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TOWN CLERK
ACTON

BOARD OF SELECTMEN AND SEWER COMMISSIONERS' MEETING

December 17, 2007
Acton Town Hall, Faulkner Hearing Room
7:00 P.M.

Present: Dore' Hunter, Lauren Rosenzweig, Andrew Magee, Paulina Knibbe and Peter Berry. The Temporary Town Manager, John Murray was present. Recording Secretary: Christine Joyce. The meeting was televised.

CITIZENS' CONCERNS

None Expressed

OPERATIONAL MINUTE

John reported on the snow storms. 25 contractors and our crew have been working since Sunday. They will be returning at midnight to bring the piles down and will be working on the school walking route sidewalks to clear them. John noted that we are going though the snow budget and he will report to the Board later. We have been having trouble getting salt.

Colonial Spirits group will sing on the 20th at 7:15 at Town Hall.

PUBLIC HEARINGS & APPOINTMENTS

ALL ALCOHOLIC BEVERAGES AS A COMMON VICTUALLER, ICHABOD'S CAFÉ, 166 GREAT ROAD

Mr. Zahr explained the current breakfast and lunch business at Ichabod's. He has introduced dinner and wants to serve liquor to his clients and will be able to continue to improve the menu. They will be open until 8:00 p.m

Andy wanted to know about his experience in serving liquor and his training plan. Mr. Zahr will have an in-house training session at the restaurant. They will only serve beverages with dinner; there is no bar at the restaurant. Andy asked about the rules and asked that once training occurs that we get documentation of training and any updates to the policy. Lauren spoke about the importance of the liquor license holder's responsibility and to not allow any over-serving at the restaurant.

Paulina noted we need more restaurants in town and she feels the same as the other Selectmen regarding the importance of liquor service in our community.

Peter Berry asked about the 304 requirement and asked about Mr. Zahr's experience serving liquor.

Dore' outlined the strictness of these licenses in this community. He let Mr. Zahr know that we do conduct police "Stings" at establishments with liquor licenses in Acton.

Mr. Zahr will be very strict with the policies and employees.

ANDREW MAGEE – Moved to approve the All Alcoholic Beverage License to be open from Noon to 10:00 pm closing time, and Sunday noon to 3:00 p.m., subject to the submittal within two months of evidence of alcohol services training of all staff. PETER BERRY – second. UNANIMOUS VOTE.

ACTON BOXBOROUGH UNITED WAY (ABUW) REQUEST FOR TOWN SOCIAL WORKER

Sandy Campbell and Tina Grosowsky made a presentation for the need of a Town Social Worker. The evolution over the past several years through their forums has found areas with needs for social services that exist and many unmet needs of the community such as, hunger, domestic violence and mental health needs.

ABUW held a forum two and half weeks ago and what they heard was nothing new: the challenges of the community and the rising need for someone to provide a centralized person to provide Social Worker functions. They have a letter in response for a call for a social worker and notes taken at that forum. This they hoped will give the Board of Selectmen an insight into what is going on in town. They are before the Board to ask for a Social Worker position for Acton.

Tina said that they are looking to put a citizen's petition into the Town Clerks office. They have studied this position and felt that the Town could provide services through a contracted service and they may be able to share this position with Boxboro as the need exists in both communities

Dore' noted that this would benefit the Town, but asked where the funding would come from. Dore' noted that this article could be put on the Annual Town Meeting warrant. This would give them more time to put the proposal together. Dore' asked them to discuss this with the person at the Senior Center who handles social services.

Sandy spoke about the long road to go down in research and home work and to be sure they have the right information to present to the town. Carol Steiner is the person at COA. She is currently handling issues not related to the senior population. They feel strongly to begin the education process as soon as possible. Many people don't know that there are needs existing in the Acton and Boxborough area.

