

BOARD OF SELECTMEN AND SEWER COMMISSIONER'S MEETING

August 20, 2014

Francis Faulkner Room 204

Special Meeting 7:30 a.m.

Present: Katie Green, Janet Adachi, Franny Osman; Peter Berry, Town Manager Steven Ledoux. Lisa Tomyl, Recording Secretary. Vice Chairman Green opened the meeting at 7:35 a.m.

Citizens' Concerns

None

Chairman's Update and Operational Update

None

Public Hearings and Appointments

7:30 a.m. **Bruce Freeman Rail Trail Easements** – Roland Bartl, Planning Director, gave a summary and explanation of the following Easements: Debra Grace Jeanson, Trustee of M+D Realty Company, Kimberly A. Powers, Trustee of Bravery Realty Company, Nagog Knoll, LLC, Town of Acton, Rex Lumber Company. Attending from Anderson and Kreiger, Town Counsel was Ben Eastwood.

Mr. Berry moved to approve all easements, Ms. Adachi – second. All Ayes. UNANIMOUS VOTE

Selectmen's Business

None

Consent Agenda

Ms. Adachi move to approve consent agenda, Ms. Osman – second. All Ayes. UNANIMOUS VOTE

Ms. Adachi move to adjourn, Ms. Osman second – All Ayes.

Meeting adjourned at 8:05 a.m.

Respectfully Submitted;

Lisa Tomyl, Recording Secretary

Peter J. Berry, Clerk

BOARD OF SELECTMEN AND SEWER COMMISSIONER'S MEETING

December 15, 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 – Cable Advisory Committee invited the Comcast Representative to their meeting on December 17th to discuss converting the analog signal to digital and get an update on the status of the Town. The meeting is open to the public. The Health Insurance Trust will be losing Tess Summers to retirement at the end of the year. She has worked long and hard for the schools and the trust over the years and wishes her well in her retirement. People get bit by the volunteer bug during the holiday season, and would like to promote volunteering for a board or committee. Applications are available on the Town website. Also wishing everyone a happy and healthy holiday.

Mr. Ledoux – Spent most of the past couple of weeks working of FY16 budget. Last Wednesday Superintendent Ed Bouquillon from Minuteman High School hosted a breakfast meeting for the area Town Managers in the Minuteman district. He presented a preliminary budget and don't think the school committee has had a chance to review it yet. The preliminary budget is up 1.64%, but because of issues on the revenue side for assessments it may be up 9.84%. What that means for Acton is a preliminary assessment of \$918,833. Out of that \$152,253 is for the middle school program that Acton Boxborough Regional School district runs with Minuteman High School. Outer district enrollment is down 20 students as of October 1 and the member town enrollment is down 25 students. The Commissioner of Education is continuing to drop the non-resident tuition rate – right now it is at 134% of the foundation budget and it will be dropping to 125%. The Superintendent also stated there will be some changes to Chapter 74 which means if any school district has some type of exploratory program a student from that district can't sign up for an exploratory program at Minuteman. The good news with the changes to Chapter 74 is that there would be a capital fee associated with the non-member student for communities that have voc ed in their community. The charge would be 75% of the capital cost. Communities that don't have voc ed in their community the charge would be 100%. ALG meeting last Thursday the board discussed whether a cost saving committee or subcommittee would be a good idea and school committee and finance didn't agree. ALG will revisit the issue after spring town meeting.

Board of Selectmen

December 15, 2014

Public Hearings and Appointments

7:10 p.m. **National Grid Petition for Gas Main Installation, Henley Road** – Mr. Gowing read the public hearing notice. Applicant has requested a gas main installation to serve 11 Henley Road. The Engineering Department reviewed the request and recommends approval from the board. Ms. Adachi moved to approve, Ms. Green seconded. All Ayes – UNANIMOUS VOTE

7:15 p.m. **Town Manager FY16 Budget Presentation** – Town Manager Ledoux presented the FY16 Budget Report

7:55 PM **FY 15 Tax Classification Hearing – continued from December 1, 2014** - Mr. Gowing read the public hearing notice. Representing the Board of Assessors present was Brian McMullen, Director of Assessor's Office, and Carol Leipner-Srebnick, Chair of the Board of Assessors. Both gave an overview of the FY15 Tax classification on December 1, 2014 to the Board of Selectmen and what the BOS will have to vote on at the December 15th meeting. The Selectmen's Decisions are as followed:

1. Adopt a Residential Factor (tax rate of \$19.05)
2. Adopt Open Space Discount (currently no parcels apply)
3. Adopt Residential Exemption
4. Adopt a Small Commercial Exemption

Ms. Adachi moved to approve decision 1, and no on decisions 2-4. Mr. Berry seconded. All Ayes – UNANIMOUS VOTE

8:10 PM **Site Plan Special Permit Amendment #07/10/09 – 422, 107-115 Great Road** – Applicant has requested a continuance to January 26, 2015 at 7:10 PM Ms. Adachi moved to approve, Ms. Green seconded. All Ayes. – UNANIMOUS VOTE

Selectmen's Business

Design Review Board Charge Update 2014– Ms. Adachi has requested to continue the discussion at the next meeting in January to give more time for the Design Review Board to review and comment on the document.

Close Warrant for Annual Town Meeting 12/31/2014 – this closes warrant for citizen petitions

Open Space and Recreation Plan Discussion – Ms. Adachi discussed some of the changes that have been made since the previous version. Ms. Adachi moved to approve the OSRP and to approve the Chair to back the plan, Ms. Green seconded. All Ayes. UNANIMOUS VOTE

Selectmen to Vote on Members of the Acton Nursing Service Task Force - Mr. Gowing is requesting to have all applicants be vetted and recommended by the VCC regardless being a committee or task force so that the Task Force be voted on and approved all at once as well as finalizing and approving the new charge.

Board of Selectmen
December 15, 2014

Selectmen's Reports:

Ms. Adachi: **Acton Community Housing Corporation, 12/11** - Public session on proposed housing production plan. Well-attended, largely by Town committee members, including 4 Selectmen, most of ACHC, Acton Housing Authority Director Kelley Cronin and several AHA board members, etc.

Design Review Board – Ms. Adachi previously meeting last Friday with Planning Department, further revision of draft charge, and postponement to 1/2015 of Selectmen discussion of revised DRB charge to allow time for DRB members to comment.

Finance Committee, 12/9 – Financial updates by Superintendent and Town Manager about FY14 close, FY15 to date, including preview of Town Manager's preliminary FY16 budget. FinComm continuing outreach to community, most recently to Parent-Teacher-Student Organizations, in which there is a misconception that municipal and School District have different approaches to funding Other Post Employment Benefits. Continued FinComm exploration of stabilization funds: using existing and creating new capital fund, appropriating 400K for each; discussion of whether general fund could be used for School District purposes. Mr. Evans criticized proposed capital fund whereby today's taxpayers/residents would pay into fund for future capital expenditures that they might not be around to benefit from. North Action Fire Station Committee – Mr. Evans recounted long history of fire station study committees and then agreed to serve as FinComm representative on new committee.

