

**ABSTRACT OF THE ANNUAL TOWN MEETING HELD
MONDAY, APRIL 6, 2015, 7:00 P.M.
ACTON-BOXBOROUGH REGIONAL HIGH SCHOOL AUDITORIUM
WITH ADJOURNED SESSION HELD APRIL 7, 2015
NUMBER OF REGISTERED VOTERS ATTENDING TOWN MEETING
APRIL 6, 2015 – 324 AND APRIL 7, 2015 – 381**

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April 6, 2015

The Moderator, Mr. Don Mackenzie, called the Annual Town Meeting to order on Monday, April 6, 2015, at 7:02 PM.

Mr. Mackenzie introduced Reverend Andy Armstrong of Acton Congregational Church, to give the invocation. This is the first time that Reverend Armstrong has given the invocation at Town Meeting.

Mr. Mackenzie introduced the chairman of the Board of Selectmen, Mr. Mike Gowing, who then introduced the members at the table. Eva Szkaradek - Town Clerk, Stephen Anderson - Town Counsel, Steve Ledoux – Town Manager, Katie Green-Vice Chair, Peter Berry-Clerk, as well as, Janet Adachi and Franny Osman members of the Board of Selectmen.

The Moderator introduced the Chair of the Finance Committee, Stephen Noone, who then introduced the members of the Finance Committee. Bob Evans, Margaret Busse – Clerk, Doug Tindal, Mike Majors - Vice Chair, Herman Kabakoff, Roland Bourdon, Mary Ann Ashton, and Bill Mullin.

Mr. Mackenzie gave an overview of the process of Town Meeting. He then explained some basic rules and parliamentary procedure of the Town Meeting as found in the back of the warrant.

Article 1 Choose Town Officers
(Majority vote)

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

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

, or take any other action relative thereto.

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

MOTION CARRIES

Andrea Miller, Trustee of the Elizabeth White Fund, nominates Peter Ashton, of 1 Olde Barn Way, Acton, for the position of Trustee of the Elizabeth White Fund, term to expire 2018.

MOTION CARRIES UNANIMOUSLY

Nancy Lenicheck, Trustee of the West Acton Citizens Library, nominates Ellen Spero, of 25 Windsor Ave, Acton, for the position of Trustee of the West Acton Citizens Library, term to expire 2018.

MOTION CARRIES UNANIMOUSLY

Harry Mink, Trustee of the Charlotte Goodnow Fund, nominates Trudy Khosla, of 186 Newtown Road, Acton, for the position of Trustee of the Charlotte Goodnow Fund, term to expire 2018.

MOTION CARRIES UNANIMOUSLY

Robert Vanderhoof, Trustee of the Acton Firefighters' Relief Fund, nominates William Klauer of 70 Piper Road, Acton, for the position of Trustee of the Acton Firefighters' Relief Fund, term to expire 2018.

MOTION CARRIES UNANIMOUSLY

The moderator explained that he would need to recuse himself from Article 23, because of a conflict of interest.

He introduced Town Clerk, Eva Szkaradek so that Town Meeting could elect a temporary Moderator for Article 23.

Ms Szkaradek - The Town Moderator has recused himself from participation in Article 23 concerning the Community Preservation Program. Under Town Charter Section 3-2 and Massachusetts General Law, chapter 39, section 14, Town Meeting will now elect a Temporary Moderator to preside over the proceedings on Article 23.

Mr. Steve Noone nominates Mr. Mike Gowing of Harris Street, Acton, to be the Temporary Moderator for the proceedings on Article 23.

MOTION CARRIES UNANIMOUSLY

Ms Ann Chang - Motion to take Article 27, Brookside Shops, as the first article on the second night of Town Meeting.

MOTION CARRIES

Article 2 Hear and Accept Reports

(Majority vote)

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

MOTION: Mrs. Osman moves that the Town accept the reports of the various Town Officers and Boards as set forth in the 2014 Town Report and that the Moderator call for any other reports.

MOTION CARRIES UNANIMOUSLY

Article 3 Budget Transfer

(Majority vote)

To see if the Town will vote to appropriate from available funds a sum of money to defray necessary expenses above the amount appropriated at the 2014 Annual Town Meeting, or take any other action relative thereto.

MOTION: Mr. Gowing moves that the Town take no action.

MOTION CARRIES

The Moderator explained the Pro and Con microphones, time frame, and process for all speakers, presenters, and questions.

Article 4 Adopt Local Option Meals Excise

(Majority vote)

To see if the Town will vote to accept Massachusetts General Laws, Chapter 64L, Section 2(a), to impose a local meals excise upon the sale of restaurant meals originating within the Town, or take any other action relative thereto.

MOTION: Ms. Adachi moves that the Town of Acton accept Massachusetts General Laws, Chapter 64L, Section 2(a) to impose a local meals excise.