Peter noted the need and it is very clear that we need to investigate other communities that might have a social worker in their community. The Town of Concord has a social worker position, but it is not currently funded by the Town of Concord. Sandy did note that the folks in Concord are looking toward Municipal budgets to fund this position in Concord.
Peter suggested they look at other funding ideas to leverage their position.

Lauren spoke about the need to have this position of Social Worker in Acton,and asked that we find other communities that may offer a Social Worker to see how they are funded and how realized are they, as well as what services they provide.

Paulina supports it in general and recognized the need in town and the funding issues. Paulina asked about funding from the State and wanted to know if that would make us more likely to

have an office in Acton. Paulina noted the request for services for the senior population in their proposal. We are currently providing that at the Senior Center for our senior residents.

Andy added his voice to the support and struggled with the definition of this position. He noted the employee assistance programs offered to employees in private industry and that the service is usually contracted. Andy spoke about support for this and to let the public know about the need. He doubted they could go to Spring Town Meeting. He suggested a town meeting in the fall; he worried about the perception that we can solve this problem. He felt it needed definition.

Dore' suggested that they make an appointment with the Finance Committee to discuss this with them.

Terra Friedriches – Echoed the need and concerns.

John asked for a copy of the petition to send to Town Counsel and noted that we will need an inter-municipal agreement if we partner with Boxborough.

FY09 BUDGET PRESENTATION

John outlined the budget message and his five priories. The budget proposal sets out immediate and long term goals. Lauren and Andy thanked John for the great presentation. Paulina too noted the good presentation. Peter Berry too agreed with the remainder of the Board that this was a good presentation.

SELECTMEN'S BUSINESS

MAIN STREET TREE REMOVAL, ALONG MAIN STREET FROM POST OFFICE SQUARE TO ROUTE 2A

Andy said his understanding is that if any tree removal is proposed immeiately adjacent to the trail, then it would need to go to the Planning Board, but that tree removal away from the trail long Route 27 would not need to go to the planning board. The issue of stone dust or paved is not in the purview of the Planning Board. Andy has met with the new Water District Superintendent and they are going to have it on their town meeting warrant as well as checking with DEP. He has not had a chance to speak to the Conant's and he will go back to them with the materials.

As Peter reads the opinion, the Isaac Davis Trail is a scenic road and they don't need to have Planning Board action. He said that it is on the Historic Register and we will not be paving in front of the Isaac Davis trail. He noted that it needs to be accessible paved or not, and felt other materials could be used at this site. Andy said that the current plan is that stone dust is going to be used even though it could be paved.

CONTINUED DISCUSSION OF APPOINTING RESIDENT, NON-US CITIZENS

The only committees which require citizenship are the Finance Committee and the Community Preservation Committee.

Peter supported a policy. Andy suggested that we not do anything until we have a formal policy and was concerned that ABCC has two potential candidates that are waiting for appointment.

He did not want to take 6 weeks or so as this committee might lose members. Dore' said that he planned to work on this at once.

Lauren noted that we make sure that there is no State or Town Bylaw that prohibits this.

Andy asked about the ability to vote at town meetings. He has been told that other towns, including Carlisle, allow non-citizens to vote on local issues. Others said Carlisle allows them to sit in the non-registered section at Town Meeting and they are not allowed to vote, but may ask to speak. Acton also provides such privilege to its residents who are non voters.

Dore' outlined counsel's opinion. We can appoint non-citizen's residing in town to various posts. Some are controlled by State Law and that we cannot appoint them to serve on those boards. Dore' asked if the Board was so inclined that we should allow this service on committees and noted we need a policy outlining who can serve. Dore' will accept the task of the creation of the policy. Paulina was pleased that from a legal point of view we are able to open up service to non-citizen residents in Acton.

