

3/19/09
14

BOARD OF SELECTMEN AND SEWER COMMISSIONERS' MEETING

February 9, 2009
Acton Town Hall, Francis Faulkner Hearing Room
7:00 P.M.

Present: Lauren Rosenzweig, Paulina Knibbe, Andrew Magee and Peter Berry. Terra Friedrichs arrived @9:00, Town Manager Ledoux, Recording Secretary; Christine Joyce. The meeting was televised.

CITIZENS' CONCERNS

Tom Michelman, Magnola Drive, spoke about the Bruce Freeman Rail Trail. He discussed his Email sent today and asked if the town would write a letter regarding stimulus monies to the Commissioners. The Friends would like to do a trail cleaning and the town must file with the State. He will supply the letter to EOT from last time. Steve Ledoux was asked to work to get this letter prepared. Lauren noted we do not know the final form of the stimulus projects.

Bonnie Geithner, Main Street, is concerned about dogs and dog poop at the Arboretum. She has been shoveling it out of the path. She finds 20 – 21 poops every time she visits the Arboretum. Today there were 67 piles. She has asked for some resolution. Lauren said we would we discuss this at an upcoming meeting.

Robert Lessard, Wampus Ave. – Spoke about the issue of 27 and Main Street intersection and talked about the lights for pedestrians. He suggested more signage to let motorists know of the crosswalks.

ANDREW MAGEE – Moved to write letter to EOT to design build on BFRT. PAULINA KNIBBE Second. UNANIMOUS VOTE.

Michaela Moran of School Street spoke about the Floor Area Regulations in South Acton Village District. The Planning Board has tabled it until next year. Lauren spoke about the process and that they wanted this area to be vibrant again.

Charlie Kadlec – He noted that the Engineering Dept. is doing work to study an alternative process in regard to sewers. He asked about the costs and all costs of the system are to be paid for by the District. Lauren noted that our Town Engineer has designed these low pressure systems in the past. Charlie said he will re-read the bylaw. Steve noted that this is an area not currently within the Sewer District.

Wayne Friedrichs, Windsor Ave – spoke about his attendance at the Planning Board Meeting about South Acton FAR. He agreed with the Planning Board and feels that we need to leave it until it is studied further. He wanted the Planning Board to look at issues looking toward how to control development. He wanted the BOS to tell the Planners to look into control development.

Lauren said it needs a further look. 40B and other issues interact with some of the decisions. She feels we need to have vital areas; we need walking to stores. She urged him to attend the Planning Board Meetings to discuss his concerns further.

CHAIRPERSON'S REPORT

Lauren announced the LWV will be holding a Volunteer Recruitment event on the 11th 7:00 P.M.

Lauren noticed the changing of liaisons. Peter will be the Historic District Committee's liaison and she will be the liaison to the Sewer Action Advisory Committee.

Steve talked about the positions he had frozen. He had frozen the Deputy Police Chief position, but will now move forward to fill that position by June. They intend to conduct an Assessment Center as part of the interview process.

OPERATIONAL MINUTE

Steve announced that effective immediately when the town and unions settle we need to bring it to a Town Meeting for funding.

SELECTMEN'S REPORTS

Paulina will be reporting on the Senior Center Expansion later on in the meeting.

Peter noted that the CPC will be voting on recommendations of projects to be funded at Town Meeting.

He noted the appointment of South Acton Parking Deck Committee that will come up later under Selectmen's Business.

PUBLIC HEARINGS & APPOINTMENTS

OUTDOOR LIGHTING EDUCATION COMMITTEE

Tom McDonough was present to talk about Earth Hour. This event encourages people to turn off their lights, etc. to call attention to saving energy. It will be held on March 28, 2009 from 8:30 to 9:30. They want to send a message to people regarding global climate change. They asked that the Town turn off their lights and to move forward with public transportation issues. They asked that the BOS and Manager educate the community about saving energy and to push forward with an Energy Audit.

ANDREW MAGEE - Moved to support Earth Hour. PETER BERRY - second. UNANIMOUS VOTE.