MOTION CARRIES

Article 5 Town Operating Budget

(Majority vote)

To see if the Town will raise and appropriate, and/or appropriate from available funds, a sum of money 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. Gowing moves that the Town appropriate \$31,468,112 to be expended by the Town Manager for the purpose of funding the fiscal year 2016 municipal budget, and to raise such amount,
\$ 30,147,612 be raised from general revenues,
\$ 1,000,000 be transferred from the fund balance of the former North East Solid Waste Committee fund, pursuant to Chapter 376 of the Acts of 2006 and
\$ 320,500 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 6 Acton-Boxborough Regional School District Assessment

(Majority vote)

To see if the Town will raise and appropriate, or appropriate from available funds, a sum of money to defray the necessary expenses of the Acton-Boxborough Regional School District, or take any other action relative thereto.

MOTION: Mrs. Rychlik moves that the Town appropriate \$53,171,009 to be expended by the Superintendent of Schools to fund the fiscal year 2016 assessment of the Acton-Boxborough Regional School District, and to raise such amount,

\$ 51,850,509 be raised from general revenues and

\$ 1,320,500 be transferred from Free Cash.

MOTION CARRIES

Krystina Rychlik introduces the members of the Regional School Committee and thanked Dennis Bruce, who will be stepping down after four years of service to the school committee. She introduced the newest School Committee member, Diane Baum, who will be sworn in at the close of Town Meeting. In addition Ms Rychlik introduced Dr. Glenn Brand, the School Superintendent.

Article 7 Stabilization Fund – Capital

(Two-thirds vote)

To see if the Town will vote to establish a Capital Stabilization Fund for general capital purposes, and to transfer and appropriate from available funds a sum of money to the Stabilization Fund, or take any other action relative thereto.

MOTION: Mr. Gowing moves that the Town, pursuant to Massachusetts General Laws, Chapter 40, Section 5B, establish a Capital Stabilization Fund for general capital purposes, and that the Town appropriate and transfer \$2,000,000 from Free Cash to the Capital Stabilization Fund.

MOTION CARRIES

DECLARED 2/3 BY MODERATOR*

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

Article 8 Stabilization Fund – Sewer

(Two-thirds vote)

To see if the Town will vote to establish a Sewer Stabilization Fund for sewer purposes, and to transfer and appropriate from Sewer Enterprise Fund available funds a sum of money to the Sewer Stabilization Fund, or take any other action relative thereto.

MOTION: Mr. Gowing moves that the Town, pursuant to Massachusetts General Laws, Chapter 40, Section 5B, establish a Sewer Stabilization Fund for sewer purposes, and that the Town appropriate and transfer \$1,600,000 from Sewer Enterprise Fund retained earnings to the Sewer Stabilization Fund.

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

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

Article 9 Capital Infrastructure and Equipment

(Majority vote)

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

A.	Natural Resources Truck Replacement	55,800
B.	Cemetery Service Building Accessibility	32,500
Total		\$ 88,300

MOTION: Mr. Gowing moves that the Town raise and appropriate \$88,300 to be expended by the Town Manager for the purposes set forth in the Article, including costs incidental and related thereto.

MOTION CARRIES UNANIMOUSLY

Article 10 Transportation Enterprise Fund

(Majority vote)

To see if the Town will vote to accept the provisions of Chapter 44, Section 53F½ of the General Laws to establish a Transportation Enterprise Fund for transportation purposes, to be effective on July 1, 2015, and further to see if the Town will raise and appropriate, or appropriate from available funds a sum of money for such transportation purposes, or take any other action relative thereto.

MOTION: Mrs. Osman moves that the Town:

- (a) accept the provisions of Chapter 44, Section 53F½ of the General Laws to establish a Transportation Enterprise Fund for transportation purposes to be effective on July 1, 2015, and
- (b) appropriate and transfer \$509,400 to the Transportation Enterprise Fund for transportation purposes, and to raise such amount,
 - \$ 234,439 be transferred from general revenues,
 - \$ 178,099 be raised from department receipts, and
 - \$ 96,862 be transferred from the commuter lot parking fees fund balance, and
- (c) 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 UNANIMOUSLY

Article 11 Minuteman Regional School District Assessment

(Majority vote)

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

MOTION: Mrs. Banks moves that the Town raise and appropriate \$925,545 to fund the fiscal year 2016 assessment of the Minuteman Regional School District.

MOTION CARRIES UNANIMOUSLY

The Moderator asked Town Meeting to vote to allow Mr. Kevin Mahoney of Minuteman Regional School District, permission to speak on this article, if needed to answer questions.

Motion carries unanimously to allow speaker.

Ms Adachi thanked Mrs. Banks for her service as the Town of Acton's representative on the Minuteman School District. Mrs. Banks will be stepping down as the Minuteman representative for Acton in June.

Motion to Adjourn: Mr. Bergart moves to adjourn Town Meeting until tomorrow night, 7:00 PM, at the Acton Boxborough Regional High School Auditorium.

MOTION CARRIES

Town meeting adjourned at 10:23 pm

April 7, 2015

The Moderator, Mr. Mackenzie, called the Annual Town Meeting to order on Tuesday, April 7, 2015, at 7:00 PM.