Land Stewardship Committee – Meeting tomorrow.

Water Resources Advisory Committee – Meeting Wednesday.

Regionalization Finance Oversight Subcommittee – Meeting Thursday.

Acton Boxborough United Way community forum, 12/11 – Well-attended, as Ms. Osman reported. Barely enough time to do introductions. Lots of talk of challenges, updates on programs including by Ms. Osman about CrossTown Connect. Community forum is akin to Acton Safety Net meetings but larger-scale.

Diversity Coalition – Final report on 18 months' activities is final format, but delaying release till after 1/2015 meeting.

495/Metrowest Partnership, 12/2 – Board of Directors meeting. Discussion of Governor's 9c cuts, impact on Partnership budget, which relies on Regional Economic Development Program, which was not affected but as to which Partnership funding amount is unclear; and 50K budget earmark, which was dropped. Partnership reorganizing corporate sponsorship categories, and some possibility that

Board of Selectmen
December 15, 2014

organization will seek nominal donations from member municipalities. Update about federal Environmental Protection Agency draft stormwater permit/regulations, for which comment period ends this month; Partnership and other entities requesting 90-day extension for comments. As Ms. Adachi noted earlier, expectation is the EPA will take 1 year to process comments, with final permit/regulation coming out in 2016, and including 6-month delay before new standards become effective

Ms. Green: The Acton Boxborough Regional School Committee met and heard a presentation from Steve Noone of the Finance Committee on OPEB. The Committee also discussed doing an existing conditions and master plan study to evaluate their capital needs. This is something that may or may not be in the FY'16 budget. MASBO, the Massachusetts Association of School Business Officers, is going to do a review of the region's business practices. With new leadership, including a new Superintendent and Finance Director, this is a particularly good time for MASBO to do the review and to offer suggestions on efficiencies or other ways to improve the region's business practices. The region is still reacting to the 9C cuts and what those may mean for the FY'15 budget. Ms. Green attended the League of Women Voter's annual Chat & Cheer party. Acton's legislative delegation, Senator Eldridge and Representatives Atkins and Benson, attended and spoke about what issues they hope to focus on in the legislature next year. The Acton Boxborough United Way Needs Assessment Study Committee met. They are continuing to work on collecting both qualitative and quantitative data to better understand the issues facing our communities, the resources available, and where the gaps between those are. The Historical Commission met, but Ms. Green had to miss that meeting as it was at the same time as the ABUW meeting. The Acton Leadership Group met, but that was covered by the Chairman and Manager. Ms. Green attended the Housing Production Plan forum. As others mentioned, it was a great event with lots of interesting information and good discussion. The slides presented at the Forum are available on the town website.

Ms. Osman: **Transportation Advisory Committee 12-3-14**

Discussed Rail Shuttle expansion possibilities. TAC would like to work with CrossTown Connect and Town to find ways to better deliver commuters who live north and west, near 2a and 27, to the train.

Lowell Regional Transit Authority LRTA Dec. 4, 2014

The Jan. meeting may include a tour of the new Gallagher Terminal parking lot to open in February. It includes a walkway to the furniture building next door.

LRTA is installing new AVL-GPS system on buses, bringing the station up to par with the rest of the country, choosing a contractor within a few weeks.

There was a UMass Lowell meeting about how to increase ridership of students to the schools. There will be a meeting of Jim Scanlan, Admin. Dir. of LRTA with Middlesex Community College on the same issue on Jan.7 which he invited me to join. This is a relevant issue not only from the Lowell end of the

LRTA, but from our area I have heard families who were in need of transit up to Middlesex or UMass Lowell, both, and lack of transportation was affecting their educational decisions. LRTA has 4 new accessible minibuses expected in March, to be used on fixed route. They just had their highest 10 month ridership total ever. Ridership is up, weekdays and Saturdays. Other RTA's have started Sunday service: Worcester, Merrimac Valley, Pioneer Valley. LRTA considering same. It would be approx. \$5000 to \$6000 to add Sunday service, but I am not sure for what route the need was identified.

There was discussion of Veterans transportation and why can't LRTA go to the Bedford VA. Montachusett Area Regional Transit MART does do this. I will mention this at the college meeting, as Middlesex already shuttles between the Lowell and Bedford campuses.

This is the month that we are supposed to be reviewing and commenting on the Draft Regional Transportation Plan. One issue the LRTA could use input on from its towns is on how to make later night/earlier day/Sun. service better for towns who pay their assessment to LRTA. We pay an assessment.

I believe we should be looking as a Town at the Draft Regional Transportation Plan for the Boston MPO and commenting on it. Very important to do so. Only services in the plan are eligible for the FTA grants that are upcoming. I may reserve Town Hall and have a night or a Saturday for public input. This is a fast schedule but important.

Here is info taken from www.ctps.org website of the Boston MPO. I put the important info in bold below:

Coordinated Public Transit–Human Services Transportation Plan Released for Public Review

The MPO has released for public review its Coordinated Public Transit–Human Services Transportation Plan, which identifies the transportation needs of the elderly and people with disabilities in the Boston region and the services that currently exist to serve these populations.

Only the projects that meet the needs identified in this plan are eligible to receive funding from the Federal Transit Administration's Section 5310 program. The MPO will be accepting comments from the public through 5:00 PM on Tuesday, December 30.

The public review period offers an opportunity for members of the public to provide input about the transit needs of the populations served by the Section 5310 program and to identify current transit services that are not documented in the plan. Click [here](#) for the draft document.

The MPO is planning to vote on the plan at the meeting it has scheduled for January 8, 2015. The meeting will begin at 10:00 AM in Conference Rooms 2 and 3 of the State Transportation Building, 10 Park Plaza, in Boston. Members of the public are welcome to attend.

Please click [here](#) if you wish to submit a comment online. You also may send comments by mail, email, fax, or phone:

Board of Selectmen
December 15, 2014

Boston Region Metropolitan Planning Organization
State Transportation Building
10 Park Plaza, Suite 2150
Boston, MA 02116-3968
Voice: 617-973-7100
Fax: 617-973-8855
TTY: 617-973-7089
Email: publicinformation@ctps.org

Economic Development Committee EDC Dec. 4 2014

David Foley and Larry Kenah, between meetings, had developed a process by which the EDC would develop its goals, objectives, and projects. We got going on this process. We spent a lot of time discussing difference between goals and objectives. And we revised our goals. We took home homework to meet with subcommittees to develop objectives and projects to go with each of the goals. My group worked on the third goal (see below). Interesting to realize, as we did so, that promoting Acton to consumers helps the businesses as well so perhaps could be added to that third goal.

Revised EDC Goals

- Take care of existing businesses
- Facilitate the relationships between businesses and town government
- Promote Acton to the outside world by providing relevant information to prospective businesses.

Cemetery Commission 12-10-14

One of projects that came out of Natural Resources was making Kennedy Service Center accessible. The Cemetery Commission voted yes to using \$35k trust fund money matched with general fund money to pay for this project.

