

FYI

**BOARD OF SELECTMEN
APPROVED MINUTE DISTRIBUTION
LIST**

TOWN CLERK

MEMORIAL LIBRARY

BOARD OF HEALTH

HISTORIC DISTRICT

CULTURAL COUNCIL

SUPT. OF SCHOOLS

VCC

TAC

PLANNING BOARD

(selectmenLDrive)

**December 19, 2005
7:00 P.M.**

PRESENT: Peter Ashton, Walter Foster, Dore' Hunter, Lauren Rosenzweig, Andrew Magee, Town Manager and Asst. Manager. The meeting was televised

CITIZENS' CONCERNS

Mia Spies spoke about many issues with regard to the Morrison Farm Committee, Board of Selectmen statements and asked that she be treated properly and asked for an answer in writing to address her concerns.

SEWER COMMISSIONERS' BUSINESS

PUBLIC HEARINGS & APPOINTMENTS

OPERATIONAL MINUTE --None

BOSTON EDISON/VERIZON, POLE LOCATION – MAIN STREET AT CARLISLE ROAD - DORE' HUNTER – Moved to approve with conditions noted by the Engineering Department. WALTER FOSTER – second. UNANIMOUS VOTE.

SITE PLAN SPECIAL PERMIT 10/27/05/405, BRAVERY REALTY TRUST, 144 GREAT ROAD. DORE' HUNTER - Moved to continue the hearing to Jan 23, 2006 at 8:10, at the request of the applicant. WALTER FOSTER- second. UNANIMOUS VOTE

TRANSPORTATION ADVISORY COMMITTEE INTERVIEW – DORE' HUNTER – Moved to appoint James Yarin as an Associate Member to the Transportation Advisory Committee. WALTER FOSTER – second. UNANIMOUS VOTE.

PLANNING BOARD INTERVIEW, ALAN MERTZ – WALTER FOSTER – Moved to appoint Alan Mertz as an Associate member of the Planning Board. DORE' HUNTER – second. UNANIMOUS VOTE

CHANGE OF MANAGER'S O'NATURAL- The owners of O'Natural came before the Board to request approval of a new Manager, from Ms. Lima to Mr. Adam Gorham. WALTER FOSTER – Moved to approve Mr. Gorham as the New Manager. DORE' HUNTER – second. UNANIMOUS VOTE.

INTERVIEW COMMUNITY PRESERVATION, JON BENSON
DORE' HUNTER – Moved to appoint Jon Benson to the CPC for a term to expire June 30, 2006. WALTER FOSTER – second. UNANIMOUS VOTE.

SITE PLAN SPECIAL PERMIT 02/19/03-388, ACTON SUZUKI, INC. 60 POWDERMILL ROAD - Mr. Bertolami discussed the progress made since the last meeting. They have submitted to the Building Commissioner and they chose option 1, 17 cars, Outside and 2 inside total of 19 cars. Waiter asked about two licenses at the same site. They prefer to

avoid this and have the board issue one license. Walter spoke about the connector ramp and Walter noted that this was good growth. Garry suggested that we either limit total number of vehicles under this license at 19 and to notify us of vehicles stored at other locations, further they discussed if the locations are in Acton, there would be a problem. Mr. Bertolami said all his storage was not within the confines of Acton. Walter said he wanted to make sure that other off site store being used be conditioned that we show that. It is understood that there may be vehicles stored out side of the Town of Acton.

Andy spoke about the fencing that has added area behind the building instead of hugging the building, and needs to be addressed.

DORE' HUNTER – Moved to close the hearing. WALTER FOSTER – second. Peter asked if it should be approved tonight. Andy said to include the red changes.

ANDREW MAGEE – Moved to accept the Site Plan as presented with fencing on the north side with five foot off building and fencing on north east side to be placed at a distance of 1 1/2 feet off the Conservation Restriction. WALTER FOSTER – second. UNANIMOUS VOTE.

CLASS I CAR DEALER'S LICENSE, ACTON SUZUKI, INC., 60 POWDER MILL ROAD - DORE' HUNTER – Moved to limit the number of cars to 19 maximum and off site additional cars are not to be stored in the Town of Acton. WALTER FOSTER – second. UNANIMOUS VOTE.

