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Selectmen's Minutes
July 14, 2003
7:00 P.M.

Present: Walter Foster, Peter Ashton, Trey Shupert, F. Dore' Hunter Robert Johnson,
Town Manager and Assistant Town Manager. Meeting was televised.

CITIZEN'S CONCERNS

SEWER COMMISSIONER'S BUSINESS

RATE SETTING - DORE' HUNTER - Moved to accept the FY04 billing plan submitted
by staff. **PETER ASHTON** - Second. **UNANIMOUS VOTE**

Rate review of water usage – School Street – They are asking for relief of the winter
water usage numbers. Staff feels that we should not approve this request. It was the
sense that we needed to stick by the policy. Dore' felt that it was important to stand by
the policy in place. Bob Johnson noted that this went on for over a year.

BOB JOHNSON - Move that the Board does not grant the variance. **DORE' HUNTER** -
Second. **UNANIMOUS VOTE**

PUBLIC HEARINGS & APPOINTMENTS

COMMITTEE APPOINTMENT INTERVIEW – MATT LIEBMAN,
ASSOCIATE MEMBER OF THE CONSERVATION COMMISSION – Matt said
he wants to work on issues such as updating the regulations in his spare time.
He noted the regulations needed updating and clarification and he would be
working with engineers and other stake owners to make the process easy and
consistent with the Bylaw. **WALTER FOSTER** – Moved to Appoint Matt Liebman
as an Associate member to the Conservation Commission with a term to expire
June 30, 2004.- **TREY SHUPERT** – Second. **UNANIMOUS VOTE**

COMMITTEE APPOINTMENT INTERVIEW - STACY ROGERS
ASSOCIATE MEMBER OF THE PLANNING BOARD

Stacy Rogers has a geology background with a Masters in Quaternary
Research. She had been interning and was interested in GPA. She is the GIS
Manager currently at Earth Tech. Walter asked if she was interested in going on
the BOH at a later date. She felt that her skill set would better serve membership
on the Planning Board. Trey reminded her that she would need to disclose any
potential conflicts. Dore' noted that he would like to see the Zoning Bylaw made
easier for people to use. **PETER ASHTON** - Moved to approve Appointment to
the Planning Board as an Associate member with a term to expire June 30, 2004.
DORE' HUNTER - Second. **UNANIMOUS VOTE**

CHAPTER 61A NOTIFICATION, 116 SUMMER STREET

Kevin Sweeney outlined his plan and hopes that the town would make their decision at its earliest convenience. Kevin said that the parcel would remain woodland and is land locked. The Board will need to review the comments from 61A committee, Recreation, Conservation, in order to make their decision.

SITE PLAN SPECIAL PERMIT #5/29/03-393 – 279 MAIN STREET, BIMINI BLUES – TREY SHUPERT - Move to continue to August 4, at 8:00. PETER ASHTON - Second. UNIAMOUS VOTE

BICKFORD'S FAMILY RESTAURANT – FULL LIQUOR LICENSE

Walter asked the proposed Manager about her background. She is not currently TIP certified but will be undergoing the program. She has worked for Bickford's for 9 years.

Peter asked about the number of hours and who would be on duty to supervise. She replied 50 or more but noted that when she was not there that there would be another employee who would be responsible. Bob, Trey and Dore' had no comment.

Walter asked about what ID's they accept for proof of age. They use drivers, or ID license, Passport and Military ID. Dore' spoke about the form of ID's required and felt that out of State licenses would be hard to monitor. TREY SHUPERT – Moved to Approve the application. DORE' HUNTER Second. UNANIMOUS VOTE

OUTDOOR LIGHTING COMMITTEE

Bernie Kosicki up dated the Board on their activities in the past few months. They have been getting feedback and educating people. They asked if they could use some of John Murray's time to help with the financial side of the committee. .

Dore' suggested that we install several street lights to see how the residents felt about it before we jumped in. Peter urged outreach to the public so that they can be educated and get feed back. Peter wanted to see another draft of the proposed bylaw. He endorses the use of John and the budgetary issue of this would need to be addressed. He also suggested that they contact the School Administrators. Bob noted that he felt they had begun to reach out to the residents and asked about the type of light that was proposed.

AMENDMENT TO THE TRAFFIC RULES AND ORDERS – QUARRY ROAD
- DORE' HUNTER – Moved to approve the sign installations. PETER ASHTON – Second. – UNANIMOUS

QUARRY LAND OFF OF QUARRY ROAD

Yin Peet was present to outline her proposal for the Quarry. She asked for the Board's support in this endeavor. Dore' noted that it looked like a good plan, and we should explore this further.

