

BOARD OF SELECTMEN AND SEWER COMMISSIONER'S MEETING**September 8, 2014****Francis Faulkner Room 204****Regular Meeting 7:00 p.m.**

Present: Mike Gowing, Katie Green, Janet Adachi, Peter Berry, Franny Osman; Town Manager Steven Ledoux. Lisa Tomy, Recording Secretary

Chairman Gowing opened the meeting at 7:04 p.m.

CITIZENS' CONCERNS

None

CHAIRMAN'S UPDATE AND OPERATIONAL UPDATE:

Mr. Gowing – quiet summer. Kids back at school – tomorrow is the voting primary. Reviewed where voting locations are located for each district. ActonTV won 3 video awards. Fall season of Miracle League opened last Saturday. Employee Professional Development Day was 9/4 at Quail Ridge. Very successful event.

Mr. Ledoux: Brief ceremony of remembrance regarding 9/11 at the PSF at 10:00.. Discussed regarding a vote from the board regarding the NESWC fund balance. DOR required that the 1mill fund balance be restored into the account was generated from. It will be considered as free cash.

Land Use relocated to 33 Nagog Park officially opened today. Move went very smoothly and transition will be good. Thanked the Board for attending the employee staff development event with a special thank you to Ms. Osman and Ms. Adachi for participating in the ALS ice bucket challenge.

PUBLIC HEARINGS AND APPOINTMENTS

7:10 p.m. **Dangerous Dog Hearing Tiffany Brown:** present: Nina Pickering-Cook, Town Counsel, and Nelba Santos, Assistant Animal Control Officer. Mr. Gowing read the public hearing notice. Peter Berry, Clerk, swore in the AACO, and Tiffany Brown, dog owner. All parties introduced themselves. Ms. Santos opened with the report and statement made by Tack Palmer, Animal Control Officer. Faulk, a 4 year old German shepherd allegedly made 2 unprovoked attacks. Ms. Brown submitted photos and certificates of training completed for overacting dogs as well as letters of support from neighbors at her residence. Ms. Brown states she is a certified dog trainer. History of behavior of the dog in question by Ms. Osman – Ms. Brown states he (Faulk) was fearful of other dogs. She adopted him to assist in rehabilitating him to alleviate him of his fearfulness. She feels that the dog can be trained to coming off muzzle and be a "balanced dog". Since the biting incidents, she has kept him on a muzzle. Faulk has shown sign of fear when in closed spaces. Ms. Adachi questioned about the previous bite report. She wanted to know about the circumstance surrounding it. Ms. Brown stated that there was a barbecue going on and the dog may have become fearful and the situation happened very quickly. Ms. Green questioned about the

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training class the dog is currently being trained at. Witness statement from Dr. Mike Eckel, father of victim of bite in May 2014 in Sudbury. Presented pictures, and stated dog was off leash, his daughter suffered, and is terrified of dogs. Dr. Eckel felt as though if the police were not called, Ms. Brown would have left the scene. Dr. Eckel offered the jacket that the victim (his daughter) was wearing at the time of the bite to the Board to examine. Ms. Osman inquired if the victim has received or asked for any type of counseling for the stress from the incident. Dr. Eckel stated that his daughter is handling it the way that she wants to heal to get over the incident and has certainly considered counseling as a result of the event. Ms. Green inquired the events leading up to the bite. The victim (Ms. Eckle) gave her statement of the event. Witness statement from Pamela Fallo. Ms. Fallo stated the dog attacked her while unprovoked. She presented evidence of a bite mark via cell phone photo.

Ms. Osman – move to deem dog dangerous

Mr. Berry – second

Mr. Gowing motioned to deem the dog as a “Dangerous Dog”, All Ayes, UNANIMOUS VOTE.

Ms. Osman moved to recommend the dog be muzzled and on a 3 foot leash at all times whenever it is in public

Mr. Berry – second

All Ayes – UNANIMOUS VOTE

7:45 p.m. TRB Development Group Application of 24 Hour Permit for CVS Pharmacy, 400

Massachusetts Avenue: Mr. Gowing read the Public Hearing notice at 7:45PM. Representing CVS Pharmacy is Attorney Lou Levine, Mike Gagnon, manger of CVS at 400 Mass Ave. Mr. Gagnon stated that CVS will close operations in one night at old (current) location. The current 24 hour permit at 393 Mass Ave licenses will terminate on the first day of opening at 400 Mass Ave. Deliveries are restricted (hours of deliveries), as well as lighting, which was dealt with the site plan review – no lights or shadows will affect abutters.

Ms. Adachi – move to approve the application for 24 hour permit

Ms. Green – second

All Ayes, UNANIMOUS VOTE

7:50 p.m. Site Plan Special Permit #07/03/14 – 450, 37 Knox Trail; Driveway Expansion: Mr. Gowing read the public hearing notice. Mr. Berry is the Selectmen Liaison. Counsel for the Applicant has requested an Agreement on Time Extension. Hearing continued to September 22, 2014 at 7:25 PM.

Ms. Green – move to continue hearing

Mr. Berry – second

All AYES – UANAIMOUS VOTE

8:00 p.m. Local Table, Rose Saia, Full Liquor License:

Mr. Berry questioned if all servers were TIPS certified – Ms. Saia stated yes.

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Ms. Green – move to approve the all alcohol license

Ms. Adachi – second

ALL AYES – UNANIMOUS VOTE

SELECTMEN'S BUSINESS

Water Resources Advisory Committee Draft Storm Water Bylaw – attended by members of WRAC, Jeff Clymer gave overview of the draft storm water bylaw.

Acton Nursing Service, Homecare Management Solutions Report Options – Doug Halley from the Health Department representing the HMS Nursing Report Options. Mr. Gowing stressed that there will have to be a Town Meeting to make the final decision on the future of the Acton Nursing Service. Mr. Halley gave the financial overview of the 4 options presented in his and the Healthcare Management System report and recommendations. Ms. Green noted the report made strong points regarding the needs of those who utilize the current service, and was realistic regarding what the options are. Residents were given the opportunity to speak about personal experiences. Ms. Adachi stated that the discussion is not about shutting down the service – it was about what direction the service will be headed or voted on at fall town meeting. Senator Eldridge also spoke about the board supporting the Acton Nursing Service. Mr. Gowing will work with the Finance Department to present to the Finance Committee the dollar amounts what the Acton Nursing Service is losing since the vote of last spring town meeting. Town Manager Ledoux requested to have a vote on the dates of the special fall town meeting for the September 22 Selectmen meeting. Dates discussed were November 12th and 13th.

SELECTMEN'S REPORTS:

Ms. Adachi: Acton Community Housing Corporation has requested appointment to update Selectmen about various issues including proposed housing production plan.

Design Review Board met 8/6 and more recently. Submitted comments on 37 Knox Trail, principally addressing concern about idling buses. Ms. Adachi is waiting for comments on proposed revised charge from Planning, Municipal Properties, Planning Board, maybe Zoning Board of Appeals; have Acton Community Housing Corporation comments; topic will be on Selectmen's agenda once all comments in.

Ms. Green: The **Historical Commission** met twice since the Board's last meeting. At the first meeting, they discussed the demolition of historic stone walls that they've seen going on around town. They are looking into who is in charge of monitoring the issue in town and enforcing rules around preservation where appropriate, as many stone walls are protected under the Scenic Roadways law. Their second meeting was largely to discuss the issue of adding the Nashoba Brook Pencil Factory to the National Historical Register. They've asked the Selectmen to endorse this proposal and that vote is on the Board's consent agenda for later in the evening. They also offered to come before us at a future meeting to present on the Pencil Factory. It's a very interesting property and Ms. Green encouraged the Board to consider this offer.

The **Board of Health** met and took a first pass at regulations regarding manure management in town. If you are interested in this issue, stay tuned as they will be having public hearings on the regulations in the near future.

The **Acton Memorial Library Board of Trustees** met and voted to recommend the initial FY'16 operating budget as proposed by the Library Director. The recommendation is a level service budget with an approximately 2.78% increase over FY'15. The Board of Trustees would like to reintroduce the idea of having the Board come before the Board of Selectmen on a yearly basis to provide an update on the library, etc. While it gets time consuming to have every board and committee in town appear before the BOS on an annual basis, Ms. Green encouraged the Selectmen to consider whether they are certain boards, like the AML Board of Trustees, that we may want to invite to come before us.

The **Acton Boxborough Regional School Committee** met and is starting the process of renaming the Elm Street basketball courts. They have a defined process for naming any school property so this is just the first step in that process. Ms. Green encouraged any interested members of the public to contact the school committee with their opinions. The School Committee also discussed taking the next step in establishing a transportation revolving fund. This is in reaction to a state law that was recently passed allowing regional districts to create such funds.

Mr. Berry: email report

Ms. Osman: **Citizens Library**:

- Book sale about to happen.
- I am overdue to connect with Citizens Lib. which I am liaison to.

Economic Development Committee (EDC) met.

- Worked on its goals.
- Committee had some questions about various businesses' statuses around town, Franny met with Steve Ledoux to get answers.
- They had a tour of West Acton Village Ecology (WAVE) project. Mathias Rosenfeld of that project will come to EDC on Sept. 18 to talk with the EDC.

Met with Andrew Scribner-MacLean, Assistant Town Manager of Maynard about whether we can get a flexible fixed route including Acton/Maynard and Emerson Hospital.

Council on Aging Board:

- They want to know what is going on with Senior Center Study Committee. Who is on it, would like to know its progress.
- Nonmedical Reserve Corps needs volunteers, if interested talk to Doug Halley, Health Director.

dhalley@acton-ma.gov 978 929 6632

Commission on Disabilities:

- Discussed nursing service at the last meeting.

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-Looked at question of bathroom on first floor of Town Hall, considered construction and distance issues, determined that second floor by elevator was acceptable so we don't need to ask the first floor handicapped accessible bathroom, presently

-It was requested that I share with Board of Selectmen and other committees that, during meetings at Town Hall, if you don't need a handicapped accessible bathroom, go to the ground floor, leave the more convenient bathroom on the "first" (second) floor for someone who might need it.

Mr. Gowing: **HDC** – the historic district held a public meeting for a development on Flannery Way in West Acton. Previously, units had been built on the opposite side of Flannery Way however, they were not located in the historic district. As it was more than 300 feet from the public way (Mass. Avenue), the use of clad windows and Azek trim was allowed (this is unique as the district usually only allows wood).

MAGIC – Town updates

Hudson – looking at a downtown revitalization (particularly parking). CIC grant with Framingham & Marlboro for complete streets. Master plan is done. \$3-5M released by Gov. for C.S. development grants.

Maynard – STM October (election of 2 selectmen) Nason St. parking deck completed. COA now at the Maynard Country Club

Lexington – MassDot has begun Rt. 2 improvements across Rt 95. Too many banks downtown resulting in a warrant article to create a moratorium on new banks. Boston MPO MOU is up for re-election. They are running for re-election as a town at large member.

Boxborough – CIC grant application for a resource guide. Affordable housing – looking for legal response.

Littleton – affordable housing was above 10%, fell below due to expiring permits, then back up to 12% due to Avalon. Commuter rail service (4 more trips). Sam Park/Market Basket will open after regular stores are restored. 300 birthday celebration was last Saturday.

Stow- downtown village plan (including well), STM in February to relocate the fire dept. and COA to the closed school. Board of Selectmen accepting applications for EDC (began 1966). Town center development (if the town buys). Adopting a complete streets.

Concord – Rt. 62 rail bridge in repair, along with most of the roads. New green communities grant for boiler, DOER grant for oil to gas for individual homeowners – Agriculture day September 13-14 where all the farm stands shut down center and provide a fall event.

Sudbury – **Raytheon is closing in three years!** Town council resigned. A Fall townmeeting is needed to meet redesigning the downtown area because newly discovered issue that will cost an additional \$750K and \$7.2 million prop 2 override on new police station shortfall of (\$700K).

Carlisle – expand the pathways (sidewalks), senior housing project almost filled (they anticipated a year – it has only been 6 mos.).

Consent Agenda

Ms. Osman – requested to hold item 7 – recusing

Mr. Gowing requested to hold item 8

Mr. Berry requested to hold item 17 , Acton Water District requests to hold item to the 9/22 meeting to vet through the Massachusetts Historical Commission

Mr. Berry requested to hold item 19 – requesting minutes to be amended and put back on consent for September 22, 2014

Ms. Green requested to hold item 21 -

Mr. Gowing – moved to accept Wright Hill Easement with recusal of Ms. Osman (item 7) – Ms. Adachi second – 4 Ayes, 1 abstain (Ms. Osman)

Mr. Gowing move to approve consent items 8-16, 18, 20-23. Mr. Berry second, ALL Ayes, UNANIMOUS VOTE

Extra Information

23. Request for special permission to sell fundraising cards on behalf of the Acton-Boxborough Soccer Boosters at various town-owned properties on September 20, 2014.

Ms. Green move to adjourn:

Ms. Osman - seconded

Meeting adjourned at: 11:30PM

Respectfully submitted,

Lisa Tomy, Recording Secretary

Peter Berry, Clerk

FINAL

BOARD OF SELECTMEN AND SEWER COMMISSIONER'S MEETING

September 22, 2014

Francis Faulkner Room 204

Regular Meeting 7:00 p.m.

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

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

Citizens' Concerns

None

Chairman's Update and Operational Update: Mr. Gowing – October 4th 2 events – West Acton Fall Frolic replacing Octoberfest, Iron Works Farm Open Tap Room. Spruce Street Café has closed. Series on “Clutter” at the Acton Senior Center. Transportation Seminar to be held at Ft. Devens October 2nd. Minuteman Capitol Project Committee cannot have school committee member serve on the committee- would like to have a FinCom member serve on the committee. Mr. Ledoux – attended international city manager convention – 100th anniversary as an organization in Charlotte, NC. Land Use staff well situated at 33 Nagog – ice cream social to be held Tuesday, Sept. 23 for all employees. Mark Barbadoro has resigned and will be taking the Building Commissioner position in Oak Bluffs, Martha's Vineyard. Sept 30 the Board and TM office are serving lunch at the Senior Center.

Public Hearings and Appointments

7:10 p.m. **Use Special Permit #07/30/14 – 452, 457 Great Road, Reduced Parking** – Mr. Gowing read the public hearing notice. Applicant has requested an extension of time to October 6, 2014. Ms. Adachi moved to continue hearing to October 6, 2014

Ms. Green – second the motion

All Ayes – UNANIMOUS VOTE

7:20 p.m. **Use Special Permit #10/11/13 – 445, 848 Main Street, Auditory Engineer Report:** - Mr. Gowing read the public hearing notice. Applicant has requested to withdraw application.

