

3/12/07  
(28)

## Minutes

### Board of Selectmen and Sewer Commissioners' Meeting

June 20, 2005

Frances Faulkner Hearing Room  
Acton Town Hall

7:00 P.M.

#### EXECUTIVE SESSION

There will be need for an Executive Session.

#### CITIZENS' CONCERNS

At 7:05 the Board went into Public Session.

Dana Snyder-Grant requested information and details about reworking the physical set-up of the recycling area. Selectman Ashton commented on the need and replied that the Town is waiting for work of the CDM Engineering Co. Timing is dependent on DEP issuance of a Landfill Cap post closure permit. Selectman Ashton replied that the work is expected to be funded by NESWC Fund Balance and those monies would need Town Meeting appropriation.

#### SEWER COMMISSIONERS' BUSINESS

The Town Finance Director briefed the Board on the highlights of the memo he provided in the Selectmen's weekly Packet. Of the points he highlighted (1) that total flow had decreased from the prior year, (2) inclusion of depreciation expense fund dollars and (3) betterment abatements which are not funded by the proposed rate. Selectman Foster would like to see a 5 year schedule of what may fail. Selectman Foster would like to see an abatement estimate. The Town Finance Director responded that a 1% abatement request would cost about \$170,000 The Assistant Town Manager briefed the Board on the need to fund \$1,300,000 for super-sizing, as well as abatement and replacement capital. The rates will become effective July 1, 2005.

**Selectman Hunter Moves: the rates as indicated in the memo. Selectwoman Rosenzweig: Seconds. Approval by unanimous vote.**

**FY06 OPERATION AND MAINTENANCE RATES** – The Board approved the operational and maintenance rates for FY06 based on the presented information supporting the rate analysis. Selectman Foster wanted estimates on what types of repairs/capital expenses might be expected to incur in the next 5 years. He also wanted the expected abatements for the 5 years.

#### PUBLIC HEARINGS & APPOINTMENTS

**OPERATIONAL MINUTE** – The Town Manager briefed the Board on the Town's paving program.

**GAS LINE INSTALLATION, KEYSpan ENERGY DELIVERY, CARLISLE ROAD AND BLUEBERRY PATH -**

Selectwoman Rosenzweig disclosed that she is a member of the Condo association that includes this location but feels that she can act independently on this matter. The Keyspan representative stated that he was aware of the comments from the Engineering Department and would accept those conditions.

**Selectman Hunter Moves: with the Engineering Department Conditions. Selectman Johnson: Seconds. Approval by unanimous vote.**

**SPECIAL USE PERMIT 04/19/05-402, WHOLE BODY STUDIO, 1000 MAIN STREET -**

Selectman Foster is the assigned member to review the special use permit above for commercial and recreational use of Pamet Systems building at 1000 Main Street. The applicants stated they were aware of departmental comments. The applicants stated that they were a high end service provider with the maximum traffic of 25 users and 10 staff; the need for

a maximum 35 parking places. Uses on the plan for Whole Body Studio:

Floor One: Palates equipment, cardio equipment, make-up counter, office and entrance, nutritional consultant office, employee area, hydro therapy tub, locker rooms, four therapy rooms, lounge and pedicure area, private training rooms and a fitness class room area of no more than 15 people per class. Selectman Johnson stated that there were a large number of specialties with a small amount of staff. Applicant replied that most staff members perform multiple classes. Selectman Hunter - Will Pamet continue to use the building? Applicant stated yes Pamet has 4 employees using the site out of a total of 9 employees.

**Selectman Foster Moves: to take it under advisement and closed the hearing.**

**Selectman Johnson: Seconds. Approve to take under advisement by a unanimous vote.**

**AMMEND TRAFFIC RULES AND ORDERS, VARIOUS LOCATIONS -**

Keefe Rd. has parking problems: The Engineering department recommends for immediate implementation the No Parking area as indicated in the memo provided in the packet.

**Selectman Hunter Moves: acceptance of the Engineering Department Plan of No Parking**

**Selectman Johnson: Seconds. Approval by unanimous vote.**

2nd request for the installation of stop signs: On Eastern Rd @ Main St., Dunham Lane @ High St. and on Notre Dame @ Squirrel Hill Rd and Arlington St. The Town's Public Works Director spoke to the Planning Board about mandatory conditions at Notre Dame and a three way stop. He stated that the intersection did not meet the warrant for a three way stop.

**Selectman Hunter Moves: acceptance of the Engineering Department Plan for installation of single stop signs in the all three locations mentioned above. Selectman Johnson: Seconds. Approval by unanimous vote.**

**Public comment:** Allen Nitschlem states that he believes the Squirrel Hill Rd. is in unsafe condition for a long steep road. And the Forest Hill Association is very concerned with the changes from what was originally proposed as a 50 ft. leveling area and 3 stop intersections, which were later dropped. Fear is that Squirrel Hill Rd. will become a hazard to the neighborhood. The Engineering Department received a number of positive comments in the way they work with the neighborhood. Public Works Director stated speed counters will be placed at the site in the very near future.

