a building, in connection with a building, or otherwise within the property lines of premises, extending from a supply tank or from the point of delivery behind a gas meter or the customer-side gas meter.

2.4 “Major Renovation” shall mean a renovation project associated with a valid building permit application filed on or after the Effective Date of this chapter that:

1. for existing structures regulated by the current edition of the International Residential Code as amended by 780 CMR 51: Massachusetts Residential Code, includes the reconfiguration of space and/or building systems, in which the Work Area, not including any added space, is more than 75% of the Gross Floor Area of the principal dwelling, as defined in Section 1.3.7 of the Acton Zoning Bylaw, prior to the project; and
2. for existing structures regulated by the current edition of the International Building Code as amended by 780 CMR 34: Massachusetts Commercial Code, includes the reconfiguration of space and/or building systems, in which the Work Area, not including any added space, is more than 50% of the building floor area prior to the project, as defined by the Massachusetts Building Code.

2.5 “Work Area” shall mean the portions of a building affected by renovations for the reconfiguration of space and/or building systems, as indicated in the drawings associated with a building permit application. Areas consisting of only repairs, refinishing, and/or incidental work are excluded from the Work Area.

AC3. Applicability

3.1 This chapter shall apply to all building permit applications for New Buildings and Major Renovations proposed to be located in whole or in part within the Town, except that this Chapter shall not apply to:

- A. Utility service piping connecting the grid to a meter, or to a gas meter itself;
- B. Piping required to:
 - i. fuel backup electrical generators, outdoor cooking appliances, or appliances for outdoor heating; or
 - ii. produce potable or domestic hot water from centralized hot water systems in buildings with a floor area of at least 10,000 square feet, provided that the Engineer of Record certifies that no commercially available electric hot water heater exists that could meet the required hot water demand for less than 150% of installation or operational costs, compared to a conventional fossil-fuel hot water system;
- C. The extension or modification of heating systems via HVAC system modification, or modification of radiator, steam, or hot water piping, provided new fossil fuel piping is not installed; or
- D. Repairs of any existing portions of a fuel piping system deemed unsafe or dangerous by the Plumbing and Gas Fitting Inspector.

AC4. Enforcement

4.1 As of the Effective Date, no building permit shall be issued by the Town for the construction of New Buildings or Major Renovations that include the installation of new On-Site Fossil Fuel Infrastructure that is subject to this Chapter, except as provided for in Section AC3 “Applicability” and Section AC5 “Waivers.”

4.2 The Town Manager, or their designee, shall publish and present an annual report to the Select Board quantifying the number and locations of residential building permit applications for new and major renovation projects exceeding 75% of the original gross floor area, and the number and locations of commercial building permit applications for new and major renovation projects exceeding 50% of the building floor area prior to the project; the number of new and major renovation projects requesting a waiver from this Chapter, the disposition of those waivers, the reasons for granting or denying those waivers, and the square footage of each project for which a waiver is granted.

4.3 The Select Board may adopt reasonable regulations to implement this Chapter.

AC5. Waivers

5.1 The Building Commissioner may grant a waiver subject to the requirements of this Chapter in the event that compliance with the provisions of this Chapter makes a project financially infeasible or impractical to implement. Compliance with this Chapter may be considered infeasible if, without limitation:

- A. as a result of factors beyond the control of the applicant, the additional cost of the project over the long term, including any available subsidies, would make the project economically unviable; or
- B. technological or other factors would make the project unsuitable for its intended purpose.

5.2 Waivers from compliance with this Chapter may be subject to reasonable conditions. Where possible, waivers shall be issued for specific portions of a project that are financially infeasible or impractical to implement under the requirements of this Chapter, rather than entire projects.

5.3 Waiver requests shall be supported by a detailed cost comparison, including available rebates and credits. A waiver request may be made at any time and may be based upon submission of conceptual plans.

5.4 In considering a request for a waiver, the Building Commissioner may consider as a factor the requesting party’s status as a non-profit or government-sponsored affordable housing entity.

5.5 The Select Board shall, prior to the Effective Date, issue and may thereafter amend, guidance regarding the granting of waivers and describing reasonable conditions that may be placed on a waiver.

AC6. Appeals

An applicant may appeal a decision of the Building Commissioner concerning the grant or denial of a waiver pursuant to Section 5 to the Select Board, or its designee, within 30 days of the decision.

MOTION:

Mr. Snyder-Grant moves that the Town amend the General Bylaws as set forth in the Article.