Harris St. was also discussed. They voted 2 to 1 to support the Town Manager in considering taking 2 old cemetery articles with money in them from years ago to be put toward the purchase of the Harris St. building Fish and Wildlife regional office building. NARA and Cemetery and other town equipment used by Natural Resources will be stored in the Harris St. building.

Open Space Committee 12-5-14

Discussed the status of many different parcels.

United Way of Acton and Boxborough Community Forum 12-11-14

Board of Selectmen
December 15, 2014

Reports on trends and needs and successes from many local agencies and providers including Officer Campbell. Three Selectmen were there.

Public meeting on Housing led by Metropolitan Area Planning Council MAPC 12-11-14 (Janet reporting too)

CrossTown Connect Dec. 12 (CTC)-

Established budget and dues for fy year 16-

Steve Ledoux has included Acton's dues in the budget workbook.

District Local Technical Assistance grant program of MAPC might have been able to fund the second component of the Community Innovation Challenge grant --defining routes and partners for a last mile transportation from the train to businesses—and initially they had interest but as looked closer they thought the Boston Metropolitan Planning Organization's Central Transportation Planning Staff would be more appropriate.

Workforce Development Program has a grant that might be useful for establishing service to Westford businesses or Devens but the matching grant is difficult to obtain. Businesses already pitch in toward transportation for employees from Alewife. That route avoids the cost of the train for the employees. The issue at hand is how to get employees here by train and last mile service at similar cost.

CTC has

5 communities- Acton, Boxborough, Littleton, Maynard, Westford

5 businesses- Gutierrez, Clock Tower Place, Red Hat , IBM, Juniper Network

Shuttle Subcommittee

First meeting of this subcommittee which includes both Towns and Businesses. There are very interested businesses in Westford, and the chair, Chris Kluchman of Town of Westford, asked what businesses or business parks in Acton would have sufficient density. Need sufficient need in small location—too many stops makes it too slow. If anyone has ideas about this, let me know. In the meantime, the Shuttle Subcommittee of the CTC board is focusing on three directions from Littleton Station: Toward Cisco, Toward Westford, Toward Devens. Chicken and egg thing, as more businesses would be attracted to an office park that did have reverse commute shuttle to it. But right now, businesses are spread out.

Interviewed candidates for COA Board and Senior Center Study Committee

Board of Selectmen

December 15, 2014

Mr. Gowing: Regional Transportation Advisory Council (RTAC) – RTAC heard a presentation on freight movement in the greater New England area from Abby Swain, a representative from the EPA working out of the Volpe Transportation center, discussing greenhouse gas levels and an overhaul of the New England rail and road freight systems.

Historic District Commission (HDC) – the HDC discussed a possible zoning change affecting historic districts. They had scheduled a client to come in but the client canceled at the last minute. Got to go review the current status of the WAVE project. The interior walls are beginning to go up and windows will be installed within the next 2 weeks.

ALG – ALG discussed OPEB and potentially revising the spreadsheet tool that we all use to be more reflective of the district being a separate entity than the town. We agreed to postpone the decision on taxing to the maximum (2 ½%) until we know what the governor plans are doing to fiscal 2015 (this fiscal year) so we will know what cuts we are experiencing from the state.

LRTA -the LRTA held their annual holiday dinner.

Consent Agenda

Ms. Adachi moved to approve consent items 10-20, 22-24, 26-27. . Ms. Green seconded. All Ayes

Item 9 held by Mr. Berry for discussion on redline changes; Ms. Osman held item 21, and Mr. Gowing held item 25.

Ms. Green moved to approve item 9 with the agreement by the Board of Selectmen and Roland Bartl for requests for slight modification on the draft decision redline areas. Mr. Berry seconded. All AYES

Ms. Adachi moved to approve item 21, Ms. Osman has rescues herself from the vote. Ms. Green seconded. 4 Ayes, 1 abstain (Ms. Osman).

Ms. Green moved to approve item 25, Mr. Gowing abstains. Ms. Adachi seconded. 4 Ayes, 1 Abstain

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

Meeting Adjourned at 9:10 PM

Respectfully Submitted,

Lisa Tomyl, Recording Secretary

Peter J. Berry, Clerk

Board of Selectmen
December 15, 2014

Board of Selectmen and Finance Committee
Budget Saturday
January 10, 2015

Selectmen Members Present: Mike Gowing, Katie Green, Janet Adachi, Peter Berry, Franny Osman
Finance Committee Members: Margaret Busse, Bob Evens, Doug Tindal, Steve Noone, Mike Majors, Mary Ann Ashton, Roland Bourdon, Bill Mullin

Town Staff Present: Town Manager, Assistant Town Manager/IT, Town Accountant, Finance Director, Town Assessor, Veteran Services, Human Resources, Highway Superintendent, Engineering DPW Director, Council on Aging, Acton Memorial Library, Building Commissioner, Planning/Zoning Board of Appeals, West Acton Library, Police Chief, Fire Chief, Municipal Properties, Natural Resources, Recreation/Celebrations, Health/Nursing

Chairman Gowing convened the Selectmen's meeting to order. Doug Tindal convened the Finance Committee to order. Town Manager Ledoux gave a brief overview of the FY16 budget.

Veteran Service

James McRae presented his budget. 5% increase in professional salaries with his 34 hour workweek and Beverly Hutchins serving as assistant. Budget otherwise remaining the same with no change. Herman Kabakoff asked how many he served 3 years ago vs. now. Jim cannot estimate how many he assists with claims as he has a "revolving door". Finance did not have any unanswered questions.

Human Resources

Marianne Fleckner presented her budget. Finance did not have any unanswered questions.

Highway/Transfer Station & Recycling/ Engineering

Corey York and Dick Wait presented the DPW/Transfer/Recycling budget. Bill Mullin – any funds for sidewalks? –Corey stated no capital request. Corey has many projects for updating and installing new sidewalks in 2015. What portion of \$ is from warrant articles and what are gift funds (BM). (MB) what are the biggest hurdles of full trash pickup in Town? (CY) Last looked at curbside collection 6 years ago and was voted down. It is something the Town could look into again. If we went curbside we could also have a SMART program. (DT) what is % of population of Acton that utilizes the transfer. (CY) There are 3800 users with about 7000 properties in Town. (DT) Is there a program to study dangerous intersections (Kelly's Corner) with a high use of pedestrians? CY – been working with the PD with accident data and where to target future projects. (BM) – how much is in parking meter account – Finance probably knows the answer to that. Finance Department stated about \$668,000.00

Council on Aging

Sharon Mercurio presented the COA budget. (MA) can you say what has been done physically this past fiscal year and what # of PT vs. FT, and have they benefited. Kitchen renovation completed. Staff only 1 40 hour, 1 36 hour, and 34 hour for veteran. 19 hour non benefited. HK – any plans for facility upgrades this year –(SM) no. There were no further questions from Finance.

