



RECREATION COMMISSION

Meeting Minutes

February 4, 2020

7:00 p.m.

RECREATION CENTER, 50 AUDUBON DRIVE, ACTON, MA 01720

Present: Christopher Hardy, Commissioner; Ed Holcomb, Commissioner; Hema Santhanakrishnan, Commissioner; Stephen Trimble, Commissioner; Joe Will, Commissioner; Melissa Rier, Recreation Director; Mary Lou Repucci, Recreation Office Manager; Tom Gillispie, Citizen; Adam Nolde, Citizen; David Kleinschmidt, Citizen; Nathan Kleinschmidt, Citizen; Mike Graffeo, Citizen.

Absent: David Martin, Board of Selectman Liaison

Opening: Chair Stephen Trimble opened the meeting at 7:07 p.m.

I. Regular Business

1. Review of Meeting Minutes from November 5, 2019: Minutes from the Recreation Commission's November 5, 2019 meeting were reviewed and approved by a vote of 4-0, with amendments.
2. Acton Dog Park Location Vote: Acton Dog Park Committee chair Tom Gillispie updated the Commissioners on recent activity. The Dog Park Committee has fulfilled its initial charge of identifying the need for a dog park in Acton and obtaining resident support. He asked the Commissioners not to vote on location at this time as various properties are still under consideration. The DPW area at the north end of NARA Park has been eliminated. Current possible sites include 70 Quarry Road, across from the NARA upper parking lot, and the Kennedy property on Main Street, opposite the Public Safety Facility. The Land Stewards and Open Space Committee have voiced opposition to clear-cutting trees at 70 Quarry Road. Fencing to contain dogs and possible noise from barking is a concern at Main Street. The next step is to collect more data and to work with the Board of Selectmen. A feasibility study was recommended. Tom Tidman is drawing a preliminary design for the Main Street location.
3. Reports:
 - a) **Fields and Facilities:** Melissa Rier sent a mailing to all leagues to submit their 2020 permit applications. To save on fees the leagues are working on their schedules for the upcoming season to reserve specific dates rather than apply for blanket seasonal permits. Fees collected last year enabled substantial investment in improvements to MacPherson, Concord Road and NARA Park. It was clarified



that all fields and courts will remain available during the school construction. Permit applications are coming in for rental facilities. The NARA Picnic Pavilion is anticipated to be completely booked this year.

- b) Rail Trails: Topics discussed included lighting along the trail and future design for a connection involving private land.
- c) Events: Recreation hosted a number of indoor events this winter appealing to all ages: Studio Two Beatles concert; Birds of Prey demonstration; John Denver tribute; and Tanglewood Marionettes. Winter Carnival -- without snow and ice -- was successful and well-attended. The Commissioners were invited to participate in future events as volunteers.
- d) Community Preservation Committee:
 - CPA Projects:
 - *T.J. O'Grady Skate Park:* The bid to finish the Skate Park came in over budget so the project is being re-designed to simplify the original plan. There will be a paved pathway into the park, new surfacing and additional entry-level features. Boxborough is being kept updated as to the status. Funding in place is sufficient to complete the project.
 - *NARA Picnic Pavilion Restrooms:* Melissa and Tom met with architect Andy Brockway to review plans. Recreation is looking to Friends of the Bruce Freeman Rail Trail to assist with funding in the amount of \$10,000. The project is moving forward with septic completion and is scheduled to be finished this summer.
 - *NARA Sports Pavilion:* The north building adjacent to the Miracle Field goes out to bid next week and will be completed this year regardless of additional funding. Recreation would like to finish at least the exterior of the south building to prevent an eye-sore at NARA. More funds are needed to complete the entire project.
 - *Jones Playground Renovation:* The well-publicized clothing drive in progress will receive \$.25 per pound and is expected to exceed its original \$650 goal. Items that can't be sold through Savers will be donated to The Epilepsy Foundation. Deadline is February 26. Additional fund-raising events are being planned. The ultimate goal is \$500K with construction to begin this June.



