

FINAL

**BOARD OF SELECTMEN AND SEWER COMMISSIONER'S MEETING****June 23, 2014****Francis Faulkner Room 204****Regular Meeting 7:00 p.m.**

Members Present: Chairman Michael Gowing, Vice Chair Katie Green, Janet Adachi, Franny Osman, Peter Berry -Clerk, Town Manager Steve Ledoux, and Lisa Tomyl, Recording Secretary

Meeting called to order at 7:02 PM

**I. CITIZEN'S CONCERNS - None****II. CHAIRMAN'S UPDATE & OPERATIONAL MINUTE**

**Mr. Gowing** – will get his notes via email

**Town Manger Ledoux** : Appointed Lisa Tomyl as Executive Assistant effective today. Continued sessions with union negotiations with the FD regarding Paramedic Services. Attending a meeting with other Town Managers regarding Minuteman

**III. PUBLIC HEARINGS & APPOINTMENTS**

**National Grid Gas Main Installation** - Representative from National Grid requesting installation of 2 inch gas line off Central street. Ms. Green moved to approve, Ms. Osman second. All Ayes – UNANIMOUS VOTE

**Use Special Permit #10/11/135 – 445, 848 Main Street, Jacob Abraham, Axe Brothers – Acoustic Engineering Bid** Mr. Gowing read the legal notice at 7:33.

Mr. Mutch from Zoning/Planning Department to brief the board regarding an acoustic engineer to evaluate the property. 3 bids went out and three returned. Price range 3900 – 9500. Mr. Abraham and Mr. Hill (attorney for the Robbinsbrook abutters) both agree that some of the wording in the bids they do not agree with. Mr. Abraham has a draft proposal for the board to consider. The Town proposal had confusing terms that seemed vague. Requests the town uses DEP standards.

Mr. Abraham proposes a broader time range for ambient noise – he stated/noted that there is ambient noise from a number of other business, rt. 27, and NARA Park.

Requests a change in the RFP quotes. Mr. Abraham handed out a proposal for sound analysis to the Board for consideration.

Mr. Hill agrees that the reading should be more than one day and agrees to 4 days. Mr. Hill stressed that the DEP is not the “end all-be all” for sound measurement. Both the Chair and counsel for the

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abutters agree that the neighborhood was not built at the time that area is in an industrial zone, and both agree that the neighborhood was built prior to the outside manufacturing of wood production business began operating.

Time of day for wood production should reflect Mr. Abraham's hours of operation.

Qualitative vs. quantitative measurements of both ambient and manufacturing noise – Mr. Gowing suggested that the readings be qualitative based.

An agreement for continuance and a Time Extension was signed by both Mr. Abraham and the Chairman on the evaluation of noise level study for July 28, 2014 at 8:00 PM.

Mr. Gowing moved to approve continuing the meeting to evaluate the engineer report to August 11, 2014 at 8:00 PM, Ms. Green second. All Ayes – UNANIMOUS VOTE.

### **SELECTMEN'S BUSINESS**

**Dean Charter, New Street Lighting Proposal** - request to install new streetlights at 4 locations of LED lights.

Ms. Adachi moved to approve, Ms. Green second the motion. ALL Ayes - UNANIMOUS VOTE.

**Dennis Bruce – Overview of CBA Agreement Resolution with the Acton Education Association-** offered a presentation of the successful negotiation of the teacher's contract.

**Review of Arlington Town Bylaw of Public Consumption of Marijuana** Mr. Ledoux highlighted the Town Bylaw for Arlington would be considered the same as an open container law. Something to be thought of as a possible Town Meeting vote. Mr. Gowing suggested going to MMA to see if any other communities across the state have bylaws or ordinances regarding the regulation of public consumption of marijuana.