MOTION CARRIES

Mr. Yacouby moves to adjourn until June 22, at 7 PM at the AB Regional High School.

Motion to adjourn fails.

Article 14 Home Rule Petition – Building with Clean Energy to (Majority vote) Regulate Fossil Fuel Infrastructure

To see if the Town will vote to authorize the Select Board to petition the Massachusetts General Court to enact legislation in substantially the form below, and further to authorize the Select Board to approve amendments to said legislation before its enactment by the General Court that are within the scope of the general objectives of this motion; or take any other action relative thereto.

AN ACT AUTHORIZING THE TOWN OF ACTON TO ADOPT AND ENFORCE LOCAL REGULATIONS RESTRICTING NEW FOSSIL FUEL INFRASTRUCTURE IN CERTAIN CONSTRUCTION

Be it enacted as follows

SECTION 1. Notwithstanding chapter 40A, section 13 of chapter 142, and chapter 164 of the General Laws, the State Building Code, the Fuel and Gas Code, or any other general or special law or regulation to the contrary, the Town of Acton is hereby authorized to adopt and further amend general or zoning bylaws that restrict new construction or major renovation projects that do not qualify as fossil-fuel-free.

SECTION 2. Notwithstanding section 7 of chapter 40A of the General Laws, or any other general or special law or regulation to the contrary, the Building Commissioner of the Town of Acton, or any designee thereof, shall be authorized to enforce restrictions on new building construction and major renovation projects that do not qualify as fossil-fuel-free, including through the withholding or conditioning of building permits.

SECTION 3. As used in this Act, the term “fossil-fuel-free” shall mean new building construction or major renovation that results in an entire building or an entire condominium unit that does not utilize coal, oil, natural gas, other fuel hydrocarbons, or other fossil fuels in support of its operation after construction.

SECTION 4. This Act shall take effect upon its passage. Any bylaws previously approved by the Acton Town Meeting that accomplish the goals set forth in Sections 1 through 3 herein, including without limitation Chapter AC of the General Bylaws of the Town of Acton as approved by the 2021 Acton Town Meeting, are hereby ratified.

SECTION 5. If any provision or section of this act is invalidated, the remainder shall survive in full force and effect.

MOTION:

Mr. Snyder-Grant moves that the Town authorize the Select Board to petition the General Court for a Home Rule Act in substantially the form set forth in the Article.

MOTION CARRIES

Article 15 Authorize Payment in Lieu of Taxes Agreements for 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, and Chapter 59, Section 5, Clause 45 (as amended by Chapter 9 of the Acts of 2021, An Act Creating a Next-Generation Roadmap for Massachusetts Climate Policy) to authorize the Town Manager to negotiate and enter into any payment in lieu of tax (PILOT) agreements with the owners or operators of solar photovoltaic energy generation and/or storage facilities for solar and energy storage facilities to be located on non-Town-owned property within the Town of Acton, all on such terms and conditions as the Town Manager shall deem to be in the best interest of the Town and as approved by the Select Board, or take any other action relative thereto.

MOTION:

Mr. Snyder-Grant moves that the Town authorize the Town Manager to, after approval from the Select Board, enter into Payment in Lieu of Taxes (PILOT) agreements as set forth in the Article.

MOTION CARRIES

Article 16 Authorize Solar Contract – Low Income Community Shared Solar Facility

(Majority vote)

To see if the Town will vote to authorize the Select Board to negotiate and enter a Solar Energy Benefit Distribution Agreement of up to twenty years with Syncarpha Solar, LLC, the developer of solar photovoltaic energy generating facilities to be developed on real property owned by the W.R. Grace & Co. at 50 Independence Road, upon such terms and conditions as the Town Manager and the Select Board shall deem to be in the best interest of the Town; or take any other action relative thereto.

MOTION:

Mr. Snyder-Grant moves that the Town authorize the Select Board to enter into a Solar Energy Benefit Distribution Agreement as set forth in the Article.

MOTION CARRIES

Article 17 # Non-Binding Resolution – Dog Park Funding and Relocation (Majority vote)

PETITION FOR TOWN MEETING ACTION

WE, THE UNDERSIGNED RESIDENTS AND REGISTERED VOTERS OF THE TOWN OF ACTON DO HEREBY SUBMIT THE FOLLOWING PETITION FOR TOWN MEETING VOTE:

To vote on eliminating the amended additional \$21,000 from the town budget for funding the Stanton grant match for the dog park and also move to require the Select Board and the Dog Park Committee to conduct a complete review with comprehensive due diligence between no less than three locations for a possible dog park. To be presented to the residents of Acton for a formal vote on a proposed dog park location.

