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**Selectmen's Minutes**  
**September 22, 2003**  
7:00 P.M.

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

**CITIZEN'S CONCERNS**

None

**SEWER COMMISSIONER'S BUSINESS**

Steve Barrett reported that we are in line according to his last presentation. The pump station at Drummer Farms is built. There will be a \$22,000 of subsidy left. He will be constructing a model before the final betterments are issued, this will take time to prepare but will be useful.

**PUBLIC HEARINGS & APPOINTMENTS**

**CVS 24 HOUR PERMIT MASS AVE.** DORE' HUNTER- Moved to approve the license and to set fee at \$1,500 yr with this first license fee pro-rated. TREY SHUPERT Second. UNANIMOUS VOTE.

**UNITED WAY OF ACTON AND BOXBOROUGH** Miki Williams, representing the United Way is asking for permission to install signs on private property in 41 locations throughout town. Dore' noted that these signs were on private property as akin to a Political sign. DORE' HUNTER - Moved to approve the request subject to potential removal of signs displayed in the public way. TREY SHUPERT. Second. UNANIMOUS VOTE.

**SPECIAL TOWN MEETING DISCUSSION** – Leo Bertolami gave an overview of the situation regarding his project and the Special Town Meeting that has been called. He said that he could not wait until fall 2004 to begin this project. Susan Mitchell-Hardt submitted the Petition for a Special Town Meeting in an attempt to save the station Masters house. Dore' asked what was planned for the carriage house. He did not know yet what would be there. Peter asked about why he could not wait until April he said he had been waiting since 2002; he is in to this project in six figure range. He would have to destroy the house if the article fails. Dore' asked several questions regarding the history of the parcel and zoning. EAV supports this article. The Planning Board will make a recommendation after the public hearing. PETER ASHTON - Moved to set the Special Town meeting for Monday, October 20<sup>th</sup>, at the Junior High School at 7:00 P.M. DORE' HUNTER - .Second. UNANIMOUS VOTE.  
DORE' HUNTER - Moved we close the warrant at the end of this meeting. PETER ASHTON. Second. UNANIMOUS VOTE.

## **CABLE ADVISORY COMMITTEE OVERVIEW MEETING**

Committee Member Friz Reip, noted that the committee needs new members. They have had many issues during the last year. They want to have a notice looking for new members in the press and on cable. Citizen complaints are ongoing but are not as high as it has been in the past. He said we need to address the performance review. He said they needed to see how other towns handle issues.

Dore' said we do need to have more members they will advertise on cable, and the newspaper.

Trey asked about deceptive marketing issues. He asked about the complaints. Friz said they had lessened. We will be reviewing the contract to be sure they are fulfilling the contract requirements. Trey thanked the members for their work. Herman Kabakoff asked about the ability of potential committee members, it was noted that anyone could participate. Friz said they would like active participation.

Walter asked Nancy Whitcomb to look for members. He also suggested putting on the Towns Web site.

## **PLANNING BOARD OVERSIGHT MEETING**

Lauren Rosenzweiz Ed Pearson, Chris Schaffner, Mobina Moshin and new member Stacy Rogers were present for this Oversight Meeting. She outlined the current projects they are working on. She noted the slow down in subdivisions. EAVPC will be brought to Town Meeting in April. They have been working with CPA Committee, EDC, and CAC Route 2.

Dore' asked if they would be bringing Housekeeping Articles. He noted that Roland prepares understandable article summaries.

Ed Person – asked about the pending litigation with regard to Bertolami and how that would affect the review of the Planning Board. Walter said he would let them know after advice is received.

Chris Schaffner – Updated the Board on his duties with MAGIC Sub-regions. They are trying to get comment from people for their visioning session in October and December. He asked if some one from the Board of Selectmen would be interested in participating.

He noted that they have not as much power as people think. He said that the citizens come forward to complain about property development near their homes. He spoke about 40 B and affordable housing with regard to land use.