II. New/Special Business:

4. Starting Process to amend Rec Revolving fund to a 53E1/2: When Melissa was promoted to Recreation Director in 2019, her former position as Recreation Coordinator was cut by the Town Manager, effectively reducing Recreation staff by 25%. If a fourth employee is desired Recreation must now compensate that position with revenue from its self-funded resources. The present 53D revolving account does not legally permit payment of full-time salaries and benefits; therefore the Town Manager has directed Recreation to move to a 53E1/2 account which will allow for this. A 53E1/2 account would also permit an annual carry-forward of more than the \$10K limitation of the present 53D. The other primary difference is that the 53D account requires approval only by the Town Manager whereas 53E1/2 requires layers of approval. Melissa has indicated the long-term intention for Recreation to take over support of its entire staff without assistance from the general fund. She distributed a chart and Massachusetts General Law sections comparing 53D with 53E1/2 and asked the Commissioners on behalf of the Town Manager to write a letter to the Town Manager approving the move to a 53E1/2. The Commissioners declined to vote in favor of amending the existing 53D to a 53E1/2. Melissa explained that they could pose a list of questions to the Town Manager instead. The Commissioners put together a draft list of questions for review at their next meeting.
5. Voting on changing definition of senior age from 65 to 60: Senior is defined in Massachusetts as age 60; Recreation would like to follow state law. NARA Beach memberships and daily rates would be most affected by this reduction in fees but the lower price might encourage more participation. It was moved and seconded to vote on this change. The motion was approved 4-0.
6. Voting on raising cancellation and switching fees from \$20 to \$25:
7. Voting on a 10% camp discount if registering for entire season: It was moved and seconded to vote on these changes. The motion was approved 4-0.
8. Pump Track: Adam Nolde along with several local members of the New England High School Cycling Association attended to discuss using Town land for a pump track. The group seeks an area with dirt provided to build an obstacle course for riders to practice skill development. It was stressed that this will not require clear-cutting of trees. It is not for group meets or tournaments but for individual use by small groups. Many track designs are possible depending on the natural terrain so that the choice of land is flexible. A-B student Nathan Kleinschmidt is a member who will contribute the design and build a pump track as his Eagle Scout project. It was suggested to incorporate accessible features in his plan to make the track useful to as many as possible and as an innovation in this sport. A number of questions and concerns were discussed including a location to serve the entire community, parking, trash removal, restrooms, the possible need for a rental permit, liability, and how the



proposed project dovetails with Recreation's mission statement. For location the club is considering 70 Quarry Road with use of NARA parking and facilities. The pump track will require Town Manager and BOS approval. Next step is further investigation of possible sites.

III. Consent Items:

None

Adjournment: At 9:23 p.m. it was moved and seconded to adjourn the meeting. The motion was approved 4-0.

Documents and Exhibits Used During this Meeting

- February 5, 2019 Draft Meeting Minutes
- Handout re: Recreation Revolving Fund

Handouts:

Recreation Revolving Fund

What Rec is now: 53D

- Self-supporting fund for recreation and park services.
- Funds cannot be used to pay full-time salaries.
- Cannot exceed \$10,000 at close of fiscal year.

What Rec wants to be: 53E1/2

- Self-supporting fund.
- Funds can support full-time employees and their benefits.
- Before July 1st the limit on the account must be voted on and can increase each year. It then needs to be approved by the Town Manager, Board of Selectmen and Finance Committee.