Acton Memorial Library

Marcia Rich presented the budget. Marcia addressed her increase in professional salaries. Worked with Marianne Fleckner to do a comparative study in salaries in other Towns to be competitive. (MAA) – have you seen a change in hard copy vs. digital. (MR) Digital has gone up more due to more people with tablet technology and more people are utilizing this. Minuteman has put 400,000 in Overdrive for ebooks. (MAA) Which proportion of staff is FT/PT. What will you be changing in the near future? (MR) 7 PT benefitted (1 36 hour PT). BM – 8.51 increase in professional salaries.– (MR) One salary out of line was Director salary by about \$10,000 to \$14,000 for an increase. (BM) – Acton Memorial Library Foundation how much revenue do you get from them per year? (MR) We get 22-25,000 in support from them. We give them invoices and they pay it. We also get books from it, and some programming. (BM) How much tax do they have on the balance sheet. (MR) They spend down . They do not have a live balance.

Building

Frank Ramsbottom presented his budget. Not a lot of changes from last year budget. Transferred some of the salary to the building revolving fund. BM – how much is in the revolving fund? (FR) Around 186,000. (BM) Are we charging for too much for inspection fees if they go into the revolving fund? (FR) They go to pay the inspectors. (BM) Then we are charging too much for inspection. We paid out \$166,000 out of the revolving fund last year. (HK) – in contrast you collected that money up front, so \$199,000 collected last year – you have \$180,000 against liabilities of that somewhere. You owed inspectors in anticipation of an inspection. I would like to know who we owe money to? If that is the fact, we are overcharging our citizens. I just want to know we can account for the money collected up front and would like to see the reconciliation. (DT) – are we taking account of overhead? If the money collected is going to pay the inspectors and clerical, then we are not overcharging. (HK) – Town Manager said we can't charge more than the cost of the inspection. Steve Noone suggested that Steve Barratt make a list of charges for building permits and reconciliation for future use.

Planning/Zoning Board of Appeals

Roland Bartl presented the planning budget. (BM) Bruce Freeman Rail Trail - when will construction begin for that? (RB) Starting this year to next year. (BM) Where is going to be, it is up to the bidder. (RB) No Town money will be spent in the intersections with the BFRT. No further questions from finance department.

West Acton Library

Jennifer Friedman presented the WAL budget. Her budget is not changing from last year. No further questions from Finance Committee.

Town Manager/Commission on Disability

Steve Ledoux presented the Manager budget. He outlined the two new positions of Land Use Director and Economic Development Director that will fall under the TM budget and then will be stand alone

once filled. Also, envisions the there will be one budget under Land Use falling under the position of Land Use Director. (MAA) have you thought ahead re-configuring the department head positions down the road since there will be a super director – Steve Ledoux stated yes.

(MAA) – Not convinced about the EDD position, would you think about it as a 3 year position to have a metric for evaluating the need for the position? Steve would be willing to look at that and track the efficiency of the position and the need. (HK) – suggested getting in touch with the EDD in Lowell – they are really active and report directly to the mayor to get an idea how they work.

Bob Evens spoke not in favor of the EDD and LUD positions. SN – supportive of the EDD position from a business perspective. No further questions from Finance Committee.

Information Technology/Emergency Management

Mark Hald presented the IT/Emergency Management budget. (DT) – where do you see the Town in 5 years? (MH) – no capital fund this year. (MAA) – do you have any plans to upgrade the website when you are fully staffed and do you support the Library –(MH) we support the library, and the website is due for an upgrade since it was last updated in 2009.

(BM) – any way to have access to town property tax through the Assessors online? (MH) – there is a plan to have the software used by the Assessor's office to have access to property tax. We are down 2 positions right now, but it is on the radar. One position that he would like to have is a media specialist that incorporates town website/docushare/social media content.

Emergency Management – increased salary is due to position of Assistant Emergency Management Manager. They have cleaned out the Emergency Management building the past summer to update services, energy efficiency, phone lines, radio systems. Just got approved for an FM radio frequency to utilize in case of state or town-wide emergencies. Will be constructing a new radio station. No further questions from the Finance Committee.

Police /Dispatch/Animal Control

Frank Widmayer and Rich Burrows presented the Police/Dispatch/Animal Control budget. Dispatch budget has not changed much. Animal Control – major expense was due to the boarding that was a court order, but the condo association has since reimbursed the town. Police – regular permanent salary is up. Still trying to fill positions. (SN) – how many vacancies – (FM) technically 10, there are 2 in the academy until February. No further questions from the Finance Committee.

Municipal Properties/Green Advisory Board

Dean Charter presented the Municipal Properties/Green Advisory Board budget. (BM) – is Town Hall painting available for CPA funding? Dean – asked for it last year and it was denied. (PB) – separate budget for GAB – why is that if no other committee has one? (DC) Have energy conservation analyst that works 16 hr/week for MP. GAB and MP work very closely more so than many other committees. We get lease payments from Ameresco about \$60,000/year and go into the Energy Efficiency Fund. (MAA) – FY15 budget included \$ for arborist – was the position filled? Dean – yes. (FO) How much will it cost extra for the special paint for TH? Dean – about \$15, 000 No further questions from Finance Committee.

Natural Resources/Cemetery

Tom Tidman presented the Natural Resources/Cemetery budget. Up 2% from last budget – water use at cemetery was up a bit.

(DT) – what is the status of the purchase of the Harris Street Property – did we buy it? (SL) – no we have not. The project was dropped before Town Meeting. No further questions from Finance Committee.

Recreation/Celebrations

Cathy Fochtman presented the Recreation/Celebration budget. The budget is level and reduced by .3%. Celebrations are less with about \$9000 due to the reduction of the Police Detail requirement. (KG) – will the increase of minimum wage will affect her operation. (CF) – yes it will. DOL will not impose this increase on Camps (CITs, counselors). Lifeguards and snack bar seasonal employees will be imposed on this. Will have to adjust our fees accordingly. (MG) - July 4th celebrations' donations pay for transportation and the Sherriff's Department? (CF) – no the Town does.

(MAA) – are your programs self funded – (CF) – yes.

MAA – Are the in and outs of Recreation programs – how much \$ goes in and out – Cathy I would have to look that up.

No further questions from Finance Committee.

Fire

Pat Futterer presented 3 budgets, Fire Alarm Revolving, Ambulance Enterprise.

(DT) – what is the life expectancy on the large items? Pat – engine is 5, pump is 10, and ladder is 15, but I don't have the exact numbers. We are looking at a possible lease idea with the Town Manager.

(KG) – Have you thought about a Community Paramedicine. (PF) – we, like many departments are being asked to more with less. We have a Nursing Service that is already practicing this. We already go into homes and assess if their home/living conditions safe. I would rather have nursing service take care of this. I see it s a liability issue if we assess patients to see if they need further medical care.

Ambulance is down, payroll is down, EMT stipend down due to missing staff (short staffed).

Fire Alarm is level funded.