Peter felt it was very intriguing concept. He did have a question about the land swap and its current zoning. They responded R-108. Trey felt we needed to move forward and have it voted at town meeting and then to the legislature. Dore' noted they should contact their legislators. Walter felt it would be a great addition to our cultural activities.

Dr. Charles Richards, representing the North Acton Woods community said they don't see this is as a good idea. The proposal would put it in the middle of Conservation land and town forest.

SELECTMEN'S BUSINESS

DEP CONSENT ORDER AND NOTICE OF NON COMPLIANCE DPW

BUILDING – Don gave an overview of the latest development with regard to the order of Non Compliance, it requires us to put in tight tanks at the DPW. Police Fire Highway can only use clear water to wash vehicles. PETER ASHTON - Move to accept the consent order from DEP. DORE' HUNTER – second.
UNANIMOUS VOTE

COPS GRANT – Walter asked the chief several questions about the possible cuts that would be made to supplies if a cut needed to be taken. Walter was troubled that we may not be able to close any gaps and forestall any overrides. He noted the escape clause would be hard to put in place. He asked the benefits of the grant in this fiscal environment. Three officers in the school, for police he would get additional officers. Currently, they have several officers on chronic long medical leaves. Dore' supported this. Peter did not like the strings attached and cut of overtime to try to balance. The Town as a whole would be getting a service but the major recipient would be the school and he felt that they should be approached. Peter wanted some type of commitment from them taking half the hit if there is one down the road. Trey said that he agrees with Dore' we are at bare bones currently. He is concerned about staffing and supported the acceptance. However he liked Peter's comments but, he feels there needs to be a solid commitment from the school folks. If they don't support at the school level than we should not move forward. Bob Johnson too agreed with Peter and Trey. Walter wanted to know what doesn't get funded if we go with this. He knows that funding this will not allow personnel in the Department to be cut; he wanted to know who that would be? Dore' stressed that we need public safety.

WALTER FOSTER - Moved to revoke the previous supporting vote unless the school will support taking half of any budget reduction amounts. PETER ASHTON - Second. 4-1 Dore', no. Motion Passes

ELLSWORTH VILLAGE 40B NOTIFICATION – Trey updated the Board on his meeting with ACHC regarding this 40B. He reported he attended the presentation given by Mr. Fenton. The site is 8 ½ acres and 25% will be deeded for affordable and to be for over 55 residents. DORE' HUNTER – Moved to approve the sending letter Drafted by Trey Shupert to Mass Housing. PETER ASHTON –Second. UNANIMOUS VOTE.

F03/04 REVENUE DISCUSSION

John reported on our revenue deficit amount. John outlined what has gone on to reduce this amount. Could potentially be a 1 mill problem including the schools deficit problem. It will get discussed at ALG tomorrow. Trey urged that we handle any cuts; we need to do it ASAP.

EDIC - Walter explained the need to attract a cross section of the populace. The requirement of Town Residents not business owners was discussed. EDIC did not feel that business owners should be on it. Dore' noted that business owners should serve if there were openings. He also noted the wording and he said it could be reworked to catch the eye.

SITE PLAN SPECIAL PERMIT #04/04/03-390 – PITTORINO - Self storage facility. DORE' Moved to adopt draft One. BOB JOHNSON – Second. UNANIMOUS VOTE.

ACCEPT GIFT – AXE BROS. – TJ O'Grady tree clearing for skate park site. Don said that the committee is anxious to get this underway and will try to get more donations if it looks like there is action. Don was troubled by the lot being leveled and then leaving it cleared for a long period of time. Dore' noted that we should check with the school to see if it is not conflicting with work in fields. TREY SHUPERT- Moved to accept the gift, and to have town staff work together, and to advise the school before it begins and further, that the Town work with and supervise Axe Bros. DORE' HUNTER – Second. UNANIMOUS VOTE.

Peter had a question about getting to the site. It was noted that they would build a small work road. Peter wanted to have plans before them before they went in and cleared the land.

POPE ROAD/STRAWBERRY HILL ROAD INTERSECTION

on reported on the request for a 4-way stop sign at the intersection. We would need to meet the warrant and have a traffic study. It was noted it is a bad area

and people drive too fast on Pope Road. It was trimmed recently. Dore' suggested installing a mirror if the property owner would allow the installation.