Massachusetts General Law

Part I ADMINISTRATION OF THE GOVERNMENT

Title VII CITIES, TOWNS AND DISTRICTS

Chapter MUNICIPAL FINANCE

44

Section 53D RECREATION AND PARK SELF SUPPORTING SERVICE REVOLVING FUNDS; CREATION; AUTHORIZED USE OF FUNDS; ANNUAL REPORT; REVOCATION OF PROVISIONS

Section 53D. Notwithstanding the provisions of section fifty-three, any city or town which accepts the provisions of this section may establish in the city or town treasury a revolving fund which shall be kept separate and apart from all other monies by the treasurer and in which shall be deposited the receipts received in connection with the conduct of self supporting recreation and park services of said city or town. The principal and interest thereon shall be expended at the direction of the authority, commission, board or official of such city or town with said responsibility without further appropriation, but only with the written approval of the mayor in cities, or city manager in Plan E cities, or the selectmen in towns, or in towns which have adopted the town manager form of government the town manager and only for the purpose of operating self-supporting recreation and park services. The city auditor or town accountant shall submit annually a report of said revolving fund to the mayor, city council, city manager, board of selectmen or town manager for their review and a copy of said report shall be submitted to the director of the bureau of accounts; provided, however, that funds in said revolving fund shall not be



used for the purpose of paying any wages or salaries for full-time, as defined in the guidelines issued by the director of accounts, recreation and park employees; provided, further, that the unreserved fund balance shall not exceed ten thousand dollars at the close of each fiscal year and any such amount in excess of ten thousand dollars shall be paid into the city or town treasury as provided in section fifty-three.

A city or town which has accepted the provisions of this section may, in like manner, revoke its acceptance; provided, however, that any city or town may require by by-law or ordinance, that the provisions of this section may be subject to annual authorization by a vote of the annual town meeting or city council.

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Section REVOLVING FUNDS

53E1/2

Section 53E1/2. Notwithstanding section 53, a city or town may authorize by by-law or ordinance the use of I or more revolving funds by 1 or more municipal agencies, boards, departments or offices, which shall be accounted for separately from all other monies in the city or town and to which shall be credited any fees, charges or other receipts from the departmental programs or activities supported by the revolving fund. Expenditures may be made from such revolving fund without further appropriation, subject to the provisions of this section; provided, however, that expenditures shall not be made or liabilities incurred from any such revolving fund in excess of the balance of the fund or in excess of the total authorized expenditures from such fund, and no expenditures shall be made unless approved in accordance with sections 41, 42, 52 and 56 of chapter 41.

Interest earned on any revolving fund balance shall be treated as general fund revenue of the city or town. No revolving fund may be established under this section for receipts of a municipal water or sewer department, a municipal hospital, a cable television access service or facility or for receipts reserved by law or as authorized by law for expenditure for a particular purpose. Revolving fund expenditures shall not be made to pay wages or salaries for full-time employees unless the revolving fund is also charged for the costs of fringe benefits associated with the wages or salaries so paid; provided, however, that such prohibition shall not apply to wages or salaries paid to full-time or part-time employees who are employed as drivers providing transportation for public school students; provided further, that only that portion of a revolving fund which is attributable to transportation fees may be used to pay the wages or salaries of those employees who are employed as drivers providing transportation for public school students; and provided further, that any such wages or salaries so paid shall be reported in the budget submitted for the next fiscal year.

A revolving fund shall be established pursuant to this section by by-law or ordinance. The by-law or ordinance shall specify for each fund: (1) the programs or activities for which the revolving fund may be expended; (2) the departmental receipts in connection with those programs or activities that shall be credited to the revolving fund; (3) the board, department or officer authorized to expend from such fund; and (4) any reporting or other requirements the city or town may impose. The establishment of any fund shall be made not later than the beginning of the fiscal year in which the fund shall begin. Notwithstanding this section, whenever, during the course of any fiscal year, any new revenue source becomes available for the establishment of revolving fund under this section, such a fund may be established in accordance with this section upon certification by the city auditor, town accountant, or other officer having similar duties that the revenue source was not used in computing the most recent tax levy.

The city or town shall, on or before July 1 of each year, vote on the limit on the total amount that may be expended from each revolving fund established under this section. In any fiscal year, the limit on the amount that may be spent from a revolving fund may be increased with the approval of the city council and mayor in a city or with the approval of the board of selectmen and finance committee in a town.

Upon termination of a revolving fund, the balance in the fund at the end of that fiscal year shall revert to surplus revenue at the close of the fiscal year.