

3/8/12

Selectmen's Minutes December 15, 2003

Present: Walter Foster, Peter Ashton, William Shupert, Robert Johnson, F. Dore' Hunter, Town Manager and his Assistant.

CITIZEN'S CONCERNS

MARY MICHALEMEN – Mary announced that the Stream Team was awarded the grant from the State for the signage project.

PETER ASHTON - Announced that he will seek re-election this year. He finds the job rewarding and wants to stay involved in the committee's that he has been working with.

WALTER FOSTER - Announced he has decided to run again also.

PUBLIC HEARINGS & APPOINTMENTS

GRAHAM KNOWLAND- NOISE COMPLAINT, BROOKSIDE MALL – Walter discussed the various steps that the Building Commissioner has taken to respond to Mr. Knowland's complaints. We have received two letters from Brookside and BFI which will outline what they are going to do to comply, even though they feel they are within their rights. The one way sign will be reinstalled by the management of Brookside. Walter wanted to be sure that the signs were up within 24 hours.

Trey noted he went out Tuesday at 6:00 a.m. and saw no dumpster activity.

Mr. Knowland wanted to correct that it wasn't just the BFI and other trucks, it is the safety on Esterbrook Road. He noted the service road was dangerous and how it is being used, not just BFI but other delivery trucks too.

Walter said that the issues he raised Mr. Knowland could go before the Board of Appeals as his avenue to change the situation. He was asked to log potential activity with the Police.

Bill Kingman asked about who to notify if they wanted to let some one know about the violations. He noted that he had observed that the sign was in place.

Dore' noted that the police have four people on each shift. They will not be on anyone's street all day. He urged that they notify the police themselves to report this violation.

Garry noted that we have no control over signage on private property.

SITE PLAN SPECIAL PERMIT #01/06/99-368, POWDER MILL ROAD, –
Mark Donohue spoke about the engineered building planned for this site. Structural engineers have reviewed this location and feel that it can be built in a safe manner.

Dore' wanted to speak about sidewalks. He said that he would leave it to the Board whether they want more sidewalk installed or a gift in lieu.

Dore' wanted to talk about the storm drains. Dore' would recommend as a condition have Building Commissioner require an annual inspection for 3 years, notice would be to observe the storm sceptors.

Peter wanted to require side walks along the entire frontage of the property. He wanted to require them. Trey too wanted sidewalks as well as Walter.

Mr. Bertolami said that he would rather donate to a charitable organization, DORE' HUNTER - Moved to take under advisement. PETER ASHTON, second. UNANIMOUS VOTE.

CLASSIFICATION HEARING – The Board can't vote at this time as we have not received the documents from the State in order to make the decision. –TREY SHUPERT – Moved to continue the hearing to February 23, 2004 at 7:15. - BOB JOHNSON – Second. They want to issue the bills on Dec 31st. Also the resolution from the School side was discussed. TREY SHUPERT - Moved to sign the extension request letters to DOR. BOB JOHNSON – Second. UNAIMOUS VOTE

DORE' HUNTER - Move we execute the resolution document he will draw lines thru text that appears on the fax that are not part of the Boards Resolution. PETER ASHTON – Second. UNAIMOUS VOTE

BOARD OF HEALTH COMMITTEE APPOINTMENT – PAM HARTING-BARRAT- TREY SHUPERT – Moved to appoint Pam as an Associate member of the Board of Health with a term to expire 6/30/04. DORE' HUNTER – second UNAIMOUS VOTE.

CPA COMMITTEE APPOINTMENT – MATT LUNDBERG – DORE' HUNTER – Moved to appoint Mr. Lundberg as an Associate member of the CPC term to expire 6/30/04. PETER ASHTON – Second. UNANIMOUS VOTE

BOARD OF HEALTH COMMITTEE APPOINTMENT – JOANNE BISSETTA – DORE' HUNTER – Moved to appoint Joanne Bissetta as an Associate of the Board of Health. ROBERT JOHNSON – Second. UNANIMOUS VOTE

FY05 BUDGET PRESENTATION –Don gave an overview of the budget. Dore' said we need to give Finance Staff a thank you. Walter thanked staff for their efforts in putting these books together. The Board will meet on Jan 10 for its budget meeting.

SELECTMEN'S BUSINESS

TEMPORARY APPOINTMENT – CPC, ACTON HOUSING AUTHORITY – The Board discussed the letter received from AHA regarding Mr. Nagles request to be temporarily replaced until he can again serve. The Board noted that we cannot have temporary committee members and suggested that Joe resign and Erin to replace him. When he gets better he can reapply to be a full member again. WALTER FOSTER – Moved to

appoint Erin Bettez as the AHA Rep. to CPC pending Joe Nagles resignation. DORE' HUNTER- Second. UNANIMOUS VOTE.

STREET LIGHT REQUEST, SLYVIA STREET – Don said that we have put modest amount in the budget.

TREY SHUPERT Moved to install the two fixtures contingent upon adequate funding for both fixtures. DORE' HUNTER – Second. UNANIMOUS VOTE

2004 ANNUAL LICENSE REVEWALS – DORE' HUNTER Moved to approve the licenses included on the memo dated 12/15/03 provided that all taxes are paid. TREY SHUPERT – Second. UNANIMOUS VOTE

JAMES KOTANCHIK, DISCLOSURE STATEMENT – DORE' HUNTER Moved to accept the disclosure statement as submitted from Mr. Kotanchik, and that he continue to serve as he has on the Board of Assessors. PETER ASHTON- Second UNANIMOUS VOTE

OTHER BUSINESS

Peter noted that the State is requiring us to enforce the noise bylaw. He noted it would require staff and equipment. He feels we should not go ahead at this time.