Mr. Berry moved to accept the request from the applicant to withdraw application without prejudice, Ms. Green seconded the motion

All AYES - UNANIMOUS VOTE

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7:25 p.m. **Site Plan Special Permit #07/03/14 – 450, 37 Knox Trail, Driveway Expansion, continued from September 8, 2014** – Mr. Gowing read the public hearing notice. Mr. Berry is the Selectmen assigned to the site plan. The original application was to park school buses and to create an easement access to reconfigure the parking lot and driveway. Approximately 26 busses to be placed there with a traffic study included in original application. The property is an office building and the Town of Concord was not going to utilize the building. New information from counsel from Town of Concord now seeking to utilize the office building and do not want to park buses at Knox Trail.

Mark Brobrowski – Counsel for the Town of Concord, Chris Whelan – Town Manager Town of Concord and Nitsch Engineering gave a general overview of the site plan with more extensive detail given by Nitsch Engineering.

Water Commissioner spoke regarding concerns regarding the plans at 37 Knox Trail.

Citizen Jim Snyder-Grant concerns regarding the property and water concerns. Corey York, DPW/Engineering Director commented on the concerns of the Engineering Department regarding storm water runoff.

Ms. Green suggested that the Acton Water District and Town Engineers need to further study and comment and make recommendation regarding water quality.

Ms. Green moved to continue to October 6 at 7:55

Ms. Adachi seconded the motion

All Ayes

UNANIMOUS VOTE

7:35 p.m. **Liquor License Transfer, Great Road Seafood Sales:** Mr. Gowing read the public hearing notice.

Ms. Green moved to approve transfer of liquor license

Ms. Adachi second

All Ayes

UNANIMOUS VOTE.

7:40 p.m. **Traffic Rules and Order Policy, Mailbox Replacement Policy, Private Way Plowing Program, Corey York, DPW/Engineering Director:** Corey presented an overview of the Traffic Rules and Orders – looking to adopt the changes and updates since the late 60's and 70's.

Ms. Green moved to approve the Traffic Rules and Order Policy with correction of the typos in document

Ms. Adachi second

All Ayes

UNANIMOUS VOTE

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Mr. York continued the discussion in regards to the mailbox replacement policy.

Ms. Green moved to approve the Mailbox Replacement Policy and lower reimbursement to be capped at \$100 vs. the \$200 listed in the Mailbox Replacement Policy

Ms. Osman seconded

All Ayes

UNANIMOUS VOTE

Mr. York continued the discussion in regards to the Private Way Plowing Program.

Ms. Green moved to approve private way plowing program

Ms. Adachi seconded the motion

All Ayes

UNANIMOUS VOTE

Selectmen's Business

Pay As You Throw Program, Corey York– Mr. York continued with an overview of the Pay AsYou Throw Program at the Recycling Center, Transfer Station and (Swap Shed?) (also known as Save Money and Reduce Trash).

Ms. Green and Ms. Adachi brought up 2 different size bags to accommodate households that do not produce as much trash a larger family would produce. TM Ledoux strongly believes that the town should take the time to fully educate the general public regarding this program. Mr. York is looking for approval from the Board if the Town wants to move forward with this type of program.

Ms. Osman moved to ask town staff to develop a warrant for Town Meeting and develop an educational training for the general public

Ms. Adachi seconded the motion

All Ayes

UNANIMOUS VOTE

Acton Community Housing Committee, Housing Production Plan – Nancy Tavernier gave an overview of the Housing Production Plan.

Discussion on Acton Nursing Service Options - Doug Halley presented and explained his memo regarding the Acton Nursing Service, and recommendation of warrant article for vote at the Special Town Meeting.

Steve Noone reviewed the FinCom recommendations and did not recommend continuing with the Enterprise Fund for the Nursing Service. Several residents spoke in favor of the nursing service, and encouraged to have the warrant article be sent to Town Meeting for the residents to vote on. Ms. Green recommends o closing the enterprise fund and putting it in the operating budget.

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Ms. Osman agrees to move the service from enterprise to operating budget

Mr. Berry agrees to go to town meeting and move the service from enterprise to operating budget

Ms. Adachi spoke as the voice of residents who have not utilized the service nor do not want taxes raised. Suggested that her decision is to go to the Navigator Service option

Ms. Green voted to have an article that moves ANS from the enterprise fund to the operating fund

Ms. Green voted to go to the Special Town Meeting with two warrant articles. Article 1 would dissolve the enterprise fund – if voters vote yes, then move to article 2 – motion to move the enterprise fund into the general fund FY16 (shut down the Nursing funding). If voters vote no on article 1 then move to the Health Navigator. If no on that, then article 3 – dissolve the service

Ms. Green - Motion to move to recommend Town Manager put together 3 warrant articles.

Ms. Osman seconded

4 Ayes, 1 Nay (Ms. Adachi)

Motion passes.

Vote on Special Town Meeting, November 12, 13, 2014 – Ms. Adachi moved to have Special Town Meeting , Ms. Osman seconded

All Ayes – UNANIMOUS VOTE

Selectmen's Reports:

The Selectmen Reports were withheld and will be reviewed at the October 6, 2014 regular meeting.

Consent Agenda

Mr. Berry moved to continue item 13 to October 6, 2014 meeting to get corporate vote from Wine-Cask Cellar (missing from application)

Ms. Green seconded

All Ayes -

Ms. Green moved to approve consent items 10-12, 14-23. Ms. Osman seconded.

All Ayes

UNANIMOUS VOTE

Item 22. Cremation plot price change (no increase) -

Item 23 Disclosure of Conflict of Interest -

Ms. Green moved to adjourn, Mr. Berry seconded

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Meeting adjourned at: 11:45 PM

Respectfully submitted,

Lisa Tomyl, Recording Secretary

Peter Berry, Clerk

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**SPECIAL SELECTMEN'S MEETING
OCTOBER 15, 2014
CHIEF'S CONFERENCE ROOM ACTON PUBLIC SAFETY FACILITY
371 MAIN STREET**

Present: Mike Gowing, Katie Green, Janet Adachi, Peter Berry, Franny Osman

Also Present, Steven Ledoux, Town Manager; Stephen Barrett, Finance Director; Brian McMullen, Assistant Finance Director

Chairman Gowing called the meeting to order @ 7 PM. The meeting was not televised.

The purpose of the meeting was to prepare for the joint Boards meeting between the Selectmen, School Committee and Finance Committee, which will be held on October 28th.

Using the template provided by the Chair of the Finance Committee, the Town Manager and Finance staff reviewed assumptions that they had placed in the five year plan for the Board's consideration.

Ms. Osman stated it would be helpful if actual budget numbers were in the model to get a sense of the magnitude of the percentage assumptions placed in the model. Steve Barrett will provide.

A capital project of \$4,000,000 was placed in FY17 and another project of \$6,000,000 was placed in FY19. The projects were generic in nature and possibly could represent a North Acton Fire Station and a new Senior Center. The Board felt that the assumptions for growth in wages should be adjusted to assume that both capital projects would result in added personnel.

Staff was directed to also review the assumptions for growth in utility costs with the Municipal Properties Director.

Even though not part of the Municipal budget, the Board felt that Minuteman Vocational Technical School assessment should be added to the model as it will have a financial impact, particularly if a capital project moves forward.

Staff will adjust model and distribute to Selectmen and Finance Committee Chair.

Ms. Green moved, seconded by Peter Berry to adjourn. All AYES

Meeting adjourned @ 9 PM.

Respectfully submitted;

Steven L. Ledoux, minute taker

Peter Berry, Clerk

BOARD OF SELECTMEN AND SEWER COMMISSIONER'S MEETING

October 20, 2014

Francis Faulkner Room 204

Regular Meeting 7:00 PM

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

Chairman Gowing opened the meeting at 7:10 p.m.

Citizens' Concerns

Florence Ross, president of the Friends of the Acton Nursing Service, made announcement regarding the Acton Nursing Service was designated among the top 100 Home Care Elite for 2014.

Chairman's Update and Operational Update: Mr. Gowing: General elections take place on November 4, and Special Town Meeting will be held on November 12. The Planning Board will be holding a meeting on October 21 at 7:45 regarding Zoning Articles at Special Town Meeting. On October 22, 2014 at the Littleton Train Station, Dr. Beverly Scott, Chairman of the MBTA officially will announce the reverse commuter train arriving at Littleton at 8:50 am. There will be a Tri-Board meeting of the School Committee, Finance Committee, and the Board of Selectmen on October 28 to discuss the long range financial issues in Room 204 at 7:00 PM. The meeting is open to the public.

Mr. Ledoux:- October 8th and 9th was "On the Hill" meeting with all town departments, the budget team is in process to put together FY 16. Budget will be presented on 12/16. Reached settlements with police union to withdraw from civil service. Mary deAlderete, Asst Town Clerk resigned and is now the Town Clerk in Lancaster. Katelin Downer, Information Technology, accepted job with Children's Hospital running the phone systems – her last day is October 31.

Public Hearings and Appointments

7:10 p.m. **Use Special Permit #09/09/14-453, 508 Nagog Park Increased Seating** – Mr. Gowing read the public hearing notice. Attorney John McNamara representing applicant. The applicant is requesting to increase seating capacity to 150 seats. Ms. Green move to approve with condition of Board of Health (external grease basin prior approval), Ms. Osman second. All Ayes, UNANIMOUS VOTE.

7:25 p.m. **Site Plan Special Permit Amendment #07/10/09-422, 107-115 Great Road, Wetherbee Plaza II, Site Modifications and Addition to an Existing Structure:** - Mr. Gowing read the public hearing notice. Ms. Adachi assigned selectmen. Proposed carriage house to attach to faux windmill (existing structure). Ms. Adachi recommends continuation of hearing due to late submissions of updated Board of Selectmen

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department heads comments. Engineering company for Wetherbee Plaza II agrees to continuance. Mr. Bertolami was inquiring what specifically was needed for this project to move forward. Ms. Adachi read over late submissions from staff comments (received by BOS today). Ms. Adachi moved to continue to December 1, 2014 at 7:10 PM. Ms. Green seconded. All Ayes, UNANIMOUS VOTE.

7:40 p.m. **Pegasus Tack Shop, Class II Dealers License**— Mr. Gowing read the public hearing notice. Ms. Osman stated a concern with the recommendation from Planning of not having enough parking if allowing the Class II Dealer's License. The Applicant is requesting to supplement her income by selling trailers and tow vehicles. There are currently 11 parking spots at the location. Ms. Green questioned Scott Mutch, Zoning enforcement officer about required parking spots for the location. Mr. Mutch explained there is 1 parking space for 300 square feet of net floor area ratio. Taking spots away would be non-compliant in an already non-compliant lot. Mr. Berry questioned the application of the name of the corporation – it was listed as a d/b/a of Village Subaru. Mr. Bertolami was listed as the member of the board, and Ms. O'Conner was not. Mr. Berry move to deny application request for Class II Dealers License, Ms. Green, seconded. All Ayes – UNANIMOUS VOTE.

7:50 p.m. **Full Liquor License Transfer, Concord Brewery, Inc., 5 Strawberry Hill Road:** Mr. Gowing read the public hearing notice. Application for All Alcohol transfer from Sprigs Restaurant. Ms. Green moved to approve transfer of All Alcohol License, Mr. Berry seconded, All Ayes, UNANIMOUS VOTE.

7:55 p.m. **Common Victualler License, Concord Brewery, Inc., 5 Strawberry Hill Road.** Mr. Gowing read the public hearing notice. Ms. Green moved approve common victualler, Mr. Berry seconded, All Ayes, UNANIMOUS VOTE.

Selectmen's Business

Board of Selectmen to Review Special Town Meeting Warrant Articles and Take Positions on Articles Andy McGee, Acton Conservation Committee gave a short presentation regarding the warrant article #21 – Land Acquisition, Dunn Conservation Land. Selectmen were assigned warrant articles, all articles were voted upon. Article 17 and 22 were removed from the warrant – article 17 was a placeholder and 21 may move to Spring Annual Town Meeting.

Kelly's Corner Improvement Initiative Update, Kelly's Corner Steering Committee – an update was presented regarding updates with the Kelly's Corner Steering Committee. Possibility of Zoning bylaw changes for a potential special town meeting in the fall of 2015.

Selectmen's Reports:

Ms. Adachi: **Acton-Boxborough Cultural Council** – Meeting tonight: updates re finances (grant payouts for FY14), NARA sculpture, etc. Looking for webmaster.

Acton Water District – Meeting tonight: groundwater protection bylaw amendment, 37 Knox Trail status, update on South Acton treatment plant construction.

Conservation Commission, 10/15 – Caught tail-end of discussion of Arboretum parking lot project. Town staff will need to address abutters' concerns, which are mostly beyond Commission's jurisdiction.

Finance Committee – Meeting tomorrow. Agenda similar to that for 10/14 meeting:

- Tax relief proposal - vote postponed due to need for perspective of Finance Department and more information as to who would qualify, how much relief, etc. Proposal for appropriation of 200K for assessor to apply for tax relief: minimum 10-year residency as of 1/2014; circuit breaker applied but relief insufficient; FY14 taxes exceeded 10% of income. Committee members expressed concern that residents who were house-rich, cash-poor, and who have other options available to them, could quickly deplete funds.
- POV for FY16: Discussion of tax rate, reserves level, proposed use of stabilization fund.
- Committee report on Community Preservation Committee: Surcharge receipts ~833K, open space fund balance@1.6M. Matching probably will be lower; additional legislature appropriation of up to 25M of surplus, if any (see MMA breakfast discussion, below).

Land Stewardship Committee – Meeting tomorrow.

Water Resources Advisory Committee – Meeting 10/22 about draft bylaw, postponement to 2015 Annual Town Meeting.

Diversity Coalition, 10/15 – See Ms. Osman's report.

Safety Net, 10/16 – Mr. Gowing also attended. Discussion of proposed mission, vision. Some participants would like to see more action demonstrating group's effectiveness. Group actually has had positive impact, but needs to look back periodically, identify successes resulting from service-providers coming together to share information.

MA Municipal Association Legislative Breakfast meeting, 10/17, Bedford Town Hall – Mr. Gowing, Mr. Berry also attended. Formal legislative session done but informal work continues. Significant efforts for FY14:

-Gun violence legislation, significant for police and schools

-Economic development legislation, though cap remains on liquor licenses, and lifting that is MMA priority for FY15

-Revival of Foundation Budget Review Committee, with expectation of long overdue update of formula for school foundation budget (created by law 1993) and related school aid; increasing number of

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districts get minimum aid and rely increasingly on municipal property taxes to fund what state aid does not cover. Rep. Peisch (Weston) said initial focus will be on special education and health benefits costs, which original formula underestimated; 3-4 hearings between now and February.

-CPA funding for FY15 – authorization of up to 25M budget surplus to supplement deed excise revenues. Would amount to 45% match. But revenues looking weaker so surplus might be slim/none. Sen. Eldridge mentioned proposal to double registry fee: same source, more \$.

- Water infrastructure legislation, thanks to Sens. Eldridge and Representative Dykema.

- Other capital funding: MMA supports 3-year authorization for ch. 90 funding to allow better planning at local level.

