

6/16
18

Selectmen's Minutes
July 12, 2004
6:30 P.M.

Present, F. Dore' Hunter, Peter Ashton, Robert Johnson, Walter Foster, Town Manager and Assistant Town Manager. Trey Shupert was absent. Meeting was televised.

CITIZEN'S CONCERNS

SPECIAL EXECUTIVE SESSION

BOB JOHNSON – Move to go into Executive Session for the purpose of discussing Litigation. PETER ASHTON – Second. All AYES

SEWER COMMISSIONER'S REPORT

PUBLIC HEARINGS & APPOINTMENTS

COMMISSION ON DISABILITY – Lisa Franklin spoke about transportation. Perhaps they could have expanded hours of the LRTA. She wants the support of the Board to find a solution to the transportation issue. Dore' asked about the hours of the service provided. She was asked to get some figures for Board review. She was asked to continue to work on the project.

SITE PLAN SPECIAL PERMIT #03/09/04-396, MARGARET NAZZARO – BOB JOHNSON – Moved to Continue to August 16 at 7:15. WALTER FOSTER – second UNANIMOUS VOTE.

PLOWING OF PRIVATE WAYS – Mr. Nijanand Datar, 15 Wind Cliff Drive spoke about the need for plowing. He felt they could bring the cost down to \$100 per house hold. Don has reviewed the costs and it will be over ½ dozen private ways that we have typically plowed and would total \$12,000 annually. Council was concerned about liability for maintenance. If the Board wanted we could take a gift of \$12,000 to plow. Peter asked about doing this on a per street basis, and wanted a written agreement to protect ourselves and others. Don felt that same process could be used. Walter said he was concerned about administrative costs. He noted he lives of a private street that the Town does not plow or maintain.

BOB JOHNSON – Moved that Town staff will be asked to prepare a resolution with as little overhead costs possible. WALTER FOSTER – second. UNANIMOUS VOTE

MAKAHA – Dore' gave an overview of the current situation. We have received notice of violations from the District Attorney's office.

Todd Fenniman spoke on behalf of his client and the efforts that Jake had developed prior to his death. Todd spoke about the ways to stop these activities. Mr. Cheng does not feel singled out. Mr. Cheng would like suggestions for him to act proactively. They discussed a police detail, it was effective and it reduced the number of clients. He has

had a problem with retaining doormen. He would have no problem sending employees to TIP Programs.

Dore' said that there are some long term cultural things in play, and they are known as a place to get one more. Frank said that their calls for help have increased. He needs to address the reputation of being able to get drinks late and large. Dore' suggested a non-concealed camera. Dore' felt that the reduction of patrons is a temporary one. Walter was concerned that there was no change and it is the same bartender and would have no problem handing down a suspension of the License, or any other means to get the point across. He was concerned that the efforts to control these types of over service have not continued. He cautioned them that they need an image change. Peter shares some of Walter's feelings. He felt that installation of video would help, especially in the cases referred from the District Attorney's Office. He is concerned and if we see Mr. Cheng again, he would seek suspension.

O'NATURALS – EXPANSION OF HOURS – Mac McCabe, President of O'Naturals asked the Board for approval to open at 7:00 A.M. WALTER FOSTER – Moved to approve. PETER ASHTON – second. UNANIMOUS VOTE.

O'NATURALS – ENTERTAINMENT LICENSE - They would like to have mellow music on Thursday evenings from 6 pm to close at 8:00. WALTER FOSTER – Moved to approve the Entertainment License. PETER ASHTON – second. UNANIMOUS VOTE

MORRISON PROPERTY PLANNING COMMITTEE – Dore' outlined the situation. Bob asked that the Land Stewardship Committee instead of the Conservation Commission being involved. Walter noted that the composition of 10 is large. #2 Goals of Morrison Farm and any contiguous parcels town owned are identified. Dore' wanted them to report at the 2005 Town Meeting. Peter noted it does not need to be a Goal to return the Cemetery Land, but they need to plan for it. Peter was going to cut it down to 9 or add Tom Tidman as a 11th voting member. Dore' said he felt that would put Tom in a bad situation. Peter then said he could go with 9 members. Peter noted we may want to investigate the need for a consultant.