#### **ACTON HOUSING AUTHORITY APPOINTMENT, BERNICE BARAN –**

The Board moves that Ms. Baran is to complete the term of Joe Nagle, which became vacant due to Joe's death. The Chairman then recognized Naomi McManus for her retirement and the number of lives that she has helped and the Board thanked Naomi her contribution and provided a retirement gift.

**Selectman Johnson moves: to approve, Selectman Foster: Seconds. Approval by unanimous vote.**

#### **CAPITAL EQUIPMENT EXPENDITURES, ACTON CABLE STUDIO -**

The Town Manager briefed the Board on the Capital Request of the Cable Committee. The intention was for a major infusion of capital for equipment per the terms of the Comcast contract.

**Selectman Hunter moves: approval. Selectman Foster: Seconds. Approval by unanimous vote.**

The Board wanted a date that Comcast will be in for license review.

### **SELECTMEN'S BUSINESS**

#### **SIGN INSTALLATION REQUEST, QUAIL RIDGE COUNTRY CLUB, LLC -**

**Selectwoman Ronsenzweig recused herself. Selectman Foster Moves: approval.**

**Selectman Hunter: Seconds. Approval by unanimous vote.**

#### **AFFORDABLE HOUSING PLAN, PLANNED PRODUCTION PLAN -**

**Selectman Hunter Moves: approval. Selectman Johnson: Seconds. Approval by unanimous vote.**

Selectwoman Rosenzweig praised the Town Planner's efforts. Terra Friedrichs asked for what commitments are being made. She states that there a lack of public involvement in the finalization of the Production Plan from the conceptual Living in Acton report.

Mary Michaelman asked what the moratorium would be. The Board replied that a 40B moratorium against imposition of a 40 B of 2 years may be available after Laurel Hill is completed.

#### **2005-2006 BOARD AND COMMITTEE REAPPOINTMENT LIST -**

The Board voted the reappointment list for a 30 day extension in order to further vet the list provided, which contained some errors. The Board requested that members contact their liaisons on the committees and get their recommendations.

**Dore Moves: approval. Selectman Foster: Seconds. Approval by unanimous vote**

### **OTHER BUSINESS**

The Board moves that transfer station rates for Sept. '05 to August '06 as set forth in the engineering memo provided in the extra info packet be approved.

**Selectman Ashton Moves: approval. Selectman Hunter: Seconds. Approval by Unanimous Vote**

Selectman Hunter briefed the Board on the most recent Rt 2 Corridor Advisory Committee Meeting. Concord rotary project update 6 months to generate the RFP for consultant followed by 6 months of negotiation to begin a review of the preliminary design ideas to 25% design. Crosby Corner design is to be completed for 2007. He is frustrated by lack of progress.

new bike corridor study should be started soon that recognizes bike paths will go among multiple towns. Selectwoman Rosenzweig stated MAPC is also looking into the rail trail plan. Selectman Ashton will issue a letter re: **A State of the Town Meeting** to all Boards and Committees. State of the Town meeting in the Middle of October is a good goal to set.

## **CONSENT AGENDA**

**Selectman Foster Moves: All items approved. Selectman Hunter: Seconds. Approval by unanimous vote.**

**13. ACCEPT MINUTES** – Minutes of June 6, 2005.

**14. RESTRICTED UNIT SALE, AUDUBON HILL** – Conditions for resale of restricted unit.

**15. BOSTON EDISON PETITION, POLE RELOCATION, FRANKLIN PLACE, 520 MAIN STREET -**

**16. REQUEST FOR USE OF TOWN COMMON, ACTON CONGREGATIONAL CHURCH –**

**17. ONE DAY LIQUOR LICENSE - NARA Park, OLD GOLD RUGBY –**

**18. ONE DAY LIQUOR LICENSE - NARA Park, Town of Acton, 4<sup>th</sup> of July celebration, recreation department event.**

**19. ONE DAY LIQUOR LICENSE – NARA Park, 4<sup>th</sup> of July celebration, recreation department event, rain date.**

**20. FEE WAIVER REQUEST, GAGLIANO** – For a reduction in a definitive subdivision filing fee.

**21. FEE WAIVER REQUEST, FAMILY BEACH FEE** – Confidential request for a waiver of the Family Beach Fee at NARA Park.

**22. ACCEPT DONATION** – A donation of \$2,188.94 from the Acton Arts League to the West Acton Citizens' Library.

## **TOWN MANAGER'S REPORT**

No report

## **EXECUTIVE SESSION**

A roll call vote was taken for the purpose of adjourning regular session to go into executive session to discuss the Curtis agreement and litigation. All eyes. The Board adjourned into regular session only to adjourn the meeting.

