

BOARD OF SELECTMEN **FYI**
APPROVED MINUTE DISTRIBUTION
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(selectmenLDrive)

BOARD OF SELECTMEN MINUTES

February 13, 2006

All Board members were present with the exception of Peter Ashton The Town Manager and Assistant were present, the meeting was televised

CITIZENS' CONCERNS

Ms. Spies will come in under Hearings and Appointments to address the Board.

SEWER COMMISSIONERS' BUSINESS

None Expressed

PUBLIC HEARINGS & APPOINTMENTS

OPERATIONAL MINUTE

The Town Manager gave the Board a brief update on Snow and Ice removal and how many times they have sanded during this season. They are using a special system that could save us money since we will not have to sweep the street to remove the sand left from sanding and salting. Dore' noted he had noticed the lack of sand when he was shoveling his driveway. We are using the same amount of salt but no sand. Lauren commented on how well the clean up looks and thanked staff for doing such a good job.

COMMON VICTUALLER'S LICENSE, G&T ENTERPRISES, D/B/A COUNTRY HARVEST BAKERY, 344 GREAT ROAD - DORE' HUNTER – Moved to approve. LAUREN ROSENZWEIG – second. UNANIMOUS VOTE

CITIZEN CONCERN

MS. SPIES – Dore' reviewed the tape and has comments which he will address. Dore' agrees with Peter and supports the written letter that the Chairman Drafted. Lauren too noted the letter was accurate. Andy had some wordsmithing items. He will submit his changes to the Town Manager for possible changes. Andy noted he too had reviewed the tape. LAUREN ROSENZWEIG – Moved that we submit this letter for signature with changes suggested by Andy Magee, DORE' HUNTER - second. UNANIMOUS VOTE

Ms. Spies spoke about her concerns and suggested that the Board say what is being discussed so that those people in the audience and at home would know what the issue was.

Dore' noted that he has been very quiet up until now but is opposed to Ms. Spies again being given the opportunity to once more make claims against him which are not supported by the videotape of the meeting. He urged her to view the tape and then she would actually see what transpired that evening in July, he suggested that her memory was incorrect and she would see this when she reviewed the tape of the meeting

Walter offered her the chance to review the letter and watch the tape of July 12, 2004 and to schedule a follow-up meeting to discuss this further once she had reviewed the Tape and letter.

Andy spoke about the use of hot words, Done Deal, Secrets, Sham and citizens not being citizens. Andy said that when we are done we should read this letter out loud and commended Dore' for his patience during the discussion of this issue.

Lauren noted that this was about the 2004 Morrison Farm Committee. She noted that people were passionate and commented on things that happened that evening. Lauren asked her to read the letter and watch the tape. Lauren said we need to wait until every one was present to discuss this further.

Walter asked Ms. Spies if she had any other comments, she replied no.

CLASS I CAR DEALER LICENSE, ACTON SUZUKI RENT-A-CAR, INC, 50 POWDER MILL ROAD - Dore' wanted to hear the Engineers comments about Garry Rhodes review and comments. Dore' suggested that he meet with Garry. The Building Commissioner is the zoning enforcement officer. Mark Donahoe will meet with Garry and noted he disagrees with Garry's opinion. Leo said that it is pre-existing and has had vehicles on it for over 50 years. Lauren asked about parking for the tanning salon and Prescott's. Andy commented on the site and parking for the other uses in the building. Andy noted that he should review this change with the Conservation Commission as he is proposing a use that has dense parking. Mr. Donhoe noted that they are not making any changes. Andy asked for something from Building and comments from the Conservation Commission. The Board asked that they discuss the issues with the Building Commissioner and Conservation staff and they will continue this hearing. Don noted that he does not recall any license applied for at that location. Don suggested that the petitioner get to Garry to resolve this issue. Walter noted that he too agreed they need to speak with Garry for interpretations. LAUREN ROSENZWEIG – Moved to continue to February 27, 2006. DORE' HUNTER – second. It was discussed that Mr. Bertolami's Engineer would be out of town on that date. LAUREN ROSENZWEIG - Moved to withdraw her motion and to Move that they reschedule this for March 13, 2006 at 7:45 p.m. DORE' HUNTER – second. Unanimous vote