The residents of Acton have not been able to vote for or against the proposed dog park location at the intersection of route 27 and route 2 directly across from the off ramp from route 2. There are many reasons why this location is not suitable, and the Acton residents need to be aware of the issues before this location gains funding.

The Dog Park Committee is seeking funding from the Stanton Foundation to build a dog park. The foundation will pay up to \$250,000 of the construction costs for only the park itself. This funding will only pay for the actual dog fence and everything else inside of that fence. It will NOT pay for parking, landscaping, outbuildings, sidewalks or any other infrastructure enhancements to make this location safe, attractive and usable. This additional expense will be borne by the town and would cost hundreds of thousands of dollars.

All the neighbors and abutters to the proposed dog park location are not in favor of this site. The Acton Housing Authority has formally voted against the dog park for two reasons, it will be located on the land adjacent to their building site where their septic system will be placed, and they do not want the overflow parking from the dog park for liability reasons. The Select Board and the Dog Park Committee have ignored these facts and are pushing forward regardless.

Isaac Davis Way residents, who own the driveway located between the Acton Housing Authority site and the proposed dog park site, have not granted the town permission to use their driveway as the entrance to the dog park parking lot. The Isaac Davis Way residents hold the title and all ownership rights to the driveway. This was negotiated with the prior owner, is recorded in the Deed of Records with the State of Massachusetts and runs with the land for eternity. The liability if someone gets hurt while on the driveway is too high and the residents are not willing to take that risk.

The proposed dog park site is not safe. The town had a traffic and safety study done with the previous owner and the location was graded an "F". The morning, afternoon and weekend traffic is too heavy to handle the increase from the Housing Authority site and a dog park. The site, being adjacent to the off ramp from route 2, will welcome unwanted visitors and is too exposed. Dogs will get off leash and run into traffic, per council from the local dog wardens from neighboring towns.

Acton has 1600 acres of conservation land with paths, open fields and parking for residents to walk their dogs on or off leash.

Town residents need to be involved in the location of the dog park. The Select Board and the Dog Park Committee did a cursory analysis of several locations, mostly by drive-by and influential decisions from town officials. At NO time was there a complete comparison or any due diligence done by either party to determine the best possible location. We are requesting a proper selection process where the town residents get to vote on the location.

The town of Acton spent \$1,800,000 buying the two Main street locations. The Housing Authority is paying close to \$1,000,000 for their site, the dog park is looking for the town to spend hundreds of thousands of dollars for their site after the Stanton foundation funds the dog park. The town manager has an opportunity to generate income on the proposed dog park site by moving Kennedy Landscape Center (current tenant) to the dog park site where they will pay rent and the town can start to recoup additional funds to offset the Main street purchase.

The owner of Acton Critter Sitters, Clare Siska, sits on the Dog Park Committee, was the former Chairperson and founder of the committee, and has 12 employees, each walking multiple dogs at surrounding dog parks and on town conservation land. This constitutes a major conflict of interest. Officials from surrounding towns who have dog parks, say the majority of users are people with unruly and poorly trained dogs as well as professional dog walkers who need a controlled location to keep track of their clients' pets. The Town of Acton should not be responsible for providing and paying for a secure location for professional dog walking companies to use while they are getting paid for their service.

We the undersigned residents and voters in Acton, request that the Finance Committee remove the dog park funding from the town budget. We would also request that the location of the Acton Dog Park be moved to a safer location, better suited for the proper recreational intent, determined through a proper analysis and due diligence format.

MOTION:

Mr. Post moves that the Town adopt the non-binding resolution as set forth in the Article.

Yes 74 No 130

MOTION FAILS

Article 18 # Amend Town Charter – Electing Planning Board Members

(Two-thirds vote)

To see if the Town will vote to amend Section 2-1 “Elected Officials” of the Acton Charter by adding the following line to the table in that section:

	NUMBER OF MEMBERS	LENGTH OF TERM (YEARS)
Planning Board	5	5

And further to amend Section 4-2 “Appointment Powers, Selectmen” of the Charter of the Town of Acton, by deleting the Planning Board from this Section.