## **SELECTMEN'S BUSINESS**

**PARKER STREET SIDEWALK PETITION** – Walter outlined the materials forwarded to the Board for a sidewalk that will begin on the Maynard Town line to Puritan Drive. Don explained the issues and whether this takes president over the Willow Street folks. Does the Board wish them as part of the budget or move forward before other requests. Walter said that the sidewalks give you a big bang for the buck. Dore' said that we need to review these requests. He noted the sidewalks in some communities have the owners responsible for the snow removal. And he said that we should look at that type

of bylaw to ease the number of sidewalks the Sidewalk Plow has to clear. Peter agreed with Don and Dore' and where there is an opportunity to move on it. Peter would be in favor of this on the priority list. Trey said that he struggles with the fact we have established priorities and we are opening it up for those on the list. Trey suggested we look at designing it and come back later. He was not in favor of putting this on the top of the list. Don asked if gift funds were available.

### **COMMUNITY PRESERVATION ACT COMMITTEE**

Walter reported on the hearing. Positive and good and easy to read and is available on the Web site. November 14<sup>th</sup> deadline for submittal. Walter proposed eligible projects and wanted to get public input. He will bring to the next meeting a list of projects and are ready to go. Dore' said that unless there is a reason, we should spend all we have and make sure we didn't rush to empty the coffers.

### **TOWNE BUILDING DEVELOPER SELECTION**

The next step is to begin the negotiations. Dore' said it looked like good project and Peter also agreed, Trey too was affirmative. Gim Hom asked whether or not the town spent any funds on maintaining this building this year. Don noted we had but did not know the amount. He asked if we would be spending more money but that it will be negotiated. It was noted that we would return the any monies not needed. DORE' HUNTER - Move to accept HRI proposal and to enter into negotiations, TREY SHUPERT – second. UNANIMOUS VOTE

### **FRANKLIN PLACE COMPREHENSIVE PERMIT**

Peter spoke about the financial numbers and that this project could still be considered even at the market rates.

### **BUDGET PRIORITIES DISCUSSION FY05**

Don updated the board on the \$97,000 negative for this year but he thinks he will be able to get there. He said we will need a 3m override and we will still be ½ million out of balance. This year's issues are Health Insurance, Pensions, cost of living. The municipal budget with debt taken out of it went up in 00 - 01 up 6%. We have a lot of capital, vehicles, employees that we have been coming forward each year. Walter wanted to know where the positions eliminated and an overview on the Personal Bucket. He wants to know where the gaps are. Dore' noted that we need a plan for when the equipment to see how we are going to keep it running. We need to be able to operate at some level.

Peter said the big 3 Increases not quite double of what we have available. Trey said we will need to look at Overtime. He also is concerned about NESWC, he would like a good idea where will we be in the next couple of years and how we handle the contract expiration. He wants to see what other things we can fund with ambulance fees. It may allow us to do something if even short time we should look into it and to increase user fees. He doesn't think we can continue living like we had the past three years.

### **GOALS AND OBJECTIVES / COMMITTEE ASSIGNMENTS**

The Board revised their Goals and Objectives and Committee Assignments for May 03- May 04.

## **ACHC BANK ACCOUNT**

Walter outlined the request from ACHC to receive and hold funds for the Town for any of its purposes. They want to know if BOS would be involved in each transaction. Don could not see it coming in with transactions. It was noted that it come under the wing. PETER ASHTON- Moved to Approve subject to an audit DORE' HUNTER – Second. UNANIMOUS VOTE.

## **ACTON MINUTEMEN, CROWN RESISTANCE DAY**

Peter and Trey will work out attendance. They signed the proclamation submitted by the Minutemen.

## **BOY SCOUT COURT OF HONOR, ROBERT W. CAMPAGNA**

Dore' said that he would be available to attend the Court of Honor

## **OTHER BUSINESS**

Dore' reported on the MMA conference he attended

Dore' reported on the CAC meeting was dull 58 minutes

MBTA meeting and has been post phoned

Trey spoke about the up coming ground breaking Ceremony at the Public Safety Building

## **CONSENT AGENDA**

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

## **TOWN MANAGER'S REPORT**

DAVIS ROAD – Don updated the Board on the situation regarding the transfer of a portion of Davis Road. He spoke about Eminent Domain. Don thinks we need to invite Mr. Peabody in and have him explain the situation. We should also have the three Condo Associations in at the same time as Mr. Peabody. Staff will notify the Condo Associations and Mr. Peabody of this upcoming meeting.