Town Meeting voted to move Article 27 as the first Article for the second night. This will be taken up after a few presentations.

The Moderator introduced the Town Manager, Steve Ledoux who gave the presentation for the annual recipient of the "Joseph A. Lalli Merit Award" endowed by the Steinberg Lalli Charitable Foundation, for outstanding work of a Town of Acton Municipal Employee. This is the tenth year that this award has been issued. The Foundation gave funding seven years ago, to recognize Public Safety Employees with this award as well.

On behalf of the Board of Selectmen and the Town, we would like to thank the Steinberg Lalli Charitable Foundation.

This year's Municipal Employee of the Year award is presented to Maryjane Kenney, of the Human Resource Department. Maryjane thanked the Steinberg Lalli Charitable Foundation, for providing a Merit Award for municipal Employees. She thanked the Town Manger, Steve Ledoux, Board of Selectmen as well as Marianne Fleckner, Human Resource Director, for selecting her and encouraging her growth in the Human Resourced Department.

Mr. Ledoux honored the seventh annual recipient of the "Joseph A. Lalli Merit Award" for outstanding work of a Public Safety Employee. This year's Public Safety Employee of the Year is presented to Detective Christopher Prehl of the Acton Police Department. Chris thanked Chief Widmayer for the nomination this year as well as Town Manager Steve Ledoux and the Board of Selectmen for choosing him for Public Safety Employee of the year. Detective Prehl has worked for the Acton Police Department for 27 years.

The Moderator, Don Mackenzie recognized Pat Clifford who served on the Finance Committee from 2003 to 2014. She was the liaison to Acton Community Housing Corporation, South Acton train Station Advisory Committee and the Community Preservation Committee.

Mr. Mackenzie recognized Mary Ann Ashton who will be stepping down after 9 years of service to the Finance Committee. She has made an incredible contribution to this Town. Mary Ann developed the Finance Committee long range planning model and led the cost saving initiative in 2009. She served as the liaison to the School Committee among others.

Mr. Mackenzie recognized Bill Mullin who will be stepping down this year. He has served on the Finance Committee from 2006 to 2015. Mr. Mullin developed and authorized the Annual Finance Committee Point of View document. He has served as the liaison for the Morrison Farm Committee among others. He led the Friends of the Leary Field and Lower Field Project, which have both been very successful.

Mr. Mackenzie also recognized Herman Kabakoff, who has announced his retirement from the board. Mr. Kabakoff served about 20 years in Town government, as Selectmen including 10 years on the Finance Committee. Mr. Kabakof had a significant part in the AAA Bond rating. He was thanked for his contribution to all the service he has giving to this Town.

Town Meeting voted to move Article 27 as the first Article for the second night.

Article 27 Amend Zoning Map – Brookside Shops
(Two-thirds vote)

To see if the Town will vote to amend the Zoning Bylaw, Map Number 1, by changing the zoning district designation for Town Atlas parcel F4-37 (145 to 149 Great Road) from Residence 8 (R-8) to Limited Business (LB), or take any other action relative thereto.

MOTION: Mr. Clymer moves that the Town adopt the Zoning Bylaw map amendments as set forth in the Article.

Barry ODonoghue 35 Esterbrook Road motion to postpone indefinitely.
Motion to postpone lost

Original motion
No 52 yes 90 Motion fails declared by moderator

ORIGINAL MOTION LOST

Article 12 Fund Collective Bargaining Agreement – Police Superior Officers (FY16-FY18)
(Majority vote)

To see if the Town will vote to raise and appropriate, transfer and/or appropriate from available funds a sum of money necessary to fund the cost items contained in Collective Bargaining Agreement(s) between the Town and the Acton Superior Officers' Union MCOP Local 380 as filed with the Town Clerk, or take any other action relative thereto.

MOTION: Mr. Berry moves that the Town take no action.

MOTION CARRIES

Article 13 Fund Collective Bargaining Agreement – Highway, Municipal Properties and Cemetery (FY16-FY18)
(Majority vote)

To see if the Town will vote to raise and appropriate, transfer and/or appropriate from available funds a sum of money necessary to fund the cost items contained in Collective Bargaining Agreement(s) between the Town and its Highway, Municipal Properties and Cemetery personnel union (AFSCME) as filed with the Town Clerk, or take any other action relative thereto.

MOTION: Mr. Berry moves that the Town take no action.

MOTION CARRIES UNANIMOUSLY

Budget Consent (majority vote)

ARTICLE 14 * Septage Disposal Enterprise Budget

ARTICLE 15 * Sewer Enterprise Budget

ARTICLE 16 * Transfer Station and Recycling Enterprise Budget

ARTICLE 17 * Ambulance Enterprise Budget

ARTICLE 18 * Council on Aging Van Enterprise Fund – Authorization to Revoke

ARTICLE 19 * Self-Funding Programs (Revolving Funds)

ARTICLE 20 * Town Board Support – Acton-Boxborough Cultural Council

MOTION: Mr. Gowing moves that the Town take up the seven articles in the Consent Calendar on pages 38 through 44 of the Warrant: Articles 14, 15, 16, 17, 18, 19 and 20.

