

7/12 (4)

Christine Joyce

From: Dore' Hunter
Sent: Thursday, June 10, 2004 8:57 PM
To: datar55@hotmail.com
Cc: Manager Department; Board of Selectmen
Subject: Re: Snow plowing for private drives, preliminary question for Town Manager

Mr. Datar:

By copy hereof I am requesting that the Manager and his secretary put your request to fund public plowing of your private way on the July 12 Board of Selectmen meeting agenda as a timed appointment, and requesting that they inform you of the assigned time. Unfortunately it is difficult to estimate appointment timings and we sometime run late, if so we will apologize.

Regards,
Dore' Hunter
Selectman, Town of Acton, MA
Tel: 978-263-0882
Fax: 978-263-9230
Email: DoreHunter@aol.com

7/9/2004

Christine Joyce

From: Nijan Datar [datar55@hotmail.com]
Sent: Thursday, June 10, 2004 10:42 AM
To: Dore' Hunter
Cc: Manager Department; Board of Selectmen
Subject: Re: Snow plowing for private drives, preliminary question for Town Manager

Mr. Hunter,

It has been over a month since our last email exchange on the issue of private drive snowplowing. I have not heard from the Town manager either. I understand that the next Selectmen's meeting is on July 12. Can this issue be placed on the agenda ?

I prefer that this issue not wait until winter arrives.

Thanks,

Nijan Datar

>From: DoreHunter@aol.com
 >To: datar55@hotmail.com
 >CC: manager@acton-ma.gov, bos@acton-ma.gov
 >Subject: Re: Snow plowing for private drives, preliminary question for Town Manager
 >Date: Thu, 6 May 2004 12:29:36 EDT

>
 >Mr. Datar:

>
 > This will acknowledge your message concerning your request that the Town
 >of Acton handle certain private way plowing if the funding for such was to be
 >privately provided.

>
 > Your question is an entirely reasonable one. However, because the Town
 >government is bound by statutes and regulations I have found that not all
 >things that would be reasonable for a private organization to undertake are indeed
 >possible for a public entity. Before the Board of Selectmen undertakes any
 >consideration of your request for a policy viewpoint, I will have to request the
 >Town staff to research how, if at all, the Town could legally undertake to
 >accept the private contribution of funding for the municipal snow plowing work
 >you seek.

>
 > By copy of this message I am therefore asking the Town Manager to provide
 >advice to the Board as to how, if at all, the Town could accede to your
 >request in compliance with the applicable law and regulations, as well as whether
 >any damage done in such circumstances by Town equipment/employees/contractors
 >would be covered under the existing Town insurance arrangements.

>
 > Assuming that the Town can legally do as you wish, and that there are no
 >insurance complications, I will certainly place this matter on the Selectmen's

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>meeting agenda at an early date and notify you so that you may then be
>present, if you wish.

>

>Regards,

>Dore' Hunter

>Selectman, Town of Acton, MA

>Tel: 978-263-0882

>Fax: 978-263-9230

>Email: DoreHunter@aol.com

Getting married? Find great tips, tools and the latest trends at [MSN Life Events](#).

Don Johnson

From: Don Johnson
Sent: Thursday, May 06, 2004 3:18 PM
To: Dore' Hunter
Cc: Manager Department; Board of Selectmen; John Murray; Bruce Stamski
Subject: RE: Snow plowing for private drives, preliminary question for Town Manager

Dore':

We will research, as you suggest. Already, though, I can see a potential problem if we are able to accept private money for this purpose. In years past we have received an appropriation based on estimated "average" costs. We then proceeded to plow these private roads without regard to whether we had expended all of the moneys. (In other words, we treated them as public ways and if the season caused us to overrun, we absorbed their additional cost in our budget.) I am quite certain that in the big snow winters 2-3 years ago we expended as much as double the \$12,000 appropriation, just as we spent double the regular snow appropriation. Given the tight budget constraints that we are facing, I should think that we would want a "fail safe" agreement that gets us more money if we run out ... something that potentially says we will estimate based on our cost of plowing similar public ways but, if the season is worse and we run out of the regular budget (based on the same type of estimate) we will need the Private Ways to pony-up additional dollars based on the same % that we have run over in the regular budget.