- OPEB - Proposed legislation went nowhere; MMA opposed because would have mandated coverage that some municipalities didn't provide, interfered with municipal ability to change plan provisions.

- Minuteman High travails - Need for new school, non-members sending 40% of students but not sharing in capital costs, etc. Rep. Peisch said is general problem with vocation-technical schools state-wide.

-Transportation – Need for alternatives to 1-person-1-car, but Sen Barrett noted need to look at not just vans, but possibility of ride-sharing using various applications, though cab companies oppose ride-sharing; Bedford BOS chairman noted need for jobs transportation not just for office workers but for restaurant workers, and importance of collaboration where transportation needs involve crossing border between transportation regions.

- Other - Sen. Barrett asked if any municipal interest in November local election option; Lexington having special local election in November to fill BOS, School Committee spots; voter participation could be higher but some concern among meeting participants that local races not partisan in the way that state-national races are.

-See MMA 9/2014 report on 10 Partnership Policies addressing hot-button issues.

495/Metrowest, Water Resources Committee, 10/22 - Ms. Adachi and Matt Mostoller of Acton Water District will attend special presentation on draft EPA permit/regulation on stormwater and related issues.

Ms. Green: Recreation Committee met and discussed issues with NARA grill rentals since this was a new plan, and are working out to plan for next summer. Discussed increasing their program fees in relation to the planned increases in minimum wage over the next 3 years and how that would impact their various programs such as Camp Acton and other programs that staff minimum wage workers. Discussed capital requests the will be recommending for CPC funding.

Historical Commission met to discuss rehabbing the sign at Liberty Tree Farm, discussed re-introducing Archeological inventory and Preservation Bylaw for Fall Town Meeting. ALG met on 10/9/2014. School Committee met and decided to name the Elm Street basketball courts after Paul Cartright. Presentation from SPED Pac highlighted trends in special education in the school and budget implications, and discussed 5 year plans that will be presented at the upcoming Tri-Board meeting

Ms. Osman: Oct. 6 to 10 – Community Innovation Grant CIC - hard work to get it out and reach supporters and partners. Doug Halley is to be commended for the extra miles he goes! This grant tries to move Cross Town Connect from the development stage into on-the-road service improvement. Involves fixed route to Emerson on one end and first mile/last mile from train service toward Devens on the other, developing a strategy, then testing it with making the Clock Tower Place rail shuttle go both ways. This would be the fourth of four years of funding from CIC if we get it.

Oct. 7 **Commission on Disability**- I did not attend but it met to work on its objectives for the coming year. It has been very helpful having some members who came from a business background suggest some processes to help along the discussion.

Oct. 15 **Rotary Club**- I was the guest speaker and , while in the past I would have spoken only about transportation, this time I was asked to speak briefly on transportation but otherwise go out on a limb and read my poetry. So I did.

Oct. 15- **Acton-Boxborough Coalition for Diversity**- We worked on finalizing our report of our year and a half's work trying to identify areas of our community where diversity issues need attention, and we discussed ways to share this report.

Oct. 16 **Economic Development Committee** meeting canceled.

Oct. 16 **Regional Coordinating Council** meeting cancelled.

Oct. 16- Listened to municipal officials' telephone briefing on Ebola by Department of Public Health and Emergency Management.

Oct. 20- Met with JD Head, Facilities for Schools, and with Ed Weiner, Transportation Manager, and discussed transportation improvement ideas and where their hurdles are. They recently purchased a 77 seat (regular size) school bus that is wheelchair accessible, based on the awareness that sports players who use wheelchairs always have to be driven separately from their teammates to meets and games. JD and I discussed ways a school-owned accessible bus could contribute to the transportation program of the town, among other issues.

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Oct. 22 830 am at Littleton Station will be the celebration of the new train schedule that allows for reverse commute to this area, a boon to businesses seeking good employees who may not want or be able to live or drive out here. There will be a contingent of people starting out from Acton at 8:29 am by train and arriving in Littleton for the event, including me and also Senator Jamie Eldridge. Join us!! Meet at the South Acton train station between 8:10 and 8:25.

Mr. Gowing: Legislative Breakfast – 3 state senators (including Jamie Eldridge) and 3 state reps (including Corey) attended the MMA legislative breakfast in Bedford and discussed topics such as: chapter 70 and the formula to arrive at each town's dollar amount, OPEB reform, chapter 90 money, or UGGA, vocational and regional schools, and Ebola. The big issue in the upcoming year will be the change in leadership both in the Gov.'s office and the Senate president.

Cable Advisory board – cable advisory board discussed converting the towns signal supplied to Comcast from analog to digital and want to approach Comcast to fix a date in the near future. Comcast has been reluctant in the past citing competitive concerns with Verizon.

SafetyNet – the safety net is looking to develop a mission statement and vision for the future. In this 1st meeting, the focus was set on what will success look like in the future. Some critical features were identified such as: jobs, dollars and budgeting, housing, transportation, CNA/assisted living, schools and medication.

Historic District Commission (HDC) – the historic district commission discussed the potential zoning article that they would like to bring forward but felt they were too late for the fall town meeting. They plan on presenting it to the planning board/department in the near future with the goal of getting it on annual town meeting.

ALG – ALG agreed upon a substitute moderator (Lauren Rosenzweig Morton) to shadow the meetings during Bart's leadership and filling in during his absences. We had a 1st pass discussion on the spreadsheet.

Regional Transportation Advisory Commission (RTAC) – I was officially elected chair of RTAC with my term beginning in November. This will give me a vote on the MPO (along with 2 other votes in the MAGIC sub region from Bedford and Lexington).

Consent Agenda

Ms. Osman requested to hold 9, and moved to remove full member status and move to Associate Member. Ms. Adachi seconded. All Ayes

Mr. Berry requested to hold item 12 with questions both disclosures. Mr. Berry moved to put back into consent

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Ms. Green moved to approve consent items 10-18, Ms. Adachi seconded, All Ayes – UNANIMOUS VOTE.

Ms. Green moved to Adjourn, Ms. Adachi seconded.

Meeting Adjourned at 10: 35 PM

Respectfully Submitted,

Lisa Tomyl, Recording Secretary

Peter Berry, Clerk

BOARD OF SELECTMEN AND SEWER COMMISSIONER'S MEETING

November 3, 2014

Francis Faulkner Room 204

Regular Meeting 7:00 PM

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

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

Citizens' Concerns

Barbara Wilson – Chair of Council on Aging, is interested in the Board's stand on getting Senior Center Study Committee running. Mr. Gowing explained that there has not been an appointment as of yet but will put it on the agenda for November 17th.

Chairman's Update and Operational Update

Mr. Gowing – Reminding everyone that Election Day is November 4th. League of Women Voter is holding a panel on the Acton Nursing Service on November 6th at 7:00 PM and will be televised. November 12 will be the Special Town Meeting at 7:00 PM at the Acton-Boxborough Regional HighSchool Auditorium. Babysitting services will be offered and the MinuteVan will provide free transportation.

Mr. Ledoux – Intermunicipal agreement for Regional Housing Services Office – Town of Burlington becoming a member and may have another signing with the Board of Selectmen. Met with neighbors of Taylor Road with Ms. Adachi, Conservation Department, Engineering. The abutters had concerns about traffic and what solutions can be worked out by all parties. More 25 MPH signs postings, portable speed bumps for summer and spring. Another meeting is planned. Health Insurance meeting –preparation for Special Town Meeting this Wed at 7 PM at Public Safety Facility. Counsel for Wetherbee Plaza proposed another settlement which will be discussed in Executive session on 11/12 perhaps.

Public Hearings and Appointments

7:10 p.m. **Transfer of Stock, Spicepepper Garden** – Mr. Gowing read the public hearing notice. Chris Colman representing Li Fat, Inc. Ms. Green Moved to Approve, Ms. Osman Second. All Ayes, UNANIMOUS VOTE

7:15 p.m. **Change in Manager, Not Your Average Joe's, Inc. Alan Kusch** – Mr. Gowing read the public hearing notice. Alan Kusch appeared personally. Ms. Green moved to approve, Ms, Osman seconded. All Ayes. UNANIMOUS VOTE

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7:20 p.m. Use Special Permit #07/07/14 – 450, 37 Knox Trail, Driveway Expansion, cont. from October 6, 2014

Mr. Gowing read the public hearing notice. Mark Brabowski, Esq., Chris Whalen, Town Manager for the Town of Concord, and Sandy Brock from Nitsch Engineering were present. Ms. Brock reviewed the meeting from October 6th and the requests made by the Town for changes, etc. Nitsch Engineering updated the changes and explained the changes made. Mr. Berry suggested one minor condition on the bicycle racks that could be a condition of approval. Ms. Adachi had a question regarding the storage of snow and what substances will be used on the paved surfaces to keep ice from accumulating and also where the snow will go when it melts. Ms. Brock stated that there are no unusual things used just sand and salt and if there are salt restrictions, then sand only. No dirty piles of snow. Concord Town Manager will host two monitored watering wells. Representative (Matt) from Acton Water District spoke about the cost of the monitoring wells – about \$4000.00.

Acton Water District accepted the condition from the Town of Concord to install the monitoring wells. Concord wants to wait for an application with the Acton Water District to install the monitoring wells. They will have to go back to Acton Water District for the connection with the Concord property (WR Grace property).

Ronald Parenti, Commissioner of Acton Water District – preference of Commissioners is that the wells be installed immediately. Acton Water District stated they will have someone else install them.

Mr. Gowing stated that Engineering /Planning/Acton Water District are all in agreement with the changes that Nitsch had made with the recommendations of each department.

Selectmen's Business

Community Preservation Committee Application Reviews and Order of Priority Result of Board

on prioritizing Applications:

1. Assabet River Rail Trail Easement Application
2. NARA Safety Improvement
3. NARA Picnic Pavilion Restroom
4. Irrigation Wells Arboretum & Mission Farms
5. Skate Park Expansion
6. Acton Arboretum Fern Boardwalk Replacement
7. Invasive Water Chestnut Plant Removal

Board of Selectmen to Take Positions on Planning Articles:

Article 9 – Ms. Green moved to recommend, Ms. Adachi seconded All Ayes, Recommended

Article 10 – Ms. Adachi moved to recommend, Ms. Green seconded. All Ayes – Recommended

Article 11 – Mr. Berry moved to recommend, there were no seconds. Article to remain deferred.

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Ms. Adachi: Acton-Boxborough Cultural Council – Meeting at NARA last Friday with ABCC member Linda Mayer, Recreation Director Cathy Fochtman, Natural Resources Director Tom Tidman, about ABCC-donated sculpture, "Heron's Dream."

- 1) Town obligation for maintenance, namely, lubrication of pivot points. Artist recently did annual maintenance herself. Town probably will do maintenance in winter when water frozen
- 2) proposed brass plaque on existing granite stone

Conservation Commission – Two meetings about proposed Arboretum parking improvements and abutter concerns about traffic, impact on buffering vegetation. Town Meeting approved Community Preservation Act funding for the improvements. 10/15, on-site meeting of abutters and Town Manager, Town Engineer, Natural Resources Director, Chris Prehl of Police Department, Arboretum Friends Chairman Cathy Hatfield and other members. Follow-up discussion last Wednesday among Town staff and Ms. Hatfield and Town Manager e-mail to abutters with actions that Town proposes to take to address concerns. Abutter letter in Thursday's Beacon was misleading, does not accurately reflect parcel condition or Town's efforts to address abutter concerns.

Finance Committee, 10/21 – Extra meeting to vote Special Town Meeting article positions, prepare for 3-boards meeting on 10/28; discussion of modifications to draft Point of View document for FY16 budget. Vote to recommend Bob Evans's senior tax relief proposal (10+ yrs residence, qualify for circuitbreaker relief but insufficient; FY14 tax bill >10% income). As for concern at prior meeting about depletion of fund by house-rich, cash-poor residents, they would not qualify for the prerequisite circuitbreaker relief, and Assessor would retain discretion in awarding relief.

Water Resources Advisory Committee, 10/22 – Compliance with recently issued draft EPA permit/regulations on stormwater management goes beyond draft stormwater bylaw and WRAC working on, and will involve Town departments and probably other Town committees. WRAC plans to re-circulate latest draft reflecting Planning Department input for comments from Engineering, Building Departments.

Regionalization Finance Oversight Subcommittee, 10/23 – Review of 10/16 School Committee preliminary FY16 budget presentation (Ms. Adachi circulated to Selectmen); discussion of how to track savings/benefits of regionalization. Level-service budget. Superintendent to confer with AB Finance Director for updated, more detailed numbers, such as update to reflect shift of OPEB obligation to AB. - OPEB – AB hasn't adopted policy of funding "normal cost." Vince Ammoroso, Boxborough Selectmen chairman, suggested asked bond-rating agencies about reasonable funding target; Ms. Adachi noted that Town and schools collective contribution for Acton was result of consensus of special OPEB committee that included School Committee representative, so any proposal to revisit recommended amount would require consensus of the OPEB committee.

- Benefits/savings of regionalization – Need to differentiate between increases/decreases due to "wash" shift of obligation from one entity to another; and true increases/decreases. But also need to avoid leaving voters with impression that long-term savings/benefits actually not materializing as proponents of regionalization represented.

Bruce Freeman Rail Trail Friends information session, 10/21 – Update on project by MA-DOT engineers. Friends President Tom Michelman was master-of-ceremonies, has moved to Arlington. Phase 2A (Carlisle-Acton, 5 mi) put out to bid, construction to start spring 2015, finish 2016. 6 bridges to be refurbished, 1 overpass over Great Road near Davis Road (up 20'). Conservation Commission permitting was biggest challenge because much of project in vicinity of wetlands, other resource area under Commission purview.

495/Metrowest Partnership Water Resources Committee, 10/22 – Special presentation on draft EPA permit/regulation on stormwater and related issues. Matt Mostoller of Acton Water District also attended. As noted, Town will have to undertake broader compliance effort, beyond stormwater bylaw that WRAC working on. Comment period on draft permit ends 12/2014; up to 1 year for EPA to process/respond to comments; final permit would have 6-mo delay in effective date to allow communities time for transition.

Rep. Atkins District officials meeting, 10/31 - 4 of 5 Acton Selectmen present. Significant district-wide concern about growing special-education cost, need for more state aid to offset cost.

Ms. Green: nothing to report

Ms. Osman: **Commission on Disability COD**

Mary Beth Coyne of Department of Development Services DDS and a client of her, Nora, and another parent and child and someone else who helps Nora came to talk about their experiences in independent living and working, and related challenges. They were not familiar with some of the transportation options or had had difficulty using our vans due to busyness. Biggest thing is lack of transportation services

Issues discussed at COD included some Douglas School fields, lower fields, slope of Acton Funeral Home ramp- may have site visit unless the Funeral Home decides to deal with it themselves. See COD minutes for details.

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COD Letter to Beacon approved in support of Acton Nursing Service.