CONSENT MOTION CARRIES UNANIMOUSLY

Article 14 * 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. Gowing moves that the Town appropriate \$142,556 for the purpose of septage disposal, and to raise such amount, \$142,556 be raised from department receipts.

CONSENT MOTION CARRIES UNANIMOUSLY

Article 15 * 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. Gowing moves that the Town appropriate \$1,747,423 for the purpose of operating the sewer system, and to raise such amount, \$1,725,423 be raised from department receipts and \$22,000 be transferred from retained earnings.

CONSENT MOTION CARRIES UNANIMOUSLY

Article 16 * Transfer Station and Recycling 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 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. Gowing moves that the Town appropriate \$781,574 for the purpose of solid waste disposal and recycling, and to raise such amount, \$668,191 be raised from department receipts and \$113,383 be transferred from retained earnings, and further move 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 UNANIMOUSLY

Article 17 * Ambulance 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 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. Gowing moves that the Town appropriate \$897,169 for the purpose of operating the ambulance service, and to raise such amount, \$664,000 be raised from department receipts, \$162,000 be transferred from general revenues and \$71,169 be transferred from retained earnings.

CONSENT MOTION CARRIES UNANIMOUSLY

Article 18 * Council on Aging Van Enterprise Fund – Authorization to Revoke

(Majority vote)

To see if the Town will vote, effective as of the close of Fiscal Year 2015, to revoke the provisions of Chapter 44, Section 53F½ of the Massachusetts General Laws as to the Council on Aging Van Enterprise Fund; to close the Council on Aging Van Enterprise Fund balance to the General Fund; and to transfer any assets, debts and long-term liabilities of the Council on Aging Van Enterprise Fund to the General Fund; or take any other action relative thereto.

MOTION: Mr. Gowing moves that, effective as of the close of Fiscal Year 2015, the Town revoke the provisions of Chapter 44, Section 53F½ of the Massachusetts General Laws as to the Council on Aging Van Enterprise Fund; close the Council on Aging Van Enterprise Fund balance to the General Fund; and transfer any assets, debts and long-term liabilities of the Council on Aging Van Enterprise Fund to the General Fund.

CONSENT MOTION CARRIES UNANIMOUSLY

Article 19 * Self-Funding Programs (Revolving Funds)

(Majority vote)

To see if the Town will vote, pursuant to Massachusetts General Laws, Chapter 44, Section 53 E½ to establish or continue revolving funds for the Historic District Commission, Building Department, Sealer of Weights and Measures, Health Inspectional Services and Fire Department Fire Alarm Network as noted below:

Fund	FY16 Estimated Revenue	FY16 Authorized Expenditure
Historic District Commission	\$ 200	\$ 200
Building Department	295,588	295,588
Sealer of Weights and Measures	14,623	14,623
Health Department		
Food Service Inspections	53,555	53,555
Hazardous Materials Inspections	50,999	50,999
Stormwater Inspections	49,815	49,815
Crosstown Connect	225,000	225,000
Fire Department		
Fire Alarm Network	64,165	64,165
Total	\$ 753,945	\$ 753,945

, or take any other action relative thereto.

MOTION: Mr. Gowing moves that the revolving funds for the Historic District Commission, Building Department, Sealer of Weights and Measures, Health Department and Fire Department be continued in the amounts and for the purposes set forth in the expense column of this Article.

CONSENT MOTION CARRIES UNANIMOUSLY

Article 20 * Town Board Support – Acton-Boxborough Cultural Council
(Majority vote)

To see if the Town will raise and appropriate, or appropriate from available funds, the sum of \$2,000 to be expended by the Town Manager for the ongoing expenses of the Acton-Boxborough Cultural Council for programs in Acton, or take any other action relative thereto.

MOTION: Mr. Gowing moves that the Town raise and appropriate \$2,000 for the ongoing expenses of the Acton-Boxborough Cultural Council.

CONSENT MOTION CARRIES UNANIMOUSLY

Selectmen Janet Adachi thanked Mr. Gowing for his 6 years of service to the Town. He will be stepping down after the close of Town Meeting. Mr. Gowing has also served as a member of the Council on Aging as well as a liaison to numerous Town Committees and area organizations.

Article 21 Non-Binding Resolution – Senior Tax Relief
(Majority vote)

Resolved that Town Meeting concur in the decision to set-aside, over and above the usual funds available for exemptions, an additional \$200,000 so the Board of Assessors can implement a pilot program to further assist long-term senior residents of Acton. This pilot program is designated to assist those seniors, who after receiving the maximum refund under the State's Senior Circuit Breaker Program, need additional assistance with Real Estate Taxes.

Or take any other action relative thereto.

MOTION: Mrs. Osman moves that the Town adopt the non-binding resolution as set forth in the Article.