By copy to John and Bruce, I am asking them to research this question and advise us of their recommendations.

Regards,
Don

-----Original Message-----

From: Dore' Hunter
Sent: Thursday, May 06, 2004 12:30 PM
To: datar55@hotmail.com
Cc: Manager Department; Board of Selectmen
Subject: Re: Snow plowing for private drives, preliminary question for Town Manager

Mr. Datar:

This will acknowledge your message concerning your request that the Town of Acton handle certain private way plowing if the funding for such was to be privately provided.

Your question is an entirely reasonable one. However, because the Town government is bound by statutes and regulations I have found that not all things that would be reasonable for a private organization to undertake are indeed possible for a public entity. Before the Board of Selectmen undertakes any consideration of your request for a policy viewpoint, I will have to request the Town staff to research how, if at all, the Town could legally undertake to accept the private contribution of funding for the municipal snow plowing work you seek.

By copy of this message I am therefore asking the Town Manager to provide advice to the Board as to how, if at all, the Town could accede to your request in compliance with the applicable law and regulations, as well as whether any damage done in such circumstances by Town equipment/employees/contractors would be covered under the existing Town insurance arrangements.

Assuming that the Town can legally do as you wish, and that there are no insurance complications, I will certainly place this matter on the Selectmen's meeting agenda at an early date and notify you so that you may then be present, if you wish.

Regards,
Dore' Hunter

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Selectman, Town of Acton, MA
Tel: 978-263-0882
Fax: 978-263-9230
Email: DoreHunter@aol.com

Don Johnson

From: Nijan Datar [datar55@hotmail.com]
Sent: Thursday, May 06, 2004 11:59 AM
To: Dore' Hunter
Cc: Manager Department; Board of Selectmen
Subject: Re: Snow plowing for private drives

Mr. Hunter and Members of the Board:

Due to a busy schedule, I could not respond earlier. I think there is merit to both sides' arguments on this issue.

So I would like to focus on the crux of the matter, which is this: Since the Town pleads lack of funds for private road plowing, will the Town plow us if we remove the financial impediment? Namely, I will do the work of contacting private road residents, and raise the \$12000 that you need for this purpose. Mr. Shupert had told me on the phone that "If I can find this amount in the budget, then it can be considered". So I am volunteering to find this amount.

I hope you will consider this issue at your next meeting. If you want me to attend in person, I will.

Thanks,

Nijan Datar

>From: DoreHunter@aol.com
 >To: datar55@hotmail.com
 >CC: manager@acton-ma.gov, bos@acton-ma.gov, wyndcliff@wyndcliff.org
 >Subject: Re: Snow plowing for private drives
 >Date: Thu, 15 Apr 2004 17:31:09 EDT
 >
 >Mr. Datar:
 >
 > I will not address your question about raising \$12K to have the Town plow
 >private roads, leaving that to others for the moment.
 >
 > However, as to your other points: Each year that the Town has sufficient
 >funds to provide the extra service we accept applications for private road
 >plowing, and then meet to make decisions as to which will and which will not be
 >plowed that year. As has happened in the past where budgets have been very
 >tight we have suspended the program altogether, as is the case at present.
 >
 > Many roads are left private, rather than being brought into the public
 >street system, by developers because not meeting all the Town's street standards
 >saves them money and, at least in theory, provides some savings on the house
 >prices. Other roads are kept private for various reasons, including privacy.
 >
 > Accordingly it does not seem reasonable for any citizen to assume that
 >any given private road, even if plowed by the Town in a prior year, will be

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>plowed in future years. I am sorry, but that is the reality of the situation.

>

>Regards,

>Dore' Hunter

>Selectman, Town of Acton, MA

>Tel: 978-263-0882

>Fax: 978-263-9230

>Email: DoreHunter@aol.com

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