No further questions from Finance Committee

Health/Nursing/Transportation

Doug Haley presented the Health/Nursing/Transportation budget. Doug announced this is his last Budget Saturday with his anticipated retirement this year. He has attended every Budget Saturday since the very first one. (PB) – who will run the transportation – (DH) – it will go out to bid.

(SN) – what is a fixed route? (DH) It will run 11 hours a day 7 days a week. Need to work with Planning to fully define the actual 13 mile route.

(JA) – does the transportation with cross town, engineering, road runner – do they overlap? (DH)

Transportation enterprise fund covers the hard operations- vans, drivers, etc. Cross Town handles the soft operation – dispatchers.

(MB) – Will fixed route system still have the dial a ride? Doug – yes.

No further questions from Finance Committee.

Finance (Accounting, Town Clerk,/Elections, Assessors, Collector, Finance Director)

Lisa Krauss presented the Accounting budget – budget up 9.6% due to increase in salary, COLA. No further questions by Finance Committee.

Eva Szkaradek presented the Town Clerk budget – minor increase in budget – no questions. Election workers are now paid through Town payroll as Town employees.

(CK) – FY16 budget elections – how many elections does it cover? (ES) - 2 Town elections and 1 state.

(CK) – so the amount will vary from FY to FY. (ES) – yes.

(MAA) – do you anticipate any extra expenditures due to the change in the election worker requirements? (ES) – no I have not factored that yet.

(MB) – each election costs \$30,000? (ES) – there are different line items for different things. The total amount would be the full amount. No further questions from Finance Committee.

Brian McMullen presented the Assessor and Collector and Finance budget. Collector is a level service budget. (MG) Payment in lieu of taxes – does it fall to the collectors? (BM) – generally it is the Collector's. Return is 99%.

Brian McMullin presented the Finance Department budget.

(MB) – What was the rationale for putting OPEB in the operating budget. (SL) – we did it as a warrant article and educational piece at town meeting.

No further questions from Finance Committee

Selectmen: Mr. Gowing motion to adjourn, Ms. Adachi seconded

Finance: Mr. Noone motion to adjourn, Ms. Busse seconded

Respectfully submitted,

Lisa Tomyl, Recording Secretary

Peter J. Berry, Clerk

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 Tomy, 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.

Board of Selectmen
February 23, 2015

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

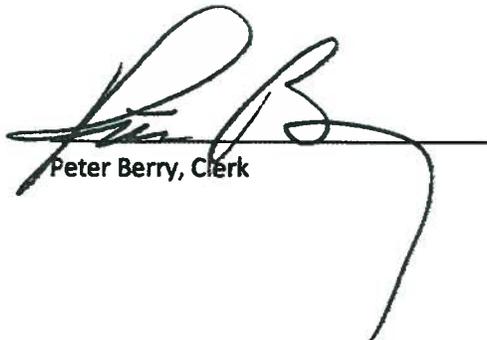
Ms. Green moved to adjourn, Ms. Adachi seconded, All Ayes

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

April 27, 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:

Mr. Ledoux:

Public Hearings and Appointments

1. GPAUP, Inc., Class II Dealer License, Non-Display Internet Only, 271 Great Road, Suite 25
Ms. Green read the public hearing notice. Representing GPAUP, Inc was Jack (unknown last name), counsel for the owners of the company. The business will match buyers and sellers over the Internet. Owners will be utilizing flatbed trucks to transport deliveries to and from buyer/sellers – no vehicles will be stored on site. Ms. Adachi moved to approve Class II application, Ms. Osman seconded, All Ayes.
2. Order to Show Cause, Makaha Restaurant –Detective Fred Rentschler, Deputy Chief Rich Burrows and Patrolman John Collins from Acton Police were sworn in by the Clerk. Carolyn Conway, Counsel for Makaha requested to cross examine the Police Department members. The Board will ask questions as well. Detective Rentschler gave a report of the event on the evening of March 5, 2015. Attorney Conway asked who did the redactions on the police report. Detective Rentschler stated it was Town Counsel. Mr. Berry that there should be no discussion of the physical appearance of the person in the video in open session. Mr. Cheng responded to questioning by Attorney Conway as to what happened the night of March 3, 2015. The customer was not a regular but often placed takeout orders. On March 3, she ordered chicken wings and a sombrero and talked on her phone to her mother. Ms. Conway said the video had no audio. The Board voted to go into Executive Session. After about 36 minutes, Ms. Adachi moved to come out of Executive Session and go into regular session, Ms. Osman seconded. The clerk took the role call – all Ayes.

Mr. Berry asked about the police report that the officer took her into the restaurant lobby and whether at that point the officer observed the odor of alcohol, eyes appeared bloodshot and glassy and decided to put her in protective custody. Officer Collins stated that people are put

Board of Selectmen

April 27, 2015

into protective custody who are in danger to themselves. After handcuffing, she raised concerns about her personal safety so he took her to Emerson Hospital.

In response to Attorney Conway's questioning, Mr. Cheng said the customer's posture and speech was normal. The Alcoholic Beverage Control Commission hearing on the Makaha appeal will be May 6 at 12:30 p.m. There was some discussion of a condition that the Board imposed in 2005, prohibiting the Makaha from selling alcoholic beverages to customers waiting for takeout orders, but that had not been included in subsequent license renewals.

Audience member Anthony Cardullo spoke in support of the Makaha, commended the Acton Police Department. and said he was disappointed that the Board was having another hearing regarding the liquor license.

Board members agreed that the Police Department had done the right thing but the video was inconclusive on the issue of intoxication, and in the absence of evidence of intoxication, the Board should find no violation.

Ms. Adachi moved to find no violation, with the Board's prior suspension of the license revocation to remain in effect . Ms. Osman seconded. All Ayes

Selectmen's Business

Re-Organization of the Board of Selectmen:

Ms. Osman nominated Ms. Green as Chair, Mr. Berry seconded, all Ayes

Ms. Green nominated Mr. Berry as Vice Chair, Ms. Osman seconded, all Ayes

Mr. Berry nominated Ms. Adachi as Clerk, Ms. Osman seconded, all Ayes.

Discussion of Liaison Assignments

The Board re-organized the Selectmen liaison list. Mr. Berry moved to approve the committee liaison appointments, Ms. Adachi seconded. All Ayes.

Re-Organization of the Municipal Properties Department

Mr. Ledoux gave an overview of the re-organization of the Municipal Properties Department. The plan is to have the department fall under the Director of the Department of Public Works, with Municipal Property Director to become Municipal Property Superintendent, reporting to the DPW Director. The Arborist will become Crew Leader and oversee employees at the Municipal Property Department. Dean Charter as acting Tree Warden will oversee transition as a retiree for a 1-3 year transition while the new Arborist learns the job. Ms. Osman moved to approve the plan, Mr. Chang seconded. All Ayes.

Discussion on Land Use/Economic Development Director Role

Mr. Ledoux gave an overview of the approved Land Use/Economic Development Director role. Mr. Berry recommended that certain committees be part of the selection process, providing input as to how

Board of Selectmen

April 27, 2015

this person could help serve the community). Mr. Berry will work with Mr. Ledoux on the solicitation of comments from Town boards and committees. Further discussion will be on May 18th.

