

Selectmen's Minutes
May 9, 2005
7:00 P.M.

Present: F. Dore' Hunter, Peter Ashton, Walter Foster, Lauren Rosenzweig; Bob Johnson, Town Manager and Assistant Town Manager. Meeting was televised.

CITIZENS' CONCERNS

Sid was concerned about State Aid Surplus in taxes asked that we communicate to our reps about sending the money back to the Towns.

League of Women Voters notifying the meeting about Water Wednesday here at Town Hall.

Mr. Hancock spoke about Route 2 fly overs and the past attempts of redevelopment at the Auto Auction.

SEWER COMMISSIONERS' BUSINESS

OPERATIONAL MINUTE – Don outlined the communications about A-Frame signs around Town. Enforcement of zoning is usually not on temporary signs basis. He is hopeful that with the wind down of major projects this will allow them to get back to the enforcement. Dore' suggested we put an article on the town meeting to allow us to confiscate the signs. Don said they already can.

LIFE AFTER NESWC (LAN) – John Murray introduced the members of the Committee and presented a slide show of information regarding LAN's process and findings. He outlined the options such as pay as you throw; curb side pick up and brokering trash. The Bid from Waste Management said they would charge \$254 for curb side pick up and would increase over the five year contract. He presented the 2 day vs. the 5 day Transfer Station Operation. John discussed the NESWC Committee recommendations. They asked for \$18,000 to prepare a study for Post Closure. The Committee suggested that we reject the Curbside Bid. They suggested selecting the hybrid choice and continue the 2 day service, and to address it at the next annual Town Meeting.

Lauren asked about whether we need to change all the stickers at the Transfer Station, John said they are up in Sept. of this year. With pay as you throw this maintain the staff for the 2 day operation and would begin in July.

Dore' thinks we need to take knowledge from the past. We did not have a good handle on our volume of trash, originally and we still don't at this point. We need to take small steps. He is inclined toward a hybrid scheme. He is bothered by the two day openings. He was sure with a two day operation, Saturday would be very busy, indeed for many of the hours the transfer station would be operating at full capacity.

Walter had a lot of questions and wanted to hear from the folks that came tonight. He is inclined to go slow at this time.

Dore' noted we have budgeted for two, not five days.

Bob Johnson said that we are better served to go slow and listen to the citizens. He felt that at least one day should have extended hours.

Peter Ashton noted that we funded a 2 day a week in the budget and would we need another vote for 5 days. John said we should get some revenue in the last 90 days and said that we should be able to cover 5 days without a Budget Transfer.

Jim Snyder-Grant – Half Moon Hill, had the poll results he had collected regarding Hybrid choice. The People attending LAN meetings suggested we have a Hybrid operation. He said many of them are ready to help the town on a pay as you throw operation. The discussion of 5 vs. 2 day operation was touched on. They wanted to encourage a 5 day operation with pay as you go. He surveyed the Transfer Users on Saturday as well as an Email questionnaire. He said they got 300 people responding. 10 people didn't care or were not interested. 34 wanted two day and to save the \$15. 245 users wanted a five day a week operation. 88% for five day operations.

Charlie Kadlec – He asked if the Board of Selectmen were the final people to make the decision and read from the ATM warrant Article 16. He asked that we continue to have the Special Town Meeting on the Transfer Station on the 13th. He thinks that the Pros and Cons should be discussed by the Town Meeting members and have them vote on the options available.

Herman Kabakoff – He was concerned with Pay as you Throw that have not been addressed. He was concerned about the times of the year such as Christmas. He feels that the cost would be prohibited to the citizens, as well as Spring Clean ups.

Carol Marchan Orchard Drive had a question about the biodegradable and the prices under hybrid price of .75 15 Gallon 1.25 for larger bags. The bags are going to be burned.

Liz Whittier Drive, she wanted to have expanded hours on the two days and change it to Fridays opening at 7:00 A.M.