TRAIN STATION EVENT ANNOUNCING THE IMPROVED OUTBOUND MORNING SCHEDULE WAS PLANNED IN LITTLETON OCT 22 2014

postponed, apparently due to a speaker's scheduling conflict

Economic Development Committee EDC:

Conversations ongoing among Derrick Chin of EDC, a business owner at Powdermill Plaza, and Scott Mutch about the slow rate at which the landlord there is accommodating the business owner's request for signage. Scott Mutch is assisting us in clarifying issues and moving the process forward as best as it can.

Informal discussions with JD HEAD, OTHER TRANSPORTATION STAFF re: two transportation issues:

--afternoon transportation for students, presently provided with difficulty in two ways: immediately after school, students signing up to use a different bus; and MinuteVan. We agreed it would be useful to look into fixed route combining these needs—possible students only for two circles beginning at the end of school, then adding the general population as CrossTown Connect already provides, for a few more circles. A new accessible vehicle the schools have could assist—though it is busy when students with mobility limitations have sports—this bus could assist. We are setting up a meeting within a month to discuss these, and while JD is very positive about the potential, he realizes it depends on the support of the School Committee and the Superintendent of Schools.

--Concord, Acton-Boxborough, and Case Transportation share needs and have varying resources available to them.

Lowell Regional Transit Authority LRTA- Thurs. Oct. 23

Mike Gowing will report.

Metropolitan Area Planning Council MAPC- Wed. Oct. 29

Robert Davidson Staff Achievement award to Jennifer Garcia, General Counsel
Theodore Mann Award for Regional Leadership to Jay Ash, Chelsea City Manager
MAPC just completed a strategic plan that lays out its 5-year strategic goals. They also just released \$1M in technical assistance funding that communities can apply for. The Boston MPO elections occurred, and the four seats were running unopposed, which is not uncommon for those positions. The communities that won the election were Medway, Lexington, Beverly, and Everett.

Work Without Limits Conference (WWL) "Raise the Bar 'Hire' "- Oct. 30:

Inspiring and educational conference- I have plenty of materials and contacts as a result, related to workforce and transportation issues. I attended with a member of the Acton Commission on Disabilities. Board of Selectmen
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Housing Authority Regional meeting Oct. 30:

Interested, unable to attend.

Council on Aging COA, Nov. 3:

Some exercise classes are full and have waiting lists. Still, not everyone shows up. Still, the Director says that to have classes elsewhere would require staff being there.

A member of the committee, Bonnie Lobel, would like to reach out to seniors and future seniors to assess the desire/need for the Senior Center which would give more movement to the effort. Discussion about how to survey seniors.

Senior Tax Comm. met in June, COA members who attended discussed what efforts are ongoing here and in other towns.

Friends of the Acton Council on Aging has a fair Nov. 15, Saturday, at Senior Center, 9 to 2. Can get breakfast, lunch, stay the whole time. Raffle. Knitting and crochet, arts and crafts table, boutique, Select Chair being Santa Claus 11 to 12.

Mr. Gowing: **Health Insurance Trust** – H I T reviewed the 1st quarter performance as presented by our consultant, Cook and Company, and reviewed by our accountant. Due to the addition of Boxborough employees into the regional process, we are still determining why the numbers are not adding up yet. A review will be performed in the results presented at next month's meeting.

Cory Atkins meeting – Representative Atkins held a meeting of her communities to update them on the results of the last legislative session and what was happening on Beacon Hill. One of the major issues impacting all of the state Senators and Representatives is the new leadership coming in. We will have a new governor decided tomorrow, a new Senate President (Stan Rosenberg) beginning in January as well as critical positions that may impact the upcoming year like state treasurer, Atty. Gen., and transportation secretary as an example.

CPA funds have been impacted by a lessening of real estate transactions over the past year. The legislature and the governor signed off on a \$25 million transfer for this fiscal year (from surplus) but, if there is no surplus, that may adversely affect what happens to CPA in the following years.

Chapter 70 funding budget commission has continued to review the formula for chapter 70 to municipalities. It is difficult to see major changes occurring. Their final report is due June 30 of 2015.

OPEB legislation is doubtful in the next year. I think the spring Siegal report will help to see what direction they should head in. There are many small communities that are not currently funding postemployment benefits so it is difficult to impose a percentage split when discussing it.

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3 board meeting – the board of selectmen, the Fincom, and the school committee all got together to discuss each boards five-year projection as well as getting to know one another. We also discussed ways that we can save money for taxpayers going forward. There was a discussion around whether the 3 boards should meet more frequently (once per year) considering the new regional school district.

Consent Agenda

Mr. Berry requested to hold item 12 – held for future meeting – Mr. Berry moved, Ms. Green seconded – All Ayes

Ms. Adachi – move to approve 6-11, and 13. Ms. Green seconded, All Ayes

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

Meeting Adjourned at 10:00 PM

Respectfully Submitted,

Lisa Tomy, Recording Secretary

Peter Berry, Clerk

BOARD OF SELECTMEN AND SEWER COMMISSIONER'S MEETING

November 17, 2014
Francis Faulkner Room 204
Regular Meeting 7:00 PM

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

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

Citizens' Concerns

Mr. Charlie Kabakoff questioned about what is next for the Acton Nursing Service as far as helping the agency. Requested putting something on future agenda. Mr. Gowing suggested an Acton Nursing Service Task Force.

Chairman's Update and Operational Update:

Mr. Gowing – Veterans' Day breakfast at Holiday Inn Boxboro. Over 300 attended. Key note speaker overwhelmed by the volunteers of the Honor Students from Acton Boxborough Regional High School Honor Society. Special Town Meeting was successful and closed on one day. Acton Leadership Group meeting 7:30 AM November 20th.

Mr. Ledoux – Acton Nursing Service – professor from Boston University School of Management mentioned about having interns assist with the future of promoting Acton Nursing Service.

Public Hearings and Appointments

7:10 p.m. **Application for Full Liquor License, 525-537 Mass Ave, LLC** – Mr. Gowing read the public hearing notice. Mathias Rosenfeld was present representing 525-537 Mass Ave, LLC. Ms. Adachi Moved to Approve, Ms. Green Second. All Ayes, UNANIMOUS VOTE

7:20 p.m. **Change in Manager, Bickford's Restaurant, Daniel Goodwin**, – Mr. Gowing read the public hearing notice. Daniel Goodwin appeared personally. Ms. Green moved to approve, Ms. Osman seconded. All Ayes. UNANIMOUS VOTE

7:25 p.m. Action Items for Acton Arboretum Abutters on Taylor Road Discussion

Town Manager Ledoux, Ms. Adachi, Corey York, Town Engineer, Tom Tidman, Natural Resource Director, and Chris Prehl, Traffic Enforcement Officer met with abutters on Taylor Road side of the Arboretum on October 24th. The Conservation Commission is planning on expanding and adding a separate entrance/exit to the Taylor Road side (one entrance/exit). Action items were noted and made and presented to the abutters. The abutters had some difference and disagreements with the action points and requested audience with the Board of Selectmen. Tom Tidman and Bettina Abe from Natural Resources had a small presentation for the Board. There was concern about the nursery that has had

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quite a few plantings removed – Mr. Tidman pointed out the plantings have been relocated to the Public Safety Facility, NARA Park, etc. Corey York stated that the proposed new entrance gives enough site line at 23 Taylor – so there is more site line/safety factor. Resident Renee Brozyna at 26 Taylor Road spoke in response to the overall presentation by Natural Resources. Some abutters spoke about the safety concerns regarding the traffic flow (increased commercial traffic), speed, visibility of oncoming vehicles. One non-abutter spoke in favor of the new parking lot as one that cannot use it during the winter (due to condition of the current status), and pointed out that the concern of the abutters is more of a traffic/speeding issue. A suggestion was made regarding installing a 3 way stop at Coughlin/Taylor. Mr. Gowing stated that overall the paving is not the issue, and that it needs to be done. 2 issues are the second entrance and the speed on Taylor Road. Suggest taking another look at reducing the speed on Taylor, then the other problems would go away. Mr. Ledoux suggested posting more 25 MPH signs, and have the Traffic Safety Officer take another look at the suggestions from the abutters.

Ms. Green is in favor of original design with 1 entrance/1 exit. Ms. Osman agrees with Ms. Green, Ms. Adachi is in support of the current plans. Mr. Berry supports the current design. Mr. Gowing agrees with the current design.

Ms. Adachi moved to support moving forward with the current plans and checklist of improvements with Taylor Road from the Action Points (speeding), Ms. Osman seconded. All Ayes, UNANIMOUS VOTE.

Selectmen's Business

Design Review Board Charge Discussion – Ms. Adachi is proposing a revision in the current DRB charge. Ms. Adachi will provide an updated copy of the finalized proposed updates to the charge and the item will be placed on consent on the next Board of Selectmen agenda. Mr. Gowing would like to have some sort of “organizational tree” on how the Design Review Board flows.

Senior Center Committee Discussion – Ms. Osman is the liaison to the Council on Aging and Senior Center Committee. The charge was created October 10, 2014 and was advertised on the Town website. Some applications were received, but since then, it has never moved forward to create the Committee. Ms. Osman suggests forming a sub-committee to confront the current issues (short term) at the Senior Center currently also to look into relocation vs. redeveloping the current location. Ms. Osman stated the purpose of the meeting tonight is to get the committee formed and up and going. Ms. Green and Mr. Gowing clearly defined that a Community Center is excluded in the thought process regarding the Senior Center. Mr. Gowing also concluded that a Community Center is no less than 3-5 years away and requires a separate study. Ms. Osman requests to have 2 Selectmen as part of the Committee.

Ms. Green moved to change the charge the makeup of 10 members, 2 members of the Council on Aging, Ms. Adachi seconded. All Ayes, UNANIMOUS VOTE

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Ms. Adachi: **Acton Boxborough Cultural Council**, 11/6 – Missed meeting due to competing League of Women Voters forum on Acton Nursing Service.

Acton Community Housing Corporation, 11/6 – Missed all but first half-hour of meeting due to LWV forum. Housing Plan survey, 11/7-11/28, available for anyone to complete. Regional Housing Services organization expanding to include Burlington, which will receive services till end of 2014 via separate agreement with Concord. Maynard also interested in services, but on limited basis.

Acton Water District - Missed 11/10 meeting due to college reunion committee debriefing dinner. AWD meeting tonight. Agenda includes new groundwater protection zoning bylaw, preliminary warrant articles for AWD's 2015 annual meeting which is earlier in year than Acton Annual Town Meeting.

Design Review Board, 11/5 – Ms. Adachi arrived late due to Moderator's pre-Special-Town-Meeting meeting. 400 Massachusetts Avenue owner/developer were scheduled to discuss proposed landscaping for TD Bank and CVS properties, but instead made informal, advice-seeking presentation about proposed next construction phase, involving shopping center at back/southerly side of property, with parking in front and restaurants anchoring; and restaurant to east of CVS with building rear facing Route 2. Ms. Adachi has shared DRB comments with Selectmen, and suggested DRB share comments with Planning Department.

Finance Committee – Forming subcommittee to study stabilization fund options and report back to Finance Committee.

Water Resources Advisory Committee – As noted before, draft stormwater bylaw that has been focus of WRAC is only small piece of federal Environmental Protection Agency regulatory permit, issued in draft in 9/2014 that will apply to Town when EPA finalizes permit requirements.

Veterans Day observance, 11/11 at 11 – See report of Mr. Gowing. Highlight of annual ceremony is presentation of history of Acton flags.

495/Metrowest Partnership, 11/12 (morning of Special Town Meeting) – Presentation by MA Office of Business Development about Economic Development Incentive program in which Acton, and other more affluent communities now eligible to participate. State focus is jobs growth. But municipality can provide incentives (tax credits) for purposes that serve important local purposes, such as filling vacant commercial spaces. State still involved in review/approval of local incentives. Ms. Adachi circulated slides, other handouts to Economic Development Committee and Town Manager, who is looking at

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economic-development-related issues, would have attended but for need to be present to address last-minute Town Meeting issues.

Court of Honor, Eric Loverud, Troop 284, 11/15, Boxborough United Church of Christ (town's only church) across from Town Hall. Ms. Adachi's 1st Court of Honor in Boxborough and for Troop 284. Each troop's ceremony has different rituals. Troop 284 includes presentation on the numerous levels scout must complete before reaching Eagle stage. Eric is a 3d-generation Eagle Scout, so grandfather spoke, in addition to parents and sister. Project was the new sign for Miracle Field at NARA (which Ms. Adachi explained was now the Nathaniel Allen Recreational Area).

Ms. Green: Missed Historical District meeting due to attending the pre-town meeting meeting. Missed the the School Committee Meeting due to being on the panel for the League of Women Voters, attended the Special Town Meeting, and missed the Recreation Commission meeting due to travel.

Mr. Berry: Sidewalk committee met and reviewed two subdivisions

Ms. Osman: Nov. 6- Minuteman Advisory Group for Interlocal MAGIC meeting- Mike Gowing, also present, can report. My small highlight moment was during Eric Bourassa's discussion of the Long Range Transportation Plan: comparing and contrasting possible improvements with limited funds in our area... rotary? Expanded transit options? Lots of support for first mile from train-last mile from train transit needs in these suburbs. Lively discussion, almost 13 towns present.

This was the meeting agenda: (MAPC is Metropolitan Area Planning Council)

3:00 pm Welcome

Keith Bergman, Littleton Town Administrator, MAGIC Chairman

3:10 pm Application Information for District Local Technical Assistance (DLTA) and Assessment Technical Assistance

Mark Racicot, Land Use Planning Director, MAPC

3:25 pm Discussion of the Boston Region Metropolitan Planning Organization's (MPO) next Long Range Transportation Plan (LRTP)

MAPC Staff:

- Eric Bourassa, Director of Transportation Division

- Eric Halvorsen, Assistant Director of Transportation

Central Transportation Planning Staff (CTPS), Boston Region MPO

- Anne McGahan, Chief Planner

- Sean Pfalzer, Transportation Improvement Program Manager

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- Natalie Raffol, Transportation Planner
- Michelle Scott, Unified Planning Work Program Manager

4:35 pm Community Exchange
MAGIC Representatives

5:00 pm Meeting Adjourn

Nov. 6- League of Women Voters event pre-Town Meeting

Nov. 6- Economic Development Committee (EDC) doesn't have a quorum, cancelled.

Nov. 11 Veteran's Day breakfast

Nov. 12- Attended Finance Committee presentation at the Council on Aging: state of Acton's finances, highlights from its annual Point of View document, latest info on Senior Tax Relief, how budgets are shaping up. Maryann Ashton and Bob Evans presented. Lots of questions, and many on the nursing service as it was about to be discussed that night at Special Town Meeting.

Nov. 12- Town Meeting

This coming Thurs., Nov. 20, is a meeting of the CrossTown Connect board-- towns and business members.