Selectmen's Reports:

Ms. Adachi: Acton Boxborough Cultural Council, Friday, 4/10 – annual grantees reception, Sargent Library, Boxborough. Friday, 4/24 – start of month-long film series in Room 204, Friday, 7:00 pm. Collection of film-shorts, very professional, entertaining and of diverse subjects, styles. Series continues 5/1 w/"Hard Day's Night," 50th anniversary version, cleaned up, much better quality than original.

Acton Community Housing Corporation – Housing Production Plan workshop (second one), Thursday, 5/14, 7:00 pm, Room 204.

Acton Water District, Monday, 4/13 – Elections: Ron Parenti new chairman. Discussion of

- new South Acton water treatment plant, which wasn't fully up and running yet but close. Repaving of disturbed roadways—Parker, High, School, etc.—supposed to start week of 4/21 (Lazaro contract)
- Starmet site in Concord - Concerns about potential impact on Assabet wells. AWD and other interested parties would like monitoring well off Knox Trail; AWD will retain counsel specializing in Superfund issues.
- Concord Town Meeting approved 200K for improvements at 37 Knox Trail.
- AWD meeting tonight, new treatment plant and Starmet site on agenda.

Conservation Commission, Wednesday, 4/15 – Approved final Quail Ridge conservation restriction, which eventually will come to Selectmen for approval. Continued discussion of Assabet River Rail Trail extension off Main to Maynard line, including section of very elevated boardwalk over wetlands that Army Corps of Engineers opines won't have permanent impact on wetlands (installation will require dewatering, have temporary impact).

Land Stewardship Committee, Tuesday, 4/21

- Jim Snyder-Grant, long-time chairman, planning to step down, not clear who will succeed him.
- Discussion of new Harris Street property and possibility of some storage space for LSC equipment
- Final Selectmen-approved, MA-approved Open Space and Recreation Plan published, 2014-2021
- Dog-waste bag disposal issues: people are throwing dog waste bags into surrounding areas where bags decompose slowly. Kudos to Sid Levin and other Arboretum neighbors for voluntarily clean up dog-waste every spring.

Board of Selectmen
April 27, 2015

Water Resources Advisory Committee, Thursday, 4/16 – Continued refinement of draft stormwater bylaw. Rebekah Lacey, Town Counsel's office, reviewed her proposed revisions, which helped to streamline prose. Town Manager has approved follow-up meeting w/Rebekah in May. Tentative public information session in June and plan to have bylaw ready if there is special town meeting in fall.

Economic Development Committee, Thursday 4/2 – Attended meeting to explain local meals tax proposal and hear from members, who had discussed proposal earlier but had individually varying positions. Ms. Osman reported that members ultimately voted to support proposal, with 2 dissenters.

TRB, Phase 3 (adjacent to CVS and TD Bank, Massachusetts Avenue, Kelley's Corner) Thursday, 4/29 – Update meeting with proponents at Planning Department temporary offices.

495/Metrowest Partnership Water Resources Committee Thursday, 3/26 — Discussion of impact of draft stormwater management permit (regulations) that Environmental Protection Agency issued 9/2014; Town staff from Engineering and Health among attendees.

495/Metrowest Pshp Annual Awards reception, Quest Diagnostics, Marlborough, Wednesday, 4/1

- Private sector award: Joseph Zink, President/CEO of Atlantic Management, who oversaw redevelopment of Marlborough Hills, home to Quest Diagnostics and GE Healthcare, with 1.05 million square feet of office/lab space, 350 1-2 bedroom residential units, 153-room Hilton Garden Inn, 75,000 square feet retail/ restaurant space.

-Public sector award: Dennis Giombetti, Framingham BOS and active in 495/Metrowest Partnership, other organizations.

Acton and Boxborough Diversity Coalition, Thursday, 4/16 – In transition, seeking to assume responsibility for annual MLK, Jr. breakfast that historically local, now defunct No Place for Hate program has hosted at Temple Beth Elohim (national Anti-Defamation League is discontinuing NPFH program); ABDC also likely to revisit mission to focus more on racial/cultural issues that inspired residents to come together 2 years ago. Members will screen "Slavery By Another Name" on Friday, 5/1.

Girl Scout Tour, Thursday, 4/16 – With Town Manager, who provided Town "swag"—pens, paper pads, etc.--and Human Resources Director Marianne Fleckner, who included great exercise, asking girls to write down what careers they hoped to pursue, and seal the documents in envelopes not to be opened until they finished high school in 2022; idea from exercise that Marianne's son did: wanted to become engineer and he did.

Patriots Day, Monday, 4/20 – With husband and college roommate joined Acton and Boxborough Minutemen for march down Strawberry Hill as far as Barretts Mill Road. Drove to Concord later to walk over North Bridge, visit house of emancipated slave Caesar Robbins across Monument Road. That site is one of two Concord sites with Toni Morrison Society benches, part of Society's "Bench by Road"

Board of Selectmen
April 27, 2015

program to commemorate sites of significance in African-American history. Would like to explore whether any such sites in Acton.

Council on Aging, Friday, 4/24 – Tribute to volunteers. Said a few words on behalf of Selectmen. Former Selectmen chairman Mike Gowing in audience as handyman volunteer, had assignment to help flip mattress, so another moniker beginning with "M" to add to the Town Meeting tribute to him: "Mattress-Flipper."

Ms. Green: I volunteered with the **Acton Democratic Town Committee's annual food drive**. Patrons of Donelan's and Roche Bros. donated over \$4,500 worth of food and supplies to the Acton Boxborough Food Pantry. Thank you to the donors and to Donelan's and Roche Bros. for hosting us. The **Recreation Commission** met and discussed outreach ideas to gather input on planned renovations to the playground at Jones Field. Keep an eye out for a survey on that topic. The Recreation and Natural Resources Departments are also beginning work on an updated Master Plan for NARA. The **Acton Memorial Library Board of Trustees** also met. They are still looking for a new Assistant Director for the library. They reposted the position as the preferred candidate last round withdrew her application. 2015 is the 125th anniversary of the Acton Memorial Library. The trustees are discussion ways to commemorate the milestone. Stay tuned for more information on that front.

Mr. Berry:

Ms. Osman: **Council on Aging Board** met on April 6, 2015. I was not present as I was getting ready for Town Meeting. Items I see in the draft notes to note include an upcoming June 10 presentation about Virtual Villages, and the plan to create a senior survey for inclusion in the next Town census. There was a well-attended Lion's Club luncheon on St. Patrick's Day. Next meeting Monday, May 4, 2015 at 3:00pm

Economic Development Committee

April 2, Janet Adachi visited and we had a discussion of the upcoming Meals Tax vote at Town Meeting as well as the upcoming vote on zoning changes at Brookside Shops. Motion to support Meals Tax passed 5-2 and to support the zoning changes unanimously.

