

BOARD OF SELECTMEN AND SEWER COMMISSIONER'S MEETING

January 12, 2015

Francis Faulkner Room 204

Regular Meeting 7:00 PM

Present: Mike Gowing, Katie Green, Janet Adachi, Peter Berry, Town Manager Steven Ledoux. Lisa Tomyl, Recording Secretary, Franny Osman arrived at 7:45

Chairman Gowing opened the meeting at 7:00 p.m.

Citizens' Concerns

None

Chairman's Update and Operational Update:

Mr. Gowing – First meeting of 2015. Selectmen and the Finance Committee reviewed the Town budget. Next the school group will present their budget. Then on to town Meeting for final vote and approval.

Mr. Ledoux – Heather York has returned to be the Director of Nursing. Doug Halley retiring this October. Reached back out to Heather to be the Director and she did accept on November 5th. Jan 8 first official act as governor released 100 Million of chapter 90 funds that Patrick withheld. Our allocation has been increased to over 1 million dollars for highway projects. MMA is Jan 23-24. Suggesting Selectmen attend and register. Minuteman is hosting another breakfast meeting. Discussions with Mt. Calgary church parking lot contract expires at the end of the month. Working to renew the contract.

Public Hearings and Appointments

7:10 p.m. **Makaha Restaurant Alleged Overserving Hearing** – Mr. Gowing read the public hearing notice. Raymond Cheng representing Makaha, Acton Town counsel Nina Pickering-Cook was present. Detective Fred Rentschler and Officer John Collins were present from the Acton Police Department. All parties were sworn in by Clerk of the Board of Selectmen. Detective Fred Rentschler reviewed the police reports and the past history of previous violations in 2014. It was noted this was the 3rd overserving incident for 2014 .

First violation in 2014 resulted in a \$320.00 fine and certification of a working video recorder in the Restaurant Lounge. Second violation in 2014 resulted in a 3 day suspension of license.

Ms. Green feels this is an overservice violation according to MGL 138 s. 64. Ms. Green moved to recommend this violation be recognized as an overserving violation, Mr. Berry seconded. All Ayes. Ms. Green moved to revoke liquor license, Mr. Berry seconded. 3 Ayes, 2 Nays (Ms. Adachi, and Ms. Osman) Motion passed to revoke liquor license. Liquor license will be kept on hold and continue to apply against the Town Quota pending the appeal hearing. Makaha Restaurant has 5 days to appeal the Board's decision after receiving official notification to surrender license.

Board of Selectmen

January 12, 2015

8:10 p.m. **Traffic Rules and Order, Corey York, Town Engineer** – Mr. Gowing read the public hearing notice. Mr. York recited amendments to the traffic rules and order. A Taylor Road resident brought up questions regarding where the no parking signage would go up and where.

Mr. Gowing requested a motion to approve – Ms. Adachi moved to approve the amended traffic rules and orders, Ms. Osman seconded. All Ayes – UNANIMOUS VOTE

Selectmen's Business

Community Preservation Committee Application Reviews and Order of Priority –

Board of Selectmen, as requested by the Community Preservation Committee, revisited their CPA priorities based on the submittal of a request for Open Space Set Aside funds and the request for an application for National Register of Historic Places designation for Forest Cemetery.

Below, please find the revised priority list:

1. Assabet River Rail Trail Acquisition (20 points)
2. Open Space Set Aside (17 points)
3. NARA Safety Improvements (13 points)
4. NARA Picnic Pavilion Restroom (12 points)
5. Skate Park Expansion (5 points)
6. Irrigation Wells: Arboretum and Morrison Farm (4 points)
7. Forest Cemetery Historic Designation (2 points)

Neither the Arboretum Fern Boardwalk nor the Invasive Water Chestnut Plant Removal received any consideration.

Discussion on Adding 4 Associates to Acton Nursing Service Task Force – Mr. Charlie Aaronson requested that the terminology be “Associates” vs. “Alternate”. Mr. Berry moved to add 4 Associate members to the Acton Nursing Service Task Force, Ms. Green seconded. All Ayes UNANIMOUS VOTE

Approval of Outdoor Seating at Acton Plaza – Mr. Bartl spoke in favor of amending the site plan for the Outdoor Seating Area. Ms. Adachi motioned to approve Acton Outdoor Seating not requiring a sewer privilege fee. Ms. Green seconded. All Ayes – UNANIMOUS VOTE

FY 16 Budget Discussions

Selectmen's Reports:

Ms. Adachi: **Acton Community Housing Corporation** – next meeting on 1/22, will hear presentation about proposed project.