Mr. Gowing: RTAC – at the recent Regional Transportation Advisory Council meeting there were 2 presenters on healthy transportation planning policies and practices. The 1st of these: Steve Miller, executive director, healthy weight initiative, Harvard school of Public health and board of directors for Livable Streets Alliance. The 2nd was: Barry Keppard, public health manager, MAPC. Both discussed ongoing activity in linking health and transportation in project performance evaluation and selection processes. They identified many studies that supported walking/biking and traffic safety when traffic calming measures are put into place.

MPO – the Boston region Metropolitan planning organization presented their central vision statement, draft goals and draft objectives for public comment period. They also presented “Charting Progress to 2040” the Boston regions next long-range transportation plan. There was a robust discussion regarding scenario planning for the future and the best method for getting public participation. It was my 1st appearance at the table as a voting member (representing RTAC).

HDC – the historic district commission discussed the recent analysis of the paint color from town hall (which turned out to be a buff color with forest green shutters and quoins - white buildings were typically churches). They also discussed potential zoning changes in the historic districts in the process to bring them before the planning board and planning Department with the idea of an article for annual

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town meeting. They ran out of time and had to postpone the discussion of sewers in West Acton until a future date.

MAGIC - members of the CTP S staff presented the same information that was presented at the MPO meeting except it was customized representing information that was relevant only to the MAGIC sub region of the MAPC. Both the magic plan and the general MPO plan can be reviewed on the MPO's website at www.BostonMPO.org/DRUPAL/charting_2040 - both have some very interesting data dashboard tools that the public can use to determine population density, high crash locations, highway and arterial road challenges, etc.

Consent Agenda

Ms. Green moved to approve 8-12. Ms. Osman seconded. All Ayes,

Ms. Green moved to approve item 7. Ms. Osman seconded. 4 Ayes 1 abstain (Ms. Osman)

Approval of Selectmen Issued Permits and Licenses for 2015

Common Victualler All Alcohol (sec 15)– Mr. Gowing moved to approve, Ms. Green seconded. All Ayes

Retail Package Store All Alcohol (sec 12)– Mr. Gowing moved to approve, Ms. Adachi seconded. All Ayes

Retail Beer and Wine (sec 12) – Mr. Gowing moved to approve, Ms. Adachi seconded. All Ayes

Common Victualler Beer and Wine (sec 15) – Mr. Gowing moved to approve, Ms. Green seconded. All Ayes

Carry In Liquor (Brown Bag) – Mr. Gowing moved to approve, Ms. Green seconded. All Ayes

Class II Used Car License – Mr. Gowing moved to approve excluding Northeast Collection 107 Great Road, suite 1+2, Ms. Green seconded. All Ayes

Class I New Car License – Mr. Gowing moved to approve, Ms. Adachi seconded. All Ayes

Entertainment License – Mr. Gowing moved to approve, Ms. Green seconded. All Ayes

Bowling Alley – Mr. Gowing moved to approve, Ms. Green seconded. All Ayes

24 Hour Permit – Mr. Gowing moved to approve, Ms. Green seconded. All Ayes

Automated Amusement – Mr. Gowing moved to approve, Ms. Green seconded. All Ayes

Taxi Cab – Mr. Gowing moved to approve, Ms. Green seconded. All Ayes

Taxi Driver – Mr. Gowing moved to approve, Ms. Green seconded. All Ayes

License to Tell Fortunes – Mr. Gowing moved to approve, Ms. Green seconded. All Ayes

Common Victualler Seating - Mr. Gowing moved to approve on the condition any outstanding personal property tax be resolved, Ms. Green seconded. All Ayes

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Ms. Green moved to adjourn, Ms. Osman seconded, All Ayes

Meeting Adjourned at 11:00 PM

Respectfully Submitted,

Lisa Tomy, Recording Secretary

Peter Berry, Clerk

Board of Selectmen
November 17, 2014

BOARD OF SELECTMEN AND SEWER COMMISSIONER'S MEETING

December 1, 2014

Francis Faulkner Room 204

Regular Meeting 7:00 PM

Present: Mike Gowing, Katie Green, Janet Adachi, Peter Berry, Franny Osman; Town Manager Steven Ledoux. Lisa Tomy, Recording Secretary

Chairman Gowing opened the meeting at 7:05 p.m.

Citizens' Concerns

None

Chairman's Update and Operational Update:

Mr. Gowing – I hope everyone had a wonderful Thanksgiving and successfully navigated without killing any relatives.

Representative Benson filed the Home Rule Petition, *An Act authorizing the town of Acton police patrol officers and superior officers to be exempt from the provisions of the Civil Service Law*, on behalf of the Town of Acton today. Representative Atkins and Senator Eldridge co-sponsored the bill, and will also advocate for the bill through the House and Senate.

Thursday, December 11 from 7 to 9 PM here in room 204, will be a public forum on housing production in Acton. Town of Acton is currently working with the MAPC to develop the plan that will guide affordable housing preservation and creation within the state-mandated affordable housing production target. They need your input! To RSVP please go to the town website and click on the Acton housing production plan.

Mr. Ledoux – A long term goal was to implement ALS for the Town rather than continuing as a member of Central Middlesex Emergency Response Agency. Reaching a temporary agreement with Fire Union – they did not ratify with the bargaining committee regarding ALS. The manager will schedule some executive sessions for future discussion. Current contract expires 2015.

ALG on 11/20. How to come up with and cultivate cost saving ideas as a topic on tonight's agenda.

Public Hearings and Appointments

7:10 p.m. **Site Plan Special Permit Amendment #7/10/09 - 422** – Mr. Gowing read the public hearing notice. Applicant has requested a continuance to December 15, 2014 at 8:10 PM. Ms. Adachi moved to approve the continuance hearing, Ms. Green seconded. All Ayes – UNANIMOUS VOTE

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7:15 p.m. **Nancy Banks Minuteman High School Representative to Update Minuteman Issues** – Gave an update about the school building project. Mike Majors is on the building committee.

8:00 PM **FY 15 Tax Classification Hearing** - Mr. Gowing read the public hearing notice. Representing the Board of Assessors present was Brian McMullin, Director of Assessor's Office, and Carol Liebner Srebnick, Chair. Both gave an overview of the FY15 Tax classification and what the BOS will have to vote on at the December 15th meeting. Citizen Herman Kabakoff requested that the Selectman look at the numbers to see if the increase in the residential rate and the decrease in the commercial rate can be changed. I

Ms. Green moved to request the hearing continuation to December 15th at 7:55, Ms. Adachi seconded. All Ayes, UNANIMOUS VOTE.

Selectmen's Business

Acton Nursing Service Task Force Discussion— Mr. Gowing led a discussion of proposed criteria for the Acton Nursing Service Task Force with the Board outlining the goals of forming this committee and the proposed charge for this committee. Ms. Osman stressed the importance of looking for other revenue sources (more community needs/wants). Ms. Green suggested recommending a yearly report and to make this a standing committee for the next five years at least. Mr. Gowing suggested the ideal makeup of the committee are people with financial backgrounds, networking skills, marketing skills, communication and sales skills, a charitable contributions expert, healthcare specialist, and a member of FinCom.

Selectmen to Discuss Budget Savings Sub Committee – This suggestion was brought up during the ALG meeting on 11/20 assessing the need for forming a budget savings subcommittee.

Selectmen's Reports:

Ms. Adachi: Acton Community Housing Corporation – Mr. Gowing already announced public session on proposed housing production plan, 12/11, 7:00, Room 204.

Design Review Board, 11/19 – Ms. Adachi missed meeting due to conflicting Water Resources Advisory Committee meeting, and has postponed Selectmen's continued discussion of revised charge to allow time for comments from Planning Department as well as DRB.

Land Stewardship Committee, 11/18 – Discussion of new Dunn parcel, which eventually will need trail work. Robbins Mill parcel needs signs and other changes to deter hikers from inadvertently trespassing on adjacent private property. Possible need for professional to address recurring problem in Town with beaver dams. Need to update maps online and in guide book; differing opinions as to whether to use previous, more complicated approach or invest in good mapping software.

Water Resources Advisory Committee, 11/19 – Members prepared to move forward with vetting of latest stormwater bylaw draft by Town departments, committees, public, Town Counsel, in expectation that bylaw will be on 2015 Town Meeting warrant. Consultant with expertise in compliance w/EPA stormwater requirements probably will be necessary at outset for implementation of bylaw. Ms. Adachi has discussed status, longer-term issues with Town Manager.

Acton Leadership Group-OPEB (other post-employment benefits) working group subcommittee, 12/3 – ALG reactivated working group, Ms. Adachi to be Selectmen-representative. Purpose: To revisit agreed-upon annual collective contribution due to School District request to reduce its share and have longer period to reach collective 1.4M, at which point annual collective contribution is to level off. Updated actuarial numbers will be available at some point.

Diversity Coalition, 11/20 – Finalizing final report about 2013-2014 discussions and conclusions; hope to circulate report to Town committees and community organizations this month.

495/Metrowest Partnership, 12/2 – Board of Directors meeting

Ms. Green: The Memorial Library Board of Trustees met. There's been a continuing uptick in traffic at the library for the past few months compared to 2013. They are finalizing the job description and pay range for the Assistant Director position and hope to post that shortly and they are moving forward with the facilities project and have selected a consultant to start that work. ALG met, but that was covered by the Manager and Chairman. The Acton-Boxborough Regional School Committee met and heard a presentation from the SPED PAC on trends in the MCAS scores for students in the region. The Finance Director provided an update on the FY'15 budget. It's generally in good shape, but there are some potential issues with the salary accounts, legal fees, and special education transportation line items. There are some other line items that should help offset this, including additional circuit breaker funding. However, the 9C cuts in regional transportation aid have exacerbated the issue. The School Committee also discussed OPEB and how that may impact their budget for FY'16. From their conversation, it appeared that they were not prepared to fully fund their portion of OPEB up to the Finance Committee's recommended \$1.4 million level.

Mr. Berry: Met with the CPC

Ms. Osman: **Economic Development Committee-** EDC asks the BOS to please ask the Town Manager to ask the ZEO to make sure the Brookside Shops mall does all the changes requested so the zoning changes can happen by spring TM.

Derrick Chin, also on Planning Board, will pass on this request as well.

EDC voted support for that zoning amendment for Brookside Shops that was continued until Spring TM.

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EDC voted to request that whoever writes the summary in the warrant includes sufficient background and explanation so voters understand why the change is being requested.

EDC voted to create a two person committee (Larry Kenah and David Foley) to create a project plan with which we will organize the EDC structure, including the mission, goals and objectives, and bring it to the next meeting, December 5, 2014.

EDC is hoping that plan will clarify what EDC's activities should be.

An example of lack of clarity of our charge: EDC has told BOS we want to work on West Acton, specifically sewers, but we need to know what we should be doing exactly. This seems relevant considering we are halfway through the year of short term goals including setting a timeline for West Acton sewer line.

Commission on Disability – The COD is organizing a public event in February – an informal event for the public about support services in Acton. People such as the following would be invited to educate the audience about services:

Sharon Mercurio – Senior Center

Laura Ducharme – Social Service Coordinator

Kelly Cronin – Housing Authority

Joan Butler – Minuteman Senior Services

James MacRae – Veteran's Services

One member of the COD has been charged with writing an article about temporary disability. Our meeting was attended by a parent of an adult with developmental disability. She has been one of the presenters at the October meeting and may want to be more involved.

COD is working on improving its facilitation, agenda, and minutes procedures.

Cross Town Connect – Meetings on 11/20 in Littleton Police Station. Representatives from member towns and businesses in CTC as well as from Devens and Mass Development, interested in last mile service from the train.

While Doug Halley has done a superb job as chair of the board of CTC, with this group has formed into, we are ready to share the responsibility amongst member and change year to year or periodically. New chairs of the CTC are John Flanagan from Redhat in Westford and Selina Shaw, Town Administrator of Boxborough.

During the meeting we learned that through midyear budget cuts the Community Innovation Challenge budget was cut. I attach a letter that includes some possible directions we can go to continue to fund our 4th year application's three initiatives.

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Explanatory letter:

"FY15 CIC Grant Applications:

Yesterday, Secretary Shor announced a thoughtful and responsible fiscal action plan to close a \$329M budget gap. The Massachusetts Executive Office for Administration and Finance (A&F) is principally solving this gap through spending reductions, crafted with the care and thoughtfulness that has characterized prior efforts by Governor Patrick to close emerging budget gaps.

Unfortunately, the Community Innovation Challenge (CIC) grant program is one of the many programs across the state government that has been reduced. This reduction to the CIC program does in no way change the Administration's commitment to our 351 municipal partners or to our support for your innovative ideas. Rather, it is a part of a shared sacrifice across state government. A full list of the reductions is available here: <http://www.mass.gov/anf/budget-taxes-and-procurement/state-budget/fy15-budget-cut-information/>

Since 2012, the Patrick Administration invested \$10.25 million in this program to incentivize innovation thought and regionalization at the local level. You and your colleagues across the state responded by submitting thoughtful proposals which resulted in 74 unique projects engaging 82% of all cities and towns in the Commonwealth.

We are excited by the many unique ideas to create new efficiencies and reduce redundancies across the Commonwealth filed this year. While we are not able to fund your projects this year we do want to provide you with alternative ways to move forward.

- 1. The District Local Technical Assistance (DLTA) program provides funding to the 13 regional planning agencies across the Commonwealth to work with their municipalities on projects involving shared services; and*
- 2. Several state agencies offer subject specific technical assistance and grant programs to assist municipalities with regionalization of specific services such as the regionalization of 911 response centers.*

Contact information and descriptions of these programs are available through the regionalization assistance available on the CIC website (<http://www.mass.gov/ANF/CIC>), or through the regionalization website (<http://mass.gov/ANF/Regionalization>).

We are happy to set up a time to speak on the phone to talk to you about these and potentially other opportunities to further your program. IF interested, please contact Greg Johnson (Gregory.W.Johnson@state.ma.us) to set up a time to speak with Greg and I. We will keep all of your

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materials on file, and encourage you to explore other opportunities to submit your proposal for funding or assistance.

Thank you again for your time and your strong commitment to the citizens in your community and to the residents of Massachusetts.

Best,

Tim Dodd

Director of Performance Management

Massachusetts Executive Office for Administration and Finance”

A shuttle subcommittee of Cross Town Connect was formed, led by Chris Kluchman, Director of Land Use Management, Westford. Next meeting is December 12, hoping to pass budgets for next fiscal year.

Doug Halley notes by using our transit services more, more will be provided. Use it to the point that you are frustrated that it can't fill your needs. Unmet needs are recorded, but not if you don't call to share them.

Also on Cross Town connect, I used the same day request ability today to do errands in two places in town and it worked well. It is always better to call ahead but if you have sudden need, try calling a dispatcher at 978-844-6809 or go to www.minutevan.net

AB Diversity Coalition – Met on November 20. Janet Adachi wrote the notes for the meeting, which I could not attend. It sounds as if it was a vibrant meeting. The group will soon distribute its final report and has to decide if it will continue to meet.