May 7 the EDC will attend the Acton 2020 Kelley's Corner meeting.

Cemetery 4-8-15

I would like to ask BOS for an ok for the Cemetery Commission to have a dramatic event in the cemetery in fall 2015. The Commission moved that it is ok for the Historical Society to do this as a fundraiser— where civil war era people are portrayed dramatically, describing their lives in the war. Dr. Mary Donald learned about this last year because they did it in Harvard. We want to ask the ok of BOS.

Acton Senior Center Study Committee: Monday, April 13, 2015

Board of Selectmen
April 27, 2015

We chose officers: Chris Hamilton will serve as chair, Peter Ashton co-chair.

A subgroup updated the demographic analysis of Acton's Seniors. We will post that so anyone can look at it. Also looked at updated estimates of timeline and cost.

LRTA Long Range Transit Plan committee, April 14, 2015

We looked at the report prepared by a consultant, looked at each of LRTA's fixed routes and recommended changes. We meet again tomorrow. There will be public hearings in the next few weeks to look at the plan.

MassDOT Regional Coordinating Council (RCC) meeting 4-16-15 – hosted by Acton this time, at the library. We clarified subgroups that will work between meetings: legislative, grant-making (informs legislative), and travel information, which includes travel training. Our many-town RCC is co-chaired by Maynard Asst. Town Manager Andrew Scribner and Acton Selectman Franny Osman. Technical support by Theadora Fisher at Human Services Transportation office of Mass.

Transportation Advisory Committee 4-22-15- Over the past year we have started meeting every other month. We seek bike enthusiasts to help us move forward on that front. The April 22 meeting included catch-up on approval of minutes of past meetings.

Mr. Chang – nothing to report

Consent Agenda

Ms. Green moved to adjourn, Ms. Adachi seconded. All Ayes
Meeting Adjourned at 8:40 PM

Respectfully Submitted,

Lisa Tomyl, Recording Secretary

Janet K. Adachi, Clerk

BOARD OF SELECTMEN AND SEWER COMMISSIONER'S MEETING

May 18, 2015

Francis Faulkner Room 204

Regular Meeting 7:00 PM

Present: Katie Green, Janet Adachi, Chingsung Chang, Town Manager Steven Ledoux. Lisa Tomy, Recording Secretary

Absent: Peter Berry, Franny Osman

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

Citizens' Concerns

Peter Jones, 6 Nadine Road— behind CVS property. A decision in November 2013 required that within a year the developer address fencing and tree- planting. Mr. Jones reached out to the developer but the contact person has changed. Assistant Town Planner Kristen Guichard had been helpful. What is the best way to interface with the Town to enforce the Selectmen's decision? Town Manager Ledoux asked Mr. Jones to get in touch with his office..

Chairman's Update and Operational Update:

Ms. Green: Memorial Day Monday May25 at 10:00 AM. Peter Berry will be reading names of Town veterans who have passed away. Acton Center Traffic Study hearing on June 1st at 7:00 PM in Room 204 at Town Hall. Early congratulations to the Acton-Boxborough Regional High School seniors on their pending graduation on June 5, 2015.

Mr. Ledoux: Received a notice under Chapter 61A of the potential sale of the Isabella Choate property on Newtown Road. Because it was taxed as a 61A property, the Town has the first right of refusal. The Town has until June 1st to see if a bona fide offer – Town Counsel is looking at it right now. Then we have 120 days to exercise our right of first refusal. Mr. Ledoux will report back to the Board of what the findings are. Zoning Enforcement Officer Scott Mutch has submitted his resignation as of today – we wish Scott well as he has been here for 7 years and we will be figuring out a process to replace him. There was a meeting with the MA Department of Environmental Protection in Worcester of representatives of the Nagog Woods condominium association, and the Town to talk about the– privately owned Nagog Woods sewage treatment plant that serves the Nagog Woods Shopping Plaza and most of the Nagog Woods area. DEP would like a legal entity to take responsibility of the plant, whether the condo association or the Town. The issue requires a lot of due diligence: finances, the state of the plant, future capital costs.. May have an Executive Session to discuss this further with the Board. There was a public hearing on Beacon Hill about Acton's local act to withdraw from civil service.. Held 4 bargaining sessions with 4 of the Town's Unions

Public Hearings and Appointments

1. Liquor License Transfer, 7th Settlement South, LLC from 525-537 Mass Ave, LLC Ms. Green read the public hearing notice. Sherrie Gould was representing the applicants for the license Board of Selectmen

May 18, 2015

transfer. Proposed brew-pub in new barn-like building. Peter Henry – brewery and farm-to-table operation in Dover, NH. Building permit with Building Department, beginning build out shortly. Board of Health approved septic but also need approval for tight-tank. Will share serving policy, no problems at NH location. Mr. Chang moved to approve the license transfer, Ms. Adachi seconded. All Ayes (3-0)

2. Girls Scout Troop #72053 Presentation to the Board of Selectmen – The Girl Scout Troop #72053 presented their service project to the Board of Selectmen as part of their work toward the Government badge and Bronze Award.
3. National Grid Petition for Gas Main Installation, Woodchester Road – Ms. Green read the notice for the continued public hearing. Dennis Regan represented National Grid. Spoke with Barry Rosen and heard from Acton Water Supply District regarding questions that Mr. Rosen raised at the May 4th meeting. All concerns and questions were explained. Ms. Adachi moved to approve the gas main as described in the petition, Mr. Chang seconded. All Ayes. (3-0)
4. Amendment to Class I Dealer-Seller License, Swanson Buick GMS Truck, Inc. – Ms. Green read the public hearing notice. Representing Swanson was John Swanson. No questions from the Board. Ms. Adachi moved to approve the amendment to the Class I Dealers License to include 45 Powder Mill Road. Mr. Chang seconded, All Ayes. (3-0)

Selectmen's Business

Regional Housing Services Office Inter Municipal Agreement Amendment – RHSO requests to add the Town of Burlington to the RHSO. At the last meeting, it was unanimously agreed that adding Burlington would be good for RHSO, and probably as large as they would want to get. Ms. Adachi moved to approve the Town of Burlington as a member of the RHSO, Mr. Chang seconded, All Ayes. (3-0)

Land Use Economic Development Director Job Description Discussion – A memo and job description was emailed out to all Boards and Committees on April 30, 2015 giving all Boards or Committees a chance to respond any comments or suggestions to be submitted to the Board of Selectmen by May 15, 2015. Town Manager stated the timeline is crucial to have a person in the position before Doug Halley retires on October 31, 2015. It would help to recruit for Doug's position. Steve Noone – Finance Committee – the economic development language has been somewhat submerged. Jeff Clymer spoke on behalf of the Open Space Committee. Added to some words to expand on WRAC and balance the needs to the businesses and to the committees. Water resources are important to the town as well. Debra Simes spoke on her own behalf, the guidance parameters is to be the master planner for Kelly Corner and Acton 2020. Finance Committee official motion that was passed was moved direct the chairman to respond to the Town Manager that the position description be scrapped and be re-written to be a 50/50 position (one Land Use Director and an Economic Development Director). (Finance Committee motion was approved.)