BEER AND WINE ALCOHOLIC BEVERAGE LICENSE AS A COMMON VICTUALLER, SALERNO'S RESTAURANT, INC., D/B/A, SORRENTO'S PIZZERIA, 251 MAIN STREET

Andy asked about number of employees and will they come to the training, Mr. Basal said he has six employees and plans on having all of them Tips Trained. He will himself is already Tips Trained and will be bringing an employee to Tips training next week and will be participating in the Group training hosted by Scupper Jacks. Lauren wanted to make sure that he does not serve underage people and to be sure people don't leave intoxicated. Andy suggested the policy be amended to reflect 2 drinks per person with food only. Walter stressed the need to be sure that keep the public safe. DORE' HUNTER – Moved to grant approval. LAUREN ROSENZWEIG – second. UNANIMOUS VOTE

MOBILE COFFEE CART REQUEST, ACTON COFFEE AND ICE CREAM, LLC.

Lauren thanked him from coming in with the idea. He was notified that this is nonexclusive permission only and allowed from 6 a.m. to 9 am. He will need to come back if he wants more hours. Don suggested the Board license this activity for a one year term. LAUREN ROSENZWEIG - Move we grant one year license to operate a hand wheeled food cart that is 48 inches wide and 26 inches deep at the Town Commuter Lot by Mr. Frank Chen from 6 a.m.-9 a.m. and that this it is a nonexclusive license, and further Moved to require the applicant to work with the Town Engineer for approved placement of the cart at the Commuter Lot. DORE' HUNTER – second. UNANIMOUS VOTE.

HAARTZ CORPORATION – Representatives from the Haartz Corporation were present to discuss a proposed warrant article with the Board. Andy will recuse himself as the company he works for has worked for Haartz in the past. The attorney representing Haartz Corp. outlined the purpose of their appointment tonight. They want to include parcels C and D in their current conservation restrictions. Lauren asked if Parcel B will allow them to expand and if the land will be built on or used to increase floor area ratio. They said no there are no plans currently for expansion. Dore' said it was reasonable to him. Walter asked about parcel D. The Attorney said it was an error that was not caught. Don said that we have been pursuing this for over a year and went to the meetings held for possible purchase of this parcel from the State. The one thing missing is a provision to insure the transfer to the conservation restriction is affected.

SELECTMEN'S BUSINESS

Chief Craig and Don spoke about the position of Peter Ashton's sick leave proposal that we basically take \$100,000 out of Fire Dept, budget to cover the new employees. Don updated the Board on the negotiations on first responder manning problems. They formed a committee and reviewed the issue to have two people on responding ambulance and adding four swing men to reduce the overtime. In fy89 we were running 1.4 million permanent fire firefighters and dispatch coverage. \$336,000 for coverage. The proposal suggested that we add eight people for \$57,500. Article 22, of the 1988 Town Meeting approved the fire fighters/EMTS for \$57,500. If we can get the four swing persons we could reduce our overtime by \$115,000. Dore' said that he still wants the sick time reduced. Dore' thinks that there should be a monetary cut back to serve as an incentive. Dore' was concerned that the problem is still present. Walter agreed he wanted to build incentive for reduction of sick time. Dore' wants to ensure that we are providing coverage. Lauren agreed she wanted to see less sick time. Don said we could take this up at the next meeting. Dore' said he would like to see fincom comment on this. Herman said he would take it to the Finance Committee. Walter will review this to come to a better understanding of this situation. Dore' said that he wanted to avoid shutting stations. Dore' felt that the people should know that this is a possibility. Herman made comment on Dore's desire to not close a station. Herman noted that we have not had a closure for 15 years.

FY07 BUDGET DISCUSSION

Towne School – Walter does not want to be here again next year for more funds. Walter said the he wanted it occupied or give it back to the school. Dore' noted we go to town meeting to demolish it if the school has no use for it.

Don reported on the RFP that is out for the Towne School. We should have it before Town Meeting. It was put out with the AG's language so every one comes in knowing the rules and restrictions.

Fire station Over Head Doors. Don commented that he would yield to Dean's opinion that we need to look at making a repair at the Center Station.

Sequence of Operations, Town Hall Paint and Roof. Walter discussed the memo from Dean about sequencing the repairs to the roof and paint. The roofing and painting could proceed within the same season. Dore' was uncomfortable with putting it off, but felt we could wait one more year.