Brian 26 Hosmer – Wanted to know about how the leaves and such would be handled. John said no change from current operations.

Sid supported Charlie and asked about the Post Closure Plan. LAN wanted to have a recreation use; we received none at Bid time.

Al Mertz – asked about the curb side vs. pay as you go.

Mary Donald – is confused about weight of the bags. She asked if we would weigh the vehicles. John said they are using DE; assumptions.

Sue Kennedy spoke about the closure and the amount of the \$18,000 post cap.

Richard Kelle – asked about the 3 million set aside and ear marked for closure.

Ken Henderson Fort Pond Road – He uses the dump and no other services and does not want to pay extra to take his trash.

Bill Sawyer – He asked about pay as you throw.

Jim Richmond Giaconda Ave, - He was concerned about yard waste. That will remain the same...

Terra Friedrichs – She wanted to keep it a town service.

Paul Sweeney asked about the letter from the State.

Gena Manaln – She suggested we need to have a full discussion in a proper forum. She said Town Meeting is the proper forum.

Joan Gardner asked about this issue and whether we have contacted Senator Resor.

Peter outlined the actions we need to take. What we should do about the June 13 meeting. Dore' said that he felt we should have the STM.

Bob Johnson felt we should hold the Special.

Walter feels we need more process and wants to go forward without extra items added to the Meeting. He wants to wait and see what happens in the next year and wanted this addressed at the 2006 ATM.

Lauren agreed that we need to open it up to a broader discussion group. She feels that Hybrid is a good option. She wanted to see the pros and cons for reuse and agreed we need some kind of approval in writing from DEP. The money is coming of Neswc account.

Dore' was unclear of the sense of getting the permit for us and we need a use that does not harm the cap. He feels we are conducting an exercise in obtaining a permit for reuse and maybe we are not even looking for other uses.

Bob said the \$18,000 represents 6.10ths of a percent of the NESWC funds.

Peter agreed we need the special and we need a narrow agenda contained to the Landfill Disposal options only. He feels we need to get the DEP's approval.

Move to place two articles on the Add article for Special only one for 2vs 5 operating and whether or not we move to Hybrid of pay as you go at the transfer station, UNANIMOUS VOTE,

DORE' HUNTER - Move to withdraw the taking off of the landfill articles from the Warrant.
LAUREN ROSENZWEIG - second. UNANIMOUS VOTE,

ACTON FIRST – Susan Kennedy representing Acton First. They feel that the Home Depot data is not correct. She wanted the Board to assure them that the Board of Selectmen not to move forward now or in the future in letting a Big Box at the Transfer Station.

Peter said that we can amend the hazardous waste issues about capping by adding an article or by adding a new bylaw. They urged that they submit a resolution no article.

Gena Manlan spoke about articles and have the Board write their own article and that the intent is the same as the Acton First's Articles.

Mary Michleman supported that the committee and urged Acton First not to submit the petitions.

Mr. Sweeney questioned about the adding of language that would make it an item that could be voted on at Town Meeting.

They will hold the second article if the Board writes it and meet their approval

First petition go ahead non-binding while they redraft the article to come back at the next town meeting.

TRANSFER STATION REUSE DISCUSSION

Peter outlined his discussion with Mr. Dickinson. He felt we need to have a meeting to address what people want with regard to development and Big Box construction. He felt we should have a couple of meetings to discuss this while there is not a specific deal on the table. He also noted that the 20% goal for commercial growth, and is it reasonable in the Master Plan? .

Dore' felt the 20% commercial growth, office parks is unreachable.

Mr. Hancock spoke about the Master Plan and pleased that we have a process now and looking into the Master Plan again.

SELECTMEN'S BUSINESS

GOALS FOR THE COMING YEAR – Peter wants to contact groups and bring forward issues for discussion at the next State of Town Meeting. They want to pursue Commercial Tax base. Master Plan meeting once a year to see if everyone is on same page, Walter wanted NARA on, 2020 at ALG do we want to continue 2020?