MOTION:

Ms. Friedrichs moves that the Town amend the Town Charter as set forth in the Article.

MOTION FAILS

Article 19 # Non-Binding Resolution – Electing Planning Board Members

(Majority vote)

Per Massachusetts General Law, we formally request a warrant article to be placed on the 2021 Town Meeting Warrant for Acton Town Meeting members to whether to ask the Board of Selectmen/Selecbord to prepare a warrant article for a future Town Meeting to allow Town Meeting members to whether or not to make the Acton Planning Board elected by the voters, rather than appointed by the Board of Selectmen.

Reasoning:

The Acton Planning Board per Mass General Law is required to "make careful studies of the resources, possibilities and needs of the town..." The Acton Planning Board by its own declaration, doesn't do any planning. Even though the data used for Acton 2020 Master Plan is over 10 years old, the Acton Planning Board has not even initiated an updated town wide Master Plan. Despite the fact that a new Master Planning process has not been started, members of the Acton Planning Board have been repeatedly reappointed to Acton Planning Board. Despite the lack of doing any planning, and/or having little if any real planning experience of any kind or, the ability to read developer plans, Acton Planning Board members have been repeatedly reappointed to the Acton Planning Board. We believe it's time for the voters to decide who sits on the Planning Board and decides if and when and how "careful studies" will be conducted, and whether or not developer applications will be approved. We believe it's time for the Acton Planning Board members to answer to the voters directly.

This article, is non-binding. This article, if passed, would not change law. This article, if passed, would NOT commit the town to anything. While we hope that the BoS will respect Town Meeting's vote on this matter, and prepare an article for Town Meeting to consider. If passed, the BoS can legally ignore the vote of this current article. The intent of this article is to inform the BoS whether this Town Meeting wants to consider a binding article on the matter of an elected Planning Board.

MOTION:

Ms. Friedrichs moves that the Town adopt the non-binding resolution as set forth in the Article.

Yes 76 No 82

MOTION FAILS

Article 20 * Amend General Bylaws – Terminology of the Select Board

(Majority vote)

To see if the Town will vote to amend the General Bylaws of the Town by replacing the phrase "Board of Selectmen" to "Select Board," the term "Selectmen" to "Member," and/or other context-appropriate terminology as appearing throughout the Bylaws, consistent with the Town Charter change voted at the September 2020 Special Town Meeting and ratified at the 2021 Annual Town Election, or take any other action relative thereto.

MOTION:

Mr. Benson moves that the Town amend the General Bylaws as set forth in the Article.

CONSENT MOTION CARRIES

Article 21 * Amend General Bylaws – Department Revolving Funds

(Majority vote)

To see if the Town will vote to amend the General Bylaws, Chapter Y – Department Revolving Funds, pursuant to the provisions of Massachusetts General Laws Chapter 44, Section 53E½, Revolving Funds, as amended by appending the following row to the table in Section 5, "Authorized Revolving Funds," or take any other action relative thereto.

Public Shade Trees	Public Works Department	Receipts from permit fees, penalties or fines, gifts or contributions, grants or awards	Costs of new or replacement plantings and related maintenance	FY 2022, et seq.
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MOTION:

Mr. Benson moves that the Town adopt the General Bylaws amendment as set forth in the Article.

CONSENT MOTION CARRIES

Article 22 * Real Property Disposition – 26 Carlisle Road

(Two-thirds vote)

To see if the Town will vote to authorize the Select Board to transfer the real property shown as Parcel 2 on the Town of Acton Atlas Map C6 and in the deed recorded at the Middlesex South Registry of Deeds in Book 70151, Page 123, which land is currently held for general municipal purposes, from the current custodian to the Select Board for the purpose of conveyance, and to authorize the Select Board to convey such land for affordable housing purposes on such terms and conditions and for such consideration, which may be non-monetary consideration, as the Select Board may determine, or take any other action relative thereto.

MOTION:

Mr. Benson moves that the Town authorize the transfer of the real property shown as Parcel 2 on Town of Acton Atlas Map C6 from its current custodian to the Select Board for the purpose of conveyance, and authorize the conveyance of that property 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 23 * 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 2020 Annual Town Meeting, or take any other action relative thereto.

MOTION:

Mr. Benson moves that the Town take no action.

CONSENT MOTION CARRIES

Article 24 * Authorize Collective Bargaining Agreement

(Majority vote)

To see if the Town will vote to authorize the cost items contained in Collective Bargaining Agreement between the Town and its Highway, Municipal Properties and Cemetery personnel union (AFSCME) as filed with the Town Clerk, or take any other action relative thereto.