Lauren said that she wanted to do it now as it might be more money if you wait. She said she will defer to next year. It was noted that we need to do it next year if we don't do it this year.

Overtime Issue Fire – Discussed earlier

Fire Car 31 – This did not make the top 10 of putting it back on the list. The Board will discuss at the next meeting.

Elm Street Ball Field Lights The replacement cost is \$70,000. Can we get users to contribute? AASL will contribute \$1,000 per year to the pole replacement

Sidewalk Five Year Capital Plan – The Board discussed the ranking on the Priority list.

2006 WARRANT DISCUSSION

Peter's memo about legal expense reduction will need to be discussed at the next meeting.

Dore' said that he wanted a copy of the Terms of the Trust for the Acton Firefighter's Relief Fund.

Article OO – Habitat for Humanity – Walter said we need to have some sense of the Board to move forward. Dore' said they are a legitimate organization and it should go to Town Meeting for vote. Lauren supports the article, feels it is worthwhile. Walter said this is a good use for CPA Funds, and suggested that Habitat for Humanity make application for funds to CPA. Walter said that if you don't want an article that the Chairman has assigned you to check with the Chairman for discussion.

Don noted that we need this to come together for the printer by March 9th.

SELECTMEN'S E-MAIL POLICY

Selectman Hunter has requested that the enclosed materials be provided for Board discussion in the subject regard. Dore' spoke about multiple Board e-mails. He noted the proper use of e-mail and to avoid breaking the Open Meeting Law. Dore' stressed the importance of adhering to the policy and it needs to have warning language applied. Dore' suggested adding another sentence to say in case it is forwarded to anyone this is not for debate on the E-Mail. Walter felt that we needed to add language to address this. Walter too spoke about the E-mail and Finance Committee's use of E-mail. Lauren felt we could strengthen the policy outlined by District Attorney.

Tom Michleman – Said he feels that we should be allowed to use E-Mail for discussions. Lauren said one of the reasons we have these meetings at a handicapped accessible building is so anyone can come in, not everyone has a computer.

Laurie Krinsky spoke about how she supports the limit on E-Mail discussion.

The Town Manager was asked to draft a possible draft and to bring it back to the Board

DRAFT BOARD OF APPEALS RULES AND REGULATIONS

Lauren spoke about the drafted 40B policy and one of the main things is to have an expedited process for 12 units and under. Town Counsel went through it and made changes and comments that were very helpful. Lauren asked that it be adopted as drafted. Walter asked about a major document of this type he wanted to see a summary of what has happened to make it easier to understand and streamline the conversation. Dore' agreed that it would be helpful if it could be done. Steve Anderson said that these are draft Board of Appeals Regulations, not BOS or a bylaw. BOA has very stringent rules and regulations. Andy wanted

more time to review this document. Lauren said the purpose of this was to give BOA a chance to ask other boards what they think and then make their decision about the waiving of some items to facilitate the projects. Steve said that the BOA has the power to reject this or accept these regulations. Steve asked that the BOS send a memo to BOA to see if they will review. The Board will discuss this at the next meeting.

BROOKSIDE SHOPS TRAFFIC LIGHT - Don spoke about sending out a letter reminding them about the traffic signal commitment. ANDREW MAGEE - Moved to send the letter. DORE' HUNTER –second. UNANIMOUS VOTE.

BRUCE FREEMAN RAIL TRAIL - Andy Magee outlined the letter that was sent to Carlisle and Westford discussing the contracts for services. The BRRT Voted to offer \$5,000 for review and defray the required services. Tom Michlaeman asked for help in phrasing the Gift for Board acceptance.

POWERS GALLERY REQUEST FOR SUPPORT - Letter of support to Mass Highway for street cut relief – DORE' HUNTER – Moved to approve the letter as written. LAUREN ROSENZWEIG – second. UNANIMOUS VOTE.

ACTON HISTORICAL SOCIETY - The Board asked to have staff report back after more review, and suggested the possible use of the Town Hall Lot for this purpose on Patriots Day. It was noted that the Lot in South Acton fills even on Patriots Day as it is not a holiday for everyone.

GEORGIA WHITNEY FUND REQUEST - The Acton Memorial Library is asking for \$750 for the Creely poetry reading program. DORE' HUNTER – Moved to approve the Grant of \$750 for the event. ANDREW MAGEE – second. UNANIMOUS VOTE.