Acton Water District - meeting tonight. Agenda includes update about South Acton water treatment plant project. As Selectmen learned from District Director Chris Allen last week, pipe installation under tracks on Parker completed, so detour, traffic disruption ending.

Conservation Commission, 1/7 – continued hearing on Arboretum improvements; not closed yet due to need for more information about proposed stormwater management.

Design Review Board, 1/7 – at next meeting will discuss revised charge, reflecting Ms. Adachi's changes to account for comments from Planning Department and others. Charge will be on Selectmen's agenda after DRB has provided feedback.

Finance Committee, 12/23 - Heard presentation about pay-as-you-throw/SMART proposal, provided good suggestions: need to address possible resident concerns about relative cost of PAYT/SMART in comparison to current transfer station arrangement or private carrier, etc. Discussion of schools, Town preliminary FY16 budget presentations. Considerable discussion of proposed meals tax, as revenue-source for hiring of economic development office; some members concerned about tying tax to new hire, others about another tax. Bob Evans also did not care for the tying, but put tax in perspective, saying it would add 75 cents to \$100 meal charge. Next meeting tomorrow

Land Stewardship Committee, 1/16 – forming subcommittee to focus on parcel-mapping: checking out mapping software, updating maps on website and in paper manual. LSC members good with computers as well as chainsaws, so lots of interest in mapping project. Discussion of donated benches: need for proper installation/anchoring, and need for communications between Town staff and LSC if issues arise re benches;

Water Resources Advisory Committee, 12/17 – latest revised draft to circulate to departments via Town Manager for follow-up comments, especially from Engineering, from which no comments to date.

Regionalization Finance Oversight Subcommittee, 12/18 (prior to School Committee meeting). Another discussion with Superintendent Glenn Brand, AB Finance Director Clare Jeannotte. Subcommittee explained mission to look at budget projections that Special Town Meeting heard, 6/2013; to monitor budget development for consistency with projections (savings); and report briefly at annual Town Meeting. Ms. Jeannotte still trying to substantiate some estimates, such as for transportation reimbursement. Next meeting on 1/27.

Diversity Coalition, 1/8 – approved final report on 18 months activities, to be circulated via e-mail this week to various public committees/offices (by Ms. Adachi) and community organizations (by Rachel Sagan of Acton Boxborough United Way).

Board of Selectmen
January 12, 2015

Ms. Green: The **Acton Memorial Library Board of Trustees** met. They have posted the position for a new Assistant Director and are actively engaged in that search. They are continuing to work on implementing their long range strategic plan, including getting job descriptions in place for all positions. They also voted to make some changes to the circulation policy for the length of time one can borrow tv series.

I attended the **Eagle Scout Court of Honor** for Matt Philips and Mark Wiggins, two young men whose projects contributed greatly to the town.

The **Recreation Commission** met and discussed preparations for the Recreation Department's upcoming presentation to the Community Preservation Committee regarding their applications for funding for the NARA security gate and the skate park. Three potential new members also attended the meeting and expressed interest in joining. The Committee has two full-member and two associate-member positions open so hopefully we can fill those in the near future.

The **Acton-Boxborough Regional School Committee** met twice since our last meeting, but I was only able to attend the more recent meeting. At that time, they had a report from their outside auditor, which revealed nothing shocking. They also had another initial presentation by the Superintendent on the preliminary proposal for the FY'16 budget. The current preliminary proposal represents an 8% increase in Acton's assessment over FY'15. That evening, they represented the increase as a 7.2% increase because they are considering the money that the towns of Acton and Boxborough paid to the district through side letter agreements in FY'15 to cover the increase in Middlesex Retirement expenses as part of their FY'15 base budget. This artificially lowers the increase from FY'15-FY'16. The preliminary budget also includes a net increase of 1.8 FTEs. There will be more budget presentations at upcoming ABRSC meetings, and their Budget Saturday is scheduled for January 31st.

Mr. Berry: Train Station Committee – the steel has arrived and the head houses are going up. It is moving along. The train station committee received a letter from Gordon Richard – he is considering retiring and was offering the property to the Town for consideration. I recommend being more proactive with him to purchase the property for additional parking spaces at the train station. The parking fees would help pay for the purchase of the property. It would also be appropriate for affordable housing as well.

GAB met. They will be moving forward with proposals from town and schools for funding under the Green Communities Act.

Ms. Osman: **Senior Center Study Committee (SCSC)**

As of the Dec. 15 meeting, I was busy interviewing candidates for the Senior Center Study Committee. Since then I have finished interviewing all and am submitting the names to Mike Gowing for appointment at the Jan. 26 Board of Selectmen meeting. It is a great group of people on the committee including people that have worked in and out of Senior Centers or have other related interests, and I am

Board of Selectmen
January 12, 2015

looking forward to getting started, or, rather, continuing the work toward an expanded Senior Center presumably in a new location.