LIQUOR LICENSE VIOLATION CROSSROADS CAFÉ'

Jay Manning outlined the materials he received from the Town with regard to this issue. The Crossroads was the last place the violator said he was after being arrested for OUI. Jay said that they make sure that they do not serve an individual who is intoxicated. He is here to defend his restaurant; he does not know that the gentleman was at his restaurant. He says they do the best they can and they have a large clientele. Dore' asked in detail explanation how he would correct this. Jay said he walks around the restaurant and checks people. He asked if any one watched the crowd leaving at closing. Jay said that most the time they stand by the door to see if they walking out with glasses or alcohol and to see if they are taken care of properly if intoxicated. The Board required Mr. Manning to re-read his policy and to submit written rules that the employees can use, and to have a responsible person keep an eye on those leaving to make sure they are not leaving intoxicated.

Walter suggested we should notify the surrounding towns to make everyone aware of any accidents that occur in an Acton establishment.

Andy noted the blood alcohol level was high and the man was intoxicated.

Peter said he agreed that the policy should be changed as soon as possible and hoped he would not come before them again.

BUDGET PRESENTATION

Don presented his budget. He asked that on Budget Saturday we start around 8 am and go until we finish. Don asked that questions be submitted prior to January 7, 2006

SELECTMEN'S BUSINESS

2006 LICENSE RENEWALS

WALTER FOSTER – Moved to approve the liquor licenses with the provision that they are current with tax payments and in compliance with 304 Legislation before December 30, at 5:00 P.M., 2005 LAUREN ROSENZWEIG – second. UNANIMOUS VOTE.

PETER ASHTON – Moved to approve the Full Retail Package Stores. DORE' HUNTER – second. UNANIMOUS VOTE

WALTER FOSTER – Moved to approve Retail package wines and malts beverages
DORE' HUNTER – second. UNANIMOUS VOTE

DORE' HUNTER – Moved to approve the Common Victualler Beer and Wine. WALTER FOSTER – Second. UNANIMOUS VOTE

WALTER FOSTER – Moved to approve the Class II licenses, with AutoPlex Held until new address is determined. DORE' HUNTER – second. UNANIMOUS VOTE

WALTER FOSTER – Moved to approve the Class I new car licenses with Acton Ford Truck held (to be replaced by Acton Suzuki, Inc.) DORE' HUNTER – second.
UNANIMOUS VOTE

WALTER FOSTER – Moved to approve the Entertainment licenses on page 6 same conditions. DORE' HUNTER – second. UNANIMOUS VOTE

WALTER FOSTER – Moved to approve the Bowling Alley license DORE' HUNTER – second. UNANIMOUS VOTE.

WALTER FOSTER – Moved to approve CVS's 24 hour permit. DORE' HUNTER – second. UNANIMOUS VOTE

WALTER FOSTER – Moved to approve the Automatic Amusement devices –DORE' HUNTER – second. UNANIMOUS VOTE

WALTER FOSTER – Moved to approve the Taxi cab
License for ABC Taxi, for a Hyndi Alentra 11 Central St. DORE' HUNTER – second.
UNANIMOUS VOTE

WALTER FOSTER – Moved to approve the Taxi Cab driver's license for Tatiania Benharbone. DORE' HUNTER – second. UNANIMOUS VOTE

WALTER FOSTER – Moved to approve the Fortune Tellers License for John Lorenz.
DORE' HUNTER – second. UNANIMOUS VOTE

WALTER FOSTER – Moved to not renew the boarding house permit located at 57 Conant St. (Mr. Gallagher) DORE' HUNTER – second. UNANIMOUS VOTE

WALTER FOSTER – Moved to approve Common Victualler Licenses, pending payment in full of taxes and compliance with 304 inspections (if holding a liquor License) before Dec 30, 2005. DORE' HUNTER – second. UNANIMOUS VOTE

MAPC REQUEST FOR LEGISLATIVE SUPPORT- Peter outlined the request and spoke about the issue. DORE' HUNTER -Moved to have the letter sent under the Chair's signature. WALTER FOSTER – second. UNANIMOUS VOTE

MASSACHUSETTS MUNICIPAL ASSOCIATION AND MASS INTERLOCAL INSURANCE ASSOCIATION, VOTING DELEGATIONS - Peter will plan to go on Friday and will nominate Don as the Voting Delegate for the meetings. DORE' HUNTER – Moved to designate Don Johnson as the Boards Delegate. WALTER FOSTER – second. UNANIMOUS VOTE

OTHER BUSINESS

Walter noted that they had a meeting of the Morrison Farm Committee, they will be holding a public forum on January 19, 2006 at the Town Library at 7:30.