OTHER BUSINESS

Dan McCarthy – Trey asked that Board to direct Town staff and Dean to work with the Committee to put the proposed marker in a place that will not to interfere with traffic on that road. Peter Ashton supports the Steering Committee going forward with fundraising for a lasting legacy for Daniel McCarthy. Trey noted the concert at NARA they want a waiver from the fee of \$675.00. PETER ASHTON Moved to waive the NARA fee for the Concert. ROBERT JOHNSON – Second. UNANIMOUS VOTE.

Confidential Request for Fee Waiver- The Board reviewed the request for day camp submitted on behalf of an Acton family by a member of their clergy. TREY SHUPERT – Move to condition the reduction and waiver contingent upon the submission of materials to the board for verification of need. PETER ASHTON – Second.

CONSENT AGENDA

PETER ASHTON – Moved to approve the Consent Agenda with the 28 held – DORE' HUNTER - Second. UNANIMOUS VOTE.

Walter wanted to pull the SRF memo from Consent. Walter asked for more clarification from the Board of Health before we move forward. Walter noted it is on a needs basis and what they needed to be met. He wanted to get more information and discuss the issue later. Don Johnson said that they are asking for policy direction and they will be implementing and we needed more clarification of the bullets.

TOWN MANAGER'S REPORT

EXECUTIVE SESSION

Christine Joyce
Recording Clerk

Clerk

Date

July 11, 2003

TO: Board of Selectmen, Sewer Commissioners

FROM: Walter Foster, Chairman

SUBJECT: Selectmen and Sewer Commissioners Report

JULY 14, 2003
MEETING BEGINS AT 7:00 P.M.

I. CITIZEN'S CONCERNS

II SEWER COMMISSIONERS' BUSINESS

1. **RATE SETTING FOR JULY 2003** – Enclosed please find recommendations and staff comments for Board consideration.
2. **MISCELLANEOUS SEWER ISSUES** – Enclosed please find correspondence regarding several sewer issues for which Staff needs the Commissioners' direction

III. PUBLIC HEARINGS & APPOINTMENTS

3. **7:10 MATTHEW LIEBMAN – COMMITTEE APPOINTMENT - ASSOCIATE MEMBER OF THE CONSERVATION COMMISSION** – Enclosed please find VCC comment and recommendation in the subject regard
4. **7:15 STACY ROGERS – COMMITTEE APPOINTMENT – ASSOCIATE MEMBER OF THE PLANNING BOARD** – Enclosed please find VCC comment and recommendation in the subject regard.
5. **7:30 CHAPTER 61A NOTIFICATION, 116 SUMMER STREET** – Enclosed please find a notice of intent under Ch. 61A for land located at 116 Summer Street, along with staff, board and committee comment, for Board consideration.
6. **7:45 SITE PLAN SPECIAL PERMIT #5/29/03-392, 279 MAIN STREET, BIMINI BLUES** –The Board is in receipt of the attached request to continue this hearing to your next available meeting date (Aug 4)
7. **8:15 BICKFORD'S FAMILY RESTAURANT – FULL LIQUOR LICENSE** – Enclosed please find an application for a full liquor license at Bickford's Family Restaurant, along with staff comment, for Board consideration.
8. **8:30 OUTDOOR LIGHTING ADVISORY COMMITTEE** – Enclosed please find a request from the Outdoor Lighting Advisory Committee to meet with and update the Board on the status of their work. Committee Members will be in attendance to make a presentation.

9. **8:45 AMENDMENT TO THE TRAFFIC RULES AND ORDERS** – Enclosed please find materials from the Board’s June 23rd meeting along with additional staff comment for further consideration.
10. **9:00 QUARRY LAND OFF OF QUARRY ROAD** - Ms. Yin Peet will be present to discuss a proposed project off of Quarry Road, for Board consideration.

IV. SELECTMEN’S BUSINESS

11. **DEP CONSENT ORDER AND NOTICE OF NONCOMPLIANCE** - Enclosed please find the DEP’s Administrative Consent Order and Notice of Noncompliance with respect to the DPW building, for Board consideration.
12. **COPS GRANT** – Enclosed please find materials previously submitted to the Board, along with a confidential memo from the Police Chief, for Board consideration.
13. **ELLSWORTH VILLAGE 40B NOTICE** – Enclosed please find materials from the Board’s June 23 meeting along with additional staff comments and a draft response letter for Board consideration.
14. **FY03/04 REVENUE DISCUSSION**- Enclosed please find information in the subject regard.
15. **EDIC DIRECTORS** – Enclosed please find correspondence regarding candidates for EDIC Directors, for Board consideration.
16. **DELETED**
17. **SITE PLAN SPECIAL PERMIT 04/04/03-390, 816 MAIN STREET, PHILLIP PITTORINO** - Enclosed please find the Draft Decision (options I and II) in the subject regard for Board consideration.
18. **ACCEPT GIFT** – Enclosed please find a request for acceptance of a gift of site clearing at the T.J. O’Grady skate park by Axe Bros., for Board consideration.
19. **POPE ROAD/STRAWBERRY HILL INTERSECTION** – Enclosed please find Email correspondence regarding the subject intersection for Board discussion and direction.
20. **OTHER BUSINESS**