MOTION CARRIES UNANIMOUSLY

Article 22 Non-Binding Resolution – SMART/ Pay as You Throw

(Majority vote)

Resolved that Town Meeting supports the creation of a plan and timeline to evaluate and implement fiscally responsible solutions for increased recycling and waste reduction, including strategies such as “save money and reduce trash (SMART)” or “pay as you throw (PAYT),” or take any other action relative thereto.

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

The Moderator at 8:45 pm, asked the members of Town Meeting for a vote to limit the time for debate on this article.

Voted in favor to put time limit on total discussion and vote on this at 9:30pm

No -61 Yes -110 Motion to limit debate carries

MOTION CARRIES

Article 23 Community Preservation Program – Direct Appropriations From Fund Balances

(Majority vote)

To see if the Town will vote to appropriate or set aside for later appropriation, and to authorize and direct the Board of Selectmen and the Town Manager to expend or set aside, from the FY 2014 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 2014 COMMUNITY PRESERVATION FUND BALANCES	
FY 2014 Community Preservation Fund Revenues	
Community Preservation Fund Surcharge Collected in FY 2014	\$ 839,328.61
State Community Preservation Trust Fund Receipt, October 2014	\$ 263,941.00
Other FY 2014 Community Preservation Fund Components	
Interest Earned in FY 2014	\$ 21,468.94
Unencumbered FY 2014 Fund Balance	\$ 2,454.53
Recapture of unspent previous years’ project appropriations	\$ 71,823.13
Total - FY 2014 Community Preservation Fund Balance	\$1,199,016.21
FY 2014 Open Space Set-Aside	
Set-Aside Fund Balance from appropriations for the Acquisition, Creation, and Preservation of Open Space and its Rehabilitation and Restoration	\$1,658,571.87
Total FY 2014 Open Space Set-Aside Fund Balance	\$1,658,571.87

FY 2014 Historic Set-Aside	
Set-Aside Fund Balance from appropriations for the Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources	\$ 0.00
Total FY 2014 Historic Set-Aside Fund Balance	\$ 0.00
APPROPRIATIONS FROM COMMUNITY PRESERVATION FUND BALANCE	
Purposes	Recommended Amounts
Set-Aside Appropriations for	
A. Acquisition, Creation, and Preservation of Open Space, and its Rehabilitation and Restoration	\$ 300,000.00
B1. Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources; required set-aside for meeting 10% of spending from FY 2014 revenues	\$ 30,326.97
B2. Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources; required make-up for under-spending 10% of revenues in 2012 after recapture	\$ 2,707.85
Spending Appropriations	
C. Acton Housing Authority – Project Feasibility Study	\$ 35,000.00
D. Community Housing Program Fund*	\$ 150,000.00
E. Forest Cemetery – National Register Nomination	\$ 10,000.00
F. Acton Woman’s Club – Phase 2, Preservation & Accessibility	\$ 70,000.00
G. Acton Arboretum – Fern Boardwalk and Tree Removal	\$ 24,952.19
H. Ice House Pond & Robbins Mill Pond – Water Chestnut Removal	\$ 36,000.00
I. Acton Arboretum – Irrigation Well	\$ 26,124.50
J. Schools – Nature Play Space, Construction	\$ 120,000.00
K. Discovery Museum – Discovery Woods & Creativity Playscape	\$ 150,000.00
L. Assabet River Rail Trail	\$ 143,230.00
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	\$ 55,163.00
Total Recommended Appropriations from FY 2014 Community Preservation Fund Balance	\$1,153,504.51
SPENDING APPROPRIATION FROM OPEN SPACE SET-ASIDE FUND BALANCE	
N. Wright Hill Open Space Land Acquisition - Debt Service	\$ 7,000.00
Total Recommended Appropriations from the Open Space Set-Aside Fund	\$ 7,000.00

Resulting Fund Balances	
Resulting FY 2014 Community Preservation Fund Balance	\$ 45,511.70
Resulting Balance in the Set-Aside Fund for the Acquisition, Creation, and Preservation of Open Space, and its Rehabilitation and Restoration	\$1,951,571.87
Resulting Balance in the Set-Aside Fund for the Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources	\$ 33,034.82

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

, or take any other action relative thereto;

And, whereas Massachusetts General Laws, Chapter 44B requires that the Town appropriate for spending, or set-aside for future spending, from the FY 2014 Community Preservation Fund Revenues at least 10% for open space, 10% for historic preservation, and 10% for community housing;

And, whereas the recommended appropriations for open space, historic preservation, and community housing each meet or exceed 10% of the FY 2014 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 2014 Community Preservation Fund Balance the minimum necessary amounts to allocate not less than 10% of the FY 2014 Community Preservation Fund Revenues for open space (\$110,326.97), not less than 10% of the FY 2014 Community Preservation Fund Revenues for historic preservation (\$110,326.97), and not less than 10% of the FY 2014 Community Preservation Fund Revenues for community housing (\$110,326.97), or take any other action relative thereto.