Remove #9 Joint IT
Merge 2 and 4 Board Communications

PROPOSED BOARD OF SELECTMEN'S MEETING SCHEDULE 2005-2006

Approved with Oct. 31 meeting being moved to November Tuesday, November 1st.

POLITICAL SIGNS, PROPOSED REGULATIONS – Dore' spoke about the issues on placement of signs and the issue on public lands such as at Town Hall or transfer station. Walter doesn't think we need this proposed regulation. He does not think we should have to address this he felt we should let it take its course.

Belle Choate agreed with Walter. She felt we needed to look at this more.

Charlie said that we do not need anymore regulations/bylaws.

Sue Kennedy wanted to thank Mr. Hunter for his effort.

Dore' asked that his proposal be withdrawn at this time.

COLLECTIVE BARGAINING AGREEMENT, FIRE

Peter spoke about the agreement and asked to have the Board vote to endorse the Agreement and to direct the Town Manager to ratify the agreement.

ASSABET RIVER RAIL TRAIL – Agreement has been signed. DORE' HUNTER - Moved to execute the agreement. Give the Manager discretion as to the release of the funds to other communities. WALTER FOSTER – second. UNANIMOUS VOTE

FRANKLIN PLACE – DORE' HUNTER – Moved in the words of Town Counsel on Exhibit A.
WALTER FOSTER – second. UNANIMOUS VOTE

JENK'S FUND FOR YOUTH - BOB JOHNSON - Moved to approve funds to the AHA and
Cynthia Durost Water Color Painting. WALTER FOSTER – second. UNANIMOUS VOTE

OTHER BUSINESS

Walter CPC - Senator Resor came and discussed Beacon Hill, and Leary Field project.

Lauren gave an update on meetings she attended this week.

Crossroads Café liquor violation have them come before us to discuss the notice received about
overservice.

CONSENT AGENDA

BOB JOHNSON – Moved to approve the Consent Calendar. WALTER FOSTER –
second

Walter wanted to hold #14 Railroad Street decision and have it expanded to include the
South Side. DORE' HUNTER – Moved the Additional language that Walter suggested.
LAUREN ROSENZWEIG – Second. UNANIMOUS VOTE

TOWN MANAGER'S REPORT

EXECUTIVE SESSION

BOB JOHNSON -Moved to enter in to Executive Session for the purpose of Litigation and Real
Property

Roll call taken all ayes.

Christine Joyce

Clerk, Board of Selectmen

Date

May 6, 2005

TO: Board of Selectmen, Sewer Commissioners

FROM: Peter K. Ashton, Chairman

SUBJECT: Selectmen and Sewer Commissioners' Report

MAY 9, 2005

7:00 P.M.

Room 204, Town Hall

I CITIZENS' CONCERNS

II SEWER COMMISSIONERS' BUSINESS

III PUBLIC HEARINGS & APPOINTMENTS

1. 7:01 **OPERATIONAL MINUTE** – The Town Manager will give the Board a brief update on various topics.
2. 7:15 **LIFE AFTER NESWC (LAN)** – The Assistant Town Manager will present recommendations from the LAN Committee, for Board consideration.
3. 7:30 **ACTON FIRST** – Members of Acton First will be in to make a presentation to the Board regarding proposed Warrant Articles for the June 13th Special Town Meeting.
4. 7:45 **TRANSFER STATION REUSE DISCUSSION** – This is a continuance of the discussion from the April 25, 2005 Selectmen's Meeting.