SENIOR CENTER EXPANSION COMMITTEE

Paulina gave an update on the status of their findings. Town Meeting of 2007 asked that Senior Services and needs be studied. The senior population is growing at a rapid rate. The Senior Center shows that the number of visits has increased. The Senior Center provides social services and they have the need of providing those services at the Senior Center. They currently handle Fuel Assistance. The Committee developed three options. Expand the current site (not supported), move to an existing facility (not supported), or build a new center. They did recommend the building of a center off of Quarry Road, and noted it would provide 20 years of

use before it would need to be expanded. It is clear we need a new center and it should also be designed for community use. They will try to obtain Stimulus monies, and if not received they would not move forward and have their funding pulled. The committee felt we can make repairs to make the current center more useable. They recommend that since they will be there for 5-7 years they would like to make the improvements.

Lauren said the Center is used to capacity and felt bad that it was a victim of the economic climate.

Andy said that the report was good but felt that the suggestion of building off Quarry Road was a location he would need to review as it is building on a "green site."

Peter asked about the red house next to town hall. Paulina said it dropped out because of parking. They need 70 parking spaces.

Debra Simes asked about the process to pick the site. Paulina said they reviewed 40 sites.

HISTORIC DISTRICT/HISTORICAL COMMISSION

Peter Grover and Brad Maxwell were representing the HC and spoke about the Demolition Delay Article. It doesn't have any time lines in place. They are trying to correct the short falls in the current Bylaw, and are asking for more than a 6 month delay.

Peter Berry asked about several sections regarding the Cultural Resource Listing. Peter asked about the notification period being different. It was noted that this only covers Historical Commission. Historic District Commission has their own Demolition Bylaw.

Paulina had similar questions as Peter. She was concerned about Cultural Resources List properties. Paulina asked about the 4 year delay. She wanted to codify what they are currently doing.

Andy commented that he was in support of the 18 month delay time.

Lauren asked about the delay period and wanted to make an effort to have the Cultural Resource listing used.

Bob Lessard asked about the Historical Districts and where they were in town.

Doug Halley spoke about the Archeology Reconnaissance Survey. The purpose was to develop areas of sensitivity in Acton and spoke about the map that was prepared; there are quite significant areas in post- and pre- contact.

Brad explained the proposed bylaw and how it would look. What they are trying to do was target areas where this would be applicable. They are looking at high sensitivity areas that would impact a broad area.

Andy felt it is a good idea and wanted to be sure it was not too broad or too narrow.

Paulina asked about the definition of undeveloped land. She felt having an appeal process was necessary.

Peter asked about PAL. Doug said they were Public Archeology League; we used them for the Pine Hawk project. Peter asked about doing the Archeology Survey. It would be commissioned by the Town, but the owner would have to pay for it.

Lauren asked about the cost and if items have been found who pays.

9:00 Terra Friedrichs entered the meeting

The Demo delay will not be being going forward to town meeting,

Dean Charter of Charter Road noted that he owns a 200 year old barn that they have maintained and paid taxes for over 140 years. He feels these bylaws have been rushed. He feels that they should be sent back for a much more rigorous review.

HISTORIC DISTRICT COMMISSION

Michaela Moran - Lauren asked about changes in regulations and have they been run by Town Council before they were accepted. Michaela said that they had their meeting and because of input from the public, the HDC realized that this Demo by Neglect bylaw, as advertised, was not ready. So even though the HDC feels a need to protect our historic resources in town, it was decided that the bylaw is not ready for this April. As far as the proposed Demo Delay bylaw and the proposed Archaeological Bylaw, the public hearing will be extended and they will notify the public of the date and location. They will also send to all those that attended the first meeting. Terra asked about the criteria that would be used to determine if an archeological study would be required. Lauren said a memo was sent to those who have Place Holders on the Warrant out lining the process."

LEAGUE OF WOMEN VOTERS TOWN MEETING STUDY

Marilyn Peterson outlined the review they did of Town Meeting. They had a survey at the Special Town Meeting. She outlined their suggestions. They asked that the first night have all the budgets, school and town. They want as many people attending and deliberating budgets. They urged the Board to move those budgets up to the first night. They talked about a score card with funding sources. FinCom has taken on the creation of a score card. Nancy Tavernier noted that Don Mackenzie had already met with the Board of Selectmen with his comments and actions he is willing to try some of the suggestions expressed in the review. Dore' Hunter as Deputy Moderator noted that this year's pre-meeting will be handled differently, and will be much more structured.

Lauren suggested that people need to come to town meeting. She also has been working with the Town Manager. She reminded them that the State is in flux and numbers change.

Terra asked about the showing of final slides at the pre-town meeting.

Peter said it is always to be looking at how to get more attendance at town meeting.

Charlie Kadlec asked about motions and it would be helpful as a handout.