Acton No Place for Hate – Save the Date: Monday January 19, 2015 (Martin Luther King Jr. Day) morning, for the annual Martin Luther King Jr. breakfast. The speaker has yet to be announced.

Mr. Gowing: ALG meeting 12/11, Metropolitan Planning Organization discussion revolved around public participation for a long range transportation plan or the LRTP, looking for considerably less federal dollars going forward in ways to complete projects that they have committed to while taking on new project. They are working closely with MAPC and MAssDOT to ensure equity across the region and looking for low cost projects to traffic flow – suggested the route 2 rotary and putting road lines in to make it safer.

Consent Agenda

Ms. Green moved to approve consent items. Ms. Osman seconded. All Ayes, UNANIMOUS VOTE

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

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Meeting Adjourned at 10:00 PM

Respectfully Submitted,

Lisa Tomy, Recording Secretary

Peter Berry, Clerk

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BOARD OF SELECTMEN AND SEWER COMMISSIONER'S MEETING

**February 5, 2015
Francis Faulkner Room 204
Regular Meeting 6:00 PM**

Present: Mike Gowing, Katie Green, Janet Adachi (6:10 p.m.), Peter Berry, Franny Osman, Town Manager Steven Ledoux. Lisa Tomyl, Recording Secretary

Chairman Gowing opened the meeting at 6:03 p.m.

Citizens' Concerns

None

Chairman's Update and Operational Update:

Mr. Gowing – Delayed last 2 meetings due to two storms. Thanks to all Emergency Town Employees keeping the Town safe during the past two storms. Winter Carnival will be held at NARA February 7, 2015. If street or sidewalk has not been fully cleared, please be patient. Sad to announce the passing of Steve Baran former social worker that worked tirelessly on the Council on Aging for the past 10 years. Memorial service March 15, 2015.

Mr. Ledoux – Crews had been working hard with the past two storms – equipment going 24/7 and lost 2 sidewalk plows – ordered a new one. Currently in a budget deficit for snow and ice removal – that means we can raise the snow and ice removal budget for FY16. Generally try to absorb it in the general fund. Governor may be applying for MEMA emergency funding. Chair of Open Space Committee – interested in pursuing the Magoon property on Piper Lane – in the process of getting an appraisal. Tom Tidman, Natural Resources Director has been working with the Town Manager and reps of Stow and the Stow Trust for the real estate closing on the Dunn Property. Conservation Trust in Stow is acquiring the Stow Piece. Closing is tentative for May, 2016.

Public Hearings and Appointments

6:00 p.m. - FY16 Budget Discussion and Vote

The Town Manager present the overview of the budget as all members of the Board attended the Acton Leadership Group February 5, 2015 meeting that reviewed updates to the current FY16 plan. Plan to create a new position – Land Use and Economic Development Director. Town Manager Ledoux presented a power point presentation explaining the Land Use Department reorganization. Ms Adachi stated she liked the idea of combining the 2 proposed positions of Economic Development Director and Land Use Director. Ms. Osman likes the idea as being on the EDC, it makes sense to have this change to make it easier to go through the process. Mr. Berry mentioned if meals tax doesn't pass, then the position would not be filled. Meals tax was worked into the ALG plan, so, if the tax doesn't pass, then the plan will have to be changed. Need to have further discussion if meals tax doesn't pass at

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Town Meeting and have a plan B in place. Ms. Green was glad to hear about the 2 positions being combined – big supporter of economic development. Mr. Gowing – concerned about metrics and explain why this is a good plan.

Proposal to come back to the board to reduce the budget by \$585,000. Ms. Green would rather keep the money in OPEB and also maybe delay painting Town Hall until next year. Ms. Green is fine with the recommendations.

Ms. Osman moved to approve budget based under the changes submitted for FY16 of \$31,954,851.00 – Mr. Berry seconded. All Ayes UNANIMOUS VOTE

7:10 p.m. - Site Plan Special Permit Amendment #07/10/09 – 422, Site Modifications, 107-115 Great Road, continued from December 15

Mr. Gowing read the public hearing notice. Roland Bartl was present from the Planning Department. Leo Bertalomi was present representing Wetherbee Plaza II. Planning received revised plan and the adjustments satisfy the requirements of the Planning Department. Engineering had no further comments.

Ms. Green moved to approve SPSP Amendment with the conditions as listed on the Design Review Board recommendations. Mr. Berry seconded. All Ayes – UNANIMOUS VOTE

8:00 p.m. - Po's Barbecue, Alleged Overserving Hearing

Mr. Gowing read the public hearing notice Detective Rentschler represented the Police Department. Detective Rentschler gave a review of the incident that took place on December 7, 2014. Mr. Berry swore in Det. Rentschler. Mr. Berry swore in Siaofeng Cheng, wife of Manager Po Pai. Ms. Cheng recited the events that took place at the restaurant. She was present at the restaurant and witnessed the events leading to the patrons' arrest. She stated a total of 4 beers and 3 mai tais were ordered and consumed, along with 2 orders of food. They became "roudy" and then their service was stopped. They paid their tab and left.

Ms. Green moved to find a violation of overservice, Ms. Adachi seconded. 3 Ayes, 1 Nay (Mr. Gowing)
Ms. Green moved that a letter of warning of the violation of overservice be served to Po's Barbecue Restaurant and be placed in their ABCC file. Mr. Berry seconded. All Ayes – UNANIMOUS VOTE

Selectmen's Business

Richards Property Recommendation from South Acton Train Station Advisory Committee –
David Martin, chair of SATSAC gave a presentation for recommendation of the property. There is a appraisal company coming out soon (The Foster Group) to perform an appraisal. The property is being recommended to be used as additional parking for the commuter rail. TM had conversation with MR. Richardson – question is what plans are there regarding the buildings, and where the shuttle drop off parking. Citizens lined up to speak regarding the recommendation of SATSAC. Claire Siska is in favor of the Town obtaining the land, but had some reservation regarding alternative uses other than parking for the commuter rail.

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Citizen 23 Arlington Street. Works at food pantry. Mr. Richards is in talks regarding the food pantry taking ownership of the property.

Mr. Richards spoke regarding what his final intentions will be, he is still not sure what that will be since he has not made any formal agreements as of yet.

Consider Stay of Revocation Pending Alcoholic Beverage Control

Counsel for Makaha Carolyn Conway spoke to the Board and thank the Town for the item being placed on the agenda. She is requesting the board allow the restaurant to allow alcohol service pending the appeal decision by the ABCC scheduled for May 6, 2015.. The restaurant has lost business and has had to lay off employees. The video system has been upgraded to include the system downloading to a separate hard drive that holds much more data than before. They put in a system of employee meetings weekly what the standards of service of alcohol.. The second is a level above TIPS training – how to engage employees and patrons to see if they are having or had too much alcohol. Staff will be better trained than before by observing actions of patrons before serving more alcohol. They are making a new written employee manual that the employee has to sign and if found non-compliant they will be terminated. Multiple patrons stood up to give support to Makaha Restaurant in returning their liquor license. Town Counsel Nina Pickering Cook requested to have a copy of employee manual and proof of training from Makaha Counsel.

Mr. Berry moved to approve an immediate stay of revocation of liquor license with the conditions of providing the Board a copy of updated employee manual as described by their counsel, verification of operating video surveillance system, and proof of enhanced alcohol training to employees, including weekly meetings. Ms. Adachi seconded. All Ayes. UNANIMOUS VOTE.

Selectmen's Reports:

Ms. Adachi: **Acton Community Housing Corporation, 1/22** – Peter Berry attended to discuss Richards property near train station. ACHC heard presentation of idea for small-scale Chapter 40B development, very unusual and interesting in that would include accessible group home for young adults with disabilities, include community building other community amenities. Tonight's approved Consent Agenda included ACHC request to provide 5K from ACHC funds to replenish Town community coordinator's account for transitional housing assistance, which last received ACHC funds in 2009.

Acton Water District, 2/4 – Ms. Adachi missed meeting in order to attend Conservation Commission meeting at same time. AWD agenda included discussion of annual meeting. All residents are members of Water District, even the 5% who are not Water District customers. Construction of South Acton water filtration plant off High Street progressing nicely.

Conservation Commission, 1/21 - Hearing on Arboretum improvements closed; **2/4** – Continued hearing on Summer Street proposal for 2 houses on upland of 12-acre property that is largely wetlands. Board of Selectmen

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Planning Board issued decision 1/2013 but Commission not familiar with decision until recently. Highlights need for improved coordination of permitting process.

Design Review Board, 2/18 – Proposed discussion of Ms. Adachi's suggested revisions of charge in response to feedback from Planning Department and others. Selectmen will resume consideration after DRB has discussed.

Land Stewardship Committee, 1/20 – Proposed mission statement went to Conservation Commission. Once Commission approves, will come to Selectmen. Energetic committee, doing lots of good work, including regular monitoring and maintenance of conservation parcels. New subcommittee to work on updating of parcel maps.

Water Resources Advisory Committee – Not much progress on draft stormwater bylaw since 12/2014, so doubtful that bylaw will be ready for 2015 Town Meeting.

Minuteman Regional, 2/6 – Ms. Adachi will attend members' breakfast meeting. Very sorry that Nancy Banks will be relocating and stepping down as Acton representative on Minuteman School Committee, effective 6/2015.

Regionalization Finance Oversight Subcommittee, 1/30 – Superintendent and AB Human Resources Director attended. Discussion of cost-savings and Boxborough "efficiencies" in comparison to the original projections by Peter Ashton that were part of the information that Town Meeting relied on for 2013 vote on preK-6 regionalization. Savings for FY16 seem to be on target. Topic will be on future AB School Committee meeting for fuller discussion. Also high-level, updating presentation at Town Meeting.

"Policing After Ferguson," 1/21, First Unitarian, Littleton. Panel of area police chiefs, including Acton's Frank Widemayer. Well-attended. A few audience questions/comments seemed unnecessarily provocative, but most questions/comments aimed at learning, making good points. Event highlighted need for one-on-one communication to build learning, understanding, support among residents, which Diversity Coalition and other community groups encourage and consider important.

TRB meeting about Phase 3, 1/22 – Informal discussion among proponents, Town staff members, Mr. Gowing, Ms. Adachi.

Rapscallion's, Thurs, 1/29 - Pre-opening opening. Ms. Adachi accepted invitation to Selectmen to take a tour of the former Sprigs Restaurant space. Pub food menu, good selection of brews on-tap.

AB School Committee Budget Saturday, 1/31 – Ms. Adachi attended, as did BOS liaison Ms. Green, and Ms. Osman.

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Ms. Green: The **Historical Commission** met and is continuing their work. There was nothing significant to note to the Selectmen. The **Acton Leadership Group** met twice since our last meeting, but all of the Selectmen were present for those discussions. I attended the annual **No Place for Hate** breakfast on Martin Luther King Day at Congregation Beth Elohim. As always, it was a well attended and very informative event. I attended the public meeting related to the **Acton Center Traffic Study**. Despite the weather, it was a well attended meeting and many residents in the neighborhood, including me, spoke about their experiences trying to navigate Acton Center. The consultants are planning to do additional field studies and collect more information from residents before developing some potential remediation options for the town to consider. The **Acton Boxborough Regional School Committee** had a regular meeting and their Budget Saturday meeting since we last met. The big news from their regular meeting related to their budget, but that information was updated at Budget Saturday. On Budget Saturday, the Committee voted 7-2 to endorse the preliminary budget of \$80,197,455. This represents a 4.89% increase in their budget over FY'15 and would be a 7.8% increase in Acton's assessment. The Committee is meeting again tonight for their budget hearing.

Mr. Berry: Attended Kelly's Corner Steering Committee meeting. Cecil Group presented slides explaining new design guidelines and zoning changes. Expect proposed changes will be presented at Fall Town Meeting. CPC is Meeting on February 12 to vote on recommendations for Spring Town Meeting. CPC had questions about Selectmen's recommendations for water chestnut removal and arboretum boardwalk, which did not receive any votes on the priority listing for projects. Sense is that the selectmen still recommend those projects, but with less priority than others. CPC also discussed whether the bathrooms for the NARA plaza could be funded by user fees. Planning Board meeting – Brookside Shops hot topic – will be an article on Town Warrant for Spring Annual Town Meeting.

Ms. Osman: left at 8:30 PM

Consent Agenda

Ms. Green held item 9

Ms. Adachi moved to approve consent items 6-8, 10-13, Ms. Green seconded. All Ayes UNANIMOUS VOTE

Ms. Green moved to approve Florence Ross as a full member of the Acton Nursing Task Force, and Richard Calandrella as an associate member, Mr. Berry seconded. All Ayes, UNANIMOUS VOTE

Ms. Green moved to adjourn, Ms. Adachi seconded, All Ayes

Meeting Adjourned at 10:00 PM

Respectfully Submitted,

Lisa Tomyl, Recording Secretary

Peter Berry, Clerk

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BOARD OF SELECTMEN AND SEWER COMMISSIONER'S MEETING

**February 23, 2015
Francis Faulkner Room 204
Regular Meeting 7:00 PM**

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

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

CITIZENS' CONCERNS

Bob Lessard – Wampus Ave. Concerned about the plowing of the walkways at NARA Park. It has not been getting plowed or shoveled – this is an ongoing issue especially for seniors and people that have limited mobility. The parking lot has been icy and dangerous as well. Called highway and was told it is not their job, talked to the Recreation Department and they don't own snow moving equipment, and Cemetery is always plowed. Town Manager Ledoux stated he has authorized the Natural Resources Department to utilize overtime to assist clearing sidewalks, however the priority is with town sidewalks first but it is on the list to be cleaned up.

CHAIRMAN'S UPDATE AND OPERATIONAL UPDATE:

Mr. Gowing – DPW continues to clean up after our record snows. Thank you for your patience during this historic winter, and thanks to the DPW/ Emergency Management efforts in cleanup up and for public safety.

Mr. Ledoux – SMART PAYT forum on March 4th at 7:00 PM. Town Manager will be moderating and Ms. Green will be representing the Board of Selectmen

PUBLIC HEARINGS AND APPOINTMENTS

7:10 p.m. – **The Red Raven Alcohol License Policy Hearing** – Mr. Gowing read the public hearing notice. Representing The Red Raven was Jennifer and John Apazidis, Manager and owners. Chief Widmayer recommended the Selectmen have a hearing regarding one of their employees that was arrested on charges of a DUI on January 1, 2014. This report was submitted by the Alcoholic Beverages Control Commission and distributed to towns for DUI logs and last point of service. Ms. Adachi asked if either of them talked to the employee since finding out the incident – did he leave at 11:30 PM and did he have anything to drink after work on premises. Ms. Apazidis stated that at that time, employees were allowed to have a max of 2 beverages after they punch out of their shift. He is the executive chef, and did have at least one beverage after shift and a champagne toast at midnight. She was unsure if he had another beverage before the champagne toast. Since September, when they were notified of the incident, and have since updated their employee handbook that does not permit employees to have beverages after their shift.