MOTION: Mr. Ashton 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, \$1,160,504.51, all as set forth in the article, and
- (2) authorize the Town Manager to expend or set aside amounts as set forth in the article, and in compliance with conditions to be noted in the Community Preservation Committee's award letters.

MOTION CARRIES UNANIMOUSLY

Article 24 Amend Previous Authorization – Cemetery Facilities (1 of 2)

(Majority vote)

To see if the Town will vote to amend and extend authorization under Article 15 of the 1985 Annual Town Meeting such that funds previously appropriated for the construction of a maintenance building on Cemetery property may be utilized to purchase the vacant Fish & Wildlife facility located at 66 Harris Street, including related incidental costs, or take any other action relative thereto.

MOTION: Mr. Berry moves to amend and extend the authorization under Article 15 of the 1985 Annual Town Meeting and to appropriate \$94,656 toward the purchase of the vacant Fish & Wildlife property as set forth in the article.

Two third to pass

MOTION CARRIES UNANIMOUSLY

Article 25 Amend Previous Authorization – Cemetery Facilities (2 of 2)

(Majority vote)

To see if the Town will vote to amend and extend authorization under Article 27 of the 1998 Annual Town Meeting such that funds previously appropriated for the construction of a storage building on Cemetery property may be utilized to purchase the vacant Fish & Wildlife facility located at 66 Harris Street, including related incidental costs, or take any other action relative thereto.

MOTION: Mr. Berry moves to amend and extend the authorization under Article 27 of the 1998 Annual Town Meeting and to appropriate \$91,848 toward the purchase of the vacant Fish & Wildlife property as set forth in the article.

Two thirds to pass

MOTION CARRIES UNANIMOUSLY

Article 26 Authorize Land Exchange with the Commonwealth – Harris Street

(Two-thirds vote)

To see if the Town will vote to authorize the following disposition of real property to the Commonwealth and acquisition of real property from the Commonwealth:

1. To transfer from general municipal use to the Selectmen for purposes of disposition, and to authorize the Selectmen to dispose to the Commonwealth of Massachusetts, its Division of Fisheries and Wildlife (“DFW”) and/or its Division of Capital Asset Management & Maintenance (“DCAMM”), as applicable, on such terms and conditions and for such consideration as the Selectmen may determine, and to convey, exchange or donate the deed of a fee simple interest in, that certain parcel of land shown as Parcel 22 on Town Assessor’s Map D4, known as 558 Main Street Rear, consisting of approximately six (6) acres of woodland described in a deed from Quail Ridge Country Club LLC to the Town dated March 16, 2004, and recorded with the Middlesex South Registry of Deeds at Book 42294, Page 359, said parcel to become part of the protected wildlife management area known as the Whittier Land;
2. To acquire from the Commonwealth, DFW, and/or DCAMM, as applicable, by purchase, gift, exchange, eminent domain or otherwise, on such terms and conditions and for such consideration as the Selectmen may determine, for general municipal use, and to accept the deed of a fee simple interest in, the land with the buildings and improvements thereon shown as Parcels 89 and 90-2 on Town Assessor’s Map C5, known as 66-68 Harris Street, consisting of a total of approximately 1.9 acres as described and identified in (a) a deed from Sven S. Hagen to the Commonwealth of Massachusetts on October 28, 1953, recorded with the Middlesex South Registry of Deeds at Book 8181, Page 354, and a plan entitled “Plan of Land in Acton to be Conveyed by Sven S. Hagen to the Commonwealth of Massachusetts, Surveyed by P. Bowers, September 16, 1953,” and (b) a deed from Sven S. Hagen to the Commonwealth of Massachusetts, through its Division of Fisheries and Game on March 26, 1965, recorded with the Middlesex South Registry of Deeds at Book 10928, Page 156, and is a portion of the land shown on a plan entitled “Plan of Land in Acton, Mass. Owned by Sven S. Hagen, Scale 1” = 50’ December 14, 1963, Fred X. Hanack, L.S.-C.E.” (both plans being on file at the offices of the Town Clerk); and
3. To reserve, acquire or dispose of such easements over, across, under and along the foregoing properties as the Selectmen may deem appropriate;

or take any other action relative thereto.

MOTION: Mr. Berry moves that the Town authorize the disposition and acquisition of real property and easements as set forth in the article.

MOTION CARRIES UNANIMOUSLY

General Consent (two-thirds vote)

ARTICLE 28 * Amend Town Bylaw – Police Detail

ARTICLE 29 * Amend Kennel License Fee Structure

ARTICLE 30 * Accept Street – Brabrook Road

ARTICLE 31 * Accept Sidewalk Easement – Great Road

ARTICLE 32 * Highway Reimbursement Program (Chapter 90)

ARTICLE 33 * Insurance Proceeds

ARTICLE 34 * Gifts or Grants

ARTICLE 35 * Federal and State Reimbursement Aid

ARTICLE 36 * Performance Bonds

ARTICLE 37 * Sale of Foreclosed Properties

ARTICLE 38 * Accept Chapter 59, Section 5C1/2 - Elderly, Veterans & disabled Tax Relief

MOTION: Mr. Gowing moves that the Town take up the ten articles in the Consent Calendar on pages 59 through 68 of the Warrant: Articles 28, 29, 30, 31, 32, 33, 34, 35, 36, and 37, not including Article 38.