IV SELECTMEN'S BUSINESS

5. **GOALS FOR THE COMING YEAR** - Enclosed please find materials in the subject regard, for Board consideration.
6. **PROPOSED BOARD OF SELECTMEN'S MEETING SCHEDULE FOR 2005-2006** – Enclosed please find the proposed meeting schedule prepared by the Chairman for Board consideration.
7. **POLITICAL SIGNS, PROPOSED REGULATIONS** – Enclosed please find materials in the subject regard, for Board consideration.
8. **COLLECTIVE BARGAINING AGREEMENT, FIRE** – The Chairman will address the Board regarding the enclosed Collective Bargaining Agreement that has been ratified by the Fire Union.
9. **ASSABET RIVER RAIL TRAIL** – Enclosed please find documents for Board consideration and signature.

10. **FRANKLIN PLACE** – Enclosed please find documents for Board signature with regard to approval of the Regulatory Agreement, Deed Rider and Monitoring Services Agreement as well as a request to have the ACHC assigned as the Monitoring Agent for this Project.

11. **JENKS FUND FOR YOUTH** – Enclosed please find materials in the subject regard, for Board consideration.

12. **OTHER BUSINESS**

V **CONSENT AGENDA**

13. **ACCEPT MINUTES** – Enclosed please find Minutes of April 4, March 28, March 14, and February 28, 2005, for Board consideration.

14. **SITE PLAN SPECIAL PERMIT #398, MICHAEL GURTLER, 19 RAILROAD STREET** – Enclosed please find a Draft decision prepared by the Building Commissioner, for Board consideration.

15. **JOINT BOSTON EDISON & NEW ENGLAND TELEPHONE CO. POLE RELOCATION PETITION** - Enclosed please find a request for removal and replacement of one pole on River Street in conjunction with the Fort Pond Brook Place Development, for Board consideration.

16. **CAMPERSHIP REQUEST** – Enclosed please find a Confidential Request for a Camp Scholarship to NARA Park, and comments from the Recreation Director, for Board consideration.

17. **ACCEPT DONATION** – Enclosed please find a request from the Police Chief for acceptance of a gift of Catering at the Opening of the Public Safety Facility by ScupperJack's, approximate value of \$450-\$750, for Board consideration.

18. **ACCEPT DONATION** -- – Enclosed please find a request from the Recreation Director for acceptance of \$6,000 from Donelans Supermarket to be used for funding approximately ½ of the cost of Fireworks at the 4th of July celebration at NARA Park, for Board consideration.

19. **ACCEPT DONATION** – Enclosed please find a request from the Recreation Director for acceptance of \$1,000 from the Middlesex Bank to be used toward the summer concert series at NARA Park, for Board consideration.

20. **ACCEPT DONATION** – Enclosed please find a request from the Director of Municipal Properties for acceptance of a new bike rack for the Citizens' Library from Ms. Wendy Disch in Memory of David Killooy, valued at \$1,500, for Board consideration.

21. **ACCEPT DONATION** – Enclosed please find a request from the Health Department for acceptance of Skin Cancer Awareness Program materials, 250 Small Sand Buckets from the Department of Public Health and 100 Baseball caps donated by Solidworks, Concord, for Board consideration.

VI **TOWN MANAGER'S REPORT**

VII **EXECUTIVE SESSION**

22. 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.

May 23 – Not Your Average Joe's Liquor and Common Victualler's License Hearings,
Commission on Disabilities

June 6

June 20 Special Permit #1000 Main Street, Committee Reappointments

GOALS 2004-2005

1. Produce Morrison Farm Development Master Plan (Bob/Walter)
2. Improving Inter Board Communication (Dore')

GOALS carried forward

3. Monitor Labor Negotiations (Peter/Trey)
4. Improve Communication with Town Boards (ALL)
5. Revisit 2020 planning process for direction to make this process more beneficial towards implementation of long-term vision, and to get a first rough cut of what happens next year before school is out for the summer (Trey/Peter)
6. ALG process be used for purpose of Budget Planning for FY05 (Dore'/Peter)
7. Process Planning for "Life after NESWC" (Bob)
8. Joint IT process-organizational change (Walter/Dore')
9. Middlesex Pension Alternatives (Walter/Trey)