Herman Kabakoff took note of expenses for chairs and felt the \$250 allotted for Chairs could be lessened if they used chairs we already have. The Board will pass his suggestion on to the Acton Memorial Library Director.

OTHER BUSINESS

Lauren updated the public about a series of zoning hearings at the Planning Board meeting in the Library.

Lauren spoke about the Commuter Rail Forum, there was standing room only. The committee will be looking and gathering information they might need.

Andy spoke about Bruce Freeman Rail Trail letter that was sent out to Carlisle and Westford and noted they will be meeting tomorrow night.

Andy spoke about his breakfast at the Senior Center. He also toured the facilities. John, Steve and Brian will be going up to the Senior Center on Wednesday at 12:30 to discuss taxes and programs available to seniors.

Dore' reported on the commuter meeting and the rail line issues.

ALG tomorrow morning. Walter will be attending since the chair is out of town. Walter will bring back any items to the Board for discussion.

Morrison Meeting, 50 people attended and will meet again Feb 16, at the Public Safety Building at 7:30 p.m. to talk about the historical importance of the Morrison Property.

CPC has met and have begun their deliberations. Andy explained the process of granting funds under CPC. He explained that the Design for the Bruce Freeman Rail Trail would need to be brought up to a reasonable amount for a 25% DESIGN. It was noted that they would not be expending all the funds that we are getting this year.

CONSENT AGENDA

DORE' HUNTER – Moved to Approve – LAUREN ROSENZWEIG – second. Andy has some changes to the minutes of Jan 23 and 30. Staff will make the suggested edits. DORE' HUNTER – Moved to approve with the edits to the January 23 and 30 Minutes. ANDY MAGEE – second. UNANIMOUS VOTE.

TOWN MANAGER'S REPORT

No Report

EXECUTIVE SESSION

DORE' HUNTER- Moved to go into Executive Session to discuss land acquisition and litigation
ROLL CALL TAKEN, All members AYE, four affirmative the Board is now in Executive Session

Christine Joyce



F. Dore Hunter, Clerk
13 March 2006
DATE

BOARD OF SELECTMEN AGENDA

February 13, 2006

**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 **COMMON VICTUALLER'S LICENSE, G&T ENTERPRISES, D/B/A COUNTRY HARVEST BAKERY, 344 GREAT ROAD**
Enclosed please find materials in the subject regard, for Board consideration.
3. 7:20 **CITIZEN CONCERN, MS. SPIES**
Enclosed please find materials in the subject regard, for Board consideration.
4. 7:45 **CLASS I CAR DEALER LICENSE, ACTON SUZUKI RENT-A-CAR, INC, 50 POWDER MILL ROAD**
Enclosed please find materials in the subject regard, for Board consideration.
5. 8:00 **BEER AND WINE ALCOHOLIC BEVERAGE LICENSE AS A COMMON VICTUALLER, SALERNO'S RESTAURANT, INC., D/B/A, SORRENTO'S PIZZERIA, 251 MAIN STREET.**
Enclosed please find materials in the subject regard, for Board consideration.
6. 8:15 **MOBILE COFFEE CART REQUEST, ACTON COFFEE AND ICE CREAM, LLC.**
Enclosed please find materials in the subject regard, for Board consideration.
7. 8:30 **HAARTZ CORPORATION** – Representatives from the Haartz Corporation will be present to discuss a proposed warrant article with the Board.

IV SELECTMEN'S BUSINESS

8. **FY07 BUDGET DISCUSSION**
Enclosed please find materials in the subject regard, for Board consideration.
9. **2006 WARRANT DISCUSSION**
Enclosed please find materials in the subject regard, for Board consideration.
10. **SELECTMEN'S E-MAIL POLICY**

Selectman Hunter has requested that the enclosed materials be provided for Board discussion in the subject regard.