Jim Snyder spoke about the involvement of the Land Stewardship activities. Maya Spies spoke about Morrison Property. She wanted to know when the members would be selected. Dore' said current sitting members of committees and boards would be chosen first. She wanted to know how they can ensure other parties are to be chosen. She was asked her point of view on the disposition of this land. Her only point is that the Town not lose this property.

Mrs. Morrison of South Acton, asked that town not continue developing our lands. She said we should just let land be land. She finds it troubling.

Peter said that he disagreed with her interpretation of Trey's memo about intent for development.

COMMITTEE INTERVIEW, GARY R. SULLIVAN, ASSOCIATE MEMBER OF THE PLANNING BOARD – Walter asked about why he was volunteering his service. He brings enthusiasm. Peter asked if he has read the zoning bylaw. He asked him his opinion on residential growth in Acton. He has only lived in Acton for two months. PETER ASHTON - Moved to Appoint Gary Sullivan as an Associate Member of the

Planning Board term to expire 6/30/05. WALTER FOSTER – second. UNANIMOUS VOTE.

COMMITTEE INTERVIEW, JOANNE BISSETTA, ELEVATION TO FULL MEMBER, BOARD OF HEALTH – Bob thanked her for volunteering. Peter asked what the most important issue with Board of Health is; septage is one issue that she sees. PETER ASHTON – Moved to Appoint Joanne Bissetta as a full Member to expire 6/30/07. BOB JOHNSON – second. UNANIMOUS VOTE.

COMMITTEE INTERVIEW, EDMUND STARZEC, ASSOCIATE MEMBER OF THE PLANNING BOARD – He was asked about his involvement with potential for conflict. He said he would rescue himself. Walter thanked him for volunteer and asked in his experience what the major Planning Board issues are. Related is transportation, traffic calming. BOB JOHNSON – Moved to appoint Edmund Starzec as an Associate member of the Planning Board with a term to expire 6/30/05. PETER ASHTON – second. UNANIMOUS VOTE.

HEARING, BOARD OF ASSESSOR'S MEMBER LESTER GOODRIDGE. - Dore' noted that his non appearance was intentional on June 21, 2004 Special Meeting. WALTER FOSTER – Moved to remove Mr. Goodridge from the Board of Assessors immediately. PETER ASHTON – Second. Four Ayes, and one absent (Trey Shupert)

SELECTMEN'S BUSINESS

TEMPORARY SIGN REQUEST, ACTON CENTER CONGREGATIONAL CHURCH
PETER ASHTON – Moved to approve. BOB JOHNSON – Second. UNANIMOUS VOTE.

LRTA APPOINTMENT OF REPRESENTATIVE – WALTER FOSTER – Moved to reappoint Sheldon (Don) Herskoviz as Acton's Representative. BOB JOHNSON – Second. UNANIMOUS VOTE.

COMMITTEE REAPPOINTMENTS - WALTER FOSTER - Move to approve the reappointment list as amended and to appoint Nancy Tavernier for the Associate opening on CPC. BOB JOHNSON – second. UNANIMOUS VOTE.

PROPOSED HISTORICAL MEMORIAL FOR FRANCIS FAULKNER -Dore' was hoping to name our hearing room the Faulkner Hearing Room. Peter said we endorse as a Selectmen's project to CPC. WALTER FOSTER – Moved to approve. PETER ASHTON – Second. UNANIMOUS VOTE

YIN PEET AGREEMENT The Board is being presented the final agreement with Yin and Creighton Peet. We will get acreage and water from the Quarry to supplement NARA. Walter said we need to accept this Agreement. Dore' thanked Walter for his view. The Manager to insert dates as required. PETER ASHTON – second. UNANIMOUS VOTE.

OTHER BUSINESS

CPC met and was given a Bruce Freeman Rail Trail tour.

OLAC – OLAC's status as possible advisors to the Building Commissioner in enforcing the Bylaw was discussed. They will wait until Trey can be present.

MBTA ADVISORY BOARD – Dore' as chair, has appointed himself as Acton's Representative to the MBTA Advisory Board'

CONSENT AGENDA

PETER ASHTON – Moved to approve. – WALTER FOSTER - Second. UNANIMOUS VOTE

TOWN MANAGER'S REPORT

EXECUTIVE SESSION

BOB JOHNSON – Move to go into Executive Session for the purpose of discussing legal strategy. PETER ASHTON – Second. All AYES

Christine Joyce
Recording Clerk

Clerk

Date