Lauren spoke about the car pool program. They should contact Dore' Hunter with questions. They are planning a February 8th public outreach program to discuss solutions to commuting problems.

Peter reported on the ALG meeting which will be beginning to look at shared funds. David Stone suggested we look at it differently, rather than approach by looking a different reviews and dividing other revenues for the town side. Peter noted that we were splitting 70 percent of the revenue with the schools. Peter felt that we will be looking at these things differently. Peter noted that revenues are up from October and feels the approach is different. Walter noted he liked David Stone's approach and he now understands that we don't have much leeway on licenses fees and such other revenue sources.

Lauren stated we should contact our legislators about unfunded mandates. Dore' said we should ask for the costs of these mandates.

Walter wanted to present it to the legislators. Peter noted that we have a meeting with the legislature to discuss this issue.

CONSENT AGENDA

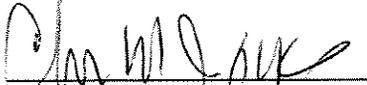
DORE' HUNTER - Moved to approve, WALTER FOSTER – second. UNANIMOUS VOTE.

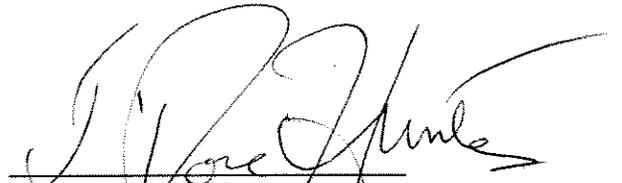
TOWN MANAGER'S REPORT

None Required

EXECUTIVE SESSION

None Required


Christine Joyce, Clerk


Clerk, Board of Selectmen

Date: _____

BOARD OF SELECTMEN AGENDA

December 19, 2005

Francis Faulkner Hearing Room
Acton Town Hall
7:00 P.M.

I CITIZENS' CONCERNS

II SEWER COMMISSIONERS' BUSINESS

III PUBLIC HEARINGS & APPOINTMENTS

1. **7:05 OPERATIONAL MINUTE** – The Town Manager will give the Board a brief update on various topics.
2. **7:15 POLE RELOCATION AND REMOVAL, BOSTON EDISON AND VERIZON NEW ENGLAND, MAIN STREET AT CARLISLE ROAD** – Enclosed please find materials in the subject regard, for Board consideration.
3. **7:30 – SITE PLAN SPECIAL PERMIT #10/27/05-405, BRAVERY REALTY TRUST, 144 GREAT ROAD** - Enclosed please find materials in the subject regard, for Board consideration. (**Applicant has requested an extension to January 23, 2006 at 8:10**)
4. **7:35 INTERVIEW, TRANSPORTATION ADVISORY COMMITTEE INTERVIEW, JAMES YARIN** – Enclosed please find Mr. Yarin's Volunteer Application and comments from the Volunteer Coordinating Committee, for Board consideration.
5. **7:45 INTERVIEW, PLANNING BOARD INTERVIEW, ALAN MERTZ** – Enclosed please find Mr. Mertz' Volunteer Application and comments from the Volunteer Coordinating Committee, for Board consideration.
6. **7:50 CHANGE OF MANAGER REQUEST, O'NATURALS, 149 GREAT ROAD**– Enclosed please find materials in the subject regard, for Board consideration.
7. **8:05 INTERVIEW, COMMUNITY PRESERVATION COMMITTEE, THOMAS DUNN** – Enclosed please find Mr. Dunn's Volunteer Application and comments from the Volunteer Coordinating Committee, for Board consideration.
8. **8:15 INTERVIEW, COMMUNITY PRESERVATION COMMITTEE JON BENSON** – Enclosed please find Mr. Benson's Volunteer Application and comments from the Volunteer Coordinating Committee, for Board consideration.
9. **8:30 SITE PLAN SPECIAL PERMIT #02/19/03-388, ACTON SUZUKI, INC., 60 POWDER MILL ROAD** (Continued from December 12th) Enclosed please find materials in the subject regard, for Board consideration.
10. **8:31 CLASS I CAR DEALER'S LICENSE, ACTON SUZUKI, INC., 60 POWDER MILL ROAD** – (Continued from December 12th) – Enclosed please find materials in the subject regard, for Board consideration.

- 11. **9:00 LIQUOR VIOLATION, CROSSROADS CAFÉ, 405 NAGOG SQ.** - Enclosed please find materials in the subject regard, for Board consideration,
- 12. **9:15 BUDGET PRESENTATION** – The Town Manager will make his Annual Budget Presentation to the Board.