## **FUTURE AGENDAS**

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

July 18	Dec. 12 & 19
August 8 & 29	Jan. 7 (Budget Saturday), 16 & 30
Sept. 12 & 26	Feb 13 & 27
October 17	March 13 & 27

### **GOALS 2004-2005**

1. Produce Morrison Farm Development Master Plan (Bob/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 (Trey/Peter)
8. ALG process be used for purpose of Budget Planning for FY05 (Dore'/Peter)
9. Process Planning for "Life after NESWC" (Bob)
10. Middlesex Pension Alternatives (Walter)

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Lauren Rosenzweig, Clerk

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Recording Secretary

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Date

June 17, 2005

**TO:** Board of Selectmen, Sewer Commissioners

**FROM:** Peter Ashton, Chairman

**SUBJECT:** Selectmen and Sewer Commissioners' Report

**June 20, 2005**

**6:30 P.M.**

**SPECIAL EXECUTIVE SESSION**

1. **THERE WILL BE A NEED FOR A SPECIAL EXECUTIVE SESSION** – Enclosed please find materials in the subject regard, for Board consideration.

**7:00 P.M.**

**I CITIZENS' CONCERNS**

**II SEWER COMMISSIONERS' BUSINESS**

2. **FY06 OPERATION AND MAINTENANCE RATES** – Enclosed please find materials in the subject regard, for Board consideration.

**III PUBLIC HEARINGS & APPOINTMENTS**

3. **7:01 OPERATIONAL MINUTE** – The Town Manager will give the Board a brief update on various topics.
4. **7:10 GAS LINE INSTALLATION, KEYSpan ENERGY DELIVERY, CARLISLE ROAD AND BLUEBERRY PATH** - Enclosed please find materials in the subject regard, for Board consideration.
5. **7:15 SPECIAL USE PERMIT 04/19/05-402, WHOLE BODY STUDIO, 1000 MAIN STREET** - Enclosed please find materials in the subject regard, for Board consideration.
6. **7:30 AMMEND TRAFFIC RULES AND ORDERS, VARIOUS LOCATIONS** - Enclosed please find materials in the subject regard, for Board consideration.
7. **7:45 ACTON HOUSING AUTHORITY APPOINTMENT, BERNICE BARAN** - Enclosed please find materials in the subject regard, for Board consideration.
8. **8:15 CAPITAL EQUIPMENT EXPENDITURE, ACTON CABLE STUDIO** - Enclosed please find materials in the subject regard, for Board consideration.

#### **IV SELECTMEN'S BUSINESS**

9. **SIGN INSTALLATION REQUEST, QUAIL RIDGE COUNTRY CLUB, LLC** - Enclosed please find materials in the subject regard, for Board consideration.
10. **AFFORDABLE HOUSING PLAN, PLANNED PRODUCTION PLAN** - Enclosed please find materials in the subject regard, for Board consideration.
11. **2005-2006 BOARD AND COMMITTEE REAPPOINTMENT LIST** - Enclosed please find materials in the subject regard, for Board consideration.
12. **OTHER BUSINESS**

#### **V CONSENT AGENDA**

13. **ACCEPT MINUTES** – Enclosed please find Board of Selectmen's June 6, 2005 Minutes for Board approval.
14. **RESTRICTED UNIT SALE, AUDUBON HILL** - Enclosed please find materials in the subject regard, for Board consideration.
15. **BOSTON EDISON PETITION, POLE RELOCATION, FRANKLIN PLACE, 520 MAIN STREET** - Enclosed please find materials in the subject regard, for Board consideration.
16. **REQUEST FOR USE OF TOWN COMMON, ACTON CONGREGATIONAL CHURCH** - Enclosed please find materials in the subject regard, for Board consideration.
17. **ONE DAY LIQUOR LICENSE, NARA PARK, OLD GOLD RUGBY** – Enclosed please find an application for a One-Day Liquor License from Old Gold Rugby for a rugby tournament for Board consideration.
18. **ONE DAY LIQUOR LICENSE, NARA PARK, TOWN OF ACTON**– Enclosed please find an application for a One-Day Liquor License from The Acton Recreation Department for the July 4<sup>th</sup> celebration, for Board consideration.
19. **ONE DAY LIQUOR LICENSE, NARA PARK, TOWN OF ACTON**– Enclosed please find an application for a One-Day Liquor License from The Acton Recreation Department for the July 4<sup>th</sup> celebration (rain date-July 9<sup>th</sup>), for Board consideration.
20. **FEE WAIVER REQUEST, GAGLIANO** – Enclosed please find a request for a reduction in a definitive subdivision filing fee – for Board consideration.
21. **FEE WAIVER REQUEST, FAMILY BEACH FEE** – Enclosed please find a Confidential request for a waiver of the Family Beach Fee at NARA Park, for Board consideration.
22. **ACCEPT DONATION** – Enclosed please find a request from the West Acton Citizens' Library for acceptance of a donation of \$2,188.94 from the Acton Arts League, for Board consideration.

#### **VI TOWN MANAGER'S REPORT**

## **VII EXECUTIVE SESSION**

### **ADDITIONAL INFORMATION**

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

### **FUTURE AGENDAS**

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