MOTION:

Mr. Benson moves that the Town authorize the first year cost items contained in the Collective Bargaining Agreement between the Town and the Highway Department, Municipal Properties Department and Cemetery Department (American Federation of State, County and Municipal Employees Local 1703).

CONSENT MOTION CARRIES

Article 25 * 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:

Mr. Benson moves that the Town raise from department receipts and appropriate \$149,762 for the purposes set forth in the Article.

CONSENT MOTION CARRIES

Article 26 * 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:

Mr. Benson moves that the Town raise from department receipts and appropriate \$157,382 to operate the septage waste disposal program.

CONSENT MOTION CARRIES

Article 27 * 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:

Mr. Benson moves that the Town raise \$585,000 from department receipts, transfer \$147,613 from retained earnings and appropriate \$732,613 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 28 * 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 F½, Enterprise Fund Law, or take any other action relative thereto.

MOTION:

Mr. Benson moves that the Town raise \$1,870,421 from department receipts, transfer \$268,542 from retained earnings and appropriate \$2,138,963 for the purpose of operating the sewer system.

CONSENT MOTION CARRIES

Article 29 * 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 F½, Enterprise Fund Law, or take any other action relative thereto.

MOTION:

Mr. Benson moves that the Town raise \$1,000,000 from department receipts, raise \$150,000 from general revenues, transfer \$326,770 from retained earnings and appropriate \$1,476,770 for the purpose of operating the ambulance service.

CONSENT MOTION CARRIES

Article 30 * 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 F½, Enterprise Fund Law, or take any other action relative thereto.

MOTION:

Mr. Benson moves that the Town raise \$220,000 from department receipts, raise \$225,000 from general revenues, and appropriate \$445,000 for the purpose of operating the transportation service.

CONSENT MOTION CARRIES

Article 31 * 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 FY22 Authorized Expense column in the table below, or take any other action relative thereto.

Fund Balance 6/30/2020	FY21 Budgeted Revenue	FY21 Budgeted Expense	Est. Fund Balance 6/30/2021	FY22 Estimated Revenue	FY22 Authorized Expense
Historic District Commission					
\$ 2,405	\$ 200	\$ 200	\$ 2,405	\$ 200	\$ 200
Building Department					
279,522	288,166	288,166	279,522	287,637	287,637
Hazardous Materials Inspection					
23,786	65,325	65,325	23,786	42,959	42,959
Food Service Inspection					
26,988	60,609	60,609	26,988	53,328	53,328
Stormwater					
141,613	83,902	83,902	141,613	84,548	84,548
Sealer of Weights and Measures					
83,180	25,326	25,326	83,180	25,900	25,900
CrossTown Connect					
90	180,000	180,000	90	180,000	180,000
Fire Alarm Network					
146,594	95,115	95,115	146,594	65,115	65,115
Roadway Maintenance					
68,417	47,000	47,000	68,417	47,000	47,000
Public Shade Trees					
	N/A	N/A	N/A	25,000	25,000

MOTION:

Mr. Benson 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 32 * 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:

Mr. Benson 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 33 * Authorize Easements

(Two-thirds vote)

To see if the Town will vote to authorize the Select Board 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 Select Board may determine, or take any other action relative thereto.

MOTION:

Mr. Benson 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 34 * 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:

Mr. Benson 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 35 * 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:

Mr. Benson 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 36 * 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 Select Board or Town Manager are authorized to enter into an agreement or agreements on behalf of the Town, on such terms and conditions as the Select Board or the Town Manager may determine, for the stated purposes of the gifts or grants, or take any other action relative thereto.

MOTION:

Mr. Benson 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 Select Board or otherwise as stated in Section 53A.

CONSENT MOTION CARRIES

Article 37 * 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 Select Board or Town Manager are authorized to enter into an agreement or agreements on behalf of the Town, on such terms and conditions as the Select Board or the Town Manager may determine, or take any other action relative thereto.

MOTION:

Mr. Benson 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 38 * 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:

Mr. Benson 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 39 * Sale of Foreclosed Properties

(Two-thirds vote)

To see if the Town will vote to authorize the Select Board 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:

Mr. Benson 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: Jon Benson moves to dissolve the Annual Town Meeting at 11:20 pm.

MOTION TO DISSOLVE CARRIES