



Article: 79

Warrant Article Title:

APPROPRIATION / PRIVATE WAY REPAIRS REVOLVING FUNDS

Warrant Article Text:

To see if the Town will vote to appropriate a sum of money into the Private Ways Repairs Revolving Fund for the purpose of repairing or reconstructing private ways, including costs incidental and related thereto and to determine how the appropriation into such revolving fund, and to determine how the appropriation shall be raised or expended, including the possibility of borrowing all or some of same; or take any action related thereto.

Requested By:

the Town Manager

Report Excerpt:

The Town has long utilized the Private Way Repairs Revolving Fund to pay for costs associated with improvements to the many private ways in Arlington. These costs are always recouped by the Town from the abutters of the private way. This year, a larger project will be undertaken, the cost of which exceeds the amount in the fund. This appropriation will enable the Town to perform the necessary work for that neighborhood. It will be repaid to the Town in full, with interest. (Requires a 2/3 vote).

[Select Board] voted 4-0 (Mr. DeCoursey recused himself) in support of this article.

This appropriation article seeks to authorize the borrowing or debt issuance and appropriation of a sum of money in the amount of

up to a maximum of \$1,569,608 to fund a large private way repair project to take place in the Kelwyn Manor neighborhood of Arlington. Ordinarily, private way repairs are funded through the process set forth Title III, Article 3 of the Town Bylaws. That process allows abutters to any private way, or group of private ways, to petition the Select Board to order repairs. Typically, private way repair projects are much smaller in scope and funded through the overlay reserve or an appropriation from existing General Funds. Given the scale of this project, however, the ordinary funding process is not an option because existing private way funds are insufficient. It is noted that all Town funds expended on private way repair projects are recovered through a special assessment on real estate tax bills for impacted properties whose owners do not pay their share up-front.

If approved by Town Meeting, it is expected that the Town will issue a bond to fund the project. Thereafter, each abutter's share of the funded amount will be repaid to the Town. Abutters may pay in full upon completion of the work or can be partially or fully assessed on their tax bills for payment over five-year period with interest at 2 percent above the cost (including Town oversight and administration costs) of any bond issued to fund the repair in question.

Vote Language:

That the sum of \$1,569,608 be and hereby is appropriated for the purpose of financing the repair of private ways, subject to a Betterment Order under Title III, Article 3 of the Town's bylaws, including costs incidental and related thereto; that to raise this appropriation the Treasurer, with the approval of the Select Board, is authorized to borrow up to \$1,569,608 under and pursuant to Chapter 44, Section 7, of the General Laws, as amended, or any other enabling authority and to issue bonds or notes of the Town therefore; and that the Select Board and the Town Manager be and hereby are authorized to enter into any agreements they determine to be necessary in connection with the project and its financing. Further, in accordance with

applicable state law and Title III, Article 3, Section 6 of the Town's bylaws, all borrowed funds and costs, including borrowing interest costs, shall be repaid in full by the abutters included in the betterment petition.

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