VOTE TO CLOSE THE WARRANT FOR THE 2008 ANNUAL TOWN MEETING

ANDREW MAGEE – Moved to close the Warrant for the 2008 Annual Town Meeting on December 31st at 5:00 p.m. LAUREN ROSENZWEIG – second. UNANIMOUS VOTE

OTHER BUSINESS

Lauren reported on the Design Review Committee's review of the fire station and they will be submitting their comments in the near future. Lauren discussed changing the zoning bylaw to accommodate more flexibility for future municipal buildings that will allow town buildings on town owned land more options to site them. The changes would be in regard to the dimensional requirements that may be on the Town Meeting warrant after it is brought to the Planning Board.

Andy had a lot of trouble with this proposal. The current bylaw protects us from ourselves. He does not want the town to have a separate set of guidelines from those of the citizens.

Lauren noted that this is related to dimensional changes, not as much with wetlands encroachment. Lauren was asked to address the Planning Board as a Selectman on this issue.

Paulina updated the activities of the Sidewalk Committee and hopes to finalize the criteria this week. The Senior Center Expansion Advisory Committee will also be meeting this week.

Paulina discussed the Quail Ridge residences; do we want to express an opinion to the Planning Board. Peter felt it was a subject that ACHC should look at. John will speak with Roland. Lauren left the room, as she is a member of Quail Ridge.

Andy said he was approached by Joe Mullin of Somerset Condo's about their septic lines go under the street (Route 27) to another parcel. They have asked for an easement as requested by the Bank. John will check back with counsel. We have not heard back at this point, but we rejected the easement.

Peter questioned the 40B meeting in Concord about Alexcon. Dore' and Lauren met with them and discussed their take on the developer filing a 40B on our side. They spoke about the strip

of Grace land in Concord. It was noted that there will be no housing in Acton. Lauren felt we need to look into our rights in this issue and we need to go to Concord's Board of Appeals with our concerns that they need to addressed.

Andy noted that they have filed an Environmental Notification Form with MEPA and there will be a scoping session on Wednesday. Andy will raise the issue of traffic. He thought the trigger is the package treatment plan. He will prepare the letter and coordinate with John on this.

Peter spoke about the Reo fire engine with Santa going around town and that these vehicles have been restored with some Community Presentation funds as well as the Fire Fighter's who worked on the restoration. He said thank you to all who worked to restore these trucks.

Dore' spoke about the FETAG building and parking issues at the adjacent Veteran's Field. Lauren asked when they would begin the public education campaign.

TOWN MANAGER'S REPORT
None

CONSENT AGENDA

Andy asked that we hold the November 5, Executive Session minutes; Andy noted that we need a quick executive session to go over the changes to these minutes.

ANDREW MAGEE – Moved to accept the Consent Agenda with a hold on the November 5th Executive Session Minutes. LAUREN ROSENZWEIG – second. UNANIMOUS VOTE

EXECUTIVE SESSION

ANDREW MAGEE – Moved to go in to Executive Session to discuss the Amendment of the November 5th minutes. PETER BERRY- second. Roll call taken. All Ayes, UNANIMOUS VOTE

Following the Executive Session the meeting reconvened into Regular session only to adjourn.

Christine Joyce, Recording Secty

Clerk, Board of Selectmen
Date 4 FEB 2008

BOARD OF SELECTMEN & SEWER COMMISSIONERS' MEETING AGENDA

Francis Faulkner Meeting Room
Town Hall
December 17, 2007
7:00 PM

I. CITIZENS' CONCERNS

II. PUBLIC HEARINGS AND APPOINTMENTS

1. 7:02 **OPERATIONAL MINUTE**
   The Town Manager will provide a brief report on topics of interest.

2. 7:15 **ALL ALCOHOLIC BEVERAGES AS A COMMON VICTUALLER, ICHABOD'S CAFÉ, 166 GREAT ROAD**
   Enclosed please find materials in the subject regard, for Board consideration

3. 7:25 **ACTON BOXBOROUGH UNITED WAY REQUEST FOR TOWN SOCIAL WORKER**
   Enclosed please find materials in the subject regard, for Board consideration.