**Town Committee Reappointments** – Ms. Green moved to motion to approve, Mr. Berry – second, All Ayes, UNANIMOUS VOTE

Ms. Adachi motion to approve a change in membership of the Acton Community Housing Corporation from 7 full members to 5 Full – 2 Associate, Ms. Green second the motion. 4 Ayes, 1 Nay (Mr. Gowing)

**Discussion of Five Year Plan for NESWC Liability** – FY 16-17. Vote to take ½ million dollars in the reserve of NESWC Liability

Mr. Gowing motion to move to approve, Ms. Green – second. All Ayes – UNANIMOUS VOTE

### **SELECTMEN'S REPORT**

**Ms. Green:** has been traveling and did not meet with any committees, so she had no report to give

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**Mr. Berry:** Met with the Planning Board about proposed changes to the Zoning Bylaw and scheduling a fall Town Meeting. Discussion with Mr. Ledoux about the need to schedule a fall Town Meeting to resolve the Nursing Service issue. Discussion about the need to schedule Town Meeting later in the fall to allow for Planning Board hearing process. Mr. Ledoux agrees.

Met with Green Advisory Committee. J.D. Head and Dean Charter present. Discussion about a proposal from a private company to aggregate all Town citizens' utility bills, possibly reducing everyone's bill. Individual citizens could opt out. Would take a Town Meeting vote. Mr. Berry asked GAB to study the issue and get a recommendation to the Selectmen for action, if appropriate.

**Ms. Adachi:** Finance Committee – Joint meeting with Selectmen tomorrow, at beginning of regular Finance Committee meeting, to hear Acton Nursing Service presentation.

Water Resources Advisory Committee, Wednesday, 6/18 – Will be working on presentation to Town committees and public, including Selectmen possibly at 8/11 meeting; maybe will put article in Beacon

Minuteman Regional School – Meeting tomorrow morning in Weston of member Town representatives to discuss status of proposed regional agreement amendment and related issues

Safety Net, Thursday, 6/19 – Discussion of

- 1) transportation needs for children whose parents cannot drive them to school-based
- 2) ongoing problems with drugs, domestic abuse among adult population
- 3) interpreters for non-English speakers – Police Department has "mutual aid" arrangement with police departments in other towns to share employees who can serve as interpreters; police also have access to interpreter service; at schools, children sometimes assist with interpreting for adults; Sharon Mercurio at Senior Center putting together list of Town employees with language skills. Discussion of situations where confidentiality is important, whether domestic abuse, medical, and should not have children or Town staff members serve as interpreters. Perhaps find one service that could serve all Town, Regional District offices in lieu of ad hoc arrangement.

Indian Hill Classical Quartet, Thursday, 6/19, at NARA picnic pavilion, where wood dance floor with partial wall on one side is very good setting acoustically for chamber music. Great weather, good crowd.

495/Metrowest Partnership Annual Conference, Friday, 6/20, Sheraton in Framingham. Ms. Osman also attended. Keynote Speaker Beverly Scott of MBTA. Presentation of 10 top transportation nightmares, which included Route 495 @Route 90/Turnpike, 495 @290, commuter rail (infrastructure, stations, parking, limited reverse-commute options) even with all improvements, suburban mobility even with all improvements including in Acton with CrossTown Connect. Number 1 nightmare is Route 9. Panel of gubernatorial candidates: Grossman, Fisher, Coakley, Berwick, Baker (former Swampscott Selectman). Opportunity after conference ended to meet and greet candidates.

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**Ms. Osman:** Did some work to find an appropriate group development leader to do 2 to 2.5 hours of Team Building at the Commission on Disabilities retreat on July 9. Met with Jeannette Millard of Boxborough who had many suggestions; talked to Clare Harlow of Acton whom Jeannette recommended for this job.

Met with a new volunteer who is on the Council on Aging now, Bonnie Lobel. She offered to help with senior transportation issues and is wonderfully helping me complete the last tasks of creating the video spots in various languages, including English, letting seniors know the new dispatch process for CrossTown Connect/MinuteVan.

Attended Regional Transportation Advisory Committee in Boston; Mike Gowing can report as he is Asst. Chair of that group.

Attended a fantastic locally-written and directed play at Theatre III (which used all lines from Shakespeare, called Much Ado about Love) in West Acton and asked them about their lack of access. This brought up some interesting issues which I would like to bring to a future Selectmen's meeting.

Retirement party for Superintendent Mills

Commission on Disability - some discussion of Woodlawn Cemetery chapel since an anonymous person had mentioned it to someone on Comm. on Disab. Visit by Doug and discussion of Nursing Service. Discussion of upcoming retreat. More on Commission's minutes. Cemetery Commission meeting- short and sweet meeting

Met with Doug Halley and the Transportation Coordinator from Minuteman ARC.