I would like to put on the agenda of a near future meeting to revise the charge so we can have some associate members on the SCSC. We have a diverse group in terms of age, ranging from someone in her 20's to some in their 70's and 80's; including at least one military veteran, some new to town committees and some long time committee participants, some relatively new residents in town, some very longtime residents. Interests and experience among the participants in the committee include: low vision; technology; fitness; diversity; data analysis. We will have at least one person from the Council on Aging Board who is not one of the two formal members of the SCSC but will participate in the committee work. We hope more people will join the effort, including some from the Chinese or Indian communities as both are communities of substantial size whose needs we want to be sure to include in the plans for the senior center.

Jan. 5, 2015- There was a Council on Aging Board meeting but I did not attend because I celebrated my aunt's 102nd birthday at the same time.

Jan. 7, 2015- Participated in a meeting of the Lowell Regional Transit Authority and UMass Lowell. The two groups are trying to cooperate to improve transit for students and employees within Lowell and to Lowell. This is important as parking is tight at UMass Lowell. Also, students and staff without cars fill buses coming from Lawrence, and I know I have heard families say they need transportation to UMass Lowell as well as Middlesex Community College campuses from Acton, and the closest thing there is is a bus from Littleton to Lowell and not frequent.

It was good to hear that at the meeting the previous day of the North Middlesex Council of Governments planning group meeting, **CrossTown Connect** had been present. That participation and visibility is important.

CrossTown Connect's new director, Scott Zadakis, wrote letters of comment on the Coordinated Public Transit-Human Services Transportation Plan not only on the Boston Metropolitan Planning Organization's plan but for the plan for the planning organizations west and north of us, North Middlesex Council of Governments (NMCOG) and Montachusett Regional Planning Commission (MRPC). These letters had to be in by Dec. 30 and were crucial because if programs were not mentioned in comment letters they would not be eligible for the Coordinated Transit grants that have calls for applications early in the year. In the past we have applied for and received funding from this grant program for parts of the transit system such as a driver for the Road Runner van.

It is hard to copy the text from the pdf of those letters, but I will include a pdf of one of the letters with these notes. In case a pdf can't be included in these notes, I leave the weirdly formatted word version of the pdf here:

December 29, 2014

Board of Selectmen
January 12, 2015

Boston Region Metropolitan Planning Organization
Central Transportation Planning Staff
10 Park Plaza
#2150
Boston, MA 02116

To the Central Transportation Planning Staff of the Boston Metropolitan Planning Organization,

After reviewing the draft of the MPO's Coordinated Public Transit-Human Services Transportation Plan, CrossTown Connect would like to offer comments on behalf of its constituent members.

CrossTown Connect is a Transportation Management Association (TMA) that has been formed in the participating communities of Acton, Boxborough, Concord, Littleton, Maynard, Stow, and Westford. The goals of the organization include: maximizing mobility within and access to the communities and businesses in the region, coordinating a network of transportation resources to move people and enhance the area's economic vitality while minimizing the impact of development, and making the most efficient use of nearby public transportation services.

As unique Transportation Management Association that harnesses a public-private partnership (PPP) model that serves communities in addition to businesses, we understand the importance of providing comprehensive services to traditionally underserved populations. As mentioned in the draft, our TMA has now handles dispatch services for Council on Aging (COA) vans in Acton. We would add that the CrossTown Connect Central Dispatch Call Center serves COA's for the three additional communities of Boxborough, Littleton, and Maynard as well as for Acton's LRTA Roadrunner service for seniors and Acton's MinuteVan Dial-A-Ride for the general population. This has created a coordinated, regional approach to providing transportation.

We are pleased that the plan has identified as a priority the targeting of resources toward people for whom English is not their first language and we strongly support this effort. In our Central Dispatch Call Center we have identified significant portions of the population that use our services who have limited English proficiency. We have learned from experience that overcoming the language barrier is a key to increasing ridership on these services.

We also feel that the TMA's in Massachusetts can potentially play a role in mobility management when the definition of a TMA is expanded beyond its traditional corporate scope as it has been with CrossTown Connect. With municipalities as partners we play a role in mobility management for our member communities by acting as a resource to the public. When the region is viewed as whole and both services and users are identified while avoiding taking a siloed approach, everyone can benefit. Additionally, an overarching organization creates opportunities for consolidated and consistent branding across services so that the public has a better understanding of what services are available to them and where to find information about them. We believe that there are more opportunities for PPP's going

Board of Selectmen
January 12, 2015

forward, especially in the absence of additional funding from the public sector.