SELECTMEN'S BUSINESS

ALG DISCUSSION

Paulina reported on the ALG meeting. House 1 level funds Chapter 70 and other programs that impact Municipalities. The Governor's assumptions include meal taxes etc. The schools have been following the Federal Stimulus funds. The Net ALG plan from House 1 and town and schools; they discussed the closing of the shortfall. The schools will take 70% of the short fall leaving the Board to cut 30%.

Lauren felt we needed agreement of the assumptions to go back to ALG.

Andy asked about FY09 that is shown with the Governor's adjustment and are we paying out of funds. Is the new growth number in 09 certified. Steve said we have been certified. Andy asked about capital improvements in the budget. Steve is preparing the recommended capital items going forward for review.

PAULINA KNIBBE - Move to accept the FY10 as listed in the ALG Plan. ANDREW MAGEE – second. 4-1 TERRA FRIEDRICHS Nay. Motion passes.

Terra registered a formal objection. She does not see any cutting being done except for deleting capital items. She does not feel that "NESWC for capital" monies should be used for anything but capital. In addition, the practice of putting NESWC monies into "revenue" does not seem appropriate, since it's not revenue, but reserve money. She does not feel like our practices have changed. She feels like we continue to spend more than we bring in, and that this "plan" is a clear path to an override.

Steve Noone said there is a lot of capital items in the budget and felt we should tempered and use less reserves.

WARRANT/BUDGET DISCUSSION

Terra asked about the Collective Bargaining memo. Steve noted that it would have to be brought to Town Meeting, and would not be bringing anything to Town Meeting at this time.

SITE PLAN SPECIAL PERMIT#10/02/08-416, 88 CHAMPS, LLC. 525 MAIN STREET

PETER BERRY – Moved to grant with conditions. PAULINA KNIBBE- second, with language placed to include reasonable start times, and conditions of construction are on the plans etc. Lauren said If it is not a condition of Building Code it be changed to have language to protect the abutters from excessive building.

GREEN ADVISORY BOARD, VOTE MEMBERS

Andy outlined the appointments to be made.

ANDREW MAGEE – Moved to Appoint members listed in the memo. TERRA FREIDRICHS – second. UNANIMOUS VOTE. Terra asked about a letter to go out to those that were not chosen and asked for help in writing the letter.

SOUTH ACTON PARKING DECK COMMITTEE VOTE MEMBERS

Peter read the list of appointments for this committee. Jim Yarin will be the representative from TAC and Peter as Selectman assigned. ANDREW MAGEE - Move to approve change of charge to add two additional committee members. PAULINA KNIBBE – second. 4-1 TERRA FRIEDRICHS Abstained.

SISTER CITY PARTNERSHIP WITH GUIDAN ROUMJI, NIGER, WEST AFRICA

This will not cost the town any money and it would be geared mostly to the Schools. Mr. Klinger is looking for the endorsement of this Sister City organization. This is largely through the schools and we would have learning and cultural exchanges. Mr. Klinger is looking for our endorsement.

PAULINA KNIBBE – Moved that we set up a Sister City like project with Guidan Roumi, Niger, West Africa. TERRA FRIEDRICHS -second. Terra Friedrichs asked about our ability to cancel this Project. UNANIMOUS VOTE.

BOY SCOUT COURT OF HONOR INVITATION TO PETER GOMEZ, MICHAEL BOTTARI, MAXWELL GLICK AND SAM BETHEL'S EAGLE SCOUT COURT'S OF HONOR.

Lauren will represent the Board.

OTHER BUSINESS

Terra asked that our spending philosophy be discussed after Town Meeting.

Terra wants to discuss Sewer capacity budget discussed to include fiscal obligations and planning issues.

Terra wants longer discussions of our philosophy of spending down reserves, because having short, 2 minute discussions about strategic issues does not seem to be adequate time enough to properly discuss such important topics.

CONSENT

Omit #18 will be discussed at the Feb 23rd BOS Meeting
Pull parking deck off Consent - already handled as #13

PAULINA KNIBBE - Moved to accept Consent Items with 13 and 18 removed from the Consent status. ANDREW MAGEE – second. Unanimous

EXECUTIVE SESSION

ANDREW MAGEE – Moved to go into Executive Session to discuss Real Estate, Roll Call taken, ALL AYES.

Christine Joyce, Recording Secty

Andrew D. Magee, Clerk
Date:_____