Attended Route495/Metrowest Conference where the MBTA Director Bev Scott spoke and the five major Gubernatorial candidates spoke. As usual, networking at these events is very valuable. CrossTown Connect was mentioned as one of the new Transportation Management Associations along the 495 corridor.

No Place for Hate and Coalition Committee met today

**Mr. Gowing: MAGIC** – they met and reviewed the fiscal year 2015 work plan. They elected a new Slate of officers (Keith Bergman; chair, Les Fox; 1<sup>st</sup> vice chair and Mike Gowing; 2<sup>nd</sup> vice chair). They agreed to write a letter to the MPO supporting the current TIP. In the community exchange, the following projects were of interest:

Maynard – proposed Parker Street project – 200 unit subdivision with supermarket. On Main Street, next to McDonald's, a 27 unit mixed use development. They mentioned that the CTC dispatch is working well.

Concord – a 222 room extended stay hotel is proposed for Baker Avenue. They also approved design money for the Bruce Freeman rail trail bridge over route 2.

Sudbury – town meeting approved 25% design monies for the Bruce Freeman rail trail.

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Lexington – a special town meeting approved a \$500,000 article for converting the National Heritage Museum to a community center. They are evaluating a proposal for a 72 unit memory care facility and are seeking a consultant for the scenic byway of battle road.

Littleton – the Point opens their 1<sup>st</sup> facilities (to eventually include hundred room hotel, 5 restaurants, and retail) this September. Phase 2, which will include a movie theater, will open the following year. Utilizing the MAPC, they created an approved their updated housing production plan. They are celebrating the 300<sup>th</sup> birthday this year!

Boxborough – approved joining the CPA with a 1% contribution. Their affordable housing plan is nearing completion.

**HDC** - I had to miss the HDC meeting due to a change of scheduled night and a conflict with the Cable Advisory Board.

**Cable Advisory Board (CAB)** – the cable advisory board assisted ActonTV with the determination of what equipment to purchase in order to provide a digital signal to Comcast, and subsequently Verizon. It now needs to go to the Acton TV board to approve the capital spending.

**Cory Atkins** – Representative Atkins presented the chapter 70 and UGGA funding proposed by both the House and Senate for Acton (\$14,254,476 for chapter 70 and \$1,244,709 for UGGA for fiscal 15), the budget will now go to the Gov. for signature or veto by July 15. She also said that the legislature authorized a \$25 million transfer to the CPA fund, real estate transactions were down this past year by almost 30%. The house as proposed a state funding bill of \$38 million to help schools pay for the administration of PA RCC, the bill is still pending in the Senate. If passed, the DESE would determine how to distribute the money. The representatives voted on a natural gas leak bill that would establish uniform classifications and require gas companies to provide a schedule of repair. A bill has advanced to the Senate Ways and Means committee that will allow telecommunications companies to put new antennas on existing towers without going through a full local permitting process. She recommends the board contact State Sen. Jamie Eldridge and asked that he vote this down.

**Health Insurance Trust (HIT)** – the health insurance trust evaluated to service contracts for stop-loss insurance and awarded the contract to Cook and Company. The trust looks like it will end the fiscal year with a slight surplus. They recommended that the town and region again engage the Healthcare Working Group to review the past 3 years performance and make recommendations for going forward.

**Regional Transportation Advisory Council (RTAC)** - the Council voted on the finalized letter of recommendation for transportation to the MPO. The public comment period remains open for 3 more days before anyone wishes to weigh in on the TIP or the UPWP.

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#### **IV. Consent Agenda**

Mr. Gowing held item 11 due to being an abutter. Item 14 and 15 held by Ms Green. Recommends application have a TIPS certified bartender. Ms. Adachi moves to approve 14+15, Ms. Green second. All Ayes – UNANIMOUS VOTE

Ms. Adachi moves to approve item 11, Ms. Green Second. 4 Ayes 1 abstain (Mr. Gowing).

Ms. Adachi moved to motion to approve consent agenda. Ms. Green second, All AYES. UNANIMOUS VOTE

Ms. Green moved to adjourn, Ms. Adachi –second. All Ayes

Meeting adjourned at 10:37 PM.

Respectfully Submitted,

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Lisa Tomyl

Recording Secretary

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Peter Berry, Clerk