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Ms. Adachi asked did the employee have more than 2 drinks aside from the glass of champagne at midnight – Ms. Apazidis stated she did not know because employees pay cash for their drinks. The Red Raven had a special 1 hour extension to remain open for last call at 12:50 AM. Bartenders are not allowed to overserve peers and have instituted a zero tolerance policy up to including termination for overserving co-workers. They have video surveillance system installed. Mr. Gowing suggested that the owners look into having or offering an Employee Assistance Program for employees that find themselves in issues such as chemical or alcohol dependency or mental health issues in the future.

Ms. Adachi moved to take no action, seconded by Ms. Green – All Ayes.

SELECTMEN'S BUSINESS

Town Manager Review – Mr. Gowing requested the review to be moved to March 9th, no material available at time of meeting.

Review Town Warrant, Assign Articles, and Commence Taking Positions on Articles – The Board and Town Manager discussed the placement of articles for the Town Warrant. Articles were assigned to Board Members, and a draft warrant will be ready for the March 9th meeting and votes for recommendations for each article.

Discussion on Remand Hearing for Walker Realty, Planning Department – Roland Bartl represented the Planning Department. Mr. Bartl commented on what the architects came back with for the remand of the Board of Appeals hearing. They did not reduce the size of the building Open space – town wanted 30%, Walker came back with 21%. Mr. Bartl suggested the Board comment on the building, open space, parking, overall design.

Mr. Gowing expressed that there was not enough information to comment right now. Mr. Berry suggested that the Town Staff work with Walker Realty to decrease the proposed building size to 12,000 square feet, increase open space, and resolve the parking and general design issues.

Selectmen's Reports:

Ms. Adachi: **Acton Boxborough Cultural Council** – Will meet 2/25. Has completed grant decisions for this year. Discussion will include spring film series, spring reception for grant recipients.

Finance Committee - Will meet tomorrow night. Agenda includes FY16 budget, PAYT/SMART presentation, preparation for Acton Leadership Group on Thursday, and preparation for Town Meeting.

Design Review Board – Met 2/18, same time as Selectmen's rescheduled meeting. Ms. Adachi previously circulated DRB's comments about the latest Walker Realty/Next Generation Daycare plans.

Water Resources Advisory Committee – Will meet 2/25. Ms. Adachi has advised committee that stormwater bylaw article will not be on Town Meeting warrant. 2/25 agenda includes discussion of proposed regulations to implement bylaw, outreach to Town committees and public. Latest revised bylaw draft went to Town Manager last week for review/comments from Town departments and Town Counsel.

Ms. Green: No meetings attended just reminded the public to attend the SMART PAYT forum on March 4th.

Mr. Berry: Housing Authority is installing new heating units at Windsor Green. Grant received through UMASS. The new units appear to be working well and resolved ongoing heating problems. Gthanked the Town for assisting the Housing Authority with sanding, salt and plowing during the storms.

Ms. Osman: Did not have any meetings to attend, but wanted to comment on the great job the DPW has been doing plowing the streets and sidewalks with all the storms recently.

Mr. Gowing: **Cable Advisory Board** – the cable advisory board met and discussed net neutrality as it is proposed in the current FCC hearing. This possible reclassification of ISPs under title II of the Communications Act could have an impact on the INET. There was also the citizens concerns (again) about Verizon removing copper cable and replacing it with fiber unasked. As it turns out, it is for phone service only therefore outside the jurisdiction of the cable advisory board. They will contact the government relations officer to pass on the complaint.

Health Insurance Trust – the trust voted the upcoming rate for the active participants with an increase of 11% across all of the plans. The plan for retirees (Medex) will go down as much as 27% with the adoption of EGWP. As a result, the overall increase will result as 8% – or within our budgeted amount. There was discussion regarding the luxury tax that will affect the Master Health Plus plan next year and a recommendation that this be eliminated from the offerings to minimize the impact. As of today, it would represent an additional \$74,000 that the trust (towns and school) would have to come up with. They will be reviewing several indemnity plans to see if one of them would suit our requirements.

CONSENT AGENDA

Mr. Berry held item 7, noted typo on front page, suggested crossing out the word “Acton” and each Selectmen initial – Ms. Adachi moved to accept item 7, Mr. Berry seconded. All Ayes
Ms. Adachi moved to accept consent items, Mr. Berry seconded. All Ayes

Ms. Green moved to adjourn, Ms. Adachi seconded, All Ayes
Meeting Adjourned at 9:05 PM
Respectfully Submitted,

Lisa Tomyl, Recording Secretary

Peter Berry, Clerk

Board of Selectmen
February 23, 2015

BOARD OF SELECTMEN AND SEWER COMMISSIONER'S MEETING

March 9, 2015
Francis Faulkner Room 204
Regular Meeting 7:00 PM

Present: Mike Gowing, Katie Green, Janet Adachi, Franny Osman, Town Manager Steven Ledoux. Lisa Tomyl, Recording Secretary

Absent: Peter Berry

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

Citizens' Concerns

None

Chairman's Update and Operational Update:

Mr. Gowing Continue to watch the skies while the snow keeps falling as we inch closer and closer to reaching a historic winter of snow. The Town Elections are coming up on March 30th. Thursday is the Employee STAR Award – awards given to employees reaching milestones in years of service.

Mr. Ledoux – We've had some concern with the large increase in our Middlesex Retirement assessment (29%). I wrote a letter to the Director requesting a meeting to go over our concerns. We are meeting with reps from Middlesex tomorrow at 9 AM followed by their board meeting at 10:30, which we were invited to attend. Hopefully we will get some answers and a resolution. Lisa Krause's father passed away late last week. The town sends our condolences. The PAYT public forum had about 50 people. Some senior citizens were concerned about the pricing. Corey York will look into the pricing matrix one more time.

Public Hearings and Appointments

7:10 p.m. – **Street Acceptance, Brabrook Road Extension** – Paul Campbell, Engineering Department, was present to answer questions regarding the Brabrook Road extension. A vote from the Board will bring it to the Annual Town Meeting. Ms. Green moved to accept Brabrook Road as a public road. Ms. Adachi seconded. All Ayes.

7:20 PM **Acton-Boxborough School Committee Budget Report** School Committee Chair and Vice-Chair Kristina Rychlik and Dennis Bruce, and Superintendent Glenn Brand, presented their proposed budget for FY 16. The current plan reduces 2 teachers, and 1 custodian for a reduction of \$223,000 in salary and benefits. While they added some new FTEs, there is an overall reduction in the salary and benefits in the FY16 budget. Their budget is also trying to address the changing trends in the district, including an increased number of students requiring special services.

Ms. Green recommended that Ms. Rychlik remove the last two lines from the FY'16 Budget Assessment slide before presenting at Town Meeting to clarify that their request is a 7% increase over their FY15

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budget request. She indicated that she had concerns with another high increase, but that she supports the budget. Herman Kabakoff stated that FinCom supported this budget. He also requested that they put a forecast for future trends in their presentation

Selectmen's Business

Town Manager Review –. The Board and the Town Manager received the cumulative evaluation of the Town Manager's performance review. The Board will have a special Executive Meeting to discuss the Town Manager's contract at a later date. Ms. Adachi moved to approve overall rating of 4.2, Ms. Green seconded. All Ayes.

Review Town Warrant, Assign Articles, and Commence Taking Positions on Articles –The Board voted on recommending articles to go to Town Meeting. The result was as follows:

- Article 1: Ms. Green moved to recommend, Ms. Osman seconded: UNANIMOUS VOTE
- Article 2: Ms. Green moved to recommend, Ms. Osman seconded: UNANIMOUS VOTE
- Article 3: Ms. Adachi moved to defer to Town Meeting, Ms. Green seconded: UNANIMOUS VOTE
- Article 4: Ms. Osman moved to recommend, Ms. Adachi seconded: UNANIMOUS VOTE
- Article 5: Ms. Adachi moved to recommend, Ms. Green seconded: UNANIMOUS VOTE
- Article 6: Ms. Green moved to recommend, Ms. Adachi seconded: UNANIMOUS VOTE
- Article 7: Ms. Adachi moved to recommend, Ms. Green seconded: UNANIMOUS VOTE
- Article 8: Ms. Green moved to recommend, Ms. Osman seconded: UNANIMOUS VOTE
- Article 9: Ms. Adachi moved to recommend, Ms. Green seconded: UNANIMOUS VOTE
- Article 10 – 12: Ms. Adachi moved to defer to Town Meeting, Ms. Green seconded: UNANIMOUS VOTE
- Article 13 – 16 : Ms. Green moved to recommend, Ms. Adachi seconded: UNANIMOUS VOTE
- Article 17-18: MS. Osman moved to recommend, Ms. Adachi seconded: UNANIMOUS VOTE
- Article 19: Ms. Osman moved to recommend, Ms. Green seconded: UNANIMOUS VOTE
- Article 20: Ms. Adachi moved to recommend, Ms. Osman seconded: UNANIMOUS VOTE
- Article 21: Ms. Adachi moved to recommend, Ms. Green seconded: UNANIMOUS VOTE
- Article 22: Ms. Osman moved to recommend, Ms. Green seconded: UNANIMOUS VOTE
- Article 23-27: Ms. Green moved to recommend, Ms. Adachi seconded: UNANIMOUS VOTE
- Article 28-30: Ms. Adachi moved to recommend, Ms. Green seconded: UNANIMOUS VOTE
- Article 31: Ms. Adachi moved to recommend, Ms. Osman seconded: UNANIMOUS VOTE
- Article 32: Ms. Green moved to recommend, Ms. Osman seconded: UNANIMOUS VOTE
- Article 33: Ms. Adachi moved to recommend, Ms. Green seconded: UNANIMOUS VOTE
- Article 34: Ms. Adachi moved to recommend, Ms. Osman seconded: UNANIMOUS VOTE
- Article 35: MS. Green moved to recommend, MS. Osman seconded: UNANIMOUS VOTE
- Article 36: Ms. Osman moved to recommend, Ms. Green seconded: UNANIMOUS VOTE
- Article 37-40: Ms. Adachi moved to recommend, Ms. Green seconded: UNANIMOUS VOTE
- Article 41: Ms. Osman moved to recommend, Ms. Green seconded: UNANIMOUS VOTE

Central Middlesex Emergency Response Agency Request for 10% Rate Increase Town Manager Ledoux presented the proposed 10% increase in our CMERA rates. This will be a 2% per year increase (over a 5 year period). To move away from ProEMS, the Town would have to give 6 months' notice. Ms. Green moved to approve a 10% increase, Ms. Osman seconded. All Ayes.

495 Metro Partnership Draft Letter to Municipalities: Voluntary Stipend Ms. Adachi gave an overview of the voluntary stipend for funding. The amount would be about \$500.00 per community of a collaboration of 25 communities. Ms. Adachi moved to authorize the Town Manager to appropriate the \$500.00 voluntary payment in calendar year 2015, Ms. Green seconded. All Ayes.

Selectmen's Reports:

Ms. Adachi: AB Cultural Council – Meeting on 3/11, which is same night of 3-boards meeting about Minuteman Regional building project.

Finance Committee - Meeting tomorrow night. Agenda includes discussion of Community Preservation Committee project recommendations, preparation for Acton Leadership Group and Town Meeting.

Design Review Board – Met on 3/4 to finalize comments about revised charge. Ms. Adachi forwarded DRB's suggested changes to Planning Director for further feedback about proposed additions as to subdivisions.

Water Resources Advisory Committee – Meeting tomorrow night to review feedback about draft stormwater bylaw from departments and Town Counsel.

Zoning Board of Appeals – Hearing for Walker Realty/Next Generation Daycare project on remand from Land Court opened a week ago, continued 9:00 this morning. Mr. Walker still insists on 19K ft² net area. Asserts that larger facilities necessary because company goes beyond state minimum square footage, adds facilities such as on-site laundry. Company's new buildings in 21K-27K ft² range. One of company's 12K ft² buildings was existing structure that company moved into, and now is slated for demolition/replacement. Hearing continuation focused on 35% open-space requirement, and traffic concerns, which is bigger issue. Mr. Walker, new counsel, Town Counsel, Zoning Enforcement Officer, and Town's engineering consultant Rich Nagy were present. ZBA sought to provide Land Court with some guidance in its decision. ZBA voted that

- it does not approve plan as presented with 19K ft² net floor area
- it would waive 35% open-space requirement as to proposed playground but not as to added shed (new plan has open space at 21%, omitting playground, in contrast to 31% under prior plan, which had playground but not shed).
- majority of members (2 of 3) would waive zoning bylaw 2500 ft² net floor area limit for plan proposing building of 12.5K ft².
- it would waive 2500 ft² net floor area limitation for plan proposing building of 5K ft².

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-it would require proposed separate left-turn lane (into facility) for project involving building of 5K ft2 or larger.

WR Grace land, Concord – 2/26 telephone conversation with Carmin Reiss, Concord Board of Selectmen, about Town's proposal to acquire WRG property by eminent domain due to failure of purchase negotiations with WRG. Concord will have to pay market value so potentially more than last appraised value of 1.2M. Proposal to address in Special Town Meeting that is part of upcoming annual Town Meeting. Differences between Concord and WRG over indemnification by WRG; WRG's proposal for publicly accepted road connected Acton WRG land with Knox Trail. No water supply on WRG parcel: Town cannot sink well and Acton Water District bylaw precludes supplying water outside of district absent extenuating circumstances; Concord has option of running pipe under river, but will be expensive with complex permitting and risk of stirring up waste deposits. AB District communicating with Concord about possibility of using portion of WRG site for AB school buses.

Douglas School Read-Aloud program, 2/27 – Dr. Seuss theme. Town Manager and Ms. Adachi participated. Ms. Adachi covered 4 classes: one 1st grade, 2 3d grades, 1 kindergarten. Deputy Police Chief Burrows also participated, looking splendid in uniform as did last year.

Acton Chinese Language School, New Year celebration, 3/1 – Happy Year of Sheep.

495/Metrowest Partnership Board of Directors quarterly meeting, 3/3 – Grafton will be 35th member. Discussion of proposed municipal stipend, annual reception and awards on 4/1 at Quest Diagnostics, Marlborough. Private sector award to Joseph Zink, President/CEO of Atlantic Management; Public sector award to Dennis Giombetti, former Framingham Selectman. (Health Director Doug Halley received public sector award last year). Annual State House Day, 4/14, with remarks from Senate President Stanley Rosenberg, Senate Ways/Means Chairman Karen Spilka, and Beacon Hill delegation from Partnership communities.

Rep. Atkins district meeting, 3/6, Room 204. 4 of 5 Acton Selectmen attended. Ms. Adachi will defer to Mr. Gowing for report.

League of Women Voter Civics Bee, 3/8 – Mr. Berry, Ms. Osman, Ms. Adachi participated. ~28 teams of one adult and 2-3 students. Tough questions, great time, great pizza. Bill Mullin's team won . . . again.