As much of the region CrossTown Connect serves is either suburban or rural, we highly value emphasis on creating transportation alternatives that do not currently exist. With the absence of public transportation services in much of the region it is very difficult for low income, disabled, elderly people to get around. We continually work to identify solutions to this situation and believe that coordination between what services there are is a key component of this effort. We appreciate any assistance the MPO can provide through the Coordinated Public Transit-Human Services Transportation Plan in supporting new transportation initiatives.

Similar to coordination, we believe that sharing is a key component to mobility in this type of region. For example, using COA vans for other purposes when they are not in use could provide others with service from vehicles that would not otherwise serving a purpose. We also think that vanpooling and ridesharing are key aspects in sharing mobility responsibilities and anything that can be done to encourage this behavior is worth persuing.

Connections between communities are another area that we feel is important as too often these are very difficult where service terminates at the edge of a jurisdiction. CrossTown Connect agrees that as described in the draft, working toward more coordination will help to diminish this problem. Another major need that we see in our region is for more reverse commute options. There has been another train added to the Fitchburg line that gets to the Concord/Acton/Littleton a little before 9:00 a.m. and this is positive though the "last mile" is still an issue. We are currently working on coordinating shuttles where possible for these reverse commuters. Additional reverse commute options in the peak commuting hours will help to improve access and the likelihood that businesses will be able to do the essential recruiting that will keep this area economically vital. CrossTown Connect would welcome the chance to work with CTPS during any potential shuttle route planning or feasibility studies.

The cost of a Commuter Rail pass from Zone 1A (urban core) is prohibitively high. This being the case, there are a number of employer-supported shuttles that run to this area from Alewife Station. It is the opinion of CrossTown Connect that if increasing ridership and cutting road congestion and greenhouse gasses are priorities, it would be beneficial to offer discounted Reverse Commuter Passes to encourage use of the Commuter Rail as an option to get to the area.

With these recommendations, we at CrossTown Connect would like to thank the MPO for drafting and accepting public comment on the Coordinated Public Transit Human Services Transportation Plan and we look forward to working with you to make public transportation more accessible to everyone.

Jan. 8, 2015- Meeting of the Acton Boxborough Diversity Coalition.

Board of Selectmen
January 12, 2015

We discussed how we will distribute the final report, and plans for the upcoming Martin Luther King Breakfast on Monday, Jan. 19 at 9 am at Congregation Beth Elohim, 133 Prospect St., Acton. Janet can provide details.

The No Place for Hate Program, which Sal Lopes and Marge Kennedy and others kept going for a long time now, is being phased out by the Anti-Defamation League as they have other similar but otherwise named programs. The work of this good program and committee will be carried on by the Acton Boxborough Diversity Coalition whose report you will all see soon after our first year and a half.

Jan. 10, 2015- Budget Saturday

My first, as Selectman. I am incredibly impressed with the skill and, I would say, art, of Steve Ledoux and all department heads at putting together a budget that works. Thank you to them and to the Finance Department!

Cemetery Commission will meet this Wed. Jan. 14, 2 pm at Town Hall.

Open Space Committee did not meet.

Mr. Gowing: **Metropolitan Planning Organization (MPO)** – I attended two MPO meetings since our last meeting – this is a composite: Every four years, the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) are required by law to review the metropolitan planning process conducted by the Boston Region MPO and its partners in order to certify that they are carrying out the process in accordance with all applicable Federal requirements. The review was conducted and the Boston MPO passed. This certification process is to ensure that federal monies are appropriately spent on transportation problems in the greater Boston area. They also discussed tools for evaluating future projects in cost assumptions, geographic equity within the region, and social justice. They presented the transportation improvement plan (TIP) 2nd amendment with the foreshortened comment period (15 days rather than the typical 30 days).

Town Report is due and will send the chair of boards that have not submitted as of yet. Town Manager's performance review is due.

Consent Agenda

Mr. Gowing held consent item 11. Ms. Adachi moved to approve consent items 7-10, and 12-27. Ms. Green seconded. All Ayes – UNANIMOUS VOTE.

Ms. Adachi moved to approve item 11, Ms. Green seconded. 4 Ayes, 1 Abstain (Mr. Gowing).

Ms. Green Moved to Adjourn, Ms. Osman seconded, All Ayes

Meeting Adjourned at 10:30 PM

Respectfully Submitted,

Board of Selectmen

January 12, 2015

Lisa Tomy, Recording Secretary

Peter Berry, Clerk

Board of Selectmen
January 12, 2015