11. **DRAFT BOARD OF APPEALS RULES AND REGULATIONS**
Enclosed please find materials in the subject regard, for Board consideration.
12. **BROOKSIDE SHOPS TRAFFIC LIGHT**
Enclosed please find materials in the subject regard, for Board consideration.
13. **BRUCE FREEMAN RAIL TRAIL**
Enclosed please find materials in the subject regard, for Board consideration.
14. **POWERS GALLERY REQUEST FOR SUPPORT**
Enclosed please find a draft letter from Chairman Ashton, for Board consideration.
15. **ACTON HISTORICAL SOCIETY**
Enclosed please find a request from the Acton Historical Society for use of a portion of the South Acton Commuter Lot on Patriot's Day, along with staff comment, for Board consideration.
16. **GEORGIA WHITNEY FUND REQUEST**
Enclosed please find a request from the Memorial Library Trustees for an appropriation from the subject fund, for Board consideration.
17. **OTHER BUSINESS**

VI CONSENT AGENDA

18. **ACCEPT MINUTES, BOARD OF SELECTMEN, JANUARY 23 AND JANUARY 30, 2006**
Enclosed please find minutes for Board acceptance.
19. **ACTON FAMILY NETWORK**
Enclosed please find a request from Acton Family Network for use of the Town Hall parking lot for their annual tag sales on May 13, 2006 and Sept. 16, 2006, for Board consideration.
20. **TEMPORARY AERIAL CABLE, VERIZON NEW ENGLAND, INC., JOHN SWIFT ROAD**
Enclosed please find materials in the subject regard, for Board consideration.
21. **ACCEPT GIFT, CAPIZZI & COMPANY**
Enclosed please find a gift in the amount of \$250.00 to be used for the Youth Services Program at the Acton Police Department, for Board acceptance.

VII TOWN MANAGER'S REPORT

VIII EXECUTIVE SESSION

22. **There will be a need for an Executive Session** – Enclosed please find materials in the subject regard, for Board consideration.

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.

February 27	April Annual Town Meeting
March 13 & 27	

GOALS 2004-2005

- 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)

BOARD OF SELECTMEN MINUTES

February 27, 2006

All Board members were present The Town Manager and Assistant were present, the meeting was televised

CITIZENS' CONCERNS

Representatives of the League of Women Voters read a brief statement about the effective participation for citizens through the use of E-mail and the Document Management System. They urged the use of the Document Management system to post minutes, agendas and other meetings. Peter noted that we are in the process of updating our e-mail policy.

SEWER COMMISSIONERS' BUSINESS

None Expressed

PUBLIC HEARINGS & APPOINTMENTS

OPERATIONAL MINUTE

Don updated the Board on his labor negotiations today.

VERIZON, JOHN SWIFT ROAD POLE LINE INSTALLATION REQUEST– DORE' HUNTER -

Moves for approval of temporary permit to allow staff to continue to review and provide additional comments. WALTER FOSTER – second. UNANIMOUS VOTE

SENATOR RESOR – Senator Resor spoke about the Governor's budget and felt Acton did well. She also spoke about the Lottery Funding and the Increase in community policing grants. The Acton's Veterans bill filed this year has potential to be included in another Veteran's Bill. Sen. Resor noted Rail Trail Liability language and will continue to work on that. James Eldridge spoke about the work done on Chapter 70 it has been filed on the House side. They have set a regional caucus meeting in Concord about Regional School issues. They are looking for 100% bus funding and decreasing the Sped costs. Jamie spoke about the fact that there was no raid on CPA funds. He feels the efforts toward funding CPA will continue. He met with COA and they will be asking for full COA funding. Jamie noted the Middlesex Retirement Board reform and they are giving consideration to tightening up the investments and other suggested reforms.

Peter spoke about Chapter 70 funds and asked for the Senator and Representative's input in this effort. Walter spoke about the planning required to bring a budget to Town Meeting. Walter said that we need to work on the current split with the schools. Walter urged them to continue the review of Middlesex Retirement Board practices. Dore' agreed with what Walter said. Dore' said that he was concerned with the flow of funds and noted the basic flaw is that the Great and General Court will not make the decisions in time for our Town Meeting, that knowledge of money divisions, would allow us to make good decisions. Dore' noted that the MBTA is ensnared in the same irregular conduct of investment of retirement funds. The Board encouraged them to continue with their efforts regarding the Bruce Freeman Rail Trail. Dore' is delighted in this discussion of Chapter 70 Formula and noted that it is in a form that the citizens can understand and makes sense.

Lauren agreed with Walter and Dore'. She attended the rally at the State House and enjoyed it. Lauren asked what we could do to help them. Pam said that the Board has written letters of support and that is helpful.