Kat Hudson Acton 2020 – asked the Board the consensus of the comments – Chair Green stated after the discussion with the Board, then a general consensus will be formed and cannot make a comment at this time.

Ms. Adachi – feel the whole process has gotten so far out of reach. Merging the two position is becoming a catchall. Finance Committee’s motion made the most sense, and everything else is more of a wish list from committees. To make all these suggestions it’s almost is like having 2 Town Managers. Mr. Chang agrees with Ms. Adachi’s statements and the job description. Take a look again on how the job description is laid out on a strategic and tactical level. Ms. Green stated this person would be responsible to working with the master plan. Mr. Chang suggested on taking the top 5 responsibilities for the position be the focus since the job description is very long and specific.

Selectmen's Reports: The Selectmen Reports were included in the Selectmen packet and there were no questions.

Consent Agenda

Ms. Adachi moved to approve consent agenda, Mr. Chang seconded. All Ayes

Mr. Chang moved to adjourn, Ms. Adachi seconded. Meeting Adjourned at 8:10 PM

Respectfully Submitted,

Lisa Tomyl, Recording Secretary

Janet K. Adachi, Clerk

BOARD OF SELECTMEN AND SEWER COMMISSIONER'S MEETING

June 8, 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 resumed the open portion of the meeting at 7:25 p.m.

Citizens' Concerns

Bob Ingram looked on the Town website for minutes and the last set published was for the January 12, 2015 meeting. Ms. Green stated that numerous meeting minutes are on the Consent Agenda for tonight.

Chairman's Update and Operational Update:

Ms. Green: Congratulations to the Acton Boxborough Regional High School ICass of 2015. Thanks to all who participated in the Memorial Day Celebration. Flag retirement this Sunday, June 14 at 1:00 p.m. at Woodlawn Cemetery. If you have any worn flags, you can bring it to James MacRae for a proper disposal.

Mr. Ledoux: ICMA annual conference in Seattle in September will be honoring CrossTown Connect With local government excellence award for communities of 10,000 to 49,999. I will be attending the conference with the other neighboring Town Managers, and am very proud that we achieved this award. Acton has been awarded a Tree City Award; the Municipal Properties Director picked up the award last week. On June 25 at 11:00 am there will be a groundbreaking ceremony for Phase II of the Bruce Freeman Rail Trail at NARA Park with a variety of speakers as well as representatives from the Governor's office and a reception to follow. All the Land Use Departments will be moving back to Town Hall with the exception of the Recreation and Engineering Departments. The Land Use Departments will be closed on [Friday, June 19th], and re-open on [Monday, June 22] at Town Hall.

Public Hearings and Appointments

None

Selectmen's Business

Pay as You Throw (PAYT) Fee Schedule Discussion: Corey York presented an update about the proposed PAYT program and the transfer station fee recommendations for the coming year. Mr. York provided 3 options for the Board's vote: adopt the proposed PAYT fee schedule either with or without the provision of additional free 8-gallon bags for senior citizens, or keep the current transfer station arrangement without PAYT. Mr. Chang asked if there were data about transfer sticker holders-- identities, dates, etc.—and whether Mr. York could compile data for the past 3 years; Mr. Chang would Board of Selectmen

June 8, 2015

like a survey of users at some point, would prefer to have more information before moving forward with PAYT. Ms. Osman would like to see data over time comparing private hauler customers and not just transfer station users and also comparing senior citizen users and non-senior citizen users . Mr. Berry would like coordination between the Community Services Coordinator and the Assessor's Office to identify seniors eligible tax relief who also should be considered for reduced transfer station fees. Ms. Adachi, who noted that Sudbury senior citizens like her mother did not get a discount under Sudbury's PAYT program, would like to see data about how PAYT permit prices have changed over time in PAYT communities.

Audience members offered comments supporting and opposing PAYT, including:

Patrick Bradley, 2 Torrington Lane – Expressed support for recycling efforts.. but believed PAYT is going to increase costs for families who produce more trash.

Ken Henderson, Fort Pond Road, - Circulated a petition with over 300 signatures against instituting PAYT.

Steve Long, Church Street. – Supportive of PAYT, thanked the Board and Town Manager.

Ward Bein, Half Moon Hill –Believed there was not enough factual information regarding PAYT

Bob Ingram –asked if there had been a survey of transfer station users, Ms. Green explained that the vote at Town Meeting was a non-binding resolution, preceded by multiple public hearings regarding PAYT leading up to Town Meeting.

Bill Hart, Charter Road - Supported recycling, but opposed PAYT, said the presentation should include private hauler data.

One audience member suggested a pay-by-weight system instead of the volume-based PAYT. Mr. York noted that the Town could not just place a scale on top of the capped landfill, and the scale might require footings to support it. But he was prepared to consider all options. Some Selectmen also would like the Town to explore weight-based options further.

Four Board members preferred one of the two PAYT options, and between those two options, the first option without the extra free bags for senior citizens; Mr. Chang preferred no change in the current arrangement. Ms. Adachi moved to approve PAYT option 1, Mr. Berry second, 4 Ayes, 1 Nay (Mr. Chang)

Discussion of the Charge for a Community Preservation Committee Standing Committee: Mr. Berry as the Board liaison to the CPC explained that the CPC would like to form a subcommittee to explore the possibility of raising the Community Preservation Act surcharge from the current 1.5% to 3%. The proposed membership would be 10 people, including representatives of ACHC, Finance Committee, Selectmen, etc., and 2 citizens at large appointed the by BOS by January 1 2016. Ms. Adachi moved to appoint Mr. Berry as Selectmen representative, Mr. Chang seconded. All Ayes (5-0)
Ms. Adachi moved to approve the Standing Committee charge, Ms. Osman seconded, All Ayes (5-0)

Board of Selectmen

June 8, 2015

Selectmen's Reports: The Selectmen Reports were included in the Selectmen packet and there were no questions.

Consent Agenda

Ms. Adachi moved to approve consent agenda, Mr. Chang seconded. All Ayes.

Mr. Chang moved to go into Executive Session for purposes of discussing the proposed amended employment agreement between the Town Manager and the Town, Ms. Adachi seconded. . Clerk roll call vote, all Ayes.

Following the Executive Session, the Board resumed the open portion of the meeting.

Amended Employment Agreement between the Town of Acton and Town Manager Steven L. Ledoux:

Mr. Berry – Moved that the Board of Selectmen approve and execute the Third Amended and Restated Employment Agreement between the Town of Acton and Town Manager Steven Leo Ledoux dated June 8, 2015, in the form presented, Ms. Osman seconded. 4 Ayes, 1 Absention (Mr. Chang).

Ms. Adachi moved to adjourn,, Mr. Chang seconded, All Ayes. (5-0)

Meeting adjourned at 9:15 PM.

Respectfully Submitted,

Lisa Tomyl, Recording Secretary

Janet K. Adachi, Clerk