4. 7:40 **FY09 BUDGET PRESENTATION**
   Enclosed please find materials in the subject regard, for Board consideration.

III. SELECTMEN'S BUSINESS

5. **MAIN STREET TREE REMOVAL, ALONG MAIN STREET FROM POST OFFICE SQUARE TO ROUTE 2A**
   Enclosed please find materials in the subject regard, for Board consideration.

6. **CONTINUED DISCUSSION OF APPOINTING RESIDENT, NON-US CITIZENS TO BOARDS AND COMMITTEES**
   Please see items in the Extra Information Packet

7. **ITEM WITHDRAWN**

8. **VOTE TO CLOSE THE WARRANT FOR THE 2008 ANNUAL TOWN MEETING.**
   Enclosed please find materials in the subject regard, for Board consideration.

9. **OTHER BUSINESS**

IV. TOWN MANAGER'S REPORT

V. Consent Agenda

10. ACCEPT MINUTES

Enclosed please find minutes of November 5, Regular and Executive Session, November 10, 2007, for Board consideration.

11. MASSACHUSETTS MUNICIPAL ASSOCIATION ANNUAL BUSINESS MEETING, VOTING DESIGNATION

Enclosed please find materials in the subject regard, for Board consideration

12. DISPOSAL OF OBSOLETE MATERIALS, MEMORIAL LIBRARY

Enclosed please find materials in the subject regard, for Board consideration

13. PETITION OF NSTAR ELECTRIC AND VERIZON NEW ENGLAND, RELOCATE POLE AT 45 MAIN STREET (NO HEARING REQUIRED)

Enclosed please find materials in the subject regard, for Board consideration.

14. ACCEPT GIFT, PLANNING DEPARTMENT

Enclosed please find a Bond in the amount of $12,000.00 from Triangle Farm, to be applied to the general sidewalk account, for Board consideration.

15. ACCEPT GIFT, ACTON COMMUNITY HOUSING CORPORATION

Enclosed please find a gift of $100,000.00 from the Steinberg-Lalli Foundation, to be used for the Willow-Central Development, for Board consideration

16. ACCEPT GIFT, RECREATION DEPARTMENT

Enclosed please find a gift of lift tickets valued at $198.00 from the Blue Hills Ski Area to be used to support Winterfest, for Board consideration

17. ACCEPT GIFT, RECREATION DEPARTMENT

Enclosed please find a gift valued at $25.00 from Benjarong Restaurant to be used to support Winterfest, for Board consideration.

18. ACCEPT GIFT, RECREATION DEPARTMENT

Enclosed please find a gift of $300.00 from Cambridge Savings Bank, to be used to support Winterfest, for Board consideration.

19. ACCEPT GIFT, RECREATION DEPARTMENT

Enclosed please find a gift valued at $3,000.00 from Big Fish Promotions (marketing company for Dunkin Donuts Inc.), to be used to fund on site give aways of hot chocolate and activities at Winterfest, for Board consideration

20. ACCEPT GIFT, WEST ACTON CITIZENS' LIBRARY

Enclosed please find a gift of $748.00 from the Citizens' Library Auxiliary, to be used to fund Tot Time, for Board consideration.

VI. Executive Session

ADDITIONAL INFORMATION

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

MINUTES PENDING VOTES

November 5, November 10 Special Meetings, and November 19, December 3, and December 5, 2007

PENDING COMMITTEE APPOINTMENTS

Mike Fisher, TAC (still with VCC), Reshma G. Singh, and ABCC to fill the unexpired term of Elaine Sisler who recently resigned. Barbara Estabrook, ABCC, Sumar Adiseshu, ABCC. *(Ms. Estabrook and Ms. Adieshu's applications are at VCC for Interview and recommendation, Joseph R. Ianelli, Interested in several committees, Jean Lane, VCC,*

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 & 28,

January 26 Budget Saturday

February 4 & 25 March 3 & 24 April 7 Town Meeting begins