Andy asked about the funding for Council on Aging and urged them to do any thing they could to increase funding for the elderly.

Jamie asked for a letter about the MRB issues and the Board will provide letters.

SITE PLAN SPECIAL PERMIT – #12/29/05-406 MILL CORNER, LLC, 140 MAIN STREET

Walter as Selectman assigned opened the discussion. They are seeking a special permit for 6 residential units. 4 Units are allowed by right. The FAR will remain unchanged the foot print or height. It is a well known stick style architecture. The adaptive use of the property will strengthen the housing development fabric of South Acton. The homes being located so close to the commuter rail is an example of a smart growth project. They project 12 spaces for parking. They want to restore the exterior to its former condition and will open the windows on Main Street which have been closed. They will install dormers on the roof for head room in the bedrooms. They noted that they are not in the district but have spoken with them and gotten feed back. They have discussed the Buy Down program for one of the units with ACHC. Andy asked about run off. The parking lot will use the current catch basin in the Town Right of Way. Lauren applauded their efforts to restore this building. Peter too supported this and was impressed with their submittal packet and noted the HDC's involvement.

Dore' too was delighted that they are taking such an effort. He was happy that they were going to preserve the building and work with town departments.

Walter too spoke about what a "Jem" this building is. It will bring life to the village and is esthetic if it turns out the way they have portrayed the development.

Nancy Tavernier spoke about how cooperative the developer has been and is excited about a chance to get a small unit. She said they will do every thing they can to move this forward.

WALTER FOSTER – Moved to take under advisement. DORE' HUNTER – second.
UNANIMOUS VOTE'

TRANSPORTATION ADVISORY COMMITTEE – ELEVATION OF JAMES YARIN - DORE'

HUNTER - Moved to appoint James Yarin to a full member with a term to expire 6/30/09.
WALTER FOSTER – second. UNANIMOUS VOTE

TRANSPORTATION ADVISORY COMMITTEE – INTERVIEW, MAUREEN GREER – Dore'

asked about her resume. She is was a soft ware designer and wants to change her profession and this will be a good fit. Lauren spoke about Transportation as a multi modal and asked if she had any ideas about improvement around town. She noted pedestrian and biking with the kids on the street that will keep them safe. ANDY MAGEE -Moved to appoint her as an Associate Member to expire June 30, 2006. DORE' HUNTER – second UNANIMOUS VOTE

TRANSPORTATION ADVISORY COMMITTEE – INTERVIEW, HOLLY BEN-JOSEPH

Peter asked why she wanted to serve on this committee. She was reading the Beacon and found a letter looking for volunteers from the Transportation Advisory Committee. Walter spoke about her interest for the BFRT and connecting the towns. DORE' HUNTER – Moved to appoint Holly Ben-Joseph to Associate Member of the TAC to expire 6/30/06. WALTER FOSTER – second. UNANIMOUS VOTE.

WARRANT ARTICLE REQUEST – ACTON FIREFIGHTERS’ RELIEF FUND

Joe Sandulli representing the Fire Fighters requested changes to the Relief Association. He has discussed with Town Counsel and the agreed with this redraft.

The last time an award was made was in the 1950’s. Dore’ liked Bill Klauer’s uses which are acceptable from this fund including any catastrophic injuries to fire fighters. Sandulli noted that Steve Anderson was concerned with the phrasing of these items and suggested we run any changes thru Steve Anderson. Dore’ was asked if he would review changes with Don. DORE’ HUNTER – Moved to place it on the Warrant. WALTER FOSTER – second. UNANIMOUS VOTE

SELECTMEN’S BUSINESS

DRAFT BOARD OF APPEALS RULES AND REGULATIONS 40B

Lauren spoke about the regulations. She feels it will help ZBA in their decision making. It suggested changes to their rules and regulations for small projects. They Board will be trying to fine tune the policy. This presents an incentive from builders to come to town and streamline their projects. Andy had several questions and they discussed his items of concern. It will be referred to Steve Anderson for his review and comments. Peter asked if it was helpful to get together with ZBA and Counsel to meet with them proposed Rules and Regulation and ask them to consider the items.