V CONSENT AGENDA

21. **BOARD OF SELECTMEN REPRESENTATIVES TO HEALTH INSURANCE TRUST AND TOWNE BUILDING RFP REVIEW COMMITTEE** – Enclosed please find a memo from Selectman Ashton recommending appointment of Board members to the subject committees, for Board consideration.
22. **ACCEPT MINUTES** – Enclosed please find the May 19, June 2, and June 23, 2003 Board minutes for acceptance.
23. **PLANNING BOARD REPRESENTATION ON EDC AND EAVPC** – Enclosed please find a request from the Planning Board for representatives appointments to the subject committees, for Board consideration.

24. **REQUEST FOR REDUCED FEE FOR NARA PARK BEACH PASS** – Enclosed please find a confidential request and staff comment regarding this request.
25. **REQUEST FOR REDUCED FEE FOR NARA PARK BEACH PASS** – Enclosed please find a confidential request and staff comment regarding this request.
26. **SITE PLAN SPECIAL PERMIT #11/18/98-366, ACTON ASSISTED LIVING PHASE II -** Enclosed please find the Draft Decision in the subject regard.
27. **ONE DAY LIQUOR LICENSE** – Enclosed please find a request for a one-day Beer and Wine License on August 16 for SummerFest at NARA, for Board consideration.
28. **SRF LOAN PROGRAM FOR SEWER CONNECTIONS** – Enclosed please find a memo from the Health Director in the subject regard.
29. **CHAPTER 268A DISCLOSURE** – Enclosed please find correspondence from Atty. Steve Anderson making a disclosure under Chapter 268A, for Board consideration.
30. **LOWELL REGIONAL TRANSIT AUTHORITY (LRTA) REPRESENTATIVE** – Enclosed please find a request for reappointment to the LRTA from Don Herskovitz, for Board consideration.
31. **ACCEPT GIFT** – Enclosed please find a request from the Police Chief for acceptance of a gift from Main Street Exxon, 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

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

August 4
 Sept. 8 & 22
 October 6 and 20
 Nov. 3 & 17
 Dec. 1 & 15

GOALS 2002-2003

1. Labor Negotiations & Improve Labor Relations environment (Peter/Trey)
2. Improve Communication with Town Boards (Peter/Trey)
 Implement Chairman Round Table - (Trey) *(for Dec/Jan)*
 Revisit 2020 Planning Process for direction to make this process more beneficial towards

- Implementation of long-term vision (Trey).
- 3. Towne Building Reuse (Walter/Dore/Peter)
- 4. ALG process be used for purpose of Budget Planning for FY04 (Walter/Trey)
- 5. Residential and Commercial Growth (Walter/Pam) (*PCRC EDC – Continuing to meet*)
- 6. Open Space and Recreation Plan (Peter/Walter) Completed
- 7. Health Insurance Trust Agreement (Peter) (*Peter still working on getting comments from Water District.*)
- 8. Decision on Pentamation Accounting System (Dore/Peter) (*Proposals are being looked at by staff*)
- 9. Process Planning for "Life after NESWC" (Pam/Peter) (*John Murray is looking at this*)
- 10. Joint IT process-organizational change (Walter/Dore) (
- 11. Implement an on-going Public Relations campaign regarding budgetary situation (Trey/Walter) (*ALG put plan in place A/B*)
- 12. Provide looking at salary levels in the organization, include liaison with Personnel Board (Trey /Peter) (*Need to look at budget*)
Based upon results of Salary Survey, conduct a through review of current salary levels (Trey/Peter) (*Need to look at budget override for Operating budget*)
- 13. Broader community interface with Emerson Hosp.- Board of Health to take elder issues on (Pam)
- 14. Recreational field lack of space, prison land etc. (Walter)
- 15. Middlesex Pension alternatives (Walter)

GOALS carried forward

- 16. Public Safety Facility (Dore/Trey)
 - 17. Determine future of Vaillancourt House - 17 Woodbury Lane. (Pam) (*No dialogue thus far as budgets have had the bottom fallout, Historical Commission issue and seek suggestions*)
- Goals 2003-Selectmen folder**