IV SELECTMEN’S BUSINESS

- 13. **2006 ANNUAL LICENSE RENEWALS** - Enclosed please find materials in the subject regard, for Board consideration.
- 14. **METROPOLITAN AREA PLANNING COUNCIL (MAPC) REQUEST FOR LEGISLATIVE SUPPORT** – Enclosed please find materials in the subject regard, for Board consideration.
- 15. **MASSACHUSETTS MUNICIPAL ASSOCIATION (MMA) AND MASSACHUSETTS INTERLOCAL INSURANCE ASSOCIATION (MIIA) VOTING DESIGNATIONS** – Enclosed please find materials in the subject regard, designating Don Johnson as the voting Designee at the MMA and MIIA Annual Business Meeting, for Board consideration.

16. **OTHER BUSINESS**

VI CONSENT AGENDA

- 17. **COMMITTEE APPOINTMENT, ACTON BOXBOROUGH ARTS COUNCIL, RACHEL F. LUCAS** - Enclosed please find Ms. Lucas’ Volunteer Application and comments from the Volunteer Coordinating Committee, for Board consideration.
- 18. **DISPOSAL OF TOWN PROPERTY** – Enclosed please find a request from the Library Director for approval to dispose of a sofa from the Library’s Children’s Department, for Board consideration.

VII TOWN MANAGER’S REPORT

VIII EXECUTIVE SESSION

ADDITIONAL INFORMATION

Enclosed please find additional correspondence that is strictly informational and requires no Board action.

FUTURE AGENDAS

To facilitate scheduling for interested parties, the following items are scheduled for discussion on future agendas. This IS NOT a complete Agenda.

January. 7 (Budget Workshop)	February 13 & 27
January 23 & 30	March 13 & 27

1. Produce Morrison Farm Development Master Plan (Walter)
2. NARA PARK
3. Pursue Commercial Tax Base
4. Master Plan review meeting once per year

GOALS carried forward

5. Monitor Labor Negotiations (Peter)
6. Improve Communication with Town Boards (ALL), Improving Inter Board Communication (Dore')
7. Revisit 2020 planning process for direction to make this process more beneficial towards implementation of long-term vision, and to get a first rough cut of what happens next year before school is out for the summer (Peter)
8. ALG process be used for purpose of Budget Planning for FY05 (Dore'/Peter)
9. Process Planning for "Life after NESWC
10. Middlesex Pension Alternatives (Walter)

Budget Saturday January 29, 2005

Board of Selectmen and Finance Committee Members, Staff Support and Department Heads.

Dore' made opening remarks and turned the meeting over to the Town Manager. The Town Manager outlined the decisions that have been made regarding A and B budgets. They have in the past taken little from the Big Four; they are the biggest end of our Public Service. The B budget is FY05's budget minus 236K. They will be suggesting fewer public hours for the public under the B Budget. Don outlined the Big Four Only reductions. In the Memorial Library they will have to cut 4.5 FTE's which results in closing the Library at times. He also outlined the suggestions for the Non- Big Four Departments. They discussed Elimination of all staff support as well as other cuts that would have to be taken to make up the money if we did not cut the Big Four.

The departments that were not going to have major cuts were present to talk about their departments and affects on how they do business. Peter asked about Legal Fees. He asked Mark Hald about his budget. Peter asked about the purchase of electricity with other towns. He is looking into contracts as we now are at default rate. He hopes to get more involved and go in cooperatively with other communities to get the best price. He will be looking into it more when the Public Safety Facility is wrapped up.

Peter asked about the employee added to his budget last year, He did not fill it but he employed several Account Temps to fill the void until we hire the approved position.

Peter asked Garry about Fees and Expenses for this department. He outlined they are having a problem with their revolving account. He feels the fund balance will have decrease and feels that next year he will have a problem and would have to have a layoff.

Steve outlined the Munis status. They will need to verify reports but feels we are on line at this time. They have cross trained so that they have a fall back if needed.

Trey thanked the staff and asked Steve about his staffing in the Finance Department and his plans for next year.

Trey asked about IT budget and how much is for licensing, he replied 50%. He asked about the Veterans benefits.

The Finance Committee asked about the possibility of on line billing and when they were going to look in to it. Herman asked about the Free Cash, and what may be available to us this year, John and Dore' said 0. Bob Evans asked about electricity buying, and other thanks that came up under reengineering and savings that can be made and asked they the look into this.