2006 WARRANT DISCUSSION

Peter’s memo about legal expense reduction will need to be discussed at the next meeting. Peter wanted to talk about Senior Tax Relief as well as what interest we would like to establish. He also spoke about transfer of Funds from NESWC, and whether or not we want it on the warrant. Dore’ asked about interest amounts on what is paid when not in tax title and John said 12% it goes up if they go to tax title of 16%. Lauren asked about CPA funding. Andy asked about CPA, Liquor, and Habitat issues. Walter said he wanted to talk about Cultural Council article. Peter raised an issue about whether or we are going to have one article for budget or split up, he will expand on this later this evening. Don wanted to be sure the Board understood the article for the COA Van and extra article to deal with DOR interpretations of Gift and asking for boiler plate items.

DORE’ HUNTER Moved to approve all articles with the exception of Articles 3, 7, 15, 21, 22, 30, 32, 34, 37, 38 and 45. WALTER FOSTER – Second. UNANIMOUS VOTE.

The Board later voted to recommend Articles 3, 7, 15, 21, 22, 32, 34 (moved to consent), 37(reduce the volume of pages), 38(shorten article to replace Special Wastes where is appears) and 45. and to remove Article 30).

Walter gave an update on the finalized votes for CPA Funds. CPA approved projects that requesters had come back to CPC asking for less funding. CPC supported these requests and noted the compromise made in the amount requested by several requestors.

Lauren asked if they used a check off list to represent the conditions.

Dore’ asked to see an electronic version of the finalized warrant so that they can review.

FY07 BUDGET DISCUSSION

Peter spoke about the Overtime in the Fire Department. Peter discussed this issue with David Stone. Peter noted he discussed the legal budget; it will stay at its current level.

Peter asked if we could find some money in the operational budget to fund the COA van.

Peter said we should make a \$100,000 cut in Fire Department Overtime. Peter asked if we were going to improve the service or stay the same. Currently with the four additional firefighters we free up \$200-250,000.

Walter would be willing to go to the \$100,000 cut. Lauren noted this is an issue of safety and lives. She felt the chief made a good argument for this money. She did not want the public to be affected and she wanted to support the overtime money of \$100,000 and if not that it be used for some other safety project.

Dore' felt that we have been running light, the Firefighters are now released from dispatching and are in the fire house.

Herman Kabakoff of the Finance Committee agreed with Peter's memo. If overtime is cut by \$100,000. The Finance Committee may support the cut.

Andy asked if there was room for compromise. Peter proposed a different type of compromise, let's look at this for a couple of months and see what coverage we are getting. A decision could be made under bottom line budget once the issue is reviewed. Dore' agreed and added that some increased pressure to control Overtime was implemented and see what happens. It was noted that we need to see some sort of incentive to improve. Peter noted it is the sense that this is an issue we need to look at and make adjustments down the road. Walter echoed Dore's view and that he wanted to see some savings. Dore' asked about getting bi weekly reports on how the time is used so we can track the use.

Peter spoke about the Legal Budget, \$628,000 with a \$50,000 cut which could be used to plug the hole on the COA Van or buy a truck. He does not think we will spend this much money next year. He will support the \$50,000 cut bringing it back to level funding. Dore' was inclined to pull the money and put it in the Van. WALTER FOSTER – Moved to support the \$50,000 reduction in Legal Services. He wanted to use the money to fund the COA van DORE' HUNTER – Second. UNANIMOUS VOTE

Peter asked if we should fold the truck and new employee in to one article. Lauren said it is separated and was ok leaving it separate. Peter wanted these articles first and let the voters know we had adjusted our budget to support these items. The presenter of the Budget notify what we will fund if these items fail.

ACHC REQUEST FOR APPROVAL OF EXPENDITURE FROM COMMUNITY HOUSING PROGRAM FUND – BUY DOWN FUND – Peter felt it was a good program and makes sense to start the process now to set up a program in Acton – DORE' HUNTER – Moved to approve and to also be sure we are in compliance with the bid laws. WALTER FOSTER – second. UNANIMOUS VOTE.

BOY SCOUT OF HONOR, ADAM MARGOLIS, EAGLE SCOUT COURT OF HONOR -
Lauren Rozenzweig will attend on behalf of the Board

ELECTION OFFICERS THAT THEY HAVE NOT RESPONDED - The Board will wait to see if any one comes forward from the Democratic and Republican Town Committee.

OTHER BUSINESS

Lauren spoke about the Commuter Rail Task Force meeting this Wednesday.