First Night of Annual Town Meeting. The Board discussed the conflict with Passover and the Board will open and continue the ATM until the next night, April 6, 2003. Peter noted that this date is determined by the Town Charter. Dore' felt that if we open and close the meeting we legally did meet requirements of the Charter.

CONSENT AGENDA

PETER ASHTON – Moved to Approve. TREY SHUPERT – Second. UNANIMOUS VOTE.

Minutes November 3, 2003, TREY SHUPERT - Moved to amend the November 3 minutes to read: TREY SHUPERT Moved that we amend the November 3 minutes to read: TREY SHUPERT – Moved to include ARRT, in the full amount, to the CPC for consideration. DORE' HUNTER – Second UNANIMOUS VOTE.

TREY SHUPERT- Moved to make a request for full funding \$248,000 to be paid over a two year period. PETER ASHTON – second. UNANIMOUS VOTE
DORE' HUNTER – Moved we approve the minutes as amended. PETER ASHTON- second. UNANIMOUS

TOWN MANAGER'S REPORT

The Board voted to close the Annual Town Meeting Warrant at noon time, on December 31, 2003.

EXECUTIVE SESSION

DORE' HUNTER – Moved go in Executive Session regarding LITAGATION. ROLL CALL taken, All Ayes

Christine Joyce
Recording Clerk

Clerk

Date

December 12, 2003

TO: Board of Selectmen, Sewer Commissioners

FROM: Walter Foster, Chairman

SUBJECT: Selectmen and Sewer Commissioners Report

DECEMBER 15, 2003
MEETING BEGINS AT 7:00 P.M.

I. CITIZEN'S CONCERNS

II SEWER COMMISSIONERS' BUSINESS

III. PUBLIC HEARINGS & APPOINTMENTS

1. 7:05 **GRAHAM KNOWLAND, NOISE COMPLAINT – BROOKSIDE SHOPS –**
Enclosed please find materials in the subject regard for Board consideration.
2. 7:15 **SITE PLAN SPECIAL PERMIT # 01/06/99-368, POWDER MILL ROAD –** Under separate cover the Board will receive hard copy of materials in the subject regard.
3. 7:30 **CLASSIFICATION HEARING (CONTINUED) -** Enclosed please find materials in the subject regard.
4. 7:45 **COMMITTEE INTERVIEW, BOARD OF HEALTH –** Enclosed please find Pam Harting-Barrat's Volunteer Application for appointment to the Board of Health
5. 8:00 **COMMITTEE INTERVIEW, CPA –** Enclosed please find Matt Lundbergs's Email regarding appointment to the CPA.
6. 8:15 **COMMITTEE INTERVIEW, BOARD OF HEALTH –** Enclosed please find Joanne Bissetta's Volunteer Application for appointment to the Board of Health.
7. 8:30 **FY05 BUDGET PRESENTATION –** Enclosed please find preliminary information in the subject regard. The Town Manager will present the full budget at the meeting.

IV. SELECTMEN'S BUSINESS

8. **TEMPORARY APPOINTMENT – ACTON HOUSING AUTHORITY –** Enclosed please find a request from the Acton Housing Authority to temporarily designate Erin Bettez as the AHA Representative to the Community Preservation Committee.
9. **STREET LIGHT REQUEST – SYLVIA STREET –** Enclosed please find staff comment in the subject regard.
10. **2004 ANNUAL LICENSE RENEWAL –** Enclosed please find the 2004 License renewal list for Board consideration.

11. **JAMES KOTANCHIK, DISCLOSURE STATEMENT** – Enclosed please find a disclosure statement from Mr. Kotanchik, for Board consideration.

12. **OTHER BUSINESS**

V CONSENT AGENDA

13. **ACCEPT MINUTES** – Enclosed please find Selectmen minutes of November 3 and 17 2003, for Board acceptance.

14. **ACCEPT GIFT** – Enclosed please find a request from the COA Director for the acceptance of three new Dell Computers for the Senior Center Computer program for Board consideration.

15. **ACCEPT GIFT** – Enclosed please find a request from the Fire Chief asking that the Board accept a gift of Pet Oxygen Masks and Resuscitator from the Acton Critter Sitters for Board consideration.

16. **SITE PLAN SPECIAL PERMIT #06/02/87-284, SOMERVILLE LUMBER, 976 MAIN STREET, AMENDMENT II** – Enclosed please find an amended draft for Board consideration.

VI. TOWN MANAGER'S REPORT

VII EXECUTIVE SESSION

17. **There will be a need for Executive Session**

ADDITIONAL INFORMATION

Enclosed please find additional correspondence that is strictly informational and requires no Board action.

FUTURE AGENDAS

To facilitate scheduling for interested parties, the following items are scheduled for discussion on future agendas. This IS NOT a complete Agenda.

January 5, 2004 – Continuation of Montouri Site Plan, Wetherbee Plaza Extension #9/3/3-

GOALS 2003-2004

1. Labor Negotiations (Peter/Trey)
2. Improve Communication with Town Boards (Walter/Peter)
3. Revisit 2020 planning process for direction to make this process more beneficial towards implementation of long-term vision (Trey/Peter)
4. Towne Building Reuse (Bob)
5. ALG process be used for purpose of Budget Planning for FY04 Walter/Trey)
6. Process Planning for "Life after NESWC" (Peter) Implement Chairman Round Table – (Peter)
7. Joint IT process-organizational change (Walter/Dore/)
8. Middlesex Pension Alternatives (Walter)

GOALS carried forward

9. Public Safety Facility (Dore/Trey)