CONSENT MOTION CARRIES UNANIMOUSLY

Article 28 * Amend Town Bylaws – Police Details

(Majority vote)

To see if the Town will vote to amend Chapter E of the General Bylaws by adding the following section E58:

E58. Police Details

1. **Requested Police Details.** Any person or entity performing any construction, operation, excavation, maintenance, repair, installation, restoration, utility work or other work within, over, under or along any public way, street, sidewalk, road shoulder or other public place within the Town shall first notify the Acton Police Department. Any person may request that police details be furnished by the Acton Police Department as the Chief of Police (or his or her designee) may determine to protect public health, safety and welfare during the performance of such work or for any other activity or event for which a police detail is requested. The person or entity requesting such police details shall pay the Acton Police Department at the prevailing rate for all such police details as are provided by the Acton Police Department pursuant to such a request. The Chief of Police (or his or her designee) may in his or her discretion determine that such police details are not required in the event the person or entity complies throughout such work with applicable provisions of the General Laws permitting the use of flagmen as an alternative to such police details.
2. **Required Police Details.** Upon receipt of a notice pursuant to the prior section, or on his or her own initiative, the Chief of Police (or his or her designee) shall have the authority to require police details where he or she determines that the passage or flow of vehicular or pedestrian traffic may be disrupted, or where the public safety, health and welfare may be otherwise affected, on any public way, street, sidewalk, road shoulder or other public place within the Town as a result of any construction, operation, excavation, maintenance, repair, installation, restoration, utility work or other work within, over, under or along said public way, street, sidewalk, road shoulder or other public place, except where police details are provided by the Massachusetts State Police for that work. The person or entity performing such work shall pay the Acton Police Department at the prevailing rate for all such police details as are provided by the Acton Police Department.
3. **Prohibited Work.** No person or entity shall perform any construction, operation, excavation, maintenance, repair, installation, restoration, utility work or other work within, over, under or along said public way, street, sidewalk, road shoulder or other public place within the Town until the person or entity has complied with these bylaws.
4. **Regulations.** The Chief of Police shall adopt written criteria consistent with applicable law and with these bylaws concerning the process to be implemented, payments to be made for, and emergency exceptions (if any) to the procurement of such police details. The Chief of Police may require the posting of a bond or cash in advance of such work as reasonably necessary to secure payment for such police details.
5. **Failure to Pay.** Any such person or entity who fails to make payment for requested or required police details when due shall pay to the Town, in addition to the cost of the police details as set forth above, interest at the rate equivalent to that assessed for unpaid taxes

pursuant to the provisions of Massachusetts General Laws Chapter 59, Section 57, as said provisions may from time to time be amended, calculated from the date the police details are provided to the date on which the person or entity makes full payment for such police details as required hereunder.

6. Violations. Any such person or entity that violates any provision of this Section E58 shall be subject to a penalty of three hundred dollars (\$300.00) for each offense. Each day that such violation continues shall constitute a separate offense. The Chief of Police or his or her designee is hereby authorized to stop any work conducted in violation of any provision of Section E58.

7. Exemptions. The Town of Acton is exempt from the requirements of Section E58.

And further to see if the Town will amend Chapter E, Section E45, by adding the following provision after the provision entitled "Chapter E - Section E45 - Non-Criminal Disposition:"

Chapter E - Section E58 - Police Details - enforcing Persons – Regular Police Officer - Fine \$300.00, each offense.

, or take any other action relative thereto.

MOTION: Mr. Gowing moves that the Town adopt the General Bylaw amendments as set forth in the Article.

CONSENT MOTION CARRIES UNANIMOUSLY

Article 29 * Amend Kennel License Fee Structure
(Majority vote)

To see if the Town will amend its fee structure for kennel licenses as follows:

Type of Kennel	Fee
Commercial Boarding or Training Kennel	\$125.00
Commercial Breeder Kennel	\$125.00
Domestic Charitable Kennel	No Fee (exempt by statute)
Veterinary Kennel	\$125.00
Personal Kennel	<ul style="list-style-type: none"> • \$ 45.00 (1-4 dogs, six months of age and older) • \$ 89.00 (5-9 dogs, six months of age and older) • \$ 125.00 (10 or more dogs, six months of age and older)

, or take any other action relative thereto.

MOTION: Mr. Gowing moves that the Town amend its fee structure for kennel licenses as set forth in the article.