## **EXECUTIVE SESSION**

None Required

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Christine Joyce  
Recording Clerk

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Clerk

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Date

September 19, 2003

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

**FROM:** Walter Foster, Chairman

**SUBJECT:** Selectmen and Sewer Commissioners Report

**SEPTEMBER 22, 2003**  
**MEETING BEGINS AT 7:00 P.M.**

**I. CITIZEN'S CONCERNS**

**II SEWER COMMISSIONERS' BUSINESS**

1. **MONTHLY REVIEW OF O&M RATE PLAN** – Enclosed please find a report from staff in the subject regard.

**III. PUBLIC HEARINGS & APPOINTMENTS**

2. **7:02 CVS 24 HOUR PERMIT (continued)** – Enclosed please find follow-up materials requested for your consideration.
3. **7:10 UNITED WAY OF ACTON AND BOXBOROUGH** – Enclosed please find a request from the United Way to allow the display of a number of temporary signs, along with staff comment, as well as staff comment for board consideration.
4. **7:20 SPECIAL TOWN MEETING DISCUSSION** – Enclosed please find materials related to the citizens' Petition for a Special Town Meeting. The petitioner will be in to discuss this petition.
5. **8:00 CABLE ADVISORY COMMITTEE OVERSIGHT MEETING**
6. **8:15 PLANNING BOARD OVERSIGHT MEETING**

**IV. SELECTMEN'S BUSINESS**

7. **PARKER STREET SIDEWALK PETITION** – Enclosed please find materials from Staff related to the subject petition for Board consideration.
8. **COMMUNITY PRESERVATION COMMITTEE (CPC) REPORT** – The Chairman will report on activities and plans of the CPC.
9. **TOWNE BUILDING DEVELOPER SELECTION.** Enclosed please find a recommendation form the Selection Committee, along with back up materials, for Board consideration.
10. **FRANKLIN PLACE COMPREHENSIVE PERMIT** – Enclosed please find correspondence from Selectmen Ashton for Board consideration.
11. **BUDGET PRIORITIES DISCUSSION FY05** – The Town Manager will discuss this subject with the Board and seek direction.

12. **GOALS AND OBJECTIVES / COMMITTEE ASSIGNMENTS** – Enclosed please find last year's committee assignments and Goals for Board discussion.
13. **ACHC BANK ACCOUNT** – Enclosed please find a request from the ACHC to allow the establishment of a bank account, along with a request for direction in this regard.
14. **ACTON MINUTEMEN INVITATION TO CROWN RESISTANCE DAY** – Enclosed please find an invitation and the annual Crown Resistance Day Proclamation for Board consideration.
15. **BOY SCOUT COURT OF HONOR** – Enclosed please find an invitation to Robert W. Campagna's Court of Honor, to be held on October 19, 2003, for Board assignment.
16. **OTHER BUSINESS**

## V CONSENT AGENDA

17. **ACCEPT GIFT** – Enclosed please find a request from the Recreation Director for acceptance of items donated to Acton Day for Board consideration.
18. **ONE DAY LIQUOR LICENSE** – Enclosed please find a request for a One-day Liquor License for St. Elizabeth's Parish on October 11, 2003 for Board consideration.

## VI. TOWN MANAGER'S REPORT

19. **DAVIS ROAD ACCEPTANCE** – Enclosed please find correspondence in the subject regard. The Town Manager will discuss this matter with the Board.

## 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.

**October 6 Conservation Oversight, Recreation Oversight, Paul's Diner, Liquor Transfer Last National, O'Natural Full Liquor License as Common Victualler**  
**October 20 BOH Oversight, TAC Oversight, CPA project submission**  
**Nov. 3 HDC Oversight, Historical Commission Oversight, Site Plan Wetherbee Plaza extension**  
**Nov. 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**