Dore' updated the latest meeting of MBTA. Things are not progressing well. They will be selling properties and noted the T's Pension Fund has been in similar circumstances as ours.

The Board was concerned that Mr. Berger, Exchange Hall owner, has not come forward to let us know what is going on as there is interest in this area.

Peter reported on the Acton Health Trust and we will have an addition of over \$500,000 in fund balance if all goes well the remainder of the year.

CONSENT AGENDA

DORE' HUNTER – Moved to Approve – LAUREN ROSENZWEIG recused herself from #17
ANDY MAGEE - second. 4 in favor, and 1 abstention Motion Passes

TOWN MANAGER'S REPORT

No Report

EXECUTIVE SESSION

DORE' HUNTER- Moved to go into Executive Session to discuss collective bargaining. ROLL CALL TAKEN, All members AYE. The Board adjourned into Executive Session only to adjourn.

Christine Joyce



F. Dore Hunter, Clerk
13 March 2006
DATE

BOARD OF SELECTMEN AGENDA

February 27, 2006

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. 7:10 **VERIZON REQUEST FOR PLACEMENT OF AN AERIAL CABLE ON JOHN SWIFT ROAD** - Enclosed please find materials in the subject regard, for Board consideration.
3. 7:15 **SENATOR PAMELA RESOR** – Senator Resor will be in to brief the Board on various subjects.
4. 7:45 **SITE PLAN SPECIAL PERMIT # 12/29/05-406, MILL CORNER LLC, 140 MAIN STREET** – Enclosed please find materials in the subject regard, for Board consideration.
5. 8:10 **INTERVIEW, TRANSPORTATION ADVISORY COMMITTEE, ASSOCIATE POSITION, MAUREEN GREER** – Enclosed please find materials in the subject regard, for Board consideration.
6. 8:25 **INTERVIEW, TRANSPORTATION ADVISORY COMMITTEE, ASSOCIATE POSITION, HOLLY BEN-JOSEPH** – Enclosed please find materials in the subject regard, for Board consideration.
7. 8:40 **WARRANT ARTICLE REQUEST, ACTON FIREFIGHTERS' RELIEF FUND** – Trustees of both the current Relief Funds will explain their requested Warrant Article, for Board consideration.

IV SELECTMEN'S BUSINESS

8. **DRAFT BOARD OF APPEALS RULES AND REGULATIONS** – Enclosed please find materials in the subject regard, for Board consideration.
9. **2006 WARRANT DISCUSSION**
Enclosed please find materials in the subject regard, for Board consideration.
10. **FY07 BUDGET DISCUSSION**
Enclosed please find materials in the subject regard, for Board consideration.

- 11. **ACHC REQUEST FOR APPROVAL OF EXPENDITURE FROM COMMUNITY HOUSING PROGRAM FUND** – Enclosed please find materials in the subject regard, for Board consideration.
- 12. **BOY SCOUT COURT OF HONOR, ADAM MARGOLIS** – Enclosed please find materials in the subject regard, for Board assignment.
- 13. **OTHER BUSINESS**

VI CONSENT AGENDA

- 14. **IDIOSYNCRASY FUND RAISER** – Enclosed please find materials in the subject regard, for Board consideration.
- 15. **DRAFT DECISION, 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.
- 16. **POLE RELOCATION, BOSTON EDISON/VERIZON, BRABROOK ROAD** – Enclosed please find materials in the subject regard, for Board consideration. (NO HEARING IS REQUIRED)
- 17. **SETTLEMENT AGREEMENT** - Enclosed please find confidential materials related to settlement terms, for Board consideration.
- 18. **MMA LETTER TO END LOTTERY DIVERSION** – Enclosed please find materials in the subject regard, for Board consideration.
- 19. **ACCEPT GIFT, WORKERS’ CREDIT UNION** – Enclosed please find a gift in the amount of \$500 from Workers’ Credit Union for concert sponsorship, for Board acceptance.
- 20. **ACCEPT GIFT, THE INN AT ROBBINS BROOK, ACTON ASSISTED LIVING, LLC.** - Enclosed please find a gift in the amount of \$250.00 from The Inn at Robbins Brook, to be used for the Annual Easter Egg Hunt, for Board acceptance.

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.

March 13 & 27	April Annual Town Meeting

GOALS 2004-2005

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)