CONSENT MOTION CARRIES UNANIMOUSLY

Article 30 * Accept Street – Brabrook Road
(Two-thirds vote)

To see if the Town will authorize the Board of Selectmen to layout a portion of Brabrook Road and acquire and take, on such terms and conditions as the Selectmen may determine, by purchase, gift, eminent domain or otherwise and accept the deed of a fee simple or easement interest in the land owned by Ellsworth Village, LLC, shown as “Parcel 1D-2” on a plan entitled “Plan of a Portion of Brabrook Road To Be Accepted as a Town Way in Acton, Massachusetts, As Laid Out by Order of the Board of Selectmen, 2015” prepared by Stamski and McNary Inc, on file with the Acton Town Clerk, said acquisition and taking to be included in the layout extension of Brabrook Road as described in more detail in the Order of Layout, including without limitation the taking or acceptance of easements for roadway, drainage or other purposes; and further to see if the Town will raise, appropriate, transfer from available funds, or accept gifts for this purpose, or take any other action relative thereto.

MOTION: Mr. Gowing moves that the Town accept as a public way the extension of Brabrook Road, and authorize the acquisition, transfer or taking of the fee or easement interest of Parcel 1D-2 for roadway layout and associated easement interests, all as described in the article.

CONSENT MOTION CARRIES UNANIMOUSLY

Article 31 * Accept Sidewalk Easements – Great Road
(Two-thirds vote)

To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise and to accept deeds of easement interests for sidewalks and associated drainage structures within and along the frontage on the following ways for all purposes which streets, sidewalks and ways are now or hereafter used in the Town, on such terms and conditions as the Selectmen may determine and in a final location or locations as the Selectmen may determine, on, across, over, and/or under the following land:

Great Road:

1. Land n/f of Iris Court Apartments, LLC of 1-5 Iris Court (Town Atlas Map G-5 Parcel 72),
2. Land n/f of Nagog Woods Condominium (Nonset Path & Town Atlas Map B-4 Parcel 8-5),

and further see if the Town will raise, appropriate, transfer from available funds or accept gifts for this purpose, or take any other action relative thereto.

MOTION: Mr. Gowing moves that the Town authorize the acquisition of the easements as set forth in the Article.

CONSENT MOTION CARRIES UNANIMOUSLY

Article 32 * 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. Gowing 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 UNANIMOUSLY

Article 33 * 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. Gowing 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 UNANIMOUSLY

Article 34 * 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, and any interest thereon, and that, consistent with the requirements of Massachusetts General Laws, Chapter 40, Section 4A, the Board of Selectmen or Town Manager are authorized to enter into an agreement or agreements on behalf of the Town, on such terms and conditions as the Board of Selectmen or the Town Manager may determine, for the stated purposes of the gifts or grants, or take any other action relative thereto.

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

CONSENT MOTION CARRIES UNANIMOUSLY

Article 35 * Federal And State Reimbursement Aid

(Majority vote)

To see if the Town will vote to appropriate any Federal Government and State Government reimbursement for costs incurred as a result of any declared emergencies or other occurrence, and that, consistent with the requirements of Massachusetts General Laws, Chapter 40, Section 4A, the Board of Selectmen or Town Manager are authorized to enter into an agreement or agreements on behalf of the Town, on such terms and conditions as the Board of Selectmen or the Town Manager may determine, or take any other action relative thereto.

MOTION: Mr. Gowing 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 UNANIMOUSLY

Article 36 * 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. Gowing 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 UNANIMOUSLY

Article 37 * Sale of Foreclosed Properties

(Two-thirds vote)

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

MOTION: Mr. Gowing moves in the words of the Article.

CONSENT MOTION CARRIES UNANIMOUSLY

Article 38 * Accept Chapter 59, Section 5C½ – Elderly, Veterans & Disabled Tax Relief
(Majority vote)

To see if the Town will vote to accept the provisions of Massachusetts General Laws, Chapter 59, Section 5C ½, to allow an additional property tax exemption to a taxpayer who otherwise qualifies for an exemption pursuant to any clause specifically listed in the first paragraph of Section 5 of Chapter 59 for which receipt of another exemption on the same property would otherwise be prohibited, or take any other action relative thereto.

MOTION: Mrs. Osman moves that the Town accept Massachusetts General Laws Chapter 59, Section 5C ½, which provides for an additional real estate exemption for taxpayers who are granted personal exemptions on their domiciles under Massachusetts General Laws Chapter 59, Section 5, including certain blind persons, veterans, surviving spouses and seniors, and provide an additional exemption up to 100 percent of the personal exemption, to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2015.

MOTION CARRIES UNANIMOUSLY

MOTION TO DISSOLVE: Mr. Kadlec moves to dissolve the Annual Town Meeting at 10:18 PM

MOTION CARRIES UNANIMOUSLY

The following served as tellers for this Annual Town Meeting

Charlie Kadlec, Head Teller
Peter Ashton
Jeff Bergart
Ann Chang
Joan Gardner
Bob Ingram
Herman Kabakoff
Anne Kadlec
Pam Lynn
Marion Maxwell
Phyllis Novick
Marilyn Peterson
Molly Romer