Diversity Coalition – Met today. Ms. Adachi missed most due to ZBA hearing, will defer to Ms. Osman for report.

Ms. Green: The **Acton Memorial Library Board of Trustees** met. They are making good progress on updating the job descriptions for the various positions at the library as per the goal in their Long Range Plan. The contractors hired to do a facilities assessment are also progressing in their work. The

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Acton Leadership Group met but all the members of the Board were present. Ms. Green attended an informal meeting with Natural Resources Director, Tom Tidman, Bruce Ringwall, Morrison Farm Committee Chairwoman, Mary Ann Ashton, and Tory Beyer from the Historical Commission to discuss plans for updating the parking on the Morrison property by Ice House Pond. The **Recreation Commission** met and discussed complaints they had received through Senator Eldridge's office regarding plowing the NARA walking path. These sounded similar to what the Board heard during Citizen's Concerns at our last meeting. The Recreation Department decided to pay their staff overtime to plow the walkway but noted that it is at the bottom of the town's plowing priority list so it takes a while to get to after each storm. They also discussed issues around safety and regulations at NARA in light of the fact that none of that the CPC recommended none of the Recreation projects, including the request for safety gates at NARA. They are in the beginning stages of looking into the idea of a "park ranger" position for NARA and potentially other town recreation areas. Ms. Green also spoke as one of the panelists at the forum on **Pay As You Throw** last week.

Mr. Berry: Absent

Ms. Osman: **COA 3-2-15**

Mary Lou Rapucci gave resignation, now in recreation next Friday last day. Mar. 13 1230 pm. Staff Assistant position will be listed.

United Way survey announced. I have heard it is only for a month.

There is interest in a paper version for people not online.

COA members have been visiting SENIOR CENTERS

Steve Baran Memorial is Sun. 15th 1 pm at Nagog. 102 Nonset Path

Discussing Acton Nursing Service, people felt that the Senior newsletter would be an appropriate place for health tips- as a way to raise awareness of ANS

Discussed whether to host a presentation on LEXINGTON AT HOME, a community supporting seniors at home. Not planning on doing that right now but people are interested in this topic.

Two of goals of Acton2020 is to help seniors age in place. They might be interested in this.

Recognize Judy Peters for the Website

www.actoncoa.com

RCC Meeting Feb. 26-

at Maynard's COA at Golf Course

Invigorating meeting with people representing various towns in our RCC, the state Human Services Transportation office, Minuteman ARC, Mary Emmons from Pupil Services, and others. We decided to create subcommittees to work on areas that interest us. Some areas include Travel Training, Student transportation issues. The meeting felt vibrant in the way that MinuteVan Regional meetings used to, where people from different towns or agencies connect and are able to work together on solutions.

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On transportation, Doug Halley and Franny Osman are meeting with Selina Shaw of Boxborough this week to talk about ways in which Boxborough can get on the MinuteVan plan. The BOS and Manager in Boxborough have expressed interest in upping their involvement, providing more service, if their Town Meeting this spring or fall supports it. Both Rail Shuttle and Dial-a-Ride to be discussed.

OPEN SPACE COMMITTEE 3-6-15

Discussion of Magoon, Dunn, other properties.

MAGIC LEGISLATIVE BREAKFAST 2-27-15

Olympics, Tourism, Transportation Funding

Minuteman Senior Services

I attended an agency overview. They are a “no wrong number” agency and people with disabilities or seniors, or people with relatives who are, should call and find out what services are available. If the wrong agency, they will direct you to the right place.

Diversity Coalition

Planning next steps including possibilities of : showing of films with discussion; anti-bias education with police (distinguished from diversity training); hosting the annual Martin Luther King breakfast. Write to abdiversitycoalition@gmail.com .

Mr. Gowing: Acton Nursing Service Task Force – the task force met and is creating subcommittees to address issues such as marketing, networking and financing. They have begun compiling some testimonials and working towards identifying specific individuals and/or titles that they should focus their energy on to increase referrals. A physician attended to talk about how medical groups work referrals. The basic model has changed since the early 2000’s from a capitation model to a “better outcome” quality of care model. ANS will need to change their focus to better market their excellent record (top 100).

Cory Atkins – Cory met with her constituent towns last Friday. Part of the discussion reflected 9C cuts by the governor and his new budget, house 1, that just came out. She indicated that the legislature was unlikely to support the Gov.’s house one. One reason, she said, was that revenue was down and that could impact chapter 70 and chapter 90 monies next year. She also talked about funding the MBTA going forward and, briefly, the impact of the Olympics.

Metropolitan Planning Organization (MPO) – the basic discussion this month at the MPO revolved around the rating system that staff uses to prioritize projects within the universe of projects. Currently they use a numeric system range for things like: greenhouse gas, walkability/biking, congestion and travel delay, social justice and regional spending. There was also a discussion on title VI service equity analysis methodology. One of the staff presented a “back casting” study of the Central Artery project

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(commonly known as the big Dig). It was interesting to see what assumptions were made in encouraging federal spending for a project that size. They are beginning their process in evaluating the LRTP (long-range transportation plan – 25 year window) for the upcoming year.

Crosstown Connect – COA Van meeting – we met in a joint meeting with the LRTA and MART to discuss the issue of utilizing COA vans purchased by one RTA and used in another. Crosstown Connect would work to combine trips to common locations (like Emerson hospital) to increase utilization. Both RTA's were going to reach out to the state and federal people to determine whether there were any issues that it would affect capital financing (5310) – the most common method of purchasing vehicles.

Consent Agenda

Ms. Green to represent the Board for item 19. Ms. Green moved to approve consent items 7-20, Ms. Osman seconded, all Ayes.

Ms. Green moved to adjourn, Ms. Adachi seconded. All Ayes

Meeting Adjourned at 9:40 PM

Respectfully Submitted,

Lisa Tomyl, Recording Secretary

Katie Green, Vice Chair

BOARD OF SELECTMEN AND SEWER COMMISSIONER'S MEETING

**Town Meeting April 6, 2015
Acton-Boxborough Regional High School
Faculty Dining Room 126N
Regular Meeting 6:00 PM**

Present: Mike Gowing, Katie Green, Janet Adachi, Peter Berry, Franny Osman, Town Manager Steven Ledoux. Lisa Tomy, Recording Secretary

Chairman Gowing opened the meeting at 6:06 p.m.

Citizens' Concerns

None

Chairman's Update and Operational Update:

None

Public Hearings and Appointments

None

Selectmen's Business

Board to Consider Mike Gowing to Continue on as Town Representative for Regional Transportation Advisory Council and Lowell Regional Transit Authority- Ms. Adachi moved to approve, Ms. Green seconded. 4 Ayes (Mr. Gowing recused) .

Warrant Article Discussion Multiple Articles were generally discussed regarding what to expect with attendance and voter turnout. No motion on any votes. Topics discussed were Acton-Boxborough Regional High School Budget, Operating Budget, Local Meals Tax, Transportation, and Stabilization Funds.

Selectmen's Reports:

None

Consent Agenda

Ms. Adachi moved to approve consent items 3-16, Mr. Berry seconded. All Ayes.

Ms. Adachi moved to approve item 17, Ms. Osman seconded, All Ayes.

Meeting Adjourned to Town Meeting at 7:00 PM

Respectfully Submitted,

Lisa Tomy, Recording Secretary

Peter Berry, Clerk

Board of Selectmen

April 6, 2015

BOARD OF SELECTMEN AND SEWER COMMISSIONER'S MEETING

May 4, 2015

Francis Faulkner Room 204

Regular Meeting 7:00 PM

Present: Katie Green, Peter Berry, Janet Adachi, Franny Osman, Chingsung Chang, Town Manager
Steven Ledoux. Lisa Tomy, Recording Secretary
Chairman Green opened the meeting at 7:00 p.m.

Citizens' Concerns

None

Chairman's Update and Operational Update:

Ms. Green: Not much new since we met last week except that spring has sprung and it is significantly nicer than even a week ago. The MA House has passed their FY16 budget, a \$38.1 billion budget including a \$34 million increase in certain local aid over the FY15 budget and a \$178K increase in chapter 70 aid ; an increase in regional transportation aid but the current funding levels are still not back up to the pre-9C cut levels and there was a cut for the regional bonus aid. The budget is with the Senate Ways and Means and should be in hearing shortly. There is a public workshop on the Kelley's Corner project this Thursday here in room 204 at 7:00. Also a public forum on May 14th at 7:00 PM on the Acton affordable housing Housing Production Plan .

Mr. Ledoux: Last Tuesday, he attended a meeting with other Town Managers and Administrators with the Regional Housing Service Organization which originally was housed by Sudbury and is now housed by Concord. Reviewed the RHSO annual report (which was in the Selectmen's packet). Acton's assessment for FY16 will be about \$25,300 which is paid out by a 2-year appropriation from CPC. The RHSO is a creation of the participating communities and monitors the communities' affordable housing units. The Board will be asked to sign an Inter-Municipal Agreement with all the member communities at the next meeting to allow Burlington to join the RHSO. Met with 3 members of the Economic Development Committee last Thursday to talk about the proposed Land Use Director; EDC wants to be helpful in moving that project forward for the Board's meeting on May 18th. Last Thursday the clerical staff in the Land Use Department had some cross-training as a crucial piece of each department's responsibility to assist customers with a more even and accessible flow. There is a meeting May 5th with the MA Department of Environmental Protection about sewerage at Nagog Park; Health Director Doug Halley will attend on behalf of the Town. The neighborhood's consensus is that they would like to see the Town take over the sewer operation there. The condominium association at Nagog Woods is also interested in taking it over. There may be need to discuss this in a later meeting during an Executive Session since it deals with real estate. Last week was the first meeting of contract negotiations with the Teamsters who represent the Dispatch employees at the Public Safety Facility (Police and Fire); the first session with the police patrol union will be on May 5th.

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Public Hearings and Appointments

1. National Grid Gas Main Installation Petition Ms. Green read the public hearing notice. Town Engineer Corey York has requested that National Grid to contact the DPW before beginning work. Resident Barry Rosen , who also serves on the Acton Water District's Water Land Management Advisory Committee, asked several questions regarding the installation of the gas main: reason for, location of feed line, composition of piping, use of directional drilling, what happens if encounter the abundant ledge. The National Grid representative said the installation was to connect 3 Woodchester Drive, and affirmed the use of directional drilling. Mr. Rosen requested that the Board consider deferring their approval of the installation of the gas main until National Grid provided answers to the remaining questions. Ms. Adachi suggested that National Grid confer directly with the Acton Water District to address any AWD concerns about the proposed installation.

Ms. Adachi moved to continue to May 18th at 7:35 PM. Ms. Osman seconded – All Ayes

2. Amendment to Class 1 Dealer-Seller License, Swanson Buick GMC Truck, Inc. – Ms. Green read the public hearing notice. No applicant representative was present. Neither Mr. Chang nor Mr. Berry was comfortable approving the amendment to the license application without the applicant's presence. Ms. Adachi moved to continue to May 18th 7:45 PM, Mr. Chang seconded. All Ayes

Selectmen's Business

Design Review Board Discussion of Proposed Revisions to Charge – Ms. Adachi gave an overview of the proposed revisions of the DRB charge. The Board weighed in with their comments and suggestions regarding the wording of the suggested changes of the charge. Ms. Green thanked MS. Adachi with the work that the DRB has done in coming up with the suggestions of the change of the charge. Mr. Chang move to the change to the charter, Ms. Osman seconded. All Ayes

Selectmen's Reports:

Mr. Berry: Green Advisory Board: considering broadening their charge to include a range of environmental issues. as opposed to just energy; I encouraged them to do so, in order for the Town to fully use their talents; their input could have been helpful on SMART [Save Money and Reduce Trash].

Kelly's Corner Steering Committee: Cecil Group has put together proposed zoning changes and design guidelines for Kelly's corner; estimating \$8 million for infrastructure improvements; Main street concept; Cecil group worked on similar project in Wayland at the intersection of Rts. 20 and 27, which is completed; public information session is scheduled for May 7; the committee needs a new member appointed and I will recommend a candidate for appointment at the next Selectmen's meeting.

CPA - Recommending appointing a committee to study how the CPA has worked so far and make recommendations for possible changes. I will put together a charge and possible makeup for the committee.

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Planning Board: I explored with the Board putting together a sub-committee to study the feasibility of moving responsibility for commercial site plan approvals from the Selectmen to the Planning Board. This is consistent with Steve's comments and Roland's concerns. I will draft a charge and makeup of the study committee for further discussion by the Selectmen

Ms. Osman: Nothing to report.

Ms. Adachi: TRB, Phase 3 Update, Wednesday, 4/29/2015 – Present: Proponents Vinnie Cuttone, Attorney Lou Levine, consultant Kevin Hurley; Planning Director Bartl, Assistant Planner Kristen Domurad-Guichard; Dave Honn, Design Review Board; Ms. Adachi. Mr. Hurley (former Concord Planner) presented revised conceptual plan. Still proposing mix of shops and restaurants. Latest plan includes changes in CVS site: omit driveway in front of CVS and parallel parking on east side of CVS building; reduce square footage of new buildings and new paving; improve sidewalk connectivity; reduce encroachment on wetlands buffer zone on easterly end of parcel; improve alignment of parking spaces. Feedback from group included suggestion of more compact building arrangement. Next steps: proponents will revise conceptual plan, confer with Town staff and Design Review Board before meeting with Selectmen. Note: Among proposed Kelley's Corner-related changes is recommendation to make Planning Board the permitting authority for all KC development (including commercial site plans currently Selectmen's responsibility).

Acton Boxborough Cultural Council – continuation of Annual Film Series, Fridays, 5/1-5/15, Acton Town Hall, Room 204:

5/1: "A Hard Day's Night" (Richard Lester, 1964) (see flyer)

5/8: "Electra" (Mihalis, Kakogiannis, 1962) (based on tragedy by Euripides)

5/15: "Picnic at Hanging Rock" (Peter Weir, 1975) (mystery based in Australia)

Mr. Chang – nothing to report

Ms. Green: Nothing to report

Consent Agenda

Ms. Osman moved to accept consent agenda as printed in Agenda, Mr. Berry Seconded, All Ayes.

Mr. Berry moved to approve the committee appointment of Kat Hudson to the Kelly's Corner Steering Committee as an Associate Member of Acton 2020, Ms. Adachi seconded. All Ayes (5-0-0). Item was added as a not reasonably expected consent item at the item of the posting of the agenda.

Mr. Berry moved to accept meeting minutes from January 12, 2015, Ms. Osman seconded. 4 Ayes, 1 Abstain (Mr. Chang) Item was added as a not reasonably expected consent item at time of posting of the agenda.

Mr. Chang moved to adjourn, Ms. Adachi seconded. Meeting Adjourned at 7:43 PM

Respectfully Submitted,

Lisa Tomyl, Recording Secretary

Janet K. Adachi, Clerk

Board of Selectmen

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