Nancy McShea suggested the reduction of life guards this summer and Peter was concerned with safety. The figure does not cut the life guards. She feels that they will not endanger. Acton Day is reduced and asked if they will be in an Acton Day. She has approached the activities at these functions that, if we get donations we do what can be done for the amount of donations.

Walter asked that they reach out to those who may need financial help to attend the beach.

Roland will have to cut his secretary if the B Budget fails.

Planning will not be able to support the new committees

Bruce Stamski discussed his department. Bob Johnson asked what his feelings were about closing the transfer station except for two days a week.

Peter thanked Bruce and Dave for their work on Life after NESWC. Peter asked about large stockpiles. Bruce was asked to explain the employee loss in the B Budget. It will hinder the abilities of the Department with him and another engineer and secretary.

Herman asked about the Fund Balances and the Status, John thought 3.8 million at end of this year. Landfill Capping may come out of these Balances.

Fire Department – Chief Craig outlined the affects on his operation and services with the proposed cuts. He spoke also about response times. Walter asked him what station would be closed. He felt the station in West Acton would be closed.

John Ryder asked about the privatization of the ambulance. Bob Evans suggested having the private handle the 2A area.

Health – Doug went over his proposed cuts. Peter asked for clarification on those cuts. He felt he could take in an additional \$35,000 in fees. There has been no increase since 1996. Trey spoke about Clerical support. And if he could raise fees to support the Clerical position. He asked about the sewer system duties that could be impacted. Doug said in terms of the sewers it should have no impact on them. Peter asked about the elimination of one day Hazardous Waste Day. Herman asked about potential B budget carried in their budget. He said no.

Police – Dore' asked questions about staffing. Frank said they are down 4-6 officers currently. They currently have 31 officers. Peter asked about the clerical position is not eliminated. He said it is a very critical position and needs the second clerk. Peter asked about B budget purchase on two cruisers. He asked about the high mileage and assumes we don't pass override and how we will be able to make it up in future years. Chief said it is up to the economy.

Trey asked about the B Budget not passing what bothers him. Training and they are the last people come to 24 hours per day.

Jon Chintz asked about the Cops Grants and the effect on the conditions relating to the risks we take. It was noted that if we don't get the waiver we can discontinue the program and return the money. It was noted that the School was to make up the funds. Jon asked about overall police coverage or presence. What can the citizen expect with these cuts? They will what they will do to maintain the Sgt. and three patrolmen. Herman said he does not support B budget for Police and fire and we need to find the money to keep these department staffed. He said we need to find \$950,000 if the B Budget is voted, we cannot put this community in jeopardy. Dore' felt it is necessary to go into the Big Four. It is the Selectmen's feeling that we cannot continue to protect the Big Four.

Library – Marcia read a prepared overview of the effects on the Library services if the Override Fails.

Bob asked about meeting rooms. And joint use of building. It was asked about the opening of Boxborough's Library,

Assessing – Steve Barrett outlined the potential effects of a B Budget. Dore' asked how much money would be needed to support the Elderly aspects of filing of Exemptions and outreach and follow up, One thing they are trying to have them use the Tax Deferrals.

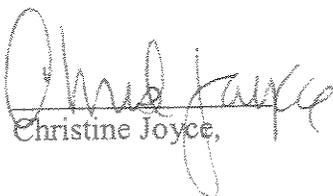
Council on Aging – Jean Fleming outlined her budget. There will be no cuts in the Van service. She recommends that \$12,500 be taken from staffing hours, supplies and services. Cut two hours from each of the three pt. employees, \$5,842. Cut six full weeks from program 1,345 and non personnel \$700 for equip \$200 for professional Development.

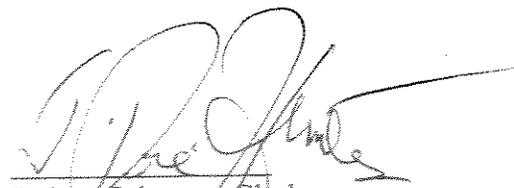
Don will recommend that we apply the 350 towards vehicles.

Peter wanted a recommendation on fees with budgetary impacts.

Jon asked if they could walk us through an exercise on the unemployment how much, how long. \$520 per week for 6 weeks.

Bob Evans asked about Middlesex Retirement. They did well and don't have to make up any moneys.


Christine Joyce,


Robert Johnson